



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
CLIMATE PROTECTION COMMITTEE
COMMITTEE MEMBERS

YORIKO KISHIMOTO – CHAIR
SUE GARNER
SCOTT HAGGERTY
MARK ROSS

TOM BATES – VICE CHAIR
JOHN GIOIA
CAROL KLATT
MICHAEL SHIMANSKY
GAYLE B. UILKEMA

**FRIDAY
FEBRUARY 20, 2009
9:30 A.M.**

**4th FLOOR CONFERENCE ROOM
DISTRICT OFFICES**

AGENDA

1. CALL TO ORDER - ROLL CALL

2. PUBLIC COMMENT PERIOD

(Public Comment on Non-Agenda Items Pursuant to Government Code § 54954.3) Members of the public are afforded the opportunity to speak on any agenda item. All agendas for regular meetings are posted at District headquarters, 939 Ellis Street, San Francisco, CA, at least 72 hours in advance of a regular meeting. At the beginning of the regular meeting agenda, an opportunity is also provided for the public to speak on any subject within the Committee's subject matter jurisdiction. Speakers will be limited to three (3) minutes each.

3. APPROVAL OF MINUTES OF JANUARY 8, 2009

4. UPDATE ON 2009 CLIMATE ACTION SUMMIT

H. Hilken/4642
hhilken@baaqmd.gov

The Committee will receive an update on 2009 Climate Action Summit.

5. UPDATE ON GRANT PROGRAM FUNDED THROUGH ATTORNEY GENERAL'S SETTLEMENT WITH CONOCO-PHILLIPS

J. Colbourn/5192
jcolbourn@baaqmd.gov

The Committee will receive an update on the grant program funded with proceeds from the Attorney General's settlement with Conoco-Phillips.

6. COMMITTEE MEMBERS' COMMENTS

Any member of the Committee, or its staff, on his or her own initiative or in response to questions posed by the public, may; ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)

**7. TIME AND PLACE OF NEXT MEETING – 9:30 A.M. – THURSDAY, MARCH 12, 2009,
939 Ellis Street, San Francisco, CA 94109**

8. ADJOURNMENT

**CONTACT THE EXECUTIVE OFFICE - 939 ELLIS STREET
SAN FRANCISCO, CA 94109**

**(415) 749-5127
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov**

- To submit written comments on an agenda item in advance of the meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- To request special accommodations for those persons with disabilities (notification to the Executive Office should be given at least three working days prior to the date of the meeting so that arrangements can be made accordingly).
- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the District's offices at 939 Ellis Street, San Francisco, CA 94109, at the time such writing is made available to all, or a majority of all, members of that body. Such writing(s) may also be posted on the District's website (www.baaqmd.gov) at that time.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 ELLIS STREET, SAN FRANCISCO, CALIFORNIA 94109
(415) 771-6000

EXECUTIVE OFFICE:
MONTHLY CALENDAR OF DISTRICT MEETINGS

FEBRUARY 2009

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Advisory Council Regular Meeting	Wednesday	11	9:00 a.m.	Board Room
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i> - CANCELLED	Wednesday	18	9:45 a.m.	Board Room
Board of Directors Personnel Committee <i>(At the Call of the Chair)</i>	Wednesday	18	10:00 a.m.	4 th Floor Conf. Room
Board of Directors Legislative Committee <i>(Meets 4th Monday of the Month)</i>	Monday	23	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Budget & Finance Committee <i>(Meets 4th Wednesday of each month)</i>	Wednesday	25	1:30 p.m.	4 th Floor Conf. Room
Board of Directors Mobile Source Committee - <i>(Meets 4th Thursday of each Month)</i>	Thursday	26	9:30 a.m.	4 th Floor Conf. Room

MARCH 2009

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	4	9:45 a.m.	Board Room
Advisory Council Regular Meeting	Wednesday	11	9:00 a.m.	Board Room
Board of Directors Climate Protection Committee <i>(Meets 2nd Thursday each Month)</i> RESCHEDULED TO 2/20/09	Thursday	12	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	18	9:45 a.m.	Board Room
Board of Directors Climate Protection Committee <i>(Meets 2nd Thursday each Month)</i>	Friday	20	9:30 a.m.	4 th Floor Conf. Room
Joint Policy Committee	Friday	20	10:00 a.m.	MTC Auditorium 101 8 th Street Oakland, CA 94607
Board of Directors Legislative Committee <i>(Meets 4th Monday of the Month)</i>	Monday	23	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Budget & Finance Committee <i>(Meets 4th Wednesday of each month)</i>	Wednesday	25	1:30 p.m.	4 th Floor Conf. Room
Board of Directors Mobile Source Committee - <i>(Meets 4th Thursday of each Month)</i>	Thursday	26	9:30 a.m.	4 th Floor Conf. Room

APRIL 2009

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	1	9:45 a.m.	Board Room
Advisory Council Regular Meeting	Wednesday	8	9:00 a.m.	Board Room
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	15	9:45 a.m.	Board Room
Board of Directors Budget & Finance Committee <i>(Meets 4th Wednesday of each month)</i>	Wednesday	22	1:30 p.m.	4 th Floor Conf. Room
Board of Directors Mobile Source Committee <i>– (Meets 4th Thursday of each Month)</i>	Thursday	23	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Legislative Committee <i>(Meets 4th Monday of the Month)</i>	Monday	27	9:30 a.m.	4 th Floor Conf. Room

HL – 2/909 (11:25 p.m.)
P/Library/Forms/Calendar/Calendar/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Kishimoto and Members
of the Climate Protection Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 9, 2009

Re: Climate Protection Committee Draft Meeting Minutes

RECOMMENDED ACTION:

Approve attached draft minutes of the Climate Protection Committee meeting of January 8, 2009.

DISCUSSION

Attached for your review and approval are the draft minutes of the January 8, 2009 Climate Protection Committee meeting.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

**Bay Area Air Quality Management District
939 Ellis Street
San Francisco, California 94109
(415) 771-6000**

DRAFT MINUTES

Summary of Board of Directors
Climate Protection Committee
9:30 a.m., Thursday, January 8, 2009

1. **Call to Order - Roll Call:** Chairperson Yoriko Kishimoto called the meeting to order at 9:30 a.m.

Present: Yoriko Kishimoto, Chairperson; Tom Bates, Vice Chairperson; and Committee Members Sue Garner, Scott Haggerty, Carol Klatt, Mark Ross, Michael Shimansky and Brad Wagenknecht

Absent: Gayle B. Uilkema
2. **Public Comment Period:** There were none.
3. **Approval of Minutes of September 18, 2008:** Director Bates moved approval of the minutes; seconded by Director Shimansky; carried unanimously without objection.
4. **Update on Key District Climate Protection Activities:** *Staff updated the Committee on the status of Air District climate protection program activities.*

Henry Hilken, Director of Planning and Research, updated the Committee on the status of the District's Climate Protection Program activities. He said the Regional GHG Inventory was published last week, discussed the 2007 Bay Area GHG Emissions by sector, and reported on various additional changes in the inventory's methodology.

He then discussed the Air District's efforts in coordinating a local government and results-oriented Climate Protection Summit with a target date of May 2009, stating that keynote speakers and sponsors were being secured. Session topics would include:

- Climate action planning under SB 375
- GHG mitigation through CEQA
- Discussion roundtables for elected officials
- Green technology/buildings/vehicles
- Highly innovative projects

Committee members then held discussion with staff regarding climate grants, GHG economic ‘carrots’, identifying where best practices exist with private and public sectors, showcasing success stories, potential keynote speakers, sponsorships from Bay Area partners. The Committee voiced the need to focus on the most advantageous feedback. Committee members suggested that the Air District inventory and provide tools to those agencies that have not yet adopted climate plans, continue work with ABAG and MTC, and briefly discussed existing City and County ordinance revisions which affect permitting and inspection processes. Also voiced was a suggestion to make contact with representatives from the Obama Administration and involve youth-oriented components into the program.

Mr. Hilken reported that the GHG Stationary Source fee was adopted last year to administer programs relating to stationary sources and almost \$1 million has been collected to date.

He highlighted key results from the second reporting period for projects funded by the Air District climate grants, which included:

- BerkeleyFIRST implementing 40 solar projects;
- Solar Sonoma County launching with over 80 members;
- Sustainable Silicon Valley release of a best practices guidebook for small/medium sized businesses;
- Youth installation of a solar PV system at Richmond Community Farm; and
- Establishment of Marin Energy Authority to pursue Community Choice Aggregation.

He further reported that CEQA Guideline updates were scheduled for a target release date of June 2009. The update will include a comprehensive review of the Air District’s guidelines, assessment of analytical tools, revision and update of mitigation measures, review of existing significance thresholds, development of new thresholds, and addition/expansion of issues for evaluation such as GHG’s, diesel emissions and impacted communities.

Mr. Hilken said the Air District will also be working on the Conoco Phillips settlement. Up to \$7 million will be available for grants. An RFP will be prepared and grants may cover the following:

- Energy efficiency and conservation;
- Water conservation;
- New renewable energy generation;
- Cool roofs, pavement;
- Low emission vehicles;
- VMT reduction

In conclusion, Mr. Hilken discussed the District’s coordination with local governments, PG&E, ICLEI, and MTC, development of a best practices web portal, and State and regional collaboration.

Public Comment:

David Schonbrunn of Transdef, San Rafael, requested the Air District comment on the Regional Transportation Plan. He requested the Climate Protection Committee indicate to MTC the need for

additional alternatives and suggested using available expansion funds to build more transit instead of roadway infrastructure.

Committee Action: None; for information only.

5. Regional Climate Protection Vision: *Staff presented options for potential initiatives related to regional climate protection campaigns.*

Executive Officer/APCO Jack Broadbent reported that with the adoption of the AB 32 Scoping Plan, the Air District will now play a major role in CO₂ reductions and presented options for potential initiatives relative to regional climate protection campaigns. Committee members supported the Air District's coordination and collaboration with partner agencies, taking aggressive steps, identifying the most advantageous reduction efforts and leveraging the Air District's regulatory authority.

Mr. Broadbent briefly discussed with the Committee the District's collaborative relationship with the JPC, MTC, ABAG and BCDC, reviewed upcoming Board Retreat topics, discussed the prospect for future regulations and the Joint Policy Committee's focus on key strategies. Mr. Broadbent agreed that information and recommendations would be incorporated into discussion items for the Board of Directors' Retreat on January 21, 2009.

Committee Action: None; for information only.

6. Update on SB 375: *Staff provided a summary of SB 375 and its relationship to Bay Area climate protection programs.*

Air Quality Planning Manager, Dave Vintze, provided a summary of SB 375, stating the Bill requires ARB to set GHG reduction targets for automobile and light truck sectors. The ARB will appoint a Regional Targets Advisory Committee (RTAC) on methodologies and factors by January 31, 2009 which will include representatives from air districts, counties, transportation agencies, the League of California Cities, the public and building industries, and it is hoped that MTC will secure representation on the RTAC.

Mr. Vintze said the ARB takes into account reductions across all sectors. GHG targets can be expressed in various ways via gross tons, per capita or other metrics deemed appropriate, and it is up to local MPO's to develop a sustainable community strategy. The strategy will be part of the Regional Transportation Plan (RTP). However, he noted there was no current legislation that requires a sustainable community strategy be approved.

Another key issue of SB 375 is that it is linked to housing element updates. He further discussed CEQA and exemptions, transit-priority projects, land use changes, the promotion of high density infill development and transportation modeling. The RTAC will submit its recommendations to the ARB by September 30, 2009. The ARB will release draft targets for each region by June 30, 2010 and provide regional targets by September 30, 2010, which will be updated every eight years until 2050.

Next steps for the Air District include participation in the RTAC process, review of technical information submitted by the ARB prior to setting regional targets, participation in MTC/ABAG process for implementing SB 375, and review of updates to transportation model guidelines.

Public Comments:

Michele Rodriguez, Senior Planner, Jones & Stokes, distributed a DVD of SB 375 workshops offered free to the public, reported on their analysis and planning strategies for greenhouse gas reductions, general plans, work on a sustainability plan and partnership with the State Department of Conservation.

Committee Action: None; for information only.

7. **Update on AB 32 Implementation:** *Staff provided an update on recent activity and upcoming milestones related to AB 32 implementation.*

Deputy APCO, Jean Roggenkamp, provided an update on AB 32 implementation, stating that the ARB Board approved the AB 32 Scoping Plan on December 11, 2008 and CAPCOA was successful in incorporating language in ARB's adoption resolution requiring the development of a work plan with the air districts to include permitting, enforcement and other activities.

She said the Scoping Plan outlines strategies to achieve GHG reductions to 1990 levels by 2020 through a cap and trade program with WCI, regulatory and energy efficiency measures, renewable portfolio standard (33%), vehicles and fuels measures, regional transportation-related GHG targets (SB 375) and others. An upcoming workshop on AB 32 implementation will be held on January 29th and regulations must be adopted and implemented by 2012.

Committee Action: None; for information only.

8. **Committee Members' Comments:** None
9. **Time and Place of Next Meeting:** 9:30 a.m., March 19, 2008, 939 Ellis Street, San Francisco, CA 94109.
10. **Adjournment:** The meeting was adjourned at 11:12 a.m.

Lisa Harper
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Kishimoto and Members
of the Climate Protection Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 9, 2009

Re: 2009 Climate Action Summit

RECOMMENDED ACTION:

None. For information only.

BACKGROUND

At its meeting on October 1, 2008, the Board of Directors authorized the Executive Officer to execute a contract with O'Rorke, Inc. (O'Rorke), in an amount not to exceed \$200,000, to perform event planning and logistical support activities, including passing through payment to sub-contractors, for a regional Climate Action Summit for local governments to be held in 2009. The contract has been executed and staff has been working with O'Rorke on event planning and preparation.

DISCUSSION

O'Rorke has secured Thomas Friedman as the keynote speaker for the Summit, which will take place on May 4, 2009. Staff is currently developing content for breakout sessions that will support the Summit's primary goals to advance long-term climate planning, accelerate implementation of high-promise emission-reducing policies and programs, and to recognize District-sponsored agencies and projects. In addition, staff is working with ABAG staff to coordinate the Summit with the ABAG General Assembly, scheduled for April 23, 2009.

Staff will report on the status of logistics planning activities and will discuss ideas for Summit themes, breakout sessions, desired outcomes, and involvement of other Bay Area regional agencies.

BUDGET CONSIDERATION / FINANCIAL IMPACT:

None. The FY 08/09 budget includes funds for the summit which will be supplemented by sponsorships.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Abby Young
Reviewed by: Henry Hilken

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Kishimoto and Members
of the Climate Protection Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 9, 2008

Re: Update on the Grant Program Funded through the Attorney General's Settlement
with ConocoPhillips

RECOMMENDED ACTION:

None. For information only.

BACKGROUND

The Attorney General entered into a Settlement Agreement dated September 10, 2007, with ConocoPhillips Company to resolve a dispute regarding the adequacy of the environmental review of the environmental impact of GHG emissions from the Clean Fuels Expansion Project at the ConocoPhillips refinery in Rodeo, California. The Settlement Agreement requires ConocoPhillips to make a payment by June 1, 2009, to a carbon offset fund created by the Air District. The payment could be as much as \$7 million; however, the amount will be reduced by \$25 for each ton of GHG emission reductions that ConocoPhillips achieves at the Rodeo Refinery. The Settlement Agreement provides that the Air District will use the payment to fund eligible projects to achieve verifiable, quantifiable reductions in GHG emissions, with priority given to projects nearest to the Rodeo refinery.

DISCUSSION

As a follow up to the previous discussion at the Climate Protection Committee meeting of January 8, 2009, staff will present an update on the development of the Air District's program for selecting and funding eligible projects.

BUDGET CONSIDERATION / FINANCIAL IMPACT:

None at this time.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Karen M. Schkolnick
Reviewed by: Jack M. Colbourn