



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS REGULAR MEETING

February 17, 2010

A meeting of the Bay Area Air Quality Management District Board of Directors will be held at 9:45 a.m. in the 7th floor Board Room at the Air District headquarters, 939 Ellis Street, San Francisco, California.

Questions About an Agenda Item

The name, telephone number and e-mail of the appropriate staff person to contact for additional information or to resolve concerns is listed for each agenda item.

Meeting Procedures

The public meeting of the Air District Board of Directors begins at 9:45 a.m. The Board of Directors generally will consider items in the order listed on the agenda. However, any item may be considered in any order.

After action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

BOARD OF DIRECTORS' REGULAR MEETING A G E N D A

WEDNESDAY
FEBRUARY 17, 2010
9:45 A.M.

BOARD ROOM
7TH FLOOR

CALL TO ORDER

Opening Comments
Roll Call
Pledge of Allegiance

Chairperson, Brad Wagenknecht
Clerk of the Boards

PUBLIC COMMENT PERIOD

Public Comment on Non-Agenda Items, Pursuant to Government Code Section 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 Board's subject matter jurisdiction. Speakers will be limited to three (3) minutes each.

BOARD MEMBERS' COMMENTS

Any member of the Board, 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)

CONSENT CALENDAR (ITEMS 1 – 2)

Staff/Phone (415) 749-

1. Minutes of February 3, 2010

L. Harper/5073

lharper@baaqmd.gov

2. Communications

J. Broadbent/5052

jbroadbent@baaqmd.gov

Information only.

COMMITTEE REPORTS AND RECOMMENDATIONS

3. Report of the **Budget and Finance Committee** Meeting of February 10, 2010

CHAIR: C. DALY

J. Broadbent/5052

jbroadbent@baaqmd.gov

PRESENTATION

4. Report on the Pilot Business Incentive for Industry Compliance Schools

K. Wee/4760

kwee@baaqmd.gov

The Board of Directors will receive an update on the Pilot Business Incentive for Industry Compliance Schools.

CLOSED SESSION

5. Conference with Labor Negotiators (*Government Code § 54957.6(a)*)

Agency Negotiators: *Jack P. Broadbent, Executive Officer/APCO*
Jack M. Colbourn, Director of Administrative Services

Employee Organization: *Bay Area Air Quality Management District Employees’ Association, Inc.*

OPEN SESSION

OTHER BUSINESS

6. Report of the Executive Officer/APCO
7. Chairperson’s Report
8. Time and Place of Next Meeting – 9:45 A.M. Wednesday, March 3, 2010 - 939 Ellis Street, San Francisco, CA 94109
9. Adjournment

CONTACT EXECUTIVE OFFICE - 939 ELLIS STREET SF, CA 94109

(415) 749-5130
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 3 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 Air District’s headquarters 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 Air 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 2010

<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	17	9:45 a.m.	Board Room
Board of Directors Executive Committee <i>(At the Call of the Chair)</i>	Monday	22	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Mobile Source Committee <i>(Meets 4th Thursday each Month)</i>	Thursday	25	9:30 a.m.	4 th Floor Conf. Room

MARCH 2010

<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	3	9:45 a.m.	Board Room
Board of Directors Stationary Source Committee <i>(At the Call of the Chair)</i>	Friday	5	9:30 a.m.	Board Room
Board of Directors Personnel Committee <i>(At the Call of the Chair)</i>	Monday	8	9:30 a.m.	4 th Floor Conf. Room
Advisory Council Regular Meeting and Symposium – CA 2050 GHG Emission Reduction Target – Industrial Sector	Wednesday	10	9:00 a.m. – 12:00 p.m.	Board Room
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	17	9:45 a.m.	Board Room
Board of Directors Mobile Source Committee <i>(Meets 4th Thursday each Month)</i>	Thursday	25	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Legislative Committee – <i>(At the Call of the Chair)</i>	Thursday	25	Following Mobile Source Cme. Meeting	4 th Floor Conf. Room

APRIL 2010

<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	7	9:45 a.m.	Board Room

APRIL 2010

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Advisory Council Regular Meeting	Wednesday	14	9:00 a.m. – 11:00 a.m.	Board Room
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	21	9:45 a.m.	Board Room
Board of Directors Mobile Source Committee <i>(Meets 4th Thursday each Month)</i>	Thursday	22	9:30 a.m.	4 th Floor Conf. Room

HL – 2/10/10 (11:10 a.m.)

P/Library/Forms/Calendar/Calendar/Moncal

Acronyms

AAP	Agricultural Assistance Program
AB	Assembly Bill
ABAG	Association of Bay Area Governments
AESS	Automatic Engine Start-Stop (Locomotive projects)
Air District	Bay Area Air Quality Management District
AOP	Administrative Operating Procedure
APCO	Air Pollution Control Officer (Bay Area Air Quality Management District's Executive Officer)
APU	Auxiliary Power Unit
ARB	California Air Resource Board
ATCM	ARB Air Toxic Control Measure
BACT	Best Available Control Technology
BAR	CA Bureau of Automotive Repair
bhp	Brake Horsepower
BSA	California Bureau of State Audits
CARE	Air District's Community Air Risk Evaluation program
CARL	ARB Clean Air Reporting Log database
CCR	California Code of Regulations
CEC	California Energy Commission
CHC	ARB Commercial Harborcraft regulation
CI	Compression Ignition
CMP	Carl Moyer Memorial Air Quality Standards Attainment Program
CNG	Compressed Natural Gas
CRF	Capital Recovery Factor
DAPCO	Deputy Air Pollution Control Officer (Air District's Deputy Executive Officer)
DECS	Diesel Emission Control Strategy
DMV	CA Department of Motor Vehicles
DOC	Diesel Oxidation Catalyst
DOF	California Department of Finance
DOORS	ARB off-road regulation reporting database
DPF	Diesel Particulate Filter
ECF	Energy Consumption Factor
EF	Emission Factor
EGR	Exhaust Gas Recirculation
EMU	Electronic Monitoring Unit
EO	Executive Order
EPA	U.S. Environmental Protection Agency
ERC	Emission Reduction Credit
eTime	Air District time card system

FCF	Fuel Correction Factor
FEL	Family Emission Limit
FPL	Federal Poverty Level
FTA	Federal Transit Administration
FTP	Federal Test Procedure
FY	Fiscal Year
g	Gram
g/bhp-hr	Gram per brake horsepower-hour
gal	Gallon
GHG	Greenhouse gas
GSE	Ground Support Equipment
GVWR	Gross Vehicle Weight Rating
HC	Hydrocarbons
HD	Heavy-duty
HDDE	Heavy-duty Diesel Engine
HDV	Heavy-duty Vehicle
hp	Horsepower
HSC	CA Health and Safety Code
IC	Internal Combustion
ICE	Internal Combustion Engine
ILD	Idle Limiting Device
IMO	International Maritime Organization
IPI	Incentive Program Implementation Team
JDE	JD Edwards (Air District Accounting System Software)
kW	Kilowatt
LDV	Light-Duty Vehicle
LF	Load Factor
LNG	Liquefied Natural Gas
LPG	Liquefied Petroleum Gas – a.k.a. Propane
LSI	Large Spark Ignition
MDO	Marine Diesel Oil
MGO	Marine Gas Oil
MHDV	Medium Heavy-Duty Vehicle
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
MSC	Mobile Source Committee
MSIF	Mobile Source Incentive Funds (Air District grant program – AB923)
MTC	Metropolitan Transportation Commission
MY	Model Year
NMHC	Non-Methane Hydrocarbons
NOx	Oxides of Nitrogen

PM	Particulate Matter (unless specified, means PM10)
PM_{2.5}	Particulate Matter with a diameter of 2.5 micrometers or less
PO	Purchase Order
RFP	Request for Proposals
ROG	Reactive Organic Gases
SB	Senate Bill
SCR	Selective Catalytic Reduction
SID	BAAQMD Strategic Incentives Division
SIP	State Implementation Plan
SORE	Small Off-Road Engine
SWCV	Solid Waste Collection Vehicle
TAC	Toxic Air Containment
TFCA	Transportation Fund for Clean Air (Air District grant program)
tpd	Tons Per Day
tpy	Tons Per Year
TRU	Transportation Refrigeration Unit
TSE	Truck Stop Electrification
UB	Urban Bus
VAVR	Voluntary Accelerated Vehicle Retirement
VBB	Air District Vehicle Buy Back Program
VIN	Vehicle Identification Number
VVR	Voluntary Vehicle Repair
ZEB	Zero Emission Bus

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson, Brad Wagenknecht and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 9, 2010

Re: Board of Directors Draft Meeting Minutes

RECOMMENDED ACTION:

Approve attached draft minutes of the Board of Directors Regular Meeting / Retreat of February 3, 2010.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board of Directors Regular Meeting / Retreat of February 3, 2010.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Bay Area Air Quality Management District
745 Baywood Drive, Great Blue Heron Room - A
Petaluma, CA 94956
(415) 749-5000

Board of Directors' Regular Meeting / Retreat
February 3, 2010

DRAFT MINUTES

CALL TO ORDER: Chairperson Brad Wagenknecht called the meeting to order at 10:00 a.m.

Roll Call: Chairperson Brad Wagenknecht; Vice Chairperson Tom Bates; Secretary John Gioia; Directors Chris Daly, Dan Dunnigan, Susan Garner, Carole Groom, Scott Haggerty, David Hudson, Jennifer Hosterman, Ash Kalra, Eric Mar, Nate Miley, Mark Ross, James Spering, Pamela Torliatt, and Shirlee Zane

Absent: Directors Harold Brown, Carol Klatt, Liz Kniss, Gayle B. Uilkema and Ken Yeager

PLEDGE OF ALLEGIANCE: Lisa Harper led the Pledge of Allegiance.

Public Comments:

Dennis Bolt, WSPA, announced his retirement effective February 24, 2010 and expressed appreciation in being able to work with the Air District. He introduced his successor, Guy Bjerke, who he said has significant experience in public affairs.

Guy Bjerke, WSPA, noted that he is also the Mayor of Concord and is looking forward to representing refineries and local agency interests in working to improve air quality.

Board Member Comments:

Directors congratulated Mr. Bolt on his retirement and welcomed Mr. Bjerke.

CONSENT CALENDAR (Items 1-7):

1. Minutes of January 6, 2010;
2. Communications;
3. District Personnel Out-of-State Business Travel;
4. Quarterly Report of Air Resources Board Representative – Honorable Ken Yeager;
5. Quarterly Report of Executive Office and Division Activities;
6. Adoption of Proposed Amendments to the Air District's Administrative Code Division I – Operating Policies and Procedures – Section 11 adding new subsections 11.1 through 11.4 concerned with management, retention, and destruction of public records; and Adoption of a Record Retention Schedule; Adopted Resolution No. 2010-02; A Resolution of the Board of

Directors of the Bay Area Air Quality Management District Adopting Amendments to the Administrative Code Related to Records Management and Adopting a Record Retention Schedule;
7. Consider Approval of a Hiring Recommendation at Step E of Salary Range 148M for the Senior Advanced Projects Advisor Position.

Board Action: Director Gioia made a motion to approve Consent Calendar Items 1, 2, 3, 4, 5, 6 and 7; Director Ross seconded the motion; carried unanimously without opposition.

COMMITTEE REPORTS AND RECOMMENDATIONS:

8. Legislative Committee Meeting

January 21, 2010

Report given by Chairperson S. Garner

The Legislative Committee met on Thursday, January 21, 2010 and deferred the minutes of November 12, 2009 to the next meeting due to a lack of a quorum.

The Committee received a summary of potential legislative proposals for 2010 and discussed the direction given from the previous meeting for staff to explore sponsoring an air quality bill, either reforming California's smog check program, or increasing penalties for those who violate air quality laws.

This year's state budget gap is \$6.6 billion and California will face a deficit of over \$13 billion for the 2010/2011 fiscal year, for a combined shortfall of roughly \$20 billion. The fiscal crisis is expected to have a dramatic effect on legislative activity in 2010, creating pressure to relax environmental requirements.

District staff explored possible reforms to the smog check program, and the general consensus of Committee members present was that it would be very difficult to attempt major programmatic changes in 2010. Staff also explored the idea of co-sponsoring legislation on penalties in 2010, and the Committee members present recommended Board of Directors' approval to co-sponsor legislation to tie air penalty ceilings to future consumer price index changes.

Finally, the Committee discussed whether the District should take positions on some of the 2010 ballot initiatives designed to change the State Constitution. The Committee members present agreed that the Air District should not take positions on any initiatives that are not directly about clean air.

The next meeting of the Legislative Committee is at the call of the Chair.

Board Action: Director Garner made a motion to approve the report and recommendation of the Legislative Committee to co-sponsor legislation to tie air penalty ceilings to future consumer price index changes; Director Ross seconded the motion; carried unanimously without opposition.

9. Mobile Source Committee Meeting

January 28, 2010

Report given by Chairperson S. Haggerty

The Mobile Source Committee met on Thursday, January 28, 2010 and approved the minutes of the December 7, 2009 meeting.

The Committee received an overview of the total Year 11 Carl Moyer Program/Mobile Source Incentive Fund project recommendations by county and project category, totaling \$1,097,183 in awards, and the Transportation Fund for Clean Air FY 2009/2010 Alternative Fuel Vehicle and Infrastructure projects, totaling more than \$3.1 million. The Committee discussed the need for added outreach for agricultural projects, requested additional project description information and recommends Board of Directors' approval of Carl Moyer and TFCA Regional Fund projects requesting grant funding in excess of \$100,000, and approval of authorization for the Executive Officer/APCO to execute Grant Agreements for the recommended projects.

The Committee then received an overview of proposed revisions to Transportation Fund for Clean Air County Program Manager Fund policies for FY 2010/2011. The Committee discussed bicycle facility policies and funding for bicycle pathway projects. The Committee recommends Board of Directors' approval of TFCA County Program Manager policies and expenditure plan guidance for the upcoming fiscal year.

The Committee then received an overview of the Port Truck Retrofit and Replacement Program and discussed results from the program, delays in retrofit device installations and new truck deliveries, an Air Resources Board's extension for grants and privately funded trucks through April 30, 2010, and a staff request to accept supplemental funding. The Committee discussed the origins of the supplemental funding, the emissions significance of retrofitting more trucks at the Port of Oakland, and other grant priorities such as shorepower.

Based on this discussion, the Committee recommended Board of Directors' approval to authorize the Executive Officer/APCO to execute Grant Agreements with the California Air Resources Board for approximately \$8 million from Year 2 of the I-Bond Program to retrofit and replace additional trucks at the Port of Oakland, and to authorize the Executive Officer/APCO to enter into all necessary contracts to expend this funding.

The next meeting of the Mobile Source Committee is scheduled for Thursday, February 25, 2010.

Board Action: Director Haggerty made a motion to approve the report and recommendations of the Mobile Source Committee, as follows:

- A) Approve Carl Moyer And Transportation Fund For Clean Air (TFCA) Regional Fund Projects With Proposed Grant Awards Over \$100,000; and authorize the Executive Officer/APCO to execute Grant Agreements for the recommended projects;
- B) Approve Transportation Fund For Clean Air (TFCA) County Program Manager Policies And Expenditure Plan Guidance For Fiscal Year 2010/11;
- C) Accept Approximately \$8 Million From Year 2 of the California Goods Movement Bond (I-Bond) Program For Port Drayage Trucks, and authorize the Executive Director/APCO to execute Grant Agreements with the California Air Resources Board for approximately \$8 million from Year 2 of the I-Bond Program to retrofit and replace additional trucks at the Port of Oakland, and authorize the Executive Officer/APCO to enter into all necessary contracts to expend this funding.

Director Hosterman seconded the motion; carried unanimously without opposition.

Mr. Broadbent provided an update in response to comments discussed at the Mobile Source Committee meeting regarding funding and retrofit of drayage trucks at the Port of Oakland.

BOARD OF DIRECTORS RETREAT:

10. Opening Comments

Chairperson Wagenknecht welcomed Directors to the City of Petaluma and asked for Director Torliatt, Mayor of Petaluma, to add to opening comments.

Director Torliatt provided an overview of the Sheraton Petaluma, the City's largest hotel operated by a union workforce, discussed the City's 150 year history, described its wonderful restaurants, vibrant downtown, wine tasting venues, and 8 miles of trails and wetlands preserves.

Chairperson Wagenknecht recognized the diversity and talents of Air District staff, who are dedicated in maintaining clean air and a healthy environment for the District's nine Bay Area counties. He described the importance of Committee work, public outreach and education, acknowledged the controversy when tasked to regulating industry, and discussed Spare the Air and wood smoke program activities.

11. State of the Air District

Air Quality Summary:

Executive Officer/APCO Jack Broadbent reported that the District's robust climate protection programs will continue to complement State and Federal GHG programs. He said the EPA continues to lower the standard for ozone standard and PM standard and the District will soon be in non-attainment status with both the State and Federal standards. The CARE program was launched and designed to quantify and characterize emissions in communities from mobile and stationary sources, and the District believes that community risk reduction plans are one of several tools to address emissions reductions.

Mr. Broadbent presented a chart of the Clean Air Communities Initiative, launched by the Board last year, which not only includes amending CEQA guidelines, but also enhances monitoring in communities. It allows for conducting outreach and education, redirecting grants and incentive monies, and tailoring enforcement efforts.

Director Haggerty cited areas in addition to CARE communities where similar conditions exist and voiced the need for additional air monitoring stations. He confirmed with Mr. Broadbent that the CARE Program would be discussed at the February 22nd Executive Committee Meeting.

Director Zane received an explanation from Mr. Broadbent of non-attainment and attainment status, forecasting of weather conditions, the wood smoke program, and the calling of Spare the Air days. Ms. Roggenkamp distributed samples of PM 2.5 particulate filters and described concentrations captured over a 24-hour period. Director Ross confirmed that particulate matter causes the most damage, is more injurious to public health, and directly relates to morbidity as compared to ozone.

Director Hudson indicated that a larger problem also stems from people burning toxic materials in their fireplaces. Mr. Broadbent concurred, and noted that the District is in its second year of the

woodsmoke program. He cited the need to review the program, including enforcement aspects of the program, at the season's end.

Director Spring questioned the differences between arbitrary and discretionary decisions. Mr. Broadbent noted that a lot of criticism received on the woodsmoke program has to do with the fact that the District was calling Spare the Air days based on predictions of what air quality would be and also in anticipation of people burning wood. The District has received verbal and written opposition, but reiterated that the model is strictly a mathematical one. He added that the District believes it actually avoided an exceedance the day after Christmas due to public awareness and calling a Spare the Air Day. However, this is not always recognized by the public and Directors recommended this accomplishment be brought to attention in some manner.

Administrative Overview:

Mr. Broadbent said the District faces challenges next year and acknowledged the many cities and counties enduring difficult budget times. He said the District will be mindful of resources. He briefly reviewed reductions in services and supplies and noted that currently, the District employs 363 people and has 24 vacant positions. Property taxes are flat, fees from permits are down, penalties are down and grant programs are becoming expensive to manage, all of which encroach on General Fund revenues. The Employee Association contract ends June 30, 2010, and staff is working cooperatively in negotiations. The District facility is also being assessed, and progress is being made on the potential for relocation.

Overview of District Priorities:

Mr. Broadbent reviewed deliverables for 2010, as follows:

- Update CEQA thresholds;
- Consider adoption of Clean Air Plan;
- Continued Implementation of Bay Area Clean Air Communities Initiative;
- Moving Forward with Climate Protection Program;
- Continue Progress on reducing Port emissions;
- Launching improved Production System;
- Employee Association Contract.

Director Kalra cited the City of San Jose and the District's collaboration in climate action planning, modeling, and CARE task force meetings. Director Hosterman briefly discussed the timeline for implementing CEQA guidelines and questioned the launching of the improved production system. Mr. Broadbent explained that a presentation on enforcement and permitting production systems should be ready for demonstration to the Board in June or July. Director Torliatt reiterated her desire to have had the CEQA guidelines approved in January.

Director Spring acknowledged being critical of the District moving forward on the update of the CEQA guidelines too fast, but stands by his assertion that the Board should be completely united in its approval, feeling that the resultant product would be better. He thanked District staff for taking time and responding accordingly.

Director Garner concurred and discussed recent and planned meetings to review CEQA guidelines, stating that city/county staff are becoming more aware and educated. She inquired as to the notion of subletting space, and confirmed there was currently very little well-configured, usable and vacant space at District offices.

Mr. Broadbent advised that District staff will be alerting Directors of upcoming CEQA Guidelines outreach efforts.

12. Upcoming Committee Assignments and Goals

Chairperson Wagenknecht discussed the strength and importance of Committee work and the formulation of ideas and recommendations to the Board of Directors for consideration and approval.

Directors Zane and Hosterman voiced a desire to be able to teleconference Committee meetings. The majority of the Board concurred and directed staff to work on teleconferencing abilities.

Mr. Broadbent provided a PowerPoint overview of the 2010 Board Standing Committees, as follows:

Executive Committee:

- Brad Wagenknecht, Chairperson; Tom Bates, Vice Chairperson
- Members: Daly, Garner, Gioia, Haggerty, Ross, Torliatt, and Uilkema
- Meetings: At the call of the Chair
- Lead Staff: Jack Broadbent, Executive Officer/APCO
- 2010 Key Issues:
 - Major Policy Initiatives
 - Facility Strategic Planning
 - Production System
 - Employee Association Contract

Chairperson Wagenknecht reported that the Executive Committee comprises of Chairs of Committees who consider matters of policy affecting the District, authorize expenditures of monies, oversee short- and long-range planning and goals and objectives.

Director Haggerty requested the Chair consider making the Ad Hoc Committee on Port Emissions a regular standing Committee of the Board, which he confirmed would require amendment to the Administrative Code.

Budget and Finance Committee:

- Chris Daly, Chairperson; Hal Brown, Vice Chairperson
- Committee Members: Garner, Groom, Haggerty, Kalra, Mar, Ross, and Uilkema
- Meetings: At the call of the Chair
- Staff Lead: Jeff McKay, Deputy Air Pollution Control Officer
- 2010 Key Issues:
 - Review of Auditor's Report and District's Responses
 - Quarterly Budget Reports
 - FYE 2010/2011 Budget
 - FYE 2011 Cost Recovery Fees & Program
 - Budgetary Decision Items

Director Daly indicated that the District budget has been more stable than most governmental agencies and the Committee has been determining how to appropriately utilize reserves. The audit has

identified issues which have been resolved, and there continues to be challenges with investments and employee resources.

Climate Protection Committee:

- Pamela Torliatt, Chairperson; Jennifer Hosterman, Vice Chairperson
- Members: Dunnigan, Garner, Gioia, Groom, Hudson, Uilkema, and Zane
- Meetings: At the call of the Chair
- Staff Lead: Jean Roggenkamp, Deputy Air Pollution Control Officer
- 2010 Key Issues:
 - Local Government Technical Assistance
 - JPC Climate Action Program
 - AB 32 Implementation
 - Federal Climate Change Program
 - GHG Reduction Grant Program

Director Torliatt suggested monitoring how adoption of CEQA guidelines and thresholds are working in the long term, monitor how many projects are in exceedance and how many improve air quality through mitigations in EIR's. She asked staff to think about how this might work as a marketing tool to protect the public's health.

Director Spering questioned whether there was one agency that served as a collection point for climate action plans. Mr. Broadbent noted that the District has served as a technical resource and Ted Droettboom, through the Joint Policy Committee, would track the issue.

Director Zane noted that she serves on the Regional Climate Protection Authority (RCPA) as an elected Sonoma County official. On their website, the RCPA recently published the Community Climate Action Plan which is designed to assist local governments in achieving climate action goals. Ms. Roggenkamp also cited the Air District's partnership with Institute for Local Government to operate a web portal on climate related activities which she said identifies all cities with climate action plans and projects.

Joint Policy Committee:

- Pamela Torilatt, Vice Chairperson
- BAAQMD Joint Policy Committee Members: Daly, Kalra, Ross, and Uilkema
- Joint Policy Committee Meeting Dates: Friday, March 19; Friday, May 21; Friday, July 16; Friday, September 17; and tentatively Friday, November 12 (maybe rescheduled to Friday, November 5)
- Lead Staff: Jean Roggenkamp, Deputy Air Pollution Control Officer
- 2010 Key Issues:
 - CEQA Guidelines
 - Clean Air Plan
 - Climate Action Program
 - Climate Bay Area
 - Joint Actions
 - Climate Adaptation
 - SB 375 Implementation

Legislative Committee:

- Sue Garner, Chairperson; Carol Klatt, Vice Chairperson
- Members: Bates, Daly, Haggerty, Hosterman, Hudson, Kalra, and Miley
- Meetings: At the Call of the Chair
- Staff Lead: Jean Roggenkamp, Deputy Air Pollution Control Officer
- 2010 Key Issues:
 - Monitor State Air Quality Legislation
 - Co-Sponsor Legislation to Tie Existing Air Penalty Ceilings to CPI
 - Take Positions on Bills Affecting Air Quality
 - Work with the Port of Oakland to Garner Additional Federal Resources

Director Garner noted that the Committee recently met and reviewed its legislative calendar. The current legislation for motorcycle smog control certification will most likely not be successful until 2011 due to current economic conditions.

Mobile Source Committee:

- Scott Haggerty, Chairperson; Carole Groom, Vice Chairperson
- Members: Bates, Hosterman, Klatt, Mar, Miley, Ross, and Uilkema
- Meetings 4th Thursday of each month at 9:30 a.m. at the District Office in the 4th Floor Conference Room
- Staff Lead: Jean Roggenkamp, Deputy Pollution Control Officer
- 2010 Key Issues:
 - Review, Prioritize, and Recommend Spending Approaches
 - Developing New Sources of Incentives Funding
 - Coordination with Regional Partners
 - Deliberate and Implement Policy and Guidance

Director Haggerty commended staff for working well with County Program Managers, stating that the Committee will continue to monitor criteria in evaluating projects.

Ms. Roggenkamp announced that Damian Breen had recently been promoted to Director of Strategic Incentives, and Directors congratulated him on his promotion.

Personnel Committee:

- Harold Brown, Chairperson; Carole Groom, Vice Chairperson
- Members: Bates, Daly, Gioia, Haggerty, Hosterman, Mar and Torliatt
- Meetings: At the Call of the Chair
- Staff Lead: Jeff McKay, Deputy Pollution Control Officer
- 2010 Key Issues:
 - Interview and Recommend Candidates to Vacancies
 - Performance Reviews for Direct Reports to the Board of Directors

Director Miley hoped for successful negotiations with the District's Employee Association, noting that major concessions were being made in Alameda County.

Public Outreach Committee:

- Mark Ross, Chairperson; Carol Klatt, Public Vice Chairperson
- Members: Brown, Garner, Haggerty, Mar, Miley, Uilkema and Yeager
- Meetings: At the Call of the Chair
- Staff Lead: Jean Roggenkamp, Deputy Air Pollution Control Officer
- 2010 Key Issues:
 - Review of District's Outreach Program
 - Spare the Air Summer and Winter Program Review and Direction
 - Air District Employer Program and Resource Teams Review
 - Youth Program Development and Outreach
 - Social Media Messaging Program

Director Ross anticipated significant outreach for the year ahead, given CEQA guidelines, Spare the Air Tonight, and other District programs requiring public notice, advertisement, and education.

Stationary Source Committee:

- Gayle Uilkema, Chairperson; James Spring, Vice Chairperson
- Members: Garner, Gioia, Groom, Klatt, Kniss, Haggerty and Miley
- Meetings: At the Call of the Chair; Upcoming Meeting is Friday, March 5, 2010
- Staff Lead: Jeff McKay, Deputy Air Pollution Control Officer
- 2010 Key Issues:
 - High Profile Facility Review
 - Upcoming Rule Development Review and Direction
 - Existing Rule Implementation

Ad Hoc Committee on Port Emissions:

- Nate Miley, Chairperson; Eric Mar, Vice Chairperson
- Members: Bates, Dunnigan, Gioia, Groom, Haggerty, Ross, and Uilkema
- Meetings: At the Call of the Chair
- Staff Lead: Jean Roggenkamp, Deputy Air Pollution Control Officer
- 2010 Key Issues:
 - Review and Provide Direction on Emission Reduction Efforts at the Port of Oakland
 - Review Air Toxic Control Measures Implementation
 - Review Port of Oakland Related Activities

Mr. Broadbent reported attempts to secure federal funding this week and said staff will be working closely with the Port of Oakland on a variety of activities. Director Miley reported on the progress made over the last 18 months, appreciates recent cooperative efforts with Port staff, and discussed the balancing of equities for the Port to remain competitive while also addressing emissions.

Public Comment:

Andy Katz voiced support of key issues, asked that the Indirect Source Rule (ISR) be included in 2010 initiatives, and asked the District to encourage CARB to maintain its efforts on the environmental front.

Ms. Roggenkamp stated that the District will continue working on the ISR, but does not anticipate bringing it to the Board this year.

Director Torliatt asked that the Budget and Finance Committee review funding and move forward with the ISR and suggested the matter be discussed at the Executive Committee.

Mr. Broadbent explained that staff is aggressively developing the ISR. The issue is complex and will be controversial. The ISR Task Force will be working through its development this year. He noted that all of the work of the CEQA guidelines will assist in implementing the ISR and discussion could occur at the next Executive Committee meeting.

Director Ross agreed with moving forward with the ISR, but acknowledged the importance of connectivity between CEQA, ISR and the Sustainable Communities Strategies (SCS). He felt there is more work to be done and supported additional resources to help augment the work.

Director Zane apologized for not being able to easily identify acronyms and requested a glossary of terms be provided behind all agendas in the future.

Director Haggerty supported both a glossary of terms and return of a timeline for the ISR to the Executive Committee. He also recognized the importance of not rushing to implementation and recommended being more inclusive among fellow agencies in working with plans they are trying to develop.

13. Air Quality Summary

14. Administrative Overview

Mr. Broadbent suggested moving up Item 15; Community Risk Reduction plans in the interest of time.

15. Community Risk Reduction Plans

Mr. Broadbent indicated that the development of community risk reduction plans came about through changes in the New Source Review Program. He recounted the discussion and concerns that CEQA guidelines would serve as a barrier to infill development. The District believes it is important to have plans developed and adopted by cities to quantify health risk, identify strategies to implement measures to reduce toxic exposures, while still allowing for development to occur. Community grant program and remaining CARE monies can be made available to those cities to quantify and identify strategies.

Director Zane confirmed with Mr. Broadbent that CRRPs will also serve as a model for other cities, that the City San Jose has been helpful and will be used in the presentation as an example for discussion purposes.

Director of Planning and Research, Henry Hilken provided a historical account of Community Air Risk Evaluation (CARE) accomplishments dating back to 2006 to the present, presented a chart on 2005 Bay Area cancer toxicity-weighted emissions by pollutant and source category, outlined the Priority Development Areas (PDAs) and modeled air toxics risk and impacted areas based on elevated cancer risk, high emissions of toxic air contaminants, and sensitive populations.

Mr. Hilken presented the CARE impacted boundary in the San Jose community and discussed sources by type and those by major freeways, risk-weighted emissions and modeled air toxics risk, and proposed residential and mixed use development areas.

He provided an overview of Community Risk Reduction Plans (CRRP):

- Support community wide planning approach to reduce cumulative impacts;
- There has been a collaborative effort between local governments and the Air District;
- CRRP Elements:
 1. Defined CRRP Planning Area
 2. Goal or Reduction Target, e.g.,
 - a. No Net Increase/Net reduction
 - b. Percent Reduction from Baseline Conditions
 - c. Equivalent to Regional Average Risk
 3. Emissions inventories
 4. Risk Modeling
 5. Emission reduction measures
 6. Monitoring and updating mechanism
 7. Public involvement process

He presented an overview of developing CRRPs:

- District staff to work closely with local government staff
 - District to provide technical elements
 - Emissions inventory
 - Modeling
 - Identify sources & areas of concern
 - Assist with mitigation
 - Local government
 - Planning/policy framework
 - Public outreach
 - Assist with mitigation
- District developing CRRP criteria
- District retaining consultant to develop more detailed criteria
- RFP for consultants to develop emission inventories
- Initiate pilot projects
 - San Jose underway
 - San Francisco underway

He presented examples of mitigation strategies, as follows:

- Local scale analysis
 - Emission sources
 - Growth areas
 - Potential exposures
- Land use planning and zoning
- Buffer zones and set backs
- Site planning
 - Locate residences away from sources
 - Locate sources away from residences

- Develop truck routes
- Grants and incentives
 - Target high emitting sources
 - Focus on certain subareas
- Enforcement
 - Motor vehicle emission standards
 - Idling limits
- Project phasing
- HVAC
 - High efficiency filters
 - Locate intake away from sources
- Local monitoring

Mr. Hilken stated that CRRPs will support and coordinate activities with local planning activities in the following manner:

- Integration with Local Planning
 - Support FOCUS, PDAs, infill
 - Help implement CEQA Guidelines
 - Link with local planning activities
 - Goal: coordinate CRRPs with general plan updates, specific plans, PDA station area plans, etc.
- Support and Assist Local Planning
 - District budget funds for local government assistance
 - CRRP planning
 - Mitigation measures/risk reduction
 - District provide technical resources
 - District retain consultants to assist with CRRP development

Next steps include:

- | | |
|---|------------------|
| ▪ Develop draft CRRP guidelines | January-May 2010 |
| ▪ Issue RFP for assistance developing community scale emissions | February |
| ▪ Initiate CRRP Pilot Projects (San Jose, SF) | January/February |
| ▪ Workshops in Nine Counties | April or May |
| ▪ Seek Board approval for CEQA Guidelines | June |
| ▪ Work with Cities to Develop CRRPs | On-going |

Director Kalra commended staff for offering technical assistance and identifying goals to San Jose City staff, and said he looks forward to adoption of CEQA guidelines.

Secretary Gioia voiced support for CRRPs and funding for emissions reduction in CARE and other communities. Vice Chair Bates stressed the existence of heavy diesel emissions along the I-80 and I-880 corridor and suggested truck traffic be allowed on I-580 and for truck rescheduling to be explored.

Public Comments:

Bill Aboudi, AB Trucking, Oakland, spoke of his company trucks being denied CARB funding and of a recent study completed by Beacon Economics which identified 4,000 trucks servicing the Port. He

cited problems associated with truck rescheduling, difficulties with financing truck replacements, and asked that the Board ensure funding be limited to the Bay Area.

Wafaa Aborashed, Bay Area Health Communities (BAEHC), voiced support for the CRRPs, the San Jose model for CARE communities, utilizing I-580 for truck traffic, and asked the District to focus on cumulative impacts and protecting the public's health.

Dr. Henry Clark, West County Toxics Coalition, cited his previous complaints about air quality issues and disproportionate impacts and said he looks forward to working with the District and with Director Gioia in the development of CRRPs in the Richmond area.

Andy Katz said he is hopeful that the CRRPs will consider cumulative pollution in communities. He voiced concerns with inconsistent health protectives and ownership of plans and encouraged critical thinking about health accomplishments being achieved in all communities.

Director Sperring cited the need for a jobs/housing balance. He suggested a broader view be taken into account when locating housing and people near jobs, as diesel trucks will be cleaner and other emission reduction measures will be made to be more stringent. Mr. Broadbent said the District wants to see mixed use development, reductions in people's reliance on their automobiles, and is cognizant of short-term impacts through grant programs and plans, and CCRPs will assist in the balancing of all issues so as not to impede development.

Director Miley cited his work with the Port in balancing equities; improving goods movement in and out of the Port, while having clean trucks and sources. He supported the plan moving ahead in a measured way.

Director Daly voiced support for CEQA guidelines as a tool for decision-makers, more stringent health standards, and development of CRRPs with cities with the broad goal of reducing pollution.

Secretary Gioia asked for progress in moving forward with CRRPs. He suggested the District focus development in areas that have less pollution for new housing and jobs, and reduce pollution risks in populated neighborhoods. Director Ross concurred.

CLOSED SESSION:

16. Significant Exposure to Litigation

The Board of Directors adjourned to Closed Session at 1:10 p.m.

OPEN SESSION:

The Board of Directors reconvened the Regular Board Meeting/Retreat at 1:21 p.m. District Counsel Brian Bunger stated there was no reportable action taken in Closed Session.

OTHER BUSINESS:

17. Report of Executive Officer/APCO - None

18. Chairperson's Report - None

19. **Time and Place of Next Meeting: Retreat** Meeting - Wednesday, February 17, 2010 – 939 Ellis Street, San Francisco, CA 94109.
20. **Adjournment:** The Board of Directors Meeting/Retreat adjourned at 1:22 p.m. in memory of Charlene Forbush, former District Legal Secretary, who passed away on February 1, 2010.

Lisa Harper
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson, Brad Wagenknecht and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 9, 2010

Re: Board Communications Received from February 3, 2010 through February 16, 2010

RECOMMENDED ACTION:

Receive and file.

DISCUSSION

A list of Communications directed to the Board of Directors received by the Air District from February 3, 2010 through February 16, 2010, if any, will be at each Board member's place at the February 17, 2010 Regular Board meeting.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Brad Wagenknecht and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 12, 2010

Re: Report of the Budget & Finance Committee Meeting of February 10, 2010

RECOMMENDED ACTION:

None. Informational updates and reports were presented to the Committee.

BACKGROUND

The Budget & Finance Committee met on Wednesday, February 10, 2010. The Committee received the following reports:

- A) Review of Air District Financial Audit Report 2008/2009
- B) Second Quarter Financial Report – Fiscal Year 2009-2010
- C) Air District Financial Overview

Attached are the staff reports presented in the Budget and Finance Committee packet.

Chairperson Chris Daly will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

- A) None.
- B) No impact on Fiscal Year 2008/2009 budget.
- C) No budget impact.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Lisa Harper
Approved by: Jennifer Chicconi

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Daly and Members
of the Budget and Finance Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 2, 2010

Re: Air District Financial Audit Report for Fiscal Year 2008/2009

RECOMMENDED ACTION:

Informational report. Receive and file.

DISCUSSION

The Independent Auditors' Report confirms that the Air District's financial statements "...present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the Bay Area Quality Management District as of June 30, 2009, and the respective changes in the financial position, for the year then ended in conformity with accounting principles generally accepted in the United States of America." The report on the basic financial statements is unqualified with no reportable conditions, no instances of non-compliance, and no financial statement findings noted.

The Report on internal control over financial reporting and compliance was performed in accordance with *Government Auditing Standards*, and noted a certain deficiency in internal control that was considered to be a significant deficiency. However, the auditors determined that this deficiency was not a material weakness.

The deficiency noted that "a review of the timing of cash receipts subsequent to year-end in order to properly defer revenues not collected within the sixty-day modified-accrual basis availability period was not performed as part of the District's closing process. Consequently, an adjustment was necessary subsequent to management's close of the financial records."

The Report on compliance in accordance with *OMB Circular A-133* states "In our opinion, the Air District complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal programs for the year ended June 30, 2009."

The Report on Compliance with the Transportation Fund for Clean Air (TFCA) indicated that the Air District complied with the applicable provisions of the Health and Safety Code Sections 44220 through 44242, and that no instances of noncompliance with the applicable statutes, rules, and regulations of the TFCA Program.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Linda J. Serdahl, CPA, CFE

Reviewed by: Jack M. Colbourn

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Daly and Members
of the Budget and Finance Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 4, 2010

Re: Second Quarter Financial Report – Fiscal Year 2009-10

RECOMMENDED ACTION:

Informational report. Receive and file.

DISCUSSION

GENERAL FUND BUDGET: STATEMENT OF REVENUE

Comparison of Budget to Actual Revenue

- County receipts totaled \$9,891,047 (49%) of budgeted revenue.
- Permit Fee receipts were \$15,966,823 (66%) of budgeted revenue.
- Title V Permit Fees were \$2,265,979 (70%) of budgeted revenue.
- Asbestos Fees were \$827,397 (39%) of budgeted revenue.
- Toxic Inventory Fees were \$405,533 (63%) of budgeted revenue.
- Penalties and Settlements were \$377,745 (15%) of budgeted revenue.
- Miscellaneous Revenue receipts were \$49,554 (11%) of budgeted revenue.
- Interest Revenue was \$131,969 which totaled 19% of budgeted revenue.

GENERAL FUND BUDGET: STATEMENT OF EXPENDITURES

Comparison of Budget to Actual Expenditures

- Salaries and Benefits were \$20,711,531 (47%) of budgeted expenditures.
- Operational Services and Supplies were \$6,764,366 (29%) of budgeted expenditures.
- Capital Outlay was \$2,492,959 (37%) of budgeted expenditures.

INVESTMENT BALANCES

Cash and Investments in County Treasury:

General Fund	\$ 30,394,461
TFCA	\$ 54,314,815
MSIF	\$ 34,743,565
Carl Moyer	\$ 18,244,463
CA Goods Movement	\$ 14,547,565
	<u>\$152,244,869</u>

Investments Held as:

Fixed Income Investments	34% of total investment pool
Short Term Investments	66% of total investment pool

FUND BALANCES

	<u>6/30/2008</u> <u>Audited</u>	<u>6/30/2009</u> <u>Audited</u>	<u>6/30/2010</u> <u>Projected</u>
Imprest Cash	\$ 500	\$ 500	\$ 500
Building and Facilities	1,731,690	1,731,690	4,510,315
PERS Funding	2,700,000	2,300,000	1,900,000
Radio Replacement	75,000	75,000	75,000
Production System	2,800,000	-	-
Capital Equipment	130,425	130,425	2,130,425
Contingencies	400,000	400,000	-
Climate Protection	-	-	1,000,000
Post Employment Benefits	-	-	4,000,000
Worker's Compensation	1,000,000	1,000,000	1,000,000
Economic Uncertainties	8,755,437	9,277,570	5,291,866
TOTAL SPECIAL RESERVES	<u>\$ 17,593,052</u>	<u>\$ 14,915,185</u>	<u>\$ 19,908,106</u>
Appropriation - Production System	\$ -	\$ -	\$ -
UNDESIGNATED	<u>6,358,308</u>	<u>411,797</u>	<u>411,797</u>
TOTAL FUND BALANCES	<u>\$ 23,951,360</u>	<u>\$ 15,326,982</u>	<u>\$ 20,319,903</u>

BUDGET CONSIDERATION/FINANCIAL IMPACT:

No impact on Fiscal Year 2008/2009 budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Linda J. Serdahl, CPA, CFE
Reviewed by: Jeffrey McKay

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Daly and Members
of the Budget and Finance Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 10, 2010

Re: Air District Financial Overview

RECOMMENDED ACTION:

Receive and file.

DISCUSSION

Entering the FYE 2011 budgeting season, the Air District is financially sound and possesses adequate reserves. However, challenges continue as the District experiences the effects of reduced business activity, reduction in county revenues, low rates of investment return and grants costs that exceed administrative allowances. Staff will present a summary of this status.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

No budget impact.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jeffrey McKay

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Wagenknecht and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: February 10, 2010

Re: Report on the Pilot Business Incentive for Industry Compliance Schools

RECOMMENDED ACTION:

Informational Report. Receive and file.

BACKGROUND

The Air District periodically holds classes to educate regulated industry about compliance with air quality regulations. Through these Industry Compliance Schools, the District provides compliance assistance tools and tips; easy-to-understand materials on District regulations; and “hands-on” environmental training and expertise. The District has found that by holding these classes, our regulations are better understood and the regulated industry has higher compliance rates, resulting in improved air quality and benefits for public health in the Bay Area. Smaller businesses particularly benefit by their attendance at District-run schools, as they generally do not have environmental expertise on staff, have limited staffing and often have difficulty understanding regulatory requirements.

For these reasons, it is critical that these businesses attend Air District compliance schools to become educated about air quality regulations. To accommodate smaller businesses, generally the courses are held in the early evening hours throughout locations in the Bay Area. The courses are free. In the past, small business-oriented courses have been held for printing operations, automotive refinishers (autobody shops), dry cleaners, asbestos contractors and gasoline dispensing facilities (gas stations).

Given the state of the economy and the additional burden on industry sectors typically considered small businesses, staff developed a pilot financial incentive program to encourage attendance at District-run Industry Compliance Schools. Following up on the pilot program presentation to the Board in September 2009, staff completed Phase I of the pilot, for mobile coaters subject to the requirements of Regulation 8, Rule 45 (as amended by the Board of Directors on December 2, 2008).

DISCUSSION

Staff conducted four Industry Compliance Schools for mobile coaters starting October 1, 2009; the last was held on February 3, 2010. The schools were held in the early evening, translators were provided based on the attendees (e.g., Spanish and Vietnamese), and along with other compliance assistance tools and tips, attendees were able to complete their District registration. To encourage attendance and reach the mobile coaters, the schools were held in Concord (2), Santa Clara and San Francisco.

Regulation 8, Rule 20: Graphic Arts Printing and Coating Operations, was amended by the Board of Directors on November 19, 2008 to include commercial digital printing operations. For all graphic arts operations, the amended rule has new recordkeeping and labeling requirements and lower VOC emissions limits. District registration was included for low usage operations (if the VOC emissions are 75 lbs. or greater but less than 400 lbs. per month). The initial registration fee established by Regulation 3, Schedule R is \$215. The District developed and mailed compliance advisories to nearly 2,000 graphic arts operations in June and July 2009. However, despite the extensive outreach efforts, to date, only 13 graphic arts operations have registered with the District.

For Phase II of the pilot program, graphic arts operations who attend Regulation 8-20 Industry Compliance Schools and complete the registration process during the course will receive a \$75 discount on the initial registration fee. Through the pilot incentive, staff project higher Industry Compliance School attendance and registrations than would occur without the discount. By providing these registration discounts, the Air District encourages regulated industry to become educated about air quality regulations, reduces the regulatory burden on these small companies, increases compliance rates, and improves air quality benefits to public health in the Bay Area.

Staff will present the results of the Phase I, discuss the implementation plan for Phase II of the pilot, and the potential expansion of pilot program concept within the proposed amendments to Regulation 3.

BUDGET CONSIDERATION / FINANCIAL IMPACT:

The estimated costs would be \$3,500 in loss of fee revenue for the initial registration of graphic arts operations that attend District-run Industry Compliance Schools.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Barbara Coler
Reviewed by: Kelly Wee