

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
REGULAR MEETING
NOVEMBER 3, 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
NOVEMBER 3, 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 – 4)

Staff/Phone (415) 749-

1. Minutes of October 6, 2010

L. Harper/5073
lharp@baaqmd.gov

2. Communications

J. Broadbent/5052
jbroadbent@baaqmd.gov

Information only.

3. District Personnel on Out-of-State Business Travel

J. Broadbent/5052
jbroadbent@baaqmd.gov

In accordance with Section 5.4 (b) of the District's Administrative Code, Fiscal Policies and Procedures Section, the Board is hereby notified that the attached memoranda lists District personnel who traveled on out-of-state business.

4. Quarterly Report of Executive Office and Division Activities J. Broadbent/5052
jbroadbent@baaqmd.gov

A summary of Board of Directors, Hearing Board and Advisory Council meeting activities for the second quarter is provided for information only. Also included, is a summary of the Executive Office and Division Activities for the months of July - September 2010.

COMMITTEE REPORTS AND RECOMMENDATIONS

5. Report of the **Executive Committee** Meeting of October 20, 2010
CHAIR: B. WAGENKNECHT J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee recommends the Board of Directors' approval of the following item(s):

- 1) *Authorization to issue an RFP for bids to install webcasting equipment in the District Board Room.*
- 2) *For the Fourth Floor Conference Room, approve a video conferencing protocol that will allow remote interactions via both audio and video communication for Committee meetings that do not include action items.*

6. Report of the **Public Outreach Committee** Meeting of October 25, 2010
CHAIR: M. ROSS J. Broadbent/5052
jbroadbent@baaqmd.gov

7. Report of the **Mobile Source Committee** Meeting of October 28, 2010
CHAIR: S. HAGGERTY J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee recommends Board of Directors' approval of the following items:

- 1) *Approve Carl Moyer Program projects with proposed grant awards over \$100,000.*
- 2) *Authorize the Executive Officer/APCO to enter into agreements for the recommended Carl Moyer Program projects.*
- 3) *Accept up to \$6.7 million in Climate Innovation Program (CIP) grant funding from the Metropolitan Transportation Commission (MTC) for bicycle sharing pilot and electric vehicle (EV) charging infrastructure projects.*
- 4) *Authorize the Executive Officer/APCO to enter into agreements for the recommended projects.*
- 5) *Allocate \$5 million in Mobile Source Incentive Funds (MSIF) to fund public school bus replacement projects under the Lower-Emission School Bus Program (LESBP).*

8. Report of the **Nominating Committee** Meeting of November 3, 2010

CHAIR: B. WAGENKNECHT

J. Broadbent/5052

jbroadbent@baaqmd.gov

The Committee recommends Board of Directors' approval of the following item(s):

- 1) *A slate of Board Officers for the 2011 term of office.*

PRESENTATION(S)

9. Advisory Council Report and Recommendations from the June 9, 2010 Meeting on California's 2050 GHG Emission Reduction Target – Control Technologies and Strategies for the Industrial and Electric Power Sectors

J. Broadbent/5052

jbroadbent@baaqmd.gov

The Advisory Council will present a report and recommendations from its June 9, 2010 meeting on California's 2050 GHG emission reduction target of 80% below 1990 levels – control technologies and strategies for the industrial and electric power sectors.

10. 2010-2011 Winter Wood Smoke Reduction Program

J. Broadbent/5052

jbroadbent@baaqmd.gov

Staff will provide an overview of the third 2010-2011 Winter Wood Smoke Reduction Program season with a summary of the previous two successful wood smoke reduction season highlights.

OTHER BUSINESS

11. Report of the Executive Officer/APCO
12. Chairperson's Report
13. Time and Place of Next Meeting – 9:45 A.M. Wednesday, November 17, 2010 – 939 Ellis Street, San Francisco, CA 94109
14. 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

NOVEMBER 2010

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Nominating Committee <i>(At the Call of the Chair)</i>	Wednesday	3	9:00 a.m.	Room 716
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	3	9:45 a.m.	Board Room
Advisory Council Regular Meeting	Wednesday	10	9:00 a.m.	Board Room
Joint Policy Committee Special Meeting	Friday	12	10:00 a.m.	MTC Auditorium 101 – 8 th Street Oakland, CA 94607
Board of Directors Personnel Committee <i>(At the Call of the Chair)</i>	Wednesday	17	9:00 a.m.	4 th Floor Conf. 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	18	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Mobile Source Committee <i>(Meets 4th Thursday each Month)</i> - RESCHEDULED TO NOVEMBER 18, 2010 at 9:30 a.m.	Thursday	25	9:30 a.m.	4 th Floor Conf. Room

DECEMBER 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	1	9:45 a.m.	Board Room
Board of Directors Legislative Committee <i>(At the Call of the Chair)</i>	Monday	6	9:45 a.m.	4 th Floor Conf. Room
Board of Directors Stationary Source Committee Meeting <i>(At the Call of the Chair)</i>	Monday	13	9:30 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

DECEMBER 2010

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Joint Policy Committee Special Meeting	Friday	17	10:00 a.m.	MTC Auditorium 101 – 8 th Street Oakland, CA 94607
Board of Directors Mobile Source Committee (<i>Meets 4th Thursday each Month</i>) - RESCHEDULED TO NOVEMBER 18, 2010 at 9:30 a.m.	Thursday	25	9:30 a.m.	4 th Floor Conf. Room

HL – 10/27/10 (9:10 a.m.)
P/Library/Forms/Calendar/Calendar/Moncal

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: October 19, 2010

Re: Board of Directors Draft Meeting Minutes

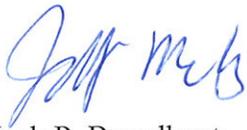
RECOMMENDED ACTION:

Approve attached draft minutes of the Board of Directors Regular Meeting of October 6, 2010.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board of Directors Regular Meeting of October 6, 2010.

Respectfully submitted,



e Jack P. Broadbent
Executive Officer/APCO

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, CA 94109
(415) 749-5000

Board of Directors Regular Meeting
October 6, 2010

DRAFT MINUTES

CALL TO ORDER: Chairperson Brad Wagenknecht called the meeting to order at 9:45 a.m.

Roll Call: Chairperson Brad Wagenknecht; Vice Chairperson Tom Bates; Secretary John Gioia; and Directors Harold Brown, Chris Daly, Susan Garner, Carole Groom, Scott Haggerty, David Hudson, Jennifer Hosterman, Ash Kalra, Carol Klatt, Liz Kniss, Eric Mar, Nate Miley, Mark Ross, Pamela Torliatt, and Gayle B. Uilkema

Absent: Directors Dan Dunnigan, James Spering, Ken Yeager, and Shirlee Zane

PLEDGE OF ALLEGIANCE: Chairperson Wagenknecht led the Pledge of Allegiance.

PUBLIC COMMENTS:

Evan Reeves, Center for Creative Land Recycling & Nonprofit Housing Association of Northern California, requested adding an agenda item to the October 20, 2010 Board meeting regarding CEQA risks and hazards threshold of significance for receptor projects for the following reasons: 1) future affordable housing sites fail initial screen at rates near 70%; 2) current screening model excessively conservative and out of date; and 3) development of CRRPs remain major challenge.

In response to questions of Directors and of the speaker, Mr. Broadbent replied that the Executive Committee would be discussing this item at the October 20, 2010 Committee meeting.

Kathy Bossley, San Lorenzo for Community Action, questioned Grissom's crematory permit process and reported that the Alameda County Supervisors will discuss the matter on November 9, 2010.

Bradley Angel, GreenAction and Environmental Justice Air Quality Coalition, opposed operation of Grissom's crematory and views it as an illegal facility.

Mr. Broadbent reported that the Stationary Source Committee received a briefing on September 27, 2010, and the Committee Report will be heard as Item 6 on the agenda.

Mr. Bateman provided an historical account of the matter, and said the District issued a permit for the facility in June 2009 which is based upon an evaluation of whether or not the facility meets air quality requirements and a health risk screening analysis. Modifications were necessary to obtain a permit.

In October 2009, Alameda County staff became aware of a County ordinance that prohibits crematories within 300 feet of a residence. Facilities are required to secure permits from a number of facilities in addition to the District. Once the County became aware that the facility was not in accordance with its ordinance, they informed representatives at the facility that they could not construct. The County is now in the process of considering amendments to the ordinance, and public meetings are being held. He said the District's permit is still valid because it is based on air quality considerations.

Mr. Broadbent added that the matter was discussed as part of public comments and staff followed up with Alameda County, per the Board's direction.

BOARD MEMBER COMMENTS:

Directors Torliatt and Hosterman reported on Walk N' Roll to School Day events in their respective communities.

CONSENT CALENDAR (Items 1-4):

1. **Minutes of September 15, 2010 Regular Meeting;**
2. **Communications**
3. **District Personnel on Out-of-State Business Travel**
4. **Quarterly Report of Air Resources Board Representative – Honorable Ken Yeager**

Board Action: Director Brown made a motion to approve Consent Calendar Items 1, 2, 3 and 4; Director Haggerty seconded the motion; unanimously approved without objection.

COMMITTEE REPORTS AND RECOMMENDATIONS

5. **Report of the Mobile Source Committee Meeting of September 23, 2010**
Chair: S. Haggerty

The Mobile Source Committee met on Thursday, September 23, 2010 and approved the minutes of June 30, 2010.

The Committee discussed and considered recommending Board of Director's approval of the Carl Moyer Program 2009/2010 and Transportation Fund for Clean Air (TFCA) FY 2009/2010 projects with proposed grant awards over \$100,000. The recommended projects replace three off-road loaders and four agricultural tractors, repower nine stationary agricultural engines, and convert one diesel truck to a fully electric engine. Based on its review, the Committee recommends the Board of Directors authorize the Executive Officer/APCO to enter into these agreements.

The Committee then discussed the Goods Movement Bond Truck program. Staff updated the Committee on the results of the Port Truck Program, the program costs, ongoing efforts with on-road trucks and newly available Goods Movement Bond Funds.

The Committee recommends the Board of Directors approve a resolution allowing the Executive Officer/APCO to execute all necessary contracts with the California Air Resources Board (CARB) to accept up to an additional \$700,000 in reallocated I-Bond funding for On-Road Truck projects.

The Committee also discussed and received an update on the Bicycle Share Program. Based on this discussion, the Committee is requesting the Board of Directors approve the allocation of \$1.4 million in TFCA Regional Funds from FY 2009/2010 to support a pilot Bicycle Share Program.

The next meeting of the Mobile Source Committee will be Thursday, October 28, 2010 at 9:30 a.m.

Board Action: Chairperson Haggerty made a motion to approve the report and recommendations of the Mobile Source Committee; Director Hosterman seconded the motion; carried unanimously without opposition.

Adopted Resolution No. 2010-10: A Resolution of the Board of Directors of the Bay Area Air Quality Management Accepting Goods Movement Emission Reduction Program Funds From the California Air Resources Board. Vote: 18-0-4 (Dunnigan, Spring, Yeager and Zane absent).

6. Report of the Stationary Source Committee Meeting of September 27, 2010

Chair: G. Uilkema

The Committee met on Monday, September 27, 2010 and approved the minutes of July 23, 2009.

The Committee received a report on recent crematory activities, crematory locations throughout the Bay Area, crematory emissions and air quality requirements, and specifically, Grissom's Chapel and Mortuary's permit application. The Committee also discussed potential ordinance amendments and a proposed use permit process by the County of Alameda.

The Committee then received a presentation on a proposed new Regulation 11, Rule 17; Limited Use Stationary Compression Ignition (Diesel) Engines used in agriculture. The proposed regulation would provide certain low use diesel agricultural engines subject to state regulations by December 31, 2010, the option of an Alternative Compliance Plan, and would provide an exemption for extremely low use engines. The proposed rule would allow more time for compliance in exchange for replacement of applicable low use diesel agricultural engines with substantially cleaner engines. Committee members asked that staff return to the Committee in December with information regarding unregistered engines by county and requested outreach to all counties.

The Committee then received an update on proposed amendments to Regulation 9, Rule 10; NOx and CO from Boilers, Steam Generators and Process Heaters in Petroleum Refineries. The Committee reviewed current and proposed NOx limits, NOx reductions, procedures refineries use in monitoring and verifying compliance, and the rule development process whereby workshops have been held with each refinery and stakeholders. Next steps include review and consideration of comments received, preparation of a Final Draft Rule, CEQA review, socio-economic analyses, and public hearings scheduled to be held in late 2010.

The next meeting of the Committee is scheduled for Monday, December 13, 2010 at 9:30 a.m.

Directors discussed Grissom's Mortuary, which has been in operation since 1969, noting that the crematory has not been installed at the facility. Director Miley cited due process, said the matter will go before Alameda County Board of Supervisors, assured public speakers that District staff has been tracking the project, and said he is pleased with what has been done to date.

Public Comment:

Bradley Angel, GreenAction and Environmental Justice Air Quality Coalition, voiced concerns regarding Grissom Mortuary's permitting process and the District's policy, and questioned the District's position on Alameda County's ordinance.

Director Miley voiced concern that Mr. Angel was mischaracterizing the issue. Mr. Broadbent provided further clarification on the District's role in analyzing air quality emissions and applying regulations. He noted that land use authority is at the discretion of the city or county and such issues should be referred to those agencies. Director Uilkema concurred and briefly outlined the Committee's review of the matter.

Board Action: Director Uilkema made a motion to approve the report and recommendation of the Stationary Source Committee; Secretary Gioia seconded the motion; carried unanimously without opposition.

7. Report of the Maritime Sources & Ports Committee Meeting of September 29, 2010

Chair: N. Miley

The Maritime Sources & Ports Committee met on Wednesday, September 29, 2010 and approved the minutes of October 26, 2009.

The Committee received an update on the inventory of emissions from the Ports of Benicia, Redwood City, Richmond and San Francisco, which will be used to:

- Track progress and estimate benefits;
- Develop strategies through Community Risk Reduction Plans (CRRP's);
- Assist with compliance and enforcement; and
- Target grants and seek outside funding

The Committee then received an update on shore power at Bay Area ports and discussed CARB's regulation for electrification of 50% of vessels calling at the Ports of Oakland and San Francisco by January 1, 2014. The Port of San Francisco's \$5.2 million project at Pier 27 is in operation today. Shore power at the Port of Oakland is estimated to cost \$90 million. District, Port, and CARB staff is meeting to discuss the schedule to electrify berths and pursue grant funding. This issue will be brought back to future Committee meetings.

The Committee then received an update on mobile source enforcement at the Port of Oakland, other Bay Area ports, and in Community Air Risk Evaluation (CARE) areas. Staff gave an overview and discussed inspections, violations issued and compliance rates, and presented examples of affected equipment.

The Committee received a summary of the West Oakland Truck Survey which has helped to refine the Health Risk Assessment input and findings, obtain better information for on-road trucks, and design and prioritize mitigations. Key findings include:

- Trucks are still the major source of diesel-related health risk in West Oakland;
- There are fewer trucks on surface streets than previously estimated;

- The fraction of trucks related to the Port was greater (29%) than the HRA estimated (16%); and
- The total potential cancer risk was still much higher than the Bay Area average.

The Committee received an overview of the West Oakland Monitoring Study. The study provides a measurement-based benchmark of air quality, identifies variations of toxic air contaminants at many locations, and estimates diesel PM contribution to total PM. Major findings include:

- Overall concentrations of toxic air contaminants in West Oakland are similar to measurements collected in other major Bay Area cities;
- Pollutant concentrations are 2 to 5 times higher along major roads used by diesel trucks;
- Diesel PM is a significant fraction of total PM in West Oakland; and
- PM concentrations estimated from 2009/10 measurements were about half of the HRA modeled 2005 concentrations.

Next steps include using information gathered to help design and implement emission reduction measures through grants and incentives and enforcement of diesel regulations; advising local land use decisions through CEQA guidelines and Community Risk Reduction Plans (CRRP's), tracking progress, and continuing community partnerships.

The next meeting of the Maritime Sources & Ports Committee is at the call of the Chair.

Board Action: Chairperson Miley made a motion to approve the report of the Maritime Sources & Ports Committee; Director Torliatt seconded the motion; carried unanimously without opposition.

8. Report of the Strategic Facilities Planning Ad Hoc Committee Meeting of October 1, 2010

Chair: B. Wagenknecht

The Strategic Facilities Planning Ad Hoc Committee met on Friday, October 1, 2010.

The Committee discussed the roles, responsibilities and structure of the Committee and the background and motivations that led the Air District, the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) to explore alternative headquarters solutions. The Committee reviewed individual space needs, location preferences, the importance of good public transit access, and economic and political effects of moving public agencies out of their respective cities.

The Committee also discussed the composition of the Committee and considered removing Executive Directors from its structure. The Committee unanimously voted to remove Executive Directors, approve restructuring of the Committee's composition to include an additional Board Member from each agency. The Committee further discussed their preferences for an ABAG representative from San Francisco County, an MTC representative from Santa Clara County, and an Air District representative from Contra Costa County. Chair Wagenknecht selected Board Member Gioia to serve as the Air District representative from Contra Costa County.

The Committee then received a report from CB Richard Ellis (CBRE) on the background and key findings of the Strategic Facilities Project-Phase II. CBRE gave a presentation on renovation and

temporary relocation costs, sale values, lease rates, annual gross rental income for various scenarios, key planning drivers and assumptions, cost comparisons, and commute times for each agency. CBRE agreed to present the study findings to respective agencies for consideration upon request.

The Committee then unanimously elected Chairperson Wagenknecht as Committee Chair.

The next meeting of the Strategic Facilities Planning Ad Hoc Committee is at the call of the Chair.

Board Action: Chairperson Wagenknecht made a motion to approve the report and recommendations of the Strategic Facilities Planning Ad Hoc Committee; Director Kniss seconded the motion; carried unanimously without opposition.

In response to Board Member inquiry, Chairperson Wagenknecht clarified that ABAG, MTC and the District agreed to select one additional representative each from their respective Boards to serve on the Ad Hoc Committee. He and Vice Chairperson Bates already serve as Chair and Vice Chair, and he had selected Secretary Gioia as the District's third representative.

9. Report of the Legislative Committee Meeting of October 4, 2010

Chair: S. Garner

The Legislative Committee met on Monday, October 4, 2010 and approved the minutes of March 29, 2010.

The Committee received a briefing on the 2010 legislative year and bills with District-adopted positions. While many problematic bills were introduced that would have increased air pollution or ended important regulatory programs, no bill the District opposed became law. Some of these ideas may still materialize in budget trailer bills, however.

On the other hand, fewer bills were introduced to improve air quality. The most significant bill the District supported that became law was AB 2289 (Eng), which should cut motor vehicle emissions statewide by 70 tons per day by reforming smog check. SB 435 (Pavley) also became law, and this will cut emissions from motorcycle emissions control tampering. Unfortunately, the bill the District co-sponsored (SB 1433-Leno) was vetoed by the Governor. This would have tied air penalty ceilings to inflation.

The Committee received a briefing on the current status of the State's Fiscal Year 2010/2011 budget. A vote on the budget deal reached by Legislative leadership and the Governor is expected later this week. While general details about the deal have been discussed in the press, any specific impacts to the District are not yet known.

The Committee then unanimously recommended that the Board of Directors take an "oppose" position on Proposition 23. This matter is on today's Board agenda as Item #10.

The next meeting of the Legislative Committee is scheduled for December 6, 2010 at 9:45 a.m.

Board Action: Director Garner made a motion to approve the report and recommendation of the Legislative Committee; Director Hosterman seconded the motion; carried unanimously without opposition.

RESOLUTION

10. Resolution to take an “oppose” position on Proposition 23.

Board Action: Director Hosterman made a motion that the Board of Directors adopted a Resolution of the Board of Directors of the Bay Area Air Quality Management District Opposing Proposition 23; Director Brown seconded the motion; which carried unanimously without opposition.

Adopted Resolution No. 2010-11: Opposing Proposition 23. Vote: 18-0-4 (Dunnigan, Spring, Yeager and Zane absent).

PRESENTATION

11. Summary of 2010 Ozone Season

Eric Stevenson, Director of Technical Services, presented the Ozone Seasons Summary for 2009 and 2010 for the National 8-hour, State 1-hour and State 8-hour. He presented 2010 major air basin exceedances for San Diego, Ventura, Sacramento, San Joaquin and the South Coast, and noted that varying temperatures, winds, and a fire on the back of Mt. Diablo contributed to some exceedances in the Bay Area.

Mr. Stevenson reviewed ozone and maximum temperature trends and discussed how the Environmental Protection Agency (EPA) designates the District as attainment versus non-attainment. He said the EPA’s ozone standard is due to be published in late October/early November and likely to range between 60-70 ppb. At that time, staff will update the Board on its affects to the District.

CLOSED SESSION

The Board of Directors adjourned to Closed Session at 10:45 a.m.

12. Conference with Legal Counsel – Existing Litigation

Pursuant to Government Code Section 54956.9(a), a need exists to meet in closed session with legal counsel to consider the following case:

Duraflame, Inc. v. Bay Area AQMD, California Court of Appeal, Case No. A128062

OPEN SESSION

The Board of Directors reconvened in Open Session at 10:48 a.m. District Counsel Brian Bunger announced that the Board of Directors met in Closed Session and no reportable action was taken.

OTHER BUSINESS

13. **Report of the Executive Officer/APCO:** On behalf of the Executive Officer/APCO, Deputy APCO Jean Roggenkamp reported that the 2010/11 Winter Spare the Air Season will begin November 1, 2010.

14. **Chairperson's Report:** Chairperson Wagenknecht gave the following report:
 - Mayor Newsom re-appointed Director Dan Dunnigan to a new two-year term on the Board of Directors;
 - The Nominating Committee will meet next month. Directors were asked to advise him of interest in serving in an Officer capacity;
 - The Board meeting of October 20, 2010 is canceled, and an Executive Committee meeting will take its place, to be held in the 4th Floor Conference Room.

15. **Time and Place of Next Meeting:** Regular Meeting - Wednesday, November 3, 2010, 9:45 a.m., Board Room, 939 Ellis Street, San Francisco, CA 94109

16. **Adjournment:** The Board of Directors meeting adjourned at 10:50 a.m.

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: October 25, 2010

Re: Board Communications Received from October 6 through November 2, 2010

RECOMMENDED ACTION:

Receive and file.

DISCUSSION

A list of Communications directed to the Board of Directors received by the Air District from October 6, 2010 through November 2, 2010, if any, will be at each Board Member's place at the November 3, 2010 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: October 25, 2010

Re: District Personnel on Out-of-State Business Travel

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

In accordance with Section 5.4 (b) of the District's Administrative Code, Fiscal Policies and Procedures Section, the Board is hereby notified that the following District personnel have traveled on out-of-state business:

The out-of-state business travel summarized below covers the period October 1 through October 25, 2010. Out-of-state travel is reported in the month following travel completion.

DISCUSSION

Jack Broadbent, Executive Office / APCO, attended NACAA Fall Membership Meeting and 30th Anniversary Reunion in Washington, D.C. on October 17 – 21, 2010.

Eric Stevenson, Technical Services Division Director, attended NACAA Board Meeting in Washington, D.C. on October 16 – 21, 2010.

Cuong Tran, Senior Atmospheric Modeler, attended Ben/Map Training Course in Chapel Hill, NC on October 17 – 20, 2010.

Ron Pilkington, Supervising AQ Inspector, attended Western States Project Criminal Environmental Investigations Course in Reno, NV on October 18 – 21, 2010.

Respectfully submitted,



ⁿ Jack P. Broadbent
Executive Officer/APCO

Prepared by: David Glasser
Reviewed by: Jack M. Colbourn

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

From: Jack P. Broadbent
Executive Officer/APCO



Date: October 21, 2010

Re: Report of Division Activities for the Months of July 2010-September 2010

ADMINISTRATION – J. COLBOURN, DIRECTOR

HUMAN RESOURCES SECTION

The Human Resources (HR) Office coordinated ten recruitment exams including exams for Secretary, Air Quality Technician, Public Information Officer, Supervising Environmental Planner, Principal Environmental Planner, Supervising Air Quality Instrument Specialist, Human Resources Analyst, Temporary Office Assistant, Temporary Facilities Maintenance Worker, and Engineering Intern. In addition, the HR Office conducted training sessions, including: working on various aspects of the Leadership Development Program Workshops; deployment of Windows 7 and Office Suite 2010 Training in coordination with ISS; specific targeted training and coaching for employees; CalPERS Retirement Workshop; LCW Labor Law Training; and Event Staff Safety Training. Furthermore, the HR Office is involved in the design, development and delivery of training for the Production System. The HR Office continues to administer payroll, benefits, safety, and labor/employee relations. There are 335 regular employees, 19 temporary employees and 28 vacant positions. There were 12 employee separations from July to September 2010.

STRATEGIC FACILITIES PLANNING SECTION

Alternative headquarter solutions has been a discussion at the Air District since 2008. Relocation and potential consolidation work is ongoing with the Metropolitan Transportation Commission (MTC), and the Association of Bay Area Governments (ABAG). No final decision on a consolidation has been made by any of the agencies.

The Strategic Facility Planning project is a multi-phased approach, Phase I of the project was completed last year, and included data gathering, visioning, goal setting, interviews and surveys were conducted with the Board of Directors, the Executive Management staff, operational staff, the Advisory Council and the Hearing Board.

The Executive Committee of the Board directed staff to explore consolidation opportunities with MTC, ABAG, and other public agencies. MTC's Administrative Committee approved exploring the feasibility of a consolidation study between the Bay Area Air District, MTC and ABAG. The purpose of the study was to analyze facility

requirements, including comparing needs for public meeting space, shared services such as information technology, and library services.

Implementation of Phase II required the issuance of Requests for Information and Proposals for Commercial Real Estate Brokerage and Advisory services that were issued earlier this year. In June 2010, the Air District Board of Directors voted unanimously to create the Strategic Facilities Planning Ad Hoc Committee with three representatives from each agency to oversee and provide direction to staff on the project. The Executive Committee at its August 5, 2010 meeting received a consolidation strategy approach presentation from CBRE.

CB Richard Ellis was contracted as the Commercial Real Estate Broker for advisory services and has completed the scope of work as outlined in Phase II of the project. The Bay Area Air District have received a preliminary report on key findings and recommendations prepared by CB Richard Ellis for Phase II of this project. Based on the study findings, the Air District's need to move has been made compellingly clear, that as an organization in a building that is obsolete we will need to move forward. If a consolidation is not possible at this time, the Air District will need to move alone.

CBRE reported its findings to the Strategic Facilities Planning Ad Hoc Committee on Friday, October 1 and to the Executive Committee at its October 20 meeting, for review and discussion. The Board of Directors will receive the Phase II Study Findings at its December 1, 2010 meeting.

FINANCE SECTION

The books were closed for fiscal year ending June 30, 2010 and work has commenced on the preparation of the first quarter variance reports. The outside auditors have initiated the audit for the 2009-2010 fiscal year and we expect it to be completed within the second quarter.

COMPLIANCE AND ENFORCEMENT – K. WEE, DIRECTOR

Enforcement Program

On July 2, 2010, staff met with City of San Francisco staff to discuss Phase 2 of the Hunter's Point Shipyard development. On July 13, staff met with the Environmental Justice Air Quality Coalition in Berkeley to discuss the District's air pollution complaint process. Staff provided testimony to the Hearing Board during abatement hearings against 5 gas stations that had not complied with the April 1, 2009 deadline for installation of state-required vapor recovery equipment upgrades. Staff tagged out of service four gas stations that failed to comply with Orders of Abatement issued in June that required them to install the state required vapor recovery equipment upgrades or cease operation. There are 19 additional gas stations that the District has or plans to file accusations for Orders of Abatement in order to bring the stations into compliance. On August 2, the District hosted an Odor Evaluation Technical Conference at the MTC building in Oakland. The conference was attended by over 120 members of the community, industry, and various government agencies who heard from seven odor experts from across the country that presented information on the science of odors and the latest in odor evaluation monitoring.

On August 18, staff attended the State Fire Marshall meeting where he mandated the removal of the hold open latches from all Vapor Systems Technologies, Inc. (VST) gasoline nozzles by October 15; the purpose is to ensure public safety and allow continued operation of gas stations using the VST vapor recovery system. More than 560 stations in the Bay Area use these nozzles. Damaged nozzles can unexpectedly cause gasoline to spray out of the nozzle without being inserted into a vehicle fuel tank.

Compliance Assurance Program

On July 21, staff attended the CAPCOA Vapor Recovery Meeting regarding the status on ongoing Enhanced Vapor Recovery certification projects and details about 13 incidents of damaged VST nozzles that had caused unexpected gasoline spray. Staff completed 16 engine inspections for the Goods Movement program and 12 American Recovery and Reinvestment Act (ARRA) inspections for the Strategic Incentives Division. Staff participated in the monthly Trucker Work Group meetings at the Port of Oakland.

Compliance Assistance Program

A compliance advisory was sent to gas station owners required to meet the September 1, 2010 deadline for installation of state-required, vapor recovery monitoring equipment. The advisory outlined the program to allow non-complying gas stations the opportunity to enter into compliance agreements/schedules to continue operating while working towards compliance. On July 7, staff conducted the second Small Business Incentives Industrial Compliance School for Graphics Arts Printing Operations at the MTC building in Oakland. Staff conducted compliance assistance site visits at 40 dry cleaners regarding the July 1, 2010 deadline to phase-out PERC dry cleaning machines; NOVs were issued to 3 facilities still using their PERC machines past the deadline. As part of the District's compliance assistance campaign to help reduce unnecessary commercial truck idling, staff continued distributing "Stop Idling" posters in areas where truck drivers congregate in West Oakland, near the Port of Oakland and South San Francisco. The poster and vehicle dashboard labels are available in English, Spanish, Punjabi, Vietnamese and Chinese. In July, staff gave a presentation on Regulation 5, Open Burning to the Bethel Island Municipal Advisory Council to discuss prohibited open burns.

Operations

On July 15, 2010 a second quarter In-Service Training was held that covered: Inspection Procedures, Air Sampling and Instrumentation Review, and other topics. Visible emission evaluation (VEE) certification for inspection staff was conducted by the District on August 16 and 17 and by CARB on August 26. Staff hosted two CARB training classes at the District office August 11 and 12. Staff attended the Advanced Environmental Crimes Training Program in San Luis Obispo September 11-14. The Marsh Management Burn Season started September 1 and will run through October 15. Staff approved 4 Marsh Management Smoke Management Plans (SMPs) in the Suisun Marsh (Solano County) and approved 10 Prescribed Burn SMPs for burn projects in Alameda, Contra Costa, Marin, San Mateo, and Santa Clara Counties. Staff completed the conversion, graphing and posting of flare monitoring data through July 2010.

(See Attachment for Activities by County)

ENGINEERING DIVISION – B. BATEMAN, DIRECTOR

Permit Systems Program

In the 3rd quarter of 2010, 467 new permit applications were received: 275 standard New Source Review applications, 168 Gasoline Dispensing Facility applications, 21 Title V applications, and 3 Banking applications. During this period, the Engineering Division issued 243 Authorities to Construct and 411 Permits to Operate.

Engineering Division Permit Activity – 4th Quarter 2009			
Annual update packages started	1,080	Permits to Operate issued (new and modified)	411
Annual update packages completed	1,014	Exemptions (apps. Submitted deemed exempt)	19
Total update pages entered	1,022	Authorities to Construct denied	0
New applications received	467	New Companies added to Data Bank during the 3 rd quarter 2010	105
Authorities to Construct issued	243		

Toxics Program

A total of 80 Health Risk Screening Analyses (HRSAs) were completed during the 3rd quarter of 2010; the majority of these HRSAs were for diesel engine emergency generators, with some soil vapor extraction projects, gasoline stations, and a crematory. Staff also prepared an HRSA for a combined cycle power plant (Oakley Generating Station).

Staff continued work assessing health risks from Lehigh Southwest Cement Company (Cupertino) and Sentinel Cremation Societies (Emeryville) for the Air Toxics Hot Spots Program. Lehigh has submitted a draft Health Risk Assessment and, based on District comments, will revise and resubmit the study in December.

Engineering staff provided assistance for the implementation of the District’s CEQA guidelines and thresholds, the development of the new Metal Foundries and Metal Melting rule, and the District’s Perc dry cleaning rule.

Title V Program

The Refinery Title V Permit renewals, which are required on a five year cycle, are well underway. It is expected that these can be finalized in the first quarter of 2011. Lehigh Southwest Cement Company’s proposed Title V permit renewal is being circulated for internal review. The public notice for this revised Title V permit renewal is anticipated to begin in November.

Permit Evaluation Program

On August 31, 2010, the District issued an Authority to Construct for the proposed Marsh Landing Generating Station (unincorporated Antioch). This project is a 760-MW natural gas-fired power plant located at a site adjacent to the existing Mirant Contra Costa Power Plant. An appeal of the permit action for this project was filed with the District's Hearing Board, but the appeal was subsequently withdrawn.

On June 17, 2009, the District issued a Preliminary Determination of Compliance (PDOC) for the proposed 200-MW Mariposa Energy Project (eastern Alameda County). This proposed "peaking" power plant consists of four simple-cycle gas turbines. The District is currently considering public comments received on this project.

Staff is preparing a PDOC for the proposed 624-MW Oakley Generating Station (Oakley). It is expected that the PDOC for this project will be issued at the end of October.

Staff continues work to implement the CARB stationary diesel engine ATCM and portable diesel engine ATCM. In addition to the normal workload, the District has received many applications to re-designate portable prime Tier 0 or uncertified diesel engines to low usage or emergency to avoid shutting the engine down at the end of 2009. These diesel engines, which are allowed to continue to operate in this limited capacity, will likely be replaced with the much cleaner Tier 4 engines when they become available.

Engineering Projects Program

Staff continues work in the Production System database conversion project. Staff activities included the following highlights: (1) completion of initial draft template permit conditions, (2) completion of customer-facing design for the Permit Renewal Process and 5 device-type forms, (3) completion of initial facing designs for engineer, supervisor and management dashboards.

Staff completed a FAQ sheet for the graphic arts registration web page, and a compliance advisory for upcoming requirements for registration of small boilers

LEGAL DIVISION – B. BUNGER, DISTRICT COUNSEL

The District Counsel's Office received 123 violations reflected in Notices of Violation (NOVs) for processing.

Mutual Settlement Program staff initiated settlement discussions regarding civil penalties for 71 violations reflected in NOVs. In addition, 6 Final 30 Day Letters were sent regarding civil penalties for 8 violations. Finally, settlement negotiations resulted in collection of \$27,575 in civil penalties for 30 violations.

Counsel in the District Counsel's Office initiated settlement discussions regarding civil penalties for 50 violations reflected in NOVs. Settlement negotiations by counsel resulted in collection of \$466,377 in civil penalties for 123 violations. The District Counsel's office also negotiated settlements with 2 entities for a total of \$46,000 for which there was no associated NOV.

(See Attachment for Penalties by County)

COMMUNICATIONS AND OUTREACH – L. FASANO

News Releases

The Air District issued 20 press releases and/or media advisories during the last quarter:
(to view press control key and click link)

- 9/30/2010 [Permissive burn periods for Crop Replacement and Flood Debris fires open](#)
- 9/29/2010 [Tri-Valley elementary schools kick off third annual Walk N Roll to school event](#)
- 9/27/2010 [Air District issues fourth consecutive Spare the Air Smog Alert](#)
- 9/26/2010 [Air District issues third consecutive Spare the Air Smog Alert](#)
- 9/25/2010 [Air District issues another Spare the Air Smog Alert](#)
- 9/24/2010 [Air District issues sixth Spare the Air Smog Alert of the season](#)
- 9/15/2010 [Air District passes groundbreaking plan to protect public health](#)
- 9/13/2010 [Air District celebrates the 40th anniversary of the Clean Air Act](#)
- 9/2/2010 [Media Advisory - Air District installs new air quality monitor in Cupertino](#)
- 9/2/2010 [Air District issues third consecutive Spare the Air Smog Alert](#)
- 9/1/2010 [Air District issues another Spare the Air Smog Alert](#)
- 8/31/2010 [Air District issues Spare the Air Smog Alert](#)
- 8/25/2010 [Health Advisory - Unhealthy Air Quality in Livermore Valley](#)
- 8/25/2010 [Media Advisory - Air District seeks public comment for proposed Alameda County power plant](#)
- 8/25/2010 [Mariposa Energy Center Fact Sheet](#)
- 8/25/2010 [Aviso de Prensa - Distrito de Control de Calidad del Aire solicita comentario del público acerca de propuesta de planta de energía en el Condado de Alameda](#)
- 8/25/2010 [Centro de energía Mariposa - Hoja informativa](#)
- 8/24/2010 [Open burning season for double crop stubble ends, seasons for fall marsh management and stubble and straw begin](#)
- 8/23/2010 [Air District issues another Spare the Air Smog Alert](#)
- 8/22/2010 [Air District issues first Spare the Air Smog Alert of 2010](#)
- 8/4/2010 [Air District approves 5 million dollars for electric vehicle charging stations](#)
- 7/26/2010 [Air District settles case with Tesoro](#)
- 7/12/2010 [5.5 million dollars available for Vehicle Buy Back Program](#)

Media Inquiries

Staff responded to a number of media inquiries during this quarter, topics included:

- Spare the Air (*numerous media outlets*)
- Tesoro Settlement (*Bloomberg News Argus Publications, KGO 7, Contra Costa Times*)
- Cupertino Monitoring Station (*KNTV, KPIX, Los Altos Town Crier*)
- Hayward Power Plant (*East Bay Express*)
- CEQA Guidelines (*Inside CalEPA, Transbay Blog, SF Business Times*)
- Enhanced Vapor Recovery (*KNTV, Los Altos Town Crier*)
- Electric Vehicle Infrastructure Grants (*The Green Car Website, KNTV, KRON*)
- Valero Refinery (*Vallejo Times-Herald*)
- Vehicle Buy Back Program (*San Jose Mercury News, KCBS*)
- Impact of dry cleaner regulations (*Popular Science, Sacramento Business Journal*)
- Great Race for Clean Air (*San Jose Mercury News*)
- Diesel truck retrofits (*Cunningham Report*)
- Plug-In Conference (*San Francisco Chronicle, SunPluggers.com, KRON, KLIV, KUSF, KUSP, Morgan Hill Public Access TV*)
- Bike Sharing Grants (*San Francisco Examiner, KCBS*)
- Carpool Lane Changes (*KTVU*)
- Mariposa Energy Center (*Livermore Independent*)
- Green Barbeque Event (*World Journal, KQED, KTSF*)
- Redwood Landfill in Novato (*Press Democrat*)
- 40th Anniversary of Clean Air Act (*KQED, Quest, Tri-City Wong*)
- Air Quality in Response to San Bruno Fire (*KCBS, KPIX, KRON, KNTV, SF Examiner*)
- Clean Air Plan (*Contra Costa Times, Bay Area Real Estate Journal, Way Out West, Vallejo Times Herald*)
- Pacific Steel Casting (*Daily Californian*)
- Scrap Metal Yards Regulation (*SF Weekly, Recycling Today*)
- Potrero Hill Power Plant (*Daily Californian*)

Media Highlights

Below are highlights of media coverage of the Air District over the last quarter: (to view press control key and click link)

7/3/2010	<u>Dry cleaners' failure to switch machines is costly</u>	San Francisco Examiner
7/12/2010	<u>Make or break time for shipyard project</u>	San Francisco Chronicle
7/16/2010	<u>New air quality rules create a stink</u>	San Francisco Business Times
7/26/2010	<u>Tesoro fined \$366375 for air quality violations at Martinez</u>	Mercury News
7/28/2010	<u>Tesoro Refinery Fined</u>	ABC 7

8/1/2010	<u>Air district guidelines cloud issue</u>	North Bay Business Journal
8/9/2010	<u>Electric Vehicle Charging Stations</u>	KRON 4 Early News
8/10/2010	<u>New report impugns Texas oil companies funding California Prop 23</u>	San Francisco Chronicle
8/24/2010	<u>Bay Area Air Quality on KNTV-SF (NBC) - San Francisco, CA</u>	NBC11 News
8/25/2010	<u>Spare me (and yourself): How to reduce Bay Area "Spare the Air" days</u>	San Francisco Chronicle
8/26/2010	<u>Power plant up for public review</u>	Tracy Press
9/1/2010	<u>Spare the Air alert called for Wednesday</u>	Contra Costa Times
9/9/2010	<u>CBS 5 Eyewitness News at 6PM: Cupertino Air Monitoring Station</u>	KPIX-SF
9/15/2010	<u>Wanted: Fresh thinking about future transportation</u>	San Francisco Chronicle
9/17/2010	<u>Editorial: Must weigh the cost-benefits of Bay Area air regulations</u>	Oakland Tribune
9/25/2010	<u>Readers' Forum: Air plan supports what residents expect</u>	Contra Costa Times
9/25/2010	<u>Bay Area Air District Issues Spare the Air Alert - KRON-SF (MyTV) - San Francisco, CA</u>	KRON 4 News at 11 (News)

Media Events

Cupertino Air Monitoring Station Event - Staff hosted a media event at the new air monitoring station at Monta Vista Park in Cupertino. The Director of Technical Services was interviewed and filmed for a segment that ran on KNTV and KPIX.

Green Barbeque Event - Staff hosted a *green* barbeque cook-off event at the San Francisco Ferry Building on Wednesday, September 8, to promote gas grilling. Participants were given samples of grilled summer cuisine and educated on the air quality benefits of gas grilling in place of charcoal barbequing. Reporters from KQED and the World Journal were present at the event.

CreaTV - District staff were interviewed on the San Jose CreaTV cable access program Silicon Valley Technology, Art, Green and Sustainability program. Staff and a member of the Air District-sponsored San Jose Green Vision Resource Team spoke about air quality and energy conservation with a focus on energy savings.

Publications

Air Currents - The Summer 2010 Air Currents newsletter was published, which included articles on the Air District's new CEQA Guidelines, the summer Spare the Air program, a cool roof project undertaken at a Contra Costa County school, and the Great Race for Clean Air, among other topics. Link: <http://www.baaqmd.gov/Divisions/Communications-and-Outreach/Publications-and-Videos/Air-Currents-Newsletter.aspx>

Bay Area Monitor - The August/September 2010 of the League of Women Voters Bay Area Monitor newsletter featured an article entitled “Air District Adopts CEQA Thresholds,” written in consultation with Air District staff. The Bay of Women Voters has a circulation of approximately 4,000 interested subscribers. Link: <http://www.bayareamonitor.org/>

2009 Annual Bay Area Air Pollution Summary - Staff published the annual Bay Area Air Pollution Summary summarizing pollutant concentrations recorded by the Air District’s monitoring network. The summary is available online at: <http://www.baaqmd.gov/Divisions/Communications-and-Outreach/Air-Quality-in-the-Bay-Area/Air-Quality-Summaries.aspx>

Op Eds

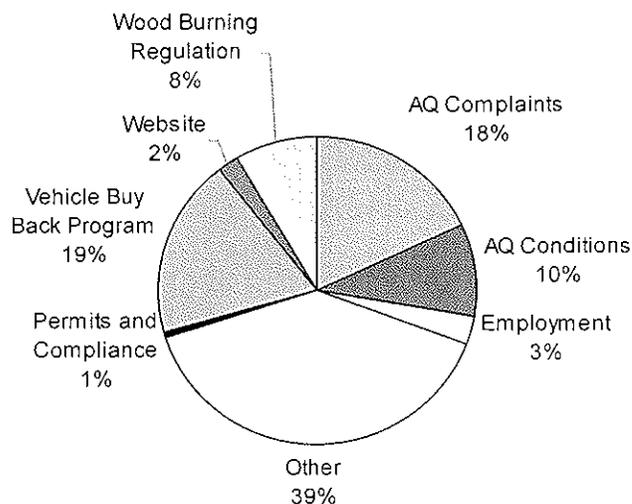
Climate Policy and West Coast Transportation Conference – Staff worked with Strategic Incentives Division and MS&L to write and place an op ed about the conference in the San Francisco Chronicle.

Clean Air Plan – Staff worked with Planning to write and place an op ed in response to an editorial in the Contra Costa Times.

Public Inquiries

Staff responded to approximately 760 calls and 140 emails from the public. The following chart shows a breakdown of the different types of inquiries received in the website feedback box.

Types of inquiries received via the feedback box



Spare the Air Every Day

The 2010 smog season began on May 3 and ended September 30. The District issued nine Spare the Air Smog Alerts during the 2010 season.

Commuter Chronicles Contest - The Spare the Air Campaign launched the “Commuter Chronicles” video contest encouraging Bay Area residents to submit videos talking about their commuting experience for an opportunity to win air-friendly prizes. See more at: <http://www.youtube.com/sparetheairbayarea>.

Ride Me Giveaway – Staff worked with O’Rorke and MS&L to encourage local residents to sign up for STA alerts at SpareTheAirNation.org. Entrants were in a sweepstakes drawing to win one of four brand new commuter-friendly bicycles and Clipper passes.

iPhone App – Staff is working with MS&L to develop a Spare the Air iPhone app that will have live alerts, current air quality information and the ability to report smoking vehicles.

Podcasts – Staff is working with MS&L and Breathe California to develop podcasts with information about the dangers of woodsmoke.

Social Networking – Staff is working with MS&L to provide content on Twitter, Facebook and YouTube about how Bay Area residents can Spare the Air Every Day.

Eco Eye Spy Giveaway – A contest run via Facebook to encourage people to watch the commercial. iPad and Nano, Clipper cards given away

Clean Air Lounges – Staff and O’Rorke set up Clean Air Lounges four local concerts throughout the Bay Area to hand out information about carpooling and other ways to Spare the Air Every Day. Those that carpooled to the concerts were given access to the lounge.

Spare the Air Employer Program - Staff met with Community Focus, to discuss the District’s Employer Program. Community Focus will work with staff to increase visibility, expand employer contacts and to disseminate air quality information to Bay Area employers.

Community Outreach

CAPCOA Climate Change Forum - Staff organized and facilitated plenary and breakout sessions at the annual CAPCOA conference and assisted forum participants. Staff also hosted a booth highlighting the District’s climate protection initiatives and the new Electric Vehicle Infrastructure Grant Program. There were approximately 550 participants in the Forum.

Great Race for Clean Air - The Regional Great Race for Clean Air launched on August 1 and ended on September 30. Over 60 employers representing over 40,000 employees participated in the race.

MTC/BAAQMD Climate Initiatives Program - Staff represented the District at a joint planning meeting with MTC staff to discuss and prepare an outline of the school and youth education component of the Climate Initiatives Program.

San Jose Green Vision Resource Team - Staff represented the District at the Home Energy Savings Workshop sponsored by the San Jose Green Vision Resource Team on July 17. The workshops are led by staff and volunteers of Acterra. Additional workshops were held in Spanish on September 25 and October 2. The workshops targeted low-income Spanish speakers and were held at Sacred Heart Community Services.

Odor Evaluation Technical Conference - The District hosted the Odor Evaluation Technical Conference at the Metropolitan Transportation Commission Auditorium in Oakland, on August 2. Panel presentations focused on the science of odors, community perspectives on odors and new odor evaluation technology. Participants included major industry, government, environmental and community groups. Approximately 120 people attended the conference.

Environmental Justice Air Quality Coalition Meeting – On August 2, 2010, Staff from the Compliance and Enforcement Division and the Communications and Outreach Office met with activists to discuss the agenda and related issues for the Air District’s Odor Evaluation Technical Conference.

Greenaction Diesel Idling Learn-In - Air District staff participated in a half-day diesel idling learn-in event sponsored by Greenaction at Saint John’s Memorial Baptist Church in San Francisco. Staff presented information on diesel idling and the Odor Conference outreach program. The Greenaction Learn-in is funded through the Air District’s Community Grant Program.

Plug-In 2010 – On July 26-28, 2010, Staff represented the Air District at the Plug-In 2010 Conference in San Jose with a booth which featured a plug-in hybrid display and educational materials. Chairperson Wagenknecht spoke at the opening Plenary Session of the conference and Strategic Incentives Division Director Damian Breen also presented and moderated several panel discussions. The Air District was a sponsor of the conference and also sponsored Public Night at the conference which drew approximately 1,500 community members.

Tesla Tour - Staff from the Communications Office, Strategic Incentives Division and the Executive Office toured the headquarters of Tesla Motors in Palo Alto, which designs and manufactures premium electric vehicles. Jack Broadbent and Damian Breen met with Diarmuid O’Connell, Vice President of Business Development, and talked about the acquisition of the Nummi facility in Fremont.

CARE Task Force Meeting - Staff helped to record task force member and community feedback on the program’s Community Risk Reduction Plan Proposal at the September 7 meeting of the CARE Task Force. There were approximately 45 present including members of the task force, District staff and members of the public.

IUAPPA World Clean Air Congress - Staff presented a paper on the District's public engagement program and attended the 15 annual International Union of Air Pollution Prevention and Environmental Protection Association's World Clean Air Congress in Vancouver, British Columbia. Approximately 400 air pollution professionals representing every continent presented papers and engaged in discussions about air monitoring, modeling, sustainable transportation, sustainable business practice and public engagement strategies.

West Coast Collaborative Meeting - Staff spoke with participants at the annual West Coast Collaborative Partners meeting in San Francisco. The District's CARE Program, electric vehicles and alternative fuel infrastructure grant program were featured. Approximately 250 public and private organizations concerned with reducing diesel emissions attended.

Odor Conference Call - Staff participated in a conference call with environmental justice advocates and air quality officials in Ohio and Delaware to examine odor complaint programs that engage local communities. Approximately 12 people participated in the call.

Bayview Hunters Point Air Filtration Meeting - Staff facilitated a meeting between representatives from IQAir and the San Francisco Unified School District on September 15. IQAir discussed logistics of installing air filtration devices in selected Bayview Hunters Point schools. Installation will begin at Dr. Charles Dew College Preparatory Academy and Dr. George Washington Carver Elementary School as soon as SFUSD clearance is received.

Santa Clara County Resource Team Meeting – On September 29, 2010, the Santa Clara County Resource Team met at Juniper Networks in Sunnyvale. The team discussed the end of the Great Race and how members can work to reach out to employers who participated in the Great Race and brainstormed upcoming project ideas.

San Mateo County Resource Team – On August 19, 2010, the San Mateo County Resource Team met in San Carlos. The team reviewed the Great Race for Clean Air participant list, discussed Great Race incentives and follow-up surveys, and concepts for future projects. The next meeting will be via conference call in October.

San Francisco County Resource Team – On August 26, 2010, the San Francisco County Resource Team met and received a presentation on how to use Google AdWords to draw users to the SF Car Free website. The team also discussed the latest designs for the car free website button and received an update on Great Race. The next San Francisco County Resource Team will be via conference call during the first week of October to discuss Great Race results.

Air District Presence at Community Events

Staff represented the Air District and hosted informational booths at the following community events:

Alameda County: Saturday and Sunday, July 3-4, 10-11, 10:00am to 8:00pm, Alameda County Fair, 4501 Pleasanton Avenue, Pleasanton

Napa County: Saturday, July 3, 10:00am to 8:00pm, Napa County Fair, 1435 North Oak Street, Calistoga

San Mateo County: Saturday, July 10, 10:00am to 2:00pm, Bike 4 Breath ride, 4000 East 3rd Ave, Foster City

Santa Clara County: Saturday, July 10, 7:00pm to 10:00pm, Shoreline – Rihanna, One Amphitheatre, Mountain View

San Francisco County: Thursday, July 15, 7:00pm to 10:00pm, Fillmore – Zane Lamprey, 805 Geary Blvd, San Francisco

San Francisco County: Saturday, July 17, 9:00am to 12:30pm, Senator Yee’s Annual Breakfast, Armenian American Day School, San Francisco

Santa Clara County: Thursday, July 29, 10:30am to 1:30pm, NetApp Life & Wellness Fair, 1375 Crossman Avenue, Sunnyvale

Sonoma County: Saturday and Sunday, August 7 & 8, 11:00am to 7:00pm, Sonoma County Fair, 1350 Bennett Valley Road, Santa Rosa

Santa Clara County: Saturday, August 14, 7:00pm to 10:00pm, Shoreline – American Idol, One Amphitheatre Parkway, Mountain View

Santa Clara County: Thursday, August 19, 11:30am to 1:30pm, Maxim Innovative Corp, 120 San Gabriel, Sunnyvale

Alameda County: Saturday and Sunday, August 21-22, Noon – 6:00 pm, Art & Soul Festival, Downtown, Oakland

San Francisco County: Sunday, August 22, 10:00am to 3:00pm, Sunday Streets, Great Highway, San Francisco

Santa Clara County: Sunday, August 22, 10:00 am – 9:00 pm, Shoreline Amphitheatre, Rock the Bells, Mountain View

Contra Costa County: Wednesday, August 25, 7:00pm to 10:00pm, Sleep Train Pavilion – Dave Mathews Band, Concord

San Mateo County: Saturday and Sunday, September 4-5, 10:00am to 5:00pm, Millbrae Art and Wine Festival, Millbrae

San Francisco County: Tuesday, September 7, 11:00am to 4:00pm, Hotel Nikko Annual Health and Safety Awareness Fair, San Francisco

San Francisco County: Sunday, September 19, 10:00 am – 3:00 pm, Sunday Streets – Japan Town, San Francisco

Santa Clara County: Thursday, September, 23, 10:00 am – 2:00 pm, Lockheed Martin Fun Run, Sunnyvale

Alameda County: Sunday, September 26, 2010, 12:00pm to 6:00pm, Rockridge Out and About Street Festival, Oakland/Berkeley

PLANNING DIVISION – H. HILKEN, DIRECTOR

CARE Program

To assist lead agencies with CEQA analyses, staff has provided support to city and county planners. Staff has assisted in reviewing environmental documents, has provided data and guidance to local staff, has met with local staff, consultants, and others to discuss risk and hazards analyses, and is developing additional screening tables.

Staff completed scopes of work and developed contracts with the City of San Jose's Planning Division and the San Francisco Department of Public Health to develop pilot Community Risk Reduction Plans (CRRPs). Staff held kick-off meetings with San Francisco and with San Jose to discuss schedules and the role and responsibilities of each party. Staff hosted a CARE Task Force meeting to discuss draft guidelines for developing CRRPs. Staff initiated work with Sonoma Technology, Inc. (STI) to complete detailed local emission inventories to support CRRP modeling; staff and STI developed a work plan and have begun collecting and developing emissions data.

Staff participated in a meeting of CalEPA's Cumulative Impacts Working Group. At the meeting CalEPA presented, and the Working Group discussed, a newly released report titled Cumulative Impacts: Building a Scientific Foundation (August 2010), which addresses ways to assess cumulative impacts and identify impacted communities. Staff presented the findings from the West Oakland Truck Survey and the West Oakland Measurement Study to the Maritime Sources and Ports Committee. Staff completed the year-long field study phase of the monitoring program to measure particulate-matter metals near the Custom Alloy Scrap Sales facility in West Oakland. Laboratory analysis and reporting will be completed next quarter.

Air Quality Planning Program

Staff continued implementation of the new CEQA Guidelines through numerous meetings with local government staff, consultants, developers, and others; presentations to various organizations; tracking the use of the CEQA Guidelines by lead agencies; responding to numerous inquiries from local governments and consultants; and drafting comment letters for projects subject to the new CEQA thresholds. Staff submitted comment letters on the following projects: Roblar Road Quarry Supplemental EIR (Sonoma County); Dublin Climate Action Plan Mitigated Negative Declaration (Dublin); Patterson Ranch Draft EIR (Fremont); Treasure Island Specific Plan Draft EIR (San Francisco). Staff continued to work on developing guidance and tools for Community Risk Reduction Plans (CRRPs), and executed contracts with the City of San Jose and the City/County of San Francisco to prepare pilot CRRPs for those communities. Staff continues to work on quantifying the reductions in toxic air contaminants that can be claimed from various mitigation measures and strategies that could be used in CRRPs. Staff formed a regional working group with

MTC and ABAG, and commenced regular meetings to identify potential air quality issues at or near priority development areas (PDAs), discuss how regional agencies can better communicate, and formulate strategies to assist local projects through the environmental review process and air quality analysis.

Staff participated in monthly meeting of the Regional Advisory Working Group which is composed of local government planning directors and stakeholders convened to provide input and guidance to regional agency staff in developing the Sustainable Communities Strategy (SCS) under SB 375. Staff attended meetings with ABAG, MTC and JPC to discuss and provide input on ARB's regional GHG targets under SB 375 prior to their finalization. Staff participated in monthly Inter-Agency Modeling Committee meetings with MTC and ABAG to discuss land use scenarios and strategies to achieve GHG reduction targets for SCS. Staff participated in a workshop sponsored by SPUR to develop policy options for climate vulnerability in the areas of public health, air quality and heat mitigation. Staff made a presentation on the District's effort to integrate strategies to reduce air pollutants and greenhouse gases at the International Union of Air Pollution, Prevention and Environmental Protection Associations' (IUAPPA) World Clean Air Congress in Vancouver, B.C. Staff continued to review deliverables from grantees of the Climate Protection Grant Program and document results achieved to date.

Staff presented the Proposed Final Bay Area 2010 CAP and the Final EIR to the Board of Directors for adoption; the Board certified the FEIR and adopted the 2010 CAP. Staff initiated an internal PM 2.5 State Implementation Plan (SIP) kick-off meeting to discuss preliminary steps and responsibilities in the PM2.5 SIP development process. Staff is working with the consultant Fehr & Peers to develop a planning tool that would model the individual and combined effects of transportation demand management (TDM) strategies; staff is collaborating with MTC and ABAG staff throughout the tool's development process.

Research and Modeling Program

Staff participated in several conference calls with the Central California Ozone Study (CCOS) and California Regional Particulate Air Quality Study (CRPAQS) Technical and Policy Committees, and with the Northern California PM State Implementation Plan (SIP) Inventory and Modeling Coordination Groups. Staff reviewed and provided comments to ARB on several CCOS and CRPAQS related projects. Staff made significant progress in applying and evaluating the most recent versions of the U.S. EPA's Community Multiscale Air Quality (CMAQ) and ENVIRON's CAMx models; these models will be compared against each other to adopt the best performing PM modeling tool for the Bay Area. Staff continued to work with Pennsylvania State University to evaluate the performance of the Weather Research and Forecasting (WRF) model in the Bay Area. Staff investigated the response of ambient PM levels in the Bay Area to PM emission reductions in the Bay Area as well as in the Central Valley. Staff prepared a three-year work plan to study ultrafine particulate matter in the Bay Area and begun developing an ultrafine particulate matter emissions inventory. Staff worked on winter 2010-11 PM sampling to evaluate the effectiveness of the District's wood burning rule. In support of the CARE Program, staff prepared meteorological inputs for use in AERMOD modeling and completed preparation of a 2015 toxics emissions inventory for regional toxics modeling. Staff provided support to the Engineering Division in modeling of several

permit applications. Staff responded to numerous meteorological data and modeling guidance requests from consultants.

Rule Development Program

Staff made a presentation to the Stationary Source Committee on a proposed cement kiln rule and attended a Cupertino City Council Session on Lehigh Southwest Cement. A draft of a proposed rule for low use agricultural engines used for frost protection (Rule 11-17: Limited-use Agricultural Diesel Engines) has been prepared and is undergoing internal review; staff is planning extensive outreach. Staff has also discussed low-use agricultural engines with staff from the Sacramento, Yolo-Solano, and San Joaquin air districts and the California Farm Bureau, and made a presentation to the Stationary Source Committee. Staff released and received comments on a Request for Comments on a second draft of amendments to Regulation 9, Rule 10: NO_x and CO from Petroleum Refinery Boilers, Steam Generators and Process Heaters and an accompanying Manual of Procedures (MOP) Chapter, and presented an update on the proposed amendments to the Stationary Source Committee. Staff assisted with development of stationary source control measures for the 2010 Clean Air Plan and assisted with responding to comments.

Staff participated in a compliance training class for affected industries for Regulation 8, Rule 20: Graphic Arts Operations. Staff visited Kinder-Morgan gasoline terminal in Brisbane, CA regarding compliance with upcoming standards in Reg. 8-33: Gasoline Bulk Terminals and Gasoline Cargo Tanks. Staff presented information about upcoming standards in Regulation 9, Rule 7: NO_x and CO from Industrial, Institutional and Commercial Boilers, Steam Generators and Process Heaters to consultants and engineering firms. Staff responded to various inquiries regarding the District's commercial cooking rule Regulation 6, Rule 2).

Emission Inventory Program

Staff completed the Base Year 2008 emission inventory and prepared a Summary Report. Staff completed compiling the District's 2009 GHG emissions for the Climate Registry and submitted the data to the Registry, and participated in a training webinar to prepare for the verification process of the District GHG inventory. Staff completed the preparation of the Small Ports Emissions Inventory, and assisted with preparing the staff report and presentation to the Maritime Sources and Ports Committee. Staff attended CARB workshop on emission inventory improvement for trucks and construction equipment. Staff participated in CARB's PM Emissions Inventory Improvement Program for the upcoming State Implementation Plan (SIP), and participated in CARB meetings for developing new regional growth factors to better represent the economic recession in the inventory for the upcoming SIP. Staff reviewed and verified MTC's Bay Area GHG Emissions Reduction Estimates due to SB375 GHG Emissions Reduction Targets. Staff attended MTC's Air Quality Conformity Task Force Meeting. Staff continued responding to inquiries on the emission inventory from District staff and outside parties.

STRATEGIC INCENTIVES – D. BREEN, DIRECTOR**Goods Movement / Port Truck Program**

On September 1, 2010, the Bay Area Air Quality Management District (Air District) restarted its Year 1 (2008) On-Road Truck program by contacting all of the original 860 applicants that appeared on the 12/3/08 Board agenda list for updated information.

As of September 30:

- 450 complete applications for truck retrofits and replacements were received
- 78 of these applications were for retrofits at a cost of \$5,000 each
- 372 of the applications requested replacement trucks at a cost of \$50,000 each
- These requests for funding total \$19 million and are currently being evaluated for eligibility by staff.

Incentives Development

On August 13, 2010, staff submitted two final applications for funding to the MTC Climate Innovation Grants Program. (Both were subsequently recommended for funding, pending approval of MTC's Board and collaboration with other partners to develop implementation strategies.) The projects are:

- **Bay Area Electric Vehicle Infrastructure Readiness Pilot Project** (recommended for \$4.3 million award)—to learn about and test various types of infrastructure and related deployment strategies through the installation of 500 home chargers, 940 publicly accessible chargers, and 20 fast chargers. In support of the Project, the District will collaborate on a streamlining effort with local permitting agencies and on the development of EV-friendly building codes and public works guidelines to ensure that EV charger installations are performed rapidly and reliably.
- **First-Mile and Last-Mile Mobility Solution: Pilot Bike-sharing Program** (recommended for \$2.4 million award)—to deploy 1,000 bicycles in San Jose, Palo Alto, Mountain View, Redwood City and San Francisco. The Project's objective is to pilot and test zero-emissions bike-sharing strategically in downtown urban centers of varying sizes and population densities located in Priority Development Areas.

Vehicle Buy Back (VBB)

On August 13, 2010, the California Bureau of Automotive Repair issued emergency regulations and launched its expanded vehicle retirement program, which now covers vehicles regardless of age or Smog Check status. As a result of this action, Staff will suspend the Air District's VBB program on December 31, 2010.

Transportation Fund for Clean Air (TFCA) Program (LESBP)

The District opened a \$4 million solicitation for FY 10/11 Shuttle/Feeder Bus Service and Regional Rideshare projects, and received 16 applications requesting more than \$5.8 million dollars in funding.

Lower Emission School Bus Program

Staff completed the allocation of \$6.875 million in Board-approved MSIF funds for replacement of 47 public school buses in the Bay Area – eight pre-1977 buses, 35 buses from 1977-1986, and four two-stroke 1987-1989 buses.

Outreach

Staff engaged in outreach and stakeholder engagement throughout the quarter. Highlights include the following:

- Staff established and staffed an on-road truck resource center at the Hayward airport for applicants participating in the on-road program.
- Staff completed site visits to all nine TFCA County Program Managers.
- On July 24, 1020, District Chairperson Wagenknecht presented opening remarks at the Plug-In 2010 Conference Opening Plenary session.
- The SID Director presented at the Electric Vehicles Workshop for Leaders workshop co-sponsored by the Air District and hosted by the Silicon Valley Leadership Group's Bay Area Climate Collaborative.
- On August 5, 2010, the SID Director presented at the Downtown Oakland Shuttle opening ceremony. Director Miley, Mayor Dellums, and other local officials participated in the ceremony.
- Staff conducted two grant application workshops for Shuttle/Feeder Bus Service and Regional Rideshare projects in August.
- On August 25 and September 2, 2010, staff conducted two Greenhouse Gas Reduction Grant Program project implementation training workshop in Rodeo.
- On September 2, 2010, staff presented at the Public Fleet Supervisor's Association monthly members' meeting focusing on electric vehicle and charging infrastructure held in Livermore.
- On September 15, 2010, staff participated in a collaborative effort with the Sacramento Air District to collect feedback from vendors and applicants on the "end-user" experience with air quality grant programs, including a working group meeting in Davis.
- On September 21, 2010, staff hosted a meeting of the TFCA Program Manager / Air District Work Group.
- On September 29, 2010, the SID Director presented an update of TFCA issues at the Congestion Management Agency Directors meeting in the City of Napa.

TECHNICAL DIVISION – E. STEVENSON, DIRECTOR**Air Quality**

During the third quarter of 2010, ozone levels exceeded the national 8-hr ozone standard on nine days. The State 8-hr standard was exceeded on 10 days and the State 1-hr standard was exceeded on eight days.

One of the days that exceeded the national standard, August 25, also had a California 1-hr Health Advisory level of 150 ppb at Livermore. It was believed that smoke from the 375-acre Curry Wildfire near Mt. Diablo contributed to the elevated ozone levels in Livermore that day. The last time this level was reached in the Bay Area was also in Livermore, on July 2002 with 160 ppb.

Ozone levels stayed lower than normal through the first part of the summer because temperatures were cooler than normal due to a series of upper level troughs that stayed for many days off the California coast. It was not until August 23 that this year's first ozone exceedance occurred. Typically, the Bay Area experiences ozone exceedances in May or June.

The total number of ozone exceedances in 2010 was nine, compared with 10 last year. A five-day long heat wave near the end of September resulted in five consecutive days exceeding the national standard. The last time the Bay Area had five consecutive days exceeding the 75 ppb 8-hr standard was in July 2006.

Air Monitoring

25 air monitoring stations were operational from July 1 to September 30, 2010, with equipment operating on routine, EPA-mandated schedules. The hexavalent chromium monitor operated by the BAAQMD under EPA guidance at the Stevens Creek Elementary School in Cupertino, which began operating on June 30, 2009, was shut down at the end of August 2010. EPA reported that hexavalent chromium levels measured in the air at the school during the monitoring period were below levels of concern for short-term and long-term exposure. The new Cupertino Air Quality Monitoring trailer was relocated to Monta Vista Park and was fully operational on September 1. The Hayward location was not operational during the entire quarter due to rebuilding of the site by the City of Hayward.

Meteorology and Forecasting

Second quarter 2010 air quality data were quality assured and entered into the EPA Air Quality System (AQS) database. Staff continued to make daily air quality, Spare the Air, and burn forecasts. Signature Science was hired to perform an audit of the District meteorological network. Staff installed a meteorological tower and system at the Cupertino Monta Vista Park site, as part of the District's air monitoring study in Cupertino. The fence surrounding the Valley Ford meteorological station was replaced, and the guy wires on the meteorological tower at the Oakland Sewage Treatment Plant were replaced. Staff corrected the method codes in AQS for toxics raw and precision data that was sampled using Tedlar Bags during the period 1986-1997. Method codes for O₃, NO, and NO₂ data were also corrected in AQS back to 1980.

Laboratory

In addition to routine ongoing analyses, the laboratory has begun analyzing filter samples from the new Cupertino Air Monitoring site for metals using the new X-ray Fluorescence Spectrometer.

Three gaseous samples from the Fluidized Catalytic Cracker Unit (FCCU) outlet stream at Chevron Richmond were analyzed for toxic organic compounds and hydrocarbons.

Four aqueous samples taken from the CO boiler stack at Shell Martinez were analyzed for ammonia.

Source Test

Special Projects - Ongoing Source Test activities during July, August, and September of 2010 included Continuous Emissions Monitoring (CEM) Field Accuracy Tests, source tests, gasoline cargo tank testing, and evaluations of tests conducted by outside contractors. The ConocoPhillips Rodeo Refinery's open path monitor monthly reports for June, July, and August were reviewed. The Source Test Section continued its participation in the District's Rule Development efforts and Business System's Analysis for the new Production System.

STATISTICS

Administrative Services:

Accounting/Purchasing/Comm.

General Checks Issued	2,831
Purchase Orders Issued	502
Checks/Credit Cards Processed	1,094
Contracts Completed	67
RFP's	2

Executive Office:

Meetings Attended	137
Board Meetings Held	4
Committee Meetings Held	7
Advisory Council Meetings Held	2
Hearing Board Meetings Held	13
Variances Received	16

Information Systems

New Installation Completed	38
PC Upgrades Completed	5
Service Calls Completed	878

Human Resources

Manager/Employee Consultation (Hrs.)	300
Management Projects (Hrs.)	300
Employee/Benefit Transaction	520
Training Sessions Conducted	
Applications Processes	405
Exams Conducted	10
New Hires	8
Payroll Administration (Hrs.)	600
Safety Administration	150
Inquiries (voice/telephone/in-person)	5,400

Strategy Facility Planning/Library/Vehicle

Requests for Facility Services	120
Titles Indexed/Cataloged	86
Periodicals Received/Routed	78
Vehicle Request(s)/Maintenance	120
Pool Vehicle Requests	94

Compliance Assistance and Operations Program

Asbestos Plans Received	1,312
Coating and other Petitions Evaluated	11
Open Burn notifications Received	56
Prescribed Burn Plans Evaluated	14
Tank/Soil Removal Notifications Received	29
Compliance Assistance Inquiries Received	190
Green Business Reviews	24
Refinery Flare Notifications	49

Compliance Assurance Program

Industrial Inspections Conducted	2,039
Gas Station Inspections Conducted	619
Asbestos Inspections Conducted	420
Open Burning Inspections Conducted	22
PERP Inspections Conducted	71
Mobile Source Inspections	543
Grants Inspections Conducted	241

Engineering Division:

Annual Update Packages Started	1,080
Annual Update Packages Completed	1,014
Total Update Pages Entered	1,022
New Applications Received	467
Authorities to Construct Issued	243
Permits to Operate Issued	411
Exemptions (apps. Submitted deemed exempt)	19
Authorities to Construct Denied	0
New Companies added to Databank during the 3 rd Quarter 2010	105

Outreach & Incentives Division:

Presentations Made	8
Responses to Media Inquiries	120
Press Releases and Advisories	20
General Requests for Information	900
Events staffed with Air District booth	23
Visitors	0

STATISTICS (continued)

Compliance and Enforcement Division:

Enforcement Program

Violations Resulting in Notices of Violation	103
Violations Resulting in Notice to Comply	50
New Hearing Board Cases Reviewed	13
Reportable Compliance Activity investigated	151
General Complaints investigated	487
Smoking vehicle complaints received	2,741
Woodsmoke complaints received	179
Mobile Source Violations	24

Laboratory

Sample Analyzed	1,222
Inter-laboratory Analyses	1

Source Test

Total Source Tests	217
Pending Source Tests	5
Violation Notices Recommended	7
Contractor Source Tests Reviewed	4,308
Outside Tests Observed	23
Violation Notices Recommended After	

Review	15
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Technical Services:

3rd Quarter 2010 Ambient Air Monitoring

Days Exceeding Nat'l 24-hour PM _{2.5} Std.	0
Days Exceeding Nat'l 24-hour PM ₁₀ Std.	0
Days Exceeding Nat'l 24-hour PM ₁₀ Std.	0
Days Exceeding the Nat'l 8-hour Ozone Std.	9
Days Exceeding the State 1-hour Ozone Std.	8
Days Exceeding the State 8-hour Ozone Std.	10

Continuous Emissions Monitoring (CEM)

Excess Emissions Reports Evaluated	29
Monthly Reports Reviewed	147
Violation Notices Recommended [Excesses Detected]	16

Ozone Totals, Jan.-Dec. 2010

Days Exceeding Nat'l 8-hour Ozone Std.	9
Days Exceeding State 1-hour Ozone Std.	8
Days Exceeding State 8-hour Ozone Std.	10

Ground Level Monitoring (GLM)

Jul.-Sept. Ground Level Monitoring SO ₂ Excess Reports	0
Jul.-Sept. Ground Level Monitoring H ₂ S Excess Reports	2

Particulate Totals, Jan.-Dec. 2010

Days Exceeding Nat'l 24-hour PM _{2.5} Std.	5
Days Exceeding the Nat'l 24-hour PM ₁₀ Std.	0
Days Exceeding State 24-hour PM ₁₀ Std.	1

PM_{2.5} Winter Season Totals for 2009-2010

Days Exceeding Nat'l 24-hour PM _{2.5} Std.	9
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3rd Quarter 2010 Agricultural Burn Days

July-Sept. Permissive Burn Days – North	73
July-Sept. No-Burn Days – North	19
July-Sept. Permissive Burn Days – South	72
July-Sept. No-Burn Days – South	20
July-Sept. Permissive Burn Days – Coastal	77
July-Sept. No Burn Days – Coastal	15

These Facilities have received one or more Notices of Violations
Report period: July 1, 2010 – September 30, 2010

Alameda

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
ConocoPhillips #2611104	C9576	Alameda	\$250	1
Manor Cleaners	A5051	Castro Valley	\$250	1
Ardenwood Cleaners	A4339	Fremont	\$250	1
Brookvale 76 - M B Service Stat	C0788	Fremont	\$500	1
Pegasus Cleaners	A4305	Fremont	\$250	1
United Dry Cleaner	A3526	Fremont	\$250	1
Walnut Cleaners	A4342	Fremont	\$250	1
Convenience & Petroleum Inc	D2001	Hayward	\$1,000	1
Domingo Rodriguez	T8584	Hayward	\$1,800	4
Rainbow Cleaners	A4309	Hayward	\$250	1
Servo Gas & Snack	D0337	Hayward	\$1,000	1
Sunshine Center Cleaners	A8205	Hayward	\$250	1
World Oil Marketing #76	C8336	Hayward	\$250	1
Mike's Cleaners	A4725	Livermore	\$250	1
Newark Chevron	C8521	Newark	\$1,500	2
Professional Cleaners	B0747	Oakland	\$250	1
Red Hanger Kleaners Inc	A4379	Oakland	\$500	2

These facilities have received one or more Notices of Violations
Report period: July 1, 2010 – September 30, 2010
Continued

Alameda

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
Rolls-Royce Engine Services - Oakland, Inc	A0615	Oakland	\$1,000	1
Sunny Piedmont Cleaners	A5546	Oakland	\$250	1
Oak Hills Cleaners	A4468	Pleasanton	\$250	1
The Home Depot Store #0629	A6024	Pleasanton	\$1,250	2
Dryclean USA	A3967	San Leandro	\$250	1
Fashion Cleaners	B2620	San Leandro	\$250	1
Sunshine Cleaners	B1275	San Leandro	\$250	1
Kwik Milady Cleaners	A2490	San Lorenzo	\$250	1
Union Sanitary District	A1209	Union City	\$1,200	1

Total Violations Closed: 32

Contra Costa

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
Gateway Generating Station	B8143	Antioch	\$2,502	1
GWF Power Systems, LP (Site 4)	A3981	Antioch	\$3,000	1
So Coast Service, LP Douglas Lindsey	C0930	Brentwood	\$1,200	1
B of A, Corporate Real Estate	A1512	Concord	\$1,000	1
Golden State Carpet - Attn: Shay Henson	C9966	Concord	\$500	1
Marshall Steel Drycleaners	B0469	Concord	\$250	1

These facilities have received one or more Notices of Violations
Report period: July 1, 2010 – September 30, 2010
Continued

Contra Costa Continued

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
O K Cleaners	B0588	El Cerrito	\$250	1
Tesoro Refining and Marketing Company	B2758	Martinez	\$366,375	51
Clean Cleaners of Orinda	B2492	Orinda	\$250	1
Criterion Catalysts Company LP	A0227	Pittsburg	\$2,500	3
Pittsburg Chevron	C7511	Pittsburg	\$500	1
Primo Facchini/Klute Demo & Excavation	T9366	Pittsburg	\$300	1
Plains Products Terminals LLC	A0745	Richmond	\$30,750	4
Air Liquide Large Industries US LP	B7419	Rodeo	\$45,000	1

Total Violations Closed: 69

Marin

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
European Tailoring & Cleaners	A7063	Mill Valley	\$250	1
Vogue Cleaners, Inc	A0297	Mill Valley	\$250	1
Loch Lomond Cleaners	A1439	San Rafael	\$250	1
Magnificent Cleaners	A9698	San Rafael	\$250	1

Total Violations Closed: 4

**These facilities have received one or more Notices of Violations
Report period: July 1, 2010 – September 30, 2010
Continued**

Napa

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
Shelton Cleaners	A4042	Napa	\$250	1

Total Violations Closed: 1

San Francisco

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
Annabelle's French Cleaner	A0495	San Francisco	\$250	1
Arlene's Cleaners	A7360	San Francisco	\$250	1
Chevron/Tower Car Wash	C9400	San Francisco	\$500	1
Dri Clean Express	A5609	San Francisco	\$250	1
Intercity Metro Cleaners	A5847	San Francisco	\$250	1
Norman Cleaners	A4223	San Francisco	\$250	1

Total Violations Closed: 6

San Mateo

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
Holiday Cleaners Belmont	A9155	Belmont	\$250	1
Tommy's Cleaners	A9459	Millbrae	\$250	1
Blu-White Cleaners	A7274	San Carlos	\$250	1

These facilities have received one or more Notices of Violations
Report period: July 1, 2010 – September 30, 2010
Continued

San Mateo Continued

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
Top Hat Cleaners	A4353	San Mateo	\$250	1
Wardrobe Cleaners	A0362	San Mateo	\$250	1

Total Violations Closed: 5

Santa Clara

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
Campbell Plaza Cleaners	B1736	Campbell	\$250	1
Brenda's Classic Cleaners	B2012	Gilroy	\$250	1
Fashion Cleaners	A4405	Los Altos Hills	\$250	1
Creekside Plaza Cleaners	A7309	Morgan Hill	\$250	1
Pump N Go	C0823	Morgan Hill	\$525	2
Vineyard Cleaners	B2747	Morgan Hill	\$250	1
California Cleaners	A5790	Mountain View	\$250	1
Courtesy Cleaners	A1016	Mountain View	\$250	1
American Cleaner	B2822	San Jose	\$250	1
Bonita Cleaners	A4155	San Jose	\$250	1
Casa De Cleaners	B1791	San Jose	\$250	1
Cleaning & Alteration Shop	A8443	San Jose	\$250	1

These facilities have received one or more Notices of Violations
Report period: July 1, 2010 – September 30, 2010
Continued

Santa Clara Continued

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
Hitachi Global Storage Technologies Inc	A0085	San Jose	\$2,500	1
LSA - cleanpart	T6529	San Jose	\$1,000	1
One Hour Cleaners	A9064	San Jose	\$250	1
Saving Cleaners	A7997	San Jose	\$250	1
Sparkle Clean Cleaners	A4340	San Jose	\$250	1
Sparkle Clean Cleaners	A4433	San Jose	\$250	1
Hillview Cleaner	A1024	Saratoga	\$250	1
Royal Dry Cleaning	B1728	Sunnyvale	\$250	1

Total Violations Closed: 21

Solano

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
Fairfield-Suisun Sewer District	A1404	Fairfield	\$1,000	1
Magic Cleaner	A5750	Vallejo	\$250	1
Redwood Cleaners	A5072	Vallejo	\$250	1
Star Cleaners	A7172	Vallejo	\$250	1
T & J Cleaners	A7731	Vallejo	\$250	1

Total Violations Closed: 5

These facilities have received one or more Notices of Violations
Report period: July 1, 2010 – September 30, 2010
Continued

Sonoma

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
Redwood Cleaners	A4708	Petaluma	\$250	1
Sonoma County Department of Public Works	A2254	Petaluma	\$2,750	2
Rincon Valley Cleaners	A5970	Santa Rosa	\$250	1
Carpenter, Stan	U0579	Sebastopol	\$500	1
Duryee, Mary	U0863	Sebastopol	\$1,000	1
Luiz, Dave	U0663	Sebastopol	\$500	1
Cornerstone Sonoma	T5984	Sonoma	\$1,500	1

Total Violations Closed: 8

District Wide

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
Seaboard Transport Inc.	U2179	Shawnee Mission	\$300	1
Williams Tank Lines/Mike Stewart	A4020	Stockton	\$4,000	1

Total Violations Closed: 2

Closed Notice of Violations with Penalties by County July 1, 2010 – September 30, 2010

Alameda County

Status Date	Site #	Site Name	City	Regulation Title
6/02/2010	A4449	Electro-Coatings of California Inc.	Berkeley	Failure to Submit Annual Reports
7/13/2010	A5051	Manor Cleaners	Castro Valley	Prohibited PERC Equipment/Operations
7/22/2009	C0897	Dublin Auto Wash	Dublin	Gasoline Dispensing Facilities
7/13/2010	A4339	Ardenwood Cleaners	Fremont	Prohibited PERC Equipment/Operations
12/15/2009	B0790	Cellotape Inc	Fremont	Graph Printing Operations
7/13/2010	A4305	Pegasus Cleaners	Fremont	Prohibited PERC Equipment/Operations
7/13/2010	A3526	United Dry Cleaner	Fremont	Prohibited PERC Equipment/Operations
7/13/2010	A4342	Walnut Cleaners	Fremont	Prohibited PERC Equipment/Operations
9/22/2009	C8930	ABE Petroleum - Olympic Oil	Hayward	Gasoline Dispensing Facilities
7/06/2009	D2001	Convenience & Petroleum Inc.	Hayward	Failure to Meet Permit Conditions
10/28/2009	U0489	Domingo Rodriguez	Hayward	Asbestos Demolition, Renovation
7/13/2010	A4309	Rainbow Cleaners	Hayward	Prohibited PERC Equipment/Operations
8/26/2010	D0337	Servo Gas & Snack	Hayward	Gasoline Dispensing Facilities
7/13/2010	A8205	Sunshine Center Cleaners	Hayward	Prohibited PERC Equipment/Operations
2/09/2010	C9825	Livermore Gas Mart	Livermore	Gasoline Dispensing Facilities
8/16/2010	A4725	Mike's Cleaners	Livermore	Prohibited PERC Equipment/Operations
7/12/2010	A8885	Printegra	Livermore	Graph Printing Operations
8/24/2009	D1174	Sky Hopper Investments Inc.	Livermore	Gasoline Dispensing Facilities
9/28/2010	C9280	Lido Auto Care Inc.	Newark	Gasoline Dispensing Facilities
9/28/2010	C8521	Newark Chevron	Newark	Gasoline Dispensing Facilities
7/13/2010	B0747	Professional Cleaners	Oakland	Prohibited PERC Equipment/Operations
9/20/2010	A4379	Red Hanger Kleaners Inc.	Oakland	Prohibited PERC Equipment/Operations
8/16/2010	A5546	Sunny Piedmont Cleaners	Oakland	Prohibited PERC Equipment/Operations
7/13/2010	A9648	Family Cleaners	Pleasanton	Prohibited PERC Equipment/Operations
8/16/2010	A4468	Oak Hills Cleaners	Pleasanton	Prohibited PERC Equipment/Operations
5/27/2010	A2629	Adams Precision Screen Printing, Inc.	San Leandro	Permit to Operate
7/27/2009	C0096	Crazy Charlie's Cardlock	San Leandro	Gasoline Dispensing Facilities
8/16/2010	A3967	Dryclean USA	San Leandro	Prohibited PERC Equipment/Operations
9/20/2010	B2620	Fashion Cleaners	San Leandro	Prohibited PERC Equipment/Operations
8/16/2010	B1275	Sunshine Cleaners	San Leandro	Prohibited PERC Equipment/Operations
8/16/2010	A2490	Kwik Milady Cleaners	San Lorenzo	Prohibited PERC Equipment/Operations
2/10/2010	A7688	Emerald Packaging Inc.	Union City	Failure to Meet Permit Conditions

Closed Notice of Violations with Penalties by County
July 1, 2010 – September 30, 2010
Continued

Contra Costa County

Status Date	Site #	Site Name	City	Regulation Title
9/16/2009	U2756	Brian Scheumann	Antioch	Open Burning
9/28/2010	C5907	Lone Tree Valero	Antioch	Gasoline Dispensing Facilities
5/25/2010	U1630	Aristotle Alvarez	Brentwood	Open Burning
7/08/2010	U2354	Denise Lindsay	Brentwood	Open Burning
5/25/2010	U1530	Marsh Creek Stables	Brentwood	Open Burning
5/13/2010	C0930	So Coast Service, LP Douglas Lindsey	Brentwood	Failure to Meet Permit Conditions
2/02/2010	C7695	All Star Gasoline	Concord	Gasoline Dispensing Facilities
4/21/2010	D0808	Grand Gas Station	Concord	Gasoline Dispensing Facilities
6/01/2009	C5665	M & M Mini Market	Concord	Gasoline Dispensing Facilities
7/13/2010	B0469	Marshall Steel Drycleaners	Concord	Prohibited PERC Equipment/Operation:
4/22/2010	N3016	TRC	Concord	Landfill Gas Collection & Emission Control System Requirements
6/11/2009	A0581	ST Shore Terminals LLC	Crockett	Parametric Monitoring & Recordkeeping Procedures, Failure to Meet Permit Conditions(Title V)
8/16/2010	B0588	O K Cleaners	El Cerrito	Prohibited PERC Equipment/Operation:
2/01/2010	U3183	Clair / Wanda Clements	El Sobrante	Particulate Matter & Visible Emissions
2/23/2010	C9427	Flex Oil	Martinez	Gasoline Dispensing Facilities
6/03/2010	A0011	Shell Martinez Refinery	Martinez	NSPS, Sulfur Dioxide, Failure to Meet Permit Conditions (Title V), Storage Organic Liquids
3/18/2010	B2758	Tesoro Refining and Marketing Company	Martinez	Failure to Meet Permit Conditions (Title V)
5/04/2010	A5498	Contra Costa Water District	Oakley	Authority to Construct, Permit to Operate
8/16/2010	B2492	Clean Cleaners of Orinda	Orinda	Prohibited PERC Equipment/Operation:
5/12/2010	J8575	Susano & Sons Auto Repair	Pacheco	No Authority to Construct, Permit to Operate, Motor Vehicle Coating Operations
5/05/2010	B1866	Los Medanos Energy Center	Pittsburg	Failure to Meet Permit Conditions (Title V)
9/16/2010	C7511	Pittsburg Chevron	Pittsburg	Gasoline Dispensing Facilities
4/30/2009	T9368	Primo Facchini/Klute Demo & Excavation	Pittsburg	Asbestos Demolition, Renovation
2/11/2010	C9833	Sun Valley Chevron	Pleasant Hill	Failure to Meet Permit Conditions
6/28/2010	A0057	BP West Coast Products, LLC	Richmond	Storage of Organic Liquids
4/06/2010	A0010	Chevron Products Company	Richmond	NSPS, Failure to Meet Permit Conditions (Title V), Flare Monitoring at Petroleum Refineries
6/04/2010	A1840	West Contra Costa County Landfill	Richmond	Failure to Meet Permit Conditions (Title V), Parametric Monitoring & Recordkeeping Procedures, Solid Waste Disposal Sites
2/05/2010	A0016	ConocoPhillips - San Francisco Refinery	Rodeo	NSPS, Flare Monitoring at Petroleum Refineries, Sulfur Dioxide, Failure to Meet Permit Conditions (Title V)

**Closed Notice of Violations with Penalties by County
July 1, 2010 – September 30, 2010
Continued**

Marin County

Status Date	Site #	Site Name	City	Regulation Title
07/13/2010	A7063	European Tailoring & Cleaners	Mill Valley	Prohibited PERC Equipment/Operations
07/13/2010	A0297	Vogue Cleaners, Inc.	Mill Valley	Prohibited PERC Equipment/Operations
07/13/2010	A1439	Loch Lomond Cleaners	San Rafael	Prohibited PERC Equipment/Operations
07/13/2010	A9698	Magnificent Cleaners	San Rafael	Prohibited PERC Equipment/Operations

Napa County

Status Date	Site #	Site Name	City	Regulation Title
06/15/2010	B1247	Clover Flat Landfill Inc.	Calistoga	Landfill Gas Collection & Emission Control System Requirements
07/13/2010	A4042	Shelton Cleaners	Napa	Prohibited PERC Equipment/Operations
09/28/2010	C7248	VCS #5	Saint Helena	Gasoline Dispensing Facilities

San Francisco County

Status Date	Site #	Site Name	City	Regulation Title
07/13/2010	A0495	Annabelle's French Cleaner	San Francisco	Prohibited PERC Equipment/Operations
07/13/2010	A7360	Arlene's Cleaners	San Francisco	Prohibited PERC Equipment/Operations
04/12/2010	A3288	BAE Systems San Francisco Ship Repair Inc.	San Francisco	Failure to Meet Permit Conditions (Title V)
09/16/2010	C9400	Chevron/Tower Car Wash	San Francisco	Gasoline Dispensing Facilities
07/13/2010	A5609	Dri Clean Express	San Francisco	Prohibited PERC Equipment/Operations
07/13/2010	A5847	Intercity Metro Cleaners	San Francisco	Prohibited PERC Equipment/Operations, Perc Dry Cleaning
09/28/2010	C5338	MiraLoma Auto Care Inc.	San Francisco	Gasoline Dispensing Facilities
08/05/2010	B7774	National Center for International Schools	San Francisco	Failure to Meet Permit Conditions
07/13/2010	A4223	Norman Cleaners	San Francisco	Prohibited PERC Equipment/Operations

**Closed Notice of Violations with Penalties by County
July 1, 2010 – September 30, 2010
Continued**

San Mateo County

Status Date	Site #	Site Name	City	Regulation Title
8/16/2010	A9155	Holiday Cleaners Belmont	Belmont	Prohibited PERC Equipment/Operations
9/28/2010	D0452	KNK Petroleum Inc. dba Triton Ga	Daly City	Gasoline Dispensing Facilities
7/13/2010	A9459	Tommy's Cleaners	Millbrae	Prohibited PERC Equipment/Operations
3/3/2010	T2703	Beth / Ramon Sanchez	San Carlos	Charbroiler Operations
7/13/2010	A7274	Blu-White Cleaners	San Carlos	Prohibited PERC Equipment/Operations
2/1/2010	U3185	Michael Adams / Lauren Zeiger	San Carlos	Particulate Matter & Visible Emissions
7/13/2010	A4353	Top Hat Cleaners	San Mateo	Prohibited PERC Equipment/Operations
7/13/2010	A0362	Wardrobe Cleaners	San Mateo	Prohibited PERC Equipment/Operations
5/27/2010	B1496	Cycle Shack Inc	South San Francisco	Failure to Submit Annual Report
7/07/2010	C9707	Spruce Street Car Wash	South San Francisco	Gasoline Dispensing Facilities
6/10/2010	C3305	Xtra Oil Company	South San Francisco	Gasoline Dispensing Facilities

Santa Clara County

Status Date	Site #	Site Name	City	Regulation Title
8/16/2010	B1736	Campbell Plaza Cleaners	Campbell	Prohibited PERC Equipment/Operations
2/01/2010	U3184	Rusty / Ruby Sweet	Campbell	Particulate Matter & Visible Emissions
5/20/2010	B2183	Metcalf Energy Center	Coyote	Major Facility Review
4/26/2010	A0017	Lehigh Southwest Cement Company	Cupertino	Failure to Meet Permit Conditions (Title V)
7/13/2010	B2012	Brenda's Classic Cleaners	Gilroy	Prohibited PERC Equipment/Operations
7/13/2010	A4405	Fashion Cleaners	Los Altos	Prohibited PERC Equipment/Operations
3/11/2010	Q7078	Diamond Tank Lines	Milpitas	Gasoline Bulk Terminals and Gasoline Delivery Vehicles
9/23/2008	A7441	Flextronics International, USA Inc.	Milpitas	No Authority to Construct, Permit to Operate, Failure to Meet Permit Conditions
6/16/2010	A9477	CA Air National Guard	Moffett Field	Failure to Meet Permit Conditions
8/16/2010	A7309	Creekside Plaza Cleaners	Morgan Hill	Prohibited PERC Equipment/Operations
2/10/2010	C0823	Pump N Go	Morgan Hill	Gasoline Dispensing Facilities
7/13/2010	B2747	Vineyard Cleaners	Morgan Hill	Prohibited PERC Equipment/Operations

Closed Notice of Violations with Penalties by County
July 1, 2010 – September 30, 2010
Continued

Santa Clara County

Status Date	Site #	Site Name	City	Regulation Title
7/13/2010	A5790	California Cleaners	Mountain View	Prohibited PERC Equipment/Operations
8/18/2010	A1016	Courtesy Cleaners	Mountain View	Prohibited PERC Equipment/Operations
7/13/2010	B2822	American Cleaner	San Jose	Prohibited PERC Equipment/Operations
5/13/2010	D0182	ARCO Facility #02114	San Jose	Gasoline Dispensing Facilities
6/21/2010	B8725	Barefoot Coffee Roasters, Inc.	San Jose	Failure to Meet Permit Conditions
9/28/2010	D0367	Berry Blue Valero	San Jose	Gasoline Dispensing Facilities
7/13/2010	A4155	Bonita Cleaners	San Jose	Prohibited PERC Equipment/Operations
6/11/2010	D0203	Bubble Machine	San Jose	Failure to Meet Permit Conditions
9/22/2010	B1791	Casa De Cleaners	San Jose	Prohibited PERC Equipment/Operations
9/28/2010	C4124	Chevron #4259	San Jose	Gasoline Dispensing Facilities
7/13/2010	A8443	Cleaning & Alteration Shop	San Jose	Prohibited PERC Equipment/Operations
7/29/2010	U2589	George Nieman	San Jose	Open Burning
7/13/2010	A9064	One Hour Cleaners	San Jose	Prohibited PERC Equipment/Operations
9/28/2010	C0541	Petro America	San Jose	Gasoline Dispensing Facilities
7/13/2010	A7997	Saving Cleaners	San Jose	Prohibited PERC Equipment/Operations
10/7/2009	A4020	SFPP, LP	San Jose	Storage of Organic Liquids
7/13/2010	A4340	Sparkle Clean Cleaners	San Jose	Prohibited PERC Equipment/Operations
7/14/2010	A4433	Sparkle Clean Cleaners	San Jose	Prohibited PERC Equipment/Operations
5/15/2009	B5200	Microsoft Corporation	Santa Clara	Authority to Construct, Permit to Operate
8/31/2009	A5079	S J Valley Plating Inc	Santa Clara	California Code of Regulation
8/16/2010	A1024	Hillview Cleaner	Saratoga	Prohibited PERC Equipment/Operations
9/28/2010	C4512	George's Auto Repair	Sunnyvale	Gasoline Dispensing Facilities
7/13/2010	B1728	Royal Dry Cleaning	Sunnyvale	Prohibited PERC Equipment/Operations

Solano County

Status Date	Site #	Site Name	City	Regulation Title
04/15/10	B7062	Bay Area Coffee Inc	Benicia	Failure to Meet Permit Conditions
10/06/09	B2626	Valero Refining Company - California	Benicia	Failure to Meet Permit Conditions (Title V), Equipment Leaks, Public Nuisance, Particulate Matter & Visible Emissions, Flare Monitoring at Petroleum Refineries
03/02/09	C9572	Britton's Mini Mart	Vallejo	Gasoline Dispensing Facilities
08/16/10	A5750	Magic Cleaner	Vallejo	Prohibited PERC Equipment/Operations
08/16/10	A5072	Redwood Cleaners	Vallejo	Prohibited PERC Equipment/Operations
07/13/10	A7172	Star Cleaners	Vallejo	Prohibited PERC Equipment/Operations
07/13/10	A7731	T & J Cleaners	Vallejo	Prohibited PERC Equipment/Operations

**Closed Notice of Violations with Penalties by County
July 1, 2010 – September 30, 2010
Continued**

Sonoma County

Status Date	Site #	Site Name	City	Regulation Title
3/05/2010	C8355	Kenwood Gas	Kenwood	Gasoline Dispensing Facilities
7/13/2010	A4708	Redwood Cleaners	Petaluma	Prohibited PERC Equipment/Operations
5/26/2010	U1627	John Hurley	Santa Rosa	Open Burning
7/13/2010	A5970	Rincon Valley Cleaners	Santa Rosa	Prohibited PERC Equipment/Operations
5/23/2010	U1622	Marc Ripley	Sebastopol	Open Burning

Out of Area Counties

Status Date	Site #	Site Name	City	Regulation Title
7/14/2010	U2463	C & L Enterprise	Chico	Commercial Vehicle Idling Citation
7/28/2010	U2839	United Van Lines	Fenton	Commercial Vehicle Idling Citation
7/08/2010	U2365	Allterra Environmental Inc.	Santa Cruz	Failure to Meet Permit Conditions
8/24/2010	U3232	East West Inc.	Swannanoa	Commercial Vehicle Idling Citation
6/21/2010	U2196	Devine & Son Trucking Co., Inc.	West Sacramento	Commercial Vehicle Idling Citation
7/12/2010	N1032	KAG West, LLC	West Sacramento	Gasoline Bulk Terminals and Gasoline Delivery Vehicles
7/14/2010	U2740	Ocean Cargo Carriers Inc.	Wilmington	Commercial Vehicle Idling Citation
7/14/2010	U2331	Henner Tank Lines	Winters	Gasoline Bulk Terminals and Gasoline Delivery Vehicles

ACRONYMS AND TERMINOLOGY

ABAG	Association of Bay Area Governments
AC	Authority to Construct issued to build a facility (permit)
AMBIENT	The surrounding local air
AQI	Air Quality Index
ARB	[California] Air Resources Board
ATCM	Airborne Toxic Control Measure
BAAQMD	Bay Area Air Quality Management District
BACT	Best Available Control Technology
BANKING	Applications to deposit or withdraw emission reduction credits
BAR	[California] Bureau of Automotive Repair
BARCT	Best Available Retrofit Control Technology
BIODIESEL	A fuel or additive for diesel engines that is made from soybean oil or recycled vegetable oils and tallow. B100=100% biodiesel; B20=20% biodiesel blended with 80% conventional diesel
BTU	British Thermal Units (measure of heat output)
CAA	[Federal] Clean Air Act
CAL EPA	California Air Resources Board
CCAA	California Clean Air Act [of 1988]
CCCTA	Contra Costa County Transportation Authority
CEQA	California Environmental Quality Act
CFCs	Chlorofluorocarbons
CMA	Congestion Management Agency
CMAQ	Congestion Management Air Quality [Improvement Program]
CMP	Congestion Management Program
CNG	Compressed Natural Gas
CO	Carbon monoxide
EBTR	Employer-based trip reduction
EJ	Environmental Justice
EIR	Environmental Impact Report
EPA	[United States] Environmental Protection Agency
EV	Electric Vehicle
HC	Hydrocarbons
HOV	High-occupancy vehicle lanes (carpool lanes)
hp	Horsepower
I&M	[Motor Vehicle] Inspection & Maintenance ("Smog Check" program)
ILEV	Inherently Low Emission Vehicle
JPB	[Peninsula Corridor] Joint Powers Board
LAVTA	Livermore-Amador Valley Transit Authority ("Wheels")
LEV	Low Emission Vehicle
LNG	Liquefied Natural Gas
MPG	Miles Per Gallon

MTC	Metropolitan Transportation Commission
NAAQS	National Ambient Air Quality Standards (federal standards)
NO _x	Nitrogen oxides, or oxides of nitrogen
NPOC	Non-Precursor Organic Compounds
NSR	New Source Review
O ₃	Ozone
PM _{2.5}	Particulate matter less than 2.5 microns
PM ₁₀	Particulate matter (dust) less than 10 microns
PM _{>10}	Particulate matter (dust) over 10 microns
POC	Precursor Organic Compounds
pphm	Parts per hundred million
ppm	Parts per million
PUC	Public Utilities Commission
RFG	Reformulated gasoline
ROG	Reactive organic gases (photochemically reactive organic compounds)
RIDES	RIDES for Bay Area Commuters
RTP	Regional Transportation Plan
RVP	Reid vapor pressure (measure of gasoline volatility)
SCAQMD	South Coast [Los Angeles area] Air Quality Management District
SIP	State Implementation Plan (prepared for <i>national</i> air quality standards)
SO ₂	Sulfur Dioxide
TAC	Toxic Air Contaminant
TCM	Transportation Control Measure
TFCA	Transportation Fund for Clean Air [BAAQMD]
TIP	Transportation Improvement Program
TMA	Transportation Management Association
TOS	Traffic Operations System
tpd	tons per day
Ug/m ³	micrograms per cubic meter
ULEV	Ultra low emission vehicle
ULSD	Ultra low sulfur diesel
USC	United States Code
UV	Ultraviolet
VMT	Vehicle miles traveled (usually per <i>day</i> , in a defined area)
VTA	Santa Clara Valley Transportation Authority
ZEV	Zero Emission Vehicle

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: October 26, 2010

Re: Report of the Executive Committee Meeting of October 20, 2010

RECOMMENDED ACTION:

The Committee recommends Board of Directors' approval of the following items:

- A) Authorization to issue an RFP for bids to install webcasting equipment in the District Board Room;
- B) For the Fourth Floor Conference Room, approve a video conferencing protocol that will allow remote interactions via both audio and video communication for Committee meetings that do not include action items.

BACKGROUND

The Executive Committee met on Wednesday, October 20, 2010. The Committee received the following reports and recommendations:

- A) Update on the Strategic Facilities Planning Project – Phase II Study Findings;
- B) Issue an RFP for Webcasting from the Board Room;
- C) Adopt a Video Conferencing Protocol for the Fourth Floor Conference Room;
- D) Update on Implementation of the District's California Environmental Quality Act (CEQA) Guidelines;
- E) Workplan and Preparation for Board Retreat

Attached are the staff reports presented in the Executive Committee packet of October 20, 2010.

Chairperson Brad Wagenknecht will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

- A) Commercial Real Estate Advisory services funding for this project is included in the Bay Area Air District Program 702 of the approved FY 2010/2011 budget.
- B) The RFP will provide information on potential costs should the Board of Directors wish to proceed.
- C) Video conferencing costs for room rental and technical support are approximately \$500 per meeting based on the current site selection. Funds to cover these costs will come from Program 121-Board of Directors in the Fiscal Year (FY) 2010-2011 budget.
- D) None; informational item.
- E) Resources to implement the initiatives are included in the FY 2010/11 budget and will be considered in the preparation of the FY 2011/12 budget.

Respectfully submitted,



Jack P. Broadbent
Executive Officer/APCO

Prepared by: Lisa Harper

Reviewed by: Jennifer C. Cooper

Attachment(s)

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Brad Wagenknecht and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 12, 2010

Re: Update on the Strategic Facilities Planning Project--Phase II Study Findings

RECOMMENDED ACTION:

None. Information only.

BACKGROUND

The Bay Area Air District Board of Directors began discussions regarding alternative headquarters solutions in 2008. Motivations included the cost associated with maintaining the aging building infrastructure.

The Strategic Facility Planning project has used a multi-phased approach in order to develop a strategy that best fits the needs of the Bay Area Air District, Metropolitan Transportation Commission (MTC), and the Association of Bay Area Governments (ABAG). The Bay Area Air District's Phase I of the project was completed in October 2009 and included data gathering, visioning, goal setting, interviews and survey results conducted with the Board of Directors, the Executive Management staff, operational staff, the Advisory Council and the Hearing Board.

In September 2009, the MTC Administrative Committee approved an exploration of options study between the Bay Area Air District, MTC and ABAG. The purpose of the study was to analyze facility requirements, including comparing needs for public meeting space, shared services such as information technology, and library services.

In January 2010, Phase II of the project was executed and included a Memorandum of Understanding between the Bay Area Air District, MTC and ABAG to work jointly to explore the feasibility of a consolidation of facilities among the three agencies and the issuance of a Request for Information and a Request for Proposal for Commercial Real Estate Advisory services.

In June 2010, the Bay Area Air District Board of Directors voted unanimously to create the Strategic Facilities Planning Ad Hoc Committee to include three representatives from each of the agencies, to oversee and provide direction to staff on the feasibility of a consolidation of facilities.

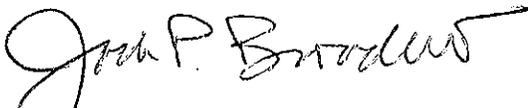
CB Richard Ellis was contracted as the Commercial Real Estate Broker for advisory services and has completed the scope of work outlined in Phase II of the project; with the development of a master plan including preliminary facility requirements, preliminary cost/benefit analysis, market research, scenario planning, feasibility analysis and the development of a real estate strategy.

Phase II of the study also includes a scenario for an Air District stand alone option, should the other agencies not move forward in a consolidation. On October 20, 2010, the Executive Committee will receive a report on the background of the project and will review a preliminary report by CB Richard Ellis including the stand alone option for the Air District.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

Commercial Real Estate Advisory services funding for this project is included in the Bay Area Air District Program 702 of the approved FY 2010/2011 budget.

Respectfully submitted,



Jack P. Broadbent
Executive Officer/APCO

Prepared by: Mary Ann Okpalaugo

Approved by: Jack Colbourn

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Brad Wagenknecht and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 14, 2010

Re: Update on Webcasting from the Board Room

RECOMMENDED ACTION:

Authorization to issue an RFP for bids to install webcasting equipment in the District Board Room.

BACKGROUND

At the Board's direction, in an effort to improve access to District Meetings, staff has explored webcasting technology. Webcasting is a technology that enables individuals to view public meetings remotely over the internet in real time. In addition, recorded meetings may be reviewed at any time. Webcasting is a non-interactive broadcast communication that does not provide for audience participation.

DISCUSSION

The District successfully webcast two Board of Directors meetings on June 16, and September 15th 2010. For both of these meetings the District rented the production hardware, the cameras and the support personnel to create the webcast.

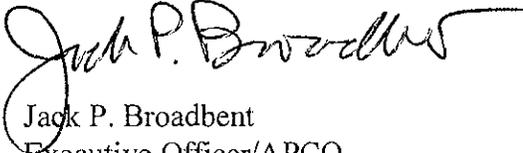
The District has the option to install its own equipment for webcasting. At the September 1st Board meeting, staff was directed to bring this discussion back to the Executive Committee for further direction.

In the event of a facility move, the equipment would transfer to the new facility.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

Costs for webcasting a single meeting is approximately \$5,000 in addition to a \$660 monthly fee and \$150 per hour for closed captioning. Purchase and installation of District equipment would replace the \$5,000 single meeting fee with a one-time investment of approximately \$100,000 to \$150,000. Staff would seek to find funds in the current year budget.

Respectfully submitted,



Jack P. Broadbent
Executive Officer/APCO

Prepared by: Satnam Hundel

Reviewed by: Jack M. Colbourn

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Brad Wagenknecht and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 13, 2010

Re: Update on Video Conferencing from the Fourth Floor Conference Room

RECOMMENDED ACTION:

Recommend Board approval of protocol for video conferencing.

BACKGROUND

At the August 5, 2010 Executive Committee meeting, staff demonstrated video conferencing from the 4th Floor Conference Room to two remote locations. Video conferencing allows remote locations to interact with each other via both audio and video communication.

VIDEO CONFERENCING OPPORTUNITIES

District staff located two suitable locations for these meetings.
They are as follows:

North Bay: Santa Rosa Junior College
South Bay: County of Santa Clara Building (San Jose)

The District has successfully tested the capabilities in each location, and found no further investment is required. As a first step, staff suggest that the protocol for video conferencing include only Committee meetings that do not include action items and are held in the 4th floor conference room.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

Video conferencing costs for room rental and technical support are approximately \$500 per meeting based on the current site selection. Funds to cover these costs will come from Program 121-Board of Directors in the Fiscal Year (FY) 2010-2011 budget.

Respectfully submitted,


Jack P. Broadbent
Executive Officer/APCO

Prepared by: Satnam Hundel

Reviewed by: Jack M. Colbourn

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Brad Wagenknecht and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 13, 2010

Re: Update on the Implementation of the District's California Environmental Quality Act
(CEQA) Guidelines

RECOMMENDED ACTION:

Information only.

BACKGROUND

On June 2, 2010, the Bay Area Air Quality Management District's Board of Directors unanimously adopted the proposed CEQA thresholds of significance. The thresholds of significance are included in the Air District's updated CEQA Guidelines (June 2010). All of the adopted CEQA thresholds of significance – *except for the risk and hazards thresholds for new receptors* – are effective June 2, 2010. The risk and hazards thresholds for new receptors are effective January 1, 2011. On June 2, the District's Board of Directors also directed staff to report to the Board periodically on the implementation progress of the CEQA Guidelines and thresholds.

DISCUSSION

Since adoption of the CEQA thresholds, District staff has continued to meet extensively with local government officials and staff, consultants, and specific stakeholder groups. Staff has met with staff from many local jurisdictions to discuss specific CEQA projects; has responded to numerous phone and email inquiries from local government staff and consultants; and has presented the CEQA Guidelines and thresholds to a number of stakeholder groups. It is clear that local lead agencies are familiar with the CEQA Guidelines, are using them in environmental review processes, and understand they may call upon District staff for assistance. Staff has also heard certain concerns on the CEQA Guidelines. Staff's efforts to address concerns, provide assistance to lead agencies, and develop technical tools is summarized below.

Staff is tracking the use of the CEQA Guidelines and thresholds in environmental review documents. Staff has reviewed CEQA documents for proposed land use developments and submitted comment letters to lead agencies. The CEQA comment letters generally address a project's air quality analysis methods and recommendations for additional mitigation measures.

The District's comment letters often also compliment lead agencies that propose greenhouse gas (GHG) efficient land use developments and adequately apply the District's CEQA thresholds in their air quality analysis.

Staff has continued working with the District's regional agency partners in implementing the CEQA Guidelines and thresholds. Specifically, staff initiated a staff working group with ABAG and MTC to address potential CEQA concerns in Priority Development Areas. The working group provides an opportunity for regional agency staff to share tools and resources, identify air quality concerns, and to support the development of plan level approaches to addressing GHG and community risk and hazards in Priority Development Areas.

Staff is developing a number of additional tools and resources to assist lead agencies in applying the CEQA Guidelines and thresholds. Recent and upcoming tools and resources that address GHG emissions include: the release of the CAPCOA GHG Mitigation Quantification Report, development of a spreadsheet calculator to estimate vehicle trip reductions from transportation demand measures, and creation of an online training video for the District's recommended models. Regarding tools for applying the risk and hazard CEQA thresholds, staff is updating the roadway screening tables, and is preparing railroad screening tables, a construction risk calculator, an inventory of stationary sources in impacted communities, and a risk and hazards mitigation measure quantification spreadsheet. Staff updated the Community Risk Reduction Plan Guidance document and has discussed the document with the CARE Task Force.

Progress is underway with the development of CRRPs in San Jose and San Francisco. Staff is collaborating with staff from San Jose and San Francisco to prepare local emission inventories, conduct local modeling, and examine future development areas. In addition, staff is initiating the CRRP process in West Contra Costa County. Staff is also working with consultants to develop detailed, local emissions inventories for all the CARE communities; this data will provide a critical foundation for evaluating and mitigating potential impacts. Staff is also introducing the idea of preparing Community Development Guidelines to assist jurisdictions in achieving local risk and hazard reductions. The Community Development Guidelines would provide standardized mitigation measures and recommended buffer zones for proposed land use developments located near roadway and stationary sources.

At the Executive Committee meeting, staff will provide information related to the handout from the Center for Creative Land Recycling at the October 5, 2010 Board of Directors meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

Informational item only.

Respectfully submitted,

A handwritten signature in black ink, reading "Jack P. Broadbent". The signature is written in a cursive style with a large initial "J" and a long horizontal flourish at the end.

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Sigalle Michael

Review by: Henry Hilken

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Wagenknecht and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 13, 2010

Re: Workplan and Preparation for Board Retreat

RECOMMENDED ACTION:

Receive and File.

DISCUSSION

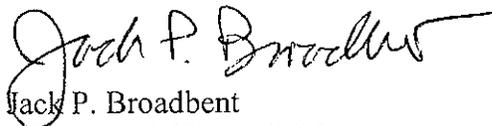
Each year, the Board of Directors looks back at accomplishments for the past year and identifies major initiatives for the upcoming year. A list of the Board initiatives identified for 2010 and their status is attached as Table 1. As shown, the Air District has had a number of key accomplishments during 2010.

Staff is developing a list of proposed initiatives for 2011 that will be discussed at the Board of Directors retreat in early 2011. This list is attached as Table 2. Many of the initiatives will stem from the 2010 Clean Air Plan recently adopted by the Board of Directors.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

Resources to implement the initiatives are included in the FY 2010/11 budget and will be considered in the preparation of the FY 2011/12 budget.

Respectfully submitted,



Jack P. Broadbent
Executive Officer/APCO

Attachment

Bay Area Air Quality Management District
Major Initiatives 2010

Table 1

COMPLETED	INITIATIVE	COMMENTS	TARGET MONTH 2010	OVERSIGHT COMMITTEE
✓	Contract with Employees Association (EA)	EA Approved and Ratified 6/10.	March	Executive
✓	Proposed Changes to Fees	Fee Rule Adopted 6/10.	May	Budget & Finance
✓	Update to CEQA Guidelines	Guidelines Adopted 6/10.	June	Executive, Stationary Source, and Mobile Source
✓	2010/2011 Budget	Budget Adopted 6/10.	June	Budget & Finance
✓	Clean Air Plan	Clean Air Plan Adopted 9/10.	July/September	Executive, Stationary Source, and Mobile Source
	Refinery NOx Rule	Proposed Rule Under Development.	Jan-11	Stationary Source
	Production System - Live	Ongoing Internal Team Moving Forward. On Time. On Budget.	Feb-11	Executive
	Metal Melting Rule	Proposed Rule Under Development; Working Group Providing Input.	Mar-11	Stationary Source
✓	Summer/Winter Spare the Air Season Reviews	Board Reviews Underway.	Mar-11	Public Outreach
✓	Green Port Initiative	Ongoing Implementation of Emission Reduction Measures.	Ongoing	Maritime Sources and Ports* <i>(*Formerly Ad hoc Committee on Port Emissions. Board to vote on new name Wednesday, March 17, 2010.)</i>
✓	CAPCOA Climate Change Forum	Held 7/10.	August	No Committee Assignment

Draft Bay Area Air Quality Management District
Major Initiatives 2011
Table 2

INITIATIVE	COMMENTS	TARGET MONTH 2011	OVERSIGHT COMMITTEE
Refinery NOx Rule (Amendment)	Proposed Rule Under Development.	January	Stationary Source
Metal Melting Rule	Proposed Rule Under Development, Working Group Providing Input.	March	Stationary Source
Community Risk Reduction Plans	San Jose, San Francisco Pilot Projects, Detailed Local Emission Inventories Underway.	2nd Quarter	Executive
Community Development Guidelines	Developing Standardized Mitigations and Buffer Zones	Ongoing	Executive
Cement Kilns	Proposed Rule Under Development.	April	Stationary Source
General PM Rule	Proposed Rule Under Development.	June	Stationary Source
Indirect Source Rule	Technical Studies Underway, Meetings with Stakeholders and Local Jurisdictions.	Ongoing*	Executive
Vacuum Trucks	Proposed Rule Under Development.	March	Stationary Source
Public Engagement Plan	Issue request for qualifications this fall, developing plan over 2011-- outlining practices for notifying the public	Ongoing	Public Outreach
Facility Relocation	First Phase of Evaluation Complete . Second Phase of Project in Progress.	Ongoing	Ad-Hoc Strategic Facilities
Contract w/Employee Association (EA)	Discussions Initiated.	Ongoing	Executive
Production System - Live	Ongoing Internal Team Moving Forward. On time. On budget. Live Beta Expected This Year.	February (Beta Live)	Executive
GHG Fee	Working Group to be Established	Ongoing	Legislative
Bay Area Business Assistance Program	Program Under Development.	Ongoing	Stationary Source

*In concert with Sustainable Community Strategy (SCS)

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: October 26, 2010

Re: Report of the Public Outreach Committee Meeting of October 25, 2010

RECOMMENDED ACTION:

Receive and File.

BACKGROUND

The Public Outreach Committee met on Monday, October 25, 2010. The Committee received the following reports:

- A) Update on 2010 Spare the Air Every Day Campaign
- B) Overview of the 2010/11 Winter Spare the Air Campaign
- C) Review of Limited English Proficiency District Wide Assessment
- D) Public Engagement Policy and Plan

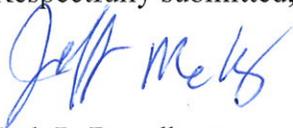
Attached are the staff reports presented in the Public Outreach Committee packet.

Chairperson Mark Ross will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

- A) Funding for this program was included in the FY 2009-2010 and FY 2010-11 Budgets. Funding sources include TFCA and Congestion Mitigation Air Quality (CMAQ) funds.
- B) Funding for the outreach program is included in the FY 2010-11 Budget.
- C) Funding for the assessment was included in the FY 2009-10 Budget.
- D) Funding for the development of the Public Engagement Policy and Plan is included in the FY 2010-11 Budget.

Respectfully submitted,



Jack P. Broadbent
Executive Officer/APCO

Prepared by: Lisa Harper
Approved by: Jennifer C. Cooper

Attachment(s)

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Mark Ross and Members
of the Public Outreach Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 19, 2010

Re: 2010 Spare the Air Every Day Campaign

RECOMMENDED ACTION:

For information only.

BACKGROUND

The nearly 20 year old Spare the Air program has evolved over the years, but the basic premise continues, encouraging the public to change their behavior to improve air quality.

In 2009, the Spare the Air campaign transitioned to the Spare the Air **Every Day** Campaign, in an effort to encourage behavior change from residents, not just during Spare the Air alerts, but every day to improve air quality and protect the climate.

This year the Spare the Air Every Day campaign transitioned to target messaging to Bay Area residents aged 17-35. The program launched in May and true to its name, is effectively encouraging clean air behavior every day. Carpooling and transit use continue to be the target behaviors.

DISCUSSION

Staff will present an overview of this year's campaign elements. Survey data will be presented to highlight the success of the demographic shift and how the Spare the Air message resonated with the younger audience.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

Funding for this program was included in the FY 2009-2010 and FY 2010-11 Budgets. Funding sources include TFCA and Congestion Mitigation Air Quality (CMAQ) funds.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jack P. Broadbent". The signature is written in a cursive style with a long horizontal stroke at the end.

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Kristine Roselius
Reviewed by: Lisa Fasano

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Mark Ross and Members
of the Public Outreach Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 18, 2010

Re: 2010-2011 Winter Spare the Air Campaign

RECOMMENDED ACTION:

For information only.

BACKGROUND

Regulation 6; Rule 3: Wood Burning Devices was adopted by the Board of Directors in July 2008. When adopted, the District stated this campaign was as much about outreach as it was about enforcement. The wood smoke regulatory season will run from November 1, 2010 to February 28, 2011.

DISCUSSION

The Winter Spare the Air Campaign will inform residents about the Wood Burning rule, but this year, will focus on the non-English speaking residents of the Bay Area. Focus will continue on the health message, but this year materials and messages will be retooled from past year's campaigns, translated into various languages and distributed on non-English media and advertising channels. Staff will present an overview of this year's materials and campaign strategy.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

Funding for the outreach program is included in the FY 2010-11 Budget.

Respectfully submitted,



Jack P. Broadbent
Executive Officer/APCO

Prepared by: Kristine Roselius
Reviewed by: Lisa Fasano

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Mark Ross and Members
of the Public Outreach Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 19, 2010

Re: Assessment of Limited English Proficient Populations and Current Services

RECOMMENDED ACTION:

For information only.

BACKGROUND

The Air District provides language assistance services to stakeholders through a variety of programs. Written material, telephone assistance and simultaneous translation services have been provided in Spanish, Mandarin, Chinese, Punjabi, Hindi, Vietnamese and Korean.

Usage of Air District language assistance services has been inconsistent. The Winter Spare the Air 1-877-4-NO-BURN line was available in Spanish and English during the 2009-2010 wood smoke season. It received a total of 400,000 calls during the season and one-third of those calls, or 100,000, were made by callers seeking information in Spanish. The District has offered translation services at community meetings, yet these services have rarely been utilized.

Following discussions with the Bay Area Environmental Health Collaborative and a BAEHC drafted language access recommendation document, the Air District embarked on an assessment of language needs for Bay Area residents. The purpose of the assessment was to review current legal guidance pertaining to multi-lingual efforts, assess current Air District efforts and review practices from similar agencies. The assessment has been reviewed and commented on by District staff and members of the 30 participating member organizations of the BAEHC.

DISCUSSION

Staff will present the assessment of limited English proficient populations in the Bay Area and current services offered by the Air District and other agencies.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

Funding for the assessment was included in the FY 2009-10 Budget.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jack P. Broadbent". The signature is written in a cursive style with a large initial "J".

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Kristina Chu
Reviewed by: Lisa Fasano

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Mark Ross and Members
of the Public Outreach Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 19, 2010

Re: Public Engagement Policy and Plan

RECOMMENDED ACTION:

For information only.

BACKGROUND

Staff will brief the Committee on plans to develop a comprehensive, District-wide *Public Engagement Policy and Plan*. The purpose of this plan provides staff guidance and tools when engaging stakeholders in District activities through a public process.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

Funding for the development of the *Public Engagement Policy and Plan* is included in the FY 2010-11 Budget.

Respectfully submitted,


Jack P. Broadbent
Executive Officer/APCO

Prepared by: Ana Sandoval
Reviewed by: Lisa Fasano

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: October 28, 2010

Re: Report of the Mobile Source Committee Meeting of October 28, 2010

RECOMMENDED ACTION:

The Committee recommends Board of Directors:

A) Consideration of Projects with Proposed Grant Awards Over \$100,000:

1. Approve the Carl Moyer Program (CMP) projects with proposed grant awards over \$100,000;
2. Authorize the Executive Officer/APCO to enter into agreements for the recommended Carl Moyer Program projects.

B) Consideration of Acceptance of up to \$6.7 Million in Climate Innovation Program Grant Funding:

1. Approve acceptance of up to \$6.7 million in Climate Innovation Program (CIP) grant funding from the Metropolitan Transportation Commission (MTC) for bicycle sharing pilot and electric vehicle (EV) charging infrastructure projects;
2. Authorize the Executive Officer/APCO to enter into agreements for the recommended projects.

C) Consideration of Allocating \$5 Million in Mobile Source Incentive Funds (MSIF):

1. Approve the allocation of \$5 million in Mobile Source Incentive Funds (MSIF) to fund public school bus replacement projects under the Lower-Emission School Bus Program (LESBP).

BACKGROUND

The Mobile Source Committee met on Thursday, October 28, 2010. The Committee received and considered the following reports and recommendations:

- A) Consideration of Projects with Proposed Grant Awards Over \$100,000;
- B) Consideration of Acceptance of up to \$6.7 million in Climate Innovation Program Grant Funding;
- C) Consideration of Allocating \$5 million in Mobile Source Incentive Funds (MSIF)

Attached are the staff reports presented in the Mobile Source Committee packet.

Chairperson Scott Haggerty will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

- A) None. Through the Carl Moyer Program (CMP), MSIF and Transportation Fund for Clean Air (TFCA), the Air District distributes “pass-through” funds to public agencies and private entities on a reimbursement basis. Administrative costs for both programs are provided by each funding source.
- B) None. The Air District distributes “pass-through” funds to public agencies and private fleets on a reimbursement basis. Administrative costs for the projects are provided by the funding sources.
- C) None. MSIF funding comes with administrative funding to cover staff time associated with the program.

Respectfully submitted,



fn Jack P. Broadbent
Executive Officer/APCO

Prepared by: Vanessa Johnson
Reviewed by: Jennifer Chicconi

Attachment(s)

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Mobile Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 21, 2010

Re: Consideration of Projects with Proposed Grant Awards Over \$100,000

RECOMMENDATIONS:

Recommend Board of Directors:

1. Approve Carl Moyer Program projects with proposed grant awards over \$100,000.
2. Authorize the Executive Officer/APCO to enter into agreements for the recommended Carl Moyer Program projects.

BACKGROUND

The Bay Area Air Quality Management District (Air District) has participated in the Carl Moyer Program (CMP), in cooperation with the California Air Resources Board (ARB), since the program began in fiscal year 1998/1999. The CMP provides grants to public and private entities to reduce emissions of oxides of nitrogen (NO_x), reactive organic gases (ROG) and particulate matter (PM) from existing heavy-duty engines by either replacing or retrofitting them. Eligible heavy-duty diesel engine applications include on-road trucks and buses, off-road equipment, marine vessels, locomotives, stationary agricultural pump engines, and forklifts.

Assembly Bill 923 (AB 923 - Firebaugh), enacted in 2004 (codified as Health and Safety Code Section 44225), authorized local air districts to increase their motor vehicle registration surcharge up to an additional \$2 per vehicle. The revenues from the additional \$2 surcharge are deposited in the Air District's Mobile Source Incentive Fund (MSIF). AB 923 stipulates that air districts may use the revenues generated by the additional \$2 surcharge for projects eligible for grants under the CMP.

Since 1991, the Transportation Fund for Clean Air (TFCA) program has funded projects that achieve surplus emission reductions from on-road motor vehicles. Sixty percent (60%) of TFCA funds are awarded directly by the Air District through a grant program known as the Regional Fund that is allocated on a competitive basis to eligible projects proposed by project sponsors. Funding for this program is provided by a \$4 surcharge on motor vehicles registered within the San Francisco Bay Area as authorized by the California State Legislature. The statutory authority

for the TFCA and requirements of the program are set forth in California Health and Safety Code Sections 44241 and 44242.

On March 17, 2010, the Board of Directors authorized Air District participation in Year 12 of the CMP, and authorized the Executive Officer/APCO to execute Grant Agreements and amendments for projects funded with CMP funds or MSIF revenues, with individual grant award amounts up to \$100,000. On November 18, 2009, the Air District Board of Directors authorized the Executive Officer/APCO to execute Grant Agreements and amendments for projects funded with TFCA funds, with individual grant award amounts up to \$100,000.

CMP and TFCA projects with grant award amounts over \$100,000 are brought to the Committee for consideration at least on a quarterly basis. Staff reviews and evaluates the grant applications based upon the respective governing policies and guidelines established by the ARB and/or the Air District's Board of Directors.

DISCUSSION

Carl Moyer Program:

The Air District started accepting applications for CMP Year 12 projects on May 3, 2010. The Air District has approximately \$19 million available for CMP projects from a combination of MSIF and CMP funds. Project applications are being accepted and evaluated on a first-come, first-served basis.

As of October 14, 2010, the Air District had received 52 project applications. Of the applications that have been evaluated between September 9, 2010, and October 14, 2010 four eligible projects have proposed individual grant awards over \$100,000. These projects will replace four marine engines and five pieces of off-road equipment, which will result in the reduction of 7.03 tons of NO_x, ROG and PM per year. Staff recommends allocating \$772,839 to these projects from a combination of CMP funds and MSIF revenues. Attachment 1 to this staff report provides additional information on these four projects.

Attachment 2 lists all of the eligible projects that have been received by the Air District as of October 14, 2010, and summarizes the allocation of funding by equipment category (Figure 1), and county (Figure 2). This list also includes the Voucher Incentive Program (VIP) on-road replacement projects awarded to date. Approximately 30% of the funds have been awarded to projects that reduce surplus emissions in highly impacted Bay Area communities.

TFCA:

No TFCA applications requesting individual grant awards over \$100,000 received between September 9, 2010 and October 14, 2010 are being forwarded for approval at this time.

BUDGET CONSIDERATION / FINANCIAL IMPACT:

None. Through the CMP, MSIF and TFCA, the Air District distributes “pass-through” funds to public agencies and private entities on a reimbursement basis. Administrative costs for both programs are provided by each funding source.

Respectfully submitted,



Jack P. Broadbent
Executive Director/APCO

Prepared by: Anthony Fournier

Reviewed by: Damian Breen

Attachment 1: BAAQMD Year 12 Carl Moyer Program/MSIF projects with grant awards greater than \$100,000 (evaluated between 9/9/2010 and 10/14/2010)

Attachment 2: Summary of all CMP Year 12/MSIF and VIP approved/eligible projects (5/3/10 to 10/14/10)

Attachment 1:

BAAQMD Year 12 Carl Moyer Program/ MSIF projects with grant awards greater than \$100k
(Evaluated between 9/9/2010 and 10/14/2010)

Project #	Applicant name	Equipment category		Proposed contract award	NOx (TPY)	ROG (TPY)	PM (TPY)	County
12MOY21	James Smith (Commercial fishing)	Marine	The repower of two (2) diesel powered main engines.	\$ 149,288.00	1.530	0.034	0.051	Contra Costa
12MOY31	Hillside Drilling Inc	Off-road	The replacement of two (2) off-road diesel powered excavators.	\$ 138,276.00	1.419	0.202	0.065	Contra Costa
12MOY32	Monterey Canyon Research Vessels, Inc	Marine	The repower of two (2) diesel powered main engines.	\$ 103,010.00	0.519	0.014	0.018	San Francisco
12MOY36	Marin Sanitary Service	Off-road	The replacement of two (2) diesel powered loaders and one (1) diesel powered backhoe.	\$ 382,265.00	2.612	0.419	0.156	Marin
				\$ 772,839.00	6.080	0.669	0.290	

Attachment 2

Summary of all CMP Yr 12/MSIF and VIP approved/eligible projects (5/3/10 to 10/14/10)

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	NOx (TPY)	ROG (TPY)	PM (TPY)	Board approval date	County
12MOY2	Agriculture	Engine repower	3	\$ 57,831.00	Nichelini Vineyards, LLC	0.648	0.078	0.021	APCO	Napa
12MOY8	Off-road	Equipment replacement & retrofit	1	\$ 201,620.00	Evergreen Supply	1.556	0.185	0.075	8/4/2010	Santa Clara
12MOY11	Off-road	Equipment replacement	2	\$ 43,833.00	Domenico J. Carinalli, Jr. (farmer)	0.141	0.047	0.015	APCO	Sonoma
12MOY5	Agriculture	Engine repower	1	\$ 33,750.00	Carpenter Ranches Inc	0.542	0.079	0.022	APCO	Napa
12MOY6	Agriculture	Engine repower	1	\$ 28,163.00	Vimark Inc.	0.218	0.027	0.008	APCO	Sonoma
12MOY18	Off-road	Equipment replacement	1	\$ 115,900.00	Don Moreda JR. (dairy)	0.318	0.087	0.035	10/6/2010	Sonoma
12MOY7	Agriculture	Engine repower	1	\$ 21,179.00	Beard Family Vineyards	0.223	0.030	0.009	APCO	Napa
12MOY4	Off-road	Equipment replacement	1	\$ 115,887.00	Andy Poncia (fertilizer/fam support)	0.790	0.133	0.040	10/6/2010	Sonoma
12MOY10	Off-road	Equipment replacement	1	\$ 39,866.00	Daniel H. Evans (farmer)	0.227	0.041	0.011	APCO	Marin
12MOY19	Agriculture	Engine repower	9	\$ 187,170.00	Skalli Corporation DBA St. Supery	4.396	0.528	0.156	10/6/2010	Napa
12MOY26	Off-road	Equipment replacement	1	\$ 108,517.00	Gerald & Kristy Spaletta (dairy)	0.645	0.110	0.033	10/6/2010	Sonoma
12MOY28	Off-road	Equipment replacement	2	\$ 69,940.00	Temilinda Dairy	0.468	0.085	0.022	APCO	Sonoma
12MOY22	Off-road	Equipment replacement	4	\$ 122,062.00	ST Francis Winery & Vineyards	0.412	0.086	0.030	10/6/2010	Sonoma
12MOY9	Off-road	Equipment replacement	1	\$ 31,260.00	Deniz Dairy	0.379	0.068	0.018	APCO	Sonoma
12MOY27	Off-road	Equipment replacement	1	\$ 35,386.00	Alfred Corda	0.189	0.034	0.009	APCO	Marin
12MOY30	Agriculture	Engine repower	2	\$ 31,610.00	Beckstoffer Vineyards	0.888	0.112	0.032	APCO	Napa
12MOY21	Marine	Engine repower	2	\$ 149,288.00	James Smith (Commercial fishing)	1.530	0.034	0.051	Board	Contra Costa
12MOY32	Marine	Engine repower	2	\$ 103,010.00	Monterey Canyon Research Vessels, Inc	0.519	0.014	0.018	Board	San Francisco
12MOY43	Agriculture	Engine repower	2	\$ 51,834.00	Boisset Family Estates	0.954	0.113	0.031	APCO	Napa
12MOY29	Off-road	Equipment replacement	1	\$ 63,667.00	Daniel Sare (farmer)	0.175	0.036	0.011	APCO	San Mateo
12MOY33	Off-road	Equipment replacement	1	\$ 30,228.00	Eugene Poncia (farmer)	0.096	0.017	0.005	APCO	Marin
12MOY44	Off-road	Equipment replacement	1	\$ 23,032.00	Moretti Family Dairy	0.164	0.027	0.009	APCO	Marin
12MOY17	Agriculture	Engine repower	4	\$ 44,696.00	Korbel Vineyards	0.237	0.029	0.008	APCO	Sonoma
12MOY36	Off-road	Equipment replacement	2	\$ 382,265.00	Marin Sanitary Service	2.612	0.419	0.156	Board	Marin
12MOY31	Off-road	Equipment replacement	2	\$ 138,276.00	Hillside Drilling Inc	1.419	0.202	0.065	Board	Contra Costa

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	NOx (TPY)	ROG (TPY)	PM (TPY)	Board approval date	County
VIP2	VIP	Truck replacement	1	\$ 35,000.00	C. Hill Trucking	0.366	0.014	0.658	APCO	Alameda
VIP7	VIP	Truck replacement	1	\$ 35,000.00	David Bianchi Inc.	0.366	0.014	0.658	APCO	Sonoma
VIP10	VIP	Truck replacement	1	\$ 35,000.00	Donatd Lopez	0.366	0.014	0.658	APCO	Alameda
VIP11	VIP	Truck replacement	1	\$ 35,000.00	Leyvas Transport	0.366	0.014	0.658	APCO	Monterey
VIP15	VIP	Truck replacement	1	\$ 35,000.00	Maddocks Construction Inc.	0.366	0.014	0.658	APCO	Sonoma
VIP16	VIP	Truck replacement	1	\$ 35,000.00	Northern Truck & Equipment	0.366	0.014	0.658	APCO	Alameda
VIP17	VIP	Truck replacement	1	\$ 30,000.00	Chahal Trucking	0.294	0.008	0.265	APCO	Alameda
VIP18	VIP	Truck replacement	1	\$ 30,000.00	Mann Transp	0.294	0.008	0.265	APCO	Alameda
VIP19	VIP	Truck replacement	1	\$ 40,000.00	Farlain Trucking	0.354	0.014	0.032	APCO	Sonoma
VIP20	VIP	Truck replacement	1	\$ 30,000.00	C & G Trucking	0.383	0.010	0.017	APCO	Stanislaus
VIP21	VIP	Truck replacement	1	\$ 35,000.00	Arrow Trucking	0.442	0.012	0.020	APCO	Alameda
VIP22	VIP	Truck replacement	1	\$ 35,000.00	VJ Trucking	0.305	0.012	0.027	APCO	Contra Costa
VIP23	VIP	Truck replacement	1	\$ 35,000.00	Dhindsa Trucking	0.305	0.012	0.027	APCO	Alameda
VIP24	VIP	Truck replacement	1	\$ 35,000.00	Trent McGrew Trucking	0.305	0.012	0.027	APCO	Shasta
VIP25	VIP	Truck replacement	2	\$ 30,000.00	Berkeley Warehouse	0.466	0.005	0.013	APCO	Alameda
VIP26	VIP	Truck replacement	1	\$ 20,000.00	Gary S. Petersen	0.288	0.007	0.010	APCO	Sonoma
VIP27	VIP	Truck replacement	1	\$ 30,000.00	GS Trucking	0.436	0.011	0.015	APCO	Alameda
VIP28	VIP	Truck replacement	1	\$ 35,000.00	Mark Maxwell	0.305	0.012	0.027	APCO	Alameda
VIP29	VIP	Truck replacement	1	\$ 45,000.00	JBV Trucking	0.649	0.016	0.022	APCO	Ventura
VIP30	VIP	Truck replacement	1	\$ 35,000.00	Gill Trucking	0.510	0.013	0.017	APCO	Alameda
VIP32	VIP	Truck replacement	1	\$ 45,000.00	Harjot Singh	0.649	0.016	0.022	APCO	Alameda
VIP33	VIP	Truck replacement	1	\$ 45,000.00	John Whitney	0.390	0.015	0.035	APCO	Alameda
47 Projects			72	\$ 2,995,272.00		28.318	2.889	5.677		

Figure 1: CMP/ MSIF Funding Distribution by Equipment Category as of 10/14/10

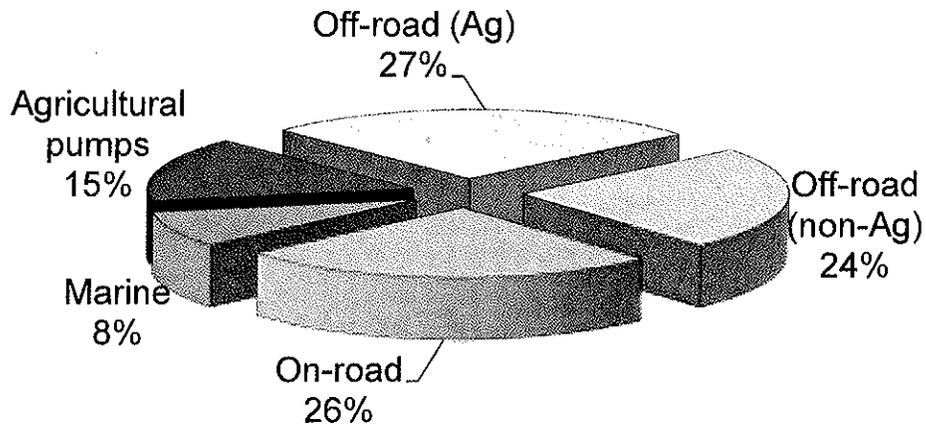
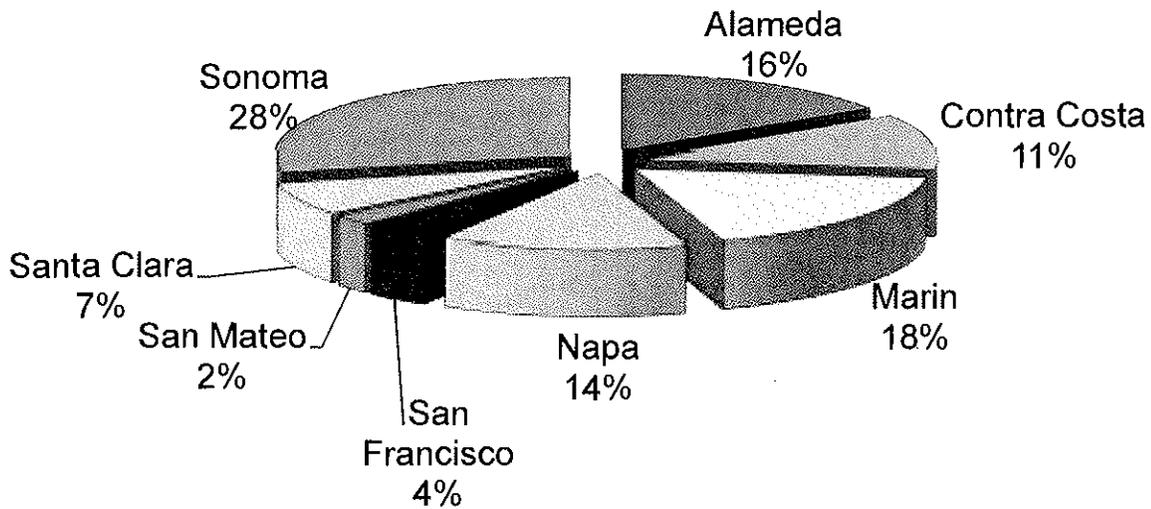


Figure 2: CMP/ MSIF Funding Distribution by County as of 10/14/10



BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Mobile Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 20, 2010

Re: Consideration of Acceptance of up to \$6.7 Climate Innovation Program Grant
Funding from the Metropolitan Transportation Commission

RECOMMENDATIONS:

Recommend Board of Directors:

1. Accept up to \$6.7 million in Climate Innovation Program (CIP) grant funding from the Metropolitan Transportation Commission (MTC) for bicycle sharing pilot and electric vehicle (EV) charging infrastructure projects.
2. Authorize the Executive Officer/APCO to enter into agreements for the recommended projects.

Background

In the Bay Area, the transportation sector accounts for more than 50% of “criteria” pollutants, including reactive organic gases (ROG) and oxides of nitrogen (NOX), both of which are ozone precursors, and particulate matter (PM), and for more than 40% of greenhouse gas (GHG) emissions. Within the transportation sector, more than 50% of ROG, NOX, and PM, and approximately 70% of GHG emissions are generated by on-road vehicles. Therefore, significant emission reductions from the on-road transportation sector through the implementation of trip reduction and zero-emission vehicle projects are key to the Bay Area’s attainment of air quality standards, to improve public health and to protect the climate. As part of this report, staff will update the Committee on funding available from MTC for innovative emissions reduction projects for both bicycles and electric vehicles.

DISCUSSION

On August 13, 2010, the Air District submitted two proposals to MTC’s CIP: a regional bike share pilot and an EV charging infrastructure deployment project. The following is a description of those projects and the awards that are scheduled for consideration by MTC’s Commission on October 27, 2010.

Regional Bike Share Pilot

The Air District has applied to lead a regional bike share pilot to deploy 1,000 bicycles at up to 100 kiosk stations along the peninsula transportation corridor in five cities. This collaborative effort in partnership with Santa Clara Valley Transportation Authority (VTA), SamTrans, San Francisco Municipal Transportation Agency, and the cities of San Francisco, Redwood City, Mountain View, Palo Alto, and San Jose, builds on existing efforts to reduce vehicle miles travelled within Bay Area communities. Among the outcomes of the Project, the Air District will research, test, and evaluate sustainable program financing models, including private-public partnerships. The results from the Project will be used to expand the program in the pilot cities and to replicate the program in other targeted Bay Area communities. The Project will also include an extensive outreach component that will encourage transportation mode shift to sustainable transportation alternatives with a focus on bicycling. This \$6.9 million project will be funded through a combination of matching funds including \$4.29 million from MTC's CIP, \$1.4 million from FY 09/10 Transportation Fund for Clean Air (TFCA) Regional Funds (approved by the Board of Directors on October 6, 2010) and \$1.34 million match from partner agencies.

EV Charging Infrastructure Deployment Project

On August 4, 2010, the Air District Board of Directors allocated up to \$5 million in TFCA Regional Funds over the next two years to support EV charging infrastructure in the region. In order to leverage this funding, the Air District applied for additional monies to install further chargers to MTC's CIP.

MTC has recommended that \$2.38 million be allocated to the Air District for charging and has committed in partnership with the Air District and ABAG, to develop a regional EV strategy for charging deployment. This process will assess the Bay Area's readiness to support deployment of electric vehicles, the necessity to deploy public chargers, and will develop criteria to inform funding priorities for the Air District's CIP funding allocation. This effort is proposed to be completed by spring 2011.

Based on the outcome of this process, the Air District will direct a portion of TFCA funds and MTC funding to support further deployment of EV charging infrastructure in the Bay Area.

BUDGET CONSIDERATION / FINANCIAL IMPACT:

None. The Air District would distribute MTC monies as “pass-through” funds to public and private fleets on a reimbursement basis. Administrative costs for the projects are provided by the funding sources.

Respectfully submitted,

A handwritten signature in black ink that reads "Jack P. Broadbent". The signature is written in a cursive style with a large initial "J".

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Karen M. Schkolnick
Reviewed by: Damian Breen

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Mobile Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 21, 2010

Re: Consideration of Allocating \$5 Million in Mobile Source Incentive
Funds for the Lower Emission School Bus Replacement Program

RECOMMENDATION:

Recommend Board of Directors:

- Allocate \$5 million in Mobile Source Incentive Funds (MSIF) to fund public school bus replacement projects under the Lower-Emission School Bus Program (LESBP).

BACKGROUND

Assembly Bill 923 (AB 923 - Firebaugh), enacted in 2004 (codified as Health and Safety Code Section 44225), authorized local air districts to increase their motor vehicle registration surcharge up to an additional \$2 per vehicle. The revenues from the additional \$2 surcharge are deposited in the Air District's Mobile Source Incentive Fund (MSIF), and may be used for school bus replacement projects.

The Lower-Emission School Bus Program (LESBP) was created by the California Air Resources Board (ARB) in fiscal year 2000-2001. The LESBP funds the purchase of new clean public school buses, and the purchase and installation of particulate matter (PM) emission control devices. The Air District has participated in the LESBP since its inception. To date, approximately \$12 million in state funds and \$9 million in Air District funds have been used to replace nearly 200 school buses, and retrofit over 300 school buses.

As part of this report, staff will request MSIF funding to replace additional high-emitting school buses.

DISCUSSION

On May 21, 2008, the Air District Board of Directors approved the acceptance of up to \$8.4 million in I-Bond funding from ARB for the LESBP. After being frozen in December 2008, state funds began flowing to the Air District in October 2009. Just over

\$3.7 million has been received to date and the remaining balance is expected before the end of the year. Due to the requirements for school buses in ARB's In-Use Heavy-Duty Diesel-Fueled Vehicles Regulation, demand for retrofit funding is high. There are approximately 900 school buses eligible for retrofit devices in the Bay Area, with the Air Districts I-Bond funds expected to cover retrofits for only 300 vehicles.

The Air District intends to allocate all state funds received to applicants who applied for retrofit projects under the initial Fall 2008 solicitation, and to applicants from a new solicitation slated before the end of the year. With the level of demand for retrofits, no state funds will be available for school bus replacement projects and local funding is not eligible to provide additional retrofits under current legislation.

Additional Replacement Funding

Since 2008 the Board authorized a total of \$6,875,000 of MSIF revenues to the LESBP for school bus replacement projects - \$3.375 million on July 9, 2008 and \$3.5 million on February 4, 2009. All of these funds have also been allocated, and will replace 47 dirty school buses, over half of which are 25 years old or older. However, even with these efforts, it is estimated that at least 50 school buses remain in service that are not eligible for retrofits. With the ARB Regulation and the on-going budget issues faced by most school districts, demand for funding for bus replacement also remains high.

Therefore, staff requests that the Committee recommend the Board of Directors reserve \$5 million in MSIF to fund public school bus replacement projects under the LESBP. These additional funds would be used to replace approximately 30 public school buses in the Bay Area.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

None. MSIF funding comes with administrative funding to cover staff time associated with the program.

Respectfully submitted,


Jack P. Broadbent
Executive Officer/APCO

Prepared by: Geraldina Grünbaum
Reviewed by: Damian Breen

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: October 26, 2010

Re: Report of the Nominating Committee Meeting of November 3, 2010

RECOMMENDED ACTION:

The Committee may recommend Board of Directors' approval of Board Officers for:

- Chairperson
- Vice Chairperson
- Secretary

BACKGROUND

The Nominating Committee will meet on Wednesday, November 3, 2010. The Committee will consider and recommend Board Officers for the 2011 Term of Office.

Attached is the staff report presented in the Nominating Committee packet.

Chairperson, Brad Wagenknecht will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

None.

Respectfully submitted,



Jack P. Broadbent
Executive Officer/APCO

Prepared by: Lisa Harper
Reviewed by: Jennifer C. Cooper

Attachment(s)

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Brad Wagenknecht and Members
of the Nominating Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 26, 2010

Re: Consideration and Nomination of Board Officers for the 2011 Term of Office

RECOMMENDED ACTION:

Consider recommending Board of Directors' approval of Board Officers for:

- Chairperson
- Vice Chairperson
- Secretary

DISCUSSION

District Counsel, Brian Bunger has provided a memorandum addressed to Chairperson Wagenknecht that is attached for discussion. The memorandum includes pertinent provisions from the Air District's Administrative Code and the Board of Directors' Operating Policies and Procedures. The memorandum also discusses the role of the Nominating Committee.

Respectfully submitted,



Jack P. Broadbent
Executive Officer/APCO

Prepared by: Vanessa Johnson
Reviewed by: Jennifer Cooper

Attachment(s)

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

OFFICE OF DISTRICT COUNSEL

MEMORANDUM

DATE: October 26, 2010

TO: Brad Wagenknecht, Chairperson
and Members of the Nominating Committee of the Board of Directors

FROM: Brian C. Bunger
District Counsel

SUBJECT: Criteria for Recommendation of Officers of the Board of Directors

The function of the Nominating Committee is “to recommend to the Board the officers for each calendar year.” Bay Area Air Quality Management District Administrative Code (“Admin. Code”), Division I, Section 6.8. In order to assist with this function, this Memorandum discusses the criteria to be applied by the Nominating Committee in making its recommendations for officers to the Board.

The Administrative Code contains certain criteria that the Nominating Committee must follow in making its recommendation for officers of the Board.

First, “the Committee shall not be bound by a recommendation of a previous Nominating Committee.” Admin. Code, Div. I, § 6.8.

Second, “[t]he Committee need not follow a strict rule of rotation between supervisor and city members but may take into account their proportionate membership on the Board of Directors.” Admin Code, Div. I, § 6.8.

Third, Section 6.8 further requires that “the Committee shall take into account the provisions of Section I-2.7.” Admin. Code, Div. I, § 6.8.

Section 2.7 of Division I of the Administrative Code sets forth a policy of the Board to rotate the positions of the Chairperson, Vice Chairperson and Board Secretary among the members of the Board “in a manner to assure participation in the affairs of the District from a wide representation of the membership.” Admin. Code, Div. I § 2.7. In this regard, Section 2.7 provides that “[I]n making its recommendations, the Nominating Committee shall take into account such factors as representation by those members appointed by Boards of Supervisors, those members appointed by City selection committees, those members from large counties, and those from small counties.” Admin. Code, Div. I § 2.7.

Thus, the Board has expressed a policy of rotating officer positions in order to ensure broad participation by all Board members in the affairs of the District. However, the Nominating Committee is not required to follow a strict rule of rotation between supervisor and city members. Nor is the Committee to be bound by the actions of any prior Nominating Committee. Finally, the Nominating Committee must take into account such factors as representation of supervisor and city members on the Board and the representation of members from large and small counties.

For your convenience, attached are copies of the pertinent sections of the District's Administrative Code.

ADMINISTRATIVE CODE – SELECTED PROVISIONS**SECTION 2 BOARD OF DIRECTORS, OFFICERS - DUTIES****2.1 OFFICERS OF THE BOARD. (Revised 1/21/04)**

The presiding officer of the Board is the Chairperson of the Board of Directors. The Chairperson, Vice Chairperson and Secretary shall, no later than the first meeting in December of each year, be elected by the Board of Directors and assume office January 1, (effective January 1, 2005). The Chairperson shall preserve order and decorum at regular and special meetings of the Board. The Chairperson shall state each question, shall announce the decision, shall decide all questions of order subject to an appeal to the Board. The Chairperson shall vote on all questions, last in order of the roll, and shall sign all ordinances and resolutions adopted by the District Board while the Chairperson presides. (see Section II-4.3)

In the event that the Chairperson is unable, for whatever reason, to fulfill his or her one-year term of office, the Vice-Chairperson shall succeed the Chairperson and the Secretary shall succeed the Vice-Chairperson. Section 2.3 below shall determine the filling of the Secretary vacancy. In any event, no Board Officer shall serve more than three (3) years in any one Board office (Chairperson, Vice-Chairperson, or Secretary).

2.2 CHAIRPERSON. (Revised 1/14/09)

The Chairperson shall take the chair at the hour appointed for the meeting and call the District Board to order. In the absence of the Chairperson, the Vice-Chairperson shall call the Board to order and serve as temporary Chairperson. Upon arrival of the Chairperson, the Vice-Chairperson shall relinquish the chair upon the conclusion of the business then pending before the Board. In the absence, or self-determined inability to act, of the Chairperson, or the Vice-Chairperson when the Chairperson is absent, the Board Secretary shall call the Board to order and serve as temporary Chairperson. Upon arrival of the Chairperson or Vice-Chairperson, the Secretary shall relinquish the Chair upon the conclusion of the business then pending before the Board. In the absence, or self-determined inability to act, of the Chairperson, Vice Chairperson or Secretary, members of the Board of Directors shall, by an order on the Minutes, select one of their members to act as temporary Chairperson. Upon the arrival or resumption of ability to act, the Chairperson or Vice-Chairperson shall resume the Chair, upon the conclusion of the business then pending before the Board. It shall be the duty of the Chairperson to attend all meetings of the Bay Area Air Quality Management District Advisory Council.

2.3 VICE CHAIRPERSON.

If, for any reason, the Chairperson ceases to be a member of the Board, the Vice-Chairperson shall automatically assume the office of Chairperson and the Board Secretary shall automatically assume the office of Vice-Chairperson. If, for any reason, the Vice-Chairperson ceases to be a member of the Board, the Board Secretary shall automatically assume the office of Vice-Chairperson. In either eventuality, the Board Nominating Committee shall, upon the request of the Chairperson, make a recommendation at the Board meeting following such request to fill the office of Board Secretary. An election will then immediately be held for that purpose.

2.4 BOARD SECRETARY.

The Board Secretary shall be official custodian of the Seal of the District and of the official records of the District and shall perform such secretarial duties as may require execution by the Board of Directors. The Board Secretary may delegate any of these duties to the APCO, or to the Clerk of the Boards.

2.5 MEETING ROLL CALL.

Before proceeding with the business of the Board, the Clerk of the Boards shall call the roll of the members, and the names of those present shall be entered in the Minutes. The names of members who arrive after the initial roll call shall be noted in the Minutes at that stage of the Minutes.

2.6 QUORUM.

A majority of the members of the Board constitutes a quorum for the transaction of business, and may act for the Board.

2.7 OFFICER ROTATION.

It is intended that the positions of Chairperson, Vice Chairperson, and Board Secretary be rotated among the members in a manner to assure participation in the affairs of the District from a wide representation of the membership. In making its recommendations, the Nominating Committee shall take into account such factors as representation by those members appointed by Boards of Supervisors, those members appointed by City selection committees, those members from large counties, and those from small counties.

SECTION 6 BOARD OF DIRECTORS, COMMITTEES

6.8 NOMINATING COMMITTEE. (Revised 10/4/95)

The Nominating Committee will consist of the Chairperson of the Board, the past Chairperson of the Board and three (3) appointees of the Chairperson of the Board, or in the event the past Chairperson of the Board is no longer serving on the Board, four (4) appointees of the Chairperson of the Board. The Nominating Committee shall be appointed no later than the second Board Meeting in November of each year and shall serve until the appointment of a new Committee. It is the function of the Nominating Committee to recommend to the Board the officers for each calendar year. In making its recommendation, the Committee shall not be bound by a recommendation of a previous Nominating Committee. The Committee need not follow a strict rule of rotation between supervisor and city members but may take into account their proportionate membership on the Board of Directors. Additionally, the Committee shall take into account the provisions of Section I-2.7.

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: October 27, 2010

Re: Report and Recommendations of the Advisory Council from the June 9, 2010
Meeting on California's 2050 GHG Emission Reduction Target – Technologies
and Strategies for the Industrial and Electric Power Sectors

RECOMMENDED ACTION:

Receive and File.

DISCUSSION

The following presentations were made at the June 9, 2010 Advisory Council Meeting on California's 2050 GHG emission reduction target of 80% below 1990 levels – technologies and strategies for the industrial and electric power sectors:

1. *Mineralization via Aqueous Precipitation (MAP) for Carbon Capture & Sequestration* by Tom Carter, VP Government Affairs, Calera Corporation.
2. *Membrane Technology for Carbon Capture* by Richard Baker, Ph.D., Principal Scientist, Membrane Technology & Research (MTR).
3. *Geologic Carbon Sequestration* by John Beyer, Ph.D., Staff Scientist, Geophysics Department, Earth Sciences Division, Lawrence Berkeley National Laboratory.
4. *California Air Resources Board Draft Regulation for a Cap-and-Trade Program* by Jan Mazurek, Ph.D., Advisor for Science and Technology Policy, Air Resources Board (ARB).

BACKGROUND

The Advisory Council met on July 14, 2010 and September 8, 2010 to discuss the presentations and materials received at the June 9, 2010 meeting on California's 2050 GHG emission reduction target for the industrial and electric power sectors and prepare a report for the Air District Board of Directors.

Advisory Council members Michael Sandler, John Holtzclaw, Jennifer Bard, Louise Bedsworth, Jonathan Ruel and Robert Bornstein prepared a draft report for the June 9, 2010 meeting on California's 2050 GHG emission reduction target for the industrial and electric power sectors, and thereafter, discussed and revised the draft report at the July 14, 2010 Advisory Council meeting. At the September 8, 2010 meeting, the Advisory Council discussed the revised draft report and finalized their recommendations. The completed final report will be presented for consideration at the Board of Directors November 3, 2010 meeting.

BUDGET CONSIDERATIONS/FINANCIAL IMPACTS:

None.

Respectfully submitted,



in Jack P. Broadbent
Executive Officer / APCO

Attachments: Final Report
 Advisory Council Minutes of July 14, 2010
 Advisory Council Minutes of September 8, 2010

FINAL REPORT ON THE JUNE 9, 2010 ADVISORY COUNCIL MEETING ON CALIFORNIA'S 2050 GREENHOUSE GAS (GHG) EMISSION REDUCTION TARGET OF 80% BELOW 1990 LEVELS – CONTROL TECHNOLOGIES AND STRATEGIES FOR THE INDUSTRIAL AND ELECTRIC POWER SECTORS

SUMMARY

Based on the California Air Resources Board's (CARB) 2006 GHG Emission Inventory, the industrial and electric power sectors combined contribute about 42% of California's GHG emissions, slightly more than the transportation sector's 39%. The Bay Area Air Quality Management District (Air District) has regulatory authority for industrial sources and power plants and is also responsible for implementing AB32 measures for stationary sources in the Bay Area. The June 9, 2010 Advisory Council meeting focused on technologies and strategies to reduce GHG emissions from the industrial and electric power sectors to 80% below 1990 levels by 2050.

The following presentations were given at that meeting:

1. ***Mineralization via Aqueous Precipitation (MAP) for Carbon Capture & Sequestration*** by Tom Carter, VP Government Affairs, Calera Corporation. Mr. Carter oversees Calera's federal, state, and international government affairs. He previously served a similar role as Senior Vice President of Government Affairs for the National Ready Mixed Concrete Association. Mr. Carter has over a dozen years of experience in advocacy, with an emphasis on global climate change and on legislation and regulations related to industrial emissions. Mr. Carter earned both a Juris Doctor and Bachelor of Science in Business Administration from the University of North Carolina.
2. ***Membrane Technology for Carbon Capture*** by Richard Baker, Ph.D., Principal Scientist, Membrane Technology & Research (MTR). Dr. Baker founded MTR in 1982 and has served as President for 25 years. He is currently leading MTR's new development program for membrane-based biomass/biofuel ethanol separations and is author of more than 100 papers and over 100 patents, all in the membrane area. Editions of his book, *Membrane Technology and Applications*, were published in 2000 and 2004, and a third is in progress. Dr. Baker serves on the Editorial Board of the *Journal of Membrane Science*, is founder and past president of the International Controlled Release Society, and co-founder of the North American Membrane Society (NAMS). In 2002, he was recipient of the first NAMS Alan S. Michaels Award for Innovation in Membrane Science and Technology.
3. ***Geologic Carbon Sequestration*** by John Beyer, Ph.D., Staff Scientist, Geophysics Department, Earth Sciences Division, Lawrence Berkeley National Laboratory. Dr. Beyer manages West Coast Regional Carbon Sequestration Partnership (WESTCARB) projects in California and Arizona. These U.S. Department of Energy/industry collaborative projects involve drilling wells and

injecting CO₂ into deep saline aquifers, then using geophysical techniques to monitor the movement and stabilization of the CO₂ in the earth. Dr. Beyer previously worked at the California Energy Commission in the Public Interest Energy Research (PIER) Program, and a major part of his career has involved exploration for and development of geothermal resources. As an independent consultant he planned and managed geophysical [magnetotelluric (MT)] surveys of geothermal prospects in Indonesia, the Azores, and Japan.

4. ***California Air Resources Board Draft Regulation for a Cap-and-Trade Program*** by Jan Mazurek, Ph.D., Advisor for Science and Technology Policy, Air Resources Board (ARB). Jan Mazurek is senior policy advisor to CARB Chair, Mary Nichols. Dr. Mazurek has worked in the environmental policy field for nearly 20 years. Before going to the CARB, she directed the Washington D.C. office of Duke University's Nicholas Institute for Environmental Policy Solutions, working closely on Congressional climate proposals. In 2008, Dr. Mazurek served as an EPA reviewer for the Obama-Biden Presidential Transition Team. Prior to this service, she directed the Energy & Environment Project at the Progressive Policy Institute. Dr. Mazurek is the author of "Making Microchips: Policy, Globalization, and Restructuring in the U.S." (MIT 2003), co-author with Terry Davies of "Pollution Control: Does the U.S. System Work?" (Johns Hopkins 1998), and holds a doctorate in Public Affairs from UCLA.

DISCUSSION MEETINGS

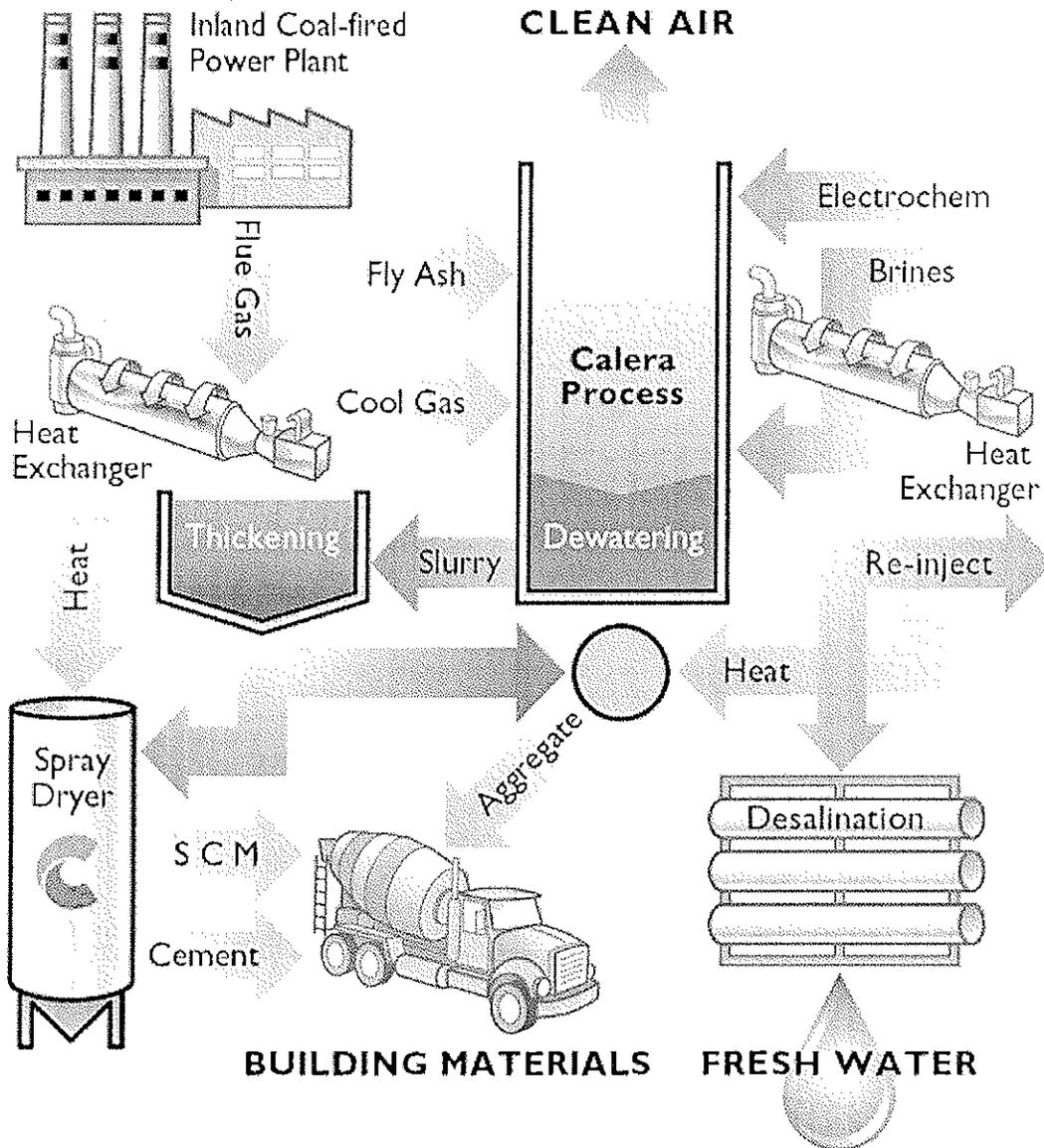
The Advisory Council held meetings on July 14, 2010 and September 8, 2010 to discuss drafts of this report. Minutes of the discussion meetings are attached to this report.

CARBON CAPTURE

Carbon Capture Key Points

1. Capturing carbon emissions will be important to meet the 2050 target. Once captured, it must be stored, which may be underground, under water, or in cement.
2. Carbon capture alone does not solve the problem, but could buy us time.
3. Calera is a start-up company working on an alternative to traditional cement production, currently being tested in a pilot plant near Moss Landing. The Calera process converts CO₂ into "permanently" sequestered concrete (mineral carbonates) to be used as building materials. This alternative cement production process may offer co-benefits, such as sequestration of toxics from power plant flue gas [such as Mercury (Hg), SO_x, fly ash), the desalination of sea water, and the reduction of mining operations for limestone and aggregate. Company representatives claim that, scaled up to meet global concrete demand (31-32 billion metric tons/year), it could sequester an estimated 16 billion metric tons

CO₂, compared to 29 billion metric tons CO₂ emitted from all sources worldwide in 2007. The process described is still under development, and it needs carbon pricing, such as a Cap & Trade system, to make it cost effective. Other groups working on similar technologies include Novacem at the Imperial College London, Kurt Zenz House at MIT, and Joseph Davidovits at the Geopolymer Institute, Saint-Quentin, France.



Membrane Capture Key Points

1. CO₂ from industrial sources is often mixed with other gases. Advanced membrane technologies have the potential to capture and concentrate CO₂ significantly and are currently in trial at power plants in Arizona.

2. Placing a membrane filter at a power plant could capture 90% of the CO₂ from coal plants using 16-17% of the plant's generated energy. This technology also requires either a legal mandate or a substantial carbon pricing system, such as Cap & Trade.

Capture Emerging Issues

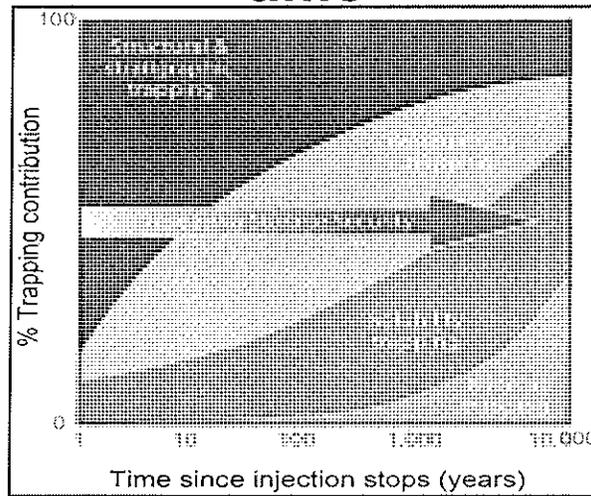
- Mineralization via aqueous precipitation process is being tested for coal plants, but should also be considered for California's industrial sources and natural gas fired power plants.
- The environmental impacts and costs of scaling up such technologies require additional study.

SEQUESTRATION

Sequestration Key Points

1. Geological sequestration refers to pumping captured CO₂ deep into the ground. Proponents acknowledge this as a transition technology, not a long-term solution. It has been in use for over 35 years for enhanced oil recovery from oil fields (injected CO₂ squeezes oil through fractures toward other producing wells).
2. Carbon capture and sequestration of CO₂ emitted by fossil fuel combustion in the industrial and electric power sectors will be expensive and not without risk. However, the use of some form of carbon capture and sequestration will be an important interim step to achieve California's 2050 GHG emission reduction target of 80 percent below 1990 levels in the transition from fossil fuels to renewable energy.
3. Cost estimates for industrial scale range from \$20 per ton CO₂ (removed from natural gas) to \$50 (from coal power plants) to \$90 (from natural gas power plants); therefore industrial scale implementation of carbon sequestration requires a carbon pricing system, such as Cap & Trade.
4. The sequestration sequence for captured CO₂ is as follows: 1) structurally trapped CO₂ becomes residual small supercritical CO₂ bubbles and water in pores, then is dissolved in water, and finally becomes mineralized.

CO₂ trapping mechanisms over time



5. California has large physical opportunities for geologic storage of CO₂, but may face long-term liability and regulatory issues.

Sequestration Emerging Issues

- Seismic risks associated with geologic sequestration of carbon need to be understood for application in California.
- Questions of permanence and hazards of various sequestration reservoirs (e.g., depleted, saline water, coal seams) must be studied.
- Increased underground storage of CO₂ will depend on the resolution of many regulatory issues, some well beyond the mandate of the District, including topics such as ownership of pore space. The CARB working with the California Public Utilities Commission (CPUC) and the California Energy Commission (CEC), has convened a panel to address regulatory and legal aspects of carbon capture and storage programs. Their report is expected in November 2010.

CAP & TRADE

Cap & Trade Key Points

1. CARB is developing rules for a Cap & Trade system to meet the 2020 emission reduction target under AB32. California is coordinating its market design with the Western Climate Initiative (WCI), which includes western US states,

Canadian provinces, and Mexican states. CARB plans to hold workshops and issue regulations later in 2010, to take effect in 2012.

2. A statewide Cap & Trade program provides a flexible regulatory tool using a market-based approach to controlling and reducing GHG emissions, including those from industrial sources. It works in the following way: The “Cap” is a limited number of allowances (permits) needed by regulated sources to emit CO₂ at a rate that declines over time. When the demand for allowances exceeds the supply, scarcity exists, and allowances become a valuable commodity, which may be traded between regulated entities. Ideally, the price of allowances provides an economic incentive to regulated entities to reduce their emissions at a reduced cost compared to “command and control” regulations, and thus they can stimulate innovation, efficiency, and green jobs in California. The total number of allowances multiplied by the price on each allowance represents the newly created “allowance value,” which may be allocated to various sectors or towards public purposes.
3. Cap & Trade programs are complex, and programs in other regions have not always been successful. Issues with previous Cap & Trade programs include: over-allocation and free allowances, hot spots of non-CO₂ pollution, and equity issues, offsets and cost-containment, price spikes or market manipulation, and the influence of special interests in designing the system. Combining a Cap & Trade program with a carbon fee may help to address these issues.
4. Design elements of a Cap & Trade system include:
 - a. Scope: Which companies are covered under the cap? California plans to cover 85 percent of emissions, primarily in the energy and transportation fuels sectors. A key concept is whether the point of regulation is closer to “upstream” companies, where fossil fuel enters the economy, (e.g., coal mining or oil extraction) or “downstream” companies (end users such as gas stations).
 - b. Allocation: How are permits distributed? They can be given to companies for free or sold (auctioned). Free allocations can assist trade-impacted industries, or municipal utilities that may not be able to pass costs on to consumers. Administrative allocation in the European Union resulted in over allocation, volatile prices, and fewer emission reductions than expected, but CARB hopes their baseline GHG emission inventories will help prevent that. Selling permits to regulated entities can generate revenue for climate change mitigation and adaptation programs. CARB’s Economic and Allocation Advisory Committee (EAAC) recommended that CARB “should rely principally and perhaps exclusively, on auctioning as a mechanism for distributing allowances.” CARB’s AB32 Scoping Plan contains the goal of a 100 percent auction of allowances, widely accepted in the economic and environmental advocacy community.

- c. Use of allowance value: How are auction revenues used? Revenues should generally be used to support the public interest or complementary goals of AB32, such as reducing emissions, supporting public health, and addressing disproportionate impacts, social and economic justice, and equity issues. The EAAC reviewed many options for the use of allowance values, including returning revenues to consumers through dividend checks or through the tax system, supporting research and development, a Community Benefits Fund, and other programs.
 - d. Offsets: Offsets are reductions made in uncapped sectors (such as agriculture) that can be sold as credits for other polluters excessive emissions. Many design aspects of offsets exist, including whether they are “verifiable and additional” (in other words, do they actually reduce emissions and do they occur as a result of the program). Offsets are thought to be one approach to cost-containment, by allowing industrial sources to substitute offsets when permits are scarce and/or onsite emission reductions are not cost effective or feasible.
5. In addition to GHG reduction, AB32 requires the CARB to maximize public health co-benefits, reduce air pollution, and avoid disproportionate impacts to low income communities. Evaluating public health outcomes is critical to all climate policy development, particularly in market-based strategies like Cap & Trade.
 6. An effective carbon price should spur innovation in controlling emissions from power plants and other industrial sources. It seems less likely that it would result in decreased consumption of oil for transportation and its associated emissions, because among other reasons, the transportation sector is not thought to be price sensitive within the projected range. It is expected to only increase the price of gasoline by 5 to 20 cents per gallon.

Cap & Trade Emerging Issues

- High Prices vs. Low Costs: A conflict exists between the interest in keeping costs low to consumers and in encouraging a high cost to adequately reduce CO₂ emissions. An allowance price too high will place a burden on households and businesses, while a price too low will not generate the pricing signal needed to encourage actual operational reductions and investment in green technologies.
- Free allocation of allowances to industrial sources may diminish the incentive to reduce emissions through investment in cleaner technologies that have public health benefits.
- CARB is planning to set a price on carbon in 2012. The proposed initial price of \$12 to \$18 per ton of CO₂ seems not high enough to make alternatives and sequestration viable.

- Public health: Allocation of allowances under a Cap & Trade program needs to be designed to be cognizant of health impacts. CARB is conducting a Health Impact Assessment (HIA) of Cap & Trade programs to help inform policy options, such as allocation distribution, restrictions on trading in highly polluted areas, or the appropriate quantitative and geographic limits on offsets. The HIA will also evaluate appropriate uses of program revenue to support the public health goals of AB32.
- Just as California's market design could positively influence the national debate, federal policy will have important implications for California. Creation of a national-scale market and state by state markets will make it easier for industries to comply with regulations. The Kerry-Lieberman bill, recently considered in the Senate, would have limited the ability of states to undertake action on their own.
- Proposition 23 on the November 2010 California State ballot proposes to suspend AB32. This would eliminate California's ability to implement a Cap and Trade program under AB32. The state will be able to continue to implement several other climate change measures through other authority, but absent the Cap and Trade program, it is likely that the costs to reduce GHG emissions will be higher.
- Market designs, such as the role of offsets in the Cap & Trade program, will be important in determining the viability of some forms of carbon capture and sequestration for California.

RECOMMENDATIONS

Carbon Capture Recommendations

1. The Air District should promote technologies that simultaneously reduce air toxics, criteria pollutants, and carbon emissions, as well as increase carbon negative products.
2. The Air District should research and verify the air quality benefits of proposed alternative cement products, such as Calera's and those of other companies. The Air District can advocate for the acceptance of lower carbon cement into building codes and specifications. It can also encourage near term uses for alternative low-carbon or sequestered-carbon footprint building materials by cities, regional transportation agencies, and others.
3. The Air District can consider permitting processes that encourage compliance with new technologies that have multiple emission reduction benefits. Such emission reducing technologies could become a possible approach to satisfy emission reduction requirements from certain industrial facilities, assuming that the process achieves equivalent emissions reductions and cost savings. Eventually, the Air District could incorporate into its CEQA guidelines,

recognition of the use of lower net carbon footprint materials, including sequestered carbon in infrastructure projects. Credit could be given for decreased energy use in manufacturing or for sequestration of carbon into materials.

Sequestration Recommendations

4. The Air District should track progress on membrane technology and geological sequestration, and their impacts on public safety, including earthquakes.

Cap & Trade Recommendations

5. The Air District should encourage establishment of a price on carbon that will make alternative and low carbon energy and industrial technologies economically viable and that will spur innovation and jobs. The Air District should evaluate measures, and can take positions on other programs, that create a "cost" to CO₂ emissions via a carbon fee or a well designed Cap & Trade program. The Air District can also consider a carbon fee that goes beyond cost recovery and avoids the adverse issues of the Cap & Trade system.
6. The Air District should support incorporation of policy recommendations from CARB's HIA of a Cap & Trade program and of public health priorities into any State Cap & Trade program.
7. The Air District should encourage CARB to include the following elements in their final regulatory framework:
 - a. A Cap & Trade framework that moves toward an auction of permits as quickly as possible to ensure that:
 - i. Owners of sources of GHG emissions bear the cost of GHG emission reduction programs through their direct activities or through the purchase of permits or verifiable offsets.
 - ii. Local communities, especially those most impacted by industrial emissions, are protected and benefit from reductions in emissions.
 - iii. Emission reductions are encouraged onsite, but a market also exists to allow for purchase of permits or verifiable offsets from other sites.
 - b. The Air District should support directing revenues derived from the sale of allowances to support the complementary goals of AB32, maximize the occurrence of economic and public health co-benefits, and encourage technology development. Priority uses of funds from sales of allowances include:
 - i. Supporting community GHG reduction efforts to reduce air pollution and to avoid disproportionate impacts to low income communities. A community benefits fund could be established to help fund public

- health adaptation and mitigation as, well as community GHG reduction efforts.
- ii. Providing per capita dividend checks to consumers to help low-income and middle-class households afford the costs of transitioning to cleaner fuel and energy sources.
 - iii. Continuing to prioritize policies, programs, and grant funding to vulnerable communities suffering the greatest health impacts from multiple sources of pollution. Public health and community protection must be considered as primary uses for allowance value.
 - iv. Investing in building and preparing the region's public health and other infrastructure to assist local governments in regional planning to reduce GHGs and to mitigate the impacts of climate change.
8. The Air District should participate in the State's process of defining allowable "offsets" in the state's Cap & Trade program. The Air District should follow developments in this area to ensure that offsets meet standards resulting in emission reductions that are real, verifiable, and additional. It should remain engaged in defining high-quality offsets from biological sequestration by wetlands, forestry, and agriculture, including bio-char, as well as more technologically advanced approaches.

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, CA 94109
(415) 749-5000

APPROVED MINUTES

Advisory Council Regular Meeting
9:00 a.m., Wednesday, July 14, 2010

CALL TO ORDER

Opening Comment: Chairperson Bramlett called the meeting to order at 9:00 a.m.

Roll Call: Chairperson Jeffrey Bramlett, M.S., Vice Chairperson Ken Blonski, M.S.; Secretary Stan Hayes; Council Members Jennifer Bard, Benjamin Bolles, Harold Brazil, John Holtzclaw, Ph.D., Robert Huang, Ph.D., Kraig Kurucz, M.S., Gary Lucks, JD, CPEA, REA I, Kendall Oku, Michael Sandler, Jonathan Ruel and Dorothy Vura-Weis, M.D., M.P.H.

Absent: Council Members Louise Bedsworth, Ph.D., Robert Bornstein, Ph.D., Alexandra Desautels, and Rosanna Lerma, P.E., Jane Martin, Dr.Ph.D., and Debbie Mytels

Public Comment Period: There were no public comments.

Consent Calendar:

1. Approval of Minutes of the June 9, 2010 Advisory Council Meeting

Council Members requested the following corrections to the June 9, 2010 minutes:

- Page 13, last paragraph, 3rd sentence; replace the word, “photosynthetics” with “photosynthesis”;
- Page 2, 2nd paragraph, replace “power plans” with “power plants”;
- Page 4, 5th paragraph; “Mr. Carter added they believe this could be realistic to sell in the next few years as a ~~produce~~ product salable on market.”
- Page 6; “He referred to the problem, stating that beginning in the industrial revolution the use of fossil fuels skyrocketed in the 1940’s and it is now on the order of 25 billion tons per year of CO2 emitted by the burning of fossil fuels.”
- Page 10; last sentence; “She described how cap and trade ~~complements~~ complements the other components of AB 32 implementation plan,”
- Page 12, 3rd paragraph, 3rd line; “The beauty of the cap and trade compared to a BACT approach is that it gives companies under the cap flexibility.”

Council Action: Member Hayes made a motion to approve the minutes of June 9, 2010, as amended; Member Holtzclaw seconded the motion; unanimously carried without objection.

PRESENTATION: CALIFORNIA’S 2050 GHG EMISSION REDUCTION TARGET – CONTROL TECHNOLOGIES & STRATEGIES FOR INDUSTRIAL & ELECTRIC POWER SECTORS

2. Discussion of Draft Report on the Advisory Council's June 9, 2010 Meeting on California's 2050 GHG Emission Reduction Target of 80% Below 1990 Levels – Control Technologies and Strategies for the Industrial and Electric Power Sectors

Council Member Sandler said he served as Lead Author and thanked participants for their feedback and work on the Draft Report. He grouped the categories of carbon capture, membrane capture, sequestration, and cap and trade, and identified their individual emerging issues and recommendations.

Council Members discussed the Draft Report section by section and provided additions, deletions, and statements for further refinement. They agreed that the work group members would further refine and finalize the Draft Report.

3. Report from Advisory Council Members attending the Annual Air & Waste Management Association (AWMA) Meeting June 22-25, 2010

It was noted that Secretary Blonski, and Council Members Holtzclaw and Bornstein attended the A&WMA Conference on behalf of the Air District, as well as Council Members Brazil and Hayes, who attended on behalf of their respective employers. Those Council Members attending the conference individually provided a brief report on highlights of conference sessions, presentations, and activities.

OTHER BUSINESS

4. Council Member Comments/Other Business

Council Member Lucks suggested work group members meet at the conclusion of the meeting to further refine the Draft Report, to be presented at the September 8, 2010 Advisory Council meeting.

Chairperson Bramlett reported that he and Council Member Kurucz attended the June 16, 2010 Board of Directors meeting. Mr. Kurucz served as lead author for the Final Report from the March 10, 2010 Advisory Council Meeting on California's 2050 Greenhouse Gas (GHG) Emission Reduction Target – Industrial Sector.

Council Member Kurucz said he provided a PowerPoint presentation to the Board, recapped discussions of the Advisory Council's work to date, presented recommendations developed by the Advisory Council work group, and identified industrial sector emerging issues.

Vice Chairperson Blonski noted that there is an excellent article in the Bay Area Monitor regarding volatile organic compounds and eucalyptus.

Council Member Bard reported that Sonoma County has identified its targets for reducing GHG's for land use and transportation for 2020 and 2035, which are 7% for 2020 and 10% for 2035. The California Air Resources Board (CARB) is hosting a workshop and will receive feedback on the targets on July 21, 2010 10:30 to 1:30 p.m. at Caltrans, 111 Grand Avenue, Oakland. The Metropolitan Transportation Commission (MTC) has reviewed additional models which show that up to 18% in reductions by 2035 is feasible with a variety of modeling that looks at land use, pricing, and additional technologies. The MTC Board will vote at its July 28, 2010 meeting on its final targets.

Additionally, Council Member Bard stated that CARB is updating its advanced clean cars regulations. She said the greatest emissions reductions will be from the transportation sector through advanced car technology, and it is important that regulations move forward to achieve goals. Four regulations are being updated. She asked for organizations to sign onto the campaign and distributed endorsement forms. She

also reported that Proposition 23 will be on the November ballot and asked that individuals and organizations join the “No on 23 Campaign.”

Council Member Kurucz provided an update on alternative energy projects at Lockheed Martin, referred to the 60 Minutes report on the blume energy fuel cells, and reported that they are moving forward with installing a ½ MW project at their site. He said the efficiency of electricity goes from 36% to 52% by producing it locally without the transmission losses. On a more personal note, he reported that he had solar panels installed at his own residence, and over a period of 3 days, his meter went negative for kilowatt hours.

Council Member Lucks reported that on July 27, 2010, he will attend the Annual Meeting of the West Coast Regional Auditing Roundtable. He also noted that he is teaching a course on Climate Change and California’s AB 32 law on July 30, 2010, at UC Berkeley Extension in San Francisco.

5. Time and Place of Next Meeting - 9:00 a.m. – 11:00 a.m., Wednesday, September 8, 2010, 939 Ellis Street, San Francisco, CA 94109.

6. Adjournment: The meeting adjourned at 11:17 a.m.

/s/ Lisa Harper
Lisa Harper
Clerk of the Boards

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, CA 94109
(415) 749-5000

APPROVED MINUTES

Advisory Council Regular Meeting
9:00 a.m., Wednesday, September 8, 2010

CALL TO ORDER

Opening Comment: Chairperson Bramlett called the meeting to order at 9:00 a.m.

Roll Call: Chairperson Jeffrey Bramlett, M.S., Vice Chairperson Ken Blonski, M.S.; Secretary Stan Hayes; Council Members Jennifer Bard, Louise Bedsworth, Ph.D., Benjamin Bolles, Robert Bornstein, Ph.D., Harold Brazil, John Holtzclaw, Ph.D., Robert Huang, Ph.D., Kraig Kurucz, M.S., Rosanna Lerma, P.E., Debbie Mytels, Kendall Oku, Michael Sandler, Jonathan Ruel and Dorothy Vura-Weis, M.D., M.P.H.

Absent: Council Members Alexandra Desautels, and Gary Lucks, JD, CPEA, REA I, and Jane Martin, Dr. Ph.D.

Public Comment Period: There were no public comments.

Consent Calendar:

1. Approval of Minutes of the July 14, 2010 Advisory Council Meeting

Council Action: Chairperson Bramlett made a motion to approve the minutes of July 14, 2010, Council Members seconded the motion; unanimously carried without objection.

DISCUSSION:

2. Continued Discussion of Draft Report on the Advisory Council's June 9, 2010 Meeting on California's 2050 GHG Emission Reduction Target of 80% Below 1990 Levels – Control Technologies and Strategies for the Industrial and Electric Power Sectors

Chair Bramlett thanked Council Member Holtzclaw for his hard work on the report. Council Member Sandler said he served as Lead Author and stated that the current state of the draft speaks for itself, but wanted to point out a couple of things when looking at the report. Council Member Sandler stated a few things that are obvious in the report include the summary paragraph that was added, on page five a graphic was added, changes to various pages throughout the report.

Chair Bramlett stated the Council focused on the big issues and Council Member Bornstein will conduct an editorial review. Lastly, Chair Bramlett requested focusing on the bigger items of the report at this time.

Council Members discussed the Draft Report section by section and provided additions, deletions, and statements for further refinement. They agreed that the work group members would further refine and finalize the Draft Report.

Chair Bramlett thanked everyone for their contribution.

Council Action: Dr. Holtzclaw made a motion to approve moving forward with the Draft Report on the Advisory Council's California's 2050 GHG Emission Reduction Target of 80% - Below 1990 Levels – Control Technologies and Strategies for the Industrial and Electric Power Sections, after all edits have been incorporated; seconded by Mr. Kurucz; carried unanimously without objection.

3. Report from Advisory Council Members attending the CAPCOA Climate Change Forum on August 30-31, 2010

It was noted that Chair Bramlett, Secretary Blonski, and Council Members Bornstein, and Sandler attended the CAPCOA Climate Change Forum on behalf of the Air District. Those Council Members attending the conference individually provided a brief report on highlights of conference sessions, presentations, and activities.

Chair Bramlett thanked the Air District for allowing the Council Members to be able to attend the CAPCOA Climate Change Forum. Chair Bramlett acknowledged Board Chair Brad Wagenknecht, who stated that he appreciated the Council's input on the report and thanked them for their efforts.

OTHER BUSINESS

4. Council Member Comments/Other Business

Council Member Kurucz said he attended the Clean Transportation and Electrical Vehicles Workshop, in San Jose, CA which he provided a brief report on highlights of the conference and the infrastructure of electric vehicles.

Chairperson Bramlett and Gary Kendall updated the Advisory Council on tentative speakers for the October 13, 2010 meeting, which will focus on specific strategies and technologies for the transportation sector. Stuart Cohen from TransForm will talk about how public transit and land use can reduce GHG emissions. In addition, Jeffrey Tumlin from Nelson Nygaard will speak about parking management in reference to the new program integrated in San Francisco called SF Park, which varies the parking meter rate based on demand. A representative from NRDC will provide an update on a report that was conducted on the benefits of plug-in hybrids in terms of GHG emission reductions. Lastly, Kipp Lipper may also attend this meeting to discuss legislative strategies to reduce GHG from transportations.

5. Time and Place of Next Meeting - 9:00 a.m. – 11:00 a.m., Wednesday, October 13, 2010, 939 Ellis Street, San Francisco, CA 94109.

6. Adjournment: The meeting adjourned at 12:00 p.m.

/s/ Vanessa Johnson

Vanessa Johnson
Executive Secretary

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: October 26, 2010

Re: Overview of the 2010/2011 Wood Smoke Reduction Program

RECOMMENDED ACTION:

Informational Report. Receive and file.

BACKGROUND

The 2010/2011 winter is the third *Winter Spare the Air (WSTA)* season of the District's wood burning regulation which includes a mandatory curtailment of wood burning. On July 9, 2008, the Board of Directors adopted Regulation 6, Rule 3: Wood-burning Devices to protect Bay Area residents from the public health impacts of fine particulate matter (PM_{2.5}) and to reduce harmful emissions from wood smoke pollution. Along with banning burning of wood and solid fuels when the District issues a *WSTA* alert, it limits excessive visible emissions, prohibits burning inappropriate materials/garbage, restricts the sale and installation of non-EPA certified wood burning devices within the District, and requires labeling on firewood and solid fuels sold within the District. In order to be consistent with the rule's mandatory curtailment requirement, outdoor recreational burning, agricultural burning, and other open burning are also banned on those days. The third *WSTA* season commenced on November 1, 2010 and will end on February 28, 2011.

For the 2009/2010 season, 7 *WSTA* alerts were issued and 9 days exceeded the national PM_{2.5} 24-hour ambient air quality standard. As in the previous two *WSTA* seasons, the first time a residence is observed in violation of the regulation, a warning letter is issued along with materials on how to comply and the health effects of wood smoke pollution. The 2009/2010 season enforcement program included inspection patrols covering all Bay Area counties for curtailment or visible emissions (opacity) violations. The first time a violation was observed, a warning letter was issued to the resident. The second time a violation was observed at the same residence, a Notice of Violation was issued which also assessed a \$400 penalty. In the 2009/2010 season, over 300 warning letters and 9 Notices of Violation were issued (with 7 NOV's for curtailment and 2 NOV's for excessive

visible emissions violations). As with the previous *WSTA* season, the public can enter wood smoke complaints either online through the website or by phone.

DISCUSSION

For the 2010/2011 *WSTA* season, the District will continue to implement the changes made in the prior season which improved the effectiveness of the program. A primary focus will continue to be to educate the public about the health effects of particulate matter air pollution and how to comply with the rule. The District will continue to provide the public with advance warning by announcing *WSTA* alerts the day before it will take effect. The *WSTA* alert will be declared in the early afternoon (by 2 PM) for the 24-hour alert period which takes effect at midnight and will run the entire day to midnight. The advantage of the early notification to the public is that it provides Bay Area residents more time to be notified about the curtailment and also provides an opportunity to have the alert covered by the evening news and the following morning news cycles. This year, over 500 reminder letters were sent to residences that received violation warning letters from the previous two winters. As with the previous *WSTA* season, the public can enter wood smoke complaints either online through the website or by phone.

The *WSTA* advertising and outreach campaign will again focus on the health message and utilize TV, radio, print, web, billboard, grassroots and in-theater spots. Focused outreach efforts will be based on areas with high burning rates and/or high wood smoke complaints. Educational materials will be distributed to the public via direct mail, public events, door-to-door canvassing and through the Air District website. The public can be notified of *WSTA* alerts by calling the dedicated 1-877-4NO-BURN phone line for alert status or signing up for AirAlerts emails and/or phone calls. In addition, for this third season, the phone line and phone/email notifications, educational materials and media messages are available in multiple languages and will also be distributed to non-English media and advertising channels.

Following is a table outlining the demographics by county of complaints recorded, warning letters and NOV's issued for the previous two *WSTA* seasons.

Wood Smoke Reduction Program Compliance Activity

	2008-2009 WSTA Season			2009-2010 WSTA Season		
	Complaints	Warning Letters	NOVs	Complaints	Warning Letters	NOVs
Alameda	210	32		360	21	
Contra Costa	239	55		373	48	1
Marin	391	55		488	65	
Napa	43	12		83	33	
San Francisco	57	0		96	0	
San Mateo	170	15		225	27	2
Santa Clara	180	33		457	28	4
Solano	32	11		43	11	
Sonoma	131	41	1	230	77	2
Totals	1453	254	1	2355	310	9
	WSTA Alerts 11			WSTA Alerts 7		
	PM _{2.5} Excesses 13			PM _{2.5} Excesses 9		

Staff will present an overview of the 2010/2011 Wood Smoke Reduction Program.

Respectfully submitted,


 R Jack P. Broadbent
 Executive Officer/APCO

Prepared by: Barbara Coler
 Reviewed by: Kelly Wee/Lisa Fasano