



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
REGULAR MEETING
FEBRUARY 2, 2011

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.

Public Comment Procedures

Persons wishing to make public comment must fill out a Public Comment Card indicating their name and the number of the agenda item on which they wish to speak, or that they intend to address the Board on matters not on the Agenda for the meeting.

Public Comment on Non-Agenda Matters, Pursuant to Government Code Section 54954.3 For the first round of public comment on non-agenda matters at the beginning of the agenda, ten persons selected by a drawing by the Clerk of the Boards from among the Public Comment Cards indicating they wish to speak on matters not on the agenda for the meeting will have three minutes each to address the Board on matters not on the agenda. For this first round of public comments on non-agenda matters, all Public Comment Cards must be submitted in person to the Clerk of the Board at the location of the meeting and prior to commencement of the meeting. The remainder of the speakers wishing to address the Board on non-agenda matters will be heard at the end of the agenda, and each will be allowed three minutes to address the Board at that time.

Members of the Board may engage only in very brief dialogue regarding non-agenda matters, and may refer issues raised to District staff for handling. In addition, the Chairperson may refer issues raised to appropriate Board Committees to be placed on a future agenda for discussion.

Public Comment on Agenda Items After the initial public comment on non-agenda matters, the public may comment on each item on the agenda as the item is taken up. Public Comment Cards for items on the agenda must be submitted in person to the Clerk of the Board at the location of the meeting and prior to the Board taking up the particular item. Where an item was moved from the Consent Calendar to an Action item, no speaker who has already spoken on that item will be entitled to speak to that item again.

Up to ten (10) speakers may speak for three minutes on each item on the Agenda. If there are more than ten persons interested in speaking on an item on the agenda, the Chairperson or other Board Member presiding at the meeting may limit the public comment for all speakers to fewer than three minutes per speaker, or make other rules to ensure that all speakers have an equal opportunity to be heard. Speakers are permitted to yield their time to one other speaker; however no one speaker shall have more than six minutes. The Chairperson or other Board Member presiding at the meeting may, with the consent of persons representing both sides of an issue, allocate a block of time (not to exceed six minutes) to each side to present their issue.

BOARD OF DIRECTORS REGULAR MEETING A G E N D A

**WEDNESDAY
FEBRUARY 2, 2011
9:45 A.M.**

**BOARD ROOM
7TH FLOOR**

CALL TO ORDER

Opening Comments
Roll Call
Pledge of Allegiance

Chairperson, Tom Bates
Clerk of the Boards

PUBLIC COMMENT ON NON-AGENDA MATTERS

Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3

For the first round of public comment on non-agenda matters at the beginning of the agenda, ten persons selected by a drawing by the Clerk of the Boards from among the Public Comment Cards indicating they wish to speak on matters not on the agenda for the meeting will have three minutes each to address the Board on matters not on the agenda. For this first round of public comments on non-agenda matters, all Public Comment Cards must be submitted in person to the Clerk of the Board at the location of the meeting and prior to commencement of the meeting.

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 – 5)

Staff/Phone (415) 749-

1. Minutes of January 19, 2011

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 Air Resource Board Representative - Honorable Ken Yeager

J. Broadbent/5052
jbroadbent@baaqmd.gov

5. Resolution Supporting the California Air Resources Board in Promoting Clean and Energy Efficient Motor Vehicles
J. Broadbent/5052
jbroadbent@baaqmd.gov

Recommend Board of Directors' approval to adopt a resolution in support of the California Air Resources Board's proposed amendments to the Lower Emissions Vehicle (LEV) regulation.

COMMITTEE REPORTS AND RECOMMENDATIONS

6. Report of the **Budget and Finance Committee** Meeting of January 26, 2011
CHAIR: C. GROOM
J. Broadbent/5052
jbroadbent@baaqmd.gov
7. Report of the **Mobile Source Committee** Meeting of January 27, 2011
CHAIR: S. HAGGERTY
J. Broadbent/5052
jbroadbent@baaqmd.gov

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

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

1. *Approve the Carl Moyer 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 \$5 Million in Mobile Source Incentive Funds (MSIF) for Shore Power Projects:

1. *Approve the MSIF shore power project recommendations for the allocation of \$5 million in MSIF to three berths at the Port of Oakland;*
2. *Authorize the Executive Officer/APCO to enter into agreements for the recommended MSIF projects.*

C) Consideration of Air District Participation in Year 13 of the Carl Moyer Program:

1. *Adopt a resolution authorizing the Executive Officer/APCO to execute all necessary agreements with the California Air Resources Board (ARB) relating to the Air District's receipt of Carl Moyer Program funds for fiscal year 2010-2011 (Year 13);*
2. *Allocate \$5 million in Mobile Source Incentive Funding for projects eligible for funding under the Carl Moyer Program.*

D) Consideration of Contractor Awards(s) for the Transportation for Clean Air (TFCA) Electric Vehicle Supply Equipment (EVSE) Deployment Program:

- 1. ECotality, Coulomb Technology, AeroVironment and Clipper Creek as contractors for the EVSE Home Charger Rebate project;*
- 2. ECotality and AeroVironment as contractors for the Direct Current (DC) Fast Charger Deployment project;*
- 3. ECotality as the contractor for Program Coordination; and*
- 4. Authorization for the Executive Officer/APCO to execute contracts with each of these contractors.*

CLOSED SESSION

8. EXISTING LITIGATION (Government Code Section 54956.9(a))

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

- A.) Dura flame, Inc. v. Bay Area AQMD, California Supreme Court, Case No. S187990
- B.) California Building Industry Association v. Bay Area AQMD, San Francisco Superior Court, Case No. RG 10548693
- C.) Som D. Gupta, et al. v. City of Union City, Bay Area AQMD, et al., Alameda County Superior Court, Case No. RG10552284
- D.) United States, et al. v. Pacific Gas & Electric Co., et al., United States District Court, N.D. Cal., Case No. C-09-4503 SI
- E.) Bay Area AQMD v. Frederick Lau, San Francisco County Superior Court, Case Nos. CCH-10-571

9. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (GOVERNMENT CODE SECTIONS 54957 AND 54957.6)

Pursuant to Government Code Sections 54957 and 54957.6, the Board of Directors will meet in closed session to conduct performance evaluation of the Executive Officer/APCO.

OPEN SESSION

OTHER BUSINESS

10. Report of the Executive Officer/APCO
11. Chairperson's Report
12. Time and Place of Next Meeting – 9:45 A.M. Wednesday, February 16, 2011 – 939 Ellis Streets, San Francisco, CA 94109

PUBLIC COMMENT ON NON-AGENDA MATTERS

Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3

Speakers who did not have the opportunity to address the Board in the first round of comments on non-agenda matters will be allowed three minutes each to address the Board on non-agenda matters.

13. 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

JANUARY 2011

Budget & Finance Committee Meeting	Wednesday	26	9:30 a.m.	4th Floor Conf. Room
Board of Directors Mobile Source Committee <i>(Meets 4th Thursday each Month)</i>	Thursday	27	9:30 a.m.	4th Floor Conf. Room

FEBRUARY 2011

<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	2	9:45 a.m.	Board Room
Advisory Council Meeting	Wednesday	9	9:00 a.m.	Board Room
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	16	9:45 a.m.	Board Room
Board of Directors Mobile Source Committee <i>(Meets 4th Thursday each Month)</i>	Thursday	24	9:30 a.m.	4th Floor Conf. Room

MARCH 2011

<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	2	9:45 a.m.	Board Room
Advisory Council Meeting	Wednesday	9	9:00 a.m.	Board Room
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	16	9:45 a.m.	Board Room
Board of Directors Mobile Source Committee <i>(Meets 4th Thursday each Month)</i>	Thursday	24	9:30 a.m.	4th Floor Conf. Room

N.P. – 1/19/11 (3:36 p.m.)
P/Library/Forms/Calendar/Calendar/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Tom Bates and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 25, 2011

Re: Board of Directors Draft Meeting Minutes

RECOMMENDED ACTION:

Approve attached draft minutes of the Board of Directors Special Meeting/Retreat of January 19, 2011.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board of Directors Special Meeting/Retreat of January 19, 2011.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Bay Area Air Quality Management District
Ed Roberts Campus – Osher Education Conference Room
3075 Adeline Street
Berkeley, CA 94703

Board of Directors Special Meeting/Retreat
January 19, 2011

DRAFT MINUTES

CALL TO ORDER: Chairperson Brad Wagenknecht called the meeting to order at 10:47 a.m.

Roll Call: Chairperson Brad Wagenknecht; Vice Chair Bates; Secretary John Gioia; and Directors Chris Daly, Dan Dunnigan, Susan Garner, Carole Groom, Scott Haggerty, David Hudson, Ash Kalra, Liz Kniss, Eric Mar, Mark Ross, James Sperring, and Pamela Torliatt

Absent: Director Harold Brown, Jennifer Hosterman, Carol Klatt, Nate Miley, Gayle B. Uilkema, Ken Yeager and Shirlee Zane

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

PROCLAMATION(S)/AWARDS

Chairperson Wagenknecht, on behalf of the Board of Directors recognized the late Dr. Stephen Schneider, recipient of the Climate Leadership Award, and presented the award to Dr. Schneider's wife, Dr. Root.

The Board of Directors recognized outgoing Directors Chris Daly, Dan Dunnigan, and Pamela Torliatt for their service, leadership and dedication to protecting air quality in the Bay Area.

Chairperson Brad Wagenknecht recognized retiring Clerk of the Boards, Lisa Harper, for her service to the District.

Executive Officer/APCO Jack Broadbent recognized outgoing Chairperson Brad Wagenknecht on behalf of staff.

Incoming Chairperson Tom Bates recognized outgoing Chairperson Wagenknecht, on behalf of the entire Board of Directors for his service, leadership and dedication to protecting air quality in the Bay Area.

PUBLIC COMMENTS: None

BOARD MEMBER COMMENTS:

Director Liz Kniss announced that Director Shirlee Zane's husband had unexpectedly passed away late last night. Directors and staff held a moment of silence and extended sympathies to Director Zane and her family.

CONSENT CALENDAR (Items 1-4):

1. **Minutes of December 15, 2010 Regular Meeting;**
2. **Communications;**
3. **Authorize EO/APCO to Issue Purchase Order not to exceed \$800,000 for Contract Services Related to Continued Operation of the BioWatch Monitoring Network;**
4. **Passage of Resolution to accept funding from the Metropolitan Transportation Commission (MTC) for the Regional Bicycle Share Pilot**

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

Resolution No. 2011-01 was adopted authorizing the filing of an application for federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) funding, to commit the necessary non-federal match, and to state the assurance to complete projects as listed in the Resolution.

COMMITTEE REPORTS AND RECOMMENDATIONS

5. **Report of the Personnel Committee Meeting of January 12, 2011**
Chair: B. Wagenknecht

The Personnel Committee met without an initial quorum on Wednesday, January 12, 2011 and once a quorum was established, approved the minutes of August 25, 2010 and November 17, 2010.

The Committee held interviews of 6 candidates for appointment to the Air District's Advisory Council. The Committee recommends Board of Directors' approval to appoint Jonathan Cherry to the Air District's Advisory Council, to fill an immediate vacancy with a term of office expiring December 31, 2011 in the member category of Architect.

The Committee was deadlocked in its decision to recommend the second appointment in the member category of Community Planning and requested a second interview be held with the two finalists on January 19, 2011 prior to the start of the Board of Directors' Special Meeting/Retreat.

The Committee considered a procedure for handling formal complaints against Board of Director appointed position, and recommends that the Board of Directors adopt the recommended procedure, as amended, to require referral of the complaint to both the Personnel Committee and to the Board of Directors' Chairperson.

The Committee then adjourned to Closed Session to conduct a performance evaluation of the Executive Officer/APCO, pursuant to Government Code Section 54957 and 54957.6. The Committee reconvened in Open Session, and the Chair announced that no reportable action had been taken in Closed Session.

Board Action: Chairperson Wagenknecht made a motion to approve the Personnel Committee's report and recommendations from the meeting of January 12, 2011; Director Kniss seconded the motion; carried unanimously without opposition.

6. Report of the Personnel Committee Meeting of January 19, 2011

Chair: B. Wagenknecht

The Personnel Committee met earlier this morning on Wednesday, January 19, 2011 and approved the minutes of the meeting of January 12, 2011.

The Committee held interviews of two candidates for appointment to the Air District's Advisory Council under the *Community Planning* member category. The Committee recommends that the Board of Directors appoint Peter Chamberlin to fill an expired term of office, effective immediately through December 31, 2012, under the *Community Planning* category.

The Committee then adjourned to Closed Session to conduct a performance evaluation of the Executive Officer/APCO and District Legal Counsel, pursuant to Government Code Section 54957 and 54957.6.

The Committee reconvened in Open Session, and the Chair announced that no reportable action had been taken in Closed Session.

The next meeting of the Personnel Committee is at the Call of the Chair.

Board Action: Chairperson Wagenknecht made a motion to approve the Personnel Committee's report and recommendations from the meetings of January 12, 2011 and January 19, 2011; Director Kniss seconded the motion; carried unanimously without opposition.

BOARD OF DIRECTORS RETREAT:

7. Opening Comments

Chairperson Bates cited his prior service on the District Board of Directors in 1973 and 1976, noted the significant progress to date, and voiced the desire to continue the great leadership of the Board.

8. Upcoming Committee Assignments, Possible Change in Meeting Procedures, and Goals

Chairperson Bates reported he met with staff and has proposed changes to Committee membership. He asked that Directors contact him if revisions need to be made, depending upon availability and interest.

He proposed the following amendments to meeting protocols in an effort to streamline meetings and allow sufficient time for agenda items:

- When 10 or more speakers register under public comment, they are to fill out a speaker card and hand it to the Clerk at the beginning of the meeting. The Clerk will call out names randomly under public comment. Additional speakers will be asked to speak at the end of the meeting, where Public Comment can again be agendaized.
- The Chair will have the ability to limit the number of minutes under public comment, depending upon the number of speakers and items on the agenda.

- The Committee Chair Reports will not be read out loud at meetings, but instead be included in the Board packet under the Consent Calendar. If a Board Member wishes to remove an item, they may do so during consideration of the Consent Calendar.
- Case studies and informational items shall be presented as a means to educate the public and Board Members on topics such as the enforcement process, outreach, grant funds, and other processes.

Lastly, Chairperson Bates gave an historical account of Ed Roberts and the naming of the conference center. Mr. Roberts chaired legislation for Centers for Independent Living all over the world, formed the World Institute on Disabilities, and is a person who fought for affordable housing, wheelchair accessibility, ADA issues, and employment and disability rights. He hoped his year as Chair would be filled with both hard work and fun.

9. State of the Air District

Executive Officer/APCO Jack Broadbent gave an overview of the following:

- The state of the Air District;
- An air quality summary;
- An administrative overview;
- Major initiatives for 2011;
- Regional coordination efforts

A significant issue staff has tackled in addition to regional smog issues of ozone and particulate matter is a concerted effort to address localized toxic air contaminant concentrations that characterize certain communities. The District has dealt with these through amendments to CEQA guidelines. There are new lower ambient air quality standards that will direct efforts with regard to particulate matter and ozone; the two issues have driven the regulatory agenda at the District.

The District's climate protection program is very much a part of the overall institution. The District's role is to compliment state and federal programs. The Tailoring Rule will hopefully be implemented through the Title V Rule, and the Advisory Council's work has been instrumental in moving forward recommendations.

Mr. Broadbent highlighted Community Risk Reduction Plans (CRRPs), and said the dilemma the District seems to be engaged in is that CEQA guidelines are perceived as impeding infill development. The District has been sued by the Building Industry Association (BIA). The District continues to believe that the most appropriate step to take is to have communities develop CRRP's which will merit resources to be directed toward a collaborative effort with the Bay Area. Mr. Broadbent then reviewed two pilot programs underway in San Jose and San Francisco, as well as expansion to other CARE communities.

He presented a chart showing the Clean Air Communities Initiative, which involves regulations and guidelines, monitoring and modeling, outreach and education, grants and incentives and enforcement for priority communities.

Given the density of the Bay Area, it is appropriate to focus on this issue and the Board will monitor this effort. The District wants to better tie to the Sustainable Communities Strategy (SCS) underway and is in discussions with ABAG and MTC staff.

Administratively, the District is at the halfway point of the fiscal year. Revenues are received from various sources, all of which are down. Expenditures continue to increase and staff is working to balance the budget while also moving the regulatory agenda. Staff is responding accordingly, contract negotiations are underway with employees, vacancies are not being filled in certain areas, and staff continues to cut costs. Residing in the headquarters building costs a lot and staff thinks it can lower costs by finding a less expensive location, or co-locate in a regional governance center.

Mr. Broadbent discussed the 2011 major initiatives as:

- Agriculture Engine Rule
- Public Engagement Plan
- Production System Live
- Metal Melting Rule
- Vacuum Trucks Rule
- Contract Negotiations with Employees Association
- 2011/2012 Budget
- Community Development Guidelines
- Air District Conference
- Joint Policy Committee Climate Action Plan
- Refine CEQA Tools
- Centralized Information & Records Management
- Leadership Development Program
- Facility Relocation
- Clean Air Foundation
- Bay Area Business Assistance Program
- New Source Review Rule (amendments)
- General PM Rule

Chairperson Bates questioned and clarified that 20%, or \$10 million of a \$50 million OPEB liability, which is built into the District's budget, has and will continue to be paid down.

10. Air Quality Summary

Deputy APCO Jean Roggenkamp provided an overview of the following air quality issues:

Ozone

- National 8-hour Standard - 75 parts per billion (ppb)

Fine Particulate Matter (PM_{2.5})

- National 24-hour Standard - 35 micrograms per cubic meter (ug/m³)

Toxic Air Contaminants (TACs)

- Diesel PM is primary TAC in the Bay Area and California

Green House Gases (GHG)

- CO₂ equivalent (CO₂e) – Carbon dioxide and other pollutants that contribute to climate change

Ms. Roggenkamp stated the District is currently in non-attainment for ozone, there were 9 days above the national 8-hour standard, the District exceeded the State 1-hour standard on 8 days, and exceeded the State's 8-hour standard on 10 days. Spare the Air Alerts were called on August 23, 24, September 1, 2, 3, 25, 26, 27 and 28, 2010. The District is in the midst of its wintertime season and thus far has only had one day where the standard was exceeded.

She then presented a chart showing ozone exceedance trends from 1968 to 2010, which shows high ozone days over time have been reduced. A chart showing PM2.5 exceedance days shows downward trend, as well; however, this is the first time the District has been non-attainment for PM2.5, and the District has never been classified for the federal standard for PM10.

Ms. Roggenkamp then presented a chart of health risks from toxic air contaminants, showing an estimate of 1,300 in a million excess cancers, most of which are from diesel particulate matter. An estimate prepared for 2008 shows just over 400 in a million excess cancers. The West Oakland Health Risk Assessment shows a total of 1,186 in a million excess cancers. Ms. Roggenkamp said the good news is that a truck survey was done and estimates of activity indicate that there is less traffic than expected. Also, the truck clean up program has had dramatic effects.

A map of the CARE impacted communities was then presented, showing the 6 impacted communities of Concord, Richmond/San Pablo, Western Alameda County, San Jose, Redwood City/Palo Alto, and eastern San Francisco.

Director Haggerty said he has questioned staff in the past regarding why the I-580 corridor in the Tri-Valley is not included as an impacted area, believing it has to do with the use of socio-economic data, and asked that this particular data not be used. Ms. Roggenkamp stated the results are based on population density and agreed to follow-up with Director Haggerty.

Ms. Roggenkamp then presented a GHG Emission Inventory showing that there is more work to be done to reduce GHG's. If business as usual does not change, the emissions increase significantly up through 2030.

Director Torliatt confirmed that the residential emissions relate to equipment for water use, heating and cooling which will change as additional or revised rules are implemented.

In closing, Ms. Roggenkamp stated the Board had adopted the Clean Air Plan, which is required to be an ozone reduction plan and is also a multi-pollutant plan. The U.S. Environmental Protection Agency (EPA) is considering a more stringent ozone standard in June 2011 which could trigger a requirement to do a planning process for the 8-hour ozone standard. The Board also adopted SB 656 Implementation Schedules, and all measures are being implemented and are ongoing. For PM2.5, a plan is due in 2012 to the EPA on how the District will be in attainment. A rule to address new source review requirements for PM is also required. Not only does the District need to adopt the plan, also the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) need to adopt it, as well. Therefore, collaboration amongst all agencies will take place. She noted the Community Risk Reduction Plans (CRRPs) address air toxics which were addressed earlier by Mr. Broadbent. The Climate Protection Plan (CPP) includes technical support for cities and counties, and the JPA is also developing a Climate Bay Area program which will be brought to the JPC soon.

Director Torliatt questioned and confirmed that the telephone/email alert program is increasing all the time; it is up to approximately 14,000 and staff will soon be compiling results of the season.

11. Administrative Overview

Deputy APCO Jeff McKay said in addressing fiscal challenges, staff uses a variety of approaches, have let vacancies go unfilled, and said a multi-faceted, multi-year approach has been utilized.

The District's General Fund Budget is \$62.4 million, includes 363 positions, and reserves reflect prior Board direction. He presented a breakdown of General Fund revenue sources, stating the bulk of revenue is derived from permit fees (49%) and property tax (34%). General Fund expenditures comprise of 65% in salaries and benefits, 24% in services and supplies, 8% in CalPERS, and 4% in capital expenditures. He noted that the response to challenges has been handled in a pro-active, balanced, multi-faceted and multi-year approach with reducing personnel costs, tracking expenditures, fees, and reserves. He noted that the CalPERS is a required contribution. Also, the Board previously approved funding \$2 million a year.

Directors Spring and Garner questioned and confirmed with Mr. McKay that the Board had previously approved 363 positions. Temporary positions are generally avoided, their numbers are declining, involve less staff costs, and are used only as a temporary backfill or when grant funding program work is required to achieve deliverables of the District. Mr. Broadbent pointed out restrictions with the Employees Association contract, as well as the 1,000 hour limit on CalPERS hours. He confirmed the budget has separate line items for temporary employees, as well as for overtime.

Regarding the use of personnel costs, Mr. McKay stated the District's FTE is unchanged from the amended FYE 2008 Budget. The vacancy count has steadily increased with 27 vacancies held and 7 additional vacancies created from turnover. Management and labor continually meet and leadership development and training is ongoing which addresses succession planning. In addition, Mr. McKay discussed examples of utilizing employees in other areas.

In response to Director Garner, Mr. Broadbent that the 34 vacancies represent a variety of staff just below the director level, at senior as well as lower level staff. In better times, it is hoped those positions could be filled.

Chairperson Bates requested staff agendaize a review of the District's affirmative action program for an upcoming Personnel Committee meeting, which Mr. Colbourn stated was being updated.

Mr. McKay continued his presentation and reviewed expenditures. In the last two fiscal years at the mid-year estimate, services and supplies was cut by 10% and this is being maintained, as well as capital spending, to include deferring maintenance on the HVAC system and elevators.

Mr. McKay reviewed fees, stating that in early 2009, staff brought forward projections to the Board showing the need for 10% fee increases to continue maintaining the District's core activities. Due to financial and economic times, a 5.5% fee increase was approved for the 2011 budget. This presents challenges in reduced receipts of permit fees, and staff will be discussing this at an upcoming Budget and Finance Committee meeting. He added that this low rate of cost recovery puts the District at only 50% of the cost of permit activity. When the District proposes a 10% fee increase, this takes the District only to a 55% cost recovery. Given inflation, this is further reduced.

Vice Chairperson Gioia questioned if Proposition 26 has posed any challenges for the District fees. District Counsel Brian Bunger said Proposition 26 does not affect most of the District's permit and regulatory fees. A cost recovery study is being completed, at which time final data will be reviewed, and Proposition 26 definitions are consistent with what the District has done historically. Although, there are a couple of areas such as indirect source review fees and the carbon fee where more refined thinking will be needed.

Regarding reserves, Mr. McKay said in prior years, property taxes exceeded the budget. Those funds were available for the temporary budget gap. Future year assumptions involve reserves, and it is projected that vacancies will remain unfilled, services and supplies and capital will remain unchanged, property tax unchanged, as well as continuing 5.5% increases on permit fees.

Mr. McKay then presented a slide showing reserve projections in March 2010 of \$13.3 million and as audited in January 2011 at \$12.9 million. For the current budget and with two \$2 million drawdowns in 2011, this would maintain more than 15% of the General Fund. However, with no increased cost recovery after 2011, reserve projections drop quickly, and after 2014, reserves would be drawn down to very little.

In summary, the District is taking a balanced approach to its fiscal challenges, it has the ability to support core functions and initiatives, and movement in cost recovery is included in the projections.

Director Garner questioned how long the District can continue on 3% attrition a year before impacting the District's ability to generate revenue. Mr. McKay said staff is addressing whether there is a need to allocate resources to those areas most affected by revenue. Mr. Broadbent added that the District is getting to a point where attrition is impacting statutory functions at the District. There are also more employees wanting to retire, succession planning and leadership development is underway, but vacancies cannot be filled. As communities continue to want certain things, there is only so much the District can do.

Director Kniss discussed temporary personnel practices in Santa Clara County which have resulted in the desire for pension reform and asked that these types of impacts be discussed in the future. Mr. Broadbent cited the difficulty in finding people with the level of technical expertise in the job market.

Director Spring referred to reaching thresholds for core functions and initiatives, and he asked that these be separated out as to what is discretionary and what is not, and what actions will be taken upon reaching a certain threshold.

12. Major Initiatives for 2011

Mr. Broadbent referred to the handout outlining the District's major initiatives for 2011 and said he is available for questions of Boardmembers.

13. Regional Coordination Efforts

Mr. Broadbent presented the significant collaboration with regional agencies and local governments, stating there is a lot of work with communities, provisions for technical assistance, and he noted there will be committee meetings in each of these areas. The key point he would want to make is that the District is a critical part of assisting MTC and ABAG in the development of the Sustainable

Communities Strategy (SCS), and collaboration includes planning, technical assistance, economic support, EV infrastructure, Climate Bay Area, and the facility move.

Director Sperring questioned whether the District is open to looking at all opportunities in moving the District's headquarters, and he suggested forecasting operational needs over the next 50 years. Mr. Broadbent stated that while staff prefers to remain in San Francisco, in time and in looking at finances, there is continuous openness to looking at other areas.

OTHER BUSINESS

14. **Report of the Executive Officer/APCO:** Mr. Broadbent indicated he had previously provided this report.
15. **Chairperson's Report** – Chairperson Bates introduced members of his staff in attendance.
16. **Time and Place of Next Meeting:** 9:45 a.m., Wednesday, February 2, 2011 – 939 Ellis Street, San Francisco, CA 94109.
17. **Adjournment:** The Board of Directors meeting adjourned at 12:03 p.m.

Lisa Harper
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Tom Bates and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 25, 2011

Re: Board Communications Received from January 19 through February 1, 2011

RECOMMENDED ACTION:

Receive and file.

DISCUSSION

A list of Communications directed to the Board of Directors received by the Air District from January 19, 2011 through February 1, 2011 if any, will be at each Board Member's place at the February 2, 2011 Board meeting.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Tom Bates and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 25, 2011

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 January 1, 2011 through January 31, 2011. Out-of-state travel is reported in the month following travel completion.

DISCUSSION

Saffet Tanrikulu, Research & Modeling Manager, attended Atmospheric Chemistry Conference in Seattle, WA, January 23-28, 2011.

Scott Beaver, Atmospheric Modeler, attended Atmospheric Chemistry Conference in Seattle, WA, January 23-28, 2011.

Respectfully,

Jack P. Broadbent
Executive Officer/APCO

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



Air Resources Board



Linda S. Adams
Acting Secretary for
Environmental Protection

Mary D. Nichols, Chairman
1001 I Street • P.O. Box 2815
Sacramento, California 95812 • www.arb.ca.gov

Edmund G. Brown Jr.
Governor

TO: Members of the Board of Directors

FROM: Honorable Ken Yeager
Board Member 

DATE: January 10, 2010

SUBJECT: QUARTERLY REPORT OF MY ACTIVITIES AS AN AIR RESOURCES BOARD MEMBER

The list below summarizes my activities as an Air Resources Board member from October 1 through December 31, 2010:

October Activities

- 5th Opening Remarks and Keynote Address at The Battery Show, San Jose
- 6th Awards Presentations at The Battery Show, San Jose
- 21st Air Resources Board Meeting, Sacramento

November Activities

- 18th Air Resources Board Meeting, Sacramento

December Activities

- 1st Air Resources Board Staff Briefing
- 2nd Met with Pacific Forest Trust, Center for Biological Diversity and Friends of the Earth re Cap and Trade
- 11th Call with NRDC and The Better World Group re On- and Off-Road Diesel Regulations
- 16th & 17th Air Resources Board Meeting, Sacramento

Attachments: Public Agendas

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

California Environmental Protection Agency



LOCATION OF THE MEETING:

Air Resources Board
1001 I Street, 2nd Floor
Byron Sher Auditorium
Sacramento, California 95814

**PUBLIC MEETING
AGENDA**

October 21, 2010

Electronic Board Book

WEBCAST

This facility is accessible by public transit.
For transit information, call:
(916) 321-BUSS, website
<http://www.sacrt.com/>
(This facility is accessible to persons with disabilities.)

**TO SUBMIT WRITTEN COMMENTS
ON AN AGENDA ITEM IN ADVANCE
OF THE MEETING GO TO:**

<http://www.arb.ca.gov/lispub/comm/bclist.php>

October 21, 2010
9:00 a.m.

CONSENT CALENDAR:

All items on the consent calendar will be voted on by the Board immediately after the start of the public meeting. Any item may be removed from the consent calendar by a Board member or if someone in the audience wishes to speak on that item. The following item is on the consent calendar:

Consent Item #

Agenda Topic

None.

DISCUSSION ITEMS:

Note: The following agenda items may be heard in a different order at the Board meeting.

Agenda Item #

Agenda Subject/Topic

10-9-1

Public Meeting to Hear a Staff Presentation on the Draft Planned Air Pollution Research, Fiscal Year 2010-2011

Staff will present the portfolio of proposed research projects for FY 2010-2011. Research has been selected to support the Board's decision-making, support effective implementation of our regulatory programs, and address knowledge gaps critical to the Board's mission.

[More Information](#) [Staff Presentation](#)

- 10-9-4 Public Meeting to Hear the 2010 Legislative Update**
ARB Legislative Director and staff will present a review of legislation from the recently concluded 2009-2010 legislative session.
[Staff Presentation](#)
- 10-8-3 Public Meeting To Update the Board on the Implementation of the AB 32 Scoping Plan**
Staff will update the Board on implementation of the Scoping Plan measures and other climate change program activities.
[More Information](#) [Staff Presentation](#)
- 10-9-5 Public Meeting to Hear an Informational Update on Recent Federal and ARB Activities to Support Development of More Stringent Greenhouse Gas Emission Standards for Model Year 2017-2025 Passenger Vehicles**
Staff will report on the recent publication of a Technical Assessment Report, jointly prepared by ARB, U.S. EPA, and U.S. DOT, on greenhouse gas emission reduction standards for model year 2017-2025 passenger vehicles and the related federal Notice of Intent to conduct a rulemaking.
[Staff Presentation](#)
- 10-9-2 Public Hearing to Consider Proposed Amendments to the Airborne Toxic Control Measure for Stationary Compression Ignition Engines**
Staff will propose amendments to the Airborne Toxic Control Measure for Stationary Compression Ignition Engines (ATCM) to more closely align the requirements in the ATCM with those in the federal Standards of Performance for Stationary Compression-Ignition Internal Combustion Engines that was promulgated on July 11, 2006, help clarify provisions in the ATCM, address new information, and remove provisions no longer needed.
[More Information](#) [Staff Presentation](#)
- 10-9-3 Public Hearing to Consider Minor Amendments to the Periodic Smoke Inspection Program in Response to the Inclusion of Diesel Vehicles in Smog Check (Assembly Bill 1488, Mendoza 2007)**
Staff will present to the Board minor amendments to the Periodic Smoke Inspection Program (PSIP) to mitigate the duplicative testing requirements resulting from the implementation of the statutory requirements of AB 1488 and the existing testing requirements of PSIP. This action will eliminate duplicative emissions tests thereby lowering administrative costs to affected California fleets with diesel vehicles.
[More Information](#) [Staff Presentation](#)

CLOSED SESSION – LITIGATION

The Board will hold a closed session, as authorized by Government Code section 11126(e), to confer with, and receive advice from, its legal counsel regarding the following pending or potential litigation:

Pacific Merchant Shipping Association v. Goldstene, U.S. District Court (E.D. Cal Fresno), Case No. 2:09-CV-01151-MCE-EFB.

American Trucking Associations, et al. v. U.S. Environmental Protection Agency, et al., U.S. Court of Appeals, District of Columbia Circuit, Case No.

09-1090.

POET, LLC, et al. v. Goldstene, et al., Superior Court of California (Fresno County), Case No. 09CECG04850.

Rocky Mountain Farmers Union, et al. v. Goldstene, U.S. District Court (E.D. Cal. Fresno), Case No. 1:09-cv-02234-LJO-DLB.

National Petrochemical & Refiners Association, et al. v. Goldstene, et al., U.S. District Court (E.D. Cal. Fresno) Case No. 1:10-cv-00163-AWI-GSA.

OPPORTUNITY FOR MEMBERS OF THE BOARD TO COMMENT ON MATTERS OF INTEREST

Board members may identify matters they would like to have noticed for consideration at future meetings and comment on topics of interest; no formal action on these topics will be taken without further notice.

OPEN SESSION TO PROVIDE AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD ON SUBJECT MATTERS WITHIN THE JURISDICTION OF THE BOARD

Although no formal Board action may be taken, the Board is allowing an opportunity to interested members of the public to address the Board on items of interest that are within the Board's jurisdiction, but do not specifically appear on the agenda. Each person will be allowed a maximum of three minutes to ensure that everyone has a chance to speak.

TO SUBMIT WRITTEN COMMENTS ON AN AGENDA ITEM IN ADVANCE OF THE MEETING GO TO:

<http://www.arb.ca.gov/lispub/comm/bclist.php>

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CLERK OF THE BOARD
1001 I Street, 23rd Floor, Sacramento, CA 95814, (916) 322-5594
ARB Homepage: <http://www.arb.ca.gov>

SPECIAL ACCOMMODATION REQUEST

Special accommodation or language needs can be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format (i.e., Braille, large print, etc.) or another language;
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 as soon as possible, but no later than 10 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Comodidad especial o necesidad de otro idioma puede ser proveído para alguna de las siguientes:

- Un intérprete que esté disponible en la audiencia;
- Documentos disponibles en un formato alterno (por decir, sistema Braille, o en impresión grande) u



PUBLIC MEETING AGENDA

November 18, 2010

Electronic Board Book

Webcast

LOCATION:

Air Resources Board
1001 I Street, 2nd Floor
Byron Sher Auditorium
Sacramento, California 95814

This facility is accessible by public transit.
For transit information, call:
(916) 321-BUSS, website
<http://www.sacrt.com/>
(This facility is accessible to persons with disabilities.)

**TO SUBMIT WRITTEN COMMENTS
ON AN AGENDA ITEM IN ADVANCE
OF THE MEETING GO TO:**

<http://www.arb.ca.gov/lispub/comm/bclist.php>

November 18, 2010
9:00 a.m.

CONSENT CALENDAR:

All items on the consent calendar will be voted on by the Board immediately after the start of the public meeting. Any item may be removed from the consent calendar by a Board member or by someone in the audience who would like to speak on that item. The following items are on the consent calendar:

Consent Item

Agenda Topic

10-10-1

Public Meeting to Consider Approval of the Sacramento County PM10 Implementation/Maintenance Plan and Redesignation Request

The Board will consider approval of Sacramento's PM10 Maintenance Plan and Redesignation Request. The PM10 Plan demonstrates that the PM10 standard will be maintained in Sacramento County for the next 10 years, and requests that the County be redesignated to attainment.

[More Information](#) [Proposed Resolution](#)

10-10-2

Public Meeting to Consider Approval of Proposed Imperial County 2009 1997 8-Hour Ozone Modified Air Quality Management Plan and 2009 Reasonably Available Control Technology State Implementation Plan

The Board will consider the approval of these plans, which address the remaining State Implementation Plan requirements for Imperial County as a result of United States Environmental Protection Agency's December 2009 determination that Imperial County attained the 1997 8-hour ozone

standard.

[More Information](#) [Proposed Resolution](#)

10-10-4

Public Meeting to Consider Two Research Proposals

1. "Nocturnal Chemistry in the Urban Boundary Layer of Los Angeles - Augmentation," University of California, Davis, \$120,000.

2. "Characterization of the Atmospheric Chemistry in the Southern San Joaquin Valley," University of California, Berkeley, \$45,000.

[Proposed Resolutions](#)

DISCUSSION ITEMS:

Note: The following agenda items may be heard in a different order at the Board meeting.

Agenda Item #

Agenda Topic

10-10-6

Public Hearing to Consider the Proposed Amendment of the Airborne Toxic Control Measure for In-Use Diesel-Fueled Transport Refrigeration Units and Transport Refrigeration Unit Generator Sets, and Facilities Where Transport Refrigeration Units Operate

Staff is proposing amendments to the Transport Refrigeration Unit (TRU) Control Measure to expand the compliance options. Additionally, the amendments would clarify the operational life of various types of TRUs.

[More Information](#) [Staff Presentation](#)

10-10-7

Public Hearing to Consider Adoption of Proposed Amendments to the California Consumer Products Regulation, and to Hear an Informational Update on the Green Chemistry Initiative

Staff is proposing amendments to the Consumer Products Regulation that will set new or lower volatile organic compound (VOC) limits for a number of categories. For several categories, staff will propose prohibitions on the use of certain toxic air contaminants, compounds with higher global warming potentials, and certain surfactants that are toxic to aquatic species. Staff will also propose amendments to Method 310 to specify procedures to determine aromatic compound content in certain products. In addition, staff will present an informational update to the Board on recent activities related to the Green Chemistry initiative.

[More Information](#) [Staff Presentation](#)

10-10-8

Public Meeting to Hear an Update on Implementation of the Low Carbon Fuel Standard

Staff will update the Board on the implementation of the Low Carbon Fuel Standard, and the Board may provide additional direction to staff. The update will include a report on the status of key elements of the program including the electronic reporting tool, recommendations of the Expert Workgroup, and progress on the Board's direction when it approved the Low Carbon Fuel Standard regulation.

[More Information](#) [Staff Presentation](#) [Proposed Resolution](#)

10-10-9

Public Meeting to Hear a Report on Updates to Emissions Inventories

**for the Truck and Bus Regulation and the Off-Road Regulation
Amendments to be Considered by the Board at the December 2010
Hearing**

Staff will report to the Board on updates to the emissions inventories for trucks, buses, and off-road equipment. The updates include methodological improvements; inclusion of new population, emission rate, and activity data; and adjustments to reflect the impact of the economic recession. This is an informational report only; no action will be taken by the Board. The emission inventory updates were made to support the amendments to the Truck and Bus regulation and the Off-road regulation that ARB will consider at the December 2010 Hearing.

[More Information On-Road Data](#) [More Information Off-Road](#) [Supporting Staff Presentation](#)

CLOSED SESSION – LITIGATION

The Board will hold a closed session, as authorized by Government Code section 11126(e), to confer with, and receive advice from, its legal counsel regarding the following pending or potential litigation:

Pacific Merchant Shipping Association v. Goldstene, U.S. District Court (E.D. Cal Fresno), Case No. 2:09-CV-01151-MCE-EFB.

American Trucking Association, et al. v. U.S. Environmental Protection Agency, et al., U.S. Court of Appeals, District of Columbia Circuit, Case No. 09-1090.

POET, LLC, et al. v. Goldstene, et al., Superior Court of California (Fresno County), Case No. 09CECG04850.

Rocky Mountain Farmers Union, et al. v. Goldstene, U.S. District Court (E.D. Cal. Fresno), Case No. 1:09-cv-02234-LJO-DLB.

National Petroleum & Refiners Association, et al. v. Goldstene, et al., U.S. District Court (E.D. Cal. Fresno) Case No. 1:10-cv-00163-AWI-GSA.

Association of Irrigated Residents, et al. v. California Air Resources Board, Superior Court of California (San Francisco County), Case No. CPF-09-509562.

OPPORTUNITY FOR MEMBERS OF THE BOARD TO COMMENT ON MATTERS OF INTEREST

Board members may identify matters they would like to have noticed for consideration at future meetings and comment on topics of interest; no formal action on these topics will be taken without further notice.

OPEN SESSION TO PROVIDE AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD ON SUBJECT MATTERS WITHIN THE JURISDICTION OF THE



LOCATION:

Air Resources Board
1001 I Street, 2nd Floor
Byron Sher Auditorium
Sacramento, California 95814

PUBLIC MEETING AGENDA

Thursday, December 16, 2010

and

Friday, December 17, 2010

[Webcast](#)

This facility is accessible by public transit.
For transit information, call:
(916) 321-BUSS, website
<http://www.sacrt.com/>
(This facility is accessible to persons with disabilities.)

**TO SUBMIT WRITTEN COMMENTS
ON AN AGENDA ITEM IN ADVANCE
OF THE MEETING GO TO:**

<http://www.arb.ca.gov/lispub/comm/bclist.php>

December 16, 2010

9:00 a.m.

Electronic Board Book

CONSENT CALENDAR:

All items on the consent calendar will be voted on by the Board immediately after the start of the public meeting. Any item may be removed from the consent calendar by a Board member or by someone in the audience who would like to speak on that item. The following items are on the consent calendar:

Consent Item #

Agenda Topic

None.

DISCUSSION ITEMS:

Note: The following agenda items may be heard in a different order at the Board meeting.

Agenda Item #

Agenda Topic

10-11-1

Public Hearing to Consider the Adoption of a Proposed California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanisms Regulation, Including Compliance Offset Protocols

Staff will present to the Board a proposed regulation to implement a California Greenhouse Gas Emissions Cap-and-Trade Program, including compliance offset protocols. The proposed regulation would establish the framework and requirements for the program.

[More Information](#) [Staff Presentation](#)

10-11-2

Public Hearing to Consider Amendments to the Regulation for Mandatory Reporting of Greenhouse Gas Emissions

Staff is proposing amendments to the Regulation for the Mandatory Reporting of Greenhouse Gas Emissions. The proposed amendments would align most California greenhouse gas reporting requirements with the federal greenhouse gas reporting requirements adopted by the United States Environmental Protection Agency, and will add specific provisions to support the Air Resources Board's proposed Cap-and-Trade regulation.

[More Information](#) [Staff Presentation](#)

December 17, 2010

8:30 a.m.

Electronic Board Book

(Spanish Interpretation Services Available)

10-11-3

Public Hearing to Consider the Adoption of Proposed Amendments to the Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen and Other Criteria Pollutants From In-Use On-Road Diesel-Fueled Vehicles, the Heavy-Duty Vehicle Greenhouse Gas Emission Reduction Measure, and the Regulation to Control Emissions From In-Use On-Road Diesel-Fueled Heavy-Duty Drayage Trucks at Ports and Intermodal Rail Yard Facilities

Notice of Public Hearing to Consider Proposed Amendments to the Regulations for In-Use Off-Road Diesel-Fueled Fleets and Off-Road Large Spark Ignition Engine Fleet Requirements

Staff is proposing amendments to five regulations - the Regulation for In-Use On-Road Diesel Vehicles (Truck and Bus regulation), the Heavy-Duty Vehicle Greenhouse Gas Emission Reduction Regulation (Tractor-Trailer GHG regulation), the Regulation for In-Use On-Road Diesel-Fueled Heavy-Duty Drayage Trucks (Drayage Truck regulation), the In-Use Off-Road Diesel Fueled Fleets (Off-Road regulation), and the Large Spark-Ignition (LSI) fleet regulation.

In order to implement the directives given by the Board in April 2010, staff is proposing amendments to the Truck and Bus regulation and Off-Road regulation to provide relief to fleets adversely affected by the economy, and take into account the fact that emissions are lower than previously predicted. Both regulations will be considered together to identify an equitable proposal to reduce the compliance costs of both regulations, while still providing the necessary emission reductions to meet the Board's State Implementation Plan commitments and protect public health.

The proposed amendments to the Truck and Bus regulation will provide economic relief for fleets by eliminating requirements for trucks with a gross

vehicle weight rating less than 26,001 pounds, and by easing the compliance schedule for heavier trucks. The proposed amendments to the Off-Road regulation will delay the initial compliance date, significantly reduce annual requirements, and provide a path to compliance without any required retrofits. The proposed amendments to both regulations will substantially simplify the regulations while retaining flexibility for fleets, and will give credit to fleets that have already taken actions to comply with the regulations. The overall effect of the proposed amendments will be to significantly lower the costs of the regulations while still maintaining progress toward clean air.

Staff will also propose amendments to the Drayage Truck regulation to add flexibility to fleets' compliance schedules, mitigate the use of noncompliant trucks outside port and rail properties, and to provide for a smooth transition to the Truck and Bus regulation. The proposed amendments to the Tractor-Trailer GHG regulation will add flexibility to fleets' compliance schedules and reporting requirements while still meeting the GHG emissions reduction goals of the regulation. The amendments also address requirements for storage trailers and refrigerated van trailers.

Finally, staff will propose amendments to the LSI regulation that make several minor changes and clarifications, including extending the limited hours of use provisions and broadening compliance extension flexibility.

[More Information On-Road](#) [More Information Off-Road](#) [Staff Presentation](#)

CLOSED SESSION – LITIGATION

The Board will hold a closed session, as authorized by Government Code section 11126(e), to confer with, and receive advice from, its legal counsel regarding the following pending or potential litigation:

Pacific Merchant Shipping Association v. Goldstene, U.S. District Court (E.D. Cal Fresno), Case No. 2:09-CV-01151-MCE-EFB.

American Trucking Association, et al. v. U.S. Environmental Protection Agency, et al., U.S. Court of Appeals, District of Columbia Circuit, Case No. 09-1090.

POET, LLC, et al. v. Goldstene, et al., Superior Court of California (Fresno County), Case No. 09CECG04850.

Rocky Mountain Farmers Union, et al. v. Goldstene, U.S. District Court (E.D. Cal. Fresno), Case No. 1:09-cv-02234-LJO-DLB.

National Petroleum & Refiners Association, et al. v. Goldstene, et al., U.S. District Court (E.D. Cal. Fresno) Case No. 1:10-cv-00163-AWI-GSA.

Association of Irrigated Residents, et al. v. California Air Resources Board, Superior Court of California (San

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Tom Bates and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 25, 2011

Re: Resolution Supporting the California Air Resources Board in Promoting Clean
and Energy Efficient Motor Vehicles

RECOMMENDED ACTION:

Recommend Board of Directors:

- Adopt a resolution supporting the California Air Resources Board (ARB) in promoting clean and energy efficient motor vehicles

BACKGROUND

In the Bay Area, the transportation sector accounts for more than 50% of criteria pollutants Reactive Organic Gases (ROG), Nitrogen Oxide (NO_x), and Particulate Matter (PM), and more than 40% of Greenhouse Gas (GHG) emissions. Within the transportation sector, more than 50% of ROG, NO_x, and PM, and approximately 70% of GHG emissions are generated by on-road vehicles. Therefore, significant emission reductions from the on-road transportation sector are key to helping the Bay Area to attain State and Federal ambient air quality standards.

DISCUSSION

During late spring/early summer 2011, ARB will consider an update to the lower emissions vehicle (LEV) standards for automobiles. This proposed revision known as LEVIII will include a significant reduction in particulate emissions, as well as new standards for reducing ROG. Additionally, ARB is considering the inclusion of a standard for black carbon, a climate change forcing element of the particulate emitted by passenger vehicles. In order to help ARB make the proposed changes, staff is requesting that the Board adopt a resolution supporting the adoption of the LEVIII standards. This resolution will be submitted in support of the ARB Board as part of a collaborative effort by the American Lung Association that includes partners such as Alameda, Contra Costa, Marin, San Francisco, Santa Clara and Sonoma Counties, and the cities of the Benicia, Berkeley, Brisbane, Campbell, Dublin, Millbrae, Mountain View, Petaluma, Palo Alto, Richmond, San Francisco, Santa Rosa, Sebastopol, Union City and the San Joaquin Valley Air Pollution Control District.

BUDGET CONSIDERATION / FINANCIAL IMPACT:

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Damian Breen
Reviewed by: Jean Roggenkamp

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

RESOLUTION No. 2011 -

A Resolution supporting the California Air Resources Board's leadership in promoting clean and energy efficient motor vehicles

WHEREAS, California continues to experience poor air quality, with State residents living in many areas that exceed federal health-based ozone standards; and exposure to elevated levels of ozone and other pollutants such as particulate matter annually contribute to asthma attacks, hospitalizations and premature deaths; and

WHEREAS, the impacts of global climate change will affect air quality and health issues; and

WHEREAS, motor vehicles are significant emitters of ozone precursors, particulates and air toxics, and a large source of global warming causing greenhouse gas emissions in California; and

WHEREAS, California has been a national leader in advancing cleaner vehicle technologies by developing and implementing motor vehicle regulations under its federal Clean Air Act authority; and

WHEREAS, the California Legislature enacted AB 1493 (Pavley, 2002) directing the California Air Resources Board to adopt regulations to achieve the maximum feasible and cost-effective reduction in greenhouse gases from passenger vehicles; and the California Air Resources Board adopted clean vehicle regulations in 2004; and

WHEREAS, thirteen other states and Washington D.C. have adopted California's regulations; and in coordination with the Obama Administration and America's automobile manufacturers, the United States Environmental Protection Agency and the United States Department of Transportation have based new national standards on California's clean car regulations; and

WHEREAS, in 2011, the California Air Resources Board plans to develop and adopt new regulations to reduce vehicle emissions of criteria air pollutants and greenhouse gases and to promote the development and deployment of clean fuel infrastructure and zero emission vehicle technology options for consumers; and

WHEREAS, strengthening California's motor vehicle programs will improve California's air quality, promote energy independence, support new jobs and investments in clean technology, help California achieve its goal of reducing global warming emissions, and will continue California's long history of national leadership on air quality and environmental policy;

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors urges the State of California and the California Air Resources Board to continue its national and international leadership role in reducing greenhouse gases and promoting clean vehicle technologies by moving forward quickly to develop and adopt expanded Low Emission Vehicle (LEV III) standards to reduce criteria air pollutants and greenhouse gases and to strengthen the state's Zero Emission Vehicle (ZEV) and Clean Fuels Outlet (CFO) infrastructure programs to protect the health of California's economy, environment and its people.

The foregoing resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of Director _____, seconded by Director _____, on the ____ day of _____, 2011, by the following vote of the Board:

AYES:

NOES:

ABSENT:

Tom Bates
Chairperson of the Board of Directors

ATTEST:

Ash Kalra
Secretary of the Board of Directors

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Tom Bates and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 26, 2011

Re: Report of the Budget & Finance Committee Meeting of January 26, 2011

RECOMMENDED ACTION:

None.

BACKGROUND

The Budget & Finance Committee met on Wednesday, January 26, 2011. The Committee received the following reports:

- A) Second Quarter Financial Report – Fiscal Year 2010-11; and
- B) Air District Financial Overview

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

Chairperson Carole Groom will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

- A) No impact on Fiscal Year 2010/2011 budget.
- B) No budget impact.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Vanessa Johnson
Approved by: Jennifer C. Cooper

Attachment(s)

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
 Memorandum

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

From: Jack P. Broadbent
 Executive Officer/APCO

Date: January 12, 2011

Re: Second Quarter Financial Report – Fiscal Year 2010 – 11

RECOMMENDED ACTION

Informational Report. Receive and file.

DISCUSSION

Finance staff will present an update on the District’s financial results for the second quarter of the 2010-11 fiscal year. The following information summarizes those results.

GENERAL FUND BUDGET: STATEMENT OF REVENUE

County receipts	\$	10,916,016	(52%)	of budgeted revenue.
Permit Fee receipts	\$	16,475,921	(65%)	of budgeted revenue.
Title V Permit Fees	\$	2,322,313	(70%)	of budgeted revenue.
Asbestos Fees	\$	907,228	(57%)	of budgeted revenue.
Toxic Inventory Fees	\$	335,616	(50%)	of budgeted revenue.
Penalties and Settlements	\$	814,177	(54%)	of budgeted revenue.
Miscellaneous Revenue	\$	24,778	(20%)	of budgeted revenue.
Interest Revenue	\$	111,869	(41%)	of budgeted revenue

GENERAL FUND BUDGET: STATEMENT OF EXPENDITURES

Comparison of Budget to Actual Expenditures

Personnel - Salaries	\$	14,518,461	(47%)	of budgeted expenditures.
Personnel - Fringe Benefits	\$	5,933,144	(42%)	of budgeted expenditures.
Operational Services and Supplies	\$	6,625,900	(33%)	of budgeted expenditures.
Capital Outlay	\$	2,282,737	(66%)	of budgeted expenditures

BUDGET CONSIDERATION/FINANCIAL IMPACT

No impact on Fiscal Year 2010/2011 budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

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

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

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

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 19, 2011

Re: Air District Financial Overview

RECOMMENDED ACTION

Receive and file.

DISCUSSION

Staff will review the Air District response to fiscal challenges. The review will include a discussion of the strategies employed during the FYE 2011 budget cycle. In addition, an overview of the budget status at mid-year will be provided. Possible mid-year budget adjustments will be discussed. Implications for the coming FYE 2012 budget process will be reviewed.

BUDGET CONSIDERATION/FINANCIAL IMPACT

No budget impact.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jeffrey McKay

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Tom Bates and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 26, 2011

Re: Report of the Mobile Source Committee Meeting of January 27, 2011

RECOMMENDED ACTIONS

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

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

1. Approve the Carl Moyer 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 \$5 Million in Mobile Source Incentive Funds (MSIF) for Shore Power Projects:

1. Approve the MSIF shore power project recommendations for the allocation of \$5 million in MSIF to three berths at the Port of Oakland;
2. Authorize the Executive Officer/APCO to enter into agreements for the recommended MSIF projects.

C) Consideration of Air District Participation in Year 13 of the Carl Moyer Program:

1. Adopt a resolution authorizing the Executive Officer/APCO to execute all necessary agreements with the California Air Resources Board (CARB) relating to the Air District's receipt of Carl Moyer Program funds for fiscal year 2010-2011 (Program 13);
2. Allocate \$5 million in Mobile Source Incentive Funding for projects eligible for funding under the Carl Moyer Program.

D) Consideration of Contractor Awards(s) for the Transportation for Clean Air (TFCA) Electric Vehicle Supply Equipment (EVSE) Deployment Program:

1. ECotality, Coulomb Technology, AeroVironment and Clipper Creek as contractors for the EVSE Home Charger Rebate project;
2. ECotality and AeroVironment as contractors for the Direct Current (DC) Fast Charger Deployment project;

3. *ECOality as the contractor for Program Coordination; and*
4. *Authorization for the Executive Officer/APCO to execute contracts with each of these contractors.*

BACKGROUND

The Mobile Source Committee met on Thursday, January 27, 2011. The Committee received and considered the following reports and recommendations:

- A) Consideration of Projects with Proposed Grant Awards Over \$100,000;
- B) Consideration of \$5 Million in Mobile Source Incentive Funds (MSIF) for Shore Power Projects;
- C) Consideration of Air District Participation in Year 13 of the Carl Moyer Program; and
- D) Consideration of Contractor Award(s) for the TFCA Electric Vehicle Supply Equipment (EVSE) Deployment Program

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 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.
- B) None. Through the MSIF, the Air District distributes “pass-through” funds to public agencies and private entities on a reimbursement basis. Administrative costs are provided by the funding source.
- C) 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.
- D) None. The Air District distributes “pass-through” funds to selected contractors on a reimbursement basis from the TFCA Regional Fund. This program leverages costs share funding provided to the contractors by federal and state grants and private funds. Administrative costs are provided to the Air District by the TFCA Regional Fund.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Vanessa Johnson
Reviewed by: Jennifer C. Cooper

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: January 18, 2011

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 (NOx), 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 January 7, 2011, the Air District had received 72 project applications. Of the applications that have been evaluated between November 1, 2010 and January 7, 2011 five eligible projects have proposed individual grant awards over \$100,000. These projects will replace three pieces of off-road equipment and four marine engines, which will result in the reduction of 7.876 tons of NO_x, ROG and PM per year. Staff recommends allocating \$782,727 to these projects from a combination of CMP funds and MSIF revenues. Attachment 1 to this staff report provides additional information on these projects.

Attachment 2 lists all of the eligible projects that have been received by the Air District as of January 7, 2011, 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 33% 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 November 1, 2010 and January 7, 2011 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 11/1/10 and 1/7/11)

Attachment 2: Summary of all CMP Year 12/MSIF and VIP approved/eligible projects (11/1/10 to 1/7/11)

Attachment 1

BAAQMD Year 12 Carl Moyer Program/ MSIF projects with grant awards greater than \$100k
(Evaluated between 11/1/2010 and 1/7/2011)

Project #	Applicant name	Equipment category	Project description	Proposed contract award	NOx (TPY)	ROG (TPY)	PM (TPY)	County
12MOY50	George Chiala Farms, Inc.	Off-road	The replacement of one (1) off-road diesel powered tractor.	\$ 166,992.00	0.993	0.073	0.003	Santa Clara
12MOY23	Bodega Farms	Off-road	The replacement of one (1) off-road diesel powered loader.	\$ 100,201.00	0.643	0.112	0.031	Sonoma
12MOY56	Bass Tub Fishing (charter fishing)	Marine	The repower of two (2) diesel powered main engines.	\$ 185,322.00	3.166	0.084	0.105	San Francisco
12MOY49	C-Gull Sportfishing, Inc. (charter fishing)	Marine	The repower of two (2) diesel powered main engines.	\$ 212,256.00	2.037	-0.045	0.073	Alameda
12MOY68	McCall Dairy	Off-road	The replacement of one (1) off-road diesel powered loader.	\$ 117,956.00	0.492	0.084	0.025	Sonoma
				\$ 782,727.00	7.331	0.307	0.237	

Attachment 2

Summary of all CMP Yr 12/MSIF and VIP approved/eligible projects (11/1/10 to 1/7/11)

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	\$ 35,119.00	Carpenter Ranchs 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	\$ 28,798.00	Beard Family Vineyards	0.223	0.030	0.009	APCO	Napa
12MOY4	Off-road	Equipment replacement	1	\$ 115,887.00	Andy Poncia (fertilizer/farm support)	0.790	0.133	0.040	10/6/2010	Sonoma
12MOY10	Off-road	Equipment replacement	1	\$ 39,868.00	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	Terrilinda 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	11/3/2010	Contra Costa
12MOY32	Marine	Engine repower	2	\$ 103,010.00	Monterey Canyon Research Vessels, Inc	0.519	0.014	0.018	11/3/2010	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	\$ 29,012.00	Eugene Poncia (farmer)	0.093	0.017	0.004	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	11/3/2010	Marin
12MOY31	Off-road	Equipment replacement	2	\$ 138,276.00	Hillside Drilling Inc	1.419	0.202	0.065	11/3/2010	Contra Costa
12MOY34	Off-road	Equipment replacement	2	\$ 132,819.00	Robert Giacomini Dairy, Inc	1.380	0.174	0.041	12/2/2010	Marin
12MOY42	Off-road	Equipment replacement	1	\$ 194,615.00	DJNI Engineering	1.558	0.173	0.070	12/2/2010	Santa Clara
12MOY45	Off-road	Equipment replacement	1	\$ 130,955.00	South Valley Mushroom Farm, Inc	0.603	0.100	0.023	12/2/2010	Santa Clara
12MOY41	Off-road	Equipment replacement	2	\$ 46,321.00	DeBernardi Dairy Inc.	0.495	0.158	0.041	APCO	Sonoma
12MOY35	Off-road	Equipment replacement	1	\$ 23,350.00	Spaletta Dairy	0.301	0.051	0.017	APCO	Sonoma
12MOY46	Off-road	Equipment replacement	2	\$ 167,096.00	Sonoma Compost	1.496	0.204	0.049	12/2/2010	Sonoma
12MOY52	Off-road	Equipment replacement	1	\$ 52,114.00	MCE Amos Inc (dairy)	0.334	0.057	0.017	APCO	Sonoma

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	NOx (TPY)	ROG (TPY)	PM (TPY)	Board approval date	County
12MOY38	Off-road	Equipment replacement	1	\$ 87,870.00	American Soil Products, Inc.	0.772	0.095	0.027	APCO	Alameda
12MOY54	Off-road	Equipment replacement	1	\$ 43,248.00	Peter Marchi & Son Farm, Inc.	0.142	0.040	0.015	APCO	San Mateo
12MOY50	Off-road	Equipment replacement	1	\$ 166,992.00	George Chiala Farms, Inc.	0.993	0.073	0.003	Board	Santa Clara
12MOY23	Off-road	Equipment replacement	1	\$ 100,201.00	Bodega Farms	0.643	0.112	0.031	Board	Sonoma
12MOY62	Agriculture	Engine repower	1	\$ 40,017.00	Herrick Grand III (farmer)	0.871	0.104	0.034	APCO	Napa
12MOY39	Marine	Engine repower	2	\$ 77,592.00	Sundance Charters, LLC. (charter fishing)	0.393	0.013	0.013	APCO	Alameda
12MOY59	Off-road	Equipment replacement	1	\$ 34,256.00	Henri Vandendriessche dba White Rock Vineyards	0.164	0.028	0.010	APCO	Napa
12MOY56	Marine	Engine repower	2	\$ 185,322.00	Bass Tub Fishing (charter fishing)	3.166	0.084	0.105	Board	San Francisco
12MOY49	Marine	Engine repower	2	\$ 212,256.00	C-Gull Sportfishing, Inc. (charter fishing)	2.037	-0.045	0.073	Board	Alameda
12MOY68	Off-road	Equipment replacement	1	\$ 117,956.00	MC CALL DAIRY	0.492	0.084	0.025	Board	Sonoma
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	Donald 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	1	\$ 30,000.00	Berkeley Warehouse	0.466	0.005	0.013	APCO	Alameda
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
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
VIP34	VIP	Truck replacement	1	\$ 45,000.00	James A. King	0.579	0.015	0.026	APCO	Merced
VIP36	VIP	Truck replacement	1	\$ 45,000.00	Fourway Trucking, Inc.	0.510	0.013	0.017	APCO	Alameda
VIP37	VIP	Truck replacement	1	\$ 45,000.00	Jasmer Singh/Surjit Kaur	0.649	0.016	0.022	APCO	Santa Cruz
VIP38	VIP	Truck replacement	1	\$ 35,000.00	Rupinderjit Singh Basra	0.640	0.020	0.029	APCO	Santa Clara
66 Projects			96	\$ 4,931,024.00		45.735	4.438	6.336		

Figure 1: CMP/ MSIF Funding Distribution by Equipment Category as of 1/7/11

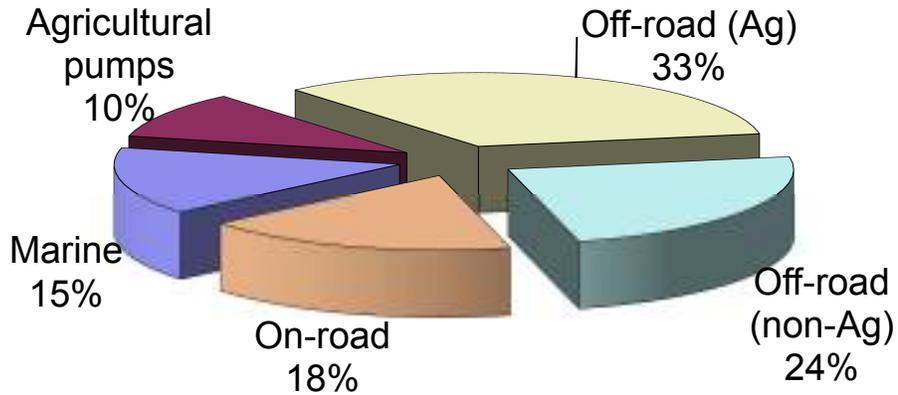
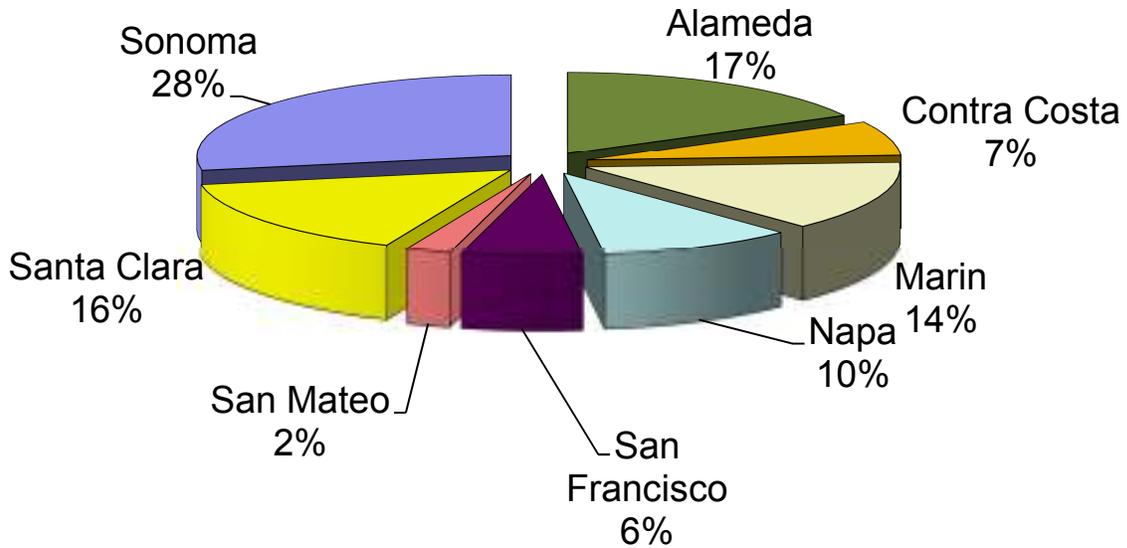


Figure 2: CMP/ MSIF Funding Distribution by County as of 1/7/11



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: January 18, 2011

Re: Consideration of \$5 Million in Mobile Source Incentive Funds (MSIF) for Shore
Power Projects

RECOMMENDATIONS:

Recommend Board of Directors:

1. Approve the MSIF shore power project recommendations for the allocation of \$5 million in MSIF to three berths at the Port of Oakland.
2. Authorize the Executive Officer/APCO to enter into agreements for the recommended MSIF projects.

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). AB 923, stipulates that air districts may use the revenues generated by the additional \$2 surcharge for projects eligible for grants under the Carl Moyer Program (CMP). Shore power projects are eligible for funding under the CMP guidelines.

On June 16, 2010, the Board of Directors reserved up to \$5 million in MSIF funding in support of shore-power projects at Bay Area ports. This allocation of the MSIF funding supplements the \$20 million in state funds that have been awarded to the Air District by the California Air Resources Board (ARB) for shore power projects as part of Years 2 and 3, of the California Goods Movement Bond (I-Bond) program. In this report, staff will update the Committee on the shore power projects being recommended to receive MSIF funding.

DISCUSSION

On October 27, 2010, the District opened a solicitation for \$5 million in MSIF shore power project funding. Staff sent out notices of funding availability to all the ports in the Bay Area, and posted fact sheets, application materials and other supporting documents to the District’s website. The application period closed on November 19, 2010.

Staff received shore power project applications for three berths at the Port of Oakland (Port) requesting a total of \$5 million. The Port submitted the applications on behalf of the terminal operators at the three proposed berths and is the sole applicant for the funding. The berths in the application are used by various shipping lines primarily for containerized cargo vessels, and account for more than 500 vessel visits per year. Additionally, these berths are among the Port’s busiest terminals in terms of ship visits and cargo volumes. The vessels using these berths spend approximately 20 hours at berth during each visit.

To demonstrate surplus emission reductions, the Port is proposing that more vessels plug into the electric grid than would be required by the ARB shore power regulation. The Port is proposing a total of 530 additional vessel plug-ins across the three berths, over a 10 year period starting in January 2014. For example, starting in 2014 the ARB regulation would require Berth 58 to plug in 115 of the 229 total vessels that call on it for the year. As part of the recommended grants, the Port is proposing to plug in an additional 23 vessels (over the required 115) in 2014 in order to achieve the surplus emission reductions required for MSIF funding.

The proposed projects will reduce over 327 tons of emissions from ships at the Port by the end of the project life. The total cost to provide shore power to these three berths is about \$18.84 million. Table 1 provides more details on the individual berths being recommended for funding:

Table 1: MSIF Shore Power Project Recommendations

Berth	Terminal Operator	Proposed Funding Amount	Emission Reductions (TPY)			Annual vessel visits ³	Cost-effectiveness
			NOx	ROG	PM		
58	SSAT ¹	\$2,017,000	13.48	0.48	0.24	229	\$11,906
57	SSAT	\$2,017,000	12.89	0.45	0.23	214	\$12,448
56	TTI ²	\$966,000	4.69	0.17	0.08	79	\$16,394
Totals		\$5,000,000	31.06	1.10	0.55	522	

¹ SSAT: SSA Terminals, LLC

² TTI: Total Terminals International, LLC

³ 2010 vessel visits, not all of these visits will use the shore power equipment.

Staff requests the Committee recommend the Board approve the MSIF shore power project recommendations for the allocation of \$5 million in MSIF to three berths at the Port of Oakland, and authorize the Executive Officer/APCO to enter into agreements for the recommended MSIF projects.

BUDGET CONSIDERATION / FINANCIAL IMPACT:

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

Respectfully submitted,

Jack P. Broadbent
Executive Director/APCO

Prepared by: Anthony Fournier
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: January 18, 2011

Re: Consideration of Air District Participation in Year 13 of the Carl Moyer
Program

RECOMMENDED ACTION:

Recommend the Board of Directors:

1. Adopt a resolution authorizing the Executive Officer/APCO to execute all necessary agreements with the California Air Resources Board (CARB) relating to the Air District's receipt of Carl Moyer Program funds for fiscal year 2010-2011 (Program Year 13).
2. Allocate \$5 million in Mobile Source Incentive Funding for projects eligible for funding under the Carl Moyer Program.

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 (NOx), 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.

DISCUSSION

The Air District has submitted an application to ARB requesting \$10,600,000 in funding for the implementation of the Year 13 (FY 2010/ 2011) CMP funding cycle. Up to 5% of the total funds awarded to the Air District will be used to pay for administrative expenses related to the implementation of the CMP. As part of the application, the Air District has proposed the commitment of \$1,700,000 in matching funds for Year 13. The Air District will provide the required match by allocating MSIF funds to eligible emission reduction projects.

Staff plans to begin accepting CMP Year 13 applications in April 2010. Project applications will be accepted and evaluated on a first-come, first-served basis until all funds have been allocated. In accordance with the authorization granted to the Executive Officer/APCO on February 4, 2009, projects with individual grant awards up to \$100,000 will be executed by the Executive Officer/ APCO, and reported to the Mobile Source Committee (MSC) on a regular basis. Eligible projects with individual grant awards over \$100,000 will be brought to the MSC for consideration at least quarterly.

ARB requires districts to use the 2008 CMP Guidelines to allocate Year 13 CMP funds. The guidelines require all projects to achieve a cost-effectiveness of \$16,400 or less per ton of reduced emissions in order to be eligible to receive funding. Year 13 funding must be obligated to eligible projects by June 30, 2012, and expended by June 30, 2013. The process that will be used for identifying and prioritizing CMP Year 13 projects with the most significant exposure (“impacted communities”) will be similar to the process used for the Year 12 funding cycle as priority will be given to projects that reduce emissions in the six highest impacted communities: (1) Eastern San Francisco, (2) West Oakland, (3) East Oakland/San Leandro (4) Richmond, (5) San Jose and (6) Concord.

Staff requests the Committee recommend the Board of Directors adopt a resolution authorizing the Executive Officer/APCO to execute all necessary agreements with ARB relating to the Air District’s receipt of CMP Year 13 funds. Staff also requests \$5,000,000 in MSIF funds be allocated to eligible projects evaluated during the CMP Year 13 funding cycle. These funds will be used to cover the Air District match requirement, and to fund additional CMP projects.

BUDGET CONSIDERATION / FINANCIAL IMPACT:

None. Through the CMP and MSIF 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 Officer/APCO

Prepared by: Anthony Fournier
Reviewed by: Damian Breen

Attachment: A Resolution Accepting Carl Moyer Program Funds from the California
Air Resources Board Resolution No. 2011-

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

RESOLUTION No. 2011 -

**A Resolution Accepting Carl Moyer Program Funds
From the California Air Resources Board**

WHEREAS, California Health and Safety Code Division 26, Part 5, Chapter 9, empowers the California Air Resources Board (ARB) to allocate Carl Moyer Program funds to local air quality districts to provide financial incentives to both the public and private sector to implement eligible projects to reduce emissions from on-road, marine, locomotive, agriculture, and off-road engines;

WHEREAS, California Health and Safety Code section 44287, authorizes ARB to provide an air district with funds if that district provides matching funds in an amount established by ARB;

WHEREAS, the Bay Area Air Quality Management District (District) submitted an application to ARB requesting \$10,600,000 in Carl Moyer Program funds to implement the Carl Moyer Program for the fiscal year (FY) 2010-2011 (Year 13) cycle;

WHEREAS, the District proposed to commit up to \$1,700,000 in matching funds as part of the FY 2010-2011, (Year 13) Carl Moyer Program cycle, in accordance with the requirements of California Health and Safety Code section 44287;

WHEREAS, ARB has authorized a grant to the District to implement the Carl Moyer Program Year 13, upon approval by the Board of Directors to accept such grant of funds;

WHEREAS, ARB will award the a grant in the amount of as much as \$10,600,000, with the District-required match of up to \$1,700,000.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors hereby approves the District's continued participation in the Carl Moyer Program and acceptance of the FY 2010-2011, Carl Moyer Program funds, to be awarded to eligible projects in accordance with the ARB Carl Moyer Program guidelines.

BE IT FURTHER RESOLVED, the District will provide the required matching funds by allocating local motor vehicle surcharge revenues to eligible emission reduction projects that qualify for Carl Moyer Program matching purposes.

BE IT FURTHER RESOLVED, the Executive Officer/Air Pollution Control Officer is hereby authorized and empowered to execute on behalf of the District grant agreements with ARB and all other necessary documents to implement and carry out the purposes of this resolution.

The foregoing resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of Director _____, seconded by Director _____, on the ____ day of _____, 2011, by the following vote of the Board:

AYES:

NOES:

ABSENT:

Tom Bates
Chairperson of the Board of Directors

ATTEST:

Ash Kalra
Secretary of the Board of Directors

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: January 18, 2011

Re: Consideration of Contractor Award(s) for the TFCA Electric Vehicle Supply
Equipment (EVSE) Deployment Program

RECOMMENDED ACTION:

Recommend Board of Directors approval of:

- 1) *ECOtality, Coulomb Technology, AeroVironment and Clipper Creek as contractors for the EVSE Home Charger Rebate project;*
- 2) *ECOtality and AeroVironment as contractors for the Direct Current (DC) Fast Charger Deployment project;*
- 3) *ECOtality as the contractor for the Program Co-Ordination; and*
- 4) *Authorization for the Executive Officer/APCO to execute contracts with each of these contractors.*

BACKGROUND

On August 4, 2010, the Bay Area Air Quality Management District (Air District's) Board of Directors (Board) allocated \$5 million to support Electric Vehicle (EV) infrastructure projects over the next two years. The Air District's support of EVs will include the deployment of infrastructure charge spots (in homes and public locations) through an EVSE Charging Deployment Incentives Program. This program includes a number of projects components, including EVSE Home Charger and DC Fast Charger deployment. Additionally, there is a project co-ordination component to ensure that all of the program elements are executed effectively.

On December 9, 2010, the Air District issued a Request for Proposals (RFP) seeking contractors to implement the three program elements listed above. Responses to the RFP were due on January 5, 2011. As part of this report, staff will discuss the results of the RFP and make recommendations to the Mobile Source Committee regarding award of Transportation Fund for Clean Air (TFCA) Regional Fund monies to selected contractors.

DISCUSSION

Proposals were evaluated by a team of Air District staff using scoring criteria defined in the RFP. A review of each RFP section’s scoring criteria, results of staff evaluation and recommendations are presented below:

EVSE Home Charger Rebate Program – This program component seeks to deploy 2,750 chargers in Bay Area homes by December 30, 2012. The RFP stipulated that more than one contractor may be selected to complete this component and that qualifying Bay Area residents would be provided a rebate, or discount, of at least \$700. Rankings for the six (6) proposals for this component are presented below in Table 1:

Table 1 - Results of Home Charger Deployment Project Application Review

	APPLICANTS					
CRITERIA (POINTS)	ECotality	Coulomb Techn.	Aero-Vironment	Clipper Creek	350Green	G.E.
<i>Price (40)</i>	38	20	26	26	29	23
<i>Timeline/Available Resources (25)</i>	24	22	23	17	13	8
<i>Past Experience (15)</i>	15	14	11	12	8	4
<i>Responsiveness of Proposal (10)</i>	9	8	7	6	3	3
<i>Local/Green Business (10)</i>	7	9	6	2	4	6
Total Points (100)	93	73	72	63	57	45

Based on the results of the ranking above staff is recommending awards for the four (4) top-scoring applicants. This recommendation maximizes Bay Area residents’ options for infrastructure installation by allowing them to select varying charger technologies at varying price points.

Staff is recommending that the largest portion of this project be awarded to ECotality. As part of its response to the RFP, ECotality has included a proposal to have the Air District join the United States Department of Energy’s EV Project (DOE project). As part of the DOE project federal funds would be used to match Air District monies to provide charging equipment and its installation at no cost to Bay Area residents (in most cases). Additionally, participating residents would receive a free upgrade to their electric vehicles which would allow them to accept DC fast charging. The data gathered from the DOE project will be used to inform future federal investment in EV by analyzing vehicle uses, vehicle charging patterns, available infrastructure and financial models for its deployment. By contracting with ECotality, the Air District would also have access to this data and would utilize it to propose future investment in EV. Therefore, staff is recommending the following awards for the EVSE Home Charging Project:

- \$2,212,500 – ECotality, (1,500 chargers)
- \$350,000 - Coulomb Technology, (500 chargers)
- \$350,000 – AeroVironment, (500 chargers)
- \$175,000 - Clipper Creek, (250 chargers)

DC Fast Charger Deployment Project – This program component seeks to deploy 30 DC fast chargers by June 30, 2012. The RFP stipulated that more than one contractor may be selected to complete this component. As part of this program element, a discount of at least \$15,000 per charger installed will be provided to facilities installing the DC fast charging equipment. Rankings for the five (5) proposals for this component are presented below in Table 2:

Table 2 - Results of DC Fast Charger Deployment Project Application Review

CRITERIA (POINTS)	APPLICANTS				
	ECOtality	Aero-Vironment	Green Charge	350Green	Clean Fuel
<i>Price (40)</i>	37	40	40	39	35
<i>Timeline/Available Resources (25)</i>	23	19	17	18	20
<i>Past Experience (15)</i>	15	12	8	10	12
<i>Responsiveness of Proposal (10)</i>	9	8	7	6	8
<i>Local/Green Business (10)</i>	7	6	7	5	3
Total Points (100)	90	85	79	78	77

Based on the results of the ranking above staff is recommending awards for the two (2) top-ranking bidders. These companies are highly experienced in deployment of DC Fast Charging equipment, offer competitive usage rates to end users. Additionally, both will provide extensive data collection and reporting to the Air District. DC fast charging stations installed by ECOtality are also matched with federal funding from the DOE project. As a result those DC fast chargers will provide detailed information about DOE project vehicles using the equipment that will help to inform future fast charging deployments in the Bay Area region. Due to the experimental nature of this project component and relatively small number of chargers (30) recommended for installation, staff believes that contracting with two installers offers sufficient diversity to perspective equipment buyers. Therefore, staff is recommending the following awards for the EVSE Fast Charger Deployment Project:

- \$614,800 – ECOtality, (20 chargers)
- \$150,000 - AeroVironment, (10 chargers)

Program Co-ordination – As part of the RFP, staff also sought a contractor to perform regional coordination of home and public charging permitting, evaluation of sustainable business models for public charging infrastructure, and co-ordination with local stakeholders to share best practices. Rankings for the four (4) proposals for this component are presented below in Table 3:

Table 3 - Results of Project Co-ordination Application Review

CRITERIA (POINTS)	APPLICANTS			
	ECOtality	AeroVironment	Clean Fuel	Total Projex
<i>Price (40)</i>	40	40	40	40
<i>Timeline/Available Resources (25)</i>	23	18	14	8

Past Experience (15)	15	12	12	5
Responsiveness of Proposal (10)	9	8	6	3
Local/Green Business (10)	7	5	4	2
Total Points (100)	93	82	76	58

Based on the results of the ranking above staff is recommending an award for the top-ranking bidder, ECOtality. Based on their experience in coordinating and deploying EV infrastructure across 16 regions and cities nationwide, staff has determined them to be the most qualified applicant for this program component. Based on its analysis, staff is recommending the following award for Program Coordination:

- \$50,000– ECOtality

Total Recommended TFCA Regional Fund Expenditures - The total amount of funds being recommended for award is \$3,902,300, leaving a remaining balance of EVSE Deployment Program funds of \$1,097,700. That balance will be used in FY 11/12 to fund additional residential or public chargers, based on the results of the regional analysis effort being undertaken by the Joint Policy Committee (the Air District, Metropolitan Transportation Commission and the Association of Bay Area Governments).

BUDGET CONSIDERATION / FINANCIAL IMPACT:

None. The Air District distributes “pass-through” funds to selected contractors on a reimbursement basis from the TFCA Regional Fund. This program leverages cost share funding provided to the contractors by federal and state grants and private funds. Administrative costs are provided to the Air District by the TFCA Regional Fund.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Karen Schkolnick
Reviewed by: Damian Breen