

Bay Area Air Quality Management District  
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## **APPROVED MINUTES**

Summary of Board of Directors  
Executive Committee Meeting  
Monday, April 11, 2011  
9:30 a.m.

**Call to Order - Roll Call:** Chairperson Tom Bates called the meeting to order at 9:30 a.m.

**Present:** Chairperson Tom Bates; Vice Chairperson John Gioia; Committee Members Carole Groom, Mark Ross, and Brad Wagenknecht. Secretary Ash Kalra and Committee Member Susan Garner arrived after the roll was called.

**Absent:** Committee Members Scott Haggerty and Jennifer Hosterman.

**Public Comment Period:** Chairperson Bates opened the Public Comment Period, and seeing no speakers, he closed the Public Comment Period.

**Approval of Minutes:** **Committee Action:** Director Gioia moved to approve minutes of November 22, 2010; seconded by Director Wagenknecht; unanimously approved without objection.

### **Quarterly Reports of the Hearing Board: October 2010 – December 2010 and January 2011 – March 2011**

Hearing Board Chairperson, Dr. Thomas Dailey presented the Hearing Boards Quarterly Reports.

During the fourth quarter of 2010:

The Hearing Board and Clerk processed and scheduled for hearing fourteen (14) Accusations and Applications for Variances and Appeals, some of which were withdrawn before or at the hearings or negotiated compliance plans with the Legal Division, (Dockets 3599, 3602, and 3604).

The Accusations were brought against gas station owners who have not complied with the April 30, 2010, California Air Resources Board (CARB) deadline for Enhanced Vapor Recovery compliance.

Two additional Appeals were received and filed (Dockets 3608 and 3609); however, filing fees were not received from appellants and the dockets were not acted upon and closed.

The Hearing Board approved thirteen (13) Orders.

The Hearing Board also received a status update from the District Counsel of all outstanding Abatement Orders at the Hearing Board's December 2, 2010 meeting.

Hearing Board Subcommittee member Christian Colline met with the Hearing Board Clerk on December 15, 2010 and further revisions were made to the Hearing Board Rules.

The Hearing Board collected \$8,667 during the fourth quarter of 2010.

During the first quarter of 2011:

The Hearing Board and Clerk processed five (5) Accusations and Applications for Variances and Appeals, some of which were withdrawn before or during the hearings (Dockets 3610, 3611 and 3613). The Hearing Board scheduled four (4) hearings and approved six (6) Orders.

Status Reports and Requests for Continuance were received for two dockets; one of which was heard and approved for further continuance; and one docket was approved as modified by the Hearing Board.

Two Appeals were received but not filed due to non-receipt of filing fees.

The Hearing Board collected \$9896.27 during the first quarter of 2011.

Hearing Board Subcommittee Member Christian Colline met with the Hearing Board Clerk on March 30, 2011 and updated the Hearing Board Rules. The final Hearing Board Rules have been noticed and sent out for final comment and are expected to be approved in April 2011. The final Hearing Board rules have also been posted on the Air District's website.

Chairperson Bates asked if there were any questions or comments from the public, and there were none.

### **Joint Policy Committee Update**

Ted Droettboom, Regional Planning Program Director, presented an update on the Joint Policy Committee (JPC), reviewing the history of the JPC and discussing the future direction. The JPC was formed in 2004, with the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC), adding the Air District in 2005, and the San Francisco Bay Conservation Development Commission (BCDC) in 2008. The mandate of the JPC is to implement and update the "Smart Growth Vision"; and to coordinate the development and drafting of major regional planning documents, including Regional Housing Need Assessment (RHNA), Regional Transport Plan (RTP), Clean Air Plan (CAP), and the Bay Plan. Coordination of four agencies is a challenge. The JPC has been successful in the areas of "Smart Growth", climate change programs, and sustainable community strategies. The JPC is a steward of the regional interest. There is a need for resiliency, as the Bay Area will confront major challenges in the years ahead. A strong economy will be needed to maintain resiliency. Economic development strategies are needed within all 9 Bay Area Counties. Mr. Droettboom stated that the four agencies have the residents, businesses and institutions in common; and that regional interest is more than the aggregated interests of local governments and broader than the specialized mandates of regional agencies. The regional interest respects the economy, equity and the environment; and has shared qualities such as livability, accessibility, competitiveness, adaptability, resilience, security, opportunity, diversity, wisdom, health, prosperity, affordability, efficiency, fairness, certainty, confidence, robustness and sustainability. The goals for the JPC should be related to the shared qualities or values of the region. The programs for reaching the goals will include strategic objectives of focused growth, air-quality standards, shoreline protection and infrastructure maintenance. Work programs are going to be discussed at the May meeting.

Chairperson Bates asked if there were any questions or comments from the public, and there were none.

Mr. Bruce Riordan, consultant for the JPC, stated that electrification of the region has begun; energy efficiency in buildings is being studied. There will be areas to study and projects to undertake.

Director Wagenknecht said it was interesting to look at issues with a regional view.

Director Gioia stated that it makes sense to look at the regional holistic view with the regional agencies. There needs to be coordination and leadership.

Chairperson Bates said the Board should be aware that Senator Mark DeSaulnier is bringing forward legislation, not to duplicate the partnerships but to work closer together. Moving to one building will cement the relationships between the agencies. The composition of the JPC Board needs to be looked at; it may not be equitable. Chair Bates had a suggestion that representatives can be chosen at the Mayors' Conference. This is a more structured way to deal with regional issues.

Mr. Broadbent informed the committee that there is coordination between staff of the agencies currently. There is a need for regional leadership and direction. Sustainable community strategies will make this happen.

Chairperson Bates recognized Mr. Droettboom's retirement in June and acknowledged his many years of work with the JPC. Mr. Droettboom was presented with a crystal globe paperweight from the Air District. Mr. Droettboom thanked the committee, and the Air District staff for the gift, and for their time over the years.

Director Garner noted that water quality was an important issue and seems to be the missing element.

Mr. Riordan stated that a meeting with the water managers is scheduled for May 9, 2011; and that is a piece of the regional puzzle that is missing

Mr. Broadbent added that water issues are complex, with State agencies involved. There are issues of water supply and water quality.

Chair Bates noted that disaster response coordination is needed as well.

Director Garner said projections show water as the biggest issue in the future.

Mr. Riordan agreed that these are tough issues. The lesson is to take these issues on. There are many challenges in the Bay Area, water is one of them.

Director Ross said that he hadn't met with the Regional Water Quality Control Board, and water pumping is a large consumer of electricity.

Chairperson Bates also noted that 20% of greenhouse gases are from farming activities, this is worldwide. We are up to the challenge.

### **Update on the Implementation of the Air District's California Environmental Quality Act (CEQA) Guidelines and Community Risk Reduction Plans (CRRPs)**

Henry Hilken, Director of Planning and Research presented the staff report.

Since June 2010, staff has been tracking and supporting CEQA implementation, by working with local governments and developers, collaborating with regional partners, progressing in CRRP process and developing standardized mitigation measures.

There has been ongoing communication with local planners and officials, developers, and others. Staff is providing technical assistance through hundreds of phone calls from local planners, consultants and developers; and also in-person staff meetings to address specific projects and issues. Meetings were held with affordable housing and infill development advocates. Staff is in the field, presenting information at various workshops and conferences on affordable housing, sustainable community strategies (SCS), and climate planning.

Three public workshops were held – in Oakland, Mountain View and Santa Rosa - in February and March 2011. There were over 150 attendees, representing more than 30 local governments. The thresholds and tools are being widely used. Staff conducted customized CEQA analysis training for jurisdictions to know how to estimate and analyze air quality impacts and how to review Climate Action Plans (CAPs).

Staff is collaborating with local governments and developers to review CEQA projects and has noted that the detail and rigor of air quality evaluations are improving significantly. Staff is reviewing proposed projects for infill, transit oriented developments and affordable housing. Comment letters are being written to support good projects and features.

Staff is also providing extensive assistance on CAPs. There is significant interest by jurisdictions to prepare qualified CAPs. Staff is reviewing multiple CAPs from Solano County, Napa County, San Francisco, Dublin, East Palo Alto, and San Ramon. Additionally, staff is providing technical assistance on risk and hazards analysis, by providing emissions and modeling data for stationary sources and conducting refined analysis for specific projects.

Mr. Hilken used three current development projects as examples of the implementation assistance that Air District is providing to developers and local government. The time spent by staff on the projects has varied. The thresholds have made cities aware of the health hazards and to incorporate mitigation measures.

Technical support tools were part of the implementation process; including online training videos for land use emissions models. The California Association of Air Pollution Control Officers (CAPCOA) Greenhouse House Gas (GHG) Mitigation Measure Report was released. Staff is working with several other agencies and there is a workgroup with MTC and ABAG.

New case studies highlighting innovative climate actions by local governments are on the Air District's climate portal: [www.baaqmd.gov/climateplanning](http://www.baaqmd.gov/climateplanning). Risk and hazard screening tools are on track to be updated by May 2011. New screening tables are being applied to the station area plan in the Broadway corridor in Oakland. This is raising awareness of incorporating air quality into plans.

Chair Bates asked if there was any public comment, and there was none.

Ms. Jessica Range, Environmental Planner from the San Francisco Planning Department, gave a presentation titled "Greenhouse Gas Reduction Strategy and Community Risk Reduction Plan Update". There has been success in updating the GHG inventory and meeting AB32 targets. San Francisco has developed a GHG checklist for other agencies, and created a systematic city-wide approach to GHG. They have been addressing the impacts of development after 2008.

Mr. Tom Rivard, Manager of the San Francisco Public Health Department, Health Hazards Assessment Group added that San Francisco wants to properly quantify exposure. San Francisco strives for compliance with State standards for PM2.5. Areas close to the freeway are a problem; most of the rest of the City will not be problematic. The number of projects that have to be screened will not be that large. We can identify those areas where point sources and roadway sources intersect. We want to reduce the disease impact associated with air pollution. We want to do that in the whole city of San Francisco and especially areas that have increased vulnerability, and focus our efforts in those locations. There is economic vulnerability; lower income areas have more point sources and have higher exposure rates. We know where the exposures are and we'll be able to see where improvements in exposures can change health outcomes. There can be a correlation between costs of mitigation and reduced health care costs.

Chair Bates asked if there was any public comment, and there was none.

Mr. Broadbent said that there is a correlation between bad air quality and lower income levels. The Board may consider writing a rule regarding back-up generators. Any structure over 75 feet has a back-up generator, and there are lots of back-up generators. The Air District will continue to direct grant resources to these communities.

Director Gioia added that the Air District can develop best practices to guide others in their CRRPs. This is good work coming out of San Francisco.

Mr. Rivard stated that diesel re-routing was reducing risk in Community Air Risk Evaluation (CARE) communities. The work should focus on existing residences in high exposure areas. There is a pilot program for some properties in Potrero Hill where they are testing filtration. Increasing the density of landscape planting around freeways helps. Cities can do small things, one neighborhood at a time. The Air District has limited resources, we try to capture the most value we can from any one mitigation measure – saving energy and increasing air quality for example. Air quality impacts have become a priority in regard to traffic calming.

Chair Bates asked when Community Development Guidelines would be available and Mr. Hilken replied that the guidelines would be ready in July or sooner. Chair Bates also congratulated San Francisco, stating that other cities could learn and build on their experiences.

Director Kalra likes what San Francisco is doing. The Air District and San Francisco will help others with this information throughout the Air District's jurisdiction.

Chair Bates said that we can go after the low hanging fruit, anything that we can do to help in these areas.

Mr. Bill Wycko, Chief Environmental Review Officer, of the San Francisco Planning Department, said that diesel generators are a large part of the point sources. They are reliable and efficient but dirty. What else is out there if a rule is implemented? Need support from the Air District for construction issues and peaceful mitigations. Construction screening is very challenging.

Mr. Broadbent said that the Air District has a generator that is operated for several hours a month, and it has a trap on it. It is an example of what can be done to reduce emissions. However, many agencies, like schools, cannot afford to retrofit their generators.

## **Production System Project Update**

Mr. Jeff McKay, Deputy Air Pollution Control Officer, presented the staff report. The last cycle of BETA training starts May 9th. Final staff training is May 16th, and industry training begins on April 14th. Trends in IT spending are going down. Lots of work has been done in the past 5 years to upgrade the Air District's technologies. We have a new network, there was data cleanup done, server rooms were created and all desktops were replaced. Spending will be going down. With new functionality there is pressure to trend up and spend more. This is driven by enhanced capabilities and there is an urge to say yes to every request. The coding work will be completed in the next month. There is projected to be \$400,000 in additional requests, that amount is in the FYE 2011 Admin budget. Mr. McKay showed the enforcement manager portal as it appears on the web.

Mr. Broadbent said that a demo will be given to the Board in July. He stated that it is not just a new system but a new way to do business. Everything is coming on line and this is the culmination of 15 years of work. The staff is going to work through internal acceptance, and then come back in July to present to the Stationary Source Committee.

Chair Bates adjourned to closed session at 11:10 a.m. The meeting was reconvened at 11:52 a.m. There was no reportable action from the closed session.

**Time and Place of Next Meeting:** At the call of the Chair

**Adjournment:** The meeting was adjourned at 11:55 a.m.

*ISI Kris Perez Krow*

Kris Perez Krow  
Clerk of the Boards