



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS REGULAR MEETING

May 1, 2019

A meeting of the Bay Area Air Quality Management District Board of Directors will be held at 9:30 a.m. in the 1st Floor Board Room at the Air District Headquarters, 375 Beale Street, San Francisco, California 94105.

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 9:30 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.

This meeting will be webcast. To see the webcast, please visit www.baaqmd.gov/bodagendas at the time of the meeting. Closed captioning may contain errors and omissions, and are not certified for their content or form.

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 Speakers wishing to address the Board on non-agenda matters will be heard at the end of the agenda, and each will be allowed up to 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 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 Boards 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.

Speakers may speak for up to three minutes on each item on the Agenda. However, 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. 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 AGENDA

WEDNESDAY
MAY 1, 2019
9:30 A.M.

BOARD ROOM
1ST FLOOR

CALL TO ORDER

Chairperson, Katie Rice

1. **Opening Comments**
Roll Call
Pledge of Allegiance

The Chair shall call the meeting to order and make opening comments. The Clerk of the Boards shall take roll of the Board members. The Chair shall lead the Pledge of Allegiance.

PUBLIC COMMENT ON NON-AGENDA MATTERS

2. **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 two 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.

CLOSED SESSION

3. **CONFERENCE WITH LEGAL COUNSEL**

- A. **EXISTING LITIGATION (Government Code Section 549569(a))**

Pursuant to Government Code Section 549569(a), a need exists to meet in closed session with legal counsel to consider the following case:

Michael Bachmann and Sarah Steele v. Bay Area AQMD, Contra Costa County Superior Court, Case No. C17-01565

- B. **ANTICIPATED LITIGATION (Government Code Section 54956.9 (c))**

Pursuant to Government Code Section 54956.9 (c), a need exists to meet in closed session with legal counsel to consider the initiation of litigation for one potential case.

OPEN SESSION

4. Minutes of the Regular Board of Directors Regular Meeting of April 3, 2019
Clerk of the Boards/5073

The Board of Directors will consider approving the draft minutes of the Board of Directors Regular Meeting of April 3, 2019.

5. Board Communications Received from April 3, 2019 through April 30, 2019
J. Broadbent/5052
jbroadbent@baaqmd.gov

A copy of communications directed to the Board of Directors received by the Air District from April 3, 2019 through April 30, 2019, if any, will be at each Board Member's place.

6. Air District Personnel on Out-of-State Business Travel
J. Broadbent/5052
jbroadbent@baaqmd.gov

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

7. Notices of Violations Issued and Settlements in Excess of \$10,000 in the month of March 2019
J. Broadbent/5052
jbroadbent@baaqmd.gov

In accordance with Resolution No. 2012-08, the Board of Directors will receive a list of all Notices of Violations issued, and all settlements for amounts in excess of \$10,000 during the month of March 2019.

8. Consider Authorization to Execute Contract Amendment with West Oakland Environmental Indicators Project
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider authorizing the Executive Officer/APCO to execute a contract with the West Oakland Environmental Indicators Project for \$25,000. This contract is for additional work in convening the Community Steering Committee and implementing related community engagement processes for the West Oakland Action Plan being prepared, pursuant to Assembly Bill (AB) 617, bringing the total amount for this collaboration to \$100,726.

9. Quarterly Report of California Air Resources Board Representative – Honorable John Gioia
J. Broadbent/5052
jbroadbent@baaqmd.gov

10. Quarterly Report of the Executive Office and Division Activities for the Months of January 2019 – March 2019
J. Broadbent/5052
jbroadbent@baaqmd.gov

A summary of Board of Directors, Hearing Board and Advisory Council meeting activities for the first quarter is provided for information only. Also included is a summary of the Executive Office and Division Activities for the months of January 2019 – March 2019.

11. Participation in Community Air Protection Program Fiscal Year Ending (FYE) 2019
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider executing a resolution documenting its April 3, 2019 action to approve the Air District's acceptance of the Fiscal Year Ending 2019, Community Air Protection Program funds and authorize the Executive Officer/APCO to execute all necessary agreements with the California Air Resources Board (CARB) to implement the program.

12. Consider Authorization of a Contract Extension and Execution of a Purchase Order in Excess of \$100,000 to Technical and Business Systems Pursuant to Administrative Code Division II Fiscal Policies and Procedures, Section 4.3 Contract Limitations, for Continued Operation of the BioWatch Monitoring Network
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider authorizing the Executive Officer/APCO to issue a contract extension and Purchase Order for \$1,243,000 for Technical and Business (T&B) Systems to continue operation and maintenance of the BioWatch monitoring network through June 30, 2020, as outlined in a grant from the Department of Homeland Security for the continued operation.

13. Consider Authorization to Add a Limited Time and Cost Extension to a Contract to Fund Aircraft-Based Wind Measurements in a Cooperative Project to Assess Methane Emissions from Sources with Bay Area Facilities
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider authorizing the Executive Officer/APCO to execute an amendment to a contract with Sigma Space Corporation for a time extension to August 31, 2019, and a cost extension not to exceed \$30,000, for airplane - based Light Detection and Ranging (LiDAR) wind measurements to improve remote sensing methane emission estimates.

COMMITTEE REPORTS

14. Report of the Climate Protection Committee Meeting of April 22, 2019
CHAIR: T. Barrett
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee received the following reports:

A) Update on Methane Strategy Rule Development Efforts

1) None; receive and file.

B) Update on Region-Wide Carbon Dioxide (CO₂) Strategy

1) None; receive and file.

C) Update on Community Choice Energy Study

- 1) *This agenda item was tabled and will be presented at an upcoming Climate Protection Committee meeting.*

For the full Committee agenda packet and materials, click on the link below:

www.baaqmd.gov/bodagendas

15. Report of the Budget and Finance Committee Meeting of April 22, 2019

CHAIR: C. Groom

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee received the following reports:

A) Continued Discussion of Fiscal Year Ending (FYE) 2020 Proposed Air District Budget and Consideration to Recommend Adoption

- 1) *Conduct Public Hearings on the FYE 2020 Proposed Budget; and*
2) *Adopt the FYE 2020 Proposed Budget.*

B) Third Quarter Financial Report – Fiscal Year Ending 2019

- 1) *None; receive and file.*

For the full Committee agenda packet and materials, click on the link below:

www.baaqmd.gov/bodagendas

16. Report of the Legislative Committee Meeting of April 24, 2019

CHAIR: D. Kim

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee received the following reports:

A) Consideration of New Bills

- 1) *None; receive and file.*

B) Wildfire Smoke Public Health Bill

- 1) *None; receive and file.*

C) Sacramento Legislative Update

- 1) *None; receive and file.*

For the full Committee agenda packet and materials, click on the link below:

www.baaqmd.gov/bodagendas

The Committee received the following reports:

A) Projects and Contracts with Proposed Grant Awards Over \$100,000

- 1) *Approve recommended projects with proposed grant awards over \$100,000 as shown in Attachment 1;*
- 2) *Approve a change to Fiscal Year Ending (FYE) 2019 Transportation Fund for Clean Air (TFCA) Regional Fund Policies and FYE 2020 TFCA County Program Manager Fund Policies to increase the cost-effectiveness limit for Pilot Trip Reduction projects; and*
- 3) *Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects.*

B) Transportation Fund for Clean Air (TFCA) Funding for Shuttle and Ridesharing Projects

- 1) *Approve a total award of up to \$3,000,000 in TFCA funding for a three-year ridesharing project sponsored by the Metropolitan Transportation Commission (MTC); and*
- 2) *Authorize the Executive Officer/APCO to enter into all agreements with MTC for the recommended project.*

C) Fiscal Year Ending (FYE) 2020 Transportation Fund for Clean Air (TFCA) County Program Manager (CPM) Expenditure Plans and a Request from Alameda County Transportation Commission (ACTC) for CPM Policy Waiver

- 1) *Approve the allocation of new FYE 2020 TFCA CPM funds proposed in the Expenditure Plans, as listed in Table 1;*
- 2) *Authorize the Executive Officer/APCO to enter into all funding agreements with the CPMs for the total funds to be programmed in FYE 2020, as listed in Table 1; and*
- 3) *Approve a policy waiver to allow ACTC to use TFCA CPM Funds for a shuttle project.*

D) Electric Vehicle (EV) Ecosystem Update: EV Incentives and Awareness Programs and Approval of Contracts for EV Services

- 1) *Authorize the Executive Officer/APCO to execute a contract with the Center for Sustainable Energy (CSE) in an amount not to exceed \$115,000 for services performed in Fiscal Year Ending (FYE) 2019 and FYE 2020 for EV market research services; and*
- 2) *Authorize the Executive Officer/APCO to execute a contract with Kearns and West in an amount not to exceed \$36,000 for services performed in FYE 2019 and FYE 2020 for meeting and stakeholder facilitation for the Bay Area EV Coordinating Council.*

For the full Committee agenda packet and materials, click on the link below:
www.baaqmd.gov/bodagendas

18. Report of the Stationary Source Committee Meeting of April 29, 2019
CHAIR: R. Sinks

J. Broadbent/5052
jbroadbent@baaqmd.gov

A) **Update on Monitoring Activities at Refineries and in Nearby Communities**

1) None; receive and file.

B) **Update on the Implementation of Regulation 12, Rule 15 - Petroleum Refinery Emissions and Regulation 6, Rule 5 – Particulate Matter from Fluidized Catalytic Units at Refineries**

1) None; receive and file.

For the full Committee agenda packet and materials, click on the link below:
www.baaqmd.gov/bodagendas

PUBLIC HEARING

19. Public Hearing to Receive Testimony on Proposed Amendments to Air District Regulation 3: Fees

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will receive testimony on proposed amendments to Air District Regulation 3: Fees for Fiscal Year Ending (FYE) 2020. The proposed fee amendments are designed to recover the costs of regulatory program activities in accordance with the Air District's Cost Recovery Policy. The final public hearing and consideration of adoption of the proposed amendments is set for June 5, 2019.

PRESENTATION

20. Update on Mobile Source Emissions Reductions Measures

J. Broadbent/5052
jbroadbent@baaqmd.gov

The California Air Resources Board will provide an update on its efforts to reduce emissions from mobile sources of air pollution and how those efforts intersect with emissions reductions required by Assembly Bill (AB) 617 communities.

PUBLIC COMMENT ON NON-AGENDA MATTERS

21. **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 two minutes each to address the Board on non-agenda matters.

BOARD MEMBERS' COMMENTS

22. *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)*

OTHER BUSINESS

23. Report of the Executive Officer/APCO

24. Chairperson's Report

25. Time and Place of Next Meeting:

Wednesday, May 15, 2019, at 375 Beale Street, San Francisco, CA 94105 at 9:30 a.m.

26. Adjournment

The Board meeting shall be adjourned by the Board Chair.

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
375 BEALE STREET, SAN FRANCISCO, CA 94105
vjohnson@baaqmd.gov

(415) 749-4941
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov

- To submit written comments on an agenda item in advance of the meeting. Please note that all correspondence must be addressed to the “Members of the Board of Directors” and received at least 24 hours prior, excluding weekends and holidays, in order to be presented at that Board meeting. Any correspondence received after that time will be presented to the Board at the following meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the District’s offices at 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

Accessibility and Non-Discrimination Policy

The Bay Area Air Quality Management District (Air District) does not discriminate on the basis of race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, or mental or physical disability, or any other attribute or belief protected by law.

It is the Air District’s policy to provide fair and equal access to the benefits of a program or activity administered by Air District. The Air District will not tolerate discrimination against any person(s) seeking to participate in, or receive the benefits of, any program or activity offered or conducted by the Air District. Members of the public who believe they or others were unlawfully denied full and equal access to an Air District program or activity may file a discrimination complaint under this policy. This non-discrimination policy also applies to other people or entities affiliated with Air District, including contractors or grantees that the Air District utilizes to provide benefits and services to members of the public.

Auxiliary aids and services including, for example, qualified interpreters and/or listening devices, to individuals who are deaf or hard of hearing, and to other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the benefits, activities, programs and services will be provided by the Air District in a timely manner and in such a way as to protect the privacy and independence of the individual. Please contact the Non-Discrimination Coordinator identified below at least three days in advance of a meeting so that arrangements can be made accordingly.

If you believe discrimination has occurred with respect to an Air District program or activity, you may contact the Non-Discrimination Coordinator identified below or visit our website at www.baaqmd.gov/accessibility to learn how and where to file a complaint of discrimination.

Questions regarding this Policy should be directed to the Air District’s Non-Discrimination Coordinator, Rex Sanders, at (415) 749-4951 or by email at rsanders@baaqmd.gov.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

375 BEALE STREET, SAN FRANCISCO, CA 94105

FOR QUESTIONS PLEASE CALL (415) 749-4941

EXECUTIVE OFFICE:

MONTHLY CALENDAR OF AIR DISTRICT ANTICIPATED MEETINGS

APRIL 2019

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Stationary Source Committee	Monday	29	9:30 a.m.	1 st Floor Board Room

MAY 2019

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting	Wednesday	1	9:30 a.m.	1 st Floor Board Room
Board of Directors Special Meeting Budget Hearing	Wednesday	15	9:30 a.m.	1 st Floor Board Room
Board of Directors Special Meeting	Wednesday	15	10:00 a.m.	1 st Floor Board Room
Board of Directors Community and Public Health Committee	Monday	20	9:30 a.m.	1 st Floor, Board Room
Board of Directors Legislative Committee	Wednesday	22	9:30 a.m.	1 st Floor, Yerba Buena Room #109
Board of Directors Mobile Source Committee	Thursday	23	9:30 a.m.	1 st Floor Board Room

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 17, 2019

Re: Minutes of the Board of Directors Regular Meeting of April 3, 2019

RECOMMENDED ACTION

Approve the attached draft minutes of the Board of Directors Regular Meeting of April 3, 2019.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board of Directors Regular Meeting of April 3, 2019.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Aloha de Guzman

Reviewed by: Vanessa Johnson

Attachment 4A: Draft Minutes of the Board of Directors Regular Meeting of April 3, 2019

AGENDA 4A – ATTACHMENT

Draft Minutes - Board of Directors Regular Meeting of April 3, 2019

Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
(415) 749-5073

Board of Directors Regular Meeting
Wednesday, April 3, 2019

DRAFT MINUTES

Note: Audio recordings of the meeting are available on the website of the Bay Area Air Quality Management District at www.baaqmd.gov/bodagendas

CALL TO ORDER

1. **Opening Comments:** Board of Directors (Board) Chairperson, Katie Rice, called the meeting to order at 9:36 a.m.

Roll Call:

Present: Chairperson Katie Rice; Vice Chair Rod Sinks; Secretary Cindy Chavez; and Directors Margaret Abe-Koga, Teresa Barrett, John J. Bauters, David J. Canepa, Pauline Russo Cutter, John Gioia, Scott Haggerty, David Hudson, Tyrone Jue, Liz Kniss, Nate Miley, Karen Mitchoff, Jim Spring, Brad Wagenknecht, Lori Wilson, and Shirlee Zane.

Absent: Directors Carole Groom, Doug Kim, Gordon Mar, Hillary Ronen, and Mark Ross.

CLOSED SESSION (9:37 a.m.)

2. **CONFERENCE WITH LEGAL COUNSEL**

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:

- A. Michael Bachmann and Sarah Steele v. Bay Area AQMD, Contra Costa County Superior Court, Case No. C17-01565

Reportable Action: Brian Bunger, District Counsel, announced that there was no reportable action from this item.

NOTED PRESENT: Director Miley was noted present at 10:19 a.m.

OPEN SESSION (11:19 a.m.)

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

No requests received.

CONSENT CALENDAR (ITEMS 4 – 9)

4. Minutes of the Regular Board of Directors Regular Meeting of March 6, 2019
5. Board Communications Received from March 6, 2019 through April 2, 2019
6. Air District Personnel on Out-of-State Business Travel
7. Notices of Violations Issued and Settlements in Excess of \$10,000 in the month of February 2019
8. Authorization to Execute Contract with Regional Climate Protection Authority of Sonoma County
9. Authorization to Execute Contract with MIG Inc., for Community Engagement and Facilitation Services for the Assembly Bill (AB) 617 Richmond-San Pablo Area Community Air Monitoring Plan Development

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Canepa made a motion, seconded by Director Wagenknecht to **approve** the Consent Calendar Items 4 through 9, inclusive; and the motion **carried** by the following vote of the Board:

- AYES: Abe-Koga, Barrett, Bauters, Canepa, Chavez, Cutter, Gioia, Haggerty, Jue, Miley, Mitchoff, Rice, Sinks, Spering, Wagenknecht, Wilson, Zane.
- NOES: None.
- ABSTAIN: None.
- ABSENT: Groom, Hudson, Kim, Kniss, Mar, Ronen, Ross.

COMMITTEE REPORTS

10. **Report of the Advisory Council Meeting of March 11, 2019**

Advisory Council Ex-Officio Member, Rod Sinks, read the following Committee report:

The Council met on Monday, March 11, 2019 and approved the amended minutes of October 29, 2018.

The Council and Air District staff then discussed provisions of a potential formal election process to select the Advisory Council Chair and Vice Chair, as neither the Health and Safety Code, nor the Air District's Administration Code, specify how an air district determines those appointments. Air District staff will summarize the Council's discussion and bring it back to the next Council meeting.

The Council then received the presentation Overview of Main Conclusions for the Integrated Science Assessment for Particulate Matter (PM), given by Jason Sacks from the United States Environmental Protection Agency's Office of Research and Development.

The Council then received the staff presentation Proposed PM Symposium, an offsite event which will be hosted by the Council in October 2019.

Finally, the Council deliberated on questions related to PM, including whether current standards are sufficiently health-protective; health inequities that exist, relative to PM; and metrics that can be used to measure those questions.

The next meeting of the Council will be at the call of the Chair. This concludes the Chair Report of the Advisory Council.

Advisory Council Chairperson, Stan Hayes, gave a report of the Advisory Council meeting from March 11, 2019, including: context; important questions; and best science.

Public Comments

No requests received.

Board Comments

The Board and staff discussed the Air District's and Advisory Council's appreciation for the opportunity to discuss the United States Environmental Protection Agency's Integrated Science Assessment for PM; the need to invite global experts to the PM Symposium on October 28, 2019; composition of PM Symposium invitees and the suggestion that public health officials, medical staff, and healthcare workers be included; and the need to invite people with diverse opinions, and not people that all share the same opinion.

Board Action

None; receive and file.

11. Report of the Community and Public Health Committee Meeting of March 14, 2019

Community and Public Health Committee Chair, Shirlee Zane, read the following Committee report:

The Committee, formerly the "Public Engagement Committee," met on Thursday, March 14, 2019 and approved the minutes of February 21, 2019.

The Committee reviewed and discussed the staff presentation Bay Area Smoke Impacts from Wildland Fires and Lessons Learned.

The Committee also reviewed and discussed the staff presentation Approval of Contract to Further Develop an Air Quality Technical Assistance Center for the Bay Area. The Committee recommends the Board:

- 1. Authorize the Executive Officer/Air Pollution Control Officer to execute a contract with Kearns and West in an amount not to exceed \$540,000, to develop a technical assistance center for use by Bay Area community members.*

Finally, the Committee reviewed and discussed the staff presentation Update on the James Cary Smith Community Grants for Fiscal Year Ending 2020 and Upcoming Assembly Bill 617 Capacity Building Community Grants. Staff requested that this item be discussed as an informational item only.

The next meeting of the Committee will be held on Monday, May 20, 2019, at 9:30 a.m. I move that the Board approve the Committee recommendation. This concludes the Chair Report.

Public Comments

No requests received.

Board Comments

The Board and staff discussed the need for the technical assistance center, which will encourage community interest in air quality and help define and achieve project goals set by the community.

Board Action

Director Zane made a motion, seconded by Director Wagenknecht, to **authorize** the Executive Officer/Air Pollution Control Officer to execute a contract with Kearns and West in an amount not to exceed \$540,000, to develop a technical assistance center for use by Bay Area community members; and the motion **carried** by the following vote of the Board:

AYES: Barrett, Bauters, Canepa, Chavez, Cutter, Gioia, Haggerty, Jue, Kniss, Mitchoff, Rice, Sinks, Spering, Wagenknecht, Wilson, Zane.
NOES: None.
ABSTAIN: None.
ABSENT: Abe-Koga, Groom, Hudson, Kim, Mar, Miley, Ronen, Ross.

12. **Report of the Stationary Source Committee Meeting of March 18, 2019**

Stationary Source Committee Chair, Rod Sinks, read the following Committee report:

The Committee met on Monday, March 18, 2019, and approved the minutes of September 17, 2018.

The Committee reviewed and discussed the staff presentation Update on Implementation of Rule 11-18, Reduction of Risk from Air Toxic Emissions at Existing Facilities.

Finally, the Committee reviewed and discussed the staff presentation Refinery and Flare Overview.

The next meeting of the Committee will be held on Monday, April 29, 2019, at 9:30 a.m. This concludes the Chair report of the Stationary Source Committee

Public Comments

No requests received.

Board Comments

None.

Board Action

None; receive and file.

13. Report of the Executive Committee Meeting of March 20, 2019

Chair Rice gave the Board members the option of reading the Chair Report of the Executive Committee to themselves (see below), and also asked members of the Executive Committee if they cared to share about any items from the March 20, 2019 Executive Committee meeting.

The Executive Committee met on Wednesday, March 20, 2019, and approved the minutes of November 19, 2018.

The Committee received the Hearing Board Quarterly Report: October to December 2018.

The Committee then received an update on recent activities of the Air District's Advisory Council, given by Advisory Council Chairman, Stan Hayes.

The Committee then received an update on recent activities of the Bay Area Regional Collaborative, given by Greg Nudd, Deputy Air Pollution Control Officer of Policy.

The Committee then reviewed and discussed the staff presentation Consider Recommending the Board of Directors Accept New Grant Program Revenue Resulting from Assembly Bill 617. The Committee recommends the Board:

- 1. Approve the Air District's acceptance of the Fiscal Year Ending 2019, Community Air Protection Program funds; and authorize the Executive Officer/Air Pollution Control Officer to execute all necessary agreements with the California Air Resources Board to implement the program.*

The Committee then reviewed and discussed the staff presentation Consider Recommending the Board of Directors Authorize Execution of a Master Services Agreement for Air Quality Mapping and Associated Services. The Committee recommends the Board:

- 1. Authorize the Executive Officer/Air Pollution Control Officer to execute a two-year Master Services Agreement with Aclima, in the amount not to exceed \$5,980,000 over two years for hyperlocal, background air quality mapping of the entire Bay Area, a data repository and web portal, and community capacity-building activities.*

The Committee then reviewed and discussed the staff presentation Consider Recommending the Board of Directors Authorize Execution of Contract Amendments for Production System Office. The Committee recommends the Board:

- 1. Authorize the Executive Officer/Air Pollution Control Officer to execute contract amendments with the seven vendors supporting the Production System Office.*

Jack P. Broadbent, Executive Officer/Air Pollution Control Officer, requested that the staff presentation Consider Recommending the Board of Directors Authorize Execution of Contracts for Build-Out of a Portion of the Richmond, Lakeside Drive Building be tabled and heard at the Board's Ad Hoc Building Oversight Committee meeting on April 3, 2019. The Committee members that were present agreed.

Finally, the Committee then reviewed and discussed the staff presentation 2018-2019 Winter Spare the Air Program Overview. I have asked staff to give a brief presentation on this item.

The next meeting of the Executive Committee will be at the call of the Chair. I move that the Board approve the Committee's recommendations. This concludes the Chair report of the Executive Committee.

Public Comments on Item 13 (A-H)

No requests received.

Individual votes were taken for each action item within this item:

A) Hearing Board Quarterly Report: October 2018 – December 2018

None; receive and file.

B) Report of the Advisory Council Meeting from March 11, 2019

None; receive and file.

C) Bay Area Regional Collaborative (BARC) Update

None; receive and file.

D) Consider Recommending the Board of Directors Accept New Grant Program Revenue Resulting from Assembly Bill (AB) 617

Board Comments

None.

Board Action

Director Bauters made a motion, seconded by Director Cutter, to **approve** the Bay Area Air Quality Management District's acceptance of the Fiscal Year Ending 2019, Community Protection Program funds; and Authorize the Executive Officer/Air Pollution Control Officer to execute all necessary agreements with the California Air Resources Board (CARB) to implement the program; and the motion **carried** by the following vote of the Board:

AYES: Barrett, Bauters, Canepa, Chavez, Cutter, Gioia, Haggerty, Hudson, Jue, Kniss, Mitchoff, Rice, Sinks, Spering, Wagenknecht, Wilson, Zane.
NOES: None.
ABSTAIN: None.
ABSENT: Abe-Koga, Groom, Kim, Mar, Miley, Ronen, Ross.

E) Consider Recommending the Board of Directors Authorize Execution of a Master Services Agreement for Air Quality Mapping and Associated Services

Mr. Broadbent introduced Katherine Hoag, Assistant Manager in the Meteorology and Measurements Division, who gave the staff presentation *Utilizing Mobile Monitoring and Associated Services*, including: need for highly localized monitoring; why this approach; what is being proposed; mobile monitoring; why Aclima; Aclima's approach and experience, cost-sharing business model, data licensing approach, and community portal; accessing air quality insights; Air District's access; funding and control; and recommended action.

Committee Comments

The Board and staff discussed the benefits of this service for municipalities and businesses; how Aclima's services have affected the areas in which they are already deployed; the fact that the Air District will not own the data that is collected by Aclima; Aclima's payment structure for non-government entities; and the amount of access to the Air District would have to Aclima's web interface.

Board Action

Director Bauters made a motion, seconded by Director Gioia, to **authorize** the Executive Officer/Air Pollution Control Officer to execute a two-year Master Services Agreement with Aclima in an amount not to exceed \$5,980,000 over two years for hyperlocal, background air quality mapping of the entire Bay Area, a data repository and web portal, and community capacity building activities; and the motion **carried** by the following vote of the Board:

AYES: Barrett, Bauters, Canepa, Chavez, Cutter, Gioia, Haggerty, Hudson, Jue, Kniss, Miley, Mitchoff, Rice, Sinks, Spering, Wagenknecht, Wilson, Zane.
NOES: None.
ABSTAIN: None.
ABSENT: Abe-Koga, Groom, Kim, Mar, Ronen, Ross.

F) Consider Recommending the Board of Directors Authorize Execution of Contract Amendments for Production System Office

Board Comments

None.

Board Action

Director Canepa made a motion, seconded by Director Wilson, to **authorize** the Executive Officer/Air Pollution Control Officer to execute contract amendments with seven vendors supporting the Production System Office in an amount totaling \$1,495,303; and the motion **carried** by the following vote of the Board:

AYES: Barrett, Bauters, Canepa, Chavez, Cutter, Gioia, Haggerty, Hudson, Jue, Kniss, Miley, Mitchoff, Rice, Sinks, Spering, Wagenknecht, Wilson, Zane.
NOES: None.
ABSTAIN: None.
ABSENT: Abe-Koga, Groom, Kim, Mar, Ronen, Ross.

G) Consider Recommending the Board of Directors Authorize Execution of Contracts for Build-Out of a Portion of the Richmond, Lakeside Drive Building

This agenda item was tabled and will be presented at an upcoming Ad Hoc Building Oversight Committee Meeting scheduled for Wednesday, April 3, 2019.

H) 2018 – 2019 Winter Spare the Air Program Overview

None; receive and file.

Although this was not an action item, Lisa Fasano, Communications Officer, gave the staff presentation, *2018-2019 Winter Spare the Air Program Overview*, including: Winter PM_{2.5} seasons; less rainfall equals more PM pollution; highest air quality readings; wood smoke enforcement; advertising; media; outreach results; Wood Smoke Reduction Incentive Program results; summary; and next steps.

Committee Comments

The Board and staff discussed the request for additional Air District inspectors to address the amount of wood smoke violations from residences; the request for more funds for the Air District's Wood Smoke Reduction Incentive Program; the status of the Air District rulemaking to address year-round wood-burning restrictions; the Air District's outreach methods for the Winter Spare the Air Program, and the request that the Board members receive the outreach results; and the concern that people have begun to burn waste because they anticipate that it will not be recycled.

14. Report of the Budget and Finance Committee Meeting of March 22, 2019

Budget and Finance Committee Vice Chair, John J. Bauters, read the following Committee report:

The Committee met on Friday, March 22, 2019, and approved the minutes of February 27, 2019.

The Committee reviewed and discussed the staff presentation Discussion of Proposed Budget for Fiscal Year Ending 2020.

Finally, the Committee reviewed and discussed the staff presentation Proposed Amendments to Regulation 3: Fees.

The next meeting of the Budget and Finance Committee will be held on Monday, April 22, 2019, at 10:30 a.m. This concludes the Chair Report of the Budget and Finance Committee.

Public Comments

No requests received.

Board Comments

None.

Board Action

None; receive and file.

15. Report of the Technology Implementation Office Steering Committee Meeting of March 25, 2019

Technology Implementation Office Steering Committee Chair, Cindy Chavez, gave the Board members the option of reading the following Committee report to themselves:

The Committee met on Monday, March 25, 2019, and approved the minutes of October 22, 2018.

The Committee reviewed and discussed the staff presentation Overview of Technology Implementation Office.

The Committee then reviewed and discussed the staff presentation Climate Tech Finance – Program Overview and Launch.

Finally, the Committee reviewed and discussed the staff presentation Climate Tech Finance – Potential Projects and Future Directions.

The next meeting of the Technology Implementation Office Steering Committee will be held at the call of the Chair. This concludes the Chair Report of the Technology Implementation Office Steering Committee.

Public Comments

No requests received.

Board Comments

The Board and staff discussed whether the Air District should explore the possibilities of using 5G cell telecommunication technology to generate electric power for electric vehicles.

Board Action

None; receive and file.

16. **Report of the Legislative Committee Meeting of March 27, 2019**

Legislative Committee member, John J. Bauters, read the following Committee report:

The Legislative Committee met on Wednesday, March 27, 2019, and approved the minutes of February 28, 2019.

The Committee received reports of the March 8, 2019 Legislative tour of West Oakland, and of the March 18th Legislative Hearing on Assembly Bill 617.

The Committee then considered new bills introduced as part of this California Legislative Session and position recommendations by staff. The Committee recommends that the Board of Directors adopts the following positions:

- **Assembly Bill 1744 (Salas)**: Requires the California Air Resources Board to develop and implement an emissions reduction credit program, as specified, for any regulation to reduce emissions of diesel PM, oxides of nitrogen, and other criteria air pollutants from in-use, heavy-duty diesel-fueled vehicles. **(OPPOSE)**;
- **Senate Bill 44 (Skinner)** – Requires the California Air Resources Board to develop a comprehensive strategy for the deployment of medium-duty and heavy-duty vehicles in the state that results in bringing the state into compliance with federal ambient air quality standards, a reduction of motor vehicle greenhouse gas emissions by 40% by 2030, and a reduction of motor vehicle greenhouse gas emissions by 80% by 2050. **(SUPPORT IF AMENDED)**;
- **Senate Bill 45 (Allen)** – Enacts the Wildfire, Drought, and Flood Protection Bond Act of 2020, which would authorize the issuance of bonds to restore fire damaged areas, reduce wildfire risk, and promote climate resiliency. **(SUPPORT IF AMENDED)**;
- **Assembly Bill 423 (Gloria)** – Requires the San Diego County Air Pollution Control District to have a specified membership and imposes a state-mandated local program. **(WATCH)**;
- **Assembly Bill 661 (McCarty)** – Requires air districts to prepare a wildfire smoke air pollution emergency plan as an informational source for local agencies and the public during a wildfire smoke air pollution emergency, and authorizes air districts to conduct public education, marketing, demonstration, monitoring, research, and evaluation

programs or projects with respect to wildfire smoke impact control measures. (OPPOSE UNLESS AMENDED); and

- ***Senate Bill 69 (Wiener)*** – *Requires the California Air Resources Board to develop and implement a voluntary vessel speed reduction incentive program for the Santa Barbara Channel and San Francisco Bay area regions to reduce air pollution. (WATCH).*
- ***The Committee received an update on other bills of interest and took a position of “WATCH” on any bill not recommended for a “SUPPORT” or “OPPOSE” position.***

Finally, the Committee received an update on the status of Assembly Bill 836, an Air District-sponsored bill introduced by Assemblymember Buffy Wicks, to increase the number of publicly-accessible clean air spaces during emergency events, such as wildfires.

The next meeting of the Legislative Committee will be held on Wednesday, April 24, 2019, at 9:30 a.m. I move that the Board approve the Committee’s recommendations. This concludes the Chair’s report of the Legislative Committee.

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Bauters made a motion, seconded by Director Mitchoff, to **approve** the recommendations of the Legislative Committee; and the motion **carried** by the following vote of the Board:

AYES: Barrett, Bauters, Chavez, Cutter, Gioia, Haggerty, Hudson, Jue, Kniss, Miley, Mitchoff, Rice, Sinks, Spering, Wilson.
NOES: None.
ABSTAIN: None.
ABSENT: Abe-Koga, Canepa, Groom, Kim, Mar, Ronen, Ross, Wagenknecht, Zane.

17. Report of the Mobile Source Committee Meeting of March 28, 2019

Mobile Source Committee Vice Chair, Pauline Russo Cutter, read the following Committee report:

The Committee met on Thursday, March 28, 2019, and approved the minutes of January 24, 2019.

The Committee reviewed and discussed the staff presentation, Projects and Contracts with Proposed Grant Awards Over \$100,000. The Committee recommends the Board:

1. *Approve recommended projects with proposed grant awards over \$100,000; and*

2. *Authorize the Executive Officer/Air Pollution Control Officer to enter into all necessary agreements with applicants for the recommended projects.*

The Committee then reviewed and discussed the staff presentation 2019 Greenhouse Gas Reduction Funds. The Committee recommends the Board:

1. *Authorize the Bay Area Air Quality Management District to accept, obligate, and expend new funding for the Funding Agricultural Reduction Measures for Emission Reductions Program and the Community Air Protection Grant Program, and approve corresponding authorizing resolutions.*

The Committee then reviewed and discussed the staff presentation Fiscal Year Ending 2020 Transportation Fund for Clean Air Funding Allocation. The Committee recommends the Board:

1. *Approve the proposed allocation of \$14 million in new Transportation Fund for Clean Air monies to the recommended programs and projects;*
2. *Authorize the proposed cost-effectiveness limits for the recommended Bay Area Air Quality Management District - sponsored programs and projects; and*
3. *Authorize the Executive Officer/Air Pollution Control Officer to enter into funding agreements and contracts up to \$100,000 for the recommended projects and programs.*

Finally, the Committee reviewed and discussed the staff presentation Electric Vehicle Ecosystem Update: Status of Light-Duty Electric Vehicle Adoption in the Bay Area.

The next meeting of the Mobile Source Committee will be held on Thursday, April 25, 2019, at 9:30 a.m. I move that the Board approve the Mobile Source Committee's recommendations. This concludes the Chair Report of the Mobile Source Committee.

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Cutter made a motion, seconded by Director Hudson, to **approve** the recommendations of the Mobile Source Committee; and the motion **carried** by the following vote of the Board:

AYES:	Barrett, Chavez, Cutter, Gioia, Haggerty, Hudson, Jue, Kniss, Miley, Mitchoff, Rice, Sinks, Spring, Wilson.
NOES:	None.
ABSTAIN:	None.
ABSENT:	Abe-Koga, Bauters, Canepa, Groom, Kim, Mar, Ronen, Ross, Wagenknecht, Zane.

18. **Report of the Ad Hoc Building Oversight Committee Meeting of April 3, 2019**

Ad Hoc Building Oversight Committee member, Teresa Barrett, read the following Committee report:

The Ad Hoc Building Oversight Committee met on Wednesday, April 3, 2019, and approved the minutes of February 6, 2019.

The Committee received and discussed the staff presentation Consider Recommending the Board of Directors Authorize Execution of Contracts for Build-Out of a Portion of the Richmond, Lakeside Drive Building. Originally, this item was to be considered at the March 20th Executive Committee meeting, but on that date, Air District staff requested that this item be considered by the Ad Hoc Building Oversight Committee instead. The Committee recommends the Board:

- 1. Authorize the Executive Officer/Air Pollution Control Officer to obtain bids and execute contracts to build out approximately 7,300 square feet of the Richmond, Lakeside building with cubicles and offices, in an amount not to exceed \$1,800,000.*

The next meeting of the Ad Hoc Building Oversight Committee will be at the call of the Chair. I move that the Board approve the Ad Hoc Building Oversight Committee's recommendation. This concludes the Chair report of the Ad Hoc Building Oversight Committee. The next meeting of the Ad Hoc Building Oversight Committee will be at the call of the Chair. This concludes the Chair Report of the Ad Hoc Building Oversight Committee.

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Barrett made a motion, seconded by Director Spering, to **authorize** the Executive Officer/Air Pollution Control Officer to obtain bids and execute contracts to build out approximately 7,300 square feet of the Richmond, Lakeside building with cubicles and offices, in an amount not to exceed \$1,800,000; and the motion **carried** by the following vote of the Board:

AYES: Barrett, Chavez, Cutter, Gioia, Haggerty, Hudson, Jue, Kniss, Miley, Mitchoff, Rice, Sinks, Spering, Wilson.
NOES: None.
ABSTAIN: None.
ABSENT: Abe-Koga, Bauters, Canepa, Groom, Kim, Mar, Ronen, Ross, Wagenknecht, Zane.

PRESENTATION

19. **Presentation from the Government Alliance on Race and Equity (GARE)**

Chair Rice tabled this item to a future Board of Directors meeting.

COMMENDATION/PROCLAMATION/AWARD

20. **Board of Directors' Recognition of Air District Employees Who Participated in the 2018 GARE Program**

Chair Rice tabled this item to a future Board of Directors meeting.

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

No requests received.

BOARD MEMBER COMMENTS

22. **Board Member Comments**

None.

OTHER BUSINESS

23. **Report of the Executive Officer/Air Pollution Control Officer**

Mr. Broadbent introduced Wayne Kino, Deputy Air Pollution Control Officer of Operations, who gave the staff presentation *Valero Refinery Incident Update*, including: area overview; process stream overview; and Valero refinery incident update and summary.

Board Comments

The Board and staff discussed the timeline for completing this multiagency investigation; the rarity of full refinery shutdown incidents; Valero refinery's distinction of being the only fully-integrated refinery in the Bay Area, and how the lack of intermediate storage capability affects the refinery's safety; the suggestion of alerting politicians (including Board members) of these events when they first happen, and notification practices in various counties.

Mr. Broadbent also reported the following:

- Negotiations between the Air District and its Employees' Association regarding the Association's new contract are underway, as the current contract expires on June 30, 2019. The Board and staff discussed retroactivity of the contract provisions.

- Mr. Broadbent will be traveling to Qatar (to discuss an Air Quality Management Plan in preparation for the 2022 World Cup) and India (to discuss air quality improvements efforts in New Delhi with the State Department) in April.

24. Chairperson's Report

Chair Rice announced that San Francisco County Supervisor, Gordon Mar, has been appointed to the Board. She also announced that Board members who will be attending the 112th Annual Air and Waste Management Conference in Quebec City, Canada in June include Directors Barrett, Bauters, Canepa, Gioia, Hudson, Kim, Ross, Wagenknecht, Vice Chair Sinks, and Chair Rice.

25. Time and Place of Next Meeting

Wednesday, May 1, 2019, at 375 Beale Street, San Francisco, CA 94105 at 9:30 a.m.

26. Adjournment

The meeting adjourned at 12:46 p.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 17, 2019

Re: Board Communications Received from April 3, 2019 through April 30, 2019

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Copies of communications directed to the Board of Directors received by the Air District from April 3, 2019, through April 30, 2019, if any, will be at each Board Member's place at the May 1, 2019, Board meeting.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Aloha de Guzman

Reviewed by: Vanessa Johnson

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 17, 2019

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

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

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

The report covers the out-of-state business travel for the month of March 2019. The monthly out-of-state business travel report is presented in the month following travel completion.

DISCUSSION

The following out-of-state business travel activities occurred in the month of March 2019:

- Azibuike Akaba, Public Information Officer II, attended Citizen Science Conference 2019, Charlotte, North Carolina, March 12, 2019 - March 17, 2019.
- David Ralston, Senior Policy Advisor, attended Fábos Green Infrastructure Conference 2019, Amherst, Massachusetts, March 26, 2019 - March 31, 2019.
- Jeff McKay, Chief Financial Officer, attended Association of Air Pollution Control Agencies 2019 Spring Meeting, Baton Rouge, Louisiana, March 25, 2019 - March 27, 2019.
- Josephine Fong, Assistant Staff Specialist II, attended Shared Mobility Summit, Chicago, Illinois, March 4, 2019 – March 8, 2019,
- Ken Mak, Staff Specialist II, attended Shared Mobility Summit, Chicago, Illinois, March 4, 2019 – March 8, 2019.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Stephanie Osaze
Reviewed by: Jeff McKay

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 17, 2019

Re: Notices of Violations Issued and Settlements in Excess of \$10,000 March 2019

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

In accordance with Resolution No. 2012-08, attached to this Memorandum is a listing of all Notices of Violations issued, and all settlements for amounts in excess of \$10,000 during the calendar month prior to this report.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The amounts of civil penalties collected are included in the Air District's general fund budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Brian C. Bunger

Attachment 7A: Notices of Violations for the Month of March 2019

AGENDA 7A - ATTACHMENT

NOTICES OF VIOLATIONS ISSUED

The following Notice(s) of Violations were issued in March 2019:

Alameda						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comments
American Tech	Z5878	Hayward	A55674A	3/4/2019	11-2-401.5	Inaccurate start date.
Gettler-Ryan	L8284	Dublin	A58914A	3/21/2019	11-2-401.5	Inaccurate start date.
Grimmer Gas	Y3926	Fremont	A57767A	3/11/2019	8-7-302.3	ST#'s 19013, 19012, 19011 - Phase 2 not maintained in proper operating condition.
Grimmer Gas	Y3926	Fremont	A57767B	3/11/2019	8-7-301.6	ST#19010 - Phase 1 not maintained.
Irvington Memorial Cemetery	A4134	Fremont	A57019A	3/28/2019	2-1-307	RCA #07H99 Denied (P/C#16717); No Parametric report.
Irvington Memorial Cemetery	A4134	Fremont	A57019B	3/28/2019	1-523.3	RCA #07H99 Denied (P/C#16717); No Parametric report.
P.W. Stephens Environmental, Inc.	Z3449	Hayward	A58915A	3/25/2019	11-2-401.5	Inaccurate start date.
Ranger Studio	Z5961	Berkeley	A59084A	3/22/2019	11-2-401.5	Failure to revise start date.
SFD	Z5877	Oakland	A59080A	3/4/2019	11-2-401.3	Failure to notify.
SFD	Z5960	Hayward	A59083A	3/22/2019	11-2-401.3	Failure to notify.
Tesla, Inc	A1438	Fremont	A55795A	3/8/2019	2-6-307	PC #26027 Part A2.16.

Tesla, Inc.	A1438	Fremont	A55796A	3/8/2019	2-6-307	Standard condition F- late reporting of 30-day title v-dev report, dev #5136 + 5137.
VEM General Engineering Inc.	Z5893	Hayward	A59081A	3/6/2019	11-2-401.5	Failure to revise start date.

Contra Costa						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comments
7-Eleven	N2664	Concord	A59040A	3/6/2019	8-7-301.5	87-grade product adaptor - static torque fail.
Martinez Cogen Limited Partnership @ Tesoro	A1820	Martinez	A58865A	3/25/2019	2-6-307	NOx Greater than 9 ppm/3 hr average RCA# 07J09.
Oak Grove Shell	Z5921	Concord	A59041A	3/7/2019	8-7-301.2	87-g drop tube CT 12 inches from bottom of tank.
Phillips 66 Company - San Francisco Refinery	A0016	Rodeo	A59055A	3/22/2019	2-6-307	SO2 emissions exceeded limit. Dev#5386.
Safeway Fuel Center #2941	Z5930	Pleasant Hill	A59043A	3/14/2019	8-7-301.5	87-g vapor adaptors static torque fail.
Shell Martinez Refinery	A0011	Martinez	A58608A	3/6/2019	9-2-301	07E81 H2S > 0.06ppm/3mins and 0.03ppm/60mins.
Shell Martinez Refinery	A0011	Martinez	A58609A	3/6/2019	9-2-301	07F22 H2S > 0.06ppm/3mins and 0.03ppm/60mins.
Tesoro Logistics Operations LLC	E1200	Martinez	A58859A	3/25/2019	8-5-304.4	Tank 1321 inadvertently landed on tank legs.
Tesoro Refining & Marketing Company LLC	B2758	Martinez	A58854A	3/25/2019	6-1-302	FCCU/7BH Opacity > 20%/3min/hr RCA# 07J61.
Tesoro Refining & Marketing Company LLC	B2758	Martinez	A58855A	3/25/2019	6-1-302	FCCU/7BH opacity > 20%/3min/hr RCA# 07J71.

Tesoro Refining & Marketing Company LLC	B2758	Martinez	A58856A	3/25/2019	9-1-307	SRU SO2 > 250 ppm/hr RCA# 007J94.
Tesoro Refining & Marketing Company LLC	B2758	Martinez	A58858A	3/25/2019	2-6-307	S1404 Operated without Calvert scrubber, A1422.
Tesoro Refining & Marketing Company LLC	B2758	Martinez	A58860A	3/25/2019	10	40CFR-63.670(B) - ISO valve leaked gasses to S-1012 while OOS.
Tesoro Refining & Marketing Company LLC	B2758	Martinez	A58861A	3/25/2019	8-5-304	R8-5-304.4 / Product discovered on roof of TK-664.
Tesoro Refining & Marketing Company LLC	B2758	Martinez	A58862A	3/25/2019	2-6-307	Refinery fuel gas sent to SO - Unit flare.
Tesoro Refining & Marketing Company LLC	B2758	Martinez	A58863A	3/25/2019	8-10-301	Failure to maintain vessel opening records.
Tesoro Refining & Marketing Company LLC	B2758	Martinez	A58863B	3/25/2019	8-10-503	Late reporting.
Tesoro Refining & Marketing Company LLC	B2758	Martinez	A58863C	3/25/2019	2-6-307	Failure to meet permit condition.
Tesoro Refining & Marketing Company LLC	B2758	Martinez	A58864A	3/25/2019	8-18-309	2018 CD LDAR audit, discovered deviations.
Tesoro Refining & Marketing Company LLC	B2758	Martinez	A58864B	3/25/2019	10	R10-GGG / 2018 CD LDAR audit, discovered deviations.

Marin						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comments
Bridgeway Gas	Z5527	Sausalito	A58530A	3/5/2019	8-7-301.5	1) Overdue tests (ISD, Droptube, torque). 2) Failed vapor adaptor (89 grade tank).
Bridgeway Gas	Z5527	Sausalito	A58530B	3/5/2019	2-1-307	1) Overdue tests (ISD, Droptube, torque). 2) Failed vapor adaptor (89 grade tank).

Pacific Gas and Electric Company	A3031	San Rafael	A58534A	3/19/2019	2-1-307	CARB VR-302 standing loss control requirements not met (A/C #28779 condition #26479).
----------------------------------	-------	------------	---------	-----------	---------	---

San Francisco						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comments
Peter Gong	Z5928	San Francisco	A55673A	3/13/2019	11-2-303.8	401.3, 401.5. Improper notification, inaccurate start date; no survey.
Peter Gong	Z5928	San Francisco	A55673B	3/13/2019	11-2-401	401.3, 401.5. Improper notification, inaccurate start date; no survey.
Tosco Marketing	M9835	San Francisco	A58531A	3/5/2019	2-1-302	Permit expired 8/1/2017.
Tosco Marketing	M9835	San Francisco	A58532A	3/5/2019	2-1-307	2018 annual testing overdue.

San Mateo						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comments
Granite Excavation and Demolition, Inc	H2115	South San Francisco	A55675A	3/21/2019	11-2-401.5	Inaccurate start date.
Kohlberg Residence	Z5985	Portola Valley	A58537A	3/28/2019	2-1-307	Failure to conduct annual Static Pressure Test (2007-2017).
Residence	Z5983	Woodside	A58536A	3/28/2019	2-1-307	Failed to conduct annual static pressure test - (last recorded test 02/25/14).

Santa Clara						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comments
Color Pro's	Z5977	San Jose	A58193A	3/26/2019	2-1-301	Operating wood products coating operation without PO.
Color Pro's	Z5977	San Jose	A58193B	3/26/2019	2-1-302	Operating wood products coating operation without PO.
Harmonic	E0062	San Jose	A58883A	3/12/2019	2-1-301	Operating without a permit since 2010.
Harmonic	E0062	San Jose	A58883B	3/12/2019	2-1-302	Operating without a permit since 2010.
Headway Technologies Inc., STT Bldg 5	B7196	Milpitas	A58192A	3/20/2019	2-1-307	Failure to operate A-1 (thermal oxidizer) at least 1325F / PC#22585.
International Disposal Corp. of CA	A9013	Milpitas	A58191A	3/11/2019	2-6-307	Failure to immediately initiate corrective action, hourly temps > 180F > 6 hrs. 28 instances Dec-Jan.
International Disposal Corp. of CA	A9013	Milpitas	A58878A	3/7/2019	8-34-301.1	Emission control sys not operated continuously, permit conditions not met.
International Disposal Corp. of CA	A9013	Milpitas	A58878B	3/7/2019	CCR	Emission control sys not operated continuously, permit conditions not met.
International Disposal Corp. of CA	A9013	Milpitas	A58878C	3/7/2019	2-6-307	Emission control sys not operated continuously, permit conditions not met.
International Disposal Corp. of CA	A9013	Milpitas	A58882A	3/7/2019	2-6-307	113 hours of no temperature monitoring at CASP in 12/2018 & 1/2019.
Lehigh Southwest Cement Company	A0017	Cupertino	A56544A	3/7/2019	2-1-301	Authority to construct A/C #29633 to modify source, cancelled.

Lehigh Southwest Cement Company	A0017	Cupertino	A56544B	3/7/2019	2-1-302	Authority to construct A/C #29633 to modify source, cancelled.
Lehigh Southwest Cement Company	A0017	Cupertino	A56545A	3/14/2019	2-6-307	Mercury (H3) continuous emission monitor (CEM) not meeting performance standards.
Lehigh Southwest Cement Company	A0017	Cupertino	A56545B	3/14/2019	1-522.6	Mercury (H3) continuous emission monitor (CEM) not meeting performance standards.
Recology Pacheco Pass	A6370	Gilroy	A57362A	3/13/2019	2-1-307	PC #9923 Min temperature, flare not operated continuous.
Recology Pacheco Pass	A6370	Gilroy	A57362B	3/13/2019	8-34-301.1	PC #9923 Min temperature, flare not operated continuous.
Recology Pacheco Pass	A6370	Gilroy	A57363A	3/13/2019	1-523.3	Parametric episodes not reported.
Vantage Data Centers Management Co., LLC	A0798	Santa Clara	A57223A	3/25/2019	2-1-307	PO Condition 25018.

Solano						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comments
APS West Coast, Inc, Valero Refining Co. - CA	A2329	Benicia	A58463A	3/18/2019	6-1-301	Excessive visible emissions.
Fairfield Rental Service Inc.	A1343	Fairfield	A59044A	3/14/2019	8-7-301.2	AST not painted with SLC paint.
Fairfield-Suisun Sewer District	A1404	Fairfield	A56445A	3/26/2019	2-1-307	2-1-307 cond. 1461 part 7. No source test conducted in 2017 and 2018.
Flyers Valero	Z5353	Fairfield	A59042A	3/8/2019	2-1-307	Air quality testing not performing. P/C #24299 & 18680.
John Howland Architect	Z5887	Vallejo	A58913A	3/5/2019	11-2-401.3	Late notifier.

Valero Refining Company - California	B2626	Benicia	A58456A	3/7/2019	8-5-306.2	4 leaking safety valves on tank >500 ppm.
Valero Refining Company - California	B2626	Benicia	A58457A	3/14/2019	6-1-301	Excessive visible emissions from FGS stack.
Valero Refining Company - California	B2626	Benicia	A58458A	3/14/2019	6-1-301	FCCU/7BH opacity > 20% / 3min/hr. RCA 07J61.
Valero Refining Company - California	B2626	Benicia	A58459A	3/14/2019	6-1-301	Excessive visible emissions.
Valero Refining Company - California	B2626	Benicia	A58460A	3/14/2019	1-301	Community impact from FGS PM emissions.
Valero Refining Company - California	B2626	Benicia	A58461A	3/14/2019	1-301	Community impact from excessive FGS PM emissions.
Valero Refining Company - California	B2626	Benicia	A58469A	3/25/2019	1-301	1-301-41700 Community impact from excessive FGS PM emissions.
Valero Refining Company - California	B2626	Benicia	A58610A	3/12/2019	6-1-301	Opacity > ringlemann 1 3min/hr.
Valero Refining Company - California	B2626	Benicia	A58462A	3/14/2019	1-301	Community impact from excessive FGS PM emissions.
Valero Refining Company - California	B2626	Benicia	A58464A	3/21/2019	1-301	Community impact from excessive FGS PM emissions.
Valero Refining Company - California	B2626	Benicia	A58465A	3/21/2019	8-2-301	Excessive continuous hydrogen vent POC emissions.
Valero Refining Company - California	B2626	Benicia	A58466A	3/25/2019	6-1-301	Excessive visible emissions.
Valero Refining Company - California	B2626	Benicia	A58467A	3/25/2019	1-301	R1-301-41700 Community impact from excessive FGS PM emissions.
Valero Refining Company - California	B2626	Benicia	A58468A	3/25/2019	6-1-301	Excessive visible emissions.

Sonoma						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comments
Oak Mont Golf Club	Z5855	Santa Rosa	A58912A	3/4/2019	11-2-401.5	Inaccurate start date.

District Wide						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comments
Carmax	Z4044	Richmond	A58533A	3/7/2019	2-1-307	1) No record of annyal testing 2016-2017. 2) Vapor adaptor/cap not certified per CARB VR-402.
P.W. Stephens Environmental Inc. - V8638	Y5917	Fresno	A59082A	3/7/2019	11-2-303.1	RACM not wetted during removal.

SETTLEMENTS FOR \$10,000 OR MORE REACHED

There were 2 settlement(s) for \$10,000 or more completed in March 2019.

- 1) On March 6, 2019, the Air District reached settlement with West Contra Costa County Landfill for \$46,400, regarding the allegations contained in the following two Notice of Violations:

NOV #	Issuance Date	Occurrence Date	Regulation	Comments from Enforcement
A56492A	9/11/2017	8/3/2017	2-6-307	AC Permit Condition 26088 part 11 exceeded.
A56493A	12/14/2017	7/31/2017	2-6-307	Exceeded fleet mileage. PC 26088-6c.

- 2) On March 11, 2019, the Air District reached settlement with Shell Martinez Refinery for \$165,000, regarding the allegations contained in the following 15 Notice of Violations:

NOV #	Issuance Date	Occurrence Date	Regulation	Comments from Enforcement
A56178A	6/22/2016	10/29/2015	10	40 CFR 60.104 (a)(1) - >162ppm 3hr avg H2S.

A56179A	6/22/2016	10/29/2015	2-6-307	H2S >50ppm 24 hr avg.
A56181A	7/6/2016	4/30/2016	9-2-301	H2S > 30 ppb/hr avg and 60 ppb/3min avg.
A56183A	9/14/2016	8/26/2016	2-6-307	PC#4288 part 9- leak test conducted after 2090 cargo loaded.
A56184A	10/20/2016	8/13/2016	9-2-301	> 60ppb/ 3 min H2S.
A56185A	10/20/2016	9/21/2016	8-5-322.3	Secondary seal gap 75%/ < 2 sealing surfaces.
A56185B	10/20/2016		8-5-322.4	Secondary seal gap>590 / < 2 sealing surfaces.
A56186A	12/21/2016	8/11/2016	9-1-307	SO2 > 250 ppm.
A56187A	12/21/2016		12-11-502.3	MISSED FLARE SAMPLE.
A56188A	5/8/2017	11/7/2016	6-1-302	E07A74 > 20% opacity >3min/hr.
A56189A	5/8/2017	11/7/2016	6-1-302	E07A76 > 20% capacity > 3min/hr.
A56190A	5/8/2017	11/7/2016	6-1-302	E07A79 > 20% capacity > 3 min/hr.
A56191A	5/8/2017	12/19/2016	9-1-307	E07B36 >250 ppm SO2.
A56192A	5/8/2017	12/19/2016	6-1-302	E07B41 > 20% opacity > 3 min/hr.
A56193A	5/8/2017	12/19/2016	6-1-302	EO7B42 >20% Opacity >3min/hr.
A56194	5/8/2017	12/19/2016	6-1-302	EO7B43 >20% Opacity >3min/hr.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 17, 2019

Re: Consider Authorization to Execute Contract Amendment with West Oakland
Environmental Indicators Project

RECOMMENDED ACTION

Recommend the Board of Directors authorize the Executive Officer/APCO to execute a contract amendment with the West Oakland Environmental Indicators Project (WOEIP) in the amount of \$25,000, for a contract total of \$100,726.

BACKGROUND

Assembly Bill 617 (AB 617) was passed in 2017 to improve local air quality and health in disproportionately impacted communities. The law requires the California Air Resources Board (CARB) to work with community groups, air districts and others to select locations from around the state where communities will work with local air districts to reduce air pollution. Through this process, West Oakland was selected for the development and implementation of an emission reduction plan.

DISCUSSION

In April 2018, the Air District entered into a contract with WOEIP to serve as co-lead planning partners to develop this community-specific emission reduction plan. WOEIP staff have established and supported a community steering committee, conducted door-to-door outreach, hosted community meetings, and built community participation by engaging local leaders, Oakland staff, and residents. These actions are an integral part of developing a community-specific emission reduction plan but are requiring more WOEIP staff time than originally anticipated. Because of this, additional funds are necessary for continuing community engagement and meeting the goals set forth in AB 617.

BUDGET CONSIDERATION / FINANCIAL IMPACT

None. Funds are available for this contract extension in Fiscal Year Ending 2019 budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Karen Fremming
Reviewed by: Henry Hilken



Mary D. Nichols, Chair
 Jared Blumenfeld, CalEPA Secretary
 Gavin Newsom, Governor

TO: Members of the Board of Directors

FROM: Supervisor John Gioia
 Board Member

DATE: April 12, 2019

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

The list below summarizes my activities as a California Air Resources Board member from January 1, 2019, through March 31, 2019:

January Activities

17th January Staff Briefing
 25th January Board Meeting
 30th Meeting with EDF re: Tropical Forest Standard

February Activities

4th Meeting with White Energy re: Carbon Capture and Sequestration
 6th Meeting with Tesla re: Heavy-Duty ZEV Certification
 14th February Staff Briefing
 21st February Board Meeting
 27th CCA Toast to Clean Air

March Activities

15th Meeting with American Lung Assoc. re: AB 617 and Freight Issues
 15th March Staff Briefing
 21st March Board Meeting

Attachments: Public Agendas



PUBLIC MEETING AGENDA

**Thursday,
January 24, 2019**

[Webcast](#)

LOCATION:

The Grand at 1401
1401 Fulton Street, 10th Floor Ballroom
Fresno, California 93721

This facility is accessible by public transit. For transit information, call (559) 621-RIDE, website:

<https://www.fresno.gov/transportation/>

(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>

**Thursday
January 24, 2019
9:00 a.m.**

DISCUSSION ITEMS:

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

Agenda Item #

19-1-1: Public Meeting to Consider the 2018 PM2.5 and 2016 Moderate Plan State Implementation Plans for the San Joaquin Valley

The Board will consider adopting the 2018 PM2.5 State Implementation Plan (SIP) for the San Joaquin Valley. This SIP addresses multiple PM2.5 National Ambient Air Quality Standards, including the 12 micrograms per cubic meter (ug/m3) annual standard and the 35 ug/m3 24-hour standard. If approved, the California Air Resource Board (CARB or Board) will submit this Plan to the United States Environmental Protection Agency as a revision to the California SIP.

[More Information](#)

[Staff Presentation](#)

19-1-2: Public Hearing to Consider the Proposed Amendments to the On-Road Heavy-Duty Diesel-Fueled Residential and Commercial Solid Waste Collection Vehicles Regulation to Include Heavy Cranes

The Board will consider amendments to the On-Road Heavy-Duty Diesel-Fueled Residential and Commercial Solid Waste Collection Vehicles (SWCV) regulation. The proposed amendments include two distinct changes to the regulation, (1) to ensure that compliant SWCVs do not experience registration delays at the California Department of Motor Vehicles due to recent changes in California law; (2) to provide a more cost-effective compliance option for specialized heavy cranes.

[More Information](#)

[Staff Presentation](#)

19-1-3: Report to the Board on the California Air Resources Board Program Priorities for 2019

Executive Officer Richard Corey will provide the Board with an overview of anticipated California Air Resources Board priorities for 2019.

[Staff Presentation](#)

CLOSED SESSION

The Board may 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, and as authorized by Government Code section 11126(a):

American Fuels and Petrochemical Manufacturers, et al. v. Jane O’Keeffe, et al., U.S. District Court (D. Ore. Portland), Case No. 3:15-CV-00467; Plaintiffs’ appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 15-35834.

California Air Resources Board v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 18-1085.

Electric Power Supply Association, et al. v. Star, et al., U.S. Court of Appeals, Seventh Circuit, Case No. 17-2445.

POET, LLC, et al. v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 09CECG04659; plaintiffs’ appeal, California Court of Appeal, Fifth District, Case No. F064045; California Supreme Court, Case No. S213394 [remanded to trial court]; plaintiff’s appeal of trial court order discharging peremptory writ of mandate, Court of Appeal, Fifth District, Case No. F073340.

POET, LLC, et al. v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 15CECG03380.

Rocky Mountain Farmers Union, et al. v. Corey, U.S. District Court (E.D. Cal. Fresno), Case No. 1:09-CV-02234-LJO-DLB; ARB interlocutory appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 12-15131 [remanded to trial court].

American Fuels and Petrochemical Manufacturers, et al. v. Corey, et al., U.S. District Court (E.D. Cal. Fresno), Case No. 1:10-CV-00163-AWI-GSA; ARB’s interlocutory appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 10-CV-00163 [remanded to trial court].

Sowinski v. California Air Resources Board, et al., U.S. District Court, Central District of California, Case No. 8:15-CV-02123; Orange County Superior Court, Case No. 30-2018-00970852-CU-IP-CXC.

State of California, et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 18-1114.

State of California, et al. v. United States Bureau of Land Management, et al., U.S. District Court, Northern District of California Circuit, Case No. 3:17-cv-07186-WHO.

State of New York, et al. v. United States Environmental Protection Agency, U.S. District Court, District of Columbia, Case No. 1:18-cv-00773.

State of North Dakota, et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1242.

State of North Dakota v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1381.

State of West Virginia et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1363.

State of Wyoming, et al. v. United States Department of the Interior, et al., U.S. District Court, District of Wyoming, Case No. 16-CV-285-SWS.

The Two Hundred, et al. v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 18CECG01494.

Truck Trailer Manufacturers Association, Inc. v. United States Environmental Protection Agency, et al., U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1430.

Valero Refining Co. California v. Hearing Board of the Bay Area Air Quality Management District et al., Court of Appeal, First Appellate District, Case No. A151004.

Alliance for California Business v. California Air Resources Board, et al., Glenn County Superior Court, Case No. 13CV01232; plaintiffs' appeal, Court of Appeal, Third District, Case No. C082828.

Alliance for California Business v. California State Transportation Agency, et al., Sacramento County Superior Court, Case No. 34-2016-80002491.

American Coatings Association, Inc. v. State of California and California Air Resources Board, Sacramento County Superior Court, Case No. 04CS01707.

Jack Cody dba Cody Transport v. California Air Resources Board, et al., Sacramento Superior Court, Case No. 34-2015-80002116; plaintiff's appeal, Court of Appeal, Third District, Case No. C083083.

Dalton Trucking, Inc. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 13-1283 (dismissed), U.S. Court of Appeals, Ninth Circuit, Case No. 13-74019.

John R. Lawson Rock & Oil, Inc. et al. v. California Air Resources Board et al., Fresno County Superior Court, Case No. 14-CECG01494; ARB's appeal, Court of Appeal, Fifth District, Case No. F074003.

Murray Energy Corporation v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1385.

State of California, et al. v. United States Environmental Protection Agency et al., U.S. District Court, Northern District of California, Oakland Division, Case No. 4:17-cv-6936-HSG.

State of New York, et al. v. United States Environmental Protection Agency et al., U.S. Court of Appeals, District of Columbia Circuit, Case No. 17-1185.

California Air Resources Board v. Adam Brothers Farming Inc., Santa Barbara County Superior Court, Case No. 16CV01758.

People v. Southern California Gas Company, Los Angeles Superior Court, Case No. BC 602973.

In re: Volkswagen "Clean Diesel" MDL, United States District Court, Northern District of California, Case No. 15-MD-2672-CRB (JSC).

Friends of Oceano Dunes, Inc. v. California Coastal Commission, et al., San Luis Obispo County Superior Court, Case No. 17CV-0576; U.S. District Court for the Central District of California, Case No. 2:17-cv-8733.

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

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

(Note: not all agenda items are available for electronic submittals of written comments.)

PLEASE NOTE: No outside memory sticks or other external devices may be used at any time with the Board audio/visual system or any CARB computers. Therefore, PowerPoint presentations to be displayed at the Board meeting must be electronically submitted via email to the Clerk of the Board at cotb@arb.ca.gov no later than noon on the business day prior to the scheduled Board meeting.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CLERK OF THE BOARD:

1001 I Street, 23rd Floor, Sacramento, California 95814

(916) 322-5594

CARB Homepage: www.arb.ca.gov

SPECIAL ACCOMMODATION REQUEST

Consistent with California Government Code Section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format 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 7 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia
- Documentos disponibles en un formato alterno u otro idioma
- Una acomodación razonable relacionados con una incapacidad

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de 7 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.



ADVANCE COPY

PUBLIC MEETING AGENDA

**Thursday,
February 21, 2019**

[Webcast](#)

LOCATION:

California Environmental Protection Agency
California Air Resources Board
Byron Sher Auditorium, 2nd Floor
1001 I Street
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>

**Thursday
February 21, 2019
9:00 a.m.**

CONSENT CALENDAR:

The following items on the consent calendar will be presented to the Board immediately after the start of the public meeting, unless removed from the consent calendar either upon a Board member's request or if someone in the audience wishes to speak.

Consent Items #

19-2-1: Public Meeting to Consider One Research Proposal

The Board will consider approval of one research proposal that was developed in response to the Board approved research projects for Fiscal Year 2019-2020.

1. "Off-Road Diesel Low-Emission Demo for NO_x, Particulate Matter and Toxics," Southwest Research Institute, RFP No. 18RD006

[More Information](#)

[Proposed Resolution](#)

19-2-2: Public Meeting to Consider the South Coast PM_{2.5} Contingency Measure

The Board will consider augmenting the 2018 State Implementation Plan Update Statewide Contingency Measure to include PM_{2.5} contingency for the South Coast Air Basin.

[More Information](#)

[Proposed Resolution](#)

19-2-3: Public Hearing to Consider Proposed 2018 Amendments to Area Designations for State Ambient Air Quality Standards

The Board will consider the proposed amendments to the regulations designating areas of California as attainment, nonattainment, nonattainment-transitional, or unclassified for pollutants with State ambient air quality standards. Based on 2015 to 2017 air quality data, a total of four changes to area designations are proposed for ozone and NO₂.

[More Information](#)

[Proposed Resolution](#)

DISCUSSION ITEMS:

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

Agenda Items #**19-2-4: The 2018 Haagen-Smit Clean Air Awards**

The recipients of the 2018 Haagen-Smit Clean Air Awards will be presented with their awards. The Board annually presents the Haagen-Smit Clean Air Awards to esteemed persons in the air quality and climate change community – scientists, legislators, professors, activists, business leaders, and others who have made significant contributions toward improving air quality, public health, and our understanding of climate change issues.

[More Information](#)

[Staff Presentation](#)

19-2-5: Public Hearing To Consider Proposed Alternative Certification Requirements and Test Procedures for Heavy-Duty Electric and Fuel-Cell Vehicles and Proposed Standards and Test Procedures for Zero-Emission Powertrains (Zero-Emission Powertrain Certification Regulation)

The Board will consider staff's proposal for the Zero-Emission Powertrain Certification Regulation, which would establish a new, optional certification pathway for heavy-duty electric and fuel-cell vehicles and the zero-emission powertrains they use. The proposal would help reduce variability in the quality and reliability of heavy-duty electric and fuel cell vehicles, ensure information regarding the vehicles and their powertrains are effectively and consistently communicated to purchasers, and accelerate progress towards greater vehicle reparability. This hearing will be the first of two planned Board hearings.

[More Information](#)

[Staff Presentation](#)

19-2-6: Public Hearing to Consider the Proposed Zero-Emission Airport Shuttle Regulation

The Board will consider staff's proposal for the Zero-Emission Airport Shuttle Regulation that will transition combustion powered airport shuttles to zero-emission vehicles. The proposed regulation will apply to private and public fixed destination shuttles that serve California's commercial airports. This hearing will be the first of two planned Board hearings.

[More Information](#)

[Staff Presentation](#)

19-2-8: Public Meeting to Hear an Informational Update on the 2017 Scoping Plan Implementation

The Board will hear an informational update on the implementation status of key strategies included in the 2017 Scoping Plan Update, which lays out the path to achieve the Senate Bill 32 greenhouse gas reduction target of 40 percent below 1990 emissions by 2030. The 2017 Scoping Plan Update was adopted by the Board in December 2017.

[More Information](#)

[Staff Presentation](#)

19-2-9: Public Meeting to Hear an Informational Update on Senate Bill 375 Pilot Project for Sacramento Area Council of Governments

The Board will hear a guest presentation from the Executive Director of the Sacramento Area Council of Governments (SACOG), James Corless, on innovative actions and targeted incentives to overcome implementation challenges of SACOG's Senate Bill 375 Sustainable Communities Strategy, and achieve greater regional greenhouse gas emissions reductions.

[More Information](#)

[Staff Presentation](#)

CLOSED SESSION

The Board may 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, and as authorized by Government Code section 11126(a):

American Fuels and Petrochemical Manufacturers, et al. v. Jane O'Keeffe, et al., U.S. District Court (D. Ore. Portland), Case No. 3:15-CV-00467; Plaintiffs' appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 15-35834.

California Air Resources Board v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 18-1085.

Electric Power Supply Association, et al. v. Star, et al., U.S. Court of Appeals, Seventh Circuit, Case No. 17-2445.

POET, LLC, et al. v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 09CECG04659; plaintiffs' appeal, California Court of Appeal, Fifth District, Case No. F064045; California Supreme Court, Case No. S213394 [remanded to trial court]; plaintiff's appeal of trial court order discharging peremptory writ of mandate, Court of Appeal, Fifth District, Case No. F073340.

Rocky Mountain Farmers Union, et al. v. Corey, U.S. District Court (E.D. Cal. Fresno), Case No. 1:09-CV-02234-LJO-DLB; ARB interlocutory appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 12-15131.

American Fuels and Petrochemical Manufacturers, et al. v. Corey, et al., U.S. District Court (E.D. Cal. Fresno), Case No. 1:10-CV-00163-AWI-GSA; ARB's interlocutory appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 10-CV-00163.

State of California, et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 18-1114.

State of California, et al. v. United States Bureau of Land Management, et al., U.S. District Court, Northern District of California Circuit, Case No. 3:17-cv-07186-WHO.

State of New York, et al. v. United States Environmental Protection Agency, U.S. District Court, District of Columbia, Case No. 1:18-cv-00773.

State of North Dakota, et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1242.

State of North Dakota v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1381.

State of West Virginia et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1363.

State of Wyoming, et al. v. United States Department of the Interior, et al., U.S. District Court, District of Wyoming, Case No. 16-CV-285-SWS.

The Two Hundred, et al. v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 18CECG01494.

Truck Trailer Manufacturers Association, Inc. v. United States Environmental Protection Agency, et al., U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1430.

Valero Refining Co. California v. Hearing Board of the Bay Area Air Quality Management District et al., Court of Appeal, First Appellate District, Case No. A151004.

Alliance for California Business v. California Air Resources Board, et al., Glenn County Superior Court, Case No. 13CV01232; plaintiffs' appeal, Court of Appeal, Third District, Case No. C082828.

Alliance for California Business v. California State Transportation Agency, et al., Sacramento County Superior Court, Case No. 34-2016-80002491.

American Coatings Association, Inc. v. State of California and California Air Resources Board, Sacramento County Superior Court, Case No. 04CS01707.

Dalton Trucking, Inc. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 13-1283 (dismissed), U.S. Court of Appeals, Ninth Circuit, Case No. 13-74019.

John R. Lawson Rock & Oil, Inc. et al. v. California Air Resources Board et al., Fresno County Superior Court, Case No. 14-CECG01494; ARB's appeal, Court of Appeal, Fifth District, Case No. F074003.

Murray Energy Corporation v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1385.

State of California, et al. v. United States Environmental Protection Agency et al., U.S. District Court, Northern District of California, Oakland Division, Case No. 4:17-cv-6936-HSG.

State of New York, et al. v. United States Environmental Protection Agency et al., U.S. Court of Appeals, District of Columbia Circuit, Case No. 17-1185.

People v. Southern California Gas Company, Los Angeles Superior Court, Case No. BC 602973.

In re: Volkswagen "Clean Diesel" MDL, United States District Court, Northern District of California, Case No. 15-MD-2672-CRB (JSC).

Friends of Oceano Dunes, Inc. v. California Coastal Commission, et al., San Luis Obispo County Superior Court, Case No. 17CV-0576; U.S. District Court for the Central District of California, Case No. 2:17-cv-8733

California Air Resources Board v. Fiat Chrysler Automobiles N.V. and FCA US LLC, United States District Court, Northern District of California, Case No. 3:19-cv-00151.

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

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

(Note: not all agenda items are available for electronic submittals of written comments.)

PLEASE NOTE: No outside memory sticks or other external devices may be used at any time with the Board audio/visual system or any CARB computers. Therefore, PowerPoint presentations to be displayed at the Board meeting must be electronically submitted via email to the Clerk of the Board at cotb@arb.ca.gov no later than noon on the business day prior to the scheduled Board meeting.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CLERK OF THE BOARD:

1001 I Street, 23rd Floor, Sacramento, California 95814

(916) 322-5594

CARB Homepage: www.arb.ca.gov

SPECIAL ACCOMMODATION REQUEST

Consistent with California Government Code Section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format 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 7 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia
- Documentos disponibles en un formato alterno u otro idioma
- Una acomodación razonable relacionados con una incapacidad

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de 7 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

SMOKING IS NOT PERMITTED AT MEETINGS OF THE CALIFORNIA AIR RESOURCES BOARD



PUBLIC MEETING AGENDA

**Thursday,
March 21, 2019**

[Webcast](#)

LOCATION:

California Environmental Protection Agency
California Air Resources Board
Byron Sher Auditorium, 2nd Floor
1001 I Street
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>

**Thursday
March 21, 2019
9:00 a.m.**

DISCUSSION ITEMS:

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

Agenda Items #

19-3-1: Public Meeting to Hear an Informational Update on Assembly Bill 617 Community Air Protection Program

Spanish translation will be provided at the Board Meeting for this item, Item 19-3-1.

In September 2018, the California Air Resources Board (CARB or Board) approved the selection of the first ten communities to develop community air monitoring plans and/or Community Emissions Reduction Programs under the Community Air Protection Program adopted pursuant to Assembly Bill (AB) 617 (C. Garcia, Chapter 136, Statutes of 2017). The presentation will provide the status of that implementation, CARB staff's efforts in developing tools in support of AB 617, and the community selection process for the second year.

[More Information](#)

[Staff Presentation](#)

19-3-2: Public Meeting to Hear an Informational Update on California's Actions to Minimize Community Health Impacts from Freight

Spanish translation will be provided at the Board Meeting for this item, Item 19-3-2.

The Board will hear an informational update on California's actions to minimize emissions and community health impacts from California's freight system, including regulatory development, incentives, plans, and guidance on freight facilities.

[More Information](#)

[Staff Presentation](#)

19-3-3: Public Meeting to Consider an Update on CARB Response to Senate Bill 150 Report Findings

Spanish translation will be provided at the Board Meeting for this item, Item 19-3-3.

The Board will hear and discuss CARB staff work being undertaken in response to the findings contained in the 2018 Progress Report: California Sustainable Communities and Climate Protection Act, required under Senate Bill (SB) 150 (Allen, Chapter 646, Statutes of 2017). This report assesses the progress made toward meeting regional greenhouse reduction targets under SB 375 (Steinberg, Chapter 728, Statutes of 2008) and discusses topics related to meeting the targets.

[More Information](#)

[Staff Presentation](#)

19-3-4: Public Meeting to Consider the Proposed Research Projects for Fiscal Year 2019-2020 and an Update on the Implementation of the Triennial Strategic Research Plan

The Board will consider approval of the Proposed Research for Fiscal Year 2019-2020. These research projects will advance the state of the science and support the Board's efforts to meet California's air quality and climate goals. If the Proposed Research is approved by the Board, staff will work with our research partners to develop full proposals and return to the Board to request approval and funding for each project.

[More Information](#)

[Staff Presentation](#)

CLOSED SESSION

The Board may 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, and as authorized by Government Code section 11126(a):

American Fuels and Petrochemical Manufacturers, et al. v. Jane O'Keeffe, et al., U.S. District Court (D. Ore. Portland), Case No. 3:15-CV-00467; Plaintiffs' appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 15-35834.

California Air Resources Board v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 18-1085.

Electric Power Supply Association, et al. v. Star, et al., U.S. Court of Appeals, Seventh Circuit, Case No. 17-2445.

POET, LLC, et al. v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 09CECG04659; plaintiffs' appeal, California Court of Appeal, Fifth District, Case No. F064045; California Supreme Court, Case No. S213394 [remanded to trial court]; plaintiff's appeal of trial court order discharging peremptory writ of mandate, Court of Appeal, Fifth District, Case No. F073340.

Rocky Mountain Farmers Union, et al. v. Corey, U.S. District Court (E.D. Cal. Fresno), Case No. 1:09-CV-02234-LJO-DLB; ARB interlocutory appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 12-15131.

American Fuels and Petrochemical Manufacturers, et al. v. Corey, et al., U.S. District Court (E.D. Cal. Fresno), Case No. 1:10-CV-00163-AWI-GSA; ARB's interlocutory appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 10-CV-00163.

State of California, et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 18-1114.

State of California, et al. v. United States Bureau of Land Management, et al., U.S. District Court, Northern District of California Circuit, Case No. 3:17-cv-07186-WHO.

State of New York, et al. v. United States Environmental Protection Agency, U.S. District Court, District of Columbia, Case No. 1:18-cv-00773.

State of North Dakota, et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1242.

State of North Dakota v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1381.

State of West Virginia et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1363.

State of Wyoming, et al. v. United States Department of the Interior, et al., U.S. District Court, District of Wyoming, Case No. 16-CV-285-SWS.

The Two Hundred, et al. v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 18CECG01494.

Truck Trailer Manufacturers Association, Inc. v. United States Environmental Protection Agency, et al., U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1430.

Valero Refining Co. California v. Hearing Board of the Bay Area Air Quality Management District et al., Court of Appeal, First Appellate District, Case No. A151004.

Alliance for California Business v. California State Transportation Agency, et al., Sacramento County Superior Court, Case No. 34-2016-80002491.

American Coatings Association, Inc. v. State of California and California Air Resources Board, Sacramento County Superior Court, Case No. 04CS01707.

Dalton Trucking, Inc. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 13-1283 (dismissed), U.S. Court of Appeals, Ninth Circuit, Case No. 13-74019.

John R. Lawson Rock & Oil, Inc. et al. v. California Air Resources Board et al., Fresno County Superior Court, Case No. 14-CECG01494; ARB's appeal, Court of Appeal, Fifth District, Case No. F074003.

Murray Energy Corporation v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1385.

State of California, et al. v. United States Environmental Protection Agency et al., U.S. District Court, Northern District of California, Oakland Division, Case No. 4:17-cv-6936-HSG.

People v. Southern California Gas Company, Los Angeles Superior Court, Case No. BC 602973.

In re: Volkswagen "Clean Diesel" MDL, United States District Court, Northern District of California, Case No. 15-MD-2672-CRB (JSC).

Friends of Oceano Dunes, Inc. v. California Coastal Commission, et al., San Luis Obispo County Superior Court, Case No. 17CV-0576; U.S. District Court for the Central District of California, Case No. 2:17-cv-8733

California Air Resources Board v. Fiat Chrysler Automobiles N.V. and FCA US LLC, United States District Court, Northern District of California, Case No. 3:19-cv-00151.

People v. Walgreens Co., Sacramento County, Case No. 34-2018-00244759.

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

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

(Note: not all agenda items are available for electronic submittals of written comments.)

PLEASE NOTE: No outside memory sticks or other external devices may be used at any time with the Board audio/visual system or any CARB computers. Therefore, PowerPoint presentations to be displayed at the Board meeting must be electronically submitted via email to the Clerk of the Board at cotb@arb.ca.gov no later than noon on the business day prior to the scheduled Board meeting.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CLERK OF THE BOARD:

1001 I Street, 23rd Floor, Sacramento, California 95814

(916) 322-5594

CARB Homepage: www.arb.ca.gov

SPECIAL ACCOMMODATION REQUEST

Consistent with California Government Code Section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format 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 7 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia
- Documentos disponibles en un formato alterno u otro idioma
- Una acomodación razonable relacionados con una incapacidad

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de 7 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 18, 2019

Re: Quarterly Report of the Executive Office and Division Activities for the Months of
January 2019 – March 2019

**ADMINISTRATIVE RESOURCES DIVISION
M. MARTINEZ, DIRECTOR**

Human Resources

The Human Resources (HR) Office conducted 18 recruitments including exams for: Air Quality Chemist I/II, Air Quality Inspector I/II, Air Quality Specialist I/II, Assistant Manager (2), Assistant Staff Specialist, Hearing Board Member, Human Resources Technician, Manager, Principal Air Quality Instrument Specialist, Principal Air Quality Specialist, Senior Air Quality Engineer (2), Senior Staff Specialist (2), Staff Specialist I/II, Supervising Air Quality Specialist, and Supervising Staff Specialist. In addition, the HR Office offered two training sessions, including: Emotional Intelligence and PowerPoint Psychology. The HR Office continues to administer payroll, benefits, safety/worker's compensation, labor/employee relations, and wellness activities. There are currently 351 regular employees, five (5) temporary employees and interns, and 54 budgeted vacant positions. There were four (4) new employees, 14 promotions, and six (6) separations from January 2019 to March 2019.

Business Office

The Business Office issued 423 purchase orders and executed 102 contracts. There were four (4) requests for proposals/qualifications issued during this period.

Fleet and Facilities Office

Fleet services disposed of four (4) vehicles, acquired six (6) vehicles, and sent 58 vehicles for maintenance and/or body shop repairs. There were 328 vehicle requests (188 from Metropolitan Transportation Commission staff and 140 from Air District staff), of which 276 were pool vehicles and 52 were Enterprise car rentals. There were 35 cancelled requests. There are currently 114 fleet vehicles: two (2) electric, two (2) hydrogen fuel cell, 46 plug-in hybrids, 21 gas, 10 certified natural gas, and 33 hybrids. Facilities received 54 Workspeed requests, facilitated six (6) furniture orders and completed 72 ad-hoc projects/tasks. Facilities performs daily maintenance of

the coffee machines, replenishes coffee and tea supplies in the Air District coffee bar and pantries, and replenishes office supplies in the copy/supply rooms.

COMPLIANCE AND ENFORCEMENT DIVISION
J. GOVE, DIRECTOR

Enforcement Program

Air District Staff documented 239 air pollution violations that resulted in Notice of Violations (NOVs) and responded to 838 general air pollution complaints. These activities addressed noncompliance with applicable Federal, State and Air District regulations, and provided a mechanism for the public to voice their concerns about air pollution issues that might be in noncompliance status. Additionally, highlighted enforcement activities for the quarter are as follows:

On January 16, 2019, the Chevron Richmond Refinery (Chevron) suffered an electrical fault at one of their substations shared with Pacific Gas & Electric (PG&E). The fault resulted in a drop of electrical supply to the refinery. Chevron was able to compensate for the drop in electrical supply to the refinery by increasing electricity supplied by the refinery's co-generation plant, thus, preventing the entire refinery from suffering power loss. The power supply dip caused a reduction in steam pressure, which caused the Wet Gas Compressor (WGC), to trip offline resulting in the Fluid Catalytic Cracking (FCC) to flare from approximately 23:55 pm on January 16, 2019 until 2:50 am on January 17, 2019. The Air District received no air quality complaints from the neighboring community during this incident.

On January 28, 2019, staff attended the Hunters Point Shipyard Citizens Advisory Committee (CAC) meeting to discuss the future radiological remediation at the shipyard and its impacts. Presentations were provided by both representatives of the community and U.S. Navy.

The Air District's 2018/2019 wood smoke season ended on February 28, 2018 (season November – February). There were 14 exceedances of the Particulate Matter 2.5 (PM_{2.5}) 24-hour Federal standard and the Air District issued 16 Winter Spare the Air (WSTA) Alerts, resulting in 45 potential WSTA violations. Note: All 14 exceedances of the PM_{2.5} 24-hour Federal standard were during the CAMP fire (November 8, 2018 – November 21, 2018).

On January 30, 2019, staff met with Contra Costa County Environmental Health representatives to discuss the increasing odor complaints that both agencies had been receiving from the community next to the Keller Canyon Landfill, in the City of Pittsburg. The Contra Costa County Environmental Health Department is the local enforcement agency (LEA) for solid waste in Contra Costa County. Several of the complainants describe the odor as pungent and chemical in nature. Inspection staff from each agency have confirmed this type of odor off-site in the community. Air District inspection staff believe the odor of concern may be coming from the landfill gas processing area owned and operated by Ameresco, a third-party energy producer located on Keller Canyon Landfill's property. At the meeting, Air District staff described its

available field monitoring equipment, which may help both agencies locate the exact source of this odor.

On January 31, 2019, staff participated in a conference call with Full Cycle Bioplastics to discuss its upcoming five-year pilot project with Google. The project aims to convert food waste into Polyhydroxyalkanoate (PHA) bioplastic and compost. PHA bioplastic can replace a wide range of synthetic plastics and is compostable and marine degradable.

On January 31, 2019, staff mailed non-payment letters to suspected Regulation 5, Open Burning, non-paying notifiers for 2018. A staff audit determined that approximately 12% of the 1,329 notifications for 2018 appeared not to have been paid. Results from the audit / mailer determined that a portion of suspected non-payers actually had paid, a portion of them had chosen not to burn, others had failed to pay and sent checks in, and some were not reachable.

On February 2, 2019, the Chevron Richmond Refinery experienced a facility-wide power outage that took all its major processing units down. Chevron issued a community warning system (CWS) Level-1 notification to Contra Costa County that morning due to heavy flaring from the depressurizing process units. The plant-wide power outage also affected Chevron's continuous emission monitors (CEMs). A plant-wide breakdown request was filed with the Air District by Chevron for relief from any potential emission violations. Air District staff is investigating this incident.

On February 25, 2019, staff met with representatives of the Sonoma Valley Collaborative, a group of land managers in the Sonoma Valley working together to streamline fuels management efforts to increase resilience of the landscape and reduce risk to human life in the face of future catastrophic wildfires. Partners in the collaborative include Audubon Canyon Ranch, Sonoma Valley Regional Parks, Sonoma Land Trust, Sonoma Mountain Ranch Preservation Foundation, Sonoma County Open Space District, CA State Parks, and CAL FIRE Sonoma-Lake-Napa Unit. The parties discussed prescribed burning and future smoke management plans. The collaborative also provided feedback on the Air District's existing prescribed burn program.

On February 28, 2019, staff met with representatives of the Moraga-Orinda Fire Protection District and East Bay Municipal Utility District (EBMUD) to discuss wildfire mitigation work in the Moraga-Orinda area. The parties discussed prescribed burning procedures, forecasting, upcoming projects, future Smoke Management Plans, local agencies' challenges and received feedback on the Air District's existing prescribed burn program.

On March 6, 2019, the Chevron Richmond Refinery experienced another significant electrical power outage that impacted many of Chevron's major production units. This was the third such event to take place at this refinery in two months. All these power outages/interruptions took place at night, during significant storm events. The Air District is investigating this incident.

On February 28, 2019, staff participated in a regulatory panel at the Lehigh Cement (Lehigh) Public Information Meeting hosted by County Supervisor Joe Simitian. Staff provided updates on Lehigh's Title V renewal and Air District response to complaints and inspections at the Lehigh

facility, and answered questions from Supervisor Simitian and community members. Other participating agencies included the Santa Clara County Department of Planning, Environmental Health and Legal Counsel, California Fish and Wildlife, Santa Clara Valley Water Resources Department., and the City of Cupertino.

On March 11, 2019, Valero Refinery (Valero) commenced some maintenance operations on their Fluidized Coker Unit (Coker) intended to reduce internal pressure buildup and flow restrictions that were increasing in the Coker unit. Valero believes that two separate maintenance activities, that took place over two separate operating shifts at the Coker unit, contributed to a unit upset, which caused petroleum coke fines to carry overhead and downstream to Valero's Flue Gas Scrubber (FGS). The petroleum coke fines that travelled downstream quickly overwhelmed the FGS and were continuously released to the atmosphere. The Air District began receiving visible emission complaints from the public on March 11, 2019 and continued to receive visible emission complaints from the public through March 14, 2019. Additionally, Air District staff documented four days of continuous excessive visible emission violations on the FGS stack as entrained petroleum coke fines continued to work their way downstream to the Valero FGS after the initial Coker unit upset on March 11, 2019. On March 13, 2019, Air District Staff, the Solano County Hazardous Materials Unit and the United States Environmental Protection Agency (EPA) Region 9, performed an on-site investigation. Air District staff continue to investigate this incident for other possible air quality violations that may have occurred during this period.

On March 13, 2019 – March 14, 2019, staff participated in the Asbestos NESHAP Taskforce Workshop Meeting at the Monterey Bay Air Resources District. Representatives from California, Hawaii, and Arizona attended and discussed enforcement of the Asbestos NESHAP and local Air District asbestos regulations. The work group is headed by the California Air Resources Board (CARB).

On March 22, 2019, staff attended the Prescribed Fire Information Reporting System (PFIRS) training workshop presented by CARB and hosted by the Bay Area Prescribed Fire Council. PFIRS is a statewide system, maintained by CARB, for tracking prescribed burning and smoke management plans. Staff is evaluating how to transition into PFIRS and incorporate its use within the Air District's existing prescribed burn and smoke management plan procedures.

On March 23, 2019, Air District staff received a call from Solano County Hazardous Materials Department staff, stating that Valero's Flue Gas Scrubber (FGS) might be violating the visible emission standards again. Air District staff responded to the refinery and documented visible emission readings on the FGS plume and responded to complaints from the community about the smoke/dust.

On March 24, 2019, Air District staff met with Solano County Hazardous Materials staff and the Benicia Fire staff to discuss a public health advisory for Benicia residents that was going to be disseminated by the Solano County Public Health Officer that morning. Air District staff documented an excessive visible emission violation from Valero's FGS stack and advised Valero Management that another violation of Air District Regulations had occurred. Staff also advised Valero management that the Air District was again receiving community complaints about the

FGS stack emissions. Valero advised the agencies that the refinery was going to be shut down to investigate the cause. The Air District is continuing its investigation.

Compliance Assurance

Air District staff conducted over 2,518 inspections of permitted facilities, gasoline dispensing stations, asbestos demolition and renovation jobs, open burning, portable equipment and mobile sources. Additionally, highlighted inspection activities for the quarter are as follows:

Air District staff participated in monthly conference calls with representatives from Lehigh Southwest Cement, a Portland cement manufacturer. Topics included the ongoing Title V permit renewal process, actions taken to minimize dust emissions from truck traffic to and from Lehigh and Stevens Creek Quarry, open New Source Review permit applications, and formation and control of the secondary plume above the main stack.

Air District Compliance & Enforcement Division staff are leading rule development efforts to develop new Air District Regulation 15, Wildfire Episode Plan. The intent of the regulation is to notify the public of unhealthy levels of PM_{2.5} and to protect at-risk populations. Regulation 15 will establish PM_{2.5} episode stage criteria and associated notification and advisory procedures when significant PM_{2.5} levels from wildfire smoke are reached.

Air District Compliance & Enforcement Division staff continue to work closely with the Air District Assembly Bill (AB) 617 team to develop enforcement and emission reduction strategies for stationary sources in West Oakland. Staff are in the process of preparing a draft Enforcement Plan to ensure community concerns are addressed and are working closely with CARB to incorporate mobile source strategies into the Enforcement Plan. Additionally, Compliance & Enforcement staff are also working with the AB 617 Richmond Community Monitoring team to ensure Richmond facilities and sources of concern are identified, monitored and assessed for emissions.

On January 17, 2019, the Air District made a commitment to the South Bay Odor Stakeholder Group and community residents to lead efforts in conducting an odor attribution study to identify odorous compounds that may be impacting the Milpitas area. The study is intended to focus on several odor sources such as the landfill, composting facility, transfer station, sewage treatment plant and a dry anaerobic food waste digestion operation located at three waste processing and handling facilities with similar odor profiles. Air District staff will be leading the study to ensure the project includes best available technologies for odor compound identification and will dedicate staff and available resources to monitor seasonal and operational changes that may influence odors in Milpitas. On March 11, 2019, Air District released a Request for Proposal (RFP) for the odor study project. The deadline to submit project proposals has been extended to April 24, 2019.

On March 13, 2019, staff met with representatives from the City and County of San Francisco's (CCSF) Department of Public Health and Office of Resilience and Capital Planning to discuss San Francisco's planning efforts for future wildfire smoke events, the Air District's Wildfire Air Quality Response Program, and ways to enhance the Air District and CCSF's planning and

coordination. On March 14, 2019, staff met with the Red Cross's Disaster Program Manager for the Bay Area to discuss existing resources, shelter surveys, and potential partnership with the Air District. Staff continue to reach out to regional Mass Care Coordinators in the nine counties to identify strategies to inventory and assess existing facilities and centers with high performance air filtration.

Compliance Assistance and Operations Program

Air District staff received and evaluated over 2,386 plans, petitions, and notifications required by the asbestos, coatings, open burn, tank and flare regulations. Staff received and responded to over 60 compliance assistance inquiries and green business review requests. Highlighted compliance assistance activities for the quarter also included the following:

Air District staff approved 13 prescribed burn smoke management plans in Alameda, Contra Costa, Napa, Santa Clara and Sonoma County.

The Winter Spare the Air season ended on February 28, 2019. Staff mailed out 455 informational packets to residences that received complaints regarding wood burning. During the first quarter of 2019, the Air District received 387 complaints regarding wood burning.

Air District staff completed the data verification and posting of refinery flare monitoring data through December.

Air District staff conducted the following inspections for the Strategic Incentives Division (SID): 72 projects and 178 engines.

TECHNOLOGY IMPLEMENTATION OFFICE R. CHIANG, OFFICER
--

The Technology Implementation Office (TIO) mission is to connect climate technologies and customers by providing financial incentives (through grants and loans) as well as technical and matchmaking support.

Climate Tech Finance

The loan and partnerships program for climate technologies for Bay Area industrial facilities, the Climate Tech Finance program (<http://www.baaqmd.gov/CTF>), is open to Bay Area local governments and small businesses. The Air District and the California Infrastructure and Economic Development Bank (IBank) executed agreements to offer loans for public sector facilities and loan guarantees for small businesses. This collaboration allows the Air District to provide matchmaking and technical evaluations that expand the IBank's customer base and financing to climate technologies that can further reduce greenhouse gas emissions.

The program was announced to facilities, governments, and partner organizations with an invitation for interested organizations to contact the Air District for technology recommendations and financing. As part of the broader outreach strategy, Air District staff:

- Organized an exhibit booth at Cleantech Forum, a conference for emerging climate technologies in San Francisco (January 28, 2019 – January 30, 2019) and presented on climate technologies and financing at the Energy, Utility, & Environment Conference in San Diego (February 25, 2019 – February 27, 2019).
- Presented webinar (January 15, 2019) on the Air District’s assessment of emerging climate technologies to over 60 local governments, facilities, and technology developers.
- Met with stakeholders to increase awareness about the loan and loan guarantee opportunities and discuss potential projects. Staff have received early interest from wastewater facilities looking to upgrade technologies to be able to process more organic waste, as well as public and private building owners pursuing electrification technologies such as advanced generation and storage.

Clean Cars for All

Clean Cars for All provides incentives for low income households in Bay Area disadvantaged communities to retire older, high-polluting vehicles and replace them with a newer, cleaner vehicle or with alternative transportation options. www.baaqmd.gov/cleancarsforall

- Staff are organizing four (4) outreach events for this program between May 2019 and August 2019. Staff are also conducting outreach at events organized by other organizations.
- Staff finalized partnerships with an initial set of dealers, vehicle scrappers and completed the implementation of the grant management system. The partnership with Clipper Card is also set up.
- Staff conducted a soft launch of the program to test out the application procedures and review processes.
- A grant from CARB is providing \$5 Million (M) for the two-year program. The Air District is also finalizing an agreement with CARB for an additional \$5M to expand the program to the end of Fiscal Year Ending 2021.

Charge! Program for Electric Vehicle (EV) Infrastructure

The Charge! Program was updated and reopened in October 2018. Staff updated the program guidelines based on updated cost-effectiveness calculations and previous experiences with applicants and grantees. In this current cycle, additional funding is offered for charging stations located at multi-unit dwellings. Three webinars were held in the first quarter of 2019 for organizations interested in applying to the Charge! Program.

EV Outreach and Partnerships

The Air District received “Advance Construction” approval for new grant funding from the Federal Highway Administration and CalTrans, which will support staff to dedicate time and resources to EV outreach and partnerships that will support and enhance the EV incentives programs.

- Staff developed EV outreach materials, conducted analyses on the Bay Area EV market trends, began updating the 2013 EV readiness plan in preparation for a new Bay Area EV Acceleration Plan, and conducted stakeholder meetings about needs for EV resources and activities.
- The quarterly EV Coordinating Council Meeting was held on January 18, 2019, with focus on prioritizing coordinated actions that the EV Council can take to accelerate the EV market in the Bay Area.
- The Air District completed the review for An RFP for market research and survey services to study perceptions, knowledge, and barriers among consumers across socioeconomic and geographic diversity, property managers, fleet managers, and dealers.

Climate Tech Network

- To continue the technology matchmaking efforts that were launched at the Climate Tech Marketplace event organized as part of the Global Climate Action Summit, staff are continuing matchmaking efforts through quarterly Climate Tech Network events.
- The kickoff event on January 22, 2019 brought together public agencies, small businesses, technology developers, and finance partners to discuss climate technology and partnership opportunities. There were 46 attendees in person and online.
- Staff are planning the next event in May 2019 at the Air District’s office. The theme will be building electrification technologies and financing options.

Technology Demonstration Projects

Staff are managing ongoing technology demonstration projects with:

- Metis Design - microturbine for combined heat and power.

Completed technology demonstration projects include:

- MyGreenCar – electric vehicle cost-benefit app.
- Sustainable Energy Accelerators – renewable hydrogen feasibility study.
- Freewire –replace gas or diesel generators with a portable battery at the weekly Off the Grid event in Fort Mason in San Francisco.

**ENGINEERING DIVISION
P. LEONG, DIRECTOR**

California Environmental Quality Act (CEQA) Projects

ORCEM Plant/Vallejo Marine Terminal Project (Vallejo): For CEQA, the City of Vallejo is the lead agency and the Air District is a responsible agency. The proposed project has two main components: (1) The Vallejo Marine Terminal (VMT) component would reestablish industrial uses on the VMT site through the removal of the old timber wharf and construction of a modern deep-water terminal. (2) The ORCEM component would involve construction and operation of a facility for primarily the production of an alternative for Portland cement. The project has been denied by the City of Vallejo Planning Commission and appealed to the Vallejo City Council.

Since October 2017, City of Vallejo staff has been determining the next steps and a schedule for returning to the City Council for action. In October 2017, city staff and the applicant completed revisions to the Final Project Description. The main changes from the previous version were: (1) reducing the size of the proposed site, (2) requiring covered conveyors, and (3) prohibiting gasoline or petroleum product loading at the VMT. Staff is still working with the City of Vallejo to ensure the Air District's comments have been addressed in their health risk assessment.

The Air District received a permit application for the ORCEM Plant part of the project and the application is currently on incomplete status. The Air District has not yet received a permit application for the Vallejo Marine Terminal part of the project. On March 4, 2019, the Air District sent a comment letter to the City of Vallejo on the Draft Final Environmental Impact Report prepared for the ORCEM/VMT Project.

Permits and Projects

Shell Refinery (Martinez): The Shell Refinery proposes to install the following equipment at three flares in order to meet the flare control efficiency requirements of EPA's new Maximum Achievable Control Technology (MACT) CC flare standards, NESHAP 40 CFR 63 Part CC, which will be effective on January 30, 2019: supplemental natural gas piping, hydrogen piping and larger flare tip with external hydrogen injection ring, and refinery fuel gas piping. The permit for the modifications was issued and a Notice of Exemption was filed with Contra Costa County on December 7, 2018.

Phillips 66 Carbon Plant (Rodeo): In order to meet the new requirements of Regulation 9, Rule 14: Petroleum Coke Calcining Operations, Phillips 66 has proposed the construction of two (2) new sorbent storage silos and an increase in sorbent use to reduce emissions of sulfur dioxide (SO₂) from the thermal processing of petroleum coke. Phillips 66 has also proposed the use of hydrated lime in addition to sodium carbonate sorbent. The Authority to Construct was issued and a Negative Declaration was filed with Contra Costa County on January 11, 2019.

Chevron Refinery – Modernization Project – Hydrogen Plant (Richmond): The Chevron Refinery is in the last commissioning phases of starting up a new hydrogen plant that was permitted as part of the Modernization Project. In the startup process, the refinery experienced numerous operational issues related to the location of a hydrogen vent. Engineering met with Chevron personnel on March 14, 2019, to discuss the issue. On March 17, 2019, Chevron requested an extension of the commissioning period to allow relocation of the vent. The extension was granted on March 19, 2019.

Russell City Energy Company and Marsh Landing Generating Station Black Start Capability Projects (Hayward and Antioch): These projects involve the addition of battery systems to allow each facility to start up without external assistance to support the restoration of the electrical grid during an emergency blackout condition. Black start operations will result in increases in short-term NO_x, Carbon Monoxide (CO), and Precursor Organic Compound (POC) emissions. Engineering personnel worked with the California Energy Commission (CEC) while drafting the permit evaluations for these projects because the CEC has jurisdiction over these facilities through their CEQA-equivalent process under the Warren-Alquist Energy Resources Conservation and Development Act. The proposed permits were subject to public comment and extensive outreach was conducted due to considerable public interest that occurred during the original permitting of the Russell City Energy Company facility. The issuance of the authorities to construct for both black start projects is expected by the end of April 2019.

Tri-City Rock (Fremont): In fall 2018, Stratford School, a private preschool through eighth grade school, opened next to the Tri-City Rock (TCR) concrete batch facility on Osgood Road in Fremont, CA. Several Stratford School parents have expressed concerns about dust and health issues resulting from TCR's operations to the Air District's Board of Directors. On March 27, 2019, Jack P. Broadbent and Air District staff met with Stratford School parents to answer questions and address their concerns. As agreed at that meeting, the Air District conducted a modeling analyses to estimate PM_{2.5} concentrations and health impacts at Stratford School based on actual throughput rates for TCR. These analyses found that the modeled PM_{2.5} impacts at Stratford School were less than the CEQA significance thresholds for a project and that the modeled health risks were less than the new source review thresholds in Regulation 2-5-302. These modeling results and answers to other questions about TCR's operations were provided to Stratford School parents on April 4, 2019.

Schnitzer Steel (Oakland): Engineering staff visited Schnitzer Steel (Facility # A0208) on February 21, 2019 to observe the new enclosure and ventilation systems for the auto shredder process and the two new venturi scrubbers that were installed to improve particulate emissions control for this process. The facility is also enclosing and abating the Joint Products Plant. This project is scheduled to be completed by the summer. Staff also discussed recent source test results, updates to facility emission factors, Title V, and CEQA for the application to increase shipping to the site.

Gasoline Dispensing Facilities (GDFs) - Health Risk Assessments (HRAs): During the last five months, the Air District has observed a large increase in the number of permit applications for new or modified GDFs, which also require HRAs. During 2015-2017, staff processed an average of one HRA per month for new or modified GDFs. During 2018, staff conducted an average of two HRAs per month for GDFs. Since November 2018, the number of HRA requests for GDFs has increased to five per month. Staff has implemented several streamlining measures to reduce the HRA processing time for GDFs and is exploring other potential streamlining options.

CAPCOA Engineering Managers Committee Meeting: On January 28, 2019 and January 29, 2019, staff participated in this quarterly committee meeting. At the meeting, CARB and EPA provided regulatory updates. CARB provided an update on its progress on its centralized databases in relation to AB 617 requirements for Best Available Control Technology (BACT) and Best Available Retrofit Control Technology (BARCT). CARB also presented its proposed 15-day changes to the Criteria Pollutants and Toxic Air Contaminants Reporting Regulation. Other topics discussed included: Cannabis-related permitting activities, Oil & Gas Operation GHG state regulation, Wine Fermentation and Tank permitting activities, and the plans for this year's CAPCOA Engineers Symposium. Committee updates were received from the Enforcement Managers, Vapor Recovery Sub-Committee, and TARMAC. The Air District led a conference call on February 14, 2019 to discuss with other air districts the formation of sector technical workgroups for the development of uniform AB 617 emissions inventory estimation guidelines.

NACAA Permitting and New Source Review Committee: On February 13, 2019, staff participated in the monthly committee conference call. At the meeting, EPA gave updates on its forthcoming rulemaking to withdraw the "Once in, Always in" policy for major sources under Section 112 of the Clean Air Act and gave an update on its Guidance on Project Emissions Accounting, Interpreting adjacency for NSR and Title V source determinations, and exclusions from "ambient air". On March 13, 2019, staff participated in the monthly committee conference call. Topics discussed included: EPA's planned RACT/BACT/LAER Clearinghouse Update, EPA's planned improvements to its New Source Review training and guidance, and ideas for committee activities to undertake this year. Staff informed NACAA about CARB's substantial recent activity with CAPCOA local air pollution control districts on its AB 617 Technology Clearinghouse to ensure that EPA and CARB collaborate on their respective clearinghouse efforts.

CAPCOA Air Toxics and Risk Managers Committee (TARMAC): On January 29, 2019, staff participated in the TARMAC conference call. California Office of Environmental Health Hazard Assessment (OEHHA) informed that the Scientific Review Panel is likely to adopt new reference exposure levels for Hexamethylene diisocyanate in March of this year. CARB provided updates on the GDF Risk Assessment Guidelines and the AB2588, Emissions Inventory Control Guidelines. Other topics discussed included: 2019 goals and objectives for TARMAC, and AB 617 update.

South Bay Odor Stakeholder Group: On January 17, 2019, staff attended the South Bay Odor Stakeholder Group (SBOSG) meeting. The SBOSG meets quarterly to address odor related issues in Milpitas and surrounding area relating to the local publicly owned treatment work, Newby Island Landfill and Zero Waste Energy Development Company. At this meeting, the Air District indicated that it would undertake a multi-year Odor Study to identify and mitigate sources of odors in the community. The study will include taking samples from the facilities for lab analysis in an attempt to identify chemical fingerprints to be used in developing future monitoring options.

Lehigh Southwest Cement Public Information Meeting, (Cupertino): On February 28, 2019, staff participated in a regulatory panel at the Lehigh Southwest Cement (Lehigh) Public Information Meeting hosted by County Supervisor Joe Simitian in Cupertino. Staff provided updates on Lehigh's Title V renewal and responded to questions provided by Supervisor Simitian from the audience. Other participating agencies included the Santa Clara County Department of Planning, Environmental Health and Legal Counsel, California Fish and Wildlife, Santa Clara Valley Water Resources Department, and the City of Cupertino. The meeting was well attended and included numerous officials and political aides including Board Member Rod Sinks.

Biocom Workshop with Local Regulatory Agencies: On February 6, 2019, staff participated in the Biocom workshop with local regulatory agencies. Biocom members include life science research institutions, biotech, pharmaceutical manufacturing, and laboratory equipment suppliers. 71 participants from different life science companies joined the workshop. The panel consisted of six local regulatory agencies including the Air District. Staff made a presentation on the Air District's permitting program and presented common compliance issues encountered in life science facilities. An informal Question & Answer section followed the panel presentations, where staff answered industry questions regarding permitting requirements and the permitting process.

Government Alliance on Racial Equity (GARE): In 2018, two of our staff completed this training program on advancing racial equity at government agencies. In 2019, one additional staff, John Foster, will be trained by GARE.

Rule Development and Implementation

Amendments to BAAQMD Regulation 3: Fees: In February, staff met with the California Council for Environmental and Economic Balance to preview the proposed amendments to BAAQMD Regulation 3: Fees. The Air District conducted a public workshop on February 19, 2019 to discuss the proposed amendments to Regulation 3. The amendments would increase fee revenue in order to help the Air District recover a greater share of the costs the Air District incurs in implementing and enforcing regulatory programs for stationary sources of air pollution. The proposed fee amendments were presented to the Budget and Finance Committee on March 22, 2019. The Board Hearing on May 1, 2019 is to receive testimony on the proposed amendments to Regulation 3.

Regulation 11, Rule 18, Reduction of Risk from Air Toxic Emissions at Existing Facilities:

On March 18, 2019, staff updated the Stationary Source Committee on the status of the Rule 11-18 implementation effort. Initially, the Air District identified 43 Phase I facilities. After correcting annual emissions and recalculating prioritization scores for eight (8) facilities, the Air District deferred four (4) sites to Phase II and found that four (4) sites were exempt from Rule 11-18 due to the updated prioritization scores. There are 35 sites remaining in Phase I. HRAs are underway for three (3) sites. Staff is meeting on a weekly basis to review emissions inventory and HRA input data for six (6) sites. Staff is awaiting data return for 20 sites. Data requests are being prepared for the last six (6) sites in Phase I.

Regulation 12, Rule 15, Petroleum Refining Emissions Tracking: All five refineries and their support facilities submitted their Annual Emissions Inventories required by Regulation 12-15-401 the week of June 30, 2018. Staff reviewed the submittals and identified numerous deficiencies. Staff have exchanged several rounds of deficiency letters and responses with the facilities. Staff is currently reviewing the latest responses from the facilities submitted on April 8, 2019. Staff visited the Phillips 66, Shell, Tesoro, and Valero refineries the first three weeks of March to review the crude slate parameters required to be tracked by the rule and whether the annual average of those parameters for calendar year 2018 exceeded any of the ranges established in the baseline. Other than one outlier that is still being investigated, parameters were within baseline ranges. Staff plan to visit the Chevron refinery on April 11, 2019 to review the crude slate parameters.

Heavy Liquid Study: Staff is working with Air District's Legal, Enforcement, and Rule Development divisions, to address a path forward for developing revised average emission factors for fugitive emission leaks from heavy liquid service components. All five refineries have finished screening and bagging of study components and are submitting analytical lab results to the Source Test Section for review. The Source Test Section has finished an initial review of bagging data for all five refineries and have requested additional information from the refineries. Depending on the review, additional components may be required to be bagged if analytical results do not pass quality assurance checks. Western States Petroleum Association (WSPA) has already received budgetary approval from the refineries to bag up to an additional 16 components (ten percent of the total number of components bagged) in anticipation of some components failing quality assurance procedures. Staff is participating on a biweekly conference call with WSPA technical personnel to discuss methodologies for developing revised average emission factors. A temporary statistician, who had previously provided support to the study, has been approved to help with statistical analyses and will begin work after April 20, 2019.

California AB 617: AB 617, approved by the legislature in 2017, initiated a statewide effort to improve health in communities most affected by air pollution by identifying and reducing those sources of air pollution. Staff continues to work on the implementation of AB 617, including participation on BACT/BARCT, Technical Assessment Coordination, and Emissions Inventory working groups with CARB and other air districts. Staff is also working through CAPCOA on a process to develop a uniform method of emissions reporting as required by AB 617 and participated in drafting recommendations on the method that was sent to CARB by CAPCOA.

- Staff participated in weekly meetings of the Technical Assessment Coordination subcommittee to discuss the West Oakland Community Action Plan, the Air District's preliminary modeling results of the West Oakland local area, and the Air District's Richmond Community Monitoring Program.
- Staff participated in the biweekly conference calls of the BACT/BARCT Working Group to discuss the progress of and provide further input on CARB's Technology Clearinghouse.
- Staff participated in AB 617 Richmond Internal Workgroup meetings and provided priority scores for all facilities in Richmond and San Pablo as well as the list of facilities in those cities that are subject to Regulation 11-18.
- On February 6, 2019, staff attended the West Oakland AB 617 Steering Committee meeting at the West Oakland Senior Center.
- On February 14, 2019, staff led a conference call with other local air districts to discuss forming technical workgroups for developing uniform methods of AB 617 emissions inventory reporting for a few specific industries of common interest. Staff was responsible for soliciting volunteers and collecting nominations for source categories to study through the CAPCOA Engineering Managers Committee. On February 27, 2019, workgroup leads, and members were assigned to study emissions from petroleum refineries, electrical generation facilities and landfills. Staff is in discussions with CARB and expect to kickoff these workgroups in the second quarter.
- On February 26, 2019, staff participated in a CARB and CAPCOA conference call to discuss CARB's current proposed 15-day process to change the text of its AB 617 emissions reporting rule and attended CARB's workshop on these changes on March 6, 2019 in Oakland. Staff has also provided comments to CAPCOA and CARB on the proposed changes.

In addition, staff participates in various AB 617 internal workgroups, including: West Oakland Action Plan, Monitoring Plan, and Community Prioritization Plan. Staff also participates in AB 617 Implementation workgroup meetings as part of the project oversight team.

<p>LEGAL DIVISION B. BUNGER, DISTRICT COUNSEL</p>
--

The Air District Counsel's Office received 373 violations reflected in Notices of Violations (NOVs) for processing.

Mutual Settlement Program staff-initiated settlement discussions regarding civil penalties or passing the Wood Smoke Awareness Course for 267 violations reflected in NOVs. In addition, 10 Final 30 Day Letters were sent regarding civil penalties for 14 violations reflected in NOVs.

Finally, settlement negotiations resulted in collection of \$176,300 in civil penalties for 198 NOVs. *Ten (10) NOVs were settled by passing the Wood Smoke Awareness Course.*

Counsel in the Air District Counsel's Office initiated settlement discussions regarding civil penalties for eight violations reflected in NOVs. Settlement negotiations by counsel resulted in collection of \$308,300 in civil penalties for 106 violations reflected in NOVs.

COMMUNICATIONS AND PUBLIC INFORMATION DIVISION
L. FASANO, OFFICER

Media Inquiries

Staff responded to numerous media inquiries, including requests about:

- Valero flaring
- Cement plant
- Coal dust
- Wildfire efforts
- Wildfire response
- Refinery flares
- Milpitas Odor Study
- Tri City Rock
- Orcem Project
- Meteorology
- Methane
- Climate
- Wine Train grant
- Gas Explosion
- Shore power
- School construction/odor issue
- Phillips 66 permit
- Visibility
- Air quality
- AQI
- Ozone stats
- Chevron Flaring
- Odor from roofing job
- WSTA
- End of year air quality summary
- A.Q. readings/fire data
- Enforcement info
- Fire
- AB 617
- Hearing board stats

Media Highlights

The Air District was mentioned in 536 print/online stories and 42 radio/video clips from January 2019 to March 2019. Below are media coverage highlights:

- [You don't have to live close to wildfires for them to kill you](#)
- [A Guide for Transit Agencies, School Districts, Airports, and Others to Cash in on the Volkswagen Settlement & Invest in Clean Transportation](#)
- [San Jose to tackle noisy trains and gas leaf blowers](#)
- [Tesla fined for hazardous waste and emissions problems, EPA says](#)
- [Two Parts of Valero's Benicia Refinery Under Scrutiny in Probe of Pollution Releases](#)
- [US Model for fume check](#)
- [Port of Oakland and SSA Invest in Hybrid RTGs](#)
- [California gas prices spike after refinery problems](#)
- [Being Aware of Your Environment](#)
- [Vallejo Releases Unfinished Orcem/VMT Report After Community Demands](#)

- [Wildfire Season Planning Includes Guarding Against Toxic Smoke](#)
- [Benicia mayor wants to know why Valero refinery didn't shut down sooner](#)
- [Advisory lifted after emissions incident at Valero Benicia Refinery](#)
- [Update: Heavy Smoke Prompts Controlled Shutdown At Valero Refinery](#)
- [12 Shipping Companies Recognized for Protecting Blue Whales and Blue Skies](#)
- [Decade-high flaring at Richmond Chevron refinery](#)
- [Milpitas city officials begin studying decades-old foul odor issue](#)
- [Twelve global shipping companies slowed transits in 2018 program off California coast to protect blue whales and blue skies](#)
- [Shell, Air District reach \\$165,000 settlement of 'noncompliance'](#)
- [How Northern California Wildfires Impact Bay Area Air Quality](#)
- [City adds electric vehicle charging stations](#)
- [This is where air quality was the worst in the Bay Area in 2018](#)
- [Valero Refinery Maintenance: Benicia Monitoring Air Quality](#)
- [Port of Oakland, officials work to resolve air quality in West Oakland](#)
- [Town hall exposes risks of Rodeo refinery expansion to local health, climate and S.F. Bay](#)
- [Air District Investigating Recent Flaring at Chevron Richmond Refinery](#)
- [Town hall exposes the risks of Rodeo refinery expansion to local health, climate and S.F. Bay](#)
- [Would You Report Your Neighbor If They Were Burning Wood On A Spare The Air Day?](#)
- [16 'Spare The Air' Alerts Issued During Winter Season](#)
- [San Francisco's MTC elects Haggerty as commission chair](#)
- [New power silences San Francisco Bay Alco](#)
- [Bonfires Return To San Francisco's Ocean Beach](#)
- [Rally To Protest Concrete Plant Near School](#)
- [Wildfires in California pose crisis for human health and air quality, experts say](#)
- [Air District Hosting Summit To Develop Air-Monitoring Plan For Richmond-San Pablo Area](#)
- [Berkeley school district to head down path of sustainability with electric buses](#)
- [Assemblyman Todd Gloria proposes overhaul of San Diego region's top air-quality board](#)
- [Napa Valley Wine Train gets \\$1.7M grant to green the popular tourist line](#)
- [Liquefied Hydrogen Bunker Vessel Designed](#)
- [Storms to pepper Bay Area with rain; snow expected in Sierra](#)
- [Bay Area Air District Issues Winter Spare the Air Alert for Monday](#)
- [Winter Spare the Air alert called for Monday in Bay Area](#)
- [Bay Area air quality to be 'unsafe for sensitive groups' on Monday](#)
- [Bay Area Winter Spare the Air Alert in place for Monday](#)
- [Winter Spare the Air Alert issued for Bay Area on Monday](#)
- [Spare the Air burn ban in place for Monday](#)
- [Carpool 2.0 commute program launched](#)
- [Berkeley to rule on year-long dispute between KC's BBQ and neighbors over smoke](#)
- [Gas-powered leaf blowers banned in Portola Valley](#)
- [Commuter pilot program part of STA meeting Wednesday](#)
- [It's Going to Rain Forever, Basically](#)
- [Cold 'inversion layer' means Bay Area air quality not so good](#)

Press Releases

- 3/24/2019 [Valero refinery reporting shutdown in process](#)
- 3/24/2019 [Valero refinery emitting smoke from flue gas scrubber stack Sunday morning](#)
- 3/13/2019 [Air District settles case with Shell Oil Products](#)
- 3/08/2019 [Air District closely monitoring flaring at Chevron Refinery](#)
- 3/04/2019 [Winter Spare the Air season comes to an end](#)
- 2/27/2019 [Permissive burn period opens for marsh management fires](#)
- 2/13/2019 [Air District hosts community summit to develop an air monitoring plan for Richmond-San Pablo](#)
- 2/07/2019 [Air District funds \\$6 million in air pollution reduction grants](#)
- 1/27/2019 [Winter Spare the Air Alert called for Monday, January 28](#)

Public Inquiries

Phone: 401 public calls

Events

- Winter Spare the Air (WSTA) Door 2 Door (D2D) – Novato (January 12, 2019)
- The Buck/2nd Saturday – Oakland (January 12, 2019)
- Chinese New Year Street Fair – San Francisco (February 23, 2019 – February 24, 2019)
- Sunday Streets – Mission (March 3, 2019 – March 10, 2019)
- Sonoma Co. Home & Garden Show (March 15, 2019 – March 17, 2019)
- San Jose Spring Home Show (March 16, 2019 – March 17, 2019)
- Public Works Arbor Day Eco Fair (March 16, 2019)
- Bayview City Revival – San Francisco (March 18, 2019 – March 21, 2019)
- Solano Co. Youth Ag Day – Vallejo (March 19, 2019)
- Sunday Streets – Excelsior – San Francisco (March 31, 2019)

Winter Spare the Air

The WSTA advertising wrapped up for the season in late February. Sausalito light pole flags up along Bridgeway ran from January 14, 2019 – January 18, 2019.

Events with Promotion-n-Motion occurred on January 18, 2019 in Sonoma, January 19, 2019 in Castro Valley, January 31, 2019 in Oakland, February 1, 2019 in Morgan Hill, February 3, 2019 in Mountain View, February 16, 2019 in Berkeley, February 17, 2019 in Livermore, and February 24, 2019 in Burlingame.

Prosio Communications worked with the American Lung Association on an [op-ed piece](#) in Marin IJ and coordinated a [KIQI interview](#) with Air District staff.

Spare the Air

Cylogy is working on edits to the Spare the Air (STA) website redesign based on feedback from staff. Phase II budgeting is being planned for website redesign enhancements.

True North tested new Summer creative concepts and staff selected “Life’s a Trip” concept on March 21, 2019. Pro시오 Communications is working with the creative team to coordinate production for the new ads and shooting is scheduled for the week of April 8, 2019.

Pro시오 is updating bike outreach events for the Summer STA campaign and reached out to the City of Dublin and San Bruno contacts regarding downtown flags.

Pro시오 sent summer media relations plan to Air District on March 27, 2019 and sent a revised April social media calendar to Air District for review on March 28, 2019.

Staff planned an event training for all of Air District staff for April 11, 2019 and April 15, 2019.

Spare the Air Social Media

Air District contractor, Pro시오 Communications, actively monitored and posted on social media throughout Spare the Air season. Facebook, Twitter, and Instagram platforms were monitored.

- Pro시오 posted about WTSA Alerts. Post samples:
 - [Facebook](#)
 - [Twitter](#)
 - [Instagram](#)
- Pro시오 responded to residents’ questions. Post samples:
 - [Facebook](#)
 - [Twitter](#)

In this quarter, follower numbers have increased to 18,667 on Facebook, 13,015 on Twitter, and 1,015 on Instagram.

Air District Social Media

Social plan for the Communications Office has undergone final edits and Air District social media guidance document has undergone final edits and has been shared with the CAPCOA Public Outreach Committee.

Staff continues to run social posts daily including:

- Daily, two-day and five-day air quality forecasts
- Air quality updates
- Information about the health hazards of air pollution
- Staff features on Jacob Finkle, Rebecca Fisher, Richard Lam, Carmen Duran, Betty Kwan, Lucian Go, Monte DiPalma and Tin Le

- International Women's Day photo of female employees
- Visit from Wuhan Environmental Monitoring Center
- Staff presentations at Energy, Utility and Environment Conference
- Charge! Webinar
- Richmond-San Pablo Community summit
- Clear the Air Film Festival
- Infographic on understanding refinery flares
- Photo of meteorologists on National Weatherperson's Day
- Alternative Transportation Pledge
- Bicycle Champion in the Workplace workshop
- Valero refinery flaring update
- Retweeted info on Air and Waste Conference

In this quarter, follower numbers have increased to 3,411 on Facebook, 6,877 on Twitter, and 1,300 on Instagram.

Videography

Staff is currently editing the Cost Recovery video. The Anerobic Digestion video is complete.

Event training audio recording has been added to final video. Timekeeping video under review.

Edited scene for the Transit Buddy series video and recorded voice-over.

Other

PM Conference contract with Erin Lacey Events executed; staff will work with contractor to determine date, venue and speakers.

Staff scheduled the Volkswagen (VW) Mitigation Trust in Redding on April 23, 2019 and San Francisco on May 6, 2019. Staff is working with South Coast and San Joaquin Air Districts to plan outreach for workshops. Staff purchased statewide email distribution lists for all VW stakeholders.

Staff is working with Ben Gettleman, regarding branding for Community Sensing Center. BayAir Center has been chosen as a name; staff worked with contractors on name and logo design.

Final print version of the 2018 Annual Report has been approved and the online version is in development. Final edits have been incorporated in the STA brand book.

Staff attended CAPCOA Public Outreach Committee meeting in Victorville March 27, 2019 and March 28, 2019.

Staff attended Nor Cal Wildfires and Lessons Learned: Medical Health Response and Shelters in Marin County on April 3, 2019

**PLANNING AND CLIMATE PROTECTION DIVISION
H. HILKEN, DIRECTOR**

Air Quality Planning

AB 617/West Oakland - Staff continued to implement AB 617, the Community Health Protection Program. This included participating in weekly internal and external meetings, collecting data and preparing presentations and materials for monthly West Oakland Community Action Plan Steering Committee meetings. With input from the Steering Committee, staff refined and reached consensus on a list of new control strategies to reduce emissions and exposure for inclusion in the West Oakland Action Plan. Staff coordinated weekly meetings with West Oakland Environmental Indicators Project staff and developed a graphical timeline and task list for the West Oakland Community Action Plan and associated CEQA document. Staff developed the outline and initial chapters for the West Oakland Community Action Plan and presented an informational update on the Plan to the State Assembly Natural Resources Committee. Staff continued to hold bi-weekly conference calls with the CARB.

CEQA Review - Staff continued implementation of the Air District's CEQA Guidelines including: tracking their use by lead agencies; reviewing air quality analysis in CEQA documents; drafting comment letters for projects; and responding to inquiries from consultants, local governments, and business. Staff continued updating the Air District's CEQA Threshold and Guidelines; tasks included reviewing potential threshold options and analyzing the alternatives in CARB's 2017 Scoping Plan aimed to help California achieve the 2030 and 2050 Scoping Plan targets.

Staff provided CEQA comment letters to: the City of Redwood City on the Draft Environmental Impact Report (DEIR) for the Broadway Plaza Project, the City of Oakland on the Notice of Preparation (NOP) for the Oakland Waterfront Ballpark District Project DEIR and the NOP for the Downtown Oakland Specific Plan DEIR, the City of East Palo Alto on the DEIR for the University Plaza Phase II Project, the City of Oakley on the NOP for the Oakley Logistics Center Project and the City of Vallejo on the DFEIR for the ORCEM/Vallejo Marine Terminal Project. Staff provided an in-house presentation on the Clean Air Act and CEQA to a visiting Chinese government delegation. Staff attended the Howard Terminal Transportation Meeting hosted by the Oakland A's to discuss transportation related challenges and opportunities.

Regional Collaboration - Staff participated in the monthly CAPCOA Planning Managers Land Use Model workgroup meetings. Staff attended CARB's State Implementation Plan (SIP) Planning Kick-Off Workshop for the 2015 eight-hour Ozone Standard which focused on implementation rules and requirements for the standard. Staff continued to plan, discuss and confirm speakers, program content and agenda for the Bay Area Planning Innovations/Senate Bill (SB)1000 Planning for Environmental Justice and Healthy Communities scheduled for May 2, 2019.

Organics Recovery - Staff provided a comment letter to CalRecycle on the draft SB 1383 Regulation for organic materials recovery. Staff attended a briefing about anaerobic digestion at Bay Area wastewater treatment plants provided by staff at the Bay Area Clean Water Association. Staff met with a representative from Nowon Technologies to learn about hydrolysis technologies being developed for organics recovery. Staff provided an interview report to the Bay Area Monitor on the relationship between food waste recovery and methane reduction. Staff attended CARB's Bioresources Economy Summit in Berkeley.

Climate Protection

Climate Protection Grants – Staff monitored the 17 Climate Protection Grant Program projects, including the following activities completed during this quarter:

- Stopwaste – Commercially collected organics from the City of Livermore have been landfilled for more than a year due to rejection by the composting processor because of contamination with high levels of non-organic materials. Under the Climate Grant, cameras were installed in 142 organics containers with links to cloud-based software to monitor and reduce contamination.
- City of Brisbane – Convened an Energy and Water Benchmarking Ordinance Workshop to kick-off development of a commercial building ordinance.
- Marin County – Completed the *Marin County All-Electric Home Guide* and launched the Electrify Marin website: <http://www.marincounty.org/electrify>
- Housing Endowment of San Mateo County – Launched a call for interdisciplinary teams to submit creative and innovative schematic designs for green accessory dwelling units (ADUs); winning designs will be pre-approved by San Mateo jurisdiction building offices and available for use by the public.

Greenhouse Gas Reduction Activities – Staff is working with Rule Development, Emissions Inventory and other internal teams to develop action-oriented strategies to reduce specific GHG emissions, including CO₂, methane and fluorinated gases (F-gases). Activities include reviewing the Air District’s GHG inventory, relevant rules and grants and incentive programs, in order to identify new projects and actions the Air District can take. As part of the Methane Strategy, staff coordinated stakeholder engagement, internal collaboration and technology review for the methane rules. Staff met with 350 Bay Area to discuss staff work on the CO₂ Strategy and to gather their input on potential GHG reduction actions.

As part of the CO₂ Strategy, staff is working with local governments, key stakeholders and subject matter experts to identify and implement activities that will accelerate the decarbonization of existing buildings. As part of this effort, staff reviewed an assessment conducted by the Air District’s contractor, Clean Energy Policy Advisors, on local government resource, information and technical assistance needs for reducing GHG emissions from existing buildings. Staff participated in a conference call as part of an advisory group for Sonoma Clean Power’s Lead Locally program, which aims to design new building-focused energy reduction programs. Staff attended the BayREN quarterly forum on energy reach codes and participated in a California Reach Code Studies Technical Review webinar. Staff presented at a California Energy Commission Workshop on Building Energy Efficiency. Staff participated in discussions and provided feedback on a building decarbonization policy paper developed by the Building Decarbonization Coalition.

Support to Local Governments – Staff continued to implement a robust program of support to local governments. Support focuses on the development and updating of climate action plans as well as the implementation of local GHG-reducing activities.

Climate Action Plans

Staff reviewed the City of San Rafael's draft update to its Climate Action Plan and prepared feedback for city staff. Staff provided City of Palo Alto sustainability staff with information on Air District tools and guidance that can help with the City's climate action plan update. Staff participated in a meeting with City of Brisbane staff and their climate action plan consultant to discuss concepts for setting a GHG reduction target in the City's update to its climate action plan. Staff served on an advisory committee for the City of Albany's climate action planning process. Staff provided information to City of Alameda climate staff on state funding opportunities for technical assistance in climate action planning.

Local GHG Reductions

As part of the Air District's Local Government Climate Webinar series, staff collaborated with the Technology Implementation Office to host a webinar on emerging technologies identified in the TIO's recently-published Climate Tech Review Handbook. Staff began serving on the Transportation Sector Group for the Marin County "Drawdown Marin" effort. Through this effort staff is collaborating with public agencies and community organizations in Marin to develop proposals for reducing GHG emissions from the transportation sector. Staff participates in bi-monthly meetings and regular webinars of the San Mateo County Regionally Integrated Climate Action Planning Suite program. Staff met with SF Planning staff to discuss local transportation initiatives leading to VMT and GHG reductions. Staff is participating in a sub-group of the CAPCOA Planning Managers Committee to explore options and opportunities for supporting local governments in their work to develop and implement climate action plans.

As part of a contract with the Sonoma Regional Climate Protection Authority, Sonoma RCPA staff have furthered the climate protection work of Sonoma County jurisdictions through tools and actions that can be replicated elsewhere, including: a study on the costs and benefits of all-electric ready new construction; promoting opting up (through the local CCE) to 100% renewable electricity; an "electric first" vehicle purchasing policy; zero waste resolution and ban on polystyrene foam.

GHG Measurement and Research – Staff organized a "Planning Presents" brownbag where Climate Section staff member Dr. Sally Newman presented on "Greenhouse Gas (GHG) Source Detection and Attribution in the San Francisco Bay Area Using a Mobile Monitoring Platform." In partnership with a research team from Cal Poly San Luis Obispo, staff conducted a GHG measurement study with the research van at the Potrero Hills landfill, measuring the concentrations and isotopic composition of methane being emitted from three different daily covers.

**ASSESSMENT, INVENTORY, AND MODELING (AIM)
P. MARTIEN, DIRECTOR**

Emissions and Community Exposure Assessment

AB 617 Technical Assessment - In support of AB 617, staff completed a first round of community-scale modeling for West Oakland, including most mobile and stationary sources of fine particulate matter, diesel particulate matter, and toxic air contaminants. Staff also developed custom software to display interactive maps of modeling-based source apportionment and tabulations of these pollutants “block-by-block” in West Oakland. These major milestones were presented at the March 6, 2019 and March 11, 2019 AB 617 West Oakland Steering Committee Meetings. Staff attended a conference call with CARB to discuss the status of community-scale modeling for West Oakland and the methodology for forecasting future year emissions. Staff met with representatives from the Port of Oakland to discuss the community-scale modeling results associated with Port sources, source apportionment, and information used to develop the emission inventory. Staff met with Director Doug Kim and Deputy Air Pollution Control Officer Greg Nudd to review the modeling methods applied for the West Oakland technical assessment. Staff received updates from Dr. Thomas Kirchstetter’s team at UC Berkeley on the “Find & Understand” project to identify and track high-emitting trucks in West Oakland.

Emissions Inventory Development and Reporting - Staff produced a whitepaper on improved methane emissions estimates from refineries using observations collected from aircraft by consultant Scientific Aviation. Staff reviewed and provided comments on CARB’s proposed “15-Day Modifications” to the Criteria and Toxic Emissions Reporting (CTR) Regulation. Staff attended the CAPCOA Engineering Managers meeting to discuss the CTR Regulation and formed work groups for three sectors prioritized for uniform emissions reporting: electrical generation, petroleum refineries, and landfills. Staff met with Janet Whittick from the California Council for Environmental and Economic Balance (CCEEB) and Dr. Amy Kyle, who has been working with community groups in California, to discuss recommendations to CARB on the proposed 15-day Modifications language for the CTR Regulation. Staff attended a Technical Advisory Committee meeting for a project funded by the California Energy Commission (CEC) on lifecycle emissions at the ZeroWaste Energy Development Corporation (ZWEDC) facility. The report out on the project, which is nearing completion, provided updates on waste-sector methane estimates, odor modeling, and economic and policy analyses. Staff met with consultants at Kairos Aerospace to discuss their January report to the Air District on aerial methane imaging measurements over Bay Area. To improve the Air District’s understanding of contemporary, high-resolution emissions inventory approaches and associated resource requirements, staff hosted a video meeting with Dr. Kevin Gurney, who has developed hyper-local greenhouse gas emissions for the Los Angeles Megacities project and other locations. Staff reviewed annual emission estimates for major Air District facilities from which CARB collects fees through the AB 10X program. Staff reviewed CARB’s development of additional amendments to the commercial harbor craft regulation. Staff prepared emissions inventory estimates for the 2018 Annual Report.

Environmental Review - Staff completed a review and provided comments on the environmental clearance document for the Phillips 66 Propane Recovery Project for which Phillips 66 plans to transport propane by rail cars for retail sale.

Air Quality Modeling & Analysis

AB 617 Technical Assessment - During this quarter, staff worked extensively on AB 617-related projects. Staff participated in internal and external collaboration meetings on AB 617. Staff worked with the Emissions and Community Exposure Assessment Section to complete the first round of community-scale modeling for West Oakland, a major milestone for the AB 617 technical assessment. Staff continued to document both the regional-scale toxics modeling and the community-scale modeling. Staff participated in a West Oakland Steering Committee meeting, helping to present modeling results and interpret those results for discussions of emissions-control strategies. Staff participated in a meeting with representatives from the Port of Oakland to discuss West Oakland modeling results. In other AB 617-related work, staff met with the Meteorology and Measurements Division to discuss upcoming AB 617-related work in Richmond and to define an initial Richmond study area. Staff provided maps of gridded emissions and modeled pollutant concentrations for the Richmond study area.

Regional Assessments - Staff reviewed the US EPA's model for estimating health benefits of reducing air pollution (BenMAP), received training on acquiring and using US Census data with BenMAP, and gathered air pollutant data for future BenMAP applications. Staff prepared a report and presentation on the 2017 North Bay wildfires for a meeting of the Health and Air Quality Applied Science Team sponsored by NASA. To examine impacts of fine particulate matter from selected Bay Area permitted facilities, staff began working with model developers, the Electric Power Research Institute (EPRI), and consultants to update the Plume-in-Grid module in the latest version of the US EPA's regional air quality model (Community Multiscale Air Quality model). Staff worked with sister agency the Metropolitan Transportation Commission/Association of Bay Area Governments (MTC/ABAG) to identify land use datasets and travel demand model outputs that could be useful for inputs to regional modeling.

Assessment, Inventory, and Modeling (AIM) Division Public Records Requests - Staff attended internal meetings to discuss public records requests regarding modeling and emissions data for sources surrounding the Howard Terminal in West Oakland in preparation for the proposed A's stadium environmental review documents. Staff responded to several requests for meteorological data.

AIM Division Workshops, Trainings, and Team Building - On February 5, 2019, staff presented the Air District's progress on technical assessment for AB 617 to the Coordinating Research Council's (CRC) ninth annual Mobile Source Air Toxics meeting in Sacramento, CA. Staff attended CARB's Criteria and Toxics Reporting workshop held in Oakland, CA. Staff attended the Vessel Speed Reduction Program Recognition Event in Wilmington, CA. Staff attended the 29th Real World Emissions Workshop hosted by CRC in Long Beach, CA. Staff attended CARB's public workshop to discuss the amendments to the Regulation for Reducing Sulfur Hexafluoride (SF₆) Emissions from Gas Insulated Electric Switchgear used in the power transmission lines and power grids. To promote and streamline cross-Divisional work, staff participated in AB 617 Internal Protocol Team meetings, and prepared a presentation on "Curating Datasets" for the AB 617 Executive Committee. Staff participated in team-building meetings with consultant, Carmen Clark. Staff attended a full day of racial equity (GARE) training in Oakland. Staff participated in a Division-wide team functioning and collaboration workshop and created a functional organizational chart for the AIM Division.

**COMMUNITY ENGAGEMENT AND POLICY DIVISION
E. YURA, DIRECTOR**

Rule Development Program

Community Protection/AB 617 Efforts

AB 617 BARCT Review:

AB 617 requires air districts to review the control technology installed on industrial sources located at facilities subject to the Cap-and-Trade program. CARB further clarified that industrial sources refer to those facilities that are eligible for free allowance allocations under the Cap-and-Trade Program. The Air District has 19 industrial facilities which are subject to Cap-and-Trade. These 19 facilities have over 1,800 sources in 50 source categories. The Air District reviewed these sources and determined if a BARCT is being used. For the sources where BARCT is not being used, the Air District developed a preliminary BARCT determination for the source category and a schedule for finalizing the appropriate rules. That schedule was approved by the Board in December 2018.

Staff briefed the Board on the BARCT Schedule efforts on September 5, 2018. A public hearing was held at the Air District Board of Directors meeting on December 19, 2018, and the Board of Directors adopted the Expedited BARCT Implementation Schedule and certified the associated EIR.

Following the adoption of the AB 617 BARCT Schedule, staff initiated the formation of a Refinery Rules Technical Working Group to be comprised of refiners, WSPA, representatives from community organizations, and Air District staff. The working group would augment the development efforts of refinery rules and amendments that stem from the AB 617 BARCT Schedule, the Methane Strategy, and the 2017 Clean Air Plan. The purpose of the working group is to work closely with participants to vet technical and cost information, discuss preliminary regulatory concepts, and serve as a forum for stakeholders to voice concerns and issues associated with development of rules affecting refineries.

Indirect Source Rule(s) Further Study Measure:

Staff is studying how to prepare rules to regulate air pollutant emissions from indirect sources. Indirect sources are stationary sources that attract mobile sources of air pollution. Rule Development staff is meeting with Air District staff from other divisions and staff from other air districts and CARB to more fully understand the Air District's existing authority to adopt rules to reduce emissions associated with indirect sources. Staff has already identified limitations in its legal authority to adopt a rule on indirect source emissions that make a rule development effort infeasible at this point in time.

Staff is in the process of gathering data on indirect source emissions in AB 617 communities. Staff will then characterize how these emissions could affect community air quality in those communities. Subsequently, staff will present proposed amendments to the Health and Safety Code to the Air District's Legislative Officer so that the California Legislature could provide additional authority to the Air District to adopt a rule or rules to regulate emissions from indirect sources. Staff intends to propose such changes to the Legislative Officer for the 2020 Legislative Calendar.

Permitting Reform (Regulation 2):

Over the last several years, residents in overburdened communities have become increasingly frustrated that the Air District continues to approve new and modified air permits which result in increased air pollution in their communities. AB 617's focus on neighborhood-level air pollution in addition to the Air District approving high-profile air permits (Phillip 66 and crematorium) has galvanized community advocates around this issue and prompted the Air District to further commit to exploring options to incorporate cumulative impacts in its permitting process. Last year, during an AB 617 public workshop, Air District leadership made a commitment to look at revising the agency's permitting process to better address the environmental justice issues raised by community activists. With the passing of AB 617, the Air District has new, explicit responsibilities to take the lead in improving the air quality in environmental justice communities within its jurisdiction. These responsibilities bolster the agency's continued desire to reduce air pollution impacting disadvantaged communities and improving health outcomes.

In striving to achieve the goals of improving permitting rules, Rule Development staff have met with other staff from Engineering; Community Engagement; Planning; Legal; Assessment, Inventory and Monitoring; Executive; and Public Health, to understand what effective changes can be made to the permitting rules. Staff is working closely with these divisions, as well as members from the permit reform internal working group, to facilitate next steps in planning public workshops in East Oakland, Bayview Hunters Point, and Vallejo.

Climate Rules

Regulation 13: Climate Pollutants:

Staff is developing a regulation that will serve as a repository of terms and methods for source-specific rules on climate pollutant emissions. Regulation 13: Climate Pollutants would establish, where necessary, uniform definitions, administrative requirements, monitoring and recordkeeping requirements, and test methods that apply to regulating emissions of climate pollutants within the Air District's jurisdiction. Regulation 13 would provide a foundation from which source-specific rules addressing climate pollutants can be developed and would eliminate the need to make changes to multiple rules when broadly applicable measurement techniques or methods evolve.

Regulation 13 is being developed along the same timeline as the first source-specific rule within the regulation. At this point in time, Regulation 13 only contains several terms and their definitions as there is currently no need to consolidate requirements. Staff is developing Regulation 13 with the expectation of amending it as staff develop additional source-specific rules.

Staff is in the process of drafting a workshop report, which will be publicly available prior to public workshops on Regulation 13 and Rule 13-2: Organic Material Handling and Composting Operations, in mid-June 2019.

Rule 13-1: Significant Methane Releases:

Currently, methane and natural gas releases are exempt from Air District regulations because those rules were designed to reduce ozone and methane does not contribute to ozone formation. As a result, the Air District has no regulatory basis for requiring facilities to address (detect and repair)

methane leaks. Rule 13-1 would have prohibited methane releases of more than 10,000 parts per million (ppm) and 0.4 pounds per hour. This general prohibition would have enabled the Air District to compel facilities to detect and repair major leaks while we develop more specific rules to address methane from particular source categories, such as landfills and composting operations.

During the technical analysis for this rule development effort and discussions with the Air District Executive staff, it was determined that staff should focus efforts on two source-specific rules that would address the sources of at least 75 percent of the Air District's methane inventory, landfills (Rule 8-34) and industrial hydrogen plants (Rule 13-3). While staff is working to development these two rules, efforts on Rule 13-1 have been placed on hold.

Rules 13-2: Composting Operations and Organic Material Handling:

As part of its 75 percent by 2025 waste recycling goal and to reduce greenhouse gas emissions, California has mandated that organic waste be diverted from landfills. The increased volume of organic waste diverted from landfills is overwhelming the capacity of existing composting facilities, resulting in excess methane and volatile organic compound (VOC) emissions and significant odors from poorly managed composting operations, stockpiles, and other organic waste handling operations. CalRecycle estimates that these statewide organic waste diversion goals will nearly double the amount of organic waste processed in the Bay Area requiring 12 to 15 new facilities on top of the 20 facilities currently permitted in the Air District.

At a series of Climate Pollutant public workshops held in early November 2018, staff began public outreach on rule development efforts affecting the organic recovery sector. As part of this effort, staff presented a concept paper for Draft Rules 13-2: Organic Material Handling, and 13-3: Composting Operations along presentations on other proposed rules affecting organic recovery operations. Workshops were held in San Francisco, Martinez, Dublin and San Jose.

Rule Development staff has conducted site visits to several composting and material handling operations over the course of the past year. These meetings continued in the first quarter of 2019. In January, Staff visited Silicon Valley Clean Water in Redwood City where they are conducting a pilot operation to add organic material extracted from solid waste to increase methane production in their anaerobic digesters. Also, in January, staff visited SF Recology's transfer station along with three small-scale green material processing facilities in San Francisco.

At the end of January, Rule Development staff attended compost operations training offered in conjunction with the US Composting Council's annual conference. Later in February, Rule Development Staff hosted representatives from Gore Technologies to present technical information on their covered composting system to members of Engineering and Compliance and Enforcement staff.

At a Rule Development Council meeting held March 12, 2019, Executive Staff directed Rule Development Staff to develop a single draft rule which would cover all organic material handling operations including active composting operations, with the addition of Emissions Minimization Plan (EMP) provisions as a component of the rule. In response to this executive direction, staff will be developing Draft Rule 13-2: Composting Operations and Organic Waste Handling.

Staff is developing Draft Rule 13-2 to provide source-based minimum standards for organic material handling and composting activities and facility-based EMP provisions that detail the means of complying with those minimum standards along with additional best management practices drawn from a menu of options attached to the rule. The draft rule will strengthen compliance and enforcement requirements to prevent excess emissions and ensure consistency in permitting of these facilities.

Draft regulatory language for Rule 13-2 along with a workshop report will be shared with the public in a series of workshops in June of 2019. A final staff report, and proposed rules will be presented to the board for approval at a public hearing in late 2019.

Rule 8-34: Solid Waste Disposal Sites:

Regulation 8, Organic Compounds, Rule 34: Solid Waste Disposal Sites has been an Air District rule since 1984. It has been updated several times, but not substantively since 1999. Rule 8-34 regulates emissions of both methane and non-methane organic compounds from landfill surfaces and landfill gas collection and control systems. It also sets a minimum destruction efficiency for landfill gas control systems and/or energy recovery devices. The regulation was last updated (in 1999) to align the Air District requirements with updates that were made to the federal requirements in 1996. In August 2016, the EPA updated their New Sources Performance Standards (NSPS) and Emissions Guidelines again; CARB subsequently submitted a Plan to EPA in 2017 proposing that their Landfill Methane Regulation (LMR), which was final as of 2010, be accepted as an “equivalent” to the new federal regulations. With the change in federal administration, the Plan submittal was never formally responded to. However, the State LMR has not been affected. Through an MOU with the State, the Air District has authority to enforce both Rule 8-34 and the LMR.

Air District staff is working to amend Rule 8-34 to better address methane emissions from landfills. As a result of the Basin-wide Methane Strategy, several points have become apparent: current emissions estimates (when conducted via top-down methods versus bottom-up methods) are significantly inconsistent; landfills are the largest category of stationary sources in the Bay Area contributing to the methane inventory, and more research is needed to better understand characteristics of landfills and their methane emissions. With this in mind, amendments to Rule 8-34 are envisioned to include 1) alignment with current state and federal regulations and 2) best management practices that will reliably reduce methane emissions. These updates are on schedule to go to the Board in the second quarter of 2020 for consideration.

In the First Quarter of 2019, a site visit was made to Altamont Landfill and two additional site visits were scheduled for early April. The scheduled April visits include compliance testing and also data gathering with the Air District research van.

Rule 13-4: Sewage Treatment & Anaerobic Digestion:

SB 1383 (2016) sets statewide organic waste diversion goals of 50 percent below 2014 levels by 2020 and 75 percent below 2014 levels by 2025. The state estimates that approximately over 12.5M additional tons per year of organic material will need to be diverted from landfills by 2025, and that a significant portion of the diverted material will be handled by anaerobic digestion. Many of the anaerobic digesters in the Air District are located at publicly owned treatment works, otherwise

known as “sewage treatment plants.” The Air District does not currently have a rule that specifically addresses sewage treatment plants or stand-alone anaerobic digesters. It is envisioned that Rule 13-4 will address methane, volatile organic compounds, and greenhouse gas emissions from anaerobic digesters in anticipation of the increased diversion of organic material.

In March 2019, representatives from the Bay Area Clean Water Association – an industry group composed of various sewage treatment plant operators in the Bay Area – gave a general overview of the sewage treatment plant and anaerobic digestion process to the Rule 13-4 internal workgroup. Site visits to various facilities operating anaerobic digesters are anticipated in May 2019.

Early engagement with affected stakeholders will take place through a series of public workshops in June 2019, where Staff will present a concept paper for the draft rule. Staff intend to present draft rule language and a draft staff report in support of Rule 13-4 at a series of public workshops in the fourth quarter of 2019. Finally, Staff anticipates bringing the proposed rule before the Air District Board of Directors for consideration at a public hearing in the second quarter of 2020.

Rule 8-37: Natural Gas and Crude Oil Production Facilities:

The Air District’s oil and gas rule has not been updated since 1990. Oil and gas facilities are using outdated practices resulting in excess emissions of VOC, methane, and toxic pollutants. In July 2017, CARB finalized their oil and gas rule with a focus on reducing methane from high-production wells and on preventing significant methane leaks from natural gas storage facilities (such as Aliso Canyon in Southern California). The Air District is developing a rule that builds on and complements CARB rule by extending it to related sources and ensuring toxic air contaminant emissions are minimized.

Staff has developed a field research plan to gather more detailed, Bay Area-specific data on methane and toxic emissions from our wells. These detailed data is needed to determine the cost effectiveness of our rule and to ensure appropriate measures are included to limit toxic emissions. We expect to bring this rule to workshop in Fall 2018.

Refinery Climate Rules

Rule13-3: Hydrogen Plant:

Hydrogen gas releases from petroleum refinery hydrogen plant operations, which sometimes include methane gas, are currently exempt from most Air District regulations because methane emissions do not contribute to ozone formation. As a result, the Air District has no regulatory basis for requiring facilities to control methane emissions from these operations. Now that the Air District is addressing methane emissions, a powerful GHG, staff will develop a rule to control methane emissions from industrial hydrogen plants, one of the largest methane sources from petroleum refineries.

During the next two months, staff will conduct one-on-one meetings with refinery hydrogen plant process engineers to gain a better understanding of hydrogen plant operations including the reasons for and locations of methane emissions. On March 27, 2019, staff met with a representative of the Air Liquide hydrogen plant that services the Phillips 66 Refinery to discuss methane emissions from their hydrogen production processes. Later that day, staff met with WSPA and refinery

representatives to inform them that the project for draft Rule 13-1 (Significant Methane Releases) was being put on hold for a while until the completion of the current suite source-specific methane rules including Rule 13-3, Refinery Hydrogen Producing Operations. Staff also met with representatives from the Air Products Company on April 3, 2019, to discuss their hydrogen plant operation processes at the Tesoro Refinery and the Shell Refinery. Staff will visit each hydrogen plant operated in petroleum refineries as well as those operated by third parties. Staff will also periodically meet with the newly formed Refinery Technical Workgroup to interface with refinery representatives, WSPA and other stakeholders to discuss Rule 13-3 concepts as the rule is developed. If possible, Air District staff will conduct source tests to better understand hydrogen plant emission parameters and possibly enhance hydrogen plant methane emission inventories.

Criteria Pollutant Rules

Refinery Rule Settlement Agreement Efforts:

The Air District entered into a settlement agreement on March 24, 2017 that addresses three rules: Rule 6-5: Particulate Emissions from Refinery Fluidized Catalytic Cracking Units, Rule 8-18: Equipment Leaks, and Rule 11-10: Petroleum Refinery Cooling Towers that were approved on December 16, 2015. The Air District entered into a second settlement agreement on March 1, 2018, that addresses two rules: Rule 9-14: Petroleum Coke Calcining Operations, and Rule 12-15: Petroleum Refining Emissions Tracking that were approved on April 20, 2016. These five rules comprise the Air District's Refinery Strategy. The Settlement Agreements obligate the Air District to propose amendments to Rules 6-5, Rule 8-18, and Rule 11-10 by November 1, 2018, and propose amendments to Rule 12-15 by December 1, 2018. The Air District's Legal Division recommended conducting an EIR for these rulemaking projects because some of the amendments could be characterized as relaxation of the current rules.

The Air District staff proposed amendments Rule 6-5, Rule 11-10 and Rule 12-15 to meet the provisions of the settlement agreement. Rule 8-18 will be amended following the completion of the Heavy Liquid Study. The Board of Directors adopted the amendments to Rule 6-5, Rule 11-10, and Rule 12-15 and certified the associated EIR at the Air District Board of Directors meeting on December 19, 2018.

Regulation 9, Rule 9: Nitrogen Oxides from Stationary Gas Turbines:

This rule was last updated in 2006, since then improvements in technology have enabled the cost-effective control of nitrogen oxides (NO_x) from medium-size turbines. As a result, staff is preparing amendments to this rule that would require installation of NO_x controls on currently uncontrolled turbines, including two at the Valero refinery in Benicia. This rule is expected to reduce NO_x emissions by at least 255 tons per year (tpy), 211 tpy of which would be from the Valero refinery. The reduction from Valero helps the Air District meet its goal of reducing refinery criteria pollutant emissions by 20 percent or as much as feasible.

A workshop report and a marked up draft Rule 9-9 has been created and both have been updated to reflect a 7 ppm target for units between 100 and 500 MMBtu/hr. Units between 50 and 99 MMBTU/hr will see limits reduce from 42 ppm to 25 ppm. Outreach efforts were initiated in December 2017 with a Valero visit. At 7 ppm, approximately seven facilities will be directly affected. Facility visit are scheduled for each site starting in January through early February 2019.

A lack of space for an SCR retrofit is currently being claimed by several facilities. The Air District is preparing to hire a third-party engineering contractor to provide an independent assessment of the technical feasibility of installing SCRs on the turbines at Valero and Graphic Packaging. Legal staff is providing opinions on contracts and CBI. Staff is proceeding with a Notice of Preparation/Initial Study to determine if an EIR is required.

Outreach and Engagement Programs

AB 617 Community Health Protection Program

- **Monday, January 7, 2019 – Meeting with San Jose stakeholder** – Staff met with a Silicon Valley affordable housing advocate (now employee at MTC) to discuss community leaders in San Jose / Santa Clara County.

West Oakland AB 617

- **AB 617 West Oakland Steering Committee Meetings (January 9, 2019, February 6, 2019, March 6, 2019 and March 11, 2019)** - The Air District, in partnership with the West Oakland Environmental Indicators Project, held monthly steering committee meetings to develop a community action plan to improve air quality and public health in West Oakland. The City of Oakland, the Port of Oakland and stakeholders from the West Oakland community participated in this effort.
- **West Oakland Action Plan Co-Leads Meetings (January 10, 2019, January 17, 2019, January 24, 2019, January 31, 2019, February 7, 2019, February 14, 2019, February 21, 2019, February 28, 2019, March 7, 2019, March 14, 2019, March 21, 2019 and March 28, 2019)** – Staff met with our co-leads at WOEIP to plan upcoming Steering Committee meetings, which occurred on January 9, 2019, February 6, 2019, March 6, 2019 and March 11, 2019, and to review progress to date with the technical assessment.
- **Legislative tour and presentation (March 8, 2019)** - Air District staff and WOEIP Co-leads presented to legislators about the AB 617 West Oakland Action Plan development and challenges after a toxic tour of West Oakland.

Richmond AB 617

- **Monday, March 18, 2019 – AB 617 Legislative Hearing** – Staff accompanied Steering Committee Members and Co-lead to the AB 617 Legislative Hearing in Sacramento. Community members shared their perspective on the AB 617 process and advocated for more time for a thoughtful community and data analysis process.
- **Wednesday, March 6, 2019 – Co-Lead Meeting** – Staff met with co-lead to plan for the Design Team facilitation and to plan for Legislative meeting in Sacramento.
- **Wednesday, March 6, 2019 – Community Summit Design Team (CSDT) Meeting** – Staff facilitated a second meeting to finalize Steering Committee.

- **Monday February 25, 2019 – CSDT Meeting** – Staff facilitated a Community Design Team Meeting to get from 50 applications for Steering Committee to 30. The Design Team went through each applicant and made decisions. There were still more than 40 applicants that met the criteria developed by the Design Team.
- **Saturday, February 16, 2019 – Richmond Community Summit** – Staff, the first Richmond Co-Lead, and the Community Design Team planned and held the Richmond Community Summit. Approximately 120 residents and representatives from multiple sectors attended. Attendees heard presentations about AB 617, air monitoring, the community engagement process in Richmond, and helped to design the Steering Committee charter.
- **Thursday, January 31, 2019 – Community Summit Design Team Meeting** - Staff attended the third Community Summit Design Team meeting. The CSDT learned about forming steering committees from West Oakland co-leads, identified a Richmond co-lead, decided unanimously to work with MIG to facilitate Richmond monitoring plan community engagement, and divided into sub teams to finalize summit agenda and identify steering committee criteria.
- **Thursday, February 7, 2019 – Richmond Co-Lead Meeting** – Staff met with the Richmond co-lead to begin developing the partnership agreement and contracting process.
- **Tuesday, January 15, 2019** – Staff met with Michael Kent from CoCo County Public Health over the phone to share an update about AB 617 in Richmond.
- **Thursday, January 24, 2019** – Staff met with Janet Johnson from No Coal in Richmond and Sunflower Alliance over the phone about the community engagement process for AB 617 in Richmond.
- **Thursday, January 3, 2019 – Richmond Community Summit Design Team Meeting** – Staff presented the AB 617 legislative timeline and community monitoring process. The team of 11 community members broke into two sub teams: Summit Logistics and Steering Committee / Co-Lead formation. The Community Summit will be held February 16, 2019 in Richmond.

Spare the Air Youth

- **Wednesday, March 20, 2019 – Spare the Air Youth High School Grant Webinar** – Staff participated on the Spare the Air Youth High School grant webinar hosted by MTC. Staff discussed the changes from the 2018-2019 pilot grant program, grant eligibility, and instructions for the application.
- **Wednesday, March 20, 2019 – Interview for RFP 2019-002 Youth in Schools Summits Event Planner** – Staff interviewed Contigo as a potential event planner to assist with the planning of the Spare the Youth’s Youth for the Environment and Sustainability (YES) Summits. The YES Summits are being planned for early August of 2019.
- **Wednesday, March 6, 2019 – Lick-Wilmerding Site Visit** – Staff visited the Lick-Wilmerding High School campus as a potential site for the Spare the Air Youth 2020 YES Conference.

- **Thursday, February 28, 2019 – Spare the Air Youth Biweekly Check-in Meeting -** Staff met with Raquel Trinidad, with MTC, and Alta Planning staff to discuss the high school grants, outreaching for MTC’s art contest and planning for the upcoming youth/adult practitioner summits.
- **Wednesday, February 20, 2019 – Spare the Air Youth Technical Advisory Committee Meeting** – Staff attended the Spare the Air Youth TAC meeting to provide an Air District update. Staff also provided an update on the 2019 Youth for the Environment and Sustainability Summits. The group also received an update on the 2019-2020 High School Grant Program and the Safe Routes to School evaluation beyond mode split study. The group also participated in a discussion about applying behavior change theory to Safe Routes to School evaluations specifically in Alameda and Marin Counties.

Spare the Air Resource Teams

- **Friday, March 15, 2019 – Napa Clean Air Coalition Conference Call** – Staff participated in a conference call with members of the Napa Clean Air Coalition. The team shared updates on Idle Free Bay Area projects in three local schools and started planning for Napa’s first Bike to Shop Day.
- **Wednesday, March 13, 2019 – San Francisco Spare the Air Resource Team Meeting** – Staff attended the San Francisco Resource Team’s meeting and provided an Air District update. The Team will be hosting various “Experience a Better Commute” events for Employer Transportation Coordinators (ETC). The experiences will include experiencing Ford GoBike on March 29, 2019 and a Tideline Ferry excursion on April 26, 2019. The events aim to provide positive experiences for ETCs and networking opportunities among San Francisco employers.
- **Tuesday, March 5, 2019 – San Mateo County Resource Team’s Pool Party Event** – The San Mateo County Spare the Air Resource Team hosted their “Pool Party” event. The event targeted San Mateo County employers and Employee Transportation Coordinators for the event at Genesis in South San Francisco. Attendees learned about carpool and vanpool incentives from employers throughout the county and received an update on managed lanes by keynote speaker, Mr. Tony V. Harris. Director David Canepa provided the event’s opening remarks. Approximately 80 San Mateo County employers were represented.
- **Friday, March 1, 2019 – Southern Alameda County Resource Team** – Staff participated in a webinar with team members to go over logistics for the webinar “A Dockless Future - Bikeshare and eScooters” they will host on Thursday, April 11, 2019.
- **Tuesday, February 5, 2019 – San Mateo County Spare the Air Resource Team Conference Call** – Staff participated on the San Mateo County Resource Team’s conference call meeting and provided an Air District update. The Team is collaborating with Commute.Org to host an event to promote vanpooling and carpooling to San Mateo County employers. The event is scheduled for March 5, 2019 in South San Francisco and Director Canepa will provide the opening remarks.
- **Wednesday, January 30, 2019 – Tri-Valley Spare the Air Resource Team Meeting** – Staff attended the Tri-Valley Resource Team’s meeting at the Hacienda in Pleasanton and provided an Air District update. The team continued preparing for the Hacienda Clean Air Commute Solutions Mobile Conference they are hosting on March 14, 2019.

- **Thursday, January 17, 2019 – Contra Costa County Spare the Air Resource Team Meeting** – Staff participated in the Resource Team meeting in Walnut Creek and provided an Air District update. The team reviewed various actions and activities and prioritized based on perceived impact and available resources. Ideas that seemed most popular among the members pertained to Idle Free campaigns with BART, Uber, Lyft and at drive throughs. Another area that they would like to focus on is media and communications. We will investigate incorporating Idle Free messaging into the summer spare the air communications that a lot of folks already hear on the radio rather than creating something new.
- **Wednesday, January 16, 2019 – San Francisco Spare the Air Resource Team Conference Call** – Staff participated on the San Francisco Resource Team’s conference call and provided an Air District update. The Team will be hosting various “Experience a Better Commute” events for Employer Transportation Coordinators (ETC). The experiences will include Ford GoBike and Tideline Ferry excursions. The events aim to provide positive experiences for ETCs and networking opportunities among San Francisco employers.
- **Wednesday, January 16, 2019 – Idle Free Napa Call** - Staff participated on a call with members from the Napa Clean Air Coalition to discuss a program to distribute Idle Free packets and signs to schools in Napa County.
- **Tuesday, January 15, 2019 – San Mateo County Spare the Air Resource Team Meeting** – Staff attended the San Mateo County Resource Team’s meeting and provided an Air District update. The Team is collaborating with Commute.org to host an event to promote vanpooling and carpooling among San Mateo County employers. The event is scheduled for March 6, 2019 in South San Francisco.

Community Meetings, Workshops and Site Visits

- **Wednesday, March 20, 2019 – Bayview Hunters Point Environmental Justice Task Force Meeting** – Staff attended the Bayview Hunters Point Environmental Justice Meeting hosted by GreenAction. The group reviewed complaints filed through the IVAN website and discussed the first meeting of the Bayview Air Monitoring Project funded by CARB. Representatives from SFMTA presented information on the “Community Based Bayview Transportation Planning” project and DTSC presented on the draft criteria for considering cumulative impacts and community vulnerability in permit decision making.
- **Monday, March 18, 2019 – Sequoia Foundation Air Quality and Air Monitoring Kickoff Meeting** – Staff participated in Oakland Technical High School’s kickoff event for the Sequoia Foundation’s Air Quality and Air Monitoring Curriculum with Magnitude IO as part of their Community Grant. Staff presented an overview of the Air District and answered questions from students.
- **Tuesday, March 12, 2019 – Horizon Workshop** – Staff attended Metropolitan Transportation Commission’s (MTC) first Horizon Workshop in Oakland, CA. This is a long-range planning initiative for the Bay Area where MTC is working with stakeholders and residents to develop a suite of transportation, land use, economic development, and resilience strategies to “win the future.”

- **Wednesday, February 27, 2019 – CARB Webinars** – Staff attended the AB 617 Community Air Protection Incentive Project and AB 617 Program Overview webinars. CARB staff provided presentations, read and responded to comments submitted via the webcast and answered questions. Approximately 50 attendees participated in each webinar.
- **Thursday, February 21, 2019 – Meeting with Vallejo EJ Community Leaders** – Staff met with LaDonna Williams and Pat Dodson to discuss upcoming AB 617 efforts in Vallejo and to continue developing relationships.
- **Wednesday, February 20, 2019 – Bayview Hunters Point Environmental Justice Task Force Meeting** – Staff attended the Bayview Hunters Point Environmental Justice Meeting hosted by Bradley Angel, GreenAction. Staff presented on local AB 617 efforts, upcoming Bayview Hunters Point engagement efforts and answered questions on air quality complaints and monitoring. The group reviewed complaints filed through the IVAN website, discussed the first meeting of the Bayview Air Monitoring Project funded by CARB and brainstormed meeting times and locations for the duration of the year.
- **Wednesday, February 13, 2019 – Meeting with Bayview Hunters Point EJ Leaders** – Staff met with several community leaders to get to know one another, to discuss upcoming AB 617 efforts, and to find ways to collaborate moving forward.
- **Wednesday, February 13, 2019 – Meeting with San Jose community members** – Staff met with two community members in the San Jose-De Anza area, Adriana Garcia and Angelica Esquivel. Staff and community members discussed active community groups and residents in the San Jose-De Anza and Santa Clara County region who might be interested in partnering with the Air District to build capacity for future AB 617 outreach and greater air quality health awareness.
- **Monday, February 11, 2019 – Meeting with GreenAction** – Staff met with Bradley Angel and Dalila to discuss AB 617 CARB Grant developments and an upcoming Air District community grant opportunity.
- **Week of January 28, 2019 – Phone Interviews with Environmental Justice and Community Leaders** – Staff conducted phone interviews with leaders in San Jose and the Bay Point/Pittsburg areas to identify the best ways to move forward with a needs assessment as part of our community capacity building efforts.
- **Tuesday, January 22, 2019 – Quarterly Health Services Advisory Committee (HSAC) Meeting in San Francisco** – Staff attended the City-Wide Health Services Advisory Committee meeting at the Mission Neighborhood Center located in the Mission District of San Francisco to give a presentation on the health effects of wildfire smoke and what families can do to avoid overexposure during future events.
- **Monday, January 21, 2019 – Martin Luther King (MLK) Day of Service** – Air District Staff attended the MLK Day of Service with Higher Ground at Brookfield Elementary School in Oakland. Along with 150 volunteers, District staff planted 15-gallon trees along a freeway sound barrier that borders the school and cleaned garden beds. Higher Ground is a recipient of two Community Grants and the Air District has a long history supporting their environmental efforts in Oakland Unified Public Schools.

- **Wednesday, January 16, 2019 – Identifying Violations Affecting Neighborhoods (IVAN) Meeting** – Staff attended the Bayview Hunters Point Environmental Justice Response Task Force IVAN Meeting hosted by Bradley Angel, GreenAction. The group reviewed complaints filed through the IVAN website, discussed the first meeting of the Bayview Air Monitoring Project scheduled for January 29 and brainstormed meeting times and locations for the duration of the year. CARB representatives also provided an AB 617 update at the meeting.
- **Tuesday, January 15, 2019- Bayview Community Based Transportation Plan Steering Committee Meeting** - Hosted by the SFMTA and various Bayview based community organizations. The Steering Committee provided an overview of the participatory budgeting for this community led transportation initiative, which included broad support for a neighborhood shuttle service. Air District staff were in attendance to learn about transportation challenges in the neighborhood and to promote the School Community Grants Program.
- **Wednesday, January 9, 2019 - TCC East Oakland Neighborhoods Initiative** – Staff attended an East Oakland Neighborhoods Initiative (EONI) meeting at the East Oakland Boxing Association. Community leaders from the Stonehurst neighborhood gathered to conduct asset and transportation mapping of their neighborhood to lay the groundwork for future meetings.
- **Thursday, March 21, 2019 – Castro Valley High School Sustainability Career Fair** – Staff attended the Sustainability Career Fair at Castro Valley High School and provided information on the Air District’s summer internship program and youth engagement opportunities. Approximately 1,000 students attended the event.
- **Tuesday, March 19, 2019 – Youth Ag Day** – Staff attended the Youth Ag Day at the Solano County Fairgrounds in Vallejo. The annual event targets 3rd graders in Solano County and features a variety of learning stations and displays. Activities are designed to give youth the opportunity to learn about food and fiber production from new perspectives, with a particular emphasis on the agricultural. Staff provided information on the Air District’s ag rule, air quality and health. Approximately 3,000 students attended the event.
- **March 18, 2019 – March 21, 2019 – Bayview Hunters Point Citywide Revival** – Staff attended the Citywide Revival at the St. John Missionary Baptist Church in Bayview Hunters Point in San Francisco. The event brings together African American Baptist ministers from all over the Bay Area. Staff answered questions on air quality, health and the Spare the Air program. Approximately 150 event attendees visited the Air District table.
- **Wednesday, March 13, 2019 – Sunday, March 17, 2019** – Staff presented at the Citizen Science conference in Raleigh, North Carolina.
- **Thursday, February 28, 2019 - School Community Grants** - Staff selected 15 projects to fund for Phase 1 of the School Community Grants Program (Non-Technical Projects) which totaled \$37,161. The primary purpose of these grants is to increase the knowledge about the science of air quality, the relationship between air quality and public health, and the impact of air pollution on the global climate.

- **Friday, February 22, 2019 – BMAGIC Meeting** – Staff met with representatives of BMAGIC (Mobilization for Adolescent Growth In our Communities) to discuss youth engagement, brainstorm AB 617 stakeholders and identify upcoming community engagement efforts in Bayview Hunters Point.
- **Friday, February 22, 2019 – Sustainable Silicon Valley Meeting** – Staff met with Jennifer Thompson, Executive Director at Sustainable Silicon Valley, to discuss the Air District’s sponsorship of the Net Positive Communities in East Palo Alto. Staff requested an update on the contract and introduced Jennifer to the Sensing Center.
- **February 13, 2019 – February 14, 2019 - GARE (Government Alliance on Race and Equity) Training in Oakland** – Staff participated in the introductory cohort trainings for GARE. The objectives of this training were to gain an understanding of the role of government in relation to racial equity; develop a shared racial equity analysis; gain an introductory understanding of operationalizing and organizing for racial equity; and develop relationships for successfully advancing racial equity within government.
- **Thursday, January 31, 2019** – Staff received 39 total applications for the School Community Grants Program, which provides \$2,500 for air quality related educational projects at K-12 public schools throughout the Bay Area. Projects include idle free campaigns, classroom sensor projects, and school gardening projects, among others. Staff will review the applications and select the top 20 projects by February 28, 2019.
- **Monday, January 28, 2019 – Chinese Delegation** – Staff hosted a delegation of 12 officials from the Nanjing Transportation Bureau to discuss air pollution issues in the cargo shipping industry. The visit featured presentations from the Compliance & Enforcement, Climate Protection, and Strategic Incentives Divisions.
- **Tuesday, January 22, 2019 – Quarterly Health Services Advisory Committee (HSAC) Meeting in San Francisco** – Staff attended the City-Wide Health Services Advisory Committee meeting at the Mission Neighborhood Center located in the Mission District of San Francisco to give a presentation on the health effects of wildfire smoke and what families can do to avoid overexposure during future events.
- **Tuesday, January 22, 2019 – Chinese Delegation** – Staff hosted a delegation of nine officials from the Jinan Environmental Protection Bureau. The visit featured presentations from the Engineering, Compliance & Enforcement, Technology Implementation Office, Meteorology & Measurements, and Climate Protection Divisions, and tours of the laboratory and meteorology room.
- **Thursday, January 17, 2019 – School Community Grants Informational Webinar**- Staff hosted an informational webinar for the public regarding the School Community Grants application process. 22 members of the public attended, and 33 questions were answered during the webinar. A copy of the webinar and Frequently Asked Questions will be posted on the Air District’s bonfire website in the next week.
- **Friday, January 4, 2019 – Air District Tour** – Staff organized a tour of the Air District’s Meteorology and Chemistry Labs for a group of fifth grade Girl Scouts.

Diversity, Equity & Inclusion Office

During the First Quarter of 2019 the Office of Diversity, Equity & Inclusion (DE&I) focused on five functional areas; cultural awareness communications and activities, human resources strategies, training and development, guest speaking appearances and the Government Alliance on Race and Equity (GARE).

Cultural Awareness Communications/Activities – The DE&I Office continues to provide the content and creative for the Air District’s internal bi-weekly Newsletter. Within the Newsletter, information was included regarding several important observances such as Martin Luther King Jr.’s Birthday, Black History Month, Lunar New Year, Women’s History Month and Persian New Year. As part of our Employee Perspective Series, several employees were invited to share their thoughts on topics affecting their demographic. Their images and responses were displayed in our office lobby and celebrated by all employees. During the First Quarter, the DE&I Office also began its “If Beale Street Could Talk” series. This facilitated series provides a “safe space” for all employees (Air District, MTC, and BCDC) to share thoughts on topics affecting their community. Also, in the First Quarter, the DE&I Office began its second annual Professional Clothing Drive. Clothing bins were available on each main office floor. All clothing collected was donated to a local non-profit organization for distribution to low-income job applicants.

Human Resources Strategies – As a part of our Human Resources strategies, the DE&I Office participated in several hiring events and activities. Externally, at the Santa Clara University Diversity Career Expo, we spoke with students regarding future employment opportunities including internships. At this event, a representative from our Engineering Department participated in the Expo to assist in our efforts. Internally, the DE&I Office participated in several job application panel screenings as well as panel interviews. In addition, the DE&I Office presented the most recent employee demographic data identifying gaps and trends to the executive team.

Training and Development – Our consultant agency, Cook Ross, led by instructor Dr. Linda Ricketts, conducted the final mandatory training session for Air District Managers and above on the topic of Unconscious Bias. The sessions were three hours of interactive work.

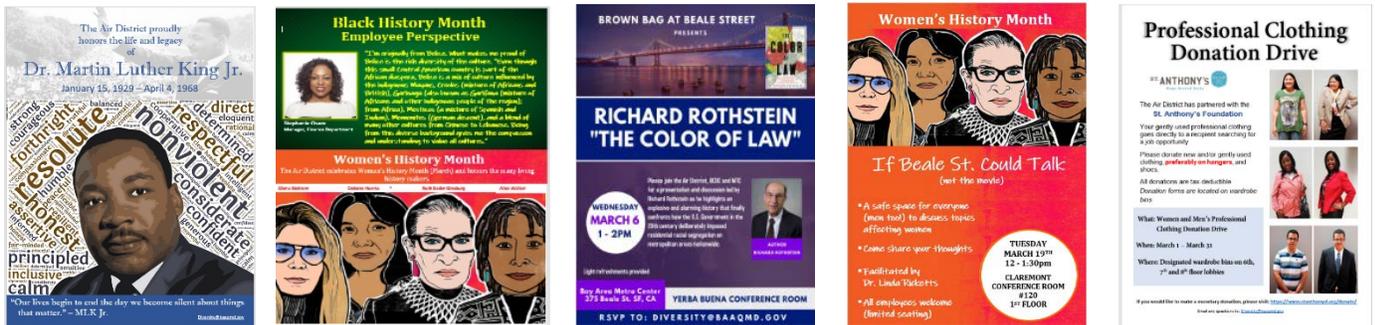
Guest Speaking Appearances – The DE&I Office’s Manager was invited and participated as a guest speaker and panelist at the League of Women Voters, 2019 League Day event at Google Offices in San Francisco, CA. The theme of League Day 2019 was “Using a diversity, equity, and inclusion lens to empower voters, strengthen social impact, and defend democracy by welcoming a more diverse organization.” The speech and panel discussion session focused on operationalizing diversity, equity, and inclusion.

The DE&I Office invited Richard Rothstein, author of “The Color of Law: A Forgotten History of How Our Government Segregated America” to provide a presentation to the Board of Directors and staff on his book. Mr. Rothstein gave an alarming presentation describing how the U.S. Government at all levels of government imposed racial segregation policies and practices that persist to this day.

Government Alliance on Race and Equity (GARE) – The DE&I Office continues to lead the GARE internal program participating in the planning and actionable items for our Bay Area Regional Collaborative (BARC) racial equity team as well as the GARE educational sessions held in Oakland. The Office, GARE Steering Committee, and the Deputies of at each agency, worked to select our new 2019 cohort participants including the Introductory and Implementation teams.

The Steering Committee has been working to formalize-structured approach moving forward with MTC, and BCDC. The proposed structure is being developed to bring a structured approach to the Program, clearly defining the roles and responsibilities of the Committee, the Introductory and Implementation Cohorts. A transparent, inclusive process is being sought with clear expectations and activities for the calendar year. In upcoming meetings, the roles of the GARE working groups (pillar teams) will also be formalized.

Sample Communications:



**STRATEGICS INCENTIVES DIVISION
K. SCHKOLNICK, DIRECTOR**

Available Grant Funding:

- **Community Health Protection Grant Program** – Provides \$50 million (M) in grant funds to reduce toxic air emissions and ozone-forming pollutants from older, polluting diesel engines. For the initial year of this program, the Air District is accepting applications for projects that reduce emissions in communities along the 80/880 freeways from Hayward to Richmond, and from Vallejo to Pittsburg. Community input will play an important role by informing the Air District’s project outreach and project identification processes. Applications are being accepted now and funds will be awarded to owners of eligible equipment and vehicles by June 2019. www.baaqmd.gov/ab617grants
- **Carl Moyer Program (CMP)** – Provides more than \$10M annually in funding for projects to upgrade or replace on-road vehicles, school buses, transit buses, off-road and agricultural equipment, marine equipment, and locomotives. Applications are being accepted on a first-come, first-served basis. www.baaqmd.gov/moyer
- **Lower-Emission School Bus Program** – Provides funding for public school districts, Joint Powers Authorities (JPAs), and contracted fleets in the Bay Area to do bus replacements, engine repowers or electric conversions, natural gas tank replacements, and electric charging & alternative fueling infrastructure projects. Applications are being accepted on a first-come, first served basis. www.baaqmd.gov/lesbpnt

- **West Oakland Zero-Emission Grant Program** - Provides approximately \$1M in Reformulated Gas Settlement Funding (RFG) to help owners and operators pay for a portion of the cost to purchase and deploy new on- and off-road zero-emission vehicles, infrastructure, and mobile and stationary equipment that will be operated and installed in and around the West Oakland community, including the maritime Port of Oakland, the Oakland International Airport and the surrounding industrial areas. Funding from this program may be matched with other grant sources offered by the Air District. Applications will be accepted until the remaining RFG funds are exhausted or June 30, 2019, whichever occurs first. www.baaqmd.gov/WestOaklandZEV
- **Residential Wood Smoke Reduction Incentive Program** – Provides funding to eligible homeowners to help offset a portion of the cost to replace older, highly polluting fireplaces and wood-burning stoves with qualifying cleaner heating devices, including electric heat pumps and natural gas or propane heating stoves and inserts. Funding is also available to help homeowners decommission their existing wood-burning devices. Currently, funding is limited to homes located in [eligible areas](http://www.baaqmd.gov/woodsmokegrant). www.baaqmd.gov/woodsmokegrant
- **Vehicle Buyback Program** – Pays Bay Area residents \$1,000 to turn in their operable, registered, vehicle (model years 1996 and older) for scrapping. www.baaqmd.gov/vbb

Key Accomplishments:

Transportation Fund for Clean Air (TFCA) - Funding is provided through a \$4 surcharge on motor vehicles registered within the nine-county Bay Area to implement projects that reduce on-road motor vehicle emissions within the Air District’s jurisdiction. This quarter, the Air District Board of Directors (Board) approved the allocation of \$14M million in new TFCA funding and the cost-effective limits for Air District-sponsored programs for fiscal year ending (FYE) 2020. Up to \$32.30M in TFCA funding, comprised of approximately \$14M in new funds and up to \$18.30 carryover, will be available for programs and projects in FYE 2020.

- **Regional Fund and Air-District Sponsored Projects:** 60% of TFCA funds are awarded to eligible projects and programs implemented directly by the Air District and the Regional Fund, which provides funding for clean air vehicles and supporting infrastructure, and the implementation of trip reduction services and bicycle facility projects:
 - **Pilot Trip Reduction Grant Program** – This Program provides funding to support the demonstration of microtransit solutions that provide first- and last-mile connections to mass transit in the Bay Area’s highly impacted and priority development areas. Solicitation was released in December 2018 and closed on March 15, 2019. During this quarter, staff hosted four pre-application webinars and met with representatives from Tri Delta Transit, Bay Area Rapid Transit (BART), Alameda County Transportation Commission, Town of Windsor, San Francisco County Transportation Authority, San Francisco Municipal Transportation Agency, and Hych to discuss their respective microtransit and Transportation Network Company projects. A total of seven applications were received: five for microtransit services projects and two for non-microtransit projects, altogether requesting \$6.4M in project funding.

- **Existing Shuttle and Ridesharing Program** – This Program provides funding to reduce single-occupancy commuter vehicle trips. The solicitation was released in August 2018 with nine applications received by the deadline in September 2018. Six projects were awarded a total of \$1,961,800 for the operation of 24 shuttle routes and one ridesharing service, and three were either ineligible or withdrawn by the applicants. This quarter, staff met with representatives from the Metropolitan Transportation Commission (MTC) to discuss MTC’s trip reduction project, and fully executed funding agreements for four of the six awarded projects. Staff are currently working to execute funding agreements for the remaining two.
- **Shared Autonomous Vehicle (SAV) Projects** – Funded in 2016, these two projects have been testing SAVs in Contra Costa and Alameda counties. Staff hosted a conference call with Livermore Amador Valley Transit Authority (LAVTA) on January 29, 2019 to discuss the Dublin BART SAV project.
- **Other Activities**
 - **February 4, 2019 and February 14, 2019:** Staff attended a meeting with MTC to discuss active transportation projects in the Bay Area.
 - **March 15, 2019:** Staff teleconferenced with City of Palo Alto to discuss funding opportunities for bicycle rack installations on school campuses.
- **County Program Manager (CPM) Fund:** 40% of TFCA funds are distributed to a designated CPM in each of the Bay Area’s nine counties to implement their own air quality projects. During this quarter, staff hosted two workgroup meetings with CPMs to solicit ideas for FYE 2021 policy updates and to provide an update on the FYE 2020 program cycle. Staff also attended four Bay Area County Transportation Agency’s (BACTA) meetings, including three executive directors’ meetings and two planning directors’ meeting, and met with Solano Transportation Authority (STA) to discuss STA’s projects and Air District funding opportunities. An FYE 2020 Expenditure Plan for each CPM was received in March.
- **CMP, School Bus Program, Funding Agricultural Replacement Measures for Emission Reductions Program (FARMER), and AB 617** - In cooperation with CARB, the Air District administers State-funded grant programs including the CMP, Lower-Emission School Bus Program (LESP), FARMER, and AB 617 Community Health Protection Grant Program. These programs provide funding to reduce emissions from existing heavy-duty engines in on-road and off-road vehicles and equipment. This quarter, staff evaluated 25 projects with proposed individual award amount over \$100,000, requesting a total of over \$27M in funding. Staff conducted outreach to promote funding opportunities, submit disbursement requests and quarterly reports, and participate in meetings and educational events related to these programs.
- **Outreach:**
 - **January 14, 2019:** Staff coordinated with Air District Community Engagement staff to send out an e-blast regarding grant funding opportunities for schools.
 - **March 1, 2019:** Staff sent letters to portable equipment owners regarding funding opportunities for portable engine replacement projects.

○ **Requests and Reports:**

- **January 9, 2019 and February 8, 2019:** In January, staff submitted a \$27,788,036 disbursement request to CARB for AB 134 projects and in February received payment.
- **January 11, 2019:** Staff sent final reminders to CMP grantees for annual reports that have not yet been submitted.
- **January 15, 2019 and January 31, 2019:** Staff submitted quarterly reports for DERA (Diesel Emissions Reduction Act) and FARMER.
- **January 23, 2019:** Staff received from CARB the fully executed Memorandum of Agreement for the CARB Voluntary NOx Remediation Measure grant and submitted a disbursement request to CARB for this funding.
- **February 7, 2019:** Staff submitted a Board resolution authorizing the District's participation in CMP Year 21.
- **February 22, 2019:** Staff received \$1,326,075 from CARB for the Voluntary Low NOx Reduction Measure Incentive Program.
- **March 12, 2019:** Staff submitted an application to CARB requesting \$5M in funding for the second cycle of the FARMER program.
- **March 18, 2019:** Staff submitted a DERA disbursement request to the EPA for \$433,750 in project funds and \$5,830 in administrative funds.
- **March 21, 2019:** Staff submitted the final report for the 2016 DERA Port of San Francisco/Richmond locomotive replacement project.

○ **Meetings and Events:**

- **January 8, 2019:** Staff attended a California Energy Commission (CEC) School Bus purchase webinar.
- **January 9, 2019, February 13, 2019, and March 13, 2019:** Staff participated in CAPCOA mobile source and grants meetings.
- **January 9, 2019:** Staff attended a DERA solicitation meeting.
- **January 10, 2019:** Staff participated in a CARB locomotive certification update call.
- **January 31, 2019 and February 27, 2019:** Staff attended a meeting and workshop on the AB 617 West Oakland Action Plan and the Community Air Protection Incentive projects.
- **February 6, 2019 – February 7, 2019:** Staff attended a CARB zero-emission bus symposium.
- **February 8, 2019 and March 14, 2019:** Staff participated in conference calls regarding Caltrans' locomotive project.

- **February 25, 2019:** Staff participated a conference call with Proterra regarding CMP.
 - **March 4, 2019:** Staff participated in a conference call regarding coordination for Pacific Gas and Electric's (PG&E) Medium-Duty/Heavy-Duty Transportation Electrification Program.
 - **March 14, 2019:** Staff hosted a conference call with Motiv Power Systems.
 - **March 18, 2019:** Staff participated in Port of Oakland's monthly Trucker Working Group meeting.
 - **March 25, 2019:** Staff participated in a conference call regarding the CARB Hybrid and Zero-Emission Truck and Bus Voucher Incentive Program (HVIP).
 - **March 28, 2019:** Staff participated in a CARB Clean Transportation conference call.
- **Proposition 1B Goods Movement Program (GMP)** – This program provided funding to upgrade or replace diesel equipment including trucks, locomotives, Transportation Refrigeration Units (TRUs), cargo handling equipment, and shore power equipment. This quarter, staff submitted a grant disbursement request for \$9,637 in administrative project funds, inspected new GMP-funded locomotives for Port of San Francisco and Union Pacific, participated in a CARB GMP local agency conference call, and submitted a quarterly GMP report.
 - **Other Programs and Special Projects:**
 - **AC Transit Hydrogen Fuel Cell Bus Project** – Funding for this Project is provided by CARB for an initiative aimed at using cap-and-trade dollars to reduce greenhouse gas emissions in disadvantaged communities. The Air District awarded an additional \$1M for AC Transit to deploy 10 hydrogen fuel cell electric buses and to make upgrades to an existing fueling station in the City of Emeryville. This quarter, staff hosted nine meetings with project partners to discuss progress. The first of the 10 project buses were received by AC Transit on January 18, 2019.
 - **Goodwill Electric Bus Project** – This Project is co-funded by TFCA and CARB, in partnership with SF Goodwill, the Center for Transportation and the Environment, and Build Your Dreams (BYD) Corporation and will test the viability of deploying a fleet of electric delivery trucks in the Bay Area and ultimately provide a model to electrify Goodwill's truck fleet across the nation. As of October 2018, all 11 project vehicles had been delivered to Goodwill for testing. This quarter, staff met with project partners two to three times a month to discuss project progress.
 - **Zero-Emission Hydrogen Ferry Demonstration Project** – This Project, funded by CARB and administered by the Air District, will demonstrate the advantages of hydrogen fuel cells for use in the commercial maritime industry by deploying a zero-emission hydrogen ferry in San Francisco Bay. Construction on the ferry started in November 2018 and is expected to be completed in September 2019. This quarter, staff hosted monthly meetings with the grantee to discuss project progress and

submitted a progress report to CARB. Staff also submitted a disbursement request to CARB for \$360,000 and received payment.

- **West Oakland Zero-Emission Grant Program** – Staff issued a solicitation (Round three) in February. During this quarter, staff conducted two of the four scheduled pre-application webinars and notified interested applicants of updated Program Guidance, expanded eligibility requirements, and upcoming webinars. Staff also attended a Port of Oakland’s Truckers Workgroup Meeting to share information about the Program.
- **Wood Smoke Reduction Incentive Program** – The Winter 2017/2018 Program cycle launched in January 2018 with approximately \$800,000 available for residents in CARE and High Wood Smoke Areas. To date as of March 18, 2019, 1,048 applications have been received, approximately 90 of which were received this quarter. For this cycle, a total of \$477,192 in funding has been encumbered, 171 projects have been paid, 73 are active and in progress, 21 are under review, and 11 have pending payment requests. 772 projects have been either withdrawn by the applicant or rejected by the Air District for not meeting program requirements.
- **Grant Programs in Development:**
 - **Volkswagen (VW) Environmental Mitigation Trust Fund Program** – The VW Environmental Mitigation Trust will provide approximately \$423M for California to mitigate the excess nitrogen oxide emissions caused by VW’s use of illegal emissions testing defeat devices. The Air District will administer these monies for projects related to light-duty zero-emission vehicle infrastructure and zero-emission freight and marine. During this quarter, grant agreements between CARB and the Air District were fully executed for both Zero-Emission Freight and Marine and Light-Duty Infrastructure project categories. Staff continued to hold meetings with multiple organizations, such as Fluxx Labs, Social Ink, and GreenInfo Network, to research options for the Program’s administration, including the development of a new website, database and grant management system. In February, staff issued a request for quotes to build a website and data visualization tool for the Program and conducted an online questions and answers session with the potential bidders. Staff also held regular meetings with the other administering agencies, including the San Joaquin Valley and South Coast air districts, and CARB to discuss program implementation and to prepare for stakeholder workgroup meetings scheduled for April and May. Solicitations for VW funding are anticipated to open in mid-2019.
- **Other Meetings and Events:** The following is a list of other meetings and events in which staff participated, coordinated and/or facilitated.
 - **January 3, 2019 and January 10, 2019:** Staff participated in the testing of Fluxx Labs’ grants management system being developed for the Air District’s Clean Cars for All Program.
 - **January 11, 2019:** Staff attended an industry forum, hosted by California State University Maritime Academy (Cal Maritime) and the North American Marine Environment Protection Association (NAMEPA) in the City of Vallejo, to discuss ship emissions.

- **January 14, 2019:** Staff met with representatives from an Indian delegation at the University of California at Berkeley (UC Berkeley) Goldman School of Public Policy to present the Air District strategies to reduce mobile source emissions.
- **January 14, 2019:** Staff attended an IHS Markit e-mobility demonstration.
- **January 24, 2019:** Staff met with representatives from MTC to discuss collaboration to achieve common regional goals regarding the reduction of air pollution and greenhouse gas emissions in all Bay Area communities.
- **January 25, 2019:** Staff attended a presentation by UC Berkeley researchers on funding and understanding Heavy-Duty Diesel Vehicles (HDDV) high-emitters.
- **January 28, 2019:** Staff met with representatives from the City and Port of Richmond to discuss grant funding opportunities for electrifying port berths in advance of regulations.
- **January 29, 2019:** Staff attended a webinar hosted by the Zero-Emission Vehicle (ZEV) Alliance on accelerating ZEVs in shared mobility fleets.
- **January 30, 2019:** Staff attended the Funders Forum in Diamond Bar, CA to discuss challenges in, and funding opportunities and collaboration for, clean transportation.
- **January 31, 2019:** Staff attended a webinar, hosted by MTC, on Waze and Scoop carpool application user data.
- **January 31, 2019:** Staff held a teleconference with TRAFFIX to discuss funding opportunities for school buses.
- **February 4, 2019:** Staff held a teleconference with Bloom Energy to discuss their fuel cell technology and potential funding opportunities.
- **February 6, 2019:** Staff participated in a meeting with the University of California at Davis (UC Davis) to discuss opportunities to collaborate on the Air District's research needs.
- **February 12, 2019:** Staff participated in a webinar on the CEC Draft Solicitation Concepts for Light Duty Hydrogen Refueling Infrastructure.
- **February 13, 2019:** Staff attended a meeting with representatives from Planning Division and EPA Region nine to discuss opportunities for improving air quality at Port of Oakland.
- **February 19, 2019:** Staff attended a CALSTART Board of Directors meeting in Pasadena, CA on behalf of the Executive Officer
- **March 5, 2019 – March 7, 2019:** Staff attended the National Share Mobility Summit in Chicago, IL.
- **March 8, 2019:** Staff attended the Redefining Mobility Summit in San Ramon, CA.
- **March 14, 2019:** Staff attended the Bay Area EV Coordinating Council Meeting.

- **March 18, 2019:** Staff participated in an intra-agency (CARB, CEC, Go-Biz) conference call regarding funding and incentives for light-duty hydrogen fueling stations.
- **March 19, 2019:** Staff attended the CARB Low-Carbon Transportation Heavy-Duty Project Showcase in Sacramento.
- **March 19, 2019:** Staff attended the Government Alliance on Race & Equity (GARE) meeting in Oakland.
- **March 20, 2019:** Staff attended CALSTART's California 2030 Summit in Sacramento.
- **March 27, 2019:** Staff met with representatives from MTC to discuss electrification of the Bay Area's transit bus fleet by the year 2040.

**METEOROLOGY, MEASUREMENT & RULES DIVISION
W. KINO, DEPUTY AIR POLLUTION CONTROL OFFICER**

Air Quality

During the first quarter of 2019, there were no exceedances of the national $35 \mu\text{g}/\text{m}^3$ $\text{PM}_{2.5}$ standard. One Winter Spare the Air Alert was called on January 28, 2019. During January, February, and March of 2019, frequent storms moved through the Bay Area. During the 1st quarter, San Francisco Airport received 16.23 inches of rainfall, while Santa Rosa received 32.79 inches and San Jose received 11.31 inches. In comparison, during the first quarter of 2018, San Francisco Airport received 8.56 inches of rainfall, while Santa Rosa received 14.08 inches and San Jose received 6.31 inches.

During the winter season of 2018-2019, there were sixteen Winter Spare the Air Alerts issued and fourteen days over the standard. All fourteen days occurred because of smoke from the Camp Fire in Butte County. In the winter of 2017-18, there were nineteen Winter Spare the Air Alerts issued and eight days over the standard. In the winter of 2016-17, there were seven Winter Spare the Air Alerts issued and no days over the standard.

Staff led the continuation of the AB 617 Richmond Monitoring Plan development process in coordination with the Community Engagement office, developing the programmatic information and materials needed to the community-led process of forming the Steering Committee and community co-lead partners. Staff continued developing visualizations of source, emissions, and air quality information with assistance from Engineering and Compliance and Enforcement Divisions and provided input as requested to Technical Assessment and Community Capacity Building AB 617 efforts.

Staff worked with Community Engagement to secure Board approval to build a third-party center to provide air quality related technical assistance to communities.

A recruitment to fill two Principal Air Quality Specialist positions was open during the first quarter.

Air Monitoring

Thirty-one air monitoring sites were operational from January through March 2018. Work continued on securing and developing a refinery community monitoring site in Benicia as well as a replacement for the current Livermore site which is scheduled for development by the property owner.

Air Monitoring staff continued to work closely with Aclima on developing a program for mobile measurement of air quality across the entire Bay Area along with a community portal for visualization of community level air quality information. A presentation on this work was given to the Executive Committee on March 20th. Work on the development of mobile tools for high resolution speciation monitoring in communities continued. This includes working on the acquisition of a Proton Transfer Reaction Mass Spectrometer (PTR-MS) and accompanying vehicle as well as research and acquisition of other supporting equipment and analyzers.

A recruitment to fill two Principal Air Quality Instrument Specialist positions was run during the first quarter. There were 11 applicants interviewed. One hiring recommendation was made and is currently routing for approval.

Performance Evaluation

The Performance Evaluation (PE) Section conducted EPA-mandated performance audits at 25 Air District air monitoring stations, verifying 74 separate parameters during the First Quarter of 2019. Two Operations Data Action Monitoring Notifications (ODAMN) were issued for minor items identified that were operating outside of Air District Audit Acceptance Criteria. The National Air Quality System Database was updated with all audit results.

Ground-Level Monitoring (GLM) audits of hydrogen sulfide (H₂S) and sulfur dioxide (SO₂) analyzers were conducted at the Marathon and Chevron Refineries. Audits were performed at seven GLM locations; 13 gas analyzers were tested. All GLM gas analyzers tested met the District's performance evaluation (audit) criteria.

The PE Section staff conducted particulate sampler audits at the Oakland Army Base, operated by a private contractor, Northgate Environmental Management, Inc. The company has been operating three PM_{2.5} samplers. The PE Section staff also conducted audits of four particulate samplers in the vicinity of the San Rafael Rock Quarry at the request of Marin County's Department of Land Management.

The PE Section staff were called-out for mobile surveillance/incidence response around the perimeter of Valero Refinery, Benicia, on Sunday, March 24, 2019. Continuous/real-time monitoring for SO₂, H₂S, and CO was performed throughout the day. Grab samples were taken "up-wind" and "down-wind" of the refinery, which were delivered to the Air District's lab for air toxics analysis.

Regular departmental duties continued, including: audit report preparation; report review; informational inquiries; database management; equipment testing, calibration, verification, maintenance and repair; supply and consumable purchasing; budget maintenance; gas cylinder testing, shipping and receiving; training; documentation of duties, and general upkeep of the section.

Source Test

The Source Test (ST) Section continued evaluations of new measurement technologies and several test procedures relevant to AB 617, Regulation 11-18 and emission inventory improvement. ST staff provided technical assistance to the Rules Section on evaluation of the new Regulation 13 set of rules. ST staff participated on the Rules Development Council, attended settlement agreement meetings, attended workgroup meetings, and continued work on draft revisions of the Manual of Procedures Volumes IV and V. ST staff continued to provide advice, data interpretation and field observation on the Refinery Heavy Liquids Study, including coordination and logistical meetings. The Source Test Section continued to provide ongoing advice and guidance to Engineering and Compliance & Enforcement on emission data interpretation, permit development and recommendations for further evaluation indicating potential violations.

Efforts to fill vacancies and workload gaps proceeded, including discussions regarding prioritization and possible redirection of duties. ST staff continued to work on reorganization and training tasks.

Routine Source Test Sections duties continued which include:

- Performance of CEM Field Accuracy Tests on monitors installed at large source emission points.
- Performance of source tests to determine emissions of precursor organic compounds, filterable and condensable particulate matter and toxic air contaminants.
- Performance of tests to assess the compliance status of gasoline cargo tanks, gasoline dispensing facilities, gasoline terminal loading and vapor recovery systems.
- Evaluation of independent contractor conducted source tests to determine report acceptability and source compliance.
- Evaluation of CEMS installations and ongoing compliance, including monitoring plan review and approval.

Laboratory

The laboratory continues to perform its ongoing, routine analyses related to Air Monitoring activities.

In addition to regularly scheduled samples, the laboratory participated in analysis of coating samples from Tesla Motors, performed analyses of filters in support of an ambient monitoring development project at San Luis Obispo County Air Pollution Control District, and performed other analyses in support of Compliance & Enforcement and Source Test actions.

STATISTICS

STATISTICS			
<u>Administrative Services:</u>		<u>Compliance Assistance and Operations Program:</u>	
<u>Accounting/Purchasing/Comm.</u>		Asbestos Plans Received	1640
General Checks Issued	1334	Coating and other Petitions Evaluated	8
Purchase Orders Issued	423	Open Burn Notifications Received	691
Checks/Credit Cards Processed	5542	Prescribed Burn Plans Evaluate	13
Contracts Completed	102	Tank/Soil Removal Notifications Received	12
RFP/RFQ	4	Compliance Assistance Inquiries Received	59
Lease	2	Green Business Reviews	1
		Refinery Flare Notifications	22
<u>Executive Office:</u>			
Air Pollution Control Officer's Meetings Attended	225		
Board Meetings Held	3	<u>Compliance Assurance Program:</u>	
Committee Meetings Held	15	Industrial Inspections Conducted	1941
Advisory Council Meetings Held	1	Gas Station Inspection Conducted	217
Hearing Board Meetings Held	0	Asbestos Inspections Conducted	326
Variances Received	1	Open Burning Inspections Conducted	39
		PERP Inspections Conducted	22
<u>Information Systems:</u>		Mobile Source Inspections	0
New Installation Completed	8	Grant Inspections Conducted	178
PC Upgrades Completed	0		
Service Calls Completed	988	<u>Engineering Division:</u>	
		Annual Update Packages Completed	1153
<u>Human Resources:</u>		New Applications Received	292
Manager/Employee Consultation (Hrs.)	350	Authorities to Construct Issued	151
Management Projects (Hrs.)	400	Permits to Operate Issued	177
Employee/Benefit Transaction	500	Exemptions	5
Training Sessions Conducted	2	New Facilities Added	100
Applications Processed	513	Registrations (New)	247
Exams Conducted	18	Health Risk Assessments (HRA)	67
New Hires	4	Regular Employees Staffed	57
Promotions	14	Position Vacancies	9
Separations	6	Temporary Employees Staffed	3
Payroll Administration (Hrs.)	700	Interns Staffed	0
Safety Administration	150		
Inquiries	4000	<u>Communications and Public Information:</u>	
		Responses to Media Inquires	145
<u>Facility/Vehicle:</u>		Events Staffed with Air District Booth	10
Request for Facility Service	54		
Vehicle Request(s)	328	<u>Community Engagement:</u>	
Vehicle Maintenance Request(s)	58	Presentations Made	45
		Visitors	25
		Air District Tours	3
		Community Meetings Attended	40

STATISTICS (continued)			
Compliance and Enforcement Division:		1st Quarter 2019 Agricultural Burn Days	
Enforcement Program		January – March Permissive Burn Days-North	84
Violations Resulting in Notices of Violations	239	January – March No-Burn Days-North	6
Violations Resulting in Notice to Comply	3	January – March Permissive Burn Days-South	84
New Hearing Board Cases Reviewed	0	January – March No-Burn Days-South	6
Reportable Compliance Activity Investigated	141	January – March Permissive Burn Days-Coastal	84
General Complaints Investigated	834	January – March No Burn Days-Coastal	6
Wood Smoke Complaints Received	387		
Mobile Source Violations	0	Laboratory	
		Sample Analyzed	2305
		Inter-Laboratory Analyses	0
Meteorology Measurements & Rules:			
1st Quarter 2019 Ambient Air Monitoring			
Days Exceeding Nat'l 24-Hour PM _{2.5} Std.	0	Technical Library	
Days Exceeding Nat'l 24-Hour PM ₁₀ Std.	0	Titles Indexed/Cataloged	
Days Exceeding State 24-Hour PM ₁₀ Std.	0	Periodicals Received/Routed	
Days Exceeding the Nat'l 8-Hour Ozone Std.	0		
Days Exceeding the State 1-Hour Ozone Std.	0	Source Test	
Days Exceeding the State 8-Hour Ozone Std.	0	Cargo Tank Tests Performed	0
		Total Source Tests	26
Ozone Totals, Year to Date 2019		Pending Source Tests	3
Days Exceeding State 1-Hour Ozone Std.	0	Further Evaluation Notices Recommended	6
Days Exceeding Nat'l 8-Hour Ozone Std.	0	Contractor Source Tests Reviewed	3599
Days Exceeding State 8-Hour Ozone Std.	0	Outside Test Observed	18
		Further Evaluation Notices Recommended After Review	15
Particulate Totals, Year to Date 2019			
Days Exceeding Nat'l 24-Hour PM _{2.5} Std.	0	Continuous Emissions Monitoring (CEM)	
Days Exceeding Nat'l 24-Hour PM ₁₀ Std.	0		
Days Exceeding State 24-Hour PM ₁₀ Std.	0	Indicated Excess Emission Report Eval.	24
		Monthly CEM Reports Reviewed	116
PM_{2.5} Winter Season Totals for 2019 - 2020		Indicated Excesses from CEM	25
Days Exceeding Nat'l 24-Hour PM _{2.5} Std.	14	Field Accuracy Test Performed	7
		Ground Level Monitoring (GLM)	
		January – March Ground Level Monitoring SO ₂ Excess Reports	0
		January – March Ground Level Monitoring H ₂ S Excess Reports	8

These facilities have received one or more Notices of Violations
Report period: January 1, 2019 – March 31, 2019

Alameda County				
Status Date	Site #	Site Name	City	Regulation Title
2/20/2019	Z5818	Safeway Fuel Center	Alameda	GDF Phase I Equipment Not Maintained
1/17/2019	A0774	Henkel US Operations Corporation	Berkeley	No Permit to Operate
2/4/2019	A0819	Berkeley Forge & Tool Inc	Berkeley	No Authority to Construct
2/4/2019	A0819	Berkeley Forge & Tool Inc	Berkeley	No Permit to Operate
1/28/2019	Z5725	Berkeley Unified School District	Berkeley	Asbestos; Written Plan or Notification
3/22/2019	Z5963	Resident	Berkeley	Asbestos; Schedule Changes and Updates
1/14/2019	B7755	DeSilva Gates Construction	Dublin	Failure to Meet Permit Conditions
2/25/2019	A8996	Alameda County GSA	Dublin	Final Emission Limits: 20 <75
2/26/2019	Z4777	Emeryville Fire Dept Sta #2	Emeryville	No Permit to Operate
3/8/2019	A1438	Tesla, Inc	Fremont	Non-Compliance; Major Facility Review
1/16/2019	A1438	Tesla, Inc	Fremont	No Authority to Construct
1/16/2019	A1438	Tesla, Inc	Fremont	No Permit to Operate
1/16/2019	A1438	Tesla, Inc	Fremont	Non-Compliance; Major Facility Review
3/28/2019	A4134	Irvington Memorial Cemetery	Fremont	Failure to Meet Permit Conditions
3/28/2019	A4134	Irvington Memorial Cemetery	Fremont	Parametric Monitoring and Recordkeeping Procedures
3/11/2019	Y3926	Grimmer Gas	Fremont	GDF Phase II Equipment Not Maintained
1/10/2019	Z4600	ABE Petroleum - Olympic Oil	Hayward	Failure to Meet Permit Conditions
1/8/2019	Z5754	MFD	Hayward	Asbestos; Written Plan or Notification
1/8/2019	Z5754	MFD	Hayward	Asbestos; Schedule Changes and Updates
1/10/2019	Z5763	Matheus Aragao	Hayward	Asbestos; Reporting Demolition and Renovation
3/22/2019	Z5960	SFD	Hayward	Asbestos; Written Plan or Notification
1/8/2019	Z4365	Green Petroleum LLC	Livermore	GDF Phase I Equipment Not Maintained
2/22/2019	A5095	Republic Services Vasco Road, LLC	Livermore	Non-Compliance; Major Facility Review
1/17/2019	A0208	Schnitzer Steel Products Company	Oakland	Failure to Meet Permit Conditions
2/28/2019	A0456	Pacific Galvanizing	Oakland	Failure to Meet Permit Conditions
1/9/2019	Z5666	Cottrell Smith	Oakland	Demolition, Renovation, and Removal Requirement
1/9/2019	Z5666	Cottrell Smith	Oakland	Asbestos; Written Plan or Notification
1/29/2019	Z5729	SFD	Oakland	Asbestos; Written Plan or Notification
1/28/2019	Z5742	Lake Merritt Gasoline	Oakland	GDF Phase I Equipment Not Maintained
2/21/2019	Z5864	Lakeshore Chevron	Oakland	GDF Phase I Equipment Not Maintained
1/30/2019	Z5732	SFD	Oakland	Asbestos; Written Plan or Notification
3/4/2019	Z5877	SFD	Oakland	Asbestos; Written Plan or Notification
3/6/2019	Z1894	Vanney Construction	Pleasanton	Asbestos; Schedule Changes and Updates
2/13/2019	Z5798	Engine Research Company	San Lorenzo	No Permit to Operate
1/14/2019	Z5670	David Pheng	Sunol	Asbestos; Written Plan or Notification
Contra Costa County				
Status Date	Site #	Site Name	City	Regulation Title
1/28/2019	Z5756	Victor H Ortiz	Antioch	Mandatory Burn Ban
2/27/2019	E3777	Big House Beans	Antioch	Failure to Meet Permit Conditions
2/27/2019	E3903	D&D Ready Mix Inc	Byron	No Authority to Construct
2/27/2019	E3903	D&D Ready Mix Inc	Byron	No Permit to Operate
1/17/2019	Z4381	Grand Petroleum Inc.	Concord	GDF Phase II Operating Practices
2/20/2019	Z5863	Don's Gas	Concord	GDF Phase I Requirement
3/6/2019	N2664	7-Eleven	Concord	GDF Phase I Equipment Not Maintained
3/7/2019	Z5921	Oak Grove Shell	Concord	GDF Phase I Requirement
3/28/2019	D0479	Gasco	Concord	Failure to Meet Permit Conditions
1/24/2019	Z5737	SFD	Danville	Asbestos; Schedule Changes and Updates
1/10/2019	A0907	Central Contra Costa Sanitary District	Martinez	Non-Compliance; Major Facility Review
1/10/2019	A0907	Central Contra Costa Sanitary District	Martinez	Code of Federal Regulations
1/30/2019	A0011	Shell Martinez Refinery	Martinez	Opacity Limitation
1/30/2019	A0011	Shell Martinez Refinery	Martinez	Code of Federal Regulations
2/21/2019	A0011	Shell Martinez Refinery	Martinez	Limitations on Hydrogen Sulfide
3/6/2019	A0011	Shell Martinez Refinery	Martinez	Limitations on Hydrogen Sulfide
3/25/2019	B2758	Tesoro Refining & Marketing Company LLC	Martinez	Opacity Limitation
3/25/2019	B2758	Tesoro Refining & Marketing Company LLC	Martinez	Emission Limitations for Sulfur Recovery Plants
3/25/2019	B2758	Tesoro Refining & Marketing Company LLC	Martinez	Non-Compliance; Major Facility Review
3/25/2019	E1200	Tesoro Logistics Operations LLC	Martinez	External Floating Roof Tank Maintenance
3/25/2019	B2758	Tesoro Refining & Marketing Company LLC	Martinez	Standards for New Stationary Sources
3/25/2019	B2758	Tesoro Refining & Marketing Company LLC	Martinez	External Floating Roof Tank Requirements
3/25/2019	B2758	Tesoro Refining & Marketing Company LLC	Martinez	Non-Compliance; Major Facility Review
3/25/2019	B2758	Tesoro Refining & Marketing Company LLC	Martinez	Process Vessel Depressurizing
3/25/2019	B2758	Tesoro Refining & Marketing Company LLC	Martinez	Records Management of Vessel Depressurization
3/25/2019	B2758	Tesoro Refining & Marketing Company LLC	Martinez	Non-Compliance; Major Facility Review
3/25/2019	B2758	Tesoro Refining & Marketing Company LLC	Martinez	Open -Ended Line or Valve

These facilities have received one or more Notices of Violations
Report period: January 1, 2019 – March 31, 2019
(continued)

Contra Costa County (cont.)				
Status Date	Site #	Site Name	City	Regulation Title
3/25/2019	B2758	Tesoro Refining & Marketing Company LLC	Martinez	Standards for New Stationary Sources
2/11/2019	Z5792	Martinez Vallero	Martinez	GDF Phase I Equipment Not Maintained
2/25/2019	Z5838	Commercial	Oakley	Asbestos; Schedule Changes and Updates
3/25/2019	Z5972	SFD	Pacheco	Asbestos; Schedule Changes and Updates
1/22/2019	B7667	Ameresco Keller Canyon LLC	Pittsburg	Non-Compliance; Major Facility Review
1/31/2019	B1866	Los Medanos Energy Center	Pittsburg	Continuous Emission Monitoring and Recordkeeping
1/31/2019	B1866	Los Medanos Energy Center	Pittsburg	Non-Compliance; Major Facility Review
3/21/2019	Z5957	Commercial	Pittsburg	Asbestos; Schedule Changes and Updates
1/29/2019	J4404	Arco S/S Montes	Pleasant Hill	GDF Phase I Equipment Not Maintained
3/14/2019	Z5930	Safeway Fuel Center #2941	Pleasant Hill	GDF Phase I Equipment Not Maintained
2/25/2019	A0093	Safeway Stores Inc, Bakery Plant	Richmond	Failure to Meet Permit Conditions
1/17/2019	A0010	Chevron Products Company	Richmond	Non-Compliance; Major Facility Review
1/17/2019	A0010	Chevron Products Company	Richmond	Standards for New Stationary Sources
1/15/2019	A0010	Chevron Products Company	Richmond	Leak Action Requirement
1/15/2019	A0010	Chevron Products Company	Richmond	Wastewater Separator Requirements
1/7/2019	A0016	Phillips 66 Company - San Francisco Refinery	Rodeo	Non-Compliance; Major Facility Review
1/31/2019	A0016	Phillips 66 Company - San Francisco Refinery	Rodeo	Emission Limitations at Miscellaneous Operations
2/26/2019	A0016	Phillips 66 Company - San Francisco Refinery	Rodeo	Non-Compliance; Major Facility Review
3/22/2019	A0016	Phillips 66 Company - San Francisco Refinery	Rodeo	Non-Compliance; Major Facility Review
1/3/2019	Z5636	MFD	San Pablo	Asbestos; Written Plan or Notification
1/15/2019	Z5699	SFD	Walnut Creek	Asbestos; Written Plan or Notification
1/4/2019	Z5762	SFD	Walnut Creek	Asbestos; Schedule Changes and Updates
3/7/2019	Z4044	Carmax	Richmond	Failure to Meet Permit Conditions
Marin				
Status Date	Site #	Site Name	City	Regulation Title
1/31/2019	A1713	Marin General Hospital	Greenbrae	No Authority to Construct
1/31/2019	A1275	Novato Sanitary District	Novato	Failure to Meet Permit Conditions
2/4/2019	Z5757	SFD	San Anselmo	Asbestos; Written Plan or Notification
2/5/2019	W9824	Gas and Shop	San Anselmo	GDF Phase II Equipment Not Maintained
1/3/2019	Z5760	Peacock Gap Golf & Country Club	San Rafael	Failure to Meet Permit Conditions
3/19/2019	A3031	Pacific Gas and Electric Company	San Rafael	Failure to Meet Permit Conditions
1/28/2019	Z5765	Orsi Adriano J/Orsi Ferol A	San Rafael	Mandatory Burn Ban
3/5/2019	Z5527	Bridgeway Gas	Sausalito	GDF Phase I Equipment Not Maintained
3/5/2019	Z5527	Bridgeway Gas	Sausalito	Failure to Meet Permit Conditions
Napa County				
Status Date	Site #	Site Name	City	Regulation Title
1/23/2019	Z5736	Matt Weinert	Napa	Open Burning; Prohibition of Fires
1/25/2019	Z5709	Open Field	Napa	Open Burning; Prohibition of Fires
1/11/2019	Z5672	Markley Cove Resort	Napa	GDF Phase I Transfer Requirement
1/11/2019	Z5672	Markley Cove Resort	Napa	GDF Phase I Requirement
3/21/2019	Z5049	United Rentals	Napa	GDF Phase I Requirement
San Francisco County				
Status Date	Site #	Site Name	City	Regulation Title
1/8/2019	V6963	Holiday Inn Golden Getaway	San Francisco	Asbestos; Written Plan or Notification
1/9/2019	V6963	Holiday Inn Golden Getaway	San Francisco	Improper Demolition, Renovation and Removal
1/9/2019	V6963	Holiday Inn Golden Getaway	San Francisco	Waste Disposal Procedures
3/5/2019	M9835	Tosco Marketing	San Francisco	No Permit to Operate
3/5/2019	M9835	Tosco Marketing	San Francisco	Failure to Meet Permit Conditions
3/21/2019	S4406	USCG	San Francisco	Failure to Meet Permit Conditions

These facilities have received one or more Notices of Violations
Report period: January 1, 2019 – March 31, 2019
(continued)

San Mateo County				
Status Date	Site #	Site Name	City	Regulation Title
2/28/2019	Z5873	Carmax	Colma	Failure to Meet Permit Conditions
3/21/2019	Z5956	Commercial	Daly City	Asbestos; Schedule Changes and Updates
1/22/2019	Z5695	SFD	Pacifica	Demolition, Renovation, and Removal Survey Requirement
1/22/2019	Z5695	SFD	Pacifica	Asbestos; Written Plan or Notification
1/22/2019	Z5695	SFD	Pacifica	Asbestos; Scheduling of Demolition Activities
1/29/2019	Z5771	Carole T Gillette	Pacifica	Mandatory Burn Ban
1/28/2019	Z5764	Recipient	Redwood City	Mandatory Burn Ban
1/28/2019	Z4190	Double AA El Camino	San Bruno	GDF Phase II Transfer Requirement
2/6/2019	Z5784	SFD	San Bruno	Asbestos; Schedule Changes and Updates
3/13/2019	Z5929	SFD	San Mateo	Demolition, Renovation, and Removal Requirement
3/13/2019	Z5929	SFD	San Mateo	Asbestos; Reporting Demolition and Renovation
1/30/2019	Y4157	San Mateo Auto Services	San Mateo	GDF Phase II Transfer Requirement
2/11/2019	Z5600	San Mateo Beacon	San Mateo	GDF Record Keeping Requirement
1/31/2019	B2065	E & S Auto Collision Inc	South San Francisco	No Permit to Operate
3/28/2019	Z5983	Residence	Woodside	Failure to Meet Permit Conditions
Santa Clara County				
Status Date	Site #	Site Name	City	Regulation Title
3/4/2019	Z5879	SFD	Campbell	Asbestos; Schedule Changes and Updates
1/28/2019	Z5770	Sullivan Sharon R/Sullivan John M	Campbell	Mandatory Burn Ban
3/7/2019	A0017	Lehigh Southwest Cement Company	Cupertino	No Authority to Construct
3/7/2019	A0017	Lehigh Southwest Cement Company	Cupertino	No Permit to Operate
3/14/2019	A0017	Lehigh Southwest Cement Company	Cupertino	Non-Compliance; Major Facility Review
3/14/2019	A0017	Lehigh Southwest Cement Company	Cupertino	Continuous Emission Monitoring and Recordkeeping
2/6/2019	Z3821	Z-Best Products	Gilroy	No Authority to Construct
2/6/2019	Z3821	Z-Best Products	Gilroy	No Permit to Operate
3/13/2019	A6370	Recology Pacheco Pass	Gilroy	Failure to Meet Permit Conditions
3/13/2019	A6370	Recology Pacheco Pass	Gilroy	Landfill Emission Control System Requirement
3/13/2019	A6370	Recology Pacheco Pass	Gilroy	Parametric Monitoring and Recordkeeping Procedures
3/11/2019	A9013	International Disposal Corp of CA	Milpitas	Non-Compliance; Major Facility Review
3/20/2019	B7196	Headway Technologies Inc, STT Bldg 5	Milpitas	Failure to Meet Permit Conditions
3/7/2019	A9013	International Disposal Corp of CA	Milpitas	Landfill Emission Control System Requirement
3/7/2019	A9013	International Disposal Corp of CA	Milpitas	California Code of Regulations
3/7/2019	A9013	International Disposal Corp of CA	Milpitas	Non-Compliance; Major Facility Review
2/4/2019	A9013	International Disposal Corp of CA	Milpitas	Non-Compliance; Major Facility Review
2/4/2019	A9013	International Disposal Corp of CA	Milpitas	Landfill Emission Control System Requirement
2/4/2019	A9013	International Disposal Corp of CA	Milpitas	Landfill Surface Requirements
2/4/2019	A9013	International Disposal Corp of CA	Milpitas	California Code of Regulations
3/7/2019	A9013	International Disposal Corp of CA	Milpitas	Non-Compliance; Major Facility Review
1/28/2019	Z5740	Commercial	Mountain View	Asbestos; Schedule Changes and Updates
1/9/2019	Z5664	T&T Gas & Mini Mart	San Jose	GDF Phase II Equipment Not Maintained
1/14/2019	Z5688	American Gas & Oil Corporation	San Jose	No Permit to Operate
1/14/2019	Z5688	American Gas & Oil Corporation	San Jose	GDF Phase II Transfer Requirement
1/14/2019	Z5688	American Gas & Oil Corporation	San Jose	GDF Phase I Equipment Not Maintained
1/24/2019	Z5738	Easy Mart 11	San Jose	GDF Phase II Equipment Not Maintained
1/28/2019	V9914	Chevron #9-5771	San Jose	Failure to Meet Permit Conditions
1/30/2019	Y2655	Winchester Shell	San Jose	GDF Phase II Equipment Not Maintained
1/30/2019	Y2655	Winchester Shell	San Jose	GDF Phase II Equipment Not Maintained
2/5/2019	B8748	L P Enterprises, LLC	San Jose	No Permit to Operate
1/23/2019	A2060	Team San Jose	San Jose	Failure to Meet Permit Conditions
3/26/2019	Z5977	Color Pro's	San Jose	No Authority to Construct
3/26/2019	Z5977	Color Pro's	San Jose	No Permit to Operate
2/26/2019	Z5882	Booster Fuels, Inc.	San Jose	Gasoline Cargo Tank Purging Requirement
2/26/2019	Z5882	Booster Fuels, Inc.	San Jose	Gasoline Cargo Tank Vapor Tight Requirement
2/19/2019	A4020	SFPP, LP	San Jose	Gasoline Bulk Terminal Operating Practices
3/12/2019	E0062	Harmonic	San Jose	No Authority to Construct
3/12/2019	E0062	Harmonic	San Jose	No Permit to Operate
2/25/2019	G8954	SFD	San Jose	Asbestos; Written Plan or Notification
3/7/2019	Z5903	MFD	San Jose	Asbestos; Wetting Method
1/11/2019	Z5622	R&B Equipment	Santa Clara	Asbestos; Written Plan or Notification
3/25/2019	A0798	Vantage Data Centers Management Co , LLC	Santa Clara	Failure to Meet Permit Conditions
1/28/2019	Z5769	Barela Alfred J SR (TE)/Barela Donna L	Santa Clara	Mandatory Burn Ban

These facilities have received one or more Notices of Violations
Report period: January 1, 2019 – March 31, 2019
(continued)

Santa Clara County (cont.)				
Status Date	Site #	Site Name	City	Regulation Title
2/25/2019	E3575	City of Sunnyvale	Sunnyvale	No Authority to Construct
2/25/2019	E3575	City of Sunnyvale	Sunnyvale	No Permit to Operate
Solano County				
Status Date	Site #	Site Name	City	Regulation Title
1/22/2019	B2626	Valero Refining Company - California	Benicia	Not Gas Tight
3/7/2019	B2626	Valero Refining Company - California	Benicia	Not Gas Tight
3/14/2019	B2626	Valero Refining Company - California	Benicia	Excessive Visible Emissions
3/14/2019	B2626	Valero Refining Company - California	Benicia	Public Nuisance
3/18/2019	A2329	APS West Coast, Inc , Valero Refining Co - CA	Benicia	Excessive Visible Emissions
3/21/2019	B2626	Valero Refining Company - California	Benicia	Public Nuisance
3/21/2019	B2626	Valero Refining Company - California	Benicia	Emission Limitations at Miscellaneous Operations
3/25/2019	B2626	Valero Refining Company - California	Benicia	Excessive Visible Emissions
3/25/2019	B2626	Valero Refining Company - California	Benicia	Public Nuisance
3/12/2019	B2626	Valero Refining Company - California	Benicia	Excessive Visible Emissions
3/26/2019	A1404	Fairfield-Suisun Sewer District	Fairfield	Failure to Meet Permit Conditions
1/3/2019	Z5674	7-Eleven #34158	Fairfield	Hold Open Latch Requirement
1/3/2019	Y7216	Vizavoo Inc. dba Fairfield Gas	Fairfield	Failure to Meet Permit Conditions
1/30/2019	Z5772	Ferro Thomas B/Ferro D J	Fairfield	Mandatory Burn Ban
3/8/2019	Z5353	Flyers Valero	Fairfield	Failure to Meet Permit Conditions
3/14/2019	A1343	Fairfield Rental Service Inc	Fairfield	GDF Phase I Requirement
3/19/2019	Z6013	Paradise Valley Golf Course	Fairfield	No Authority to Construct
3/19/2019	Z6013	Paradise Valley Golf Course	Fairfield	No Permit to Operate
1/10/2019	Z5654	Sunset Shell	Suisun City	GDF Phase I Equipment Not Maintained
1/10/2019	Z5656	Colonial Energy CR 50148	Suisun City	GDF Phase I Equipment Not Maintained
1/17/2019	Z5689	Fairfield Golfland Ltd	Suisun City	No Pressure Vacuum on Storage Tanks
1/17/2019	Z5689	Fairfield Golfland Ltd	Suisun City	Phase I Requirements
1/30/2019	Z5741	Diamond Petroleum Inc dba Marina	Suisun City	Failure to Meet Permit Conditions
2/7/2019	E1206	California Dept of Forestry FPDC Camp #8	Suisun City	Failure to Meet Permit Conditions
2/28/2019	Z5875	Gov	Vallejo	Asbestos; Schedule Changes and Updates
3/4/2019	Z5886	Commercial	Vallejo	Asbestos; Schedule Changes and Updates
3/5/2019	Z5888	MFD	Vallejo	Asbestos; Written Plan or Notification
1/25/2019	Z5704	United Brothers Enterprise Inc	Vallejo	GDF Phase II Operating Practices
1/25/2019	Z5704	United Brothers Enterprise Inc	Vallejo	Failure to Meet Permit Conditions
2/7/2019	Z5791	Solano County Garage #3	Vallejo	Failure to Meet Permit Conditions
3/19/2019	Z6012	Hiddenbrook	Vallejo	Failure to Meet Permit Conditions
3/19/2019	Z6012	Hiddenbrook	Vallejo	GDF Phase I Requirement
3/19/2019	Z6012	Hiddenbrook	Vallejo	GDF Phase I Equipment Not Maintained
Sonoma County				
Status Date	Site #	Site Name	City	Regulation Title
2/8/2019	A2254	Republic Services of Sonoma County, Inc	Petaluma	Non-Compliance; Major Facility Review
2/8/2019	A1403	Santa Rosa Water - Laguna Treatment Plant	Santa Rosa	Non-Compliance; Major Facility Review

Closed Notice of Violations with Penalties by County January 1, 2019 – March 31, 2019

Alameda

Site Name	Site #	City	Penalty Amount	# of Violations Closed
A B & I Foundry	A0062	Oakland	\$4,000	1
A&M Gas Station	X1902	Hayward	\$1,000	1
AC Transit District - Central Maintenance Building	A2258	Oakland	\$1,500	2
American Technologies	L3951	Hayward	\$100	1
ARCO AMPM Minimart	Z5000	Dublin	\$250	1
California Engineering/Silverado	W1121	Pleasanton	\$250	1
Chevron	Z5235	San Leandro	\$500	1
City of Oakland	Z3906	Oakland	\$1,250	1
City of Oakland	Z3979	Oakland	\$325	1
City of Piedmont	Z2817	Piedmont	\$500	2
Convenience & Petroleum Inc	Y8253	Hayward	\$1,500	2
Cresco Equipment Rentals	Z4800	Pleasanton	\$1,000	1
Creso Equipment	Z3992	Livermore	\$500	1
DeLong Oil Inc.	Z4987	Pleasanton	\$2,000	1
East Bay Municipal Utility District	Z5283	Oakland	\$1,000	2
Faizan Corporation DBA Lewelling ARCO	Z5481	San Leandro	\$2,500	3
Fountain Cleaner	A9662	Oakland	\$250	1
Fremont Gas N Wash	W0024	Fremont	\$500	1
Grafco Station	V4062	Livermore	\$17,325	1
Kaiser Permanente Medical Center	A1529	Oakland	\$750	1
Kodiak Construction	Z5101	Oakland	\$500	1
Livermore Gas	Z3480	Livermore	\$500	1
Luca's Building	Y1469	San Leandro	\$500	1
Membrane Technology & Research, Inc	E1125	Newark	\$5,000	1
MFAS Homes Development	Z2363	Oakland	\$29,000	2
MFD	Z5202	Union City	\$8,000	4
Mission Chevron	Z5669	Hayward	\$2,000	2
P.W. Stephens Environmental Inc.	V8868	Hayward	\$2,500	1
P.W. Stephens Environmental, Inc.	Y5159	Fremont	\$100	1
Portwood Shell #135696	Z4508	Oakland	\$150	1
Prabhakaran Ganesan	Z5556	Fremont	\$500	1
R&B Equipment	Z4338	Hayward	\$1,750	3
RB Construction, Inc.	Z5739	Fremont	\$100	1
Re Investment Portfolio LLC	Z5728	Oakland	\$500	1
Regional Wastewater Treatment Facility	Z4523	Pleasanton	\$500	1
Restoration Management	Z4099	Hayward	\$500	1
Restoration Management Company	Z5380	Hayward	\$500	1
SFD	Z4899	Hayward	\$100	1
Signature Developed Group	Z5634	Oakland	\$250	1
Silver Gas	Z4778	Oakland	\$1,000	1
Synergy Enterprises	L3268	Hayward	\$500	1
Synergy Enterprises Inc.	Z3988	Hayward	\$500	1
Trapac	Z4264	Oakland	\$1,500	2

Alameda Total Violations Closed: 57

Closed Notice of Violations with Penalties by County
January 1, 2019 – March 31, 2019
(continued)

Contra Costa

Site Name	Site #	City	Penalty Amount	# of Violations Closed
7 - Eleven Inc. #39488	Z4829	Antioch	\$325	1
Alhambra Shell	Z4910	Martinez	\$500	1
Bio-Rad Laboratories	B6203	Hercules	\$11,000	3
CFH Inc.	Z5777	Concord	\$500	1
Chevron Products Company	A0010	Richmond	\$222,000	59
City of Concord	Z4845	Concord	\$500	1
City of Hercules-(Aquatics Center)	B9105	Hercules	\$500	2
City of Pleasant Hill	Z3482	Pleasant Hill	\$500	1
Deal Auto Company, LLC	E3960	Richmond	\$2,500	1
Diablo Creek Golf Course	Z5297	Concord	\$1,000	2
DWH Creative Contracting, Inc.	W3665	Richmond	\$875	1
GAWFCO Enterprises Inc	Y8635	Walnut Creek	\$500	1
Jyla Corporation dba MAACO	A8891	Antioch	\$500	1
KT Builders	Z4872	Brentwood	\$500	1
Marciel Dornelio	Z4584	San Pablo	\$3,500	3
Mira Vista Golf	Z4775	El Cerrito	\$1,500	1
Oakley Chevron	Z5745	Oakley	\$2,000	2
Park Road Holdings c/o Nearon Enterprises	Z5233	Walnut Creek	\$250	1
Portola Design Build	Z4005	Danville	\$500	1
Professional Asbestos & Lead Services	L3921	Concord	\$500	1
Receipient	Z5425	Antioch	\$100	1
Recipient	Z5613	Antioch	Passed Wood Smoke Course	1
San Ramon Valley USD	Z4769	San Ramon	\$1,500	1
ST Shore Terminals LLC	A0581	Crockett	\$16,000	2
TRC	B2967	Antioch	\$4,500	2
Unocal #3906	Z2621	El Sobrante	\$500	2
Victor H Ortiz	Z5756	Antioch	Passed Wood Smoke Course	1
West Contra Costa County Landfill	A1840	Richmond	\$46,400	2
West County Wastewater District	Z3462	Richmond	\$3,500	1

Contra Costa Total Violations Closed: 98

Closed Notice of Violations with Penalties by County
January 1, 2019 – March 31, 2019
(continued)

Marin

Site Name	Site #	City	Penalty Amount	# of Violations Closed
Duisenberg Construction	Z5209	San Anselmo	\$500	1
Equator Coffees, LLC	B5081	San Rafael	\$750	1
Iman of the Islamic Society of CAL	Z5426	Fairfax	\$100	1
JS Company	V9061	San Rafael	\$1,000	1
Marin Municipal Water District	Z4886	Corte Madera	\$1,000	1
Mark E Labelle	Z5506	San Anselmo	Passed Wood Smoke Course	1
Novato Builders Supply	Z4467	Novato	\$200	1
Orsi Adriano J/Orsi Ferol A	Z5765	San Rafael	Passed Wood Smoke Course	1

Marin Total Violations Closed: 8

Napa

Site Name	Site #	City	Penalty Amount	# of Violations Closed
Napa Jet Center	B1900	Napa	\$625	2
Napa Valley College	B9549	Napa	\$2,500	1
Napa-Vallejo Waste Management Authority	A9183	Napa	\$2,400	2
Shell	Z5005	Napa	\$1,000	1
United Rentals	Z5049	Napa	\$5,000	1

Napa Total Violations Closed: 7

San Francisco

Site Name	Site #	City	Penalty Amount	# of Violations Closed
Ace Drilling & Excavation	Z5468	San Francisco	\$250	1
Ace Drilling & Excavation	R3799	San Francisco	\$650	2
Aralon Properties	Z5453	San Francisco	\$100	1
Arco Facility #00230- Teck S Ng	Z4613	San Francisco	\$500	1
Auto City Food Mart	Z4565	San Francisco	\$250	1
Blucal	Z5562	San Francisco	\$100	1
Deji Liu	Z5117	San Francisco	\$500	1
Divisadero Heights Cleaners	B2336	San Francisco	\$1,000	1
Hollins Consulting	Z5616	San Francisco	\$150	1
Mission 76	W1132	San Francisco	\$1,000	1
NKM Quickserve/ Mission	Z5147	San Francisco	\$500	1
SF Townsend Condos LLC	E2883	San Francisco	\$2,000	2
Sunny Dry Cleaners	B1582	San Francisco	\$250	1
UNOCAL #1063	Z4868	San Francisco	\$1,500	1

San Francisco Total Violations Closed: 16

Closed Notice of Violations with Penalties by County
January 1, 2019 – March 31, 2019
(continued)

San Mateo

Site Name	Site #	City	Penalty Amount	# of Violations Closed
5th Ave Shell	Z5544	Atherton	\$250	1
Bayside 76	Z5205	San Mateo	\$1,000	1
Belmont Shell	Z5043	Belmont	\$1,000	1
BluCAL Inc.	Z3745	Half Moon Bay	\$1,000	1
Brisbane Fire Dept	Z5265	Brisbane	\$500	2
California Auto Body	Z5375	San Mateo	\$500	2
Carole T Gillette	Z5771	Pacifica	Passed Wood Smoke Course	1
Conoco Phillips #253294	Z5553	San Mateo	\$125	1
Gimbal's Fine Candies Inc	E0267	South San Francisco	\$2,000	2
Golden Auto Body & Paint	E1288	Redwood City	\$500	1
Granite Excavation and Demolition, Inc	H2115	South San Francisco	\$250	1
Interstate Grading & Paving	F4691	South San Francisco	\$500	1
Recipient	Z5612	Pacifica	Passed Wood Smoke Course	1
Recipient	Z5764	Redwood City	Passed Wood Smoke Course	1
SFD	Z5423	La Honda	\$100	1
State Parks and Recreation	Z3463	Half Moon Bay	\$1,000	1
Trubeck Construction	Z5615	South San Francisco	\$500	1

San Mateo Total Violations Closed: 20

Santa Clara

Site Name	Site #	City	Penalty Amount	# of Violations Closed
Barela Alfred J SR (TE)/Barela Donna L	Z5769	Santa Clara	Passed Wood Smoke Course	1
Barron Park Shell	Z5554	Palo Alto	\$250	1
Blaney Shell	Y8359	Cupertino	\$400	2
Buccaneer Demolition	G9875	San Jose	\$250	1
Buccaneer Demolition	Z5455	San Jose	\$500	2
George's Fuel and Auto Repair	Z4093	Sunnyvale	\$1,800	1
Monterey & Vineyard Foodmart & Carwash	V4314	Morgan Hill	\$1,500	2
Pan Cal Investment Co.	G8618	San Jose	\$100	1
Petro Fuel	Z5175	Santa Clara	\$175	1
Prime Builders	X5491	Santa Clara	\$250	1
SFD	Z5058	San Jose	\$3,000	3
Sine-Tific Solutions Inc	A7706	San Jose	\$1,000	1
Skunkworks Performance & Restoration	Z5378	San Jose	\$2,000	2
Stevens Creek 76	Z2354	San Jose	\$500	1
Sullivan Sharon R/Sullivan John M	Z5770	Campbell	Passed Wood Smoke Course	1
Tilton Pacific Construction	Z5413	San Jose	\$250	1
Valero Refinery Company	Z4260	San Jose	\$750	1
Vogue Enterprise Cleaners	Z5684	San Jose	\$150	1
Z-Con Specialty Services	Z5219	San Jose	\$2,500	1

Santa Clara Total Violations Closed: 25

Closed Notice of Violations with Penalties by County
January 1, 2019 – March 31, 2019
(continued)

Solano

Site Name	Site #	City	Penalty Amount	# of Violations Closed
Fast & Easy Mart	V2630	Benicia	\$200	1
Ferro Thomas B/Ferro DJ	Z5772	Fairfield	Passed Wood Smoke Course	1
J&R Gas & Mini Mart	Z4882	Vallejo	\$100	1
Kwik Serv Co.	Z5552	Fairfield	\$100	1
Sutter Health Sacto/Sierra Region	A4064	Vallejo	\$3,500	2
Vallejo Toyota	Z5268	Vallejo	\$1,500	1

Solano Total Violations Closed: 7

Sonoma

Site Name	Site #	City	Penalty Amount	# of Violations Closed
24/7 Gas Service Co.	Z5354	Cotati	\$1,500	2
CVE NB Contracting Group Inc.	Z5329	Rohnert Park	\$1,500	3
Luba, Mike	F7495	Santa Rosa	\$350	1
Republic Services of Sonoma County, Inc	A2254	Petaluma	\$2,000	1
Salkhi Petroleum	Z4841	Santa Rosa	\$500	1
SFD	Z5531	Santa Rosa	\$250	1
Sonoma Raceway	Z5370	Sonoma	\$500	2
Sunoco LLC	Y8282	Sonoma	\$250	1

Sonoma Total Violations Closed: 12

District Wide

Site Name	Site #	City	Penalty Amount	# of Violations Closed
1-888-4-Abatement Inc.	Y9530	Rancho Cordova	\$750	1
BP West Coast Products LLC	Z4251	Artesia	\$500	1
KAG West	Y8346	West Sacramento	\$6,500	3
Pantano Demolition	W6489	Manteca	\$250	1
RB Environmental Inc	Z5667	Stockton	\$750	1

District Wide Total Violations Closed: 7

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 17, 2019

Re: Participation in Community Air Protection Program Fiscal Year Ending (FYE) 2019

RECOMMENDED ACTION

Recommend the Board of Directors execute a resolution documenting its April 3, 2019 action to:

1. Approve the Air District's acceptance of the Fiscal Year Ending 2019, Community Air Protection Program funds and
2. Authorize the Executive Officer/APCO to execute all necessary agreements with the California Air Resources Board (CARB) to implement the program.

BACKGROUND

Assembly Bill 109 (Ting, Chapter 249, Budget Act of 2017) provides funds for the California Air Resources Board (CARB) to allocate to local air quality districts for expenses related to Assembly Bill 617 (C. Garcia, Chapter 136, Statutes of 2017). The California Air Pollution Control Officers Association (CAPCOA) Board approved an allocation plan for distribution of available funds to the air quality districts.

DISCUSSION

The Board of Directors approved the actions in the recommendation on April 3, 2019. CARB has requested that the Air District's Board of Directors execute a resolution (see Attachment 11A) to accept this funding.

BUDGET CONSIDERATION / FINANCIAL IMPACT

None. These funds are included in the proposed Air District FYE 2020 budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jeff McKay

Attachment 11A: Resolution to Accept Community Air Protection Program Funds from the
California Air Resources Board

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

RESOLUTION No. 2019 -

**A Resolution Accepting Community Air Protection Program Funds
from the California Air Resources Board**

WHEREAS, Assembly Bill 109 (Ting, Chapter 249, Budget Act of 2017) provides funds for the California Air Resources Board (CARB) to allocate to local air quality districts;

WHEREAS, Assembly Bill 617 (C. Garcia, Chapter 136, Statutes of 2017) directs air districts to implement a Community Air Protection Program;

WHEREAS, the California Air Pollution Control Officers Association Board approved an allocation plan for the available funds;

WHEREAS, CARB will authorize a grant to the District to implement the Community Air Protection Program upon approval by the Board of Directors to accept such grant of funds;

WHEREAS, CARB will award a grant in the amount of \$10,000,000 for Fiscal Year Ending 2018-2019.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors hereby approves the Air District's acceptance of the Fiscal Year Ending 2018-2019, Community Air Protection Program funds, to be awarded to eligible District projects in accordance with the CARB Community Air Protection Program guidelines.

BE IT FURTHER RESOLVED, the Executive Officer/Air Pollution Control Officer is hereby authorized and empowered to execute on behalf of the District all necessary agreements with CARB 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 _____, 2019, by the following vote of the Board:

AYES:

NOES:

ABSENT:

Katie Rice
Chairperson of the Board of Directors

ATTEST:

Cindy Chavez
Secretary of the Board of Directors

DRAFT

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 17, 2019

Re: Consider Authorization of a Contract Extension and Execution of a Purchase Order in Excess of \$100,000 to Technical and Business Systems Pursuant to Administrative Code Division II Fiscal Policies and Procedures, Section 4.3 Contract Limitations, for Continued Operation of the BioWatch Monitoring Network

RECOMMENDED ACTION

The Board of Directors will consider authorizing the Executive Officer/APCO to issue a contract extension and Purchase Order for \$1,243,000 for Technical and Business (T&B) Systems to continue operation and maintenance of the BioWatch monitoring network through June 30, 2020 as outlined in a grant from the Department of Homeland Security for the continued operation.

DISCUSSION

The BioWatch program began in February of 2003 with eight locations in the San Francisco area. In July of 2003, the network expanded to include six additional sites in the San Jose area. The operational demands of this network necessitated the use of a contractor and a Request for Quotation (RFQ) was sent to five qualified contractors. Staff received proposals from three contractors who responded to the RFQ. After a thorough evaluation, the contract was awarded to T&B Systems (Board of Directors Memo, Agenda Item 5E, dated August 26, 2003). In 2006, the network was again expanded to a total of 32 sites located throughout the Bay Area and additional grant funding was incorporated into the budget (Budget and Finance Committee, May 15, 2006; Agenda Item 5; Board of Directors, May 24, 2006, Agenda Item 9). The latest contract with T&B Systems was approved by the Board of Directors for a year period beginning July 1, 2014 (Board of Directors Meeting, September 3, 2014, Agenda Item 9).

In 2018, a Request for Qualifications (RFQ) based on the current scope of work for operation and maintenance of the BioWatch Network was released following standard Air District guidelines and requirements. Only one entity, T&B Systems, responded to the request. As a result, staff recommended, and the Board of Directors approved (Board of Directors Meeting, December 6, 2017, Agenda Item 5), a two-year continuing contract ending on June 30, 2019 with T&B Systems for operating and maintaining the BioWatch Network based on their response to the RFQ and their performance over past years.

Based on performance of T&B Services through the previous two-year contract, staff is requesting consideration of a contract extension and execution of a Purchase Order under to cover operation of the network through the end of June 30, 2020. This Purchase Order will not exceed the amount of the grant award from the Department of Homeland Security. An RFQ will be issued before the end of the contract extension under consideration in June of 2020.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Funds for this Purchase Order are from a Homeland Security Grant that covers operation of the existing network and the associated Air District costs of administering the program. There will be no financial impact to the Air District's general revenue resources.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Charles Knoderer
Reviewed by: Wayne Kino

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 17, 2019

Re: Consider Authorization to Add a Limited Time and Cost Extension to a Contract to Fund Aircraft-Based Wind Measurements in a Cooperative Project to Assess Methane Emissions from Sources with Bay Area Facilities

RECOMMENDED ACTION

Recommend the Board of Directors:

Authorize the Executive Officer/APCO to execute an amendment to a contract with Sigma Space Corporation for a limited time extension to August 31, 2019, and a cost extension for an amount not to exceed \$30,000 for airplane-based Light Detection and Ranging (LiDAR) wind measurements to improve remote sensing methane emission estimates.

BACKGROUND

In September 2018, the Board approved a collaborative Contract with Sigma Space Corporation to participate in an airborne campaign to improve the accuracy of methane emission estimates from NASA's airborne remote sensing observations by simultaneously measuring surface winds using a Doppler Wind LiDAR (DWL) deployed on a second aircraft. The methane survey flights over Bay Area were conducted and separately funded by NASA through a \$250,000 grant. The flights to collect wind measurements were jointly funded by the Air District and the California Air Resources Board (CARB). A direct contract between the Air District and CARB executed in January 2019 allowed CARB to contribute \$92,417 to the project cost of \$184,870, thereby reducing the Air District's net contribution to \$92,453.

DISCUSSION

The planning and data collection tasks for this project were successfully completed by the Sigma Space team in October 2018. However, the project has encountered several unforeseen data processing challenges. The Sigma Space team has successfully collected and processed airborne surface winds using this LiDAR-based method over coastal ocean waters. For this project, the method was applied for the first time over land where the enhanced turbulence has posed data processing difficulties. The Sigma Space team has recently developed additional steps in their algorithm to account for turbulence-induced airplane movements and overcome these data processing difficulties, but the application of the modified algorithm will require re-processing of

a significant portion of the data and a cost and time extension to the project. (Please see the Appendix for this item for details.)

BUDGET CONSIDERATIONS/FINANCIAL IMPACT

Air District staff is requesting a funding and schedule extension for the Contractor to implement a new data processing algorithm, reprocess the data, and produce new wind fields and plume dispersion parameters. The improved deliverables will then be combined with the NASA airborne methane data to produce estimates of methane emissions using measured wind fields. The additional budget will require a total amount of \$30,000 and a schedule extension to August 31, 2019.

Respectfully submitted,

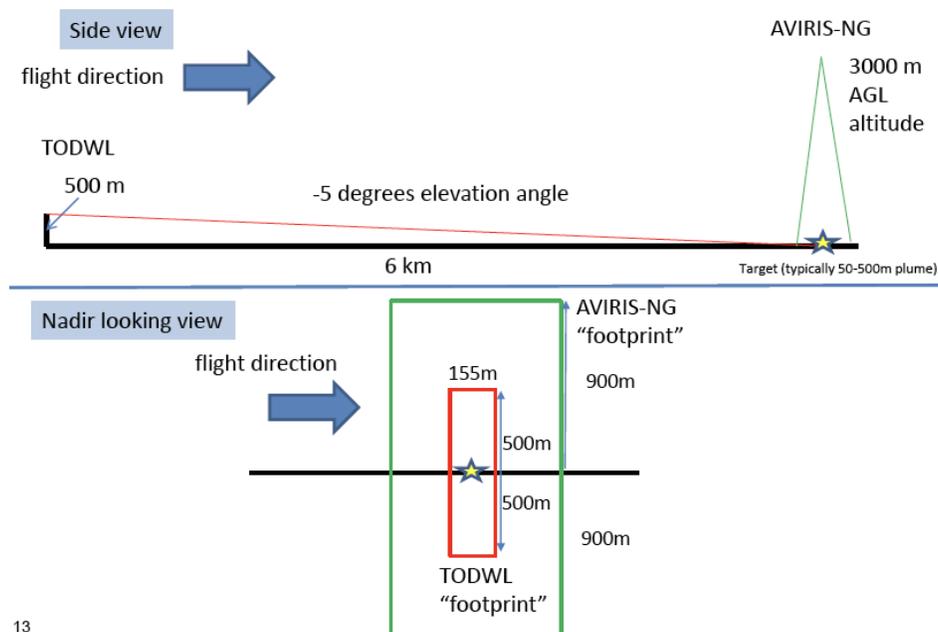
Jack P. Broadbent
Executive Officer/APCO

Prepared by: Abhinav Guha and Phil Martien
Reviewed by: Greg Nudd

Attachment 13A: Sigma Space Additional Scope

AGENDA 13A - ATTACHMENT

The Sigma Space team has successfully made airborne Doppler Wind LiDAR (DWL) measurements for several other applications in both marine and land environments. Previous airborne DWL applications over land have typically involved a vertically downward-looking (nadir) geometry from about 3 km flight altitude. In this viewing geometry, the airborne DWL has difficulty retrieving near-surface wind fields in the range of about 10 – 100 meters above ground level (AGL) needed to interpret the AVIRIS-NG (airborne visible / infrared imaging spectrometer next generation) methane plume observations. By flying low (at about 500 meters AGL) and using look-ahead flight-level scans instead of conical, nadir-scans (see figure below), the Sigma Space team has successfully used airborne DWL over coastal ocean waters to make near-surface wind measurements. Such geometry is ideal for the needs of this methane emission project and is what has been successfully conducted.



13

The work under Tasks 1 and 2 of the Contract (Planning and Data Collection) was successfully completed by October 2018. The work under Task 3 (process and analyze the data collected under Task 2) has also been completed, but Sigma Space is not satisfied with the results to date. This was the first time that this observing geometry was used over land, and there were unforeseen data processing challenges that have limited the quality of the retrieved wind fields and plume diffusion terms. The data processing challenges are due to the aircraft experiencing moderate turbulence at flight levels over land that the team had not previously experienced when operating in this viewing geometry in the mostly stable marine boundary layer conditions over cool coastal waters. Turbulent conditions experienced flying low over land caused variations in the forward shallow-angle scans, leading to processing difficulties for the algorithm/solver that had been developed.

Based on the data processing work already performed and lessons learned so far, the Sigma Space team has developed modifications to the existing retrieval code that will overcome these data processing and syntheses limitations. More specifically, the modified processing will add calculations from the onboard avionics data to account for instantaneous pitch, yaw and roll of the DWL airplane into the retrieval so that the observed heading and view angles over land can be stabilized. These steps were not required to be incorporated in the data analysis of the past campaigns (and cost/time considerations) over marine environments as such turbulence was not anticipated. With the modifications to the retrieval algorithm, the upcoming analyses and syntheses of the wind data product is expected to produce the quality winds needed for this project. The extra effort will, however, require additional costs and time to be successfully implemented.

After careful analysis of a formal request by Sigma Space, the Air District staff is requesting a funding and schedule augmentation for the work under Task 3 and Task 4 of the original Contract to allow the Contractor to implement a new data processing algorithm, reprocess the data from all flights, produce new wind fields and plume dispersion parameters, and then fully synthesize the wind and diffusion parameters with the AVIRIS-NG data to produce more accurate estimates of methane emissions from Bay Area sources using measured wind fields. The additional budget request for a total amount of \$30,000 will support both Task 3 and Task 4, in equal parts.

Augmentation Budget Request	Payments
Augmentation of Task 3: Implement new algorithm and reprocess data	\$15,000
Augmentation of Task 4: Complete data synthesis and produce final methane emission results	\$15,000
Total	\$30,000

Staff also requests a schedule extension to August 31, 2019, to provide the Contractor time to re-perform the data processing and synthesis activities and provide high quality deliverables to the Air District.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 22, 2019

Re: Report of the Climate Protection Committee Meeting of April 22, 2019

RECOMMENDED ACTION

The Climate Protection Committee (Committee) received only informational items and have no recommendations of approval by the Board of Directors (Board).

BACKGROUND

The Committee met on Monday, April 22, 2019, and received the following reports:

- A) Update on Methane Strategy Rule Development Efforts;
- B) Update on Region-Wide Carbon Dioxide (CO₂) Strategy; and
- C) Update on Community Choice Energy Study (this agenda item was tabled and will be presented at an upcoming Climate Protection Committee Meeting.)

Chairperson Teresa Barrett will provide an oral report of the Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None. Financial resources are included in the Fiscal Year Ending (FYE) 2019 budget and the proposed FYE 2020 budget;
- B) None. Resources to develop the region-wide CO₂ Strategy are included in the Fiscal Year ending (FYE) 2019 budget; and
- C) None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Aloha Galimba
Reviewed by: Vanessa Johnson

Attachment 14A: 04/22/2019 – Climate Protection Committee Meeting Agenda #4
Attachment 14B: 04/22/2019 – Climate Protection Committee Meeting Agenda #5
Attachment 14C: 04/22/2019 – Climate Protection Committee Meeting Agenda #6

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Teresa Barrett and Members
of the Climate Protection Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 17, 2019

Re: Update on Methane Strategy Rule Development Efforts

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Consistent with the goals of the Air District's Methane Strategy, staff is engaged in multiple rule development efforts aimed at reducing emissions of methane from several source categories, which include landfills, hydrogen production plants, organic material handling, composting operations, sewage treatment operations (including anaerobic digestion), oil and gas production, and the natural gas distribution network. Staff estimates that in aggregate, emissions from these sources make up over 75 percent of the methane emissions in the Air District. Methane emissions are responsible for about 10 percent of the total climate pollutants emissions in the Air District (based on a 20-year time horizon).

DISCUSSION

Staff will update Committee members on the progress of rule development efforts that make up the rule development portion of the Methane Strategy. Rule development efforts to address the largest sources of methane emissions are summarized below:

Amendments to Regulation 8, Rule 34: Solid Waste Disposal Sites—Landfills are the largest source category for methane emissions in the Air District. Recent top-down studies by staff indicate that methane emissions from landfills contribute more than was previously estimated, accounting for 50 to 70 percent of the Air District's total methane inventory. Staff is investigating possible amendments to Rule 8-34 to achieve Air District goals to reduce GHG emissions by 40 percent below 1990 levels by 2030, as well as statewide goals under Senate Bill (SB) 32, SB 605, and SB 1383.

Draft Regulation 13, Rule 2: Organic Material Handling and Composting Operations—To reduce methane emissions, the State of California, through a series of legislative actions (SB 32, SB 605, SB 1383), has committed to reduce the statewide disposal of organic waste by 50 percent of 2014 levels by 2020, and 75 percent of 2014 levels by 2025. This mandated diversion of organic material from landfills will result in an increase in compost production throughout California, particularly

in the more populated areas of the state. The California Department of Resources Recycling and Recovery estimates that this will require a near doubling in the capacity for compost facilities located in the Air District. A significant number of new and modified permit applications will need to be evaluated and subsequently issued. Draft Rule 13-2 will minimize excess emissions of methane, volatile organic compounds (VOCs), and odor causing compounds from affected facilities, and provide for consistency in compliance and permitting of facilities that handle and process organic materials.

Draft Regulation 13, Rule 3: Hydrogen Plants—Staff evaluation of methane emissions in the Air District revealed that industrial hydrogen production can generate significant quantities of methane emissions. Current emission estimates for this source category range between 2 and 8 percent of the total methane inventory. Staff is pursuing a rule development effort to better quantify and address emissions from these sources.

Additional Efforts to Address Methane—In addition to the rule development efforts mentioned, staff is closely tracking the California Public Utilities Commission’s rulemaking effort to address methane leaks on natural gas pipelines pursuant to SB 1371. Staff estimates that natural gas pipeline leaks account for up to 17 percent of methane emissions in the Air District. Staff is also evaluating possible amendments to Regulation 8, Rule 37: Natural Gas and Crude Oil Production Facilities. Furthermore, staff is engaged in a rule development effort to address methane emissions from sewage treatment plants and anaerobic digestion processes under Draft Regulation 13, Rule 4.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. Financial resources are included in the Fiscal Year Ending (FYE) 2019 budget and the proposed FYE 2020 budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jacob Finkle
Reviewed by: Victor Douglas

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Teresa Barrett and Members
of the Climate Protection Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 17, 2019

Re: Update on Region-Wide Carbon Dioxide (CO₂) Strategy

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Carbon dioxide (CO₂) is the main greenhouse gas (GHG) contributing to global climate change. In the Bay Area, CO₂ emissions account for approximately 90 percent of total Bay Area GHG emissions. The largest source of CO₂ emissions from human activities in the Bay Area is the burning of fossil fuels for transportation, electricity, space and water heating, and other uses. These activities also produce air pollutant emissions that impact public health, potentially exacerbating a variety of existing health problems. In April 2017, the Board of Directors adopted the 2017 Clean Air Plan, which focuses on protecting public health by improving air quality and protecting the climate. The 2017 Clean Air Plan also lays the groundwork to reduce Bay Area GHG emissions 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050. The Plan identifies 85 distinct measures to help the region improve air quality—42 of which achieve CO₂ emission reductions.

DISCUSSION

The Air District is currently implementing a variety of programs and actions that reduce CO₂ emissions. These include grant and incentive programs, policy and program support, work with local governments, and outreach campaigns. Staff is developing a region-wide strategy to build upon these current efforts to focus and prioritize important CO₂-reducing activities consistent with the Air District's 2017 Clean Air Plan and State of California statutory requirements and executive orders. For example, several current climate protection grants provide funding to projects that target fossil fuel combustion and GHG emissions from buildings (space and water heating, back-up diesel generators, etc.), and staff expects to build upon the outcomes of these projects. Staff will brief the Committee on current CO₂ reduction efforts, on the development of the region-wide CO₂ Strategy, and on emerging new programs for reducing CO₂ emissions.

BUDGET CONSIDERATION / FINANCIAL IMPACT

None. Resources to develop the region-wide CO₂ Strategy are included in the Fiscal Year Ending (FYE) 2019 budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jakub Zielkiewicz
Reviewed by: Henry Hilken

CLIMATE PROTECTION COMMITTEE
MEETING OF 04/22/2019

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Teresa Barrett and Members
of the Climate Protection Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 17, 2019

Re: Update on Community Choice Energy Study

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Community Choice Energy (CCE) is a transformational model that allows local governments to aggregate the buying power of electricity customers in their jurisdiction, and directly purchase and/or generate power for their communities. The CCE model works in partnership with existing utilities, which continue to deliver power over their transmission and distribution systems, maintain the grid, and provide consolidated billing and other customer services. By providing greater local control over energy sourcing in the production of electricity, CCE programs can result in a reduction in the carbon content of the electricity used in communities. Cumulatively, this can have a large impact on the greenhouse gas (GHG) emissions coming from the electricity sector. Statewide, CCEs have contracted for over 2,000 megawatts of new renewable generating capacity.

Today, Bay Area CCE programs are available to residents and businesses of all nine Bay Area counties (over two million customer accounts). These CCE programs represent over 27 million megawatts in annual electric load. For many local governments, participation in a CCE program is the single largest GHG-reducing measure in the local climate action plan. The Air District has a history of supporting the formation and work of CCE programs across the Bay Area. The Air District's 2017 Clean Air Plan, *Spare the Air – Cool the Climate*, includes a control measure (EN-1) describing how the Air District will work with and support the GHG-reducing efforts of CCEs.

DISCUSSION

Community Choice Energy programs offer various electricity products to customers, with a default product that ensures a minimum level of renewable energy that is at or above the renewable content offered by the local utility (PG&E). Other products offered by the CCE can have higher renewable energy content at a higher cost. The Air District contracted with KyotoUSA to conduct a study to evaluate the potential for local governments within a CCE program to choose 100% renewable electricity for their communities. The objective of this study

was to support local decision-making to accelerate the transformation to carbon-free energy and meet local climate protection goals.

Air District staff will highlight the work the Air District has done to support Bay Area CCEs. Staff from KyotoUSA will provide the Committee with an overview of the study, key issues, challenges and findings.

BUDGET CONSIDERATION / FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Abby Young
Reviewed by: Henry Hilken

CLIMATE PROTECTION COMMITTEE
MEETING OF 04/22/2019

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 22, 2019

Re: Report of the Budget and Finance Committee Meeting of April 22, 2019

RECOMMENDED ACTION

The Budget and Finance Committee (Committee) recommends Board of Directors approval of the following items:

- A) Continued Discussion of Fiscal Year Ending (FYE) 2020 Proposed Air District Budget and Consideration to Recommend Adoption
 - 1) Conduct Public Hearings on the FYE 2020 Proposed Budget; and
 - 2) Adopt the FYE 2020 Proposed Budget.
- B) Third Quarter Financial Report – Fiscal Year Ending 2019
 - 1) None; receive and file.

BACKGROUND

The Committee met on Monday, April 22, 2019, and received the following reports:

- A) Continued Discussion of Fiscal Year Ending (FYE) 2020 Proposed Air District Budget and Consideration to Recommend Adoption; and
- B) Third Quarter Financial Report – Fiscal Year Ending 2019.

Chairperson Carole Groom will provide an oral report of the Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) The proposed consolidated budget for FYE 2020 is \$252,707,473 and is a balanced budget; and
- B) None; receive and file.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Aloha Galimba
Reviewed by: Vanessa Johnson

Attachment 15A: 04/22/2019 – Budget and Finance Committee Meeting Agenda #4
Attachment 15B: 04/22/2019 – Budget and Finance Committee Meeting Agenda #5

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

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

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 8, 2019

Re: Continued Discussion of Fiscal Year Ending (FYE) 2020 Proposed Air District
Budget and Consideration to Recommend Adoption

RECOMMENDED ACTION

The Budget and Finance Committee (Committee) will continue discussion of the proposed budget for Fiscal Year Ending (FYE) 2020 and consider recommending that the Board of Directors (Board):

1. Conduct Public Hearings on the FYE 2020 Proposed Budget; and
2. Adopt the FYE 2020 Proposed Budget.

BACKGROUND

As directed by the Board at its March 6, 2019 regular board meeting, the FYE 2020 Proposed Budget was referred to the Committee for review at the Committee's March 22, 2019 meeting.

On March 22, 2019, staff presented the FYE 2020 Proposed Budget to the Committee. The proposed budget is balanced, with the General Fund totaling \$104.6 million and the Consolidated Funds (including program distributions) totaling \$252.7 million. Proposed capital requests are \$9.4 million.

DISCUSSION

The Committee will continue its discussion of the FYE 2020 Proposed Budget at its April 22, 2019 meeting. The FYE 2020 Proposed Budget includes the following recommendations for the Committee's consideration:

- Use of \$4.0 million reserves for building improvement to the newly acquired Richmond site
- No proposed staffing level increase; budgeted positions remains at 405 Full Time Equivalent (FTE)

- Includes 3.5% Cost of Living Adjustment (COLA), subject to agreed-upon terms of Memorandum of Understanding with the Employee Association
- Continuation of Cost Recovery Policy
- Continuation of \$1.0 million discretionary contribution towards California Public Employees' Retirement System (CalPERS) pension plan; and
- Continuation of \$4.0 million discretionary contribution towards Other Post Retirement Benefits (OPEB) and upon reaching 90% funding level; reallocate the discretionary \$4.0 million from OPEB to CalPERS pension plan

Staff requests that the Committee at its April 22, 2019, meeting complete its review and recommend adoption of the proposed budget to the Board. This will allow staff the necessary time required to amend, if necessary, the budget for the first public hearing of the proposed budget to be held on May 15, 2019.

Staff will publish, prior to April 22, 2019, a public notice that the first of two public hearings on the budget will be conducted on May 15, 2019 and that the second hearing will be conducted on June 5, 2019.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The proposed consolidated budget for FYE 2020 is \$252,707,473 and is a balanced budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Stephanie Osaze
Reviewed by: Jeff McKay

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

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

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 8, 2019

Re: Third Quarter Financial Report – Fiscal Year Ending 2019

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Finance staff will present an update on the Air District's financial results for the third quarter of the 2018-19 Fiscal Year Ending (FYE). The following information summarizes those results.

GENERAL FUND BUDGET: STATEMENT OF REVENUES – Comparison of Prior Year Quarter Actual and Current Year Budget to Actual

REVENUE TYPE	3rd QTR FY 2018	3rd QTR FY 2019	FY 2019 - % of BUDGETED REVENUE
County Receipts	\$19,979,467	\$19,112,001	57%
Permit Fee Receipts	\$33,830,405	\$39,781,500	103%
Title V Permit Fees	\$5,002,480	\$6,170,877	106%
Asbestos Fees	\$2,988,026	\$3,261,343	130%
Toxic Inventory Fees	\$271,306	\$234,854	46%
Penalties and Settlements	\$3,886,200	\$1,549,316	56%
Interest Income	\$580,636	\$703,192	142%
Misc. Revenue	\$99,934	\$272,659	273%
Total Revenue	\$66,638,454	\$71,085,742	84%

GENERAL FUND: STATEMENT OF EXPENDITURES - Comparison of Prior Year Quarter Actual and Current Year Budget to Actual

EXPENDITURE TYPE	3rd QTR FY 2018	3rd QTR FY 2019	FY 2019 - % of BUDGETED EXPENDITURES
Personnel - Salaries*	\$28,052,100	\$30,430,974	65%
Personnel - Fringe Benefits*	\$13,337,074	\$14,896,174	60%
Operational Services / Supplies	\$13,294,496	\$14,423,307	49%
Capital Outlay	\$4,230,715	\$3,241,153	70%
Office Acquisition **		\$13,130,123	0%
Total Expenditures	\$58,914,385	\$76,121,732	72%

* Consolidated (includes Special Funds)

** Acquisition approved using GF Reserves

CASH INVESTMENTS IN COUNTY TREASURY – Account Balances as of 3rd Quarter

CASH/INVESTMENTS	3rd QTR FY 2018	3rd QTR FY 2019
General Fund	\$68,983,280	\$76,168,239
TFCA	\$94,849,259	\$102,067,763
MSIF	\$41,521,780	\$44,406,270
Carl Moyer	\$10,441,456	\$42,880,496
CA Goods Movement	\$13,899,421	\$15,148,526
Bike Share	\$1,075,555	\$1,095,158
Total	\$230,770,751	\$281,766,453

FUND BALANCES	6/30/2017	6/30/2018	6/30/2019
	Audited	Audited	Projected
DESIGNATED: *			
Building Acquisition			
Diversity Equity & Inclusion		100,000	
Economic Contingency	\$16,519,959	\$17,390,311	19,084,769
IT- Event Response	\$500,000	\$500,000	
Litigation		\$500,000	
Napa/Sonoma Fireplace Replacement Grant		\$1,000,000	1,000,000
Pension & Post Employment Liability	\$1,600,000	\$1,000,000	1,000,000
Tech- Meteorological Network Equipment	\$131,100	\$131,100	
Tech- Mobile Monitoring Instruments	\$80,000	\$80,000	
Technology Implementation Office		\$3,350,000	
GHG Abatement Technology Study	\$1,500,000	\$1,500,000	
Woodchip Program		\$150,000	
Woodsmoke Grant		\$1,000,000	1,000,000
Worker's Comp Self - Funding	\$1,000,000	\$1,000,000	-
Total Designated Reserves	\$21,331,059	\$27,701,411	\$22,084,769
Undesignated Fund Balance	\$19,603,422	\$18,101,141	\$8,046,383
TOTAL DESIGNATED & UNDESIGNATED	\$40,934,481	\$45,802,552	\$33,131,152
Building Proceeds	\$4,668,200	\$4,668,200	\$209,489
TOTAL FUND BALANCE	\$45,602,681	\$50,470,752	\$30,340,641
* Designated Fund Balances are subject to change at Board's discretion.			
OUTSTANDING LIABILITIES			
CalPERS Pension Retirement (2017 Valuation)			\$74,654,496
Other Post- Employment Benefits (2017 Valuation)			\$18,840,854
Certificate of Participation Notes (Est. @ June 2018)			\$26,956,830
TOTAL OUTSTANDING LIABILITIES			\$120,452,180

VENDOR PAYMENTS

In accordance with provisions of the Administrative Code, Division II Fiscal Policies and Procedures - Section 4 Purchasing Procedures: 4.3 Contract Limitations, staff is required to present recurring payments for routine business needs such as utilities, licenses, office supplies and the like, more than, or accumulating to more than \$100,000 for the fiscal year. In addition, this report includes all of the vendors receiving payments in excess of \$100,000 under contracts that have not been previously reviewed by the Board. In addition, staff will report on vendors that undertook work for the Air District on several projects that individually were less than \$100,000, but cumulatively exceed \$100,000.

Below is a list of vendors with cumulative payments made through the third quarter of 2018-19 fiscal year that exceeded \$100,000 and meets the reporting criteria noted above. All expenditures have been appropriately budgeted as a part of the overall Air District budget for Fiscal Year 2018-19.

	VENDOR NAME	AMOUNT PAID (July 2018 - March 2019)	EXPLANATION
1	Alliant Insurance Services	\$330,020	Various Business Insurance Policies
2	Air Resources Board	\$160,854	Pass through Air Toxic Fees
3	Bay Area Headquarters Authority	\$1,842,476	Shared Services & Common Areas
4	Benefits Coordinators Corp.	\$681,410	Life Insurance Plan & LTD Insurance
5	Berkeley Communications Corp	\$255,348	IT Network Services
6	CA Public Employee Retirement System	\$3,811,326	Health Insurance Plan
7	CA Public Employee Retirement System	\$1,922,460	Retirement Benefits & 457 Supplemental Plan
8	CAPCOA	\$632,492	Pass through EPA grants
9	Cubic Transportations Systems	\$337,385	Clipper Transit Subsidy
10	Enterprise Fleet Services	\$382,537	Fleet Leasing and Maintenance Services
11	Hartford Life Ins Co.	\$664,378	457 Supplemental Insurance
12	O'Rorke Inc.	\$329,302	Marketing & Advertising Services
13	P & A Administrative Services	\$135,753	Flexible Spending & Cobra Benefit Services
14	Preferred Benefit Insurance AD	\$598,859	Dental Insurance Plan
15	Regents of the University of California	\$130,000	Sponsorships
16	Sloan Sakai Yeung & Wong	\$117,382	HR Consulting & Staff Augmentation Services
17	SoftwareOne Inc.	\$343,476	Microsoft Subscription Service
18	Thermo Environmental Instrument	\$187,658	Air Monitoring and Source Test Instrumentation
19	Verizon Wireless	\$155,977	Cell phone services
20	Wang Brother Investment	\$382,009	Richmond Site Lease

BUDGET CONSIDERATION/FINANCIAL IMPACT

None; receive and file.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Stephanie Osaze
Reviewed by: Jeff McKay

BUDGET AND FINANCE COMMITTEE
MEETING OF 04/22/2019

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 24, 2019

Re: Report of the Legislative Committee Meeting of April 24, 2019

RECOMMENDED ACTION

The Legislative Committee (Committee) received only informational items and have no recommendations of approval by the Board of Directors (Board).

BACKGROUND

The Committee met on Wednesday, April 24, 2019, and received the following reports:

- A) Consideration of New Bills;
- B) Wildfire Smoke Public Health Bill; and
- C) Sacramento Legislative Update.

Chairperson Doug Kim will provide an oral report of the Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None;
- B) None; and
- C) None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Aloha Galimba
Reviewed by: Vanessa Johnson

Attachment 16A: 04/24/2019 – Legislative Committee Meeting Agenda #4
Attachment 16B: 04/24/2019 – Legislative Committee Meeting Agenda #5
Attachment 16C: 04/24/2019 – Legislative Committee Meeting Agenda #6

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Doug Kim and Members
of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 16, 2019

Re: Consideration of New Bills

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Committee will discuss and review the attached list, as well as an updated list of bills introduced by the date of its meeting. The Committee will also consider any new recommendations resulting from amended bills submitted by its meeting date.

DISCUSSION

Staff will provide a brief summary of bills on the attached list, with a focus on the following bills:

Bills Recommended for Further Monitoring

AB 661 is authored by Assemblymember Kevin McCarty (D-Sacramento) and was recently amended to become a wildfire smoke emergency response bill. As originally proposed, the bill had elements that would be very problematic, including a requirement that the Air District would determine local agencies that were statutorily responsible to take actions based on the Air District's emergency plan, as well determining thresholds for individual action recommendations based on indoor air quality. At the March 27, 2019, Committee meeting, the Committee had directed staff to take an "oppose unless amended" position, however the bill was amended during the Natural Resources Committee to be applicable to the Sacramento Metro Air District only, along with other amendments. Attached is the amended bill that passed out of the Committee. Staff will continue to watch this bill as it moves forward.

SB 293 is authored by Senator Nancy Skinner (D-Oakland) and was recently amended to become a bill creating an infrastructure financing district for the City of Oakland and the Oakland A's sports facility at Howard Terminal. The intent language notes the air quality impacts of the Port of Oakland and freeways on West Oakland, and potential benefits of the development of Howard Terminal to the area. Staff is not proposing to take a position, but brings this bill to the Committee's attention as a bill of interest.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Alan Abbs
Reviewed by: Jack P. Broadbent

Attachment 4A: BAAQMD Bill Discussion List – as of April 10, 2019
Attachment 4B: 2019 Assembly Bill 661 (McCarty), as amended April 10, 2019
Attachment 4C: 2019 Senate Bill 293 (Skinner)

LEGISLATIVE COMMITTEE MEETING
OF 04/24/2019

BAAQMD BILL DISCUSSION LIST

April 10, 2019

BILL NO.	AUTHOR	SUBJECT	STATUS	POSITION
AB 40	Ting	Zero Emission Vehicles: Comprehensive Strategy	Trans/Nat Res	Support
AB 126	Cooper	Air Quality Improvement Program: Clean Vehicle Rebate Program	Trans	
AB 144	Aguiar Curry	Public Resource Management: Solid Waste	Approps	
AB 148	Quirk-Silva	Regional Transportation Plans: Sustainable Community Strategies	Trans	
AB 185	Grayson	California Transportation Commission: Transportation Policies: Joint Meetings	Trans	
AB 210	Voepel	Smog Check: Exemption	Trans	Oppose
AB 254	Quirk-Silva	Alternative Fuel Vehicles: Flexible Fuel Vehicles	Trans	
AB 257	Mathis	Solid waste: Woody Biomass: Disposal	Approps	
AB 285	Friedman	California Transportation Plan	Nat Res	
AB 293	E. Garcia	Greenhouse Gases: Offset Protocols	Approps	
AB 296	Cooley	Climate Change: Climate Innovation Grant Program: Voluntary Tax Contributions	Nat Res	
AB 315	C. Garcia	Stationary Sources: Emissions Reporting (Spot)	Nat Res	
AB 343	Patterson	Forestry: Fuels Transportation Program: Biomass Energy Facility: Grant Program	Approps	
AB 345	Muratsuchi	Oil and Gas: Operations: Location Restrictions	Nat Res	
AB 352	E. Garcia	California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund: Investment Plan: Transformative Climate Communities Program	Approps	
AB 383	Mayes	Clean Energy Financing Clearinghouse	Approps	
AB 386	E. Garcia	Agricultural Working Poor Energy Efficient Housing Program	Approps	
AB 409	Limon	Climate Change: Agriculture: Grant Program	Approps	
AB 423	Gloria	San Diego County Air Pollution Control District: Members	Approps	
AB 457	Quirk	Occupational Safety and Health: Lead: Permissible Exposure Levels	Approps	
AB 464	C. Garcia	California Global Warming Solutions Act of 2006 (Spot)	Nat Res	
AB 470	Limon	California Green Business Program	Approps	
AB 490	Salas	CEQA: Development Projects: Streamlining	Nat Res	
AB 491	B. Rubio	Energy: Hydrogen	Util & Energy	
AB 556	Carrillo	Outdoor Experiences: Community Access Program: Grant Program	Approps	
AB 639	Cervantes	Financing Lower Carbon Emissions: Seaports	Nat Res	
AB 661	McCarty	Wildfire Smoke Air Pollution Emergency Plan	Approps	
AB 735	Melendez	Vehicular Air Pollution: Child Labor	Trans	
AB 753	E. Garcia	Alternative and Renewable Fuel and Vehicle Technology Program: Fuels	Trans	

AB 755	Holden	California Tire Fee: Stormwater Permit Compliance Fund	ES&TM	
AB 784	Mullin	Sales and Use Taxes: Transit Bus Vehicles	Rev & Tax	
AB 821	O'Donnell	Transportation: Trade Corridor Enhancement Account: Project Nomination: California Port Efficiency Program	Trans	
AB 836	Wicks	Bay Area Clean Air Incentive Program	Approps	Support
AB 839	Mullin	Climate Adaptation: Strategy: Adaptation through Resiliency, Economic vitality, and Equity Account	Nat Res	
AB 915	Mayes	California Renewables Portfolio Standards Program	U&E	
AB 935	R. Rivas	Oil and Gas: Facilities and Operations: Monitoring and Reporting	Nat Res & LG	
AB 939	Frazier	California Environmental Protection Agency: Regulations	A&AR	
AB 966	Bonta	Cement Plants	Nat Res	
AB 970	Salas	California Department of Aging: Grants: Transportation	Trans	
AB 983	Boerner Horvath	Transportation Electrification	U&E, E&C	
AB 1038	Muratsuchi	Air Quality Management Districts: Scientific and Engineering Review	Nat Res	
AB 1046	Ting	Charge Ahead California Initiative	Trans	
AB 1056	E. Garcia	Regional Transportation Plans: State Air Resources Board: Report	Trans	
AB 1100	Kamlager-Dove	Electric Vehicles: Parking Requirements	LG	
AB 1115	Quirk-Silva	State Air Resources Board: Low Carbon Fuel Standard and Regulations	Nat Res	
AB 1124	Maienschein	Employment Safety: Outdoor Works: Wildfire Smoke	Approps	
AB 1142	Friedman	Strategic Growth Council: Transportation Pilot Projects: Regional Transportation	Trans	
AB 1143	Quirk	Energy: Fuels, Technology, and Equipment for Clean Heating (TECH) Initiative	U&E, Nat Res	
AB 1149	Fong	California Environmental Quality Act (Spot)	Nat Res & Trans	
AB 1156	E. Garcia	Methane: Dairy and Livestock: Pilot Financial Mechanism	Nat Res	
AB 1167	Mathis	Greenhouse Gas Reduction Fund: High-Speed Rail: Forestry and Fire Protection	Trans	
AB 1195	O'Donnell	California Global Warming Solutions Act of 2006: Low Carbon Fuel Standard Regulations	Nat Res	
AB 1236	Lackey	Public Resources: Greenhouse Gases: Utilities: Recycling: California Environmental Quality Act	Nat Res	
AB 1238	Cunningham	Electric Vehicle Charging Stations	Trans	
AB 1262	O'Donnell	GORF: California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program	Trans	
AB 1276	Bonta	Green New Deal (Spot)		
AB 1284	Carrillo	Carbon Neutrality	Nat Res	
AB 1347	Boerner Horvath	Electricity: Renewable Energy and Zero-Carbon Resources: State and Local Government Buildings	U&E, Nat Res	
AB 1350	Gonzalez	Youth Transit Pass program (Spot)	Trans	

AB 1371	Cunningham	California Renewables Portfolio Standard Program: Offshore Wind Generation	U&E, Nat Res	
AB 1406	O'Donnell	Alternative and Renewable Fuel and Vehicle Technology Program	Trans	
AB 1411	Reyes	Integrated Action Plan for Sustainable Freight	Trans	
AB 1418	Chiu	Transportation Electrification: Electric School Buses	Trans, U&E	
AB 1424	Berman	Electric Vehicle Charging Stations Open Access Act	Trans	
AB 1430	E. Garcia	State Government: Public Investment Opportunities: Cost-Effectiveness Definition	Acct & Admin	
AB 1445	Gloria	Climate Change: Emergency Declaration and Policy		
AB 1463	Gabriel	California Global Warming Solutions Act of 2006 (Spot)		
AB 1500	Carrillo	Hazardous Substances	Approps	
AB 1578	L. Rivas	School Pavement to Parks Grant Program	Ed	
AB 1589	Salas	Carl Moyer Memorial Air Quality Standards Attainment Program : HD on Road Replacement	Trans	
AB 1594	Bauer-Kahan	Heavy Duty Vehicles: Electric Vehicle Charging Stations: Ports	Trans	
AB 1621	Frazier	Alternative and Renewable Fuel and Vehicle Technology Program (Spot)		
AB 1655	O'Donnell	Hydrogen Fuel	Trans	
AB 1673	Salas	California Environmental Quality Act: Judicial Challenge	Nat Res	
AB 1744	Salas	CARB: Emission Reduction Credit Program	Trans	Oppose
AB 1778	Boerner Horvath	Greenhouse Gas Reduction Fund: Investment Plan (Spot)		
AJR 7	Gloria	Green New Deal	Nat Res	
SB 1	Atkins	California Environmental, Public Health, and Worker Defense Act of 2019	Nat Res, Jud	
SB 43	Allen	Carbon Taxes	G&F	
SB 44	Skinner	Medium-Duty and Heavy-Duty Vehicles: Comprehensive Strategy	EQ, Trans	Support, if amended
SB 45	Allen	Wildfire, Drought, and Flood Protection Bond Act of 2020	G&F	Support, if amended
SB 59	Allen	Autonomous Vehicle Technology: Statewide Policy	Trans, EQ	
SB 69	Wiener	Ocean Resiliency Act of 2019	NR&W, EQ	
SB 127	Wiener	Transportation Funding: Active Transportation: Complete Streets	Trans	
SB 168	Wieckowski	Climate Change: Chief Climate Resilience Officer	NR&W	
SB 209	Dodd	Wildfire: California Wildfire Warning Center: Weather Monitoring	EU&C	
SB 210	Leyva	Heavy-Duty Vehicle Inspections and Maintenance Program	Trans	Support
SB 216	Galgiani	Carl Moyer Memorial Air Quality Standards Attainment Program: Used Heavy-Duty Truck Exchange	Trans	
SB 236	Wilk	Low Carbon Innovation Grant Program: Low Carbon Innovation Panel	Rules	
SB 293	Skinner	Infrastructure Financing Districts: Oakland Waterfront Revitalization and EJ Infrastructure Financing District	G&F	
SB 319	Moorlach	State Highways: Interstate Route 5: State Route 99: Speed Limits	Trans, EQ	

SB 369	Hertzberg	Safe Parking Program	Trans	
SB 400	Umberg	Reduction of Greenhouse Gases Emissions: Mobility Options	Trans	
SB 460	Beall	DMV Biennial Registration	Trans	
SB 498	Hurtado	Trade Corridors Improvement Fund	Rules	
SB 515	Caballero	California Renewables Portfolio Standard Program: Bioenergy Renewable Feed-in Tariff	Rules	
SB 535	Moorlach	California Global Warming Solutions Act of 2006: Scoping Plan	EQ	
SB 613	Stern	State Agency Greenhouse Gas Emissions Report Cards	Rules	
SB 629	McGuire	Air Districts: Hearing Boards: Notice Requirements (Spot)	Gov & Fin	
SB 662	Archuleta	Green Electrolytic Hydrogen	EU&C, Trans	
SB 676	Bradford	Transportation Electrification: Electric Vehicles: Grid Integration	EU&C	
SB 677	Allen	California Global Warming Solutions Act of 2006 (Spot)	Rules	
SB 682	Allen	Climate Change: Radiative Forcing Management Climate Accounting Protocol	NR&W	
SB 736	Umberg	Airport Greenhouse Gas Reduction Account(spot)	EQ	

LEGISLATIVE COMMITTEE MEETING
OF 04/24/2019

AMENDED IN ASSEMBLY APRIL 10, 2019

AMENDED IN ASSEMBLY MARCH 19, 2019

CALIFORNIA LEGISLATURE—2019—20 REGULAR SESSION

ASSEMBLY BILL

No. 661

Introduced by Assembly Member McCarty

February 15, 2019

An act to add Chapter 6.5 (commencing with Section 42730) to Part 4 Article 8 (commencing with Section 41090) to Chapter 11 of Part 3 of Division 26 of the Health and Safety Code, relating to nonvehicular air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 661, as amended, McCarty. Wildfire Smoke Air Pollution Emergency—~~Plan~~. *Plan: Sacramento Metropolitan Air Quality Management District.*

Existing law generally designates air pollution control and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources.

This bill would require air districts *the Sacramento Metropolitan Air Quality Management District* to prepare a wildfire smoke air pollution emergency plan as an informational source for local agencies and the public during a wildfire smoke air pollution emergency, as specified. The bill would authorize air districts to conduct public education, marketing, demonstration, monitoring, research, and evaluation programs or projects with respect to wildfire smoke impact control measures. By requiring air districts *the Sacramento Metropolitan Air Quality Management District* to develop a wildfire smoke air pollution emergency plan, the bill would impose a state-mandated local program.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Sacramento Metropolitan Air Quality Management District.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Chapter 6.5 (commencing with Section 42730)~~
2 ~~is added to Part 4 of Division 26 of the Health and Safety Code.~~
3 ~~to read:~~

4
5 ~~CHAPTER 6.5. WILDFIRE SMOKE AIR POLLUTION EMERGENCY~~
6 ~~PLAN~~

7
8 ~~42730.~~

9 *SECTION 1. Article 8 (commencing with Section 41090) is*
10 *added to Chapter 11 of Part 3 of Division 26 of the Health and*
11 *Safety Code, to read:*

12
13 *Article 8. Wildfire Smoke Air Pollution Emergency Plan*

14
15 *41090. (a) (1) Every*~~The~~ *district shall prepare a wildfire*
16 *smoke air pollution emergency plan as an informational source*
17 *for local agencies and the public during a wildfire smoke air*
18 *pollution emergency.*

19 *(2) A district shall develop the wildfire smoke air pollution*
20 *emergency plan in coordination with its county health officer and*
21 *in consultation with all of the following:*

22 *(A) Local offices of emergency management or emergency*
23 *services.*

24 *(B) School districts.*

25 *(C) Regional planning agencies.*

1 (b) The plan prepared pursuant to this section shall include, but
2 need not be limited to, all of the following:

3 (1) Recommendations and guidelines that will be health
4 protective during wildfire smoke air pollution emergencies that
5 include all of the following:

6 ~~(A) Air quality thresholds for action on indoor and outdoor air
7 quality.~~

8 (A) *Specific recommendations based on different tiers of air
9 quality during a wildfire smoke event.*

10 (B) Strategies, protocols, and guidelines for the monitoring at
11 schools of air quality using low-cost sensors and other air quality
12 monitoring information.

13 (C) A short-term air quality metric that is advisory and provides
14 details of the health effects of the wildfire smoke that occur on a
15 time scale of less than 24 ~~hours~~. *hours, subject to the approval of
16 the state board.*

17 ~~(D) Tiered recommendations based on the intensity of the
18 wildfire smoke air pollution emergency using different thresholds.~~

19 (2) An identification of the local agency statutorily responsible
20 to take action at different thresholds.

21 (3) Recommendations and best practices for private businesses
22 and public agencies to reduce or modify certain activities that
23 contribute to the worsening of air pollution during a wildfire smoke
24 air pollution emergency.

25 (4) Specific strategies to address vulnerable populations,
26 including, but not limited to, all of the following:

27 (A) School-age children.

28 (B) The elderly.

29 (C) People experiencing homelessness.

30 (D) People who work outdoors.

31 (E) People with health issues that are exacerbated by a wildfire
32 smoke air pollution emergency.

33 ~~42732.~~

34 ~~41092.~~ (a) ~~The~~ district board shall adopt the plan prepared
35 pursuant to Section ~~42730~~ ~~41090~~ to be eligible for any available
36 funding to implement the plan.

37 (b) ~~The~~ district may work with local agencies to implement
38 recommendations in the plan prepared pursuant to Section ~~42730~~.

39 ~~41090.~~

40 ~~42734.~~ A

1 41093. The district may conduct public education, marketing,
2 demonstration, monitoring, research, and evaluation programs or
3 projects with respect to wildfire smoke impact control measures.

4 SEC. 2. The Legislature finds and declares that a special statute
5 is necessary and that a general statute cannot be made applicable
6 within the meaning of Section 16 of Article IV of the California
7 Constitution because of the unique circumstances faced by the
8 Sacramento Metropolitan Air Quality Management District.

9 ~~SEC. 2.~~

10 SEC. 3. If the Commission on State Mandates determines that
11 this act contains costs mandated by the state, reimbursement to
12 local agencies and school districts for those costs shall be made
13 pursuant to Part 7 (commencing with Section 17500) of Division
14 4 of Title 2 of the Government Code.

LEGISLATIVE COMMITTEE MEETING
OF 04/24/2019

o

AMENDED IN SENATE MARCH 27, 2019

SENATE BILL**No. 293****Introduced by Senator Skinner**

February 14, 2019

An act to ~~amend Section 53398.5 of~~ *add Section 53395.82 to the Government Code, relating to infrastructure financing districts.*

LEGISLATIVE COUNSEL'S DIGEST

SB 293, as amended, Skinner. ~~Infrastructure financing districts in the border development zone. districts: Oakland Waterfront Revitalization and Environmental Justice Infrastructure Financing District.~~

Existing law authorizes a legislative body of a ~~city, county, or city and county, to establish an~~ *city or county to designate one or more infrastructure financing district in the border development zone, as defined, districts, adopt an infrastructure financing plan, and issue bonds, for which only the district is liable, to finance specified public facilities. Existing law requires the legislative body to perform specific actions if any dwelling units are proposed to be removed or destroyed in the course of private development or public works construction within the area of the district. capital facilities of communitywide significance. Existing law specifies procedures for the preparation and adoption of an infrastructure financing plan and the issuance of bonds by a district, including requiring that the issuance of bonds be approved by $\frac{2}{3}$ of the voters residing within the boundaries of the district voting on the proposition. Existing law authorizes the inclusion of a provision for the division of taxes in an infrastructure financing plan. Existing law establishes certain alternative procedures for the formation and*

financing activities of a waterfront district, as defined, in the City and County of San Francisco.

~~This bill would make nonsubstantive changes to that latter provision.~~

This bill would establish alternative procedures for the formation of an Oakland Waterfront Revitalization and Environmental Justice Infrastructure Financing District under these provisions. The bill would require the City Council of the City of Oakland to initiate proceedings for the formation of the district by adoption of a resolution of intention to establish the district that, among other things, directs the preparation of an infrastructure financing plan. The bill would require the infrastructure financing plan to include a provision for the division of taxes, but would prohibit the division of taxes with respect to nonconsenting affected taxing agencies and specified local educational agencies. The bill would require the city council to hold a public hearing on the infrastructure financing plan and authorize it to establish the district by adopting an ordinance. The bill would also authorize the city council to approve and issue bonds for the district by adopting a resolution that contains specified information.

This bill would make legislative findings and declarations as to the necessity of a special statute for the City of Oakland.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. *The Legislature finds and declares the following:*
- 2 (a) *The City of Oakland (hereafter referred to as the city) desires*
- 3 *to retain the Oakland Athletics professional baseball franchise in*
- 4 *the city while maximizing the economic benefit of the sports team*
- 5 *and its facilities to the city.*
- 6 (b) *The city has identified a viable site for the development of*
- 7 *a state of the art sports facility for the Oakland Athletics: Howard*
- 8 *Terminal, which is controlled by the Port of Oakland (hereafter*
- 9 *referred to as the port).*
- 10 (c) *Howard Terminal was previously used as a shipping*
- 11 *container terminal. However, the port's prior container shipping*
- 12 *tenant vacated the site in 2014 and the facilities are currently used*
- 13 *for truck parking and chassis storage. A public report prepared*
- 14 *by the port's economic consultant concluded that Howard Terminal*
- 15 *is likely to be obsolete as a container terminal due to its relatively*

1 *small size, limited expansion potential, and limited berth length*
2 *and water depth.*

3 *(d) Howard Terminal is located adjacent to West Oakland, a*
4 *neighborhood bounded by freeways and located in close proximity*
5 *to the eighth largest container port in the United States. Due to*
6 *these adjacencies, West Oakland has been highly impacted by poor*
7 *air quality and elevated asthma rates. West Oakland has also*
8 *suffered from a lack of recreational and commercial resources*
9 *and higher than average unemployment. Its waterfront-adjacent*
10 *location makes it particularly susceptible to flooding due to climate*
11 *change and sea level rise.*

12 *(e) Given the limited potential for future maritime terminal use*
13 *at Howard Terminal, redevelopment of the property as a site for*
14 *the Oakland Athletics' privately financed ballpark, together with*
15 *complementary commercial and residential uses, new public access*
16 *to world-class waterfront parks and open spaces, remediation of*
17 *existing soil and groundwater contaminants, and implementation*
18 *of a community benefits package that provides jobs and economic*
19 *development opportunities to the surrounding residents and*
20 *neighborhoods, including West Oakland, would provide significant*
21 *public benefits for the city, adjacent communities, and the region.*
22 *Further, the incremental tax revenues generated by the proposed*
23 *redevelopment of Howard Terminal will provide an additional*
24 *source of funds for much needed infrastructure investment in the*
25 *community, which would not be available but for the*
26 *implementation of the proposed project.*

27 *(f) The city wishes to establish an infrastructure financing*
28 *district to finance certain public facilities required for the*
29 *successful redevelopment of the Howard Terminal waterfront and*
30 *the revitalization of its West Oakland environs. It is therefore the*
31 *intent of the Legislature to provide the city with additional latitude,*
32 *within the framework of the laws governing infrastructure financing*
33 *districts, to create and operate an infrastructure financing district*
34 *in a manner that optimizes its financing options to facilitate the*
35 *construction of much needed public facilities meeting the stated*
36 *goals of statewide significance. In order to adapt the provisions*
37 *of Chapter 2.8 (commencing with Section 53395) of Part 1 of*
38 *Division 2 of Title 5 of the Government Code, relating to*
39 *infrastructure financing districts, to these unique circumstances,*
40 *a special act is necessary.*

1 SEC. 2. Section 53395.82 is added to the Government Code,
2 to read:

3 53395.82. (a) This section applies only to the City of Oakland
4 and the proposed Oakland Waterfront Revitalization and
5 Environmental Justice Infrastructure Financing District described
6 in this section.

7 (b) In addition to the findings and declarations in Section 53395,
8 the Legislature further finds and declares that consolidating in a
9 single agency the ability to capture property tax increment
10 revenues to finance qualified public facilities in the City of Oakland
11 will further the enjoyment of the waterfront by the people of this
12 state.

13 (c) For purposes of this section:

14 (1) "Affected taxing entity" means any governmental taxing
15 agency, except Oakland and its local educational agencies, that
16 levied or had levied on its behalf a property tax on all or a portion
17 of the land located in the proposed district in the fiscal year prior
18 to the designation of the district, all or a portion of which the
19 district proposes to collect in the future under its infrastructure
20 financing plan.

21 (2) "Base year" means the fiscal year in which the assessed
22 value of taxable property in the district was last equalized prior
23 to the effective date of the ordinance adopted to create the district,
24 or a subsequent fiscal year specified in the infrastructure financing
25 plan for the district.

26 (3) "City council" means the City Council of the City of
27 Oakland, which shall be the legislative body for any district formed
28 under this section.

29 (4) "County auditor-controller" means the auditor-controller
30 for the County of Alameda.

31 (5) "Debt" means loans, advances, or other forms of
32 indebtedness and financial obligations, including, but not limited
33 to, commercial paper, variable rate demand notes, all moneys
34 payable in relation to the debt, and all debt service coverage
35 requirements in any debt instrument, in addition to the obligations
36 specified in the definition of "debt" in Section 53395.1.

37 (6) "District" or "Oakland revitalization district" means the
38 Oakland Waterfront Revitalization and Environmental Justice
39 Infrastructure Financing District created pursuant to this section,
40 including any project area within the district.

1 (7) “Local educational agencies” means, collectively, the
2 Oakland Unified School District, the Peralta Community College
3 District, and the Alameda County Office of Education.

4 (8) “Oakland” means the City of Oakland.

5 (9) “Project” means the construction at Howard Terminal of
6 a privately financed ballpark that will be home to the Oakland
7 Athletics baseball franchise, together with complementary
8 commercial, residential, and public open-space development and
9 amenities, new public access to the waterfront, and onsite and
10 offsite infrastructure improvements.

11 (10) “Project area” means a defined area designated for
12 development within a waterfront district formed under this chapter
13 in accordance with subdivision (e).

14 (11) “Public facilities” means facilities authorized to be
15 financed in whole or in part by a district formed under this chapter
16 in accordance with subdivision (e). Public facilities may be publicly
17 owned or privately owned if they are available to or serve the
18 general public, but shall not include the stadium for the Oakland
19 Athletics baseball franchise.

20 (d) (1) The Oakland revitalization district may finance the
21 purchase, construction, expansion, improvement, seismic retrofit,
22 or rehabilitation of any real or other tangible property with an
23 estimated useful life of 15 years or longer, as described in Sections
24 53395.5 and 53396.5. The facilities need not be physically located
25 within the boundaries of the district. Subdivision (b) of Section
26 53395.3 shall not apply to the district, but the district shall only
27 finance public facilities of communitywide significance.

28 (2) The district shall not finance routine maintenance, repair
29 work, or the costs of ongoing operation or providing services of
30 any kind.

31 (e) Notwithstanding Sections 53395.10 to 53395.25, inclusive,
32 the city council may adopt or amend one or more infrastructure
33 financing plans for the Oakland revitalization district according
34 to the procedures in this section. The district may be divided into
35 project areas, each of which may be subject to distinct limitations
36 established under this section. The city council may, at any time,
37 add territory to the district or amend the infrastructure financing
38 plan for the district in accordance with the same procedures for
39 the formation of the district and adoption of the infrastructure
40 financing plan pursuant to this section.

1 (1) The city council shall initiate proceedings for the
2 establishment of a district by adopting a resolution of intention to
3 establish the proposed district that does all of the following:

4 (A) States an infrastructure financing district is proposed to be
5 established and describes the boundaries of the proposed district.
6 The boundaries may be described by reference to a map on file in
7 the office of the clerk of the city council.

8 (B) States the type of public facilities proposed to be financed
9 by the district.

10 (C) States that incremental property tax revenue from Oakland
11 and some or all affected taxing entities within the district, but none
12 of the local educational agencies, may be used to finance these
13 public facilities.

14 (D) Directs the preparation of a proposed infrastructure
15 financing plan.

16 (2) The city council shall direct the city clerk to mail a copy of
17 the resolution of intention to any affected taxing entities.

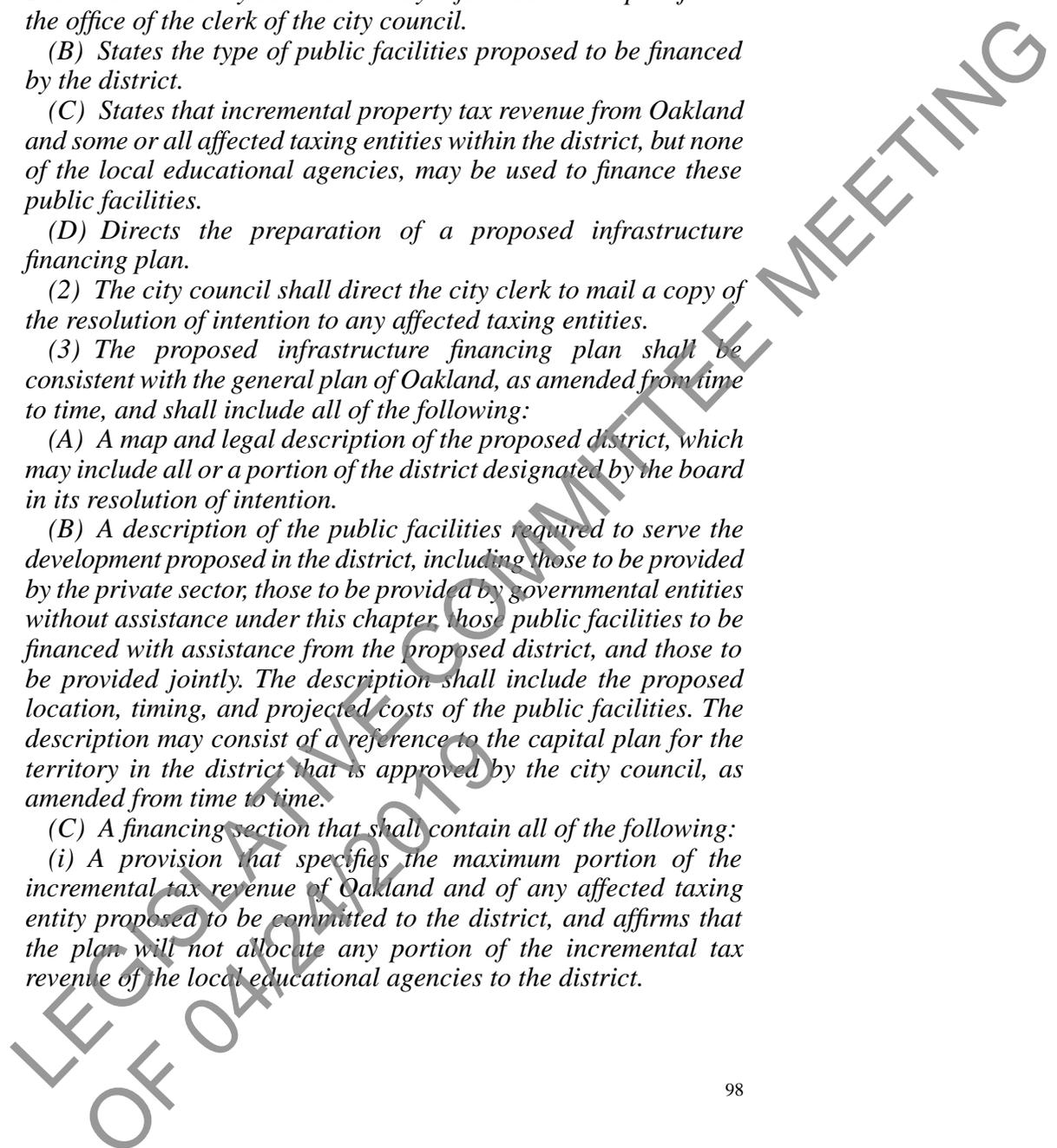
18 (3) The proposed infrastructure financing plan shall be
19 consistent with the general plan of Oakland, as amended from time
20 to time, and shall include all of the following:

21 (A) A map and legal description of the proposed district, which
22 may include all or a portion of the district designated by the board
23 in its resolution of intention.

24 (B) A description of the public facilities required to serve the
25 development proposed in the district, including those to be provided
26 by the private sector, those to be provided by governmental entities
27 without assistance under this chapter, those public facilities to be
28 financed with assistance from the proposed district, and those to
29 be provided jointly. The description shall include the proposed
30 location, timing, and projected costs of the public facilities. The
31 description may consist of a reference to the capital plan for the
32 territory in the district that is approved by the city council, as
33 amended from time to time.

34 (C) A financing section that shall contain all of the following:

35 (i) A provision that specifies the maximum portion of the
36 incremental tax revenue of Oakland and of any affected taxing
37 entity proposed to be committed to the district, and affirms that
38 the plan will not allocate any portion of the incremental tax
39 revenue of the local educational agencies to the district.



1 (ii) Limitations on the use of levied taxes allocated to and
2 collected by the district that provide that incremental tax revenues
3 allocated to a district must be used within the district for purposes
4 authorized under this section.

5 (iii) A projection of the amount of incremental tax revenues
6 expected to be received by the district, assuming a district receives
7 incremental tax revenues for a period no later than 45 years after
8 Oakland projects that the district will have received one hundred
9 thousand dollars (\$100,000) in incremental tax revenues under
10 this chapter. In the event that the city council divides the district
11 into multiple project areas, the projection of the amount of
12 incremental tax revenues expected to be received by the district
13 shall be calculated separately for each project area.

14 (iv) Projected sources of financing for the public facilities to
15 be assisted by the district, including debt to be repaid with
16 incremental tax revenues, projected revenues from future leases,
17 sales, or other transfers of any interest in land within the district,
18 and any other legally available sources of funds. The projection
19 of sources of financing may refer to the capital plan for the
20 territory in the district that is approved by the city council, as
21 amended.

22 (v) A limitation on the aggregate number of dollars of levied
23 taxes that may be divided and allocated to the district. Taxes shall
24 not be divided or be allocated to the district beyond this limitation,
25 except by amendment of the infrastructure financing plan pursuant
26 to the procedures in this subdivision. If the city council divides the
27 district into multiple project areas, the project areas may share
28 this limit and the limit may be divided among the project areas or
29 a separate limit may be established for a project area.

30 (vi) A date on which the infrastructure financing plan will cease
31 to be in effect and all tax allocations to the district will end and a
32 date on which the district's authority to repay indebtedness with
33 incremental tax revenues received under this chapter will end, not
34 to exceed 45 years from the date the district has actually received
35 one hundred thousand dollars (\$100,000) in incremental tax
36 revenues under this chapter. After the time limits established under
37 this subparagraph, a district shall not receive incremental tax
38 revenues under this chapter. If the city council divides the district
39 into multiple project areas, the city council may establish a
40 separate time limit applicable to each project area that is shorter

1 *than the time limit on the infrastructure financing plan pursuant*
2 *to this clause.*

3 *(vii) An analysis of the costs to Oakland for providing facilities*
4 *and services to the district while the district is being developed*
5 *and after the district is developed, and of the taxes, fees, charges,*
6 *and other revenues expected to be received by Oakland as a result*
7 *of expected development in the district.*

8 *(viii) An analysis of the projected fiscal impact of the district*
9 *and the associated development upon any affected taxing entity.*
10 *If no affected taxing entities exist within the district because the*
11 *plan does not provide for collection by the district of any portion*
12 *of property tax revenues allocated to any taxing entity other than*
13 *Oakland, the district has no obligation to any other taxing entity*
14 *under this subdivision.*

15 *(ix) A statement that the district will maintain accounting*
16 *procedures in accordance, and otherwise comply, with Section*
17 *6306 of the Public Resources Code for the term of the plan.*

18 *(D) A provision that meets the requirements of Section 53396*
19 *providing for the division of taxes, if any, levied upon taxable*
20 *property within the district and the allocation of a portion of the*
21 *incremental tax revenue of Oakland and other designated affected*
22 *taxing entities to the district.*

23 *(4) The proposed infrastructure financing plan shall be mailed*
24 *to each affected taxing entity for review, together with, to the extent*
25 *available, any report required by the California Environmental*
26 *Quality Act (Division 13 (commencing with Section 21000) of the*
27 *Public Resources Code) that pertains to the proposed public*
28 *facilities and any proposed development project for which the*
29 *public facilities are needed, and shall be made available for public*
30 *inspection. The report also shall be sent to the Oakland Planning*
31 *Department and the city council.*

32 *(5) The city council shall not enact a resolution proposing*
33 *formation of a district and providing for the division of taxes of*
34 *any affected taxing entities for use in the district as set forth in the*
35 *proposed infrastructure financing plan unless the governing body*
36 *of each affected taxing entity adopts a resolution approving the*
37 *plan, and that resolution has been filed with the city council at or*
38 *before the time of the hearing. A resolution approving the plan*
39 *adopted by the governing body of an affected taxing entity shall*

1 *be deemed the affected taxing entity's agreement to participate in*
2 *the plan for the purposes of this section.*

3 (6) *If the governing body of an affected taxing entity has not*
4 *approved the infrastructure financing plan before the city council*
5 *considers the plan, the city council may amend the infrastructure*
6 *financing plan to remove the allocation of the tax revenues of the*
7 *nonconsenting affected taxing entity.*

8 (7) *The city council shall hold a public hearing regarding the*
9 *infrastructure financing plan that shall be scheduled on a date no*
10 *earlier than 60 days after the plan has been sent to each affected*
11 *taxing entity, or in the absence of any affected taxing entities, no*
12 *earlier than 30 days after the plan has been lodged with the clerk*
13 *of the city council. The city council shall publish notice of the*
14 *public hearing not less than once a week for four successive weeks*
15 *in a newspaper designated by the city council for the publication*
16 *of official notices in Oakland, or if the city council no longer*
17 *designates a newspaper for the publication of official notices, a*
18 *newspaper of general circulation serving primarily Oakland*
19 *residents. The notice shall state all of the following:*

20 (A) *That the district will be established to finance public*
21 *facilities.*

22 (B) *Briefly describe the public facilities and the proposed*
23 *financial arrangements, including the proposed commitment of*
24 *incremental tax revenue.*

25 (C) *Describe the boundaries of the proposed district.*

26 (D) *The day, hour, and place when and where any persons*
27 *having any objections to the proposed infrastructure financing*
28 *plan, or the regularity of any of the previous proceedings, may*
29 *appear before the board and object to the adoption of the proposed*
30 *infrastructure financing plan by the board.*

31 (8) *At the hour set in the required notices, the city council shall*
32 *proceed to hear and pass upon all written and oral objections.*
33 *The hearing may be continued from time to time. The city council*
34 *shall consider any recommendations of affected taxing entities,*
35 *and all evidence and testimony for and against the adoption of the*
36 *infrastructure financing plan.*

37 (9) *No election will be required to form the district, and at the*
38 *conclusion of the hearing, the city council may adopt an ordinance*
39 *adopting the infrastructure financing plan, as drafted or as*
40 *modified by the city council, or it may abandon the proceedings.*

1 (10) Any public or private owner of land that is not within the
2 district may petition the city council for inclusion of the land in
3 the district, and the city council may grant that petition without
4 an election.

5 (11) The ordinance creating a district and adopting or amending
6 an infrastructure financing plan shall establish the base year for
7 the district. The city council may amend an infrastructure financing
8 plan by ordinance for any purpose, including, but not limited to,
9 the following:

10 (A) Dividing an established district into one or more project
11 areas.

12 (B) Reducing the district area.

13 (C) Expanding the district to include the petitioning landowner's
14 land in the district in accordance with the city council's established
15 procedures.

16 (12) Oakland may enter into an agreement for the construction
17 of discrete portions or phases of public facilities within the district.
18 The agreement may include any provisions that Oakland
19 determines are necessary or convenient, but shall do all of the
20 following:

21 (A) Identify the specific public facilities or discrete portions or
22 phases of public facilities to be constructed and purchased.
23 Oakland may agree to purchase discrete portions or phases of
24 public facilities if the portions or phases are capable of serviceable
25 use as determined by Oakland.

26 (B) Identify procedures to ensure that the public facilities are
27 constructed pursuant to plans, standards, specifications, and other
28 requirements as determined by Oakland.

29 (C) Specify a price or a method to determine a price for each
30 public facility or discrete portion or phase of a public facility.

31 (D) Specify procedures for final inspection and approval of
32 public facilities or discrete portions or phases of public facilities,
33 for approval of payment and for acceptance and conveyance.

34 (f) Notwithstanding Sections 53397.1 to 53397.11, inclusive,
35 the city council may approve and issue bonds for the Oakland
36 revitalization district according to the procedures in this section.

37 (1) The city council may, by resolution adopted at the time of
38 the formation of the district, authorize the issuance of bonds in
39 one or more series by determining the aggregate principal amount
40 of bonds that may be issued in the district. The city council may

1 undertake the proceedings and actions described in this subdivision
2 with respect to the district as a whole, or separately with respect
3 to one or more project areas. If the city council undertakes the
4 proceedings for the district as a whole, it may thereafter, by
5 resolution, allocate the principal amount of the authorized bond
6 issuance to one or more project areas within the district. The city
7 council may increase the principal amount of bonds that may be
8 issued for the district or a project area within the district by
9 undertaking the proceedings in this subdivision with respect to
10 that increased amount. The bonds may be sold at a negotiated sale
11 subject to the notice requirements of paragraph (5).

12 (2) At any time after formation of the district, the legislative
13 body may, by a majority vote of its members, issue tax-exempt or
14 taxable bonds in one or more series. Bonds shall be issued
15 following adoption of a resolution containing all of the following
16 information:

17 (A) A description of the facilities to be financed with the
18 proceeds of the proposed bond issue.

19 (B) The estimated cost of the facilities, the estimated cost of
20 preparing and issuing the bonds, and the principal amount of the
21 proposed bond issuance.

22 (C) The maximum interest rate and discount on the proposed
23 bond issuance.

24 (D) A determination of the amount of tax revenue available or
25 estimated to be available, for the payment of the principal of, and
26 interest on, the bonds.

27 (E) A finding that the amount necessary to pay the principal of,
28 and interest on, the proposed bond issuance will be less than, or
29 equal to, the amount determined pursuant to subparagraph (D).

30 (F) The issuance of the bonds in one or more series.

31 (G) The date the bonds will bear.

32 (H) The date of maturity of the bonds.

33 (I) The denomination of the bonds.

34 (J) The form of the bonds.

35 (K) The manner of execution of the bonds.

36 (L) The medium of payment in which the bonds are payable.

37 (M) The place or manner of payment and any requirements for
38 registration of the bonds.

39 (N) The terms of call or redemption, with or without premium.

1 (3) The city council may, by majority vote, provide for refunding
2 of bonds issued pursuant to this subdivision. However, refunding
3 bonds shall not be issued if the total net interest cost to maturity
4 on the refunding bonds plus the principal amount of the refunding
5 bonds exceeds the total net interest cost to maturity on the bonds
6 to be refunded. The city council shall not extend the time to
7 maturity of the bonds being refunded.

8 (4) The city council or any person executing the bonds shall not
9 be personally liable on the bonds by reason of their issuance. The
10 bonds and other obligations of a district issued pursuant to this
11 chapter are not a debt of the city or of any of its political
12 subdivisions, other than the district, and none of those entities,
13 other than the district, shall be liable on the bonds and the bonds
14 or obligations shall be payable exclusively from funds or properties
15 of the district. The bonds shall contain a statement to this effect
16 on their face. The bonds do not constitute an indebtedness within
17 the meaning of any constitutional or statutory debt limitation.

18 (5) Bonds may be sold at a negotiated sale. At least five days
19 before the sale, the city council shall publish notice of the sale,
20 pursuant to Section 6061, in a newspaper of general circulation
21 and in a financial newspaper published in the City of Oakland and
22 in the City of Los Angeles. The bonds may be sold at not less than
23 par to the federal government at private sale without any public
24 advertisement.

25 (6) If any member of the city council whose signature appears
26 on bonds ceases to be a member of the city council before delivery
27 of the bonds, that member's signature is as effective with respect
28 to those bonds as if the member had remained in office at the time
29 of delivery of those bonds.

30 (7) Bonds issued pursuant to this subdivision are fully
31 negotiable.

32 *SEC. 3. The Legislature finds and declares that a special statute*
33 *is necessary and that a general statute cannot be made applicable*
34 *within the meaning of Section 16 of Article IV of the California*
35 *Constitution because of the unique circumstances, described in*
36 *Section 1 of this act, in the City of Oakland.*

37 ~~SECTION 4. Section 53398.5 of the Government Code is~~
38 ~~amended to read:~~

39 ~~53398.5 It is the intent of the Legislature that the area of the~~
40 ~~districts created be substantially undeveloped, and the~~

1 establishment of a district should not ordinarily lead to the removal
2 of existing dwelling units. If, however, any dwelling units are
3 proposed to be removed or destroyed in the course of private
4 development or public works construction within the area of the
5 district, the legislative body shall do all of the following:

6 ~~(a) Within four years of the removal or destruction, cause or~~
7 ~~require the construction or rehabilitation, for rent or sale to persons~~
8 ~~or families of low or moderate income, of an equal number of~~
9 ~~replacement dwelling units at affordable housing cost, as defined~~
10 ~~in Section 50052.5 of the Health and Safety Code, within the~~
11 ~~territory of the district if the dwelling units removed were inhabited~~
12 ~~by persons or families of low or moderate income, as defined in~~
13 ~~Section 50093 of the Health and Safety Code.~~

14 ~~(b) Within four years of the removal or destruction, cause or~~
15 ~~require the construction or rehabilitation, for rent or sale to persons~~
16 ~~of low or moderate income, a number of dwelling units that is at~~
17 ~~least one unit but not less than 20 percent of the total dwelling~~
18 ~~units removed at affordable housing cost, as defined in Section~~
19 ~~50052.5 of the Health and Safety Code, within the territory of the~~
20 ~~district if the dwelling units removed or destroyed were not~~
21 ~~inhabited by persons of low or moderate income, as defined in~~
22 ~~Section 50093 of the Health and Safety Code.~~

23 ~~(c) Provide relocation assistance and make all the payments~~
24 ~~required by Chapter 16 (commencing with Section 7260) of~~
25 ~~Division 7 of Title 1, to persons displaced by any public or private~~
26 ~~development occurring within the territory of the district. This~~
27 ~~displacement shall be deemed to be the result of public action.~~

28 ~~(d) Ensure that removal or destruction of any dwelling units~~
29 ~~occupied by persons or families of low or moderate income does~~
30 ~~not take place unless and until there are suitable housing units, at~~
31 ~~comparable cost to the units from which the persons or families~~
32 ~~were displaced, available and ready for occupancy by the residents~~
33 ~~of the units at the time of their displacement. The housing units~~
34 ~~shall be suitable to the needs of these displaced persons or families~~
35 ~~and shall be decent, safe, sanitary, and otherwise standard~~
36 ~~dwelling.~~

O

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Doug Kim and Members
of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 16, 2019

Re: Wildfire Smoke Public Health Bill

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Assembly Bill (AB) 836 – Buffy Wicks (D-Oakland) was heard in Assembly Natural Resources on April 8, 2019, and passed out of committee on an 11-0 vote. In Committee, Assemblymember Wicks accepted amendments proposed by Natural Resources staff to expand the program statewide. The bill next goes to Assembly Appropriations, but has not been scheduled at this time. Staff will discuss next steps for the bill and timelines.

Attached is the Natural Resources Committee analysis and current bill, with amendments.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Alan Abbs
Reviewed by: Jack P. Broadbent

Attachment 5A: 2019 Assembly Bill 836 (Wicks), as amended
Attachment 5B: Assembly Committee on Natural Resources Analysis

AMENDED IN ASSEMBLY APRIL 11, 2019

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

ASSEMBLY BILL**No. 836**

Introduced by Assembly Member Wicks
(Principal coauthor: Assembly Member Kalra)
(Coauthor: Assembly Member Chiu)

February 20, 2019

An act to add ~~Article 6 (commencing with Section 40280) to Chapter 4 of Part 3 of Division 26 Chapter 9.5 (commencing with Section 39960) to Part 2 of Division 26 of the Health and Safety Code, relating to the Bay Area Air Quality Management District. nonvehicular air pollution.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 836, as amended, Wicks. ~~Bay Area Wildfire Smoke Clean Air Centers for Vulnerable Populations Incentive Program.~~

~~(1) Existing~~

~~Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution and air pollution control and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Existing law establishes the Bay Area Air Quality Management District, which is vested with the authority to regulate air emissions located in the boundaries of the Counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara and portions of the Counties of Solano and Sonoma.~~

~~This bill would establish the Bay Area Wildfire Smoke Clean Air Centers for Vulnerable Populations Incentive Program, to be administered by the district, state board, to provide funding through a~~

grant program to retrofit ventilation systems to create a network of clean air centers ~~within the boundaries of the district~~ in order to mitigate the adverse public health impacts due to wildfires and other smoke events, as specified. The bill would specify that moneys for the program would be available upon appropriation. ~~By adding to the duties of the Bay Area Air Quality Management District, the bill would impose a state-mandated local program.~~

~~(2) This bill would make legislative findings and declarations as to the necessity of a special statute for the Bay Area Air Quality Management District.~~

~~(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: *yes-no*.

The people of the State of California do enact as follows:

1 SECTION 1. ~~Article 6 (commencing with Section 40280) is~~
2 ~~added to Chapter 4 of Part 3 of Division 26 of the Health and Safety~~
3 ~~Code, to read:~~

4
5 Article 6. ~~Bay Area Clean Air Incentive Program~~

6
7 40280.—

8 SECTION 1. *Chapter 9.5 (commencing with Section 39960)*
9 *is added to Part 2 of Division 26 of the Health and Safety Code,*
10 *to read:*

11
12 CHAPTER 9.5. *WILDFIRE SMOKE CLEAN AIR CENTERS FOR*
13 *VULNERABLE POPULATIONS INCENTIVE PROGRAM*

14
15 39960. (a) (1) ~~The Bay Area Wildfire Smoke Clean Air~~
16 ~~Centers for Vulnerable Populations Incentive Program is hereby~~
17 ~~established to be administered by the bay district state board to~~
18 ~~provide funding through a grant program to retrofit ventilation~~

1 systems to create a network of clean air centers ~~within the~~
2 ~~boundaries of the bay district~~ in order to mitigate the adverse public
3 health impacts due to wildfires and other smoke events.

4 (2) Moneys for the program shall be available upon
5 appropriation by the Legislature.

6 (b) Qualified applicants shall include, but need not be limited
7 to, all of the following:

8 (1) Schools.

9 (2) Community centers.

10 (3) Senior centers.

11 (4) Sports centers.

12 (5) Libraries.

13 (c) ~~The bay district~~ *state board* shall develop guidelines for the
14 program in consultation with ~~the districts, cities, counties, public~~
15 ~~health agencies, school districts, and other stakeholders located~~
16 ~~within the boundaries of the bay district.~~ *stakeholders.* The
17 guidelines shall address all of the following:

18 (1) Location of the applicant.

19 (2) Size of the applicant’s facility.

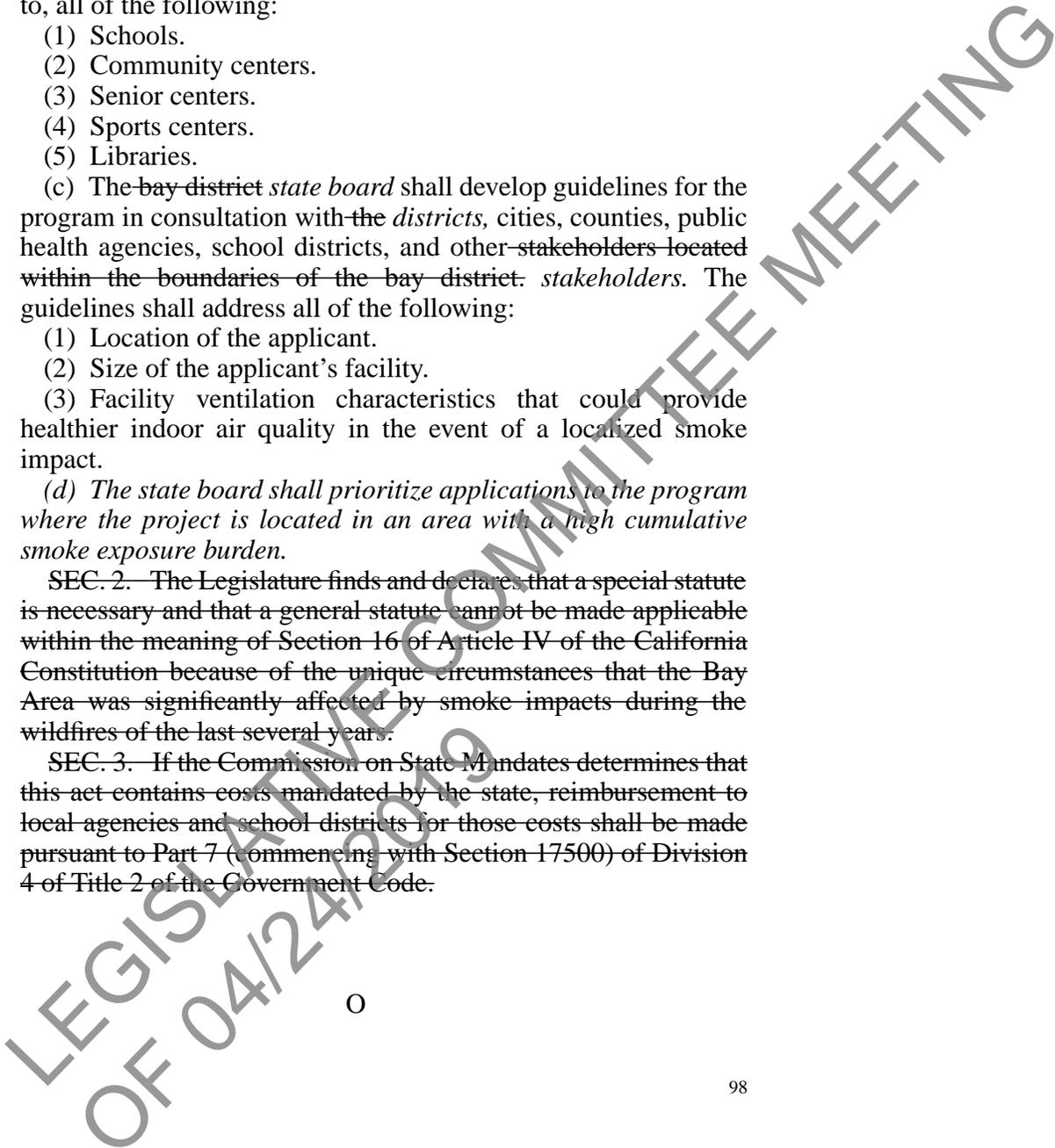
20 (3) Facility ventilation characteristics that could provide
21 healthier indoor air quality in the event of a localized smoke
22 impact.

23 (d) *The state board shall prioritize applications to the program*
24 *where the project is located in an area with a high cumulative*
25 *smoke exposure burden.*

26 ~~SEC. 2. The Legislature finds and declares that a special statute~~
27 ~~is necessary and that a general statute cannot be made applicable~~
28 ~~within the meaning of Section 16 of Article IV of the California~~
29 ~~Constitution because of the unique circumstances that the Bay~~
30 ~~Area was significantly affected by smoke impacts during the~~
31 ~~wildfires of the last several years.~~

32 ~~SEC. 3. If the Commission on State Mandates determines that~~
33 ~~this act contains costs mandated by the state, reimbursement to~~
34 ~~local agencies and school districts for those costs shall be made~~
35 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
36 ~~4 of Title 2 of the Government Code.~~

O



Date of Hearing: April 8, 2019

ASSEMBLY COMMITTEE ON NATURAL RESOURCES

Laura Friedman, Chair

AB 836 (Buffy Wicks) – As Introduced February 20, 2019

SUBJECT: Bay Area Clean Air Incentive Program

SUMMARY: Establishes an incentive program to be administered by the Bay Area Air Quality Management District (BAAQMD) that will provide funds to retrofit ventilation systems to create a network of clean air centers within the boundaries of BAAQMD in order to mitigate adverse health impacts due to wildfires and other smoke events.

EXISTING LAW:

- 1) Establishes the Air Resources Board (ARB) as the air pollution control agency in California and requires the ARB, among other things, to control emissions from a wide array of mobile sources and coordinate with local air districts to control emissions from stationary sources in order to implement the federal Clean Air Act.
- 2) Provides for regular and consolidated reporting of emissions from major stationary sources by requiring ARB to establish a uniform statewide system of annual reporting of criteria pollutants and toxic air contaminants, including reporting by sources of facility-level emissions data and third-party verification.
- 3) Requires, subject to the powers and duties of the ARB, the local air districts to adopt and enforce rules and regulations to achieve and maintain the state and federal ambient air quality standards in all areas affected by emission sources under their jurisdiction, and to enforce all applicable provisions of state and federal law.
- 4) Requires air districts to develop plans, as specified, and submit those plans to ARB detailing how they will achieve state air quality standards.
- 5) Requires the ARB to develop a statewide strategy to reduce emissions of toxic air contaminants and criteria air pollutants in communities affected by a high cumulative exposure burden.
- 6) Requires the strategy described above to include criteria for the development of community emissions reductions programs (CERPs), and requires the criteria to include, but not be limited to:
 - a) An assessment and identification of communities with high cumulative exposure burdens for toxic air contaminants and criteria air pollutants.
 - b) A methodology for assessing and identifying the contributing sources, including, but not limited to, stationary and mobile sources.
 - c) An assessment of whether an air district should update and implement the risk reduction audit and emissions reduction plan for any facility to achieve emissions reductions commensurate with its relative contribution, if the facility's emissions either cause or

significantly contribute to a material impact on a sensitive receptor location or disadvantaged community.

- d) An assessment of the existing and available measures for reducing emissions from contributing sources.
- 7) Requires, by July 1, 2019, an air district to deploy community air monitoring systems in communities identified by the process described above that have high exposure burdens for toxic air contaminants and criteria air pollutants.
- 8) Defines disadvantaged communities, for investment opportunities related to Greenhouse Gas Reduction Fund investments, based on geographic socioeconomic, public health, and environmental hazard criteria.
- 9) Defines sensitive receptors as schools, daycare centers, hospitals, and other locations an air district or ARB may determine.
- 10) Establishes school modernization appointment funds, which may be used for improvements to extend the useful life of, or to enhance the physical environment of, the school.

THIS BILL:

- 1) Establishes the Bay Area Clean Air Incentive Program, to be administered by the BAAQMD, which will provide funding through a grant program to retrofit ventilation systems and create a network of clean air centers within the boundaries of the BAAQMD, in order to mitigate the adverse public health impacts due to wildfires and other smoke events.
- 2) Specifies that money for the incentive program will be available upon appropriation by the Legislature.
- 3) Establishes that qualified applicants for the incentive programs shall include, but need not be limited to schools, community centers, senior centers, sports centers, and libraries.
- 4) Directs BAAQMD to develop guidelines for the incentive program in consultation with the cities, counties, public health agencies, school districts, and other stakeholders to address all of the following:
 - a) Location of the applicant;
 - b) Size of the applicant's facility; and
 - c) Facility ventilation characteristics that could provide healthier indoor air quality in the event of a localized smoke impact.

FISCAL EFFECT: Unknown

COMMENTS:**1) Author's statement.**

In the past few years, wildfires in California have burned over 1.5 million acres of public and private forest land and destroyed over 24,000 homes.

The 2017 and 2018 wildfires demonstrated how catastrophic wildfire events impact the quality of air for residents, even those who live hundreds of miles away from the burned area. This toxic air, which often contains elevated levels of wood smoke and contaminants from burned structures, vehicles, and consumer products, can travel the length of the state, causing negative health impacts to children, elderly, and individuals with existing respiratory problems.

The health impact of such wildfire smoke can be devastating. According to the Centers for Disease Control and Prevention (CDC), people who have heart or lung diseases, chest pain, or asthma are at higher risk from wildfire smoke. The CDC also notes that older adults are more likely to be affected by smoke due to their increased risk of heart and lung diseases. Moreover, children are more likely to be affected by smoke because their airways are still developing and they breathe more air per pound of body weight than adults.

In addition, Bay Area residents are especially vulnerable to wildfire smoke and contaminated air because of the high prevalence of asthma in the region. As data from the California Department of Health show, six of the Bay Area's nine counties have a higher prevalence of asthma than the state average.

AB 836 will create a pilot program in the Bay Area that provides designated ventilated spaces to the public during emergency air quality events.

2) Bay area wildfires pollution impacts. Many of the wildfires over the last two years have severely impacted the air quality in the nine counties that define the Bay Area. Sixteen of the 20 worst air quality days ever recorded in the Bay Area since 1999 have been due to wildfires, due to elevated levels of wood smoke, and toxic air contaminants from burned structures, vehicles, and consumer products.

3) Health impacts of air pollution. Air pollution, particularly ozone and particulate pollution, poses significant risks to human health, including premature death, reproductive harm, asthma, lung cancer, cardiovascular disease, and more.

Air pollution can have particularly significant impacts on children's health. Eighty percent of a child's alveoli, where the transfer of oxygen to blood occurs, develop after birth, and lungs and alveoli aren't fully developed until adulthood. Children are also generally more active than adults and are outside for more hours per day on average, increasing their exposure to air pollution. The Southern California Children's Health study tracked 1,759 children between the ages of 10 and 18 from 1993 to 2001 and found that the decrease in lung function associated with growing up in polluted areas was similar to that of children raised in households with parents who smoked. A follow-up study of 863 children in the same area between the years of 2007 and 2011, when air quality had significantly improved compared to the period from 1993 to 2001, found that the population studied had significantly greater lung function than the first study cohort, demonstrating the impact that air quality improvements can have on human health.

Pollution exposure also increases the probability that children will develop other respiratory symptoms or suffer from impaired development of their nervous, endocrine, and immune systems. These health risks are often disproportionately concentrated in low-income areas and communities of color. A 2015 study on school campuses in the Sacramento region found that increased student exposure to emissions from road traffic was positively correlated with the percentage of the student population that was non-white or low income.

- 4) **Public health impacts of wildfire smoke exposure.** Wildfires expose populations to a number of environmental hazards, e.g., fire, smoke, and the byproducts of combustion of wood, as well as plastics and other chemicals that can be released from burning structures and furnishings. Particulate matter (PM) exposure is the principal public health threat from short-term exposures to wildfire smoke. The effects of smoke range from eye and respiratory tract irritation to more serious disorders, including reduced lung function, bronchitis, exacerbation of asthma and heart failure, and premature death. Studies have found that short-term exposures (i.e., days to weeks) to fine particles, a major component of smoke, are linked with increased premature mortality and aggravation of preexisting respiratory and cardiovascular disease. Children, pregnant women, and elderly are also especially vulnerable to smoke exposure. In addition, fine particles are respiratory irritants. Exposures to fine particles can also affect healthy people, causing respiratory symptoms, transient reductions in lung function, and pulmonary inflammation.
- 5) **Road proximity and air pollution exposure.** Proximity to freeways and busy roads increases exposure to hazardous particulate air pollution, subsequently increasing health risks. SB 352 (Escutia), Chapter 668, Statutes of 2003, prohibited the construction of new schools within 500 feet of freeways or other major roadways, but did not outline plans to address schools located in this area prior to 2003. Further, recent research shows that air pollution can still be present at hazardous levels far outside the 500 foot buffer, and that pollution levels also depend on air circulation patterns, geography, time of day and other factors. To mitigate the risks of air pollution, Los Angeles and San Francisco require high-efficiency air filters to be installed on new homes built near freeways, and the California Energy Commission is considering regulations to require air filtration systems in the construction of all new homes starting in 2020.

In its current form, the bill does not consider the benefits that retrofit ventilation systems can provide to schools and other community centers located in areas of high cumulative exposure burden. By prioritizing applicants located in communities with high cumulative air pollution burdens, the retrofit ventilation systems could provide immediate air pollution reductions, in addition to future wildfire smoke impact mitigation.

- 6) **Community air filtration systems.** Air districts, including the BAAQMD, have occasionally received funding through enforcement actions that have been used to upgrade ventilation systems of schools near freeways to reduce particulate exposure. The BAAQMD has also begun initial work with cities and counties to define and identify regions that would be best served through the proposed incentive program.

In 2008, the South Coast Air Quality Management District partnered with the University of California, Riverside's Center for Environmental Research and Technology on a pilot project to research the efficacy of 15 different air filtration technologies. The study findings identified technologies capable of removing over 90% of ultrafine particulate matter, and the best performing units have subsequently been installed in 72 schools and related facilities across the district since 2008. In schools without modern mechanical central air systems, stand-alone filters

that re-circulate air in classrooms can be an effective means of improving air quality if windows and doors are closed. This work has been funded on a project-by-project basis using fees assessed for pollution violations in the district, and there is a persistent and ongoing need to update facilities to mitigate pollution exposure.

This bill would allow BAAQMD through the incentive program to work with public health departments, cities, counties, school districts, and other nongovernmental stakeholders to create a network of facilities eligible for a “clean air center” designation and enable eligible facilities (e.g. schools, libraries, community and senior centers, and other publicly accessible spaces) to build, retrofit, or maintain ventilation systems. However, by limiting the bill exclusively to the Bay Area district boundary, this bill will not address other communities in the state that have also been burdened by both wildfire smoke and on-going exposure to other sources of air pollution.

- 7) **Community emissions reduction programs.** By October 1, 2018, ARB was required to develop a strategy for the development of CERPs, including identification of communities with high cumulative exposure burdens to toxic air contaminants and criteria air pollutants, a methodology for assessing and identifying responsible stationary and mobile sources, and assessments of the options available to air districts to reduce pollution. By July 1, 2019, air districts are required to deploy air monitoring systems in communities identified by the process. The first year of CERP implementation included 10 communities across the state. Pursuant to AB 2453 (E. Garcia), Chapter 714, Statutes of 2018, communities with a high cumulative exposure burden were given the ability to apply for grants through the CERP to mitigate air pollution in schools.
- 8) **Suggested amendments.** The *committee may wish to* amend the bill as follows:
- a) Expand the Clean Air Incentive Program to be statewide rather than Bay Area focused. The impacts of air pollution from smoke have affected many communities in California outside the Bay Area. By allowing applicants from across the state, the incentive funds can be used to support projects in the areas of highest need.
 - b) Add language to prioritize those applicants that have faced high cumulative exposure burdens.

REGISTERED SUPPORT / OPPOSITION:

Support

Bay Area Air Quality Management District (sponsor)
American Lung Association in California

Opposition

None on file

Analysis Prepared by: Achintya Madduri / NAT. RES. /

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Doug Kim and Members
of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 16, 2019

Re: Sacramento Legislative Update

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

The Senate and Assembly have individually held their first budget hearings related to air quality and Cap and Trade funding in their respective subcommittees, with staff testifying in both on behalf of continued funding for Assembly Bill (AB) 617 implementation and related incentives. Separately, we continue to meet with budget staff as follow up, and will provide an update to the Committee

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Alan Abbs
Reviewed by: Jack P. Broadbent

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 25, 2019

Re: Report of the Mobile Source Committee Meeting of April 25, 2019

RECOMMENDED ACTION

The Mobile Source Committee (Committee) recommends Board of Directors approval of the following items:

- A) Projects and Contracts with Proposed Grant Awards Over \$100,000
 - 1) Approve recommended projects with proposed grant awards over \$100,000 as shown in Attachment 1;
 - 2) Approve a change to fiscal year ending (FYE) 2019 Transportation Fund for Clean Air (TFCA) Regional Fund Policies and FYE 2020 TFCA County Program Manager Fund Policies to increase the cost-effectiveness limit for Pilot Trip Reduction projects; and
 - 3) Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects.
- B) Transportation Fund for Clean Air (TFCA) Funding for Shuttle and Ridesharing Projects
 - 1) Approve a total award of up to \$3,000,000 in TFCA funding for a three-year ridesharing project sponsored by the Metropolitan Transportation Commission (MTC); and
 - 2) Authorize the Executive Officer/APCO to enter into all agreements with MTC for the recommended project.
- C) Fiscal Year Ending (FYE) 2020 Transportation Fund for Clean Air (TFCA) County Program Manager (CPM) Expenditure Plans and a Request from Alameda County Transportation Commission (ACTC) for CPM Policy Waiver
 - 1) Approve the allocation of new FYE 2020 TFCA CPM funds proposed by the Expenditure Plans, as listed in Table 1;

- 2) Authorize the Executive Officer/APCO to enter into all funding agreements with the CPMs for the total funds to be programmed in FYE 2020, as listed in Table 1; and
 - 3) Approve a policy waiver to allow ACTC to use TFCA CPM Funds for a shuttle project.
- D) Electric Vehicle (EV) Ecosystem Update: EV Incentives and Awareness Programs and Approval of Contracts for EV Services
- 1) Authorize the Executive Officer/APCO to execute a contract with the Center for Sustainable Energy (CSE) in an amount not to exceed \$115,000 for services performed in Fiscal Year Ending (FYE) 2019 and FYE 2020 for EV market research services; and
 - 2) Authorize the Executive Officer/APCO to execute a contract with Kearns and West in an amount not to exceed \$36,000 for services performed in FYE 2019 and FYE 2020 for meeting and stakeholder facilitation for the Bay Area EV Coordinating Council.

BACKGROUND

The Committee met on Thursday, April 25, 2019, and received the following reports:

- A) Projects and Contracts with Proposed Grant Awards Over \$100,00;
- B) Transportation Fund for Clean Air (TFCA) Funding Shuttle and Ridesharing Projects;
- C) Fiscal Year Ending (FYE) 2020 Transportation Fund for Clean Air (TFCA) County Program Manager (CPM) Expenditure Plans and a Request from Alameda County Transportation Commission (ACTC) for a CPM Policy Waiver; and
- D) Electric Vehicle (EV) Ecosystem Update: EV Incentives and Awareness Programs and Approval of Contracts for EV Services.

Chairperson David Canepa will provide an oral report of the Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None. The Air District distributes CMP, MSIF, Community Health Protection Grant Program, and TFCA funding to public agencies and private entities on a reimbursement basis. Funding for administrative costs is provided by each funding source;
- B) None. TFCA funds are generated from the Department of Motor Vehicle (DMV) registration fees and distributed to sponsors of eligible projects on a reimbursement basis. Funding for administrative costs is also provided by TFCA;

C) None. TFCA funds are generated from DMV registration fees and 40% of the TFCA funds are passed through the Air District to the CPMs. Administrative costs for this program are provided by the new TFCA revenue; and

D) Funding for these contracts comes from a grant from the Federal Highway Administration and California Department of Transportation, through the Congestion Mitigation and Air Quality Improvement (CMAQ) Program.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Aloha Galimba
Reviewed by: Vanessa Johnson

Attachment 17A: 04/25/2019 – Mobile Source Committee Meeting Agenda #4

Attachment 17B: 04/25/2019 – Mobile Source Committee Meeting Agenda #5

Attachment 17C: 04/25/2019 – Mobile Source Committee Meeting Agenda #6

Attachment 17D: 04/25/2019 – Mobile Source Committee Meeting Agenda #7

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson David Canepa and Members
of the Mobile Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 16, 2019

Re: Projects and Contracts with Proposed Grant Awards Over \$100,000

RECOMMENDED ACTION

Recommend Board of Directors:

1. Approve recommended projects with proposed grant awards over \$100,000 as shown in Attachment 1;
2. Approve a change to fiscal year ending (FYE) 2019 Transportation Fund for Clean Air (TFCA) Regional Fund Policies and FYE 2020 TFCA County Program Manager Fund Policies to increase the cost-effectiveness limit for Pilot Trip Reduction projects; and
3. Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended 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 (CARB), 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, and stationary agricultural pump engines.

Assembly Bill (AB) 923 (AB 923 - Firebaugh), enacted in 2004 (codified as Health and Safety Code (HSC) 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 under the CMP.

In 2017, AB 617 directed CARB, in conjunction with local air districts, to establish the Community Air Protection Program. AB 617 provides a new community-focused action framework to improve air quality and reduce exposure to criteria air pollutants and toxic air contaminants in communities most impacted by air pollution. In advance of the development of the Community Air Protection Program, the Governor and legislature established an early action component to AB 617 to use existing incentive programs to get immediate emission reductions in the communities most affected by air pollution. AB 134 (2017) appropriated \$250 million from the Greenhouse Gas Reduction Fund (GGRF) to reduce mobile source emissions including criteria pollutants, toxic air contaminants, and greenhouse gases in those communities. The Bay Area has been allocated \$50 million of these funds for emission reduction projects. These funds will be used to implement projects under the CMP, and optionally on-road truck replacements under the Proposition 1B Goods Movement Emission Reduction Program.

On February 21, 2018, the Air District's Board of Directors (Board) authorized Air District participation in Year 20 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.

In 1991, the California State Legislature authorized the Air District to impose a \$4 surcharge on motor vehicles registered within the nine-county Bay Area to fund projects that reduce on-road motor vehicle emissions within the Air District's jurisdiction. The statutory authority for the Transportation Fund for Clean Air (TFCA) and requirements of the program are set forth in the HSC Sections 44241 and 44242. Sixty percent of TFCA funds are awarded by the Air District to eligible projects and programs implemented directly by the Air District (e.g., Spare the Air, electric vehicle charging station program) and to a program referred to as the TFCA Regional Fund. Each year, the Board allocates funding and adopts policies and evaluation criteria that govern the expenditure of TFCA Regional Fund monies. The remaining forty percent of TFCA funds are pass-through funds to the designated County Program Manager (CPM) in each of the nine counties within the Air District's jurisdiction.

On May 2, 2018, the Board authorized funding allocations for use of the sixty percent of the TFCA revenue in Fiscal Year Ending (FYE) 2019, cost-effectiveness limits for Air District-sponsored FYE 2019 programs, and the Executive Officer/APCO to execute grant agreements and amendments for TFCA-revenue funded projects with individual grant award amounts up to \$100,000. On June 6, 2018, the Board adopted policies and evaluation criteria for the FYE 2019 TFCA Regional Fund program.

Projects with grant award amounts over \$100,000 are brought to the Mobile Source Committee for consideration at least on a quarterly basis. Staff reviews and evaluates grant applications based upon the respective governing policies and guidelines established by CARB and the Board.

DISCUSSION

Carl Moyer Program and Community Health Protection Grant Program:

For the CMP Year 20 cycle, the Air District had more than \$11 million available for eligible CMP and school bus projects from a combination of MSIF and CMP funds. The Air District started accepting project applications for the CMP Year 20 funding cycle on June 25, 2018 and applications are accepted and evaluated on a first-come, first-served basis. On December 20, 2017 the Board authorized the Air District to accept, obligate and expend \$50 million in AB 134 funds through the Community Health Protection Grant Program.

As of April 5, 2019, the Air District had received 206 project applications. Of the applications that have been evaluated between March 7, 2019 and April 5, 2019, eight eligible projects have proposed individual grant awards over \$100,000. These projects will replace 18 school buses, six (6) marine engines, one (1) locomotive, two (2) forklifts, and will reduce over 9.6 tons of NOx, ROG and PM per year. Staff recommends the allocation of \$5,330,724 for these projects from a combination of CMP funds, MSIF revenues, and Community Health Protection Grant Program funds. Attachment 1, Table 1, provides additional information on these projects.

Attachment 2, lists all of the eligible projects that have been received by the Air District as of April 5, 2019, including information about the equipment category, award amounts, estimated emissions reductions, and county location. Approximately 63% of the funds have been awarded to projects that reduce emissions in highly impacted Bay Area communities. Attachment 4, Figures 4 and 5 summarize the cumulative allocation of CMP, MSIF and Community Health Protection Grant Program funding since 2009 (more than \$268 million awarded to 1,154 projects).

Transportation Fund for Clean Air Program:

In FYE 2019, the Air District had approximately \$20 million in TFCA funds available for eligible projects. To date, the Air District has issued solicitations for existing shuttle & rideshare, pilot trip reduction, light- and medium-duty zero-emissions vehicle fleets, and electric vehicle charging station projects. The Air District has also provided TFCA funds as match to augment the funding from the Reformulated Gasoline Settlement Fund for on-road vehicle projects through the West Oakland Zero-Emission Grant Program.

As of April 5, 2019, the Air District had received 33 project applications. Of the applications that were evaluated between March 7, 2019 and April 5, 2019, three eligible Pilot Trip Reduction projects proposed an individual grant award over \$100,000. As part of this recommendation, staff is proposing an amendment to Policy #2 of the FYE 2019 TFCA Regional Fund Policies and of the FYE 2020 TFCA CPM Fund Policies to increase the cost-effectiveness limit for Pilot Trip Reduction projects from \$250,000 to \$500,000. This category was recently created and the application deadline for Pilot Trip Reduction funding closed in March 2019.

The Pilot Trip Reduction project category was developed to test and demonstrate the potential of new emerging technology-enabled solutions, such as microtransit services, as alternatives to fixed-route shuttle service to more conveniently and cost-effectively connect commuters to mass transit.

To be eligible for funding, a project must operate in an area where no similar service exists, or significantly expand an existing service, and must be in either be in an Air District's Community Air Risk Evaluation Area and/or Priority Development Area, and thus may require higher initial start-up costs than a traditional shuttle/ridesharing project. However, staff understand that successful pilots will likely continue with non-Air District sources of funding beyond the period funded with TFCA funding and may lead to an expansion to other regions of the Bay Area, resulting in additional air quality benefits beyond what can be captured with the existing cost-effectiveness evaluation methodology.

The three trip reduction projects that are recommended for awards over \$100,000 will reduce over 4 million vehicle miles traveled, and will reduce over 2.6 tons of NOx, ROG and PM per year. Staff recommends the allocation of \$2,368,345 in TFCA funds for these projects. Attachment 1, Table 2, provides additional information on these three projects.

Attachment 3 lists all eligible TFCA projects that were evaluated as of April 5, 2019, including information about the equipment category, award amounts, estimated emissions reductions, and county location. Approximately 31% of the funds have been awarded to projects that reduce emissions in highly impacted Bay Area communities.

At the Mobile Source Committee meeting, staff will be providing additional background information to support this proposed amendment to the cost-effectiveness threshold for Pilot Trip Reduction projects.

BUDGET CONSIDERATION / FINANCIAL IMPACT

None. The Air District distributes CMP, MSIF, Community Health Protection Grant Program, and TFCA funding to public agencies and private entities on a reimbursement basis. Funding for administrative costs is provided by each funding source.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Anthony Fournier, Linda Hui and Sean Newlin
Reviewed by: Karen Schkolnick and Chengfeng Wang

- Attachment 1: Projects with grant awards greater than \$100,000
- Attachment 2: CMP/MSIF, FARMER and Community Health Protection Grant Program approved projects
- Attachment 3: TFCA approved and eligible projects
- Attachment 4: Summary of funding awarded between 7/1/18 and 4/5/19

AGENDA 4 - ATTACHMENT 1

Table 1 - Carl Moyer Program/ Mobile Source Incentive Fund, FARMER, and Community Health Protection Grant Program projects with grant awards greater than \$100k (Evaluated between 3/7/19 and 4/5/19)

Project #	Applicant name	Equipment Category	Project Description	Proposed contract award	Total project cost	Emission Reductions (Tons per year)			County
						NOx	ROG	PM	
20SBP187	Ravenswood City School District	School bus	Replacement of seven school buses with Low-NOx CNG school buses	\$ 1,437,212.00	\$ 1,437,212.00	0.388	0.022	0.014	San Mateo
20MOY149	Napa Valley Wine Train, Inc.	Locomotive	Replacement of one passenger locomotive. Increase of \$155k from 2/6/19 approval.	\$ 550,000.00	\$ 1,925,000.00	4.855	0.159	0.110	Napa
20MOY182	Pacific Pescador LLC (Commercial fishing)	Marine	Replacement of two diesel marine propulsion engines	\$ 180,000.00	\$ 226,440.00	1.171	0.011	0.047	San Mateo
20MOY128	Coastside Lumber dba South City Lumber & Supply	Off-road	Replacement of one diesel and one CNG forklift	\$ 163,795.00	\$ 185,775.38	0.728	0.127	0.029	San Mateo
20MOY198	Amnav Maritime Corporation (Vessel: Sandra Hugh)	Marine	Replacement of two diesel marine auxiliary engines	\$ 134,000.00	\$ 150,068.00	0.599	0.054	0.016	Alameda
20MOY199	Amnav Maritime Corporation (Vessel: Revolution)	Marine	Replacement of two diesel marine auxiliary engines	\$ 134,000.00	\$ 150,068.00	0.599	0.054	0.016	Alameda
20SBP165	West County Transportation Agency	School bus	Replacement of four diesel school buses with two CNG Low-NOx school buses	\$ 379,500.00	\$ 420,022.00	0.140	0.006	0.000	Sonoma
20SBP186	Franklin-McKinley School District	School bus	Replacement of seven diesel school buses with electric school buses	\$ 1,352,217.00	\$ 2,375,995.00	0.461	0.030	0.003	Santa Clara
8 Projects				\$ 5,330,724	\$ 6,870,580	8.941	0.463	0.234	

Table 2 - Summary of Transportation Fund for Clean Air projects
with grant awards greater than \$100k (Evaluated between 3/7/19 and 4/5/19)

Project #	Applicant name	Project Category	Project Description	Est. Weighted C/E	Proposed Contract Award	Emission Reductions (Tons per year)			County
						NO _x	ROG	PM	
19R22	City of Union City - Union City Transit	Pilot Trip Reduction	Union City Transit microtransit pilot	\$ 493,849.00	\$ 663,229.00	0.182	0.212	0.304	Alameda
19R23	Livermore Amador Valley Transit Authority (LAVTA)	Pilot Trip Reduction	GoTriValley on-demand shared-ride service	\$ 239,349.00	\$ 257,000.00	0.135	0.135	0.228	Alameda
19R25	Bay Area Rapid Transit District (BART)	Pilot Trip Reduction	First- and last-mile services to Walnut Creek BART	\$ 460,481.00	\$ 1,448,116.00	0.395	0.398	0.669	Contra Costa
3 Projects					\$ 2,368,345	0.712	0.745	1.201	

MOBILE SOURCE COMMITTEE
MEETING OF 04/25/2019

ATTACHMENT 2

*CMP/MSIF, FARMER and Community Health Protection Grant Program approved projects
(between 7/6/18 and 4/5/19)*

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	Emission Reductions (Tons per year)			Board approval date	County
						NOx	ROG	PM		
19MOY166	On-road	Equipment replacement	1	\$ 45,000.00	Deol Trans / Piara Singh	0.668	0.050	0.004	APCO	Contra Costa
19MOY168	Ag/ off-road	Equipment replacement	1	\$ 33,000.00	Rancho Las Juntas Vineyard	0.028	0.006	0.004	APCO	Contra Costa
19MOY163	Marine	Engine replacement	1	\$ 180,000.00	Bettencourt and Son (Commercial fishing)	0.647	0.009	0.021	10/17/2018	San Mateo
19MOY182	On-road	Equipment replacement	1	\$ 45,000.00	Thy Trucking	0.677	0.050	0.004	APCO	Alameda
19MOY185	On-road	Equipment replacement	1	\$ 60,000.00	Puerta Trucking	0.717	0.097	0.032	APCO	Merced
19MOY158	Ag/ off-road	Equipment replacement	1	\$ 117,000.00	Ocean Breeze Dairy	0.310	0.020	0.015	10/17/2018	Sonoma
19MOY159	Ag/ off-road	Equipment replacement	1	\$ 40,480.00	Trefethen Farming LLC	0.173	0.030	0.021	APCO	Napa
19MOY176	Ag/ off-road	Equipment replacement	1	\$ 60,030.00	Bazan Vineyard Management	0.198	0.033	0.025	APCO	Napa
19SBP12	School bus	Equipment replacement	4	\$ 512,170.00	Moreland School District	0.237	0.016	0.000	10/17/2018	Santa Clara
19MOY148	Off-road	Equipment replacement	2	\$ 197,278.00	The Lumber Baron, Inc.	0.178	0.044	0.008	10/17/2018	Alameda
19SBP97	School bus	Equipment replacement	8	\$ 1,635,693.00	Vallejo City Unified School District	0.826	0.065	0.000	10/17/2018	Solano
19MOY175	Off-road	Equipment replacement	1	\$ 75,680.00	Mt. Diablo Landscape Centers, LLC	0.189	0.031	0.023	APCO	Contra Costa
20MOY51	Ag/ off-road	Equipment replacement	5	\$ 467,856.00	Johnson and Neles Dairy	1.985	0.208	0.124	10/17/2018	Sonoma
20MOY52	On-road	Equipment replacement	1	\$ 60,000.00	James Marlowe Carson	0.904	0.068	0.005	APCO	Napa
19MOY181	Ag/ off-road	Equipment replacement	1	\$ 50,300.00	Jensen Ranch	0.122	0.019	0.011	APCO	Marin
19SBP140	School bus	Equipment replacement	18	\$ 4,076,369.00	Fremont Unified School District	1.717	0.139	0.034	10/17/2018	Alameda

AGENDA 4 - ATTACHMENT 2

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	Emission Reductions (Tons per year)			Board approval date	County
						NOx	ROG	PM		
20SBP45	School bus	Equipment replacement	2	\$ 1,291,000.00	Campbell Union School District	0.104	0.006	0.000	10/17/2018	Santa Clara
19MOY180	On-road	Equipment replacement	26	\$ 492,100.00	Nestle Waters North America	1.061	0.046	0.003	11/7/2018	Alameda, Solano
20MOY36	On-road	Equipment replacement	1	\$ 60,000.00	ZQR Trucking	0.982	0.074	0.006	APCO	Alameda
20MOY48	Marine	Engine replacement	1	\$ 99,500.00	Michael Thomas Hudson (Commercial fishing)	0.257	0.006	0.010	APCO	Alameda
20MOY60	Ag/ off-road	Equipment replacement	1	\$ 46,355.00	Siqueira Vineyard Management	0.156	0.026	0.018	APCO	Napa
20MOY50	Marine	Engine replacement	2	\$ 159,000.00	Captain Joe's Sport fishing	0.267	0.009	0.017	11/7/2018	San Francisco
20MOY71	Ag/ off-road	Equipment replacement	6	\$ 258,796.00	Vina Management Services	0.865	0.124	0.084	11/7/2018	Sonoma
20MOY65	On-road	Equipment replacement	1	\$ 40,000.00	Zahniser Trucking	0.738	0.122	0.006	APCO	Contra Costa
20MOY29	Off-road	Equipment replacement	3	\$ 15,000.00	D.C. Metals, Inc.	0.126	0.034	0.001	APCO	Alameda
20MOY62	Ag/ off-road	Equipment replacement	1	\$ 60,190.00	Vezer Family Vineyards	0.048	0.012	0.010	APCO	Solano
20MOY46	On-road	Equipment replacement	1	\$ 49,000.00	Akal Sahai Truck Lines Inc.	1.446	0.217	0.000	APCO	Alameda
20MOY63	On-road	Equipment replacement	1	\$ 23,500.00	Always Express Transportation	0.179	0.011	0.001	APCO	Alameda
20MOY49	Marine	Engine replacement	1	\$ 148,000.00	F/V Rose Marie Inc.	0.597	-0.011	0.024	12/19/2018	San Francisco
20MOY94	Marine	Engine replacement	1	\$ 44,000.00	Jeffrey A Sylva (Commercial fishing)	0.116	0.001	0.004	APCO	Santa Clara
20MOY41	Ag/ off-road	Equipment replacement	1	\$ 29,500.00	Kehoe Dairy, Inc	0.049	0.002	0.003	APCO	Marin
20MOY66	Ag/ off-road	Equipment replacement	3	\$ 188,700.00	Pina Vineyard Management, LLC.	0.160	0.037	0.028	12/19/2018	Napa
20MOY64	On-road	Equipment replacement	1	\$ 60,000.00	Basra Trucking	1.570	0.239	0.083	APCO	Santa Clara

AGENDA 4 - ATTACHMENT 2

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	Emission Reductions (Tons per year)			Board approval date	County
						NOx	ROG	PM		
20SBP08	School bus	Equipment replacement	3	\$ 1,143,464.00	Antioch Unified School District	0.298	0.023	0.011	12/19/2018	Contra Costa
20MOY76	Ag/ off-road	Equipment replacement	4	\$ 169,400.00	FN Viticulture, LLC	0.514	0.057	0.048	12/19/2018	Napa
20MOY97	On-road	Equipment replacement	1	\$ 40,000.00	Gosal Trucking	0.835	0.138	0.047	APCO	Contra Costa
20MOY43	Marine	Engine replacement	2	\$ 458,000.00	Michael Peery (Commercial fishing)	1.409	0.009	0.059	12/19/2018	Solano
20MOY100	Ag/ off-road	Equipment replacement	3	\$ 136,520.00	Grand Crew Vineyard Management	0.211	0.077	0.033	12/19/2018	Napa
20MOY96	On-road	Equipment replacement	1	\$ 60,000.00	Reliable Express Transportation Inc.	0.586	0.043	0.003	APCO	Alameda
20MOY67	Marine	Engine replacement	4	\$ 1,613,500.00	Harley Marine Services, Inc. Vessel: Z-Three	4.801	-0.135	0.380	12/19/2018	Alameda
20MOY68	Marine	Engine replacement	4	\$ 1,613,500.00	Harley Marine Services, Inc. Vessel: Z-Four	4.801	-0.135	0.380	12/19/2018	Alameda
20MOY69	Marine	Engine replacement	4	\$ 1,613,500.00	Harley Marine Services, Inc. Vessel: Z-Five	4.801	-0.135	0.380	12/19/2018	Alameda
20MOY110	Off-road	Equipment replacement	3	\$ 328,500.00	Steven's Creek Quarry, Inc.	5.136	0.232	0.138	12/19/2018	Santa Clara
20MOY117	On-road	Hydrogen fueling infrastructure	1	\$ 1,750,000.00	Alameda-Contra Costa Transit District	0.718	0.011	0.004	12/19/2018	Alameda
20SBP1	School bus	Equipment replacement	2	\$ 320,000.00	Pittsburg Unified School District	0.199	0.164	0.001	12/19/2018	Contra Costa
20MOY95	Ag/ off-road	Equipment replacement	4	\$ 159,600.00	Stan Poncia dba Terrilinda Dairy	0.893	0.116	0.066	12/19/2018	Sonoma
20MOY99	Ag/ off-road	Equipment replacement	2	\$ 121,800.00	T and M Agricultural Services, LLC	0.359	0.047	0.032	12/19/2018	Napa
20SBP72	School bus	Equipment replacement	6	\$ 1,246,785.00	Milpitas Unified School District	0.318	0.019	0.007	12/19/2018	Santa Clara
20SBP73	School bus	Equipment replacement	8	\$ 1,659,507.00	Berkeley Unified School District	0.617	0.045	0.132	12/19/2018	Alameda
20MOY119	On-road	Equipment replacement	1	\$ 40,000.00	Francisco Aguilar dba Salazar Trucking	1.113	0.183	0.000	APCO	Contra Costa
20MOY15	On-road	Equipment replacement	1	\$ 10,500.00	RCS Enterprises Inc	0.172	0.019	0.009	APCO	Santa Clara

AGENDA 4 - ATTACHMENT 2

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	Emission Reductions (Tons per year)			Board approval date	County
						NOx	ROG	PM		
20MOY120	On-road	Equipment replacement	1	\$ 40,000.00	Goga Trucking	1.066	0.175	0.000	APCO	Alameda
20MOY74	Ag/ off-road	Equipment replacement	1	\$ 57,766.00	Garvey Vineyard Management LLC	0.156	0.009	0.009	APCO	Napa
20MOY107	Marine	Equipment replacement	1	\$ 109,000.00	Argo Sportfishing	1.031	0.016	0.036	2/6/2019	San Francisco
20MOY132	Off-road	Equipment replacement	1	\$ 540,000.00	County Quarry Products, LLC	2.412	0.112	0.066	2/6/2019	Contra Costa
20MOY53	On-road	Equipment replacement	1	\$ 20,000.00	Pars Trucking	0.644	0.097	0.005	APCO	Solano
20MOY111	On-road	Equipment replacement	1	\$ 40,000.00	Jasvir Dosanjh	0.432	0.037	0.000	APCO	Placer
20MOY85	On-road	Equipment replacement	1	\$ 40,000.00	Gurchetan Johal	0.403	0.034	0.003	APCO	Placer
20MOY81	On-road	Equipment replacement	1	\$ 35,000.00	Bevin Thomas	0.366	0.031	0.002	APCO	Sacramento
20MOY92	On-road	Equipment replacement	1	\$ 50,000.00	Sukhvir Singh Tatlah	0.506	0.037	0.003	APCO	Alameda
20MOY87	On-road	Equipment replacement	1	\$ 30,000.00	Rajanpal Singh	0.329	0.028	0.002	APCO	Placer
20MOY108	On-road	Equipment replacement	1	\$ 40,000.00	Sukhdev Singh Johal	0.402	0.034	0.003	APCO	Sacramento
20MOY135	Ag/ off-road	Equipment replacement	1	\$ 29,208.00	Perry Kozlowski Ranch	0.117	0.015	0.010	APCO	Sonoma
20MOY134	Off-road	Engine replacement	8	\$ 1,901,000.00	DeSilva Gates Construction	6.636	0.358	0.190	2/6/2019	Alameda
20MOY141	Off-road	Engine replacement	1	\$ 111,000.00	Concord Iron Works, Inc.	0.308	0.034	0.021	2/6/2019	Contra Costa
20MOY126	Ag/ off-road	Equipment replacement	1	\$ 134,000.00	Kabeela, Inc.	0.229	0.024	0.014	2/6/2019	Santa Clara
20MOY144	Ag/ off-road	Equipment replacement	1	\$ 66,379.00	JPW Development Co., LLC	0.134	0.020	0.012	APCO	Solano
20MOY149	Locomotive	Locomotive replacement	1	\$ 1,550,000.00	Napa Valley Wine Train, Inc.	4.855	0.159	0.110	2/6/2019	Napa
20SBP140	School bus	Equipment replacement	5	\$ 751,061.00	Sunnyvale School District	0.235	0.013	0.005	2/6/2019	Santa Clara

AGENDA 4 - ATTACHMENT 2

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	Emission Reductions (Tons per year)			Board approval date	County
						NOx	ROG	PM		
20MOY151	Ag/ off-road	Equipment replacement	1	\$ 68,475.00	Bianchini Inc.	0.165	0.020	0.011	APCO	Marin
20MOY147	On-road	Equipment replacement	1	\$ 40,000.00	Surjit Singh	1.162	0.241	0.000	APCO	Santa Clara
20MOY131	Ag/ off-road	Equipment replacement	1	\$ 25,117.00	E & M Deniz Dairy	0.153	0.024	0.014	APCO	Sonoma
20MOY136	Ag/ off-road	Equipment replacement	1	\$ 27,690.00	Hidden Gem Farms, LLC	0.024	0.023	0.006	APCO	Sonoma
20MOY125	Ag/ off-road	Equipment replacement	1	\$ 41,900.00	O'Brien Family Vineyard LLC	0.199	0.031	0.018	APCO	Napa
20MOY61	On-road	Equipment replacement	1	\$ 15,000.00	Lindsey Anderson Trucking Service	0.437	0.041	0.002	APCO	San Mateo
VBB FYE2019	VBB	Vehicle retirement program	tbd	\$ 7,000,000.00	Pick n Pull, and Environmental Engineering Services	TBD	TBD	TBD	3/6/2019	Regional
VBB FYE2019	VBB	Vehicle retirement outreach	tbd	\$ 200,000.00	Direct Mail Center	TBD	TBD	TBD	3/6/2019	Regional
20MOY137	Ag/ off-road	Equipment replacement	1	\$ 58,320.00	Dotti Bros. LLC	0.198	0.033	0.025	APCO	Sonoma
20MOY157	Ag/ off-road	Equipment replacement	1	\$ 205,830.00	McClelland's Dairy	0.716	0.066	0.038	3/6/2019	Sonoma
20MOY159	Ag/ off-road	Equipment replacement	1	\$ 186,400.00	Petaluma Pumpkin Patch, LLC	0.341	0.031	0.017	3/6/2019	Sonoma
20MOY102	Ag/ off-road	Equipment replacement	1	\$ 18,420.00	Leonard Gianni (Farmer)	0.023	0.023	0.006	APCO	Solano
20MOY148	Marine	Engine replacement	1	\$ 196,500.00	John Henry Mellor (Commercial fishing)	0.460	0.008	0.017	3/6/2019	San Francisco
20MOY3	Marine	Engine replacement	2	\$ 97,000.00	Christopher Noel Smith, DBA, Captain Hook Sportfishing	0.947	-0.014	0.038	APCO	Alameda
20MOY90	Marine	Engine replacement	2	\$ 156,000.00	Riverview Equipment Company LLC	0.274	0.000	0.015	3/6/2019	Solano
20MOY70	Marine	Engine replacement	2	\$ 160,000.00	Bay Marine Services, LLC	1.490	0.029	0.047	3/6/2019	Solano
20SBP23	School bus	Equipment replacement	2	\$ 361,692.00	Sonoma Valley Unified School District	0.131	0.009	0.001	3/6/2019	Sonoma
20MOY175	Locomotive	Equipment replacement	2	\$ 7,400,000.00	California Department of Transportation	18.485	0.698	0.288	3/6/2019	Solano, Contra Costa, Alameda, Santa Clara

AGENDA 4 - ATTACHMENT 2

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	Emission Reductions (Tons per year)			Board approval date	County
						NOx	ROG	PM		
20MOY91	Marine	Engine replacement	2	\$ 70,000.00	Riverview Equipment Company LLC	0.125	0.001	0.006	APCO	Solano
20MOY152	Marine	Engine replacement	1	\$ 39,000.00	Patrick Lazzari (Commercial fishing)	0.078	0.001	0.003	APCO	San Francisco
20MOY163	Ag/ off-road	Equipment replacement	1	\$ 32,920.00	Haire Management Co. LLC	0.130	0.023	0.013	APCO	Napa
20SBP75	School bus	Equipment replacement	4	\$ 787,704.00	Napa Valley Unified School District	0.373	0.032	0.000	4/3/2019	Napa
20MOY158	Ag/ off-road	Equipment replacement	1	\$ 58,900.00	Cortina Vineyard Management	0.165	0.007	0.007	APCO	Napa
20MOY156	Ag/ off-road	Equipment replacement	1	\$ 65,000.00	Robert Giacomini Dairy, Inc	0.107	0.011	0.006	APCO	Marin
20MOY171	On-road	Equipment replacement	1	\$ 25,000.00	ELC Trucking	0.715	0.094	0.004	APCO	Santa Clara
20MOY180	On-road	Equipment replacement	1	\$ 27,000.00	Salvador Uribe dba/ Don Luis	0.269	0.019	0.001	APCO	Santa Clara
20MOY179	On-road	Equipment replacement	1	\$ 13,000.00	Bayside Building Materials, Inc.	0.360	0.043	0.002	APCO	San Mateo
20MOY166	Ag/ off-road	Equipment replacement	5	\$ 236,560.00	Freixenet Sonoma Caves Inc.	1.028	0.155	0.119	4/3/2019	Sonoma
20SBP169	School bus	CNG Tank Replacement	3	\$ 60,000.00	West County Transportation Agency	0.000	0.000	0.000	APCO	Sonoma
20SBP187	School bus	Equipment replacement	7	\$ 1,437,212.00	Ravenswood City School District	0.388	0.022	0.014	TBD	San Mateo
20MOY181	On-road	Equipment replacement	3	\$ 55,000.00	Zepeda's Trucking	0.533	0.043	0.003	APCO	Alameda
20MOY37	Off-road	Equipment replacement	1	\$ 50,500.00	Sugar City Building Materials Company	0.134	0.020	0.012	APCO	Contra Costa
20MOY160	Ag/ off-road	Equipment replacement	2	\$ 99,000.00	San Antonio Creek Vineyards	0.179	0.027	0.018	APCO	Solano
20MOY182	Marine	Engine replacement	2	\$ 180,000.00	Pacific Pescador LLC (Commercial fishing)	1.171	0.011	0.047	TBD	San Mateo
20MOY168	On-road	Equipment replacement	1	\$ 45,000.00	Gurwinder Singh	1.214	0.182	0.009	APCO	Alameda

AGENDA 4 - ATTACHMENT 2

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	Emission Reductions (Tons per year)			Board approval date	County
						NOx	ROG	PM		
20MOY128	Off-road	Equipment replacement	2	\$ 163,795.00	Coastside Lumber dba South City Lumber & Supply	0.728	0.127	0.029	TBD	San Mateo
20MOY198	Marine	Engine replacement	2	\$ 134,000.00	Amnav Maritime Corporation (Vessel: Sandra Hugh)	0.599	0.054	0.016	TBD	Alameda
20MOY199	Marine	Engine replacement	2	\$ 134,000.00	Amnav Maritime Corporation (Vessel: Revolution)	0.599	0.054	0.016	TBD	Alameda
20SBP165	School bus	Equipment replacement	2	\$ 379,500.00	West County Transportation Agency	0.140	0.006	0.000	TBD	Sonoma
20SBP186	School bus	Equipment replacement	7	\$ 1,352,217.00	Franklin-McKinley School District	0.461	0.030	0.003	TBD	Santa Clara
109 Projects			254	\$ 51,054,039.00		101.080	6.081	3.720		

MOBILE SOURCE COMMITTEE
MEETING OF 04/25/2019

AGENDA 4 - ATTACHMENT 3

Summary of all TFCA approved and eligible projects (evaluated between 7/1/18 and 4/5/19)

Project #	Project Category	Project Description	Award Amount	Applicant Name	Emission Reductions (Tons per year)			Board/APCO Approval Date	CARE Area	County
					NO _x	ROG	PM			
18EV029	LD Infrastructure	Install and operate 16 single-port Level 2 (high) charging stations at 1 workplace facility in Los Altos Hills	\$48,000	Creative Center of Los Altos	0.026	0.034	0.001	10/30/18	No	Santa Clara
18EV035	LD Infrastructure	Install and operate 2 dual-port Level 2 (high) charging stations at 1 destination facility in Greenbrae	\$8,000	Marin Rowing Association	0.004	0.006	0.000	7/31/18	No	Marin
18EV038	LD Infrastructure	Install and operate 1 single port Level 2 (high) and 1 25KW DC Fast charging stations with a 11,650 W solar array at 1 transportation corridor facility in Petaluma	\$25,900	Solar Action Network	0.01	0.01	0.00	11/30/18	No	Sonoma
18EV047	LD Infrastructure	Install and operate 4 single port Level 2 (high) charging stations at 1 destination facility in San Mateo	\$12,000	Nazareth Plaza Owners' Association	0.007	0.009	0.000	7/30/18	No	San Mateo
18EV049	LD Infrastructure	Install and operate 12 single-port Level 2 (high) charging stations at 6 destination facilities in San Mateo, Burlingame, San Bruno, and Millbrae	\$36,000	San Mateo Union High School District	0.020	0.025	0.000	7/5/18	No	San Mateo
18EV056	LD Infrastructure	Install and operate 3 dual-port Level 2 (high) charging stations at 3 destination facilities in Richmond and El Cerrito	\$12,000	West Contra Costa Unified School District	0.007	0.009	0.000	7/5/18	Yes	Contra Costa
19RFG06*	LD Infrastructure	Install and operate 43 dual port level 2 EV charging stations	\$266,000	Hayward Unified School District	0.054	0.071	0.001	10/17/18	Yes	Alameda
19R02	LD Vehicles	Vehicle Buy Back Program	\$150,000	BAAQMD	NA	NA	NA	NA	No	Regional
18R14	Bicycle Facilities	Install and maintain 3.62 miles of Class III bikeways in Petaluma	\$48,500	City of Petaluma	0.007	0.009	0.014	8/6/18	No	Sonoma
18R18	Bicycle Facilities	Install and maintain 0.09 miles of Class I and 0.28 miles of Class IV bikeways in Los Gatos	\$242,000	Town of Los Gatos	0.029	0.056	0.039	8/1/18	No	Santa Clara
18R20	Bicycle Facilities	Install and maintain 1.57 miles of Class II bikeways and 23 bike racks (2 bikes per rack)	\$38,000	City of Gilroy	0.009	0.010	0.013	8/22/18	No	Santa Clara
18R21	Bicycle Facilities	Install and maintain 40 electronic bicycle lockers in Danville	\$96,000	Town of Danville	0.014	0.018	0.026	8/7/18	No	Contra Costa
18R22	Bicycle Facilities	Install and maintain 16 electronic bicycle lockers in San Francisco	\$32,000	San Francisco Community College District	0.004	0.006	0.007	8/22/18	No	San Francisco
19R01	Trip Reduction	Enhanced Mobile Source & Commuter Benefits Enforcement	\$554,842	BAAQMD	0.722	0.806	1.171	NA	No	Regional
19R03	Trip Reduction	Spare The Air/Intermittent Control Programs	\$2,305,927	BAAQMD	42.952	50.253	67.862	NA	No	Regional
19R10	Trip Reduction	Pleasanton Connector Shuttles	\$90,000	San Joaquin Regional Rail Commission	0.234	0.387	0.647	10/18/18	Yes	Alameda
19R13	Trip Reduction	Juvenile Justice Center/ Fairmont Hospital Shuttle	\$29,700	County of Alameda	0.011	0.040	0.058	10/18/18	Yes	Alameda
19R14	Trip Reduction	PresidioGO Downtown Shuttle	\$100,000	Presidio Trust	0.252	0.352	0.471	11/7/2018	Yes	San Francisco
19R15	Trip Reduction	Caltrain Shuttle Program	\$652,600	Peninsula Corridor Joint Powers Board	2.64	3.66	5.14	11/7/2018	No	San Mateo/ Santa Clara
19R16	Trip Reduction	ACE Shuttle Bus Program	\$960,000	Santa Clara Valley Transportation Authority	2.43	2.60	4.29	11/7/2018	Yes	Santa Clara
19R17**	Trip Reduction	Carpool incentive, vanpool subsidy, Spare the Air messaging and advertising	\$3,000,000	Metropolitan Transportation Commission	NA	NA	NA	Pending	No	Regional
19R18	Trip Reduction	SJSU Ridesharing & Trip Reduction	\$139,500	Associated Students, San Jose State University	0.231	0.266	0.366	11/7/2018	No	Regional
19R22	Trip Reduction	Union City Transit Microtransit Pilot	\$663,229	City of Union City - Union City Transit	0.182	0.212	0.304	Pending	No	Alameda
19R23	Trip Reduction	GoTriValley On-Demand Shared-Ride Service	\$257,000	Livermore Amador Valley Transit Authority	0.135	0.135	0.228	Pending	Yes	Alameda
19R25	Trip Reduction	First- and last-mile services to Walnut Creek BART	\$1,448,116	Bay Area Rapid Transit District	0.395	0.398	0.669	Pending	Yes	Contra Costa
19RFG04*	Off-road (non-ag)	Purchase and operate 5 electric forklifts, 1 electric vacuum unit, and 1 electric terminal truck	\$221,000	Wyse Logistics	0.107	0.015	0.008	10/17/18	Yes	Alameda
26 Projects*			\$11,426,314		50.480	59.389	81.316			

* The award amounts for these projects include a total of \$235,600 of RFG funds

** This proposed award will be presented as a separate item at the 4/25/2019 Mobile Source Committee meeting.

AGENDA 4 - ATTACHMENT 4

Figures 1-3 shown below summarize funding awarded between 7/1/18 and 4/5/19 from funding sources including:

- Carl Moyer Program (CMP)
- Community Health Protection Program (CHP)
- Funding Agricultural Replacement Measures for Emission Reductions (FARMER)
- Mobile Source Incentive Fund (MSIF)
- Transportation Fund for Clean Air (TFCA)
- Reformulated Gasoline Settlement Fund (RFG)

Figure 1. Status of FYE2019 funding by source

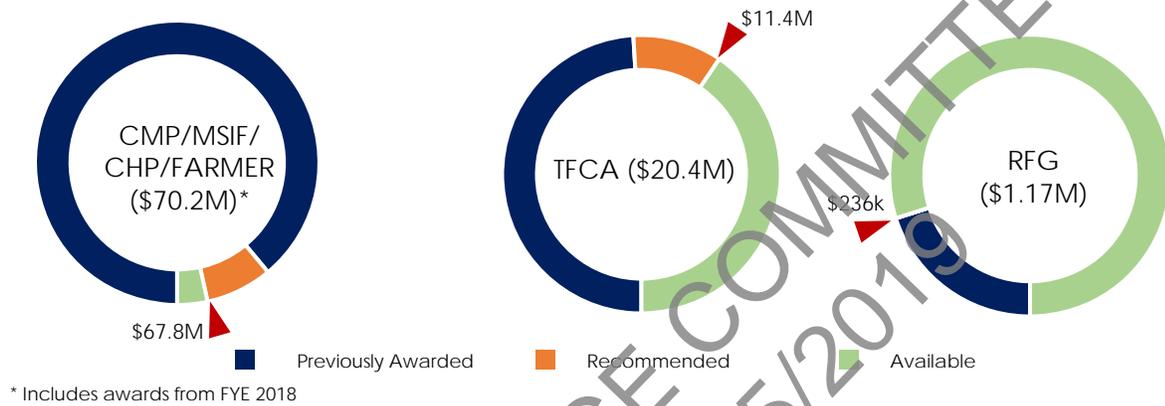


Figure 2. Funding awarded in FYE2019 by county

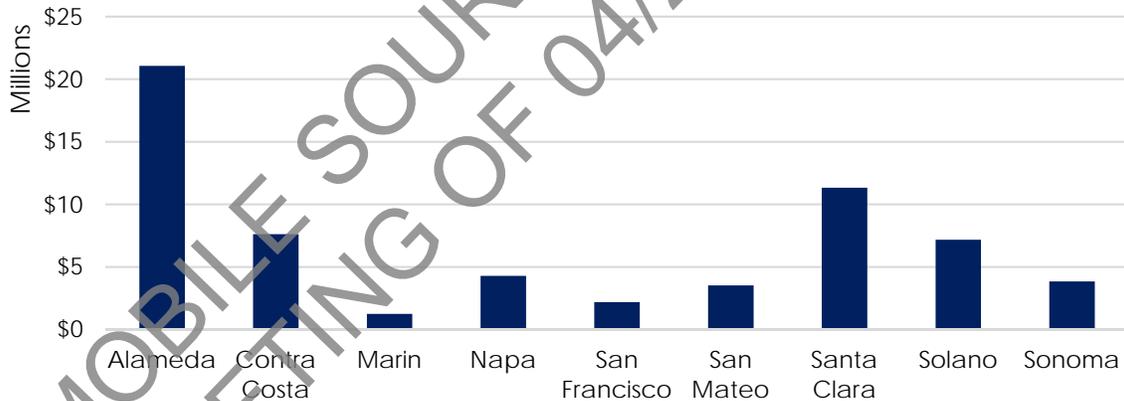
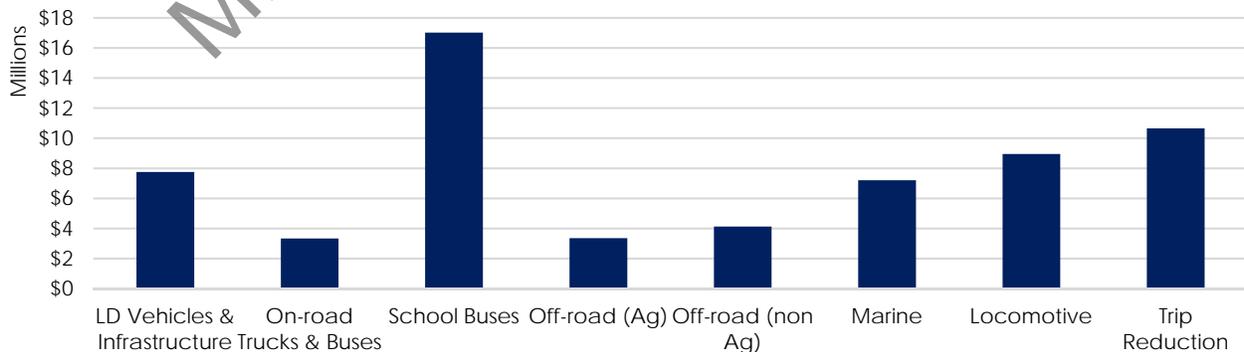


Figure 3. Funding awarded in FYE2019 by project category



AGENDA 4 - ATTACHMENT 4

Figure 4. CMP/MSIF/CHP/FARMER funding awarded since 2009 by county

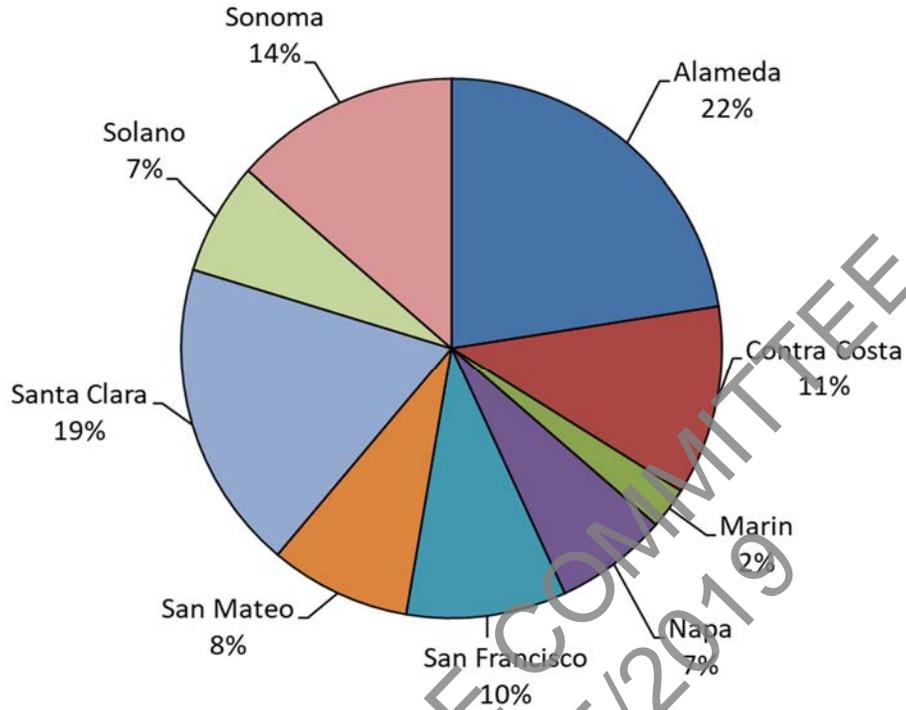
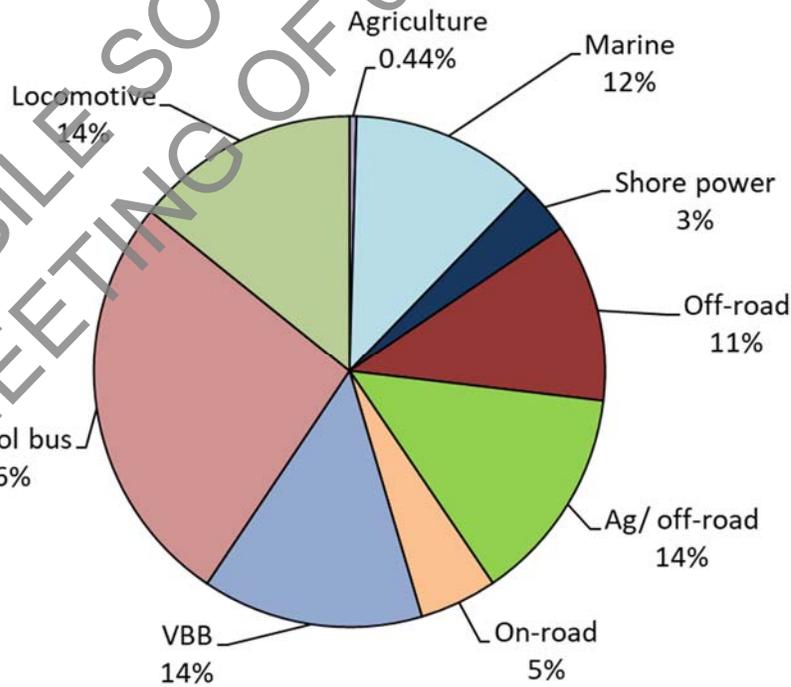


Figure 5. CMP/MSIF/CHP/FARMER funding awarded since 2009 by category



BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson David Canepa and Members
of the Mobile Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 16, 2019

Re: Transportation Fund for Clean Air (TFCA) Funding for Shuttle and Ridesharing
Projects

RECOMMENDED ACTION

Recommend Board of Directors:

1. Approve a total award of up to \$3,000,000 in TFCA funding for a three-year ridesharing project sponsored by the Metropolitan Transportation Commission (MTC); and
2. Authorize the Executive Officer/APCO to enter into all necessary agreements with MTC for the recommended project.

BACKGROUND

In 1991, the California State Legislature authorized the Bay Area Air Quality Management District (Air District) to impose a \$4 surcharge on motor vehicles registered within the nine-county Bay Area to fund projects that reduce on-road motor vehicle emissions within the Air District's jurisdiction. The statutory authority for the TFCA and requirements of the program are set forth in the California Health and Safety Code (HSC) Sections 44241 and 44242. Sixty percent of TFCA funds are awarded by the Air District to eligible projects and programs implemented directly by the Air District (e.g., Spare the Air, electric vehicle charging station program) and to a program referred to as the TFCA Regional Fund. Each year, the Air District's Board of Directors (Board) allocates funding and adopts policies and evaluation criteria that govern the expenditure of TFCA Regional Fund monies. The remaining forty percent of TFCA funds are pass-through funds to the designated County Program Manager (CPM) in each of the nine counties within the Air District's jurisdiction.

Reducing single occupancy motor vehicle trips is a key strategy to reducing on-road motor vehicle emissions. For more than 25 years, TFCA revenues have been used to fund trip reduction strategies such as shuttle/feeder bus and ridesharing services, which help shift Bay Area residents and commuters to mass transit, and bicycle facilities projects, which facilitate biking and walking as alternatives to driving for short first- and last-mile trips. However, over time it has become a challenge for the Air District to use TFCA revenues to fund projects, including trip reduction, as the region's passenger vehicle fleet becomes cleaner. This challenge is greater regarding shuttles

as the region's passenger vehicle fleet has become cleaner at a faster rate than the medium- and heavy-duty vehicles that are typically used to provide such services. Therefore, the emission reduction benefits associated with trip reduction projects have been declining, along with cost-effectiveness.

In response to this challenge, Air District staff has been working with stakeholders since 2010 to explore available options to continue supporting these projects, including:

- Conducting extensive outreach to solicit public input on opportunities for funding alternatives to fixed-route bus service;
- Refining the methodology used for evaluating projects' cost-effectiveness and recommending increases to the cost-effectiveness thresholds to be able to continue to provide similar funding levels to projects over time; and
- Developing new opportunities for testing new mobility options to support transportation. For example, the Air District recently created a Pilot Trip Reduction project category to test and demonstrate the potential of new emerging technology-enabled solutions, such as microtransit services, as alternatives to fixed-route shuttle service to more conveniently and cost-effectively connect commuters to mass transit.

DISCUSSION

MTC's Ridesharing Project

The Air District received an application to the FYE 2019 TFCA Regional Fund Existing Shuttle & Ridesharing Program from MTC to fund its ridesharing project, including a carpool incentive program and a vanpool subsidy program. The proposed carpool program would provide marketing, outreach, and incentives to encourage commuters to download carpooling apps, register for the 511-ride matching service, and/or sign up for carpooling via the 511 Carpool Program; and the proposed vanpool program will provide monthly subsidies to qualifying vanpools in the Bay Area to maintain and grow the region's vanpool fleet.

While the vanpool subsidy program can potentially result in emission reduction and congestion mitigation benefits by encouraging Bay Area residents to shift to vanpools for their work commute, it is a new program and does not have existing ridership data that are needed to evaluate the effect of the subsidy on vanpool ridership and reducing single occupancy vehicle trips that is needed to determine cost-effectiveness using the existing methodology.

While the MTC project cannot effectively be evaluated under the Shuttle and Rideshare Program evaluation criteria, both the carpool program and the vanpool subsidy program proposed by MTC align with and reinforce the goals and objectives of the Air District's Spare the Air Program. The Spare the Air program employs a variety of strategies to encourage the public to drive less and to choose alternative transportation methods that reduce air pollution from automobiles. Staff evaluates the cost-effectiveness of Spare the Air program as a whole, rather than individual parts or strategies. For this reason, staff believes that funding for MTC's project could be included in

the evaluation of future Spare the Air Programs and is recommending a total award of up to \$3,000,000 in TFCA funding for a three-year ridesharing project.

Options for Supporting Existing Shuttle and Ridesharing Project Sponsors

Staff will also provide historical background information for trip reduction projects and seek input from the Committee on options for continued support for shuttle and ridesharing projects.

BUDGET CONSIDERATION / FINANCIAL IMPACT

None. TFCA funds are generated from the Department of Motor Vehicle (DMV) registration fees and distributed to sponsors of eligible projects on a reimbursement basis. Funding for administrative costs is also provided by TFCA.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Chengfeng Wang and Ken Mak
Reviewed by: Karen Schkolnick

MOBILE SOURCE COMMITTEE
MEETING OF 04/25/2019

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson David Canepa and Members
of the Mobile Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 16, 2019

Re: Fiscal Year Ending (FYE) 2020 Transportation Fund for Clean Air (TFCA) County
Program Manager (CPM) Expenditure Plans and a Request from Alameda County
Transportation Commission (ACTC) for a CPM Policy Waiver

RECOMMENDED ACTION

Recommend Board of Directors:

1. Approve the allocation of new FYE 2020 TFCA CPM funds proposed in the Expenditure Plans, as listed in Table 1;
2. Authorize the Executive Officer/APCO to enter into funding agreements with the CPMs for the total funds to be programmed in FYE 2020, as listed in Table 1; and
3. Approve a policy waiver to allow ACTC to use TFCA CPM Funds for a shuttle project.

BACKGROUND

In 1991, the California State Legislature authorized the Bay Area Air Quality Management District (Air District) to impose a \$4 surcharge on motor vehicles registered within the nine-county Bay Area to fund projects that reduce on-road motor vehicle emissions. The legislative requirements that enable the use of the funds are codified in California Health and Safety Code (HSC) Sections 44241 and 44242. The Air District allocates and distributes these fee revenues through its TFCA program.

Forty percent (40%) of TFCA funds are pass-through funds to the designated CPM in each of the nine counties within the Air District's jurisdiction; these funds are distributed based on each county's proportionate share of vehicle registration fees paid. The remaining sixty percent (60%) of TFCA funds are allocated directly by the Air District to eligible programs and projects through the Air District's TFCA Regional Fund program.

For the expenditure of TFCA CPM funds, CPMs must submit an expenditure plan to the Air District specifying the TFCA CPM funding available for projects and program administration for the upcoming fiscal year. Pursuant to HSC Section 44241, CPMs must allocate TFCA funds to eligible projects within six months of the Air District Board of Directors' (Board) approval of the

CPM expenditure plans. The authorizing legislation allows CPMs to allocate up to 6.25% of new TFCA monies to cover program administration costs. The FYE 2020 CPM Fund policies and cost-effectiveness criteria, which were adopted by the Board on November 7, 2018, set the guidelines and requirements for expending the funds available in FYE 2020.

DISCUSSION

The Air District received proposed expenditure plans from all nine CPMs for FYE 2020. Table 1 shows the funds that are estimated to be available to CPMs in FYE 2020:

- **Column A** (highlighted in blue) shows for each county in FYE 2020 the amount of new TFCA funds (revenue monies) that are projected to be available. Funding estimates are based on previous years’ Department of Motor Vehicles (DMV) revenue and based on each county’s proportionate share of vehicle registration fees paid.
- **Column B** shows the amount of TFCA carry-over funds that were reported by CPMs in their expenditure plans and that are available for reprogramming. Carry-over funds refer to remaining prior-year funding derived from projects that were recently completed under budget or canceled, and new funding derived from interest earned on TFCA funds.
- **Column C** shows the sum of columns A and B, and is the total amount of funds that are estimated to be available to CPMs in FYE 2020, including new and carry-over funds.

Table 1: FYE 2020 TFCA Funding for County Program Managers

County Program Manager	A Estimated New TFCA Funds	B TFCA Funds to be Reprogrammed	C Total FYE 2020 Funds
Alameda County Transportation Commission	\$2,042,902	\$511,198	\$2,554,100
Contra Costa Transportation Authority	\$1,706,791	\$7,609	\$1,714,400
Transportation Authority of Marin	\$373,684	\$65,995	\$439,679
Napa Valley Transportation Authority	\$213,169	\$40,037	\$253,206
San Francisco County Transportation Authority	\$771,753	\$9,896	\$781,649
San Mateo City/County Association of Governments	\$1,246,764	\$67,315	\$1,314,079
Santa Clara Valley Transportation Agency	\$2,623,016	\$391,854	\$3,014,870
Solano Transportation Authority	\$361,193	\$7,376	\$368,569
Sonoma County Transportation Authority	\$657,588	\$13,847	\$671,435
TOTAL	\$9,996,860	\$1,115,127	\$11,111,987

Request for a Policy Waiver

TFCA CPM Fund Policy #3 allows CPMs to seek Board's approval on a case-by-case basis for projects that are authorized by the HSC section 44241 and achieve Board-adopted TFCA cost-effectiveness, but otherwise do not meet all Board-adopted policies.

The Broadway B, which is a free shuttle that is operated by the City of Oakland, runs along Broadway in downtown Oakland and its route is parallel to transit services provided by local bus and BART rail service. For this reason, the project conflicts with the policy that requires funds to be used for shuttle services that operate in areas that are under-served and lack other comparable service. In order for ACTC to continue to provide funding to this service for FYE 2019 and future years, they submitted a request to the Air District seeking a policy waiver for the Oakland Broadway B Shuttle. Air District staff has reviewed the request and determined that while this project does not meet Board-adopted FYE 2019 CPM Fund Policy #28.d., it does otherwise conform to the provisions of HSC section 44241 and Board-adopted TFCA cost-effectiveness. Therefore, staff is requesting that the Board consider ACTC's request for FYE 2019 and future years, as allowed by Policy #3.

Table 2: Project Requiring Case-by-Case Approval

Project Name	Description	TFCA CPM Funds	Est. Total Project Cost
Oakland Broadway B Shuttle	Operate free shuttle between the Oakland Amtrak Station in Jack London and Grant Avenue on weekdays from 7 AM-10 PM in FY 2019-2020.	\$338,000	\$1,196,540

BUDGET CONSIDERATION / FINANCIAL IMPACT

None. TFCA funds are generated from DMV registration fees and 40% of the TFCA funds are passed through the Air District to the CPMs. Administrative costs for this program are provided by the new TFCA revenue.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Linda Hui and Betty Kwan
Reviewed by: Chengfeng Wang and Karen Schkolnick

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson David Canepa and Members
of the Mobile Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 16, 2019

Re: Electric Vehicle (EV) Ecosystem Update: EV Incentives and Awareness Programs and
Approval of Contracts for EV Services

RECOMMENDED ACTION

Recommend the Board of Directors:

1. Authorize the Executive Officer/APCO to execute a contract with the Center for Sustainable Energy (CSE) in an amount not to exceed \$115,000 for services performed in Fiscal Year Ending (FYE) 2019 and FYE 2020 for EV market research services; and
2. Authorize the Executive Officer/APCO to execute a contract with Kearns and West in an amount not to exceed \$30,000 for services performed in FYE 2019 and FYE 2020 for meeting and stakeholder facilitation for the Bay Area EV Coordinating Council.

BACKGROUND

As part of its deliberations, the Mobile Source Committee (Committee) received several presentations in 2018 on the light- and heavy-duty EV ecosystem in the Bay Area. In order to expand upon and disseminate the information in those presentations, the Committee requested that staff prepare a comprehensive written report on the status of EVs in the Bay Area.

To reach the EV adoption goals outlined in the 2017 Clean Air Plan, significant acceleration in the market is required, especially to move beyond early adopters and beyond regions where EVs are currently concentrated. The Air District aims to focus future outreach and incentive programs on majority adopters, communities that have historically had lower EV adoption, and market actors that influence EV adoption, which requires market research data and stakeholder engagement with Bay Area partners.

DISCUSSION

The Air District has invested significant resources to reduce transportation emissions through the deployment of EVs. In this memo, electric vehicles are defined as battery electric vehicles (BEVs), hydrogen fuel cell vehicles (FCEVs), and plug-in hybrid electric vehicles (PHEVs). Attachment 1 is a comprehensive report on light-duty EV adoption trends, infrastructure, barriers, and Air District programs to increase EV awareness, equity, and adoption. Across multiple Mobile Source Committee meetings in 2019, staff are providing an overview of the topics covered in this report, including:

- Status of Light-Duty EV Adoption in the Bay Area (March 28, 2019)
- **EV Programs: Incentives and Awareness** (current meeting)
- EV Programs: EV Equity (May 27, 2019)

This report will be the basis for additional stakeholder review and input in order to develop an update to 2013 Bay Area EV Readiness Plan: the “Bay Area EV Acceleration Plan.” At a future Committee meeting, staff will also provide a similar update on the market for heavy duty EVs and zero-emissions vehicles.

EV Market Research Services

In order to update outreach messages and strategies for communities that have historically had lower EV adoption and market actors that influence EV adoption, the Air District issued a Request for Proposals (RFP) for Electric Vehicle and Charging Infrastructure Survey and Research Services in December 2018. The scope of this RFP was to develop and implement a methodology to collect feedback from Bay Area residents and business owners on EV adoption and EV charging infrastructure (Attachment 2). The resulting data and recommendations will be used to support more widespread utilization and greater effectiveness of Air District EV incentives and outreach programs.

The Air District received ten proposals which were evaluated by five reviewers. Based on the review process and scores (Attachment 2), staff is recommending CSE for a contract not to exceed \$115,000 for EV and Charging Infrastructure Survey and Research Services.

Facilitation and Meeting Coordination for the Bay Area EV Coordinating Council

The Air District has sponsored the Bay Area EV Coordinating Council (EV Council) since 2011. In September 2014, the Air District released an RFP for Facilitation and Meeting Coordination for the Bay Area EV Coordinating Council. Kearns and West was selected after the proposal review. Through their work that began in 2015, the Kearns and West team have established relationships with EV Council members, which has been critical to effectively facilitating the EV Council’s discussions and coordinated actions. Kearns and West’s current contract ends in June 2019 and staff are recommending Kearns and West for an additional 1-year contract not to exceed \$36,000 for meeting and stakeholder facilitation for the EV Council.

Typically, contracts of this size do not require approval from the Board of Directors. However, Kearns and West was recently awarded a contract (not to exceed \$540,000) to develop an air quality technical assistance center for the Bay Area. Because the total contracts for Kearns and West are over \$100,000 in FYE 2019, staff are providing this update and requesting approval for this contract from the Board of Directors. Staff plans to release another RFP this year for any future contracts for meeting and stakeholder facilitation for the EV Council.

BUDGET CONSIDERATION / FINANCIAL IMPACT

Funding for these contracts comes from a grant from the Federal Highway Administration and California Department of Transportation, through the Congestion Mitigation and Air Quality Improvement (CMAQ) Program.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Rebecca Fisher, Mark Tang
Reviewed by: Ranyee Chiang

- Attachment 1: Bay Area Electric Vehicle Ecosystem: 2019 Update for the BAAQMD Board of Directors
- Attachment 2: Electric Vehicle and Charging Infrastructure Survey and Research Services Request for Proposals and Review

MOBILE SOURCE COMMITTEE
MEETING OF 04/25/2019

Attachment 1: Bay Area Electric Vehicle Ecosystem: 2019 Update for the BAAQMD Board of Directors

Table of contents

DEFINITIONS..... 1

BACKGROUND 2

CURRENT BAY AREA EV ECOSYSTEM 2

 Environmental Benefits 2

 Available Vehicles 3

 Adoption and Sales..... 6

 Charging Infrastructure..... 10

 Consumer Sentiments 13

POLICIES, PROGRAMS, AND INCENTIVES..... 14

AIR DISTRICT PROGRAMS..... 16

 Planning 17

 Incentives 17

 Outreach and Partnerships 21

OPPORTUNITIES TO ACCELERATE THE MARKET..... 21

 Market research on consumers and EV market actors 22

 Updated Bay Area EV Acceleration Plan..... 22

 Move beyond early adopters and achieve equitable access to EVs 22

 Expand and fill in gaps in charging infrastructure 23

 Action oriented and effective partnerships 24

MOBILE SOURCE COMMITTEE
MEETING OF 04/25/2019

DEFINITIONS

Vehicle Types:

BEV – battery electric vehicle

EV – electric vehicle, including BEV, PHEV, and FCEV

FCEV – hydrogen fuel cell electric vehicle

ICE – internal combustion engine

PHEV – plug-in hybrid electric vehicle

ZEV – zero-emissions vehicle

Organizations:

CARB – California Air Resources Board

CEC – California Energy Commission

PG&E – Pacific Gas and Electric

Relevant Terms:

GHG – greenhouse gases

MSRP – manufacturer's suggested retail price

TCO – a vehicle's total cost of ownership, including purchase cost, repairs, fuel, maintenance, taxes, insurance, finance, incentives, and depreciation

TFCFA – Transportation Fund for Clean Air

BACKGROUND

The nine-county Bay Area is home to approximately 7.6 million people¹ and 5.3 million light duty vehicles², with an additional 600,000 vehicles passing daily through the region from adjacent areas.³ Three-quarters of Bay Area residents drive to work (64% drive alone and 10% carpool) and 12% take transit to work.⁴ Tailpipe emissions from these light duty vehicles account for approximately 28% of greenhouse gas (GHG) emissions (CO₂e) and a significant portion of other pollutants (31% of carbon monoxide and 12% of nitrogen oxide) in the Bay Area.

In addition to alternative transit modes that include walking, biking, mass transit, and shared transportation, wide-scale adoption of electric vehicles (EVs) and electrification of all types of transportation are essential to achieving local, State, and Federal emission reduction targets for greenhouse gases and criteria pollutants. California has set a goal of 5 million EVs sold by 2030, and the Bay Area has set a target of 90% of vehicles in the Bay Area being zero emissions by 2050. The Bay Area and California also share the goal to cut greenhouse gas emissions to 80% below 1990 levels by 2050. Rapid growth in the EV market, especially for BEVs, will be a significant part of achieving these goals.

With the first introduction of commercially available light-duty EVs in 2010, the Air District began programs to monitor the EV market and increase EV adoption in the Bay Area. The Air District's efforts have included development and implementation of region-wide EV plans, outreach and awareness activities, and direct financial incentives. This report includes an update of the EV ecosystem, ongoing Air District programs, and future areas of focus to further accelerate EV adoption.

CURRENT BAY AREA EV ECOSYSTEM

Environmental Benefits

Compared to internal combustion engine (ICE) vehicles, battery electric vehicles (BEVs) and plug-in hybrid electric vehicles (PHEVs) emit fewer greenhouse gas emissions (Figure 1). All BEVs and fuel-cell vehicles produce zero direct GHG emissions, while PHEVs produce direct emissions when operating on gasoline. The lifecycle emissions of a BEV depend on the energy mix of the region's grid. For example, the U.S. average emissions from charging a Chevy Bolt is 1.7 times higher than charging in the Bay Area, due to California's high fraction of renewable energy versus coal and natural gas. In recent years, GHG emissions associated with BEVs and PHEVs have decreased because of increased renewable energy generation on the grid (which reduces lifecycle

¹ *United States Census Bureau, American Community Survey, Demographic and Housing Estimates, 2017*

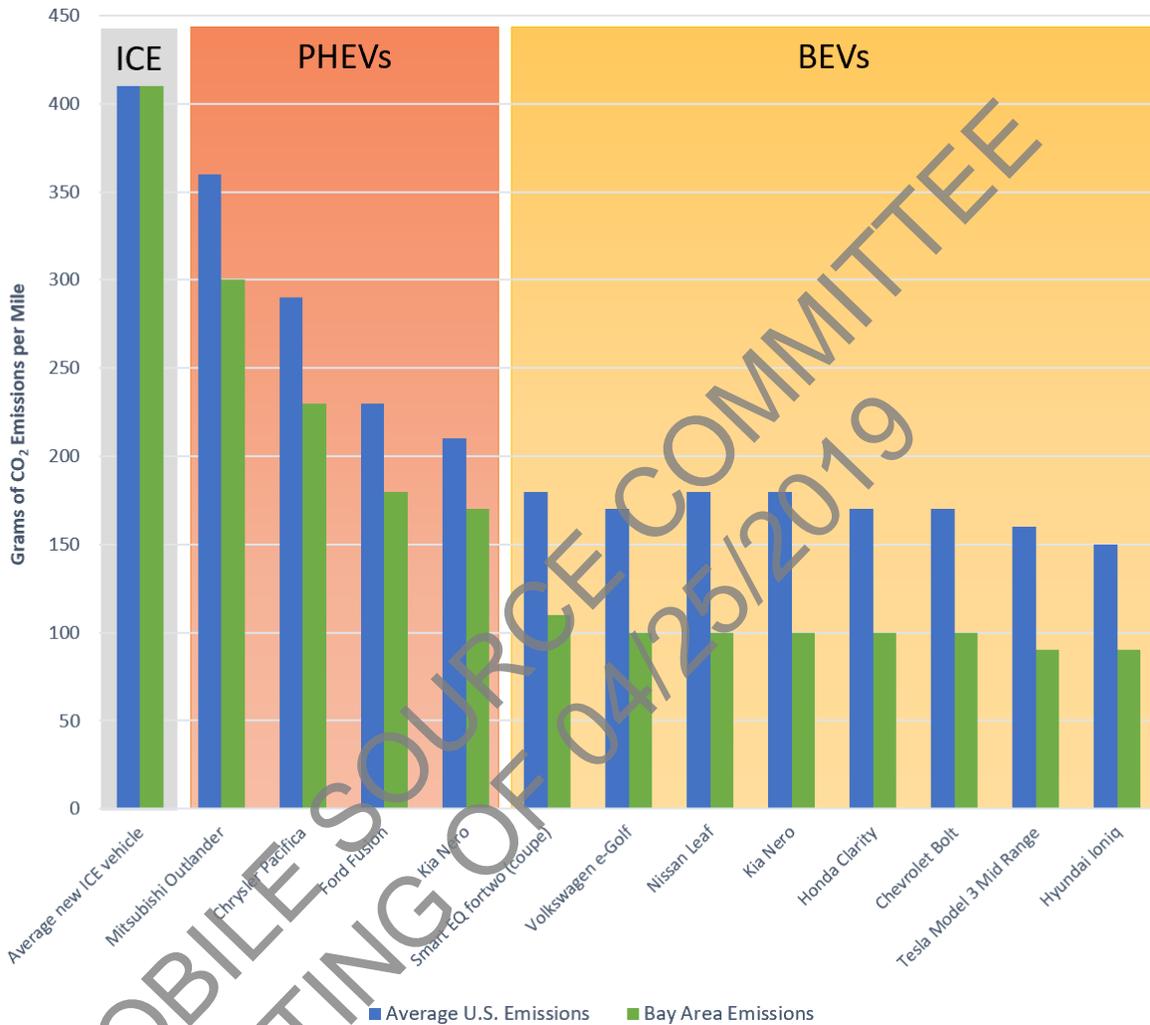
² *California Department of Transportation: Estimated Vehicles Registered by County, 2017*

³ *California Department of Transportation: Annual Traffic Volume Reports (1992-2015)*

⁴ *United States Census Bureau, American Community Survey, 2016*

emissions), as well as improvements in vehicle technology (which reduces direct emissions). Further emissions benefits will be realized over time as more of the region’s power grid shifts to renewable energy sources⁵ and as battery technologies improve.

Figure 1: Example Vehicle Emissions for EVs in the Bay Area compared to the U.S. Average



Source: FuelEconomy.gov 2019 emissions and models. Bay Area charging emissions data is from Oakland, CA, which is used as a representative city in the Bay Area. The calculator can be used for other Bay Area cities as well.

Available Vehicles

Until a few years ago, the availability of EV models was a major hurdle for interested consumers. However, following the implementation of the California’s Zero Emission Vehicle (ZEV) Program, the market grew significantly. The ZEV program required auto manufacturers to offer a

⁵ Environmental Assessment of a Full Electric Transportation Portfolio, Electric Power Research Institute/National Resources Defense Council, September 2015.

specific number of EVs in the state and thereby provided drivers more options compared to other states. This requirement, combined with incentives, rebates, and carpool lane access, has made California a leader in the EV automotive market. In 2015, California drivers could choose from 20 different EV models⁶; that number has climbed to 43 EV models in 2019, which includes 20 BEVs and 3 FCEV.

The manufacturer's suggested retail price (MSRP) and battery range of BEVs available in California vary widely (Table 1). While the average MSRP of BEVs has decreased over the past few years, EVs are still priced higher than conventional vehicles, on average. The average BEV MSRP in the U.S. is \$58,000, which is still above the average transaction price for all new light duty vehicles, which is \$37,149.⁷ The price differential between conventional vehicles and EVs is seen as a key barrier to EV adoption, particularly for low- and moderate-income households.

Table 1: Availability, Cost, and Range of BEVs sold in the U.S.

Type of Vehicle	BEVs Available in CA	MSRP	Range
City 2-door	3	\$24,000-\$45,000	84-114 miles
Compact	6	\$29,000-\$38,000	89-238 miles
Sedan	7	\$34,000-\$135,000	111-335 miles
SUV	4	\$37,000-\$140,000	64-100 miles
Pick-up Truck		Expected in 2020	
Minivan		Expected in 2020	

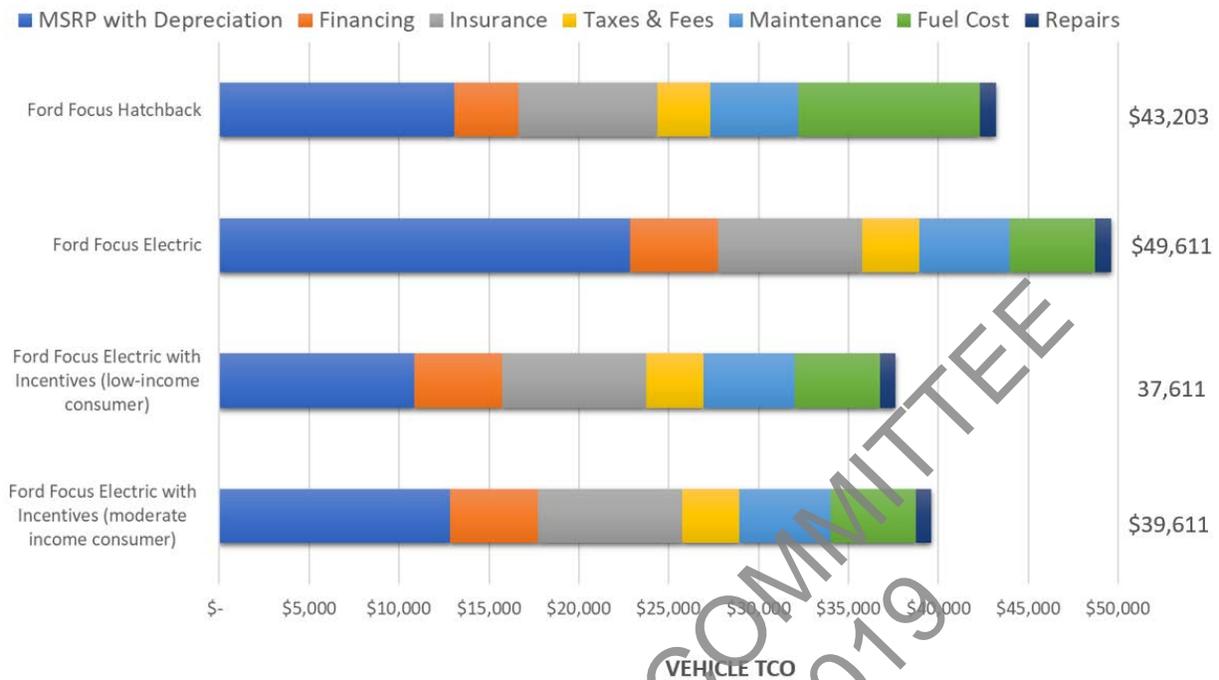
While BEVs have higher MSRPs than conventional vehicles, the difference in purchase price is typically offset by savings on fuel and maintenance, as well as financial incentives. A useful metric to compare the costs of BEVs to conventional vehicles is total cost of ownership (TCO). TCO includes costs incurred by vehicle owners throughout a car's lifecycle, such as repairs, fuel, maintenance, taxes, insurance, finance, and depreciation (Figure 2). BEV's total cost of ownership is lower compared to other vehicle categories (including PHEV) because of less wear on the brakes, fewer moving parts, and availability of incentives.⁸ Uncertainty in how battery range and performance degrades over time is a factor in TCO. However, because of high demand for used EVs in California, the depreciation rate of BEVs has been less than EVs sold in other markets.

⁶ *Electrifying the Vehicle Market (2016)*, Union of Concerned Scientists, August 2016.

⁷ *Average New-Car Prices Up More Than 4 Percent Year-Over-Year for January 2019*, Kelly Blue Book, February 2019.

⁸ *Total cost of ownership and market share for hybrid and electric vehicles in the UK, US and Japan*, Applied Energy, January 2018.

Figure 2: Example 5-year Total Cost of Ownership, 2019 ICE vehicle (Ford Focus) and BEV (Ford Focus EV)



Source: Edmunds True Cost to Own calculator

The example presented above shows how federal tax credits (\$7,500) and California rebates (\$4,500 for low-income, \$2,500 for moderate income) together make the electric version of the Ford Focus cost competitive compared to the ICE version of the Ford Focus. The federal tax credit is phased out after each manufacturer sells 200,000 vehicles of their electric models. Tesla and General Motors have hit the phase out limit. Other car manufacturers are expected to reach the phase out limit within the next seven years, if current sales trends continue.⁹ Around this time frame, Bloomberg New Energy Finance (BNEF) is projecting that EVs will become cost-competitive on an unsubsidized basis.¹⁰ Starting in 2024 and by 2029, most EV models will reach parity with ICE vehicles as battery prices continue to fall (due to economies of scale associated with the increase in mass manufacturing of lithium-ion batteries).

The following automakers have pledged to support the large-scale transition from internal combustion engine vehicles to electric vehicles (Table 2).¹¹ The commitments include electrifying their entire lineups, increasing the number of EV models available, emissions reduction targets, and phasing out internal combustion engine vehicles.

⁹ Federal EV Tax Credit Phase Out Tracker by Automaker, EVAdoption.com, November 2018.

¹⁰ Electric Vehicle Outlook 2018, Bloomberg New Energy Finance, 2017.

¹¹ What does automakers commitments to EVs entail, Clean Technica, October 2018.

Table 2: Auto Manufacturer EV Commitments

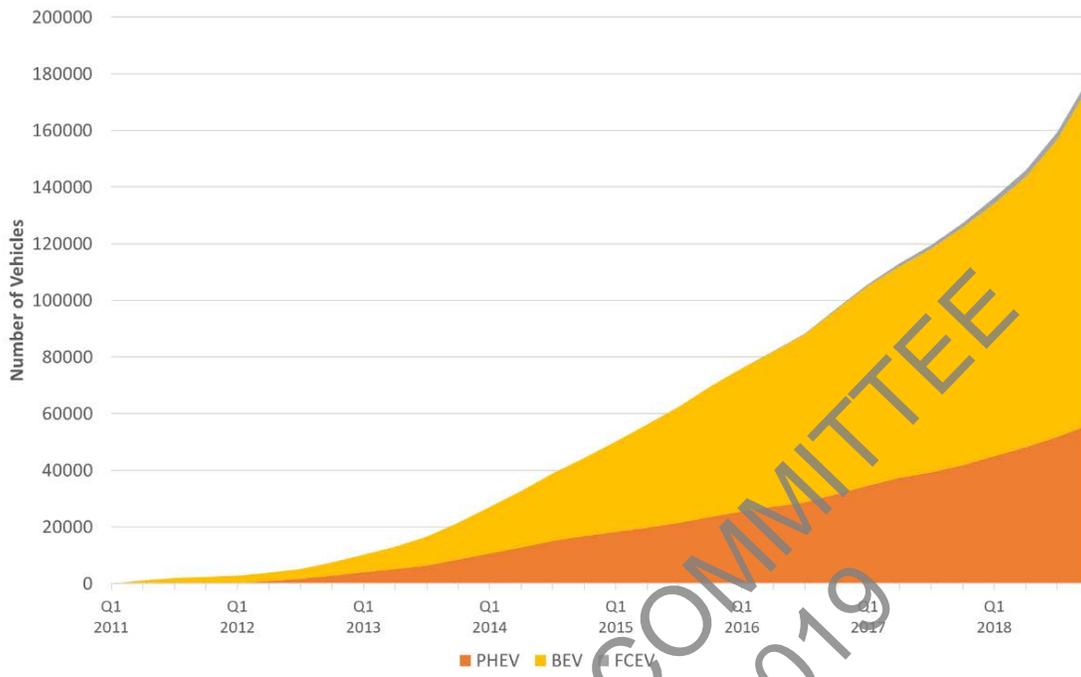
Automaker	Year	Commitment
Volvo	2019	Sell an electrified version of each of its models
Jaguar Land Rover	2020	Sell an electrified version of each of its models
Daimler (Mercedes-Benz)	2022	Sell an electrified version of each of its models and add 10+ BEVs to market
Fiat Chrysler Automobiles	2022	Sell 12 battery-electric, plug-in, and hybrid versions across 30 different lines of vehicles
Ford Motor Company	2022	Sell 40 hybrid and fully electric vehicles
Nissan Motor Company	2022	Sell 12 new zero-emission vehicles through their partnership with Mitsubishi and Renault
General Motors	2023	Sell 20+ battery electric models and committed to an "all-electric future"
Toyota Motor Company	2025	Sell an electrified version of each of its models
Honda Motor Company	2030	Sell an electrified version of 2/3 of its models
Volkswagen Group	2030	Sell an electrified version of each of its models
Toyota Motor Company	2050	Eliminate almost all CO ₂ emissions from new Toyota vehicles

Adoption and Sales

Using a conservative estimate from data from the CVRP program, at the end of 2018, the Bay Area had more than 180,000 EVs, representing 3% of the region's fleet.¹² The Bay Area has generally had about 50% of EVs in California and one quarter of the EVs in the US. The Bay Area market saw a massive increase in EV sales, growing 68% from 2017 to 2018. (Figure 3).

¹² *Program Statistics*, Clean Vehicle Rebate Program, January 2019

Figure 3: EVs (PHEV, BEV, and FCEV) in the Bay Area

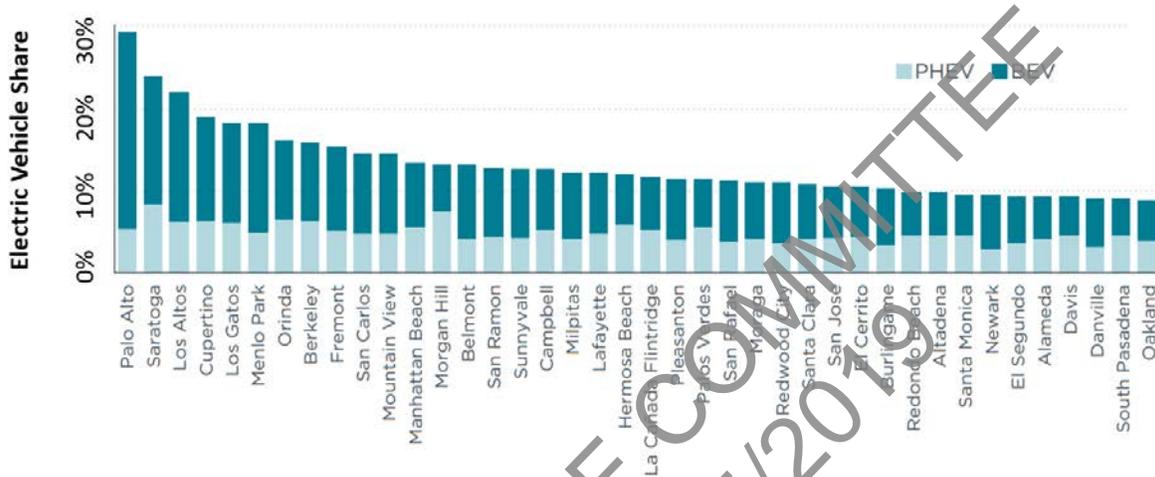


Source: Clean Vehicle Rebate Program (January 2019)

MOBILE SOURCE COMMITTEE
MEETING OF 04/25/2019

The San Francisco and San Jose metropolitan areas, ranked among the top four markets nationally in terms of electric vehicle sales share in 2017, and accounted for 13% and 7% of sales in the national EV light-duty market, respectively.¹³ During 2017, 30 of the top 40 California cities for EV sales were in the Bay Area, ranging from 9% to 29% of market share (Figure 4). Cities that have percentages of electric vehicles sold also tended to have a much higher proportion of BEVs.¹³

Figure 4: Top California Cities for New EV Market Share in 2017

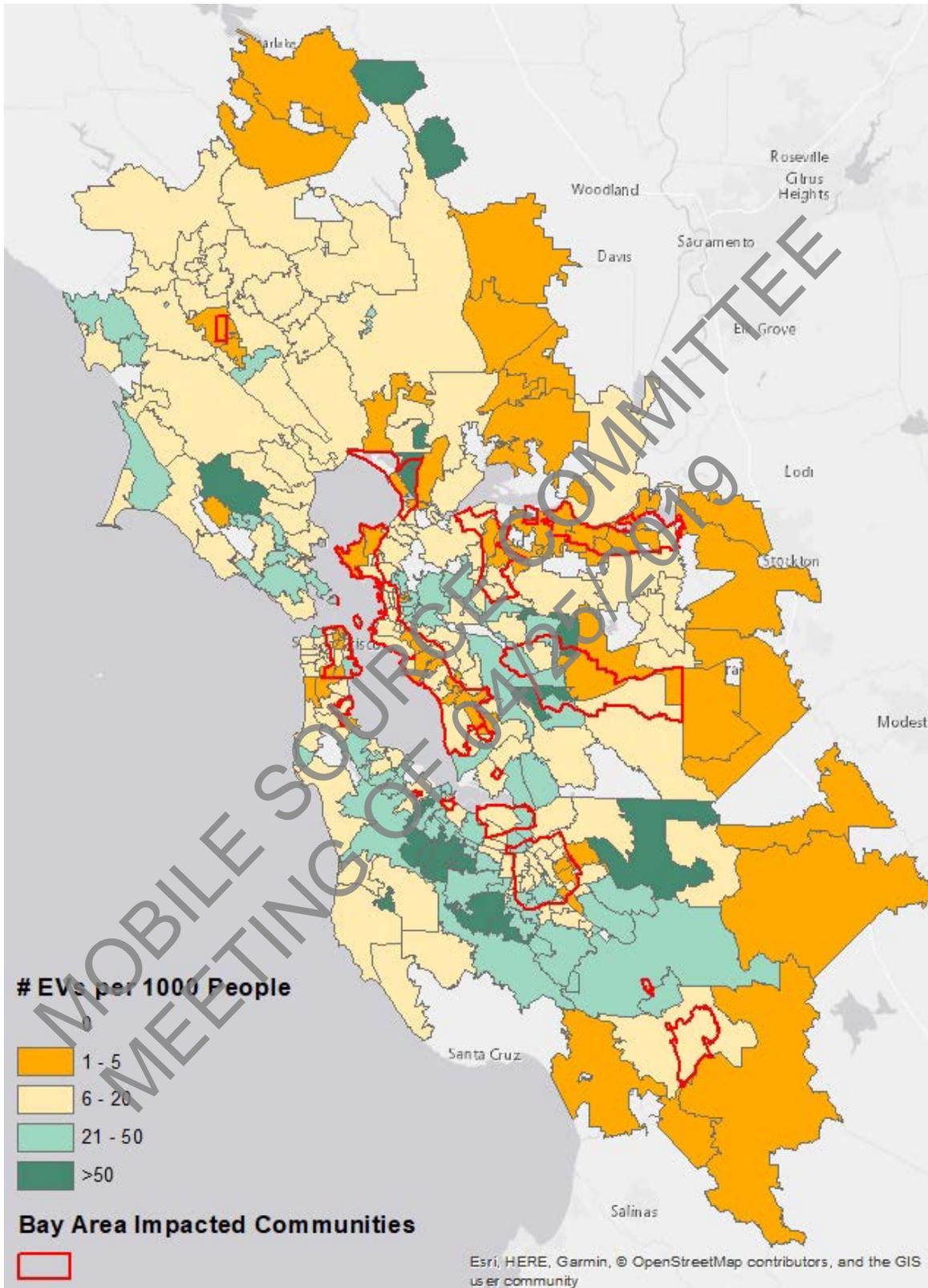


Source: ICCT, Vehicle Registrations from IHS Automotive

Other areas in the Bay Area have significantly lower rates of EV adoption (Figure 5). Expanding EVs beyond early adopters and to all geographies and demographics is critical to achieve the Bay Area and California’s goals for reductions in greenhouse gas emission. EVs also offer savings on fuel and maintenance as well as an improved driving experience, which can benefit all Bay Area residents.

¹³ California’s continued electric vehicle market development, The International Council on Clean Transportation, May 2018.

Figure 5: Bay Area EV Adoption Map, with Impacted Community Boundaries Highlighted



Source: DMV Registration Data (2017), Air District Community Air Risk Evaluation, CalEnviroScreen 3.0

Charging Infrastructure

The availability of charging infrastructure is a critical factor influencing the number of people who switch to EVs. Publicly accessible EV chargers are needed to support the growing number of EV drivers, especially for long-distance trips and for drivers that do not have access to private home chargers. Determining the correct charger types for charging locations is also an important decision to maximize efficiency, cost-effectiveness and provide the convenience that EV drivers want and need. In many instances, a mix of charger types will be appropriate.

Charging stations are categorized by the power output into Level 1, Level 2, DC Fast, and DC Ultra-Fast (Table 3). Level 1 and Level 2 chargers are appropriate for locations where users dwell for longer periods of time, such as at workplaces, and destinations such as parks and transit park-and-ride lots. DC fast chargers can quickly charge EVs within an hour and are best suited for drivers that are making longer trips, or for situations in which a quick charge is required to resume work such as for taxis, transportation network companies, or fleets. Recently, higher powered DC Ultra-Fast chargers have been deployed, although to date, only a few vehicles can accept these higher power outputs. It is anticipated as EV battery technology advances improving EV ranges, higher powered chargers will be helpful to support future EV technology.

Table 3: Types of EV Chargers

	Level 1	Level 2	DC Fast	DC Ultra-Fast
Electric Output (kW)	1.4	6.2+	50+	80+
Ideal charging locations	Home, Long-term Parking Lots, Overnight	Workplace and Destination such as parks	Quicker charging at grocery stores & near highways	Extremely quick charging at grocery stores & near highways
Approximate time to fully charge*	8+ hours	3-8 hours	20 minutes-1 hour	20 minutes-1 hour

* Charging times vary based on the size of batteries. As newer EVs increase battery sizes to support longer ranges, charging times may increase.

In addition to power outputs, charging stations can also appear with multiple ports so one charger may connect to multiple vehicles for charging. Depending on site design and anticipated utilization, single versus dual-port chargers are a consideration.

There are currently 1,600+ charging locations with 7,500+ publicly available ports in the Bay Area (Figure 6). Of those publicly available ports, the vast majority are L2 charging ports (87%). A smaller portion (11%) are DC Fast charging ports (Figure 7).

Figure 6: Publicly Accessible EV Charging Stations in the Bay Area

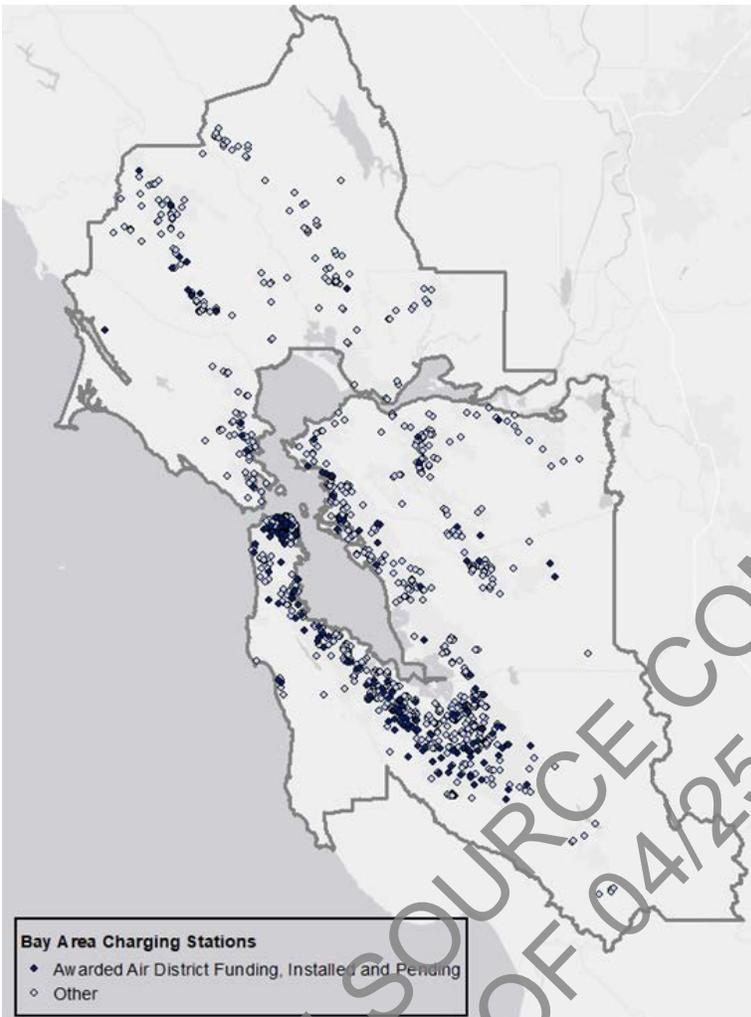


Figure 7: Publicly Accessible EV Charging Ports by Type

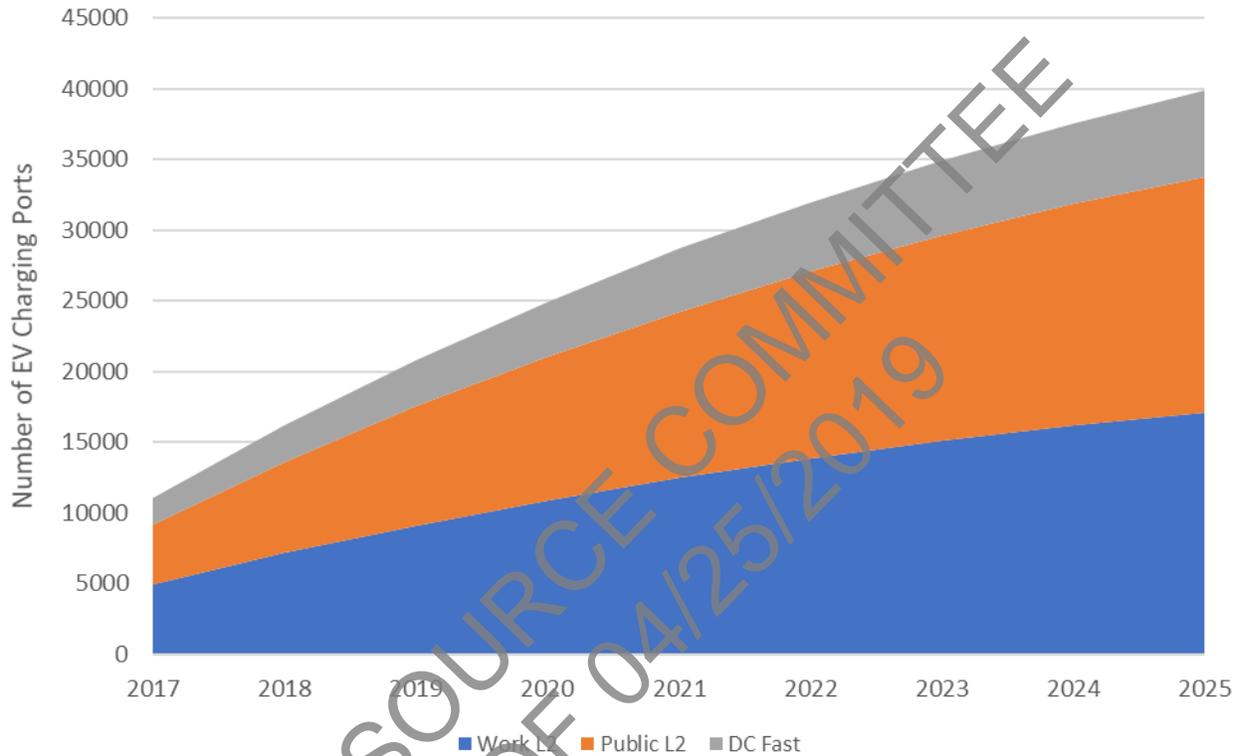


Source: Alternative Fuels Data Center and Charge! Program (BAAQMD)

Additional charging stations will be needed to accommodate future growth in the EV market, especially to achieve the ambitious Bay Area goals and to accommodate a wider range of Bay Area residents. There have also been anecdotal reports that current charging stations are often full, which indicates that additional charging station capacity is needed even for the current number of EV drivers. The National Renewable Energy Laboratory (NREL) and California Energy Commission (CEC) developed a computer simulation tool, Electric Vehicle Infrastructure Projection (EVI-Pro), which uses the results of a state-wide transportation habits survey to quantify the charging infrastructure needed to ensure that future EV drivers can meet their transportation needs. This analysis accounts for projections for vehicle and charger technologies, user demographics and market adoption conditions, the shared-use of chargers, and travel and charging

preferences.¹⁴ Over 20,000 public charging ports are estimated to be needed in 2019 (9,100 workplace L2, 8,400 public L2, and 3,300 DC Fast) (Figure 8). To stay on track with our goals, by 2025, the Bay Area is estimated to need about 40,000 public charging ports (17,000 workplace L2, 17,000 public L2, and 6,000 DC Fast).

Figure 8: Projected Need for PHEV and BEV Charging Infrastructure in the Bay Area



Source: National Renewable Energy Laboratory, CEC EV Infrastructure Projection Tool (EVI-Pro)

Widespread charging infrastructure will be key to overcoming current and future barriers to electric vehicle adoption. An individual or household's need for public charging infrastructure is related to home type, with drivers in single-family homes being much more likely to have home charging than those in apartments or multi-unit dwellings. Electric vehicle owners so far tend to live in single-family homes.¹⁵ To extend the EV market beyond those living in single-family homes, we will have to expand charging available at multi-unit dwellings and public charging

¹⁴ California Plug-In Electric Vehicle Infrastructure Projections: 2017-2025, California Energy Commission, March 2018

¹⁵ Quantifying the electric vehicle charging infrastructure gap across U.S. markets, the International Council on Clean Transportation, January 2019.

infrastructure. In the Bay Area, over one-third (36%) of housing units are in multi-unit dwellings.¹⁶ Installing charging infrastructure has been more challenging for multi-family housing, requiring away-from-home charging options for a significant portion of the Bay Area population. The need for drivers to take longer-distance trips and with a wide range of transportation patterns also requires public charging.

Consumer Sentiments

Based on recent studies and surveys, as well as anecdotes from our partners, Air District staff is highlighting three concerns that significantly influence consumer sentiment (or lack of knowledge) related to EVs: cost, range anxiety, and awareness of vehicles and infrastructure.

As mentioned above, the upfront cost (MSRP) for most EVs is higher than similar conventional vehicles, and only slightly competitive when incentives and total cost of ownership are considered. The higher upfront cost of EVs turns off many cost-sensitive consumers who may have originally considered an EV. While luxury brands like Tesla have increased the visibility and “cool factor” of EVs, they have also contributed to a perception that EVs are for the wealthy, and therefore must be expensive. Many consumers don’t initially see EVs as a smart economic decision.

For consumers who are not EV drivers, range anxiety is one of the most common concerns, particularly for consumers without charging options at or near their home. Consumers often overestimate the range they need in a vehicle and are therefore cautious when considering fully electric models. While the average Californian travels less than 30 miles a day, survey data shows that consumers think they need upwards of 300 miles of range.¹⁷ Increases in battery range and the number of charging stations will help address range anxiety, but to truly shift consumer sentiment, more EV education, understanding actual transportation needs, and charging station signage are needed.

The previous concerns are seen among individuals who have at least some awareness of EVs. A recent study of Californian consumers found that despite a near doubling in the number of EV models in California between 2014 and 2017, fewer survey respondents were able to name an EV for sale in 2017 than in 2014.¹⁸ Consumers who were aware of EVs thought of them as small compact cars, that might not fit their lifestyle the way a crossover, SUV, or minivan would. Additionally, consumers’ awareness of public charging stations barely shifted from 2014 to 2017, even though public EV chargers in California jumped from 5,700 in 2014 to more than 11,500 by 2017. The study concluded that Californians are not actively avoiding EVs, they are simply unaware of EVs, which speaks to the importance of increased EV marketing and outreach.

¹⁶ *American Fact Finder*, United States Census Bureau, January 2019.

¹⁷ *The Barriers to Acceptance of Plug-in Electric Vehicles: 2017 Update*, National Renewable Energy Laboratory, 2017.

¹⁸ *Automakers and Policymakers May Be on a Path to Electric Vehicles; Consumers Aren’t*, UC Davis, 2017.

POLICIES, PROGRAMS, AND INCENTIVES

Federal, state, regional, and local governments have taken important steps to address key barriers to EV adoption and infrastructure. Government actions to accelerate EV adoption include goals for EV adoption, financial and nonfinancial incentives, supporting public charging infrastructure, marketing materials and campaigns, public ride-and-drive events, and building codes and other policies. These policies and programs seek to overcome perceived and actual consumer barriers related to higher upfront costs, electric range, and awareness and understanding. Data collected by the International Council on Clean Transportation showed that these local and state governments and utilities programs have been generally successful.¹⁹

The following tables list the key state, regional, and local targets, plans, standards, campaigns and incentives relevant to the Air District’s jurisdiction (Tables 4 - 8). There are many EV efforts in place or under development within the Bay Area that help the EV market grow, but this proliferation of programs has also increased the need for coordination among EV-focused agencies and organizations.

Table 4: Bay Area and California Targets Relevant to EVs

<i>Bay Area</i>	Reduce GHG emissions 80% below 1990 levels by 2050 (Air District 2017 Clean Air Plan)
	90% of Bay Area vehicles are zero-emissions by 2050 (Air District 2017 Clean Air Plan)
<i>California</i>	Reduce GHG emissions to 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050 (AB32/SB32)
	Zero Emission Vehicle Program, requires auto manufacturers to sell electric cars, tied to the auto manufacturer’s overall sales within the state
	Low Carbon Fuel Standard, requires the carbon content of fuels to decrease 10% from 2010 levels by 2020
	5 million ZEV’s on road by 2030 (Executive Order B-48-18)
	Install 250,000 EV chargers and 200 hydrogen refueling stations by 2025 (Executive Order B-48-18)

Table 5: Bay Area and California Plans Relevant to the EV Market

<i>Bay Area</i>	Bay Area Plug-in EV Readiness Plan (2013)
	Plan Bay Area 2040
<i>California</i>	2016 ZEV Action Plan
	2018 ZEV Action Plan – Priorities Update
	SB 375/Sustainable Communities Strategies

¹⁹ *Expanding the Electric Vehicle Market in U.S. Cities*, the International Council on Clean Transportation, 2017.

Table 6: Building Code Requirements for EV Infrastructure (California Green Building Standards (CALGreen) and Bay Area Jurisdictions with Additional Requirements)

	Multi-Family	Single Family	Non-Residential
CALGreen Code Requirements for EV Capable Parking	10% of parking spaces	100% of attached private garages	6% of parking spaces
City			
Berkeley	✓		
Burlingame	✓	✓	
Contra Costa County	✓		✓
Cupertino	✓	✓	✓
Emeryville	✓		
Fremont	✓		✓
Marin County	✓	✓	✓
Menlo Park	✓		✓
Mountain View	✓		✓
Oakland	✓		✓
Palo Alto	✓	✓	✓
San Mateo	✓		✓
San Francisco	✓		✓
San Rafael	✓	✓	✓
Santa Clara County	✓	✓	✓
Santa Rosa	✓		
Sunnyvale	✓	✓	

Source: ChargePoint (2018), "EV Capable" requires raceway and panel capacity.

Table 7: S Currently Available EV Rebates and Incentives Available in the Bay Area

<i>Electric Vehicle</i>	California Clean Vehicle Rebate (CSE and CARB)
	Clean Cars for All (Air District and CARB)
	Clean Vehicle Assistance Program (Beneficial State Foundation and CARB)
	DriveEV (Sonoma Clean Power)
	Federal tax credit
	MCEv Program (Marin Clean Energy)
<i>Charging Infrastructure</i>	CALeVIP (CSE and CEC)
	Charge! (Air District)
	Clean Fuel Rebate (PG&E)
	EV Charge Network (PG&E)
<i>Other</i>	California Air Vehicle Decals – HOV Lane Usage (DMV)
	Charge Now (BMW))
	No Charge to Charge (Nissan)

Table 8: EV Awareness Campaigns and Initiatives

<i>Bay Area</i>	Center for Sustainable Energy (Experience Electric – The Better Ride)
<i>California</i>	Charge Across Town
	Plug in America
	Veloz (Electric for All, Best.Drive.Ever)
<i>National</i>	Electrify America
	Plug in America

AIR DISTRICT PROGRAMS

Since EVs first came onto the market, the Air District has been focused on monitoring the market, developing plans, conducting outreach, and offering incentives to build up the charging infrastructure and support early EV adopters. The initial Air District programs were designed to complement other ongoing EV efforts, develop understanding and prepare for a new market, address the lack of public EV charging infrastructure, offset the higher initial costs, and support Bay Area residents, local governments, and businesses to test out new technologies.

Table 9: Air District EV Programs

2013 Bay Area EV Readiness Plan	www.baaqmd.gov/plans-and-climate/bay-area-pev-program/bay-area-pev-ready
Bay Area EV Council	www.baaqmd.gov/plans-and-climate/bay-area-pev-program
Charge!	www.baaqmd.gov/charge
Clean Fleets	www.baaqmd.gov/cleanfleets
Clean Cars for All (new)	www.baaqmd.gov/cleancarsforall

Planning

In 2013, the Air District partnered with the Metropolitan Transportation Commission (MTC) and other electric vehicle stakeholders to develop and publish the Bay Area Plug-In Electric Vehicle Readiness Plan. Based on research, analysis, and public input, the 2013 plan included:

- Projections for EV ownership and deployment; barriers to EV ownership, deployment, and recommendations to eliminate barriers in private and public fleets, including recommendations for future incentive programs;
- Key strategic zones/areas for deployment and types of charging stations for regional EV charging infrastructure;
- Best practice recommendations for local government regarding their EV readiness and friendliness with respect to regional coordination, permitting and inspection practices, zoning and parking rules, local ordinances, and building codes;
- Integration of the Regional PEV Plan into the Bay Area’s Sustainable Communities Strategy (SCS) plan (Plan Bay Area 2040).

Based on this plan, the Air District developed incentives and coordination activities to help get the Bay Area ready for the introduction of new EV technologies and demonstrate the viability of EVs.

Incentives

Since 2010, the Air District’s Board of Directors has awarded over \$19 million through incentive programs to target the identified barriers to EV adoption. Many of these incentives have leveraged additional investments from other organizations such as PG&E’s Charge Network, Marin Clean Energy’s MCEv Charging Program, California’s Clean Vehicle Rebate Program, and the federal EV tax credit. Air District staff continue to identify other opportunities to leverage other incentive programs to reduce the costs for Bay Area residents, businesses, and local government. To date, the Air District has awarded projects that support the installation of more than: 1,500 passenger electric vehicles, 4,400 publicly available Level 2 and DC Fast chargers (Figure 7), and over 1,400 residential chargers.

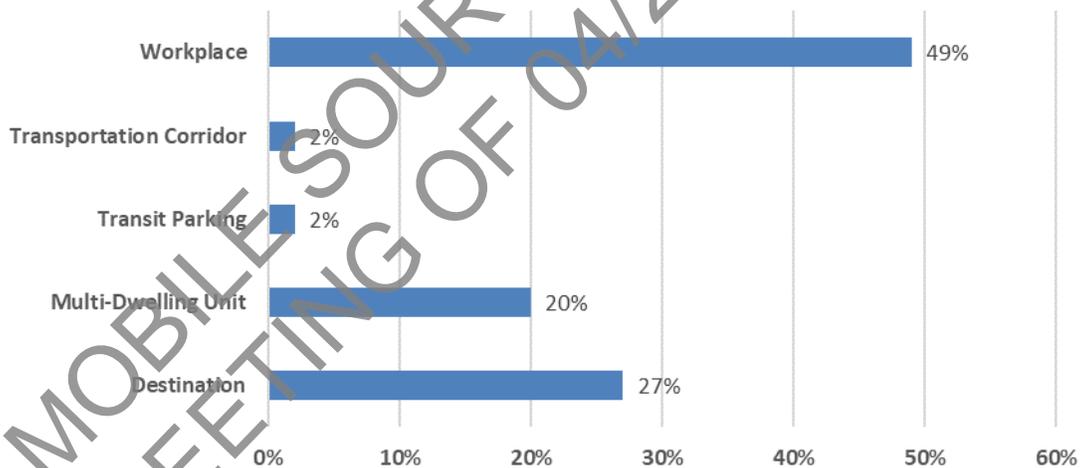
Since 2016, the Air District has administered the Charge! Program, which provides funding for the purchase and installation of publicly accessible charging stations in the Bay Area. This Program is open to organizations including government entities, non-profits, and businesses. The

Charge! Program provides fixed award amounts per each charging unit installed. For example, a Level 2 charging station is eligible for up to \$3,000 in funding and a DC fast charging station is eligible for up to \$18,000. Additional “plus-up” funding is available to promote ancillary benefits and reduce costs at project locations where there are higher barriers to implementation. These plus-up categories have included co-locating renewal energy generation such as wind or solar or installing charging at multi-unit dwellings.

The Clean Fleets Program opened in August 2018. This program provides funding to purchase or lease new zero-emission vehicles such as EVs (including electric motorcycles) and fuel cell vehicles. Similar to the Charge! Program, the Clean Fleets Program is open to government entities, non-profits, and businesses. Up to \$2,500 is available in incentive funds per vehicle and up to \$5,000 per motorcycle because emissions from conventional motorcycles are high.

Both the Charge! and Clean Fleets Programs are supported by funding from the Transportation Fund for Clean Air (TFCA), a \$4 surcharge on California Department of Motor Vehicle registrations in the Bay Area. Since 2016, over \$7.6 million has been awarded to Charge! Program projects to support the installation of over 2,900 publicly accessible charging stations in the Bay Area. Most chargers funded through the Charge! Program were installed or planned at workplace facilities, with other projects at transportation corridors, transit parking and multi-unit facilities (Figure 9). Future iterations of the Charge! Program may include additional incentives to increase EV charging station installations at underrepresented facility types or in impacted communities.

Figure 9: Awarded Charge! Projects by Facility Type from 2016-2018



Source: Bay Area Air Quality Management District (February 2019)

As the Charge! Program has grown, the utilization of Air District-funded stations has increased (Figure 10 and Figure 11). By the end of 2018, Air District-funded stations delivered over 1.6 GWh of electricity to EVs per year and is equivalent to reducing gasoline use by over 128,000

gallons or reducing ICE vehicle travel by 2.8 million miles.²⁰ In addition, the annual energy delivered per charger increased between 2016 and 2018. This is likely due to higher EV adoption, as well as the presence of additional charging stations. To maximize cost effectiveness of the Charge! Program, the energy delivered per charge will need to continue to increase. Because the Charge! projects are monitored for at least three years and the first projects were only awarded in 2016, usage data will continue to be collected for current and future projects. The initial trends in the usage data indicate we are on track to achieve higher usage levels. These trends also confirm the high and growing demand for publicly accessible chargers.

Figure 10: Total Annual Energy Dispensed (kWh) from Charge! Projects Installed

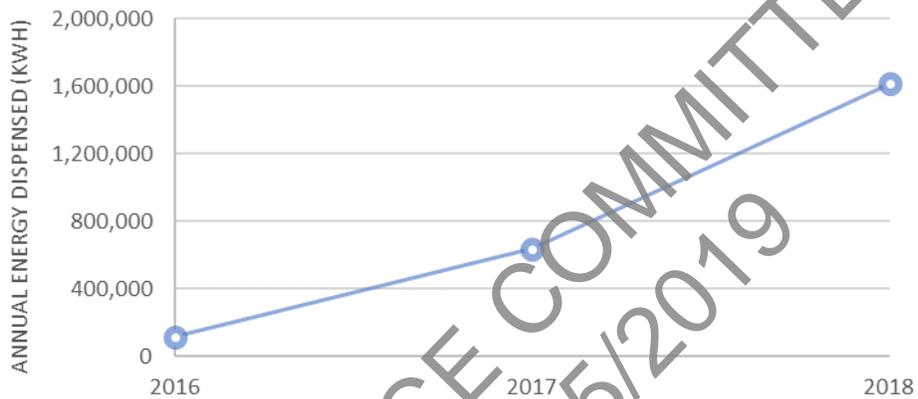


Table 10: Total Reduced Gasoline and Vehicle Miles Traveled from Charge! Projects Installed

Year	2016	2017	2018
Gallons of Gas Equivalent	9,052	50,722	128,481
Vehicle Miles Travelled Equivalent	196,692	1,102,122	2,791,703

²⁰ Greenhouse Gas Equivalencies Calculator, U.S. Environmental Protection Agency, December 2018.

Figure 11: Average Annual Energy Dispersed (kWh) Per Charger from Charge! Projects Installed

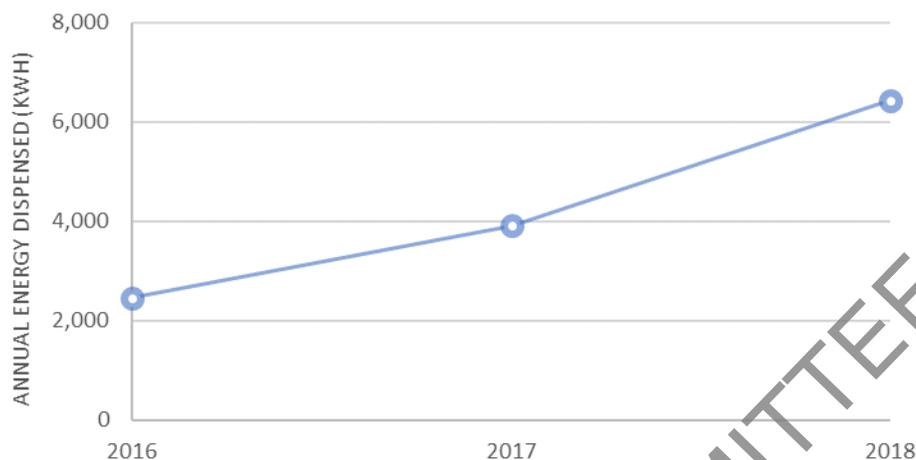


Table 11: Average Reduced Gasoline and Vehicle Miles Traveled Per Charger from Charge! Projects Installed

Year	2016	2017	2018
Gallons of Gas Equivalent	196	311	513
Vehicle Miles Traveled Equivalent	4,260	6,751	11,138

In addition to TFCA-funded programs, from 2015-2017, the Air District awarded projects through funding that resulted from a judgement issued in Reformulated Gasoline Antitrust and Patent Litigation. A total of 19 facilities were awarded which included 129 Level 2 charging stations and 11 DC fast charging stations and placed into service by September 2017. A report on the program's results identified 5 key project implementation and utilization barriers,²¹ including:

- **Variability in costs:** Construction costs varied depending the scale of the project (number of chargers that were installed), especially on the existing electrical capacity of facilities and how many upgrades were needed.
- **Project delays:** On average, projects took 236 days to complete and most delays were attributed to electrical upgrades and interconnectivity issues with the grid.
- **Availability of chargers:** Facilities that limited accessibility only during business hours suffered from reduced utilization.
- **Pricing structure:** Higher fee structures disincentivized usage of the chargers.
- **Utilization of charging assets:** Charging station utilization could be increased by installing signage, designating parking stalls for EV charging, encouraging users to move their vehicles upon reaching enough charge and installing enough chargers to match to the size and dwell times of the parking facility.

²¹ EV Charging Demonstration Program, Bay Area Air Quality Management District, April 2018.

These lessons about barriers to installing and using charging stations have been included in subsequent iterations of the Charge! Program.

Outreach and Partnerships

Since 2011, the Air District, in partnership with MTC, has sponsored the Bay Area EV Coordinating Council (EV Council), a collaboration forum for EV stakeholders including local and state governments, businesses, research institutions and non-profits. The EV Council is convened quarterly and addresses topics such as new vehicle and charging technologies, and EV-friendly ordinances adopted by local agencies, equity, and grant opportunities. The EV Council also is an ongoing platform to discuss emerging trends, share best practices, and facilitate innovation to address barriers to EV adoption.

The Air District also sponsors local events and staff attend and share information at regional conferences and meetings with local associations and government agencies (e.g. transportation, environment, public works, school districts, chambers of commerce).

OPPORTUNITIES TO ACCELERATE THE MARKET

The programs and policies to date from the Air District and partner organizations have been focused on getting the Bay Area EV market started. Indeed, the EV market in the Bay Area has seen a massive expansion in recent years, with significant growth in EV sales, infrastructure, and the availability and awareness of EV options for consumers. At the same time, our EV and GHG emissions reduction goals are ambitious, growing from 4% of vehicles to 90% of vehicles driven by Bay Area residents. Using a common framework to describe innovation adoption cycle (innovators, early adopters, early majority, late majority, and laggards), we are in the early adopter phase, which tends to include more socially forward users and have more financial fluidity. The early majority, late majority, and laggards, which typically represent most of consumers, include individuals with more skepticism, stronger resistance to change, or less financial fluidity. With the diversity of geographies, socioeconomics, and transportation needs across the Bay Area, we also need to be sure that technology transitions address the needs and concerns of all Bay Area residents.

Therefore, current and future priorities include actions that accelerate the market, focusing on influencing the large proportions of the population that may be more resistant to change, not just early adopters. These priorities will include understanding and addressing barriers to adoption in communities that have been slower to adopt EVs, updating the region's EV plans to reflect current technologies and trends, broadening the utilization of incentives to cover more communities, and ensuring effective coordination among EV programs to maximize impact (Figure 12).

Figure 12: Air District Priorities in 2019 to Accelerate EV Market

1	Market research on consumers and EV market actors
2	Updated Bay Area EV Acceleration Plan
3	Move beyond early adopters and achieve equitable access to EVs
4	Expand and fill in gaps for charging infrastructure
5	Action-oriented and effective partnerships

Market research on consumers and EV market actors

Cost, range, and awareness are not the only considerations for consumers and businesses. To better understand the underlying sentiments that form barriers to EV adoption, and identify the best solutions to addressing those barriers, the Air District is starting work to survey consumers and businesses in the Bay Area. Currently, Air District staff have evaluated existing studies and collected anecdotal information on barriers to EV adoption and charging infrastructure. This effort will help us fill in gaps and collect thorough data sets across a diversity of EV market actors (e.g. low-income consumers, property owners, ride-hailing drivers, dealerships, fleet managers, etc.). This work will help improve incentive programs and develop new and better outreach programs and materials. The survey and research will also help inform the Air Districts current and future funding programs to ensure they are addressing appropriate barriers and economic levers.

Updated Bay Area EV Acceleration Plan

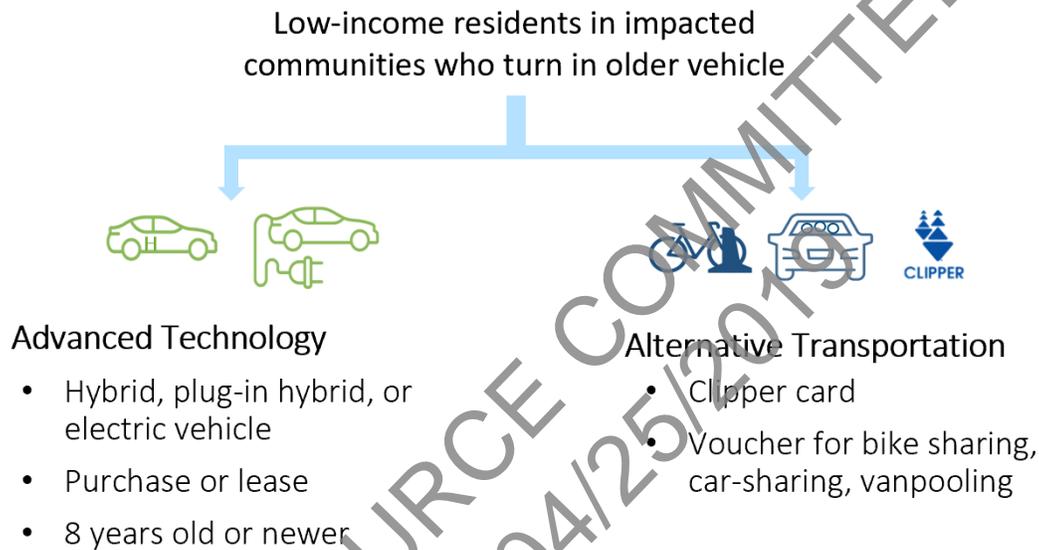
Since the Air District released the Bay Area EV Readiness Plan in 2013, by most measures, EV readiness has been realized in the Bay Area. It is time to focus on the rest of the potential EV market and for this reason, the Air District has started work on an update to the 2013 Plan, with a new “Bay Area EV Acceleration Plan”. The Acceleration Plan will be data driven, including survey and research data on consumer, business, property owner, fleet manager, and transportation network company driver sentiments. Based on input on what would support Bay Area stakeholders, the new plan will include a specific outreach and coordination actions. These actions may include improved messaging and materials for consumers and EV market actors, targeted outreach that complements incentive programs, or coordinating the timeline of incentives and regulations. The Acceleration Plan will be informed by geographically diverse outreach and coordination with the EV Council.

Move beyond early adopters and achieve equitable access to EVs

Effectively reducing emissions from light duty vehicle will require wide-scale EV adoption in which all Bay Area residents participate regardless of income, ethnicity, or geographical area. Equitable access to EVs ensures that all Bay Area residents can benefit from lower fuel and maintenance costs as well an improved driving experience. This is the goal of the Air District’s new Clean Cars for All Program, which provides qualifying low-income residents up to \$11,500 for scrapping and older vehicle and switching to a clean transportation option (Figure 13). Participants will have the option to purchase or lease new and used hybrid vehicles, PHEVs, BEVs,

or receive a transportation card for transit or car-sharing. The incentive funding is based on participants' income level and which clean transportation or vehicle option they select. This program is currently in a soft launch to test the program's systems and processes and will fully launch in Spring 2019. The incentive program will include stakeholder engagement and outreach to impacted communities, case managers to support participants through the application process, and partnerships with dealers, vehicle scrappers, and community organizations around the Bay Area.

Figure 13: Overview of Clean Cars for All Program



Increasing opportunities for the public to interact with EVs can improve their perception of accessibility and availability and encourage them to consider an EV for their next vehicle purchase or lease. The Air District has offered incentives for vehicle fleets such as municipal jurisdictions, taxi companies, transportation network companies (TNC), and car sharing businesses and will be increasing outreach for these programs. These programs result in emissions reductions benefits by transitioning those fleets to cleaner vehicles while also increasing the number of EVs that the public may encounter in their daily lives, increasing public awareness of EVs and associated benefits.

Expand and fill in gaps in charging infrastructure

Recognizing that charging patterns and needs are shifting due to the increasing availability of longer range (200+ miles) EV models, the Air District will be expanding its focus to install fast chargers along major transportation corridors, which will also expand the network to support long-distance trips. These Ultra-fast (150+ kW) and DC Fast Chargers would be installed in “plazas” and will more operate like gasoline refueling stations. EV uptake among residents of multi-unit dwellings has lagged due to the lack of dedicated parking and the challenge of installing charging infrastructure in shared parking structures. In addition to incentivizing charging in multi-unit dwelling, the Air District will also continue to target workplace charging. By focusing on a combination of multi-unit dwellings, workplace charging, and ultra-fast charging plazas, we can

increase charging accessibility for many potential EV consumers, especially those who do not live in single-family homes. A more visible and thorough EV charging network can reassure potential EV consumers who are concerned about range anxiety. The Charge! Program was created with the ability to evolve with market conditions, especially to focus on gaps in charging infrastructure that can support low-income residents and geographies that have had low EV adoption so far.

Action oriented and effective partnerships

The Air District's investments and efforts have, and will continue to, play a significant role in catalyzing the Bay Area's shift towards zero emission transportation. In recent years, other organizations have also expanded programs to support the EV market. To meet the region's aggressive EV adoption goals, these regulatory, incentive, and outreach programs are all important and these efforts need to be coordinated to have maximum impact on driving EV adoption. For example, the EV Council will be the opportunity to leverage funding while also ensuring that incentives and awareness programs are impacting as many communities as possible. Another coordination challenge will be to time and integrate regulations and incentives so that both can be maximally effective. The Air District and MTC are updating the EV Council, from a mechanism to share best practices and network, to a group of organizations who are tackling specific and shared challenges.

Air District staff will continue to update the Mobile Source Committee and Board of Directors on progress for these ongoing programs and priorities. When the Bay Area EV Acceleration Plan is drafted after the stakeholder engagement process, that will also be another opportunity for further discussion and input.

Attachment 2: Electric Vehicle and Charging Infrastructure Survey and Research Services Request for Proposals and Review

GOAL

The Air District seeks qualitative and quantitative data on consumer and business sentiments regarding barriers to electric vehicle (EV) adoption and the installation of EV charging infrastructure, to complement existing consumer surveys on EVs conducted by other organizations. This data will help us tailor and strengthen our outreach messages, educational materials, and incentive programs to increase EV adoption in the Bay Area.

SCOPE OF WORK

The Request for Proposals (RFP) was published on December 18, 2018 for Electric Vehicle and Charging Infrastructure Survey and Research Services. The selected contractor will develop and implement a methodology for collecting feedback from Bay Area residents and market actors on EV adoption and EV charging infrastructure. This work will include residents representing socioeconomic and geographic diversity, as well as with different levels of knowledge and interest in new technologies. The market actors will include property owners, fleet managers, dealerships, and taxi and ride-hailing drivers. The methodology for collecting this input includes interviews, focus groups, and surveys.

Following a kick off meeting, the contractor will prepare a final work plan for Air District staff review and approval, which includes project milestones, staffing resources, and timelines. The contractor will finalize the survey and research methodology within three weeks of contract signature and begin implementation shortly thereafter. Following the completion of the research and survey tasks, the contractor will prepare a draft report for Air District review, including an evaluation of the methodology used, limitations of the results, recommendations on outreach (messages and channels) and incentives to better reach these audiences. The contractor will provide the Air District with bi-weekly reports summarizing the work completed and budget expended. The contractor will prepare a final report based on review comments within six months of contract signature.

APPLICATION AND REVIEW PROCESS

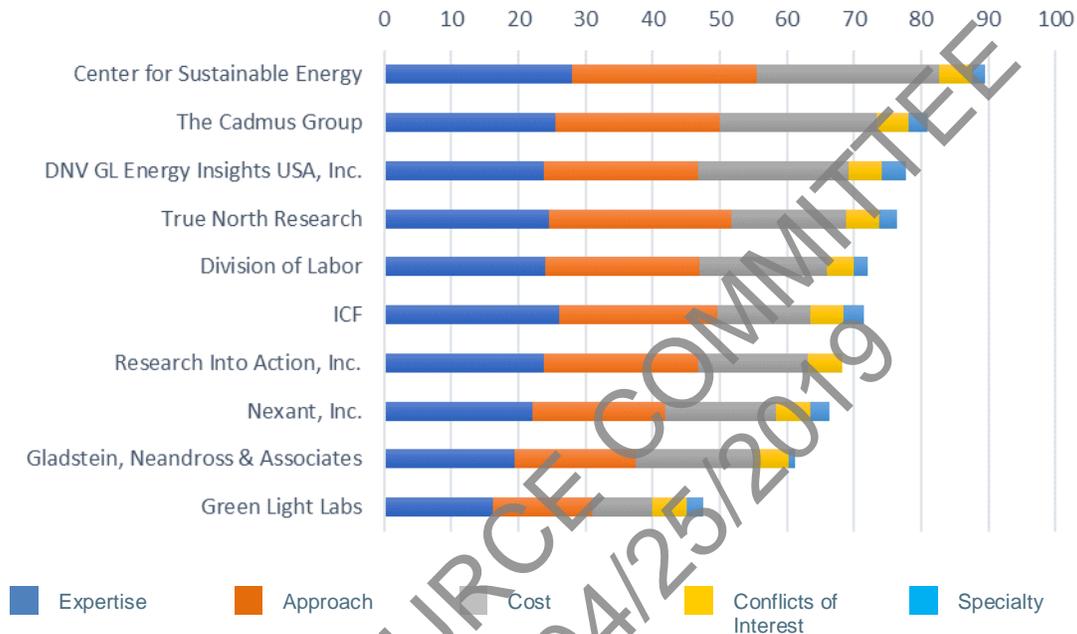
Ten organizations submitted proposals by the application deadline (February 1, 2019). A panel of five Air District staff and one staff member from the Metropolitan Transportation Commission performed a thorough evaluation of proposals based on the following criteria:

- Expertise – Expertise and experience of the organization and personnel assigned to RFP tasks; organization’s ability to perform and complete the work in a professional and timely manner (30 points)
- Approach – Responsiveness of the proposal, based upon a clear understanding of the work to be performed, related challenges, and plans to mitigate those challenges (30 points)
- Cost – Cost or cost effectiveness and resource allocation strategy, including completeness and level of detail in budget, percent of administrative and overhead costs, and whether there is cost-share (30 points)
- Conflicts of Interest – Conflicts of interest are addressed (5 points)

- Organization’s Specialty Focus Area – Local organizations headquartered in the Air District’s jurisdiction and those that are certified as green businesses by a local government agency or independent private rating organization. (5 points)

The panelists average scores are summarized in Figure 1 below.

Figure 1. Average Scores for Submitted Proposals



The Center for Sustainable Energy (CSE) received the highest average score of 89.6 for their proposal and had one of the lowest cost and most cost-effective proposed budgets. Because CSE has worked extensively with EV consumers and incentive programs, this scope or work will build from their extensive knowledge and data.

CSE is a 501(c)(3) non-profit, that has designed and successfully implemented dozens of innovative sustainable energy market development programs in support of our goal to transform the market for clean transportation and sustainable energy. CSE designs and executes research to help clients understand distributed energy and transportation markets, the impacts of their programs on those markets, and opportunities to use data to inform program design and operations. Their research services include all phases of design, execution and analysis; surveys, focus groups and interviews; market assessments; program evaluation and reports and presentations.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 26, 2019

Re: Report of the Stationary Source Committee Meeting of April 29, 2019

RECOMMENDED ACTION

The Stationary Source Committee (Committee) will receive only informational items and have no recommendations of approval by the Board of Directors (Board).

BACKGROUND

The Committee will meet on Monday, April 29, 2019, and will receive the following reports:

- A) Update on Monitoring Activities at Refineries and in Nearby Communities; and
- B) Update on the Implementation of Regulation 12, Rule 15 – Petroleum Refinery Emissions and Regulation 6, Rule 5 – Particulate Matter from Fluidized Catalytic Cracking Units at Refineries.

Chairperson Rod Sinks will provide an oral report of the Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

A) None; and

B) None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Aloha Galimba
Reviewed by: Vanessa Johnson

Attachment 18A: 04/29/2019 – Stationary Source Committee Meeting Agenda #4
Attachment 18B: 04/29/2019 – Stationary Source Committee Meeting Agenda #5

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Rod Sinks and Members
of the Stationary Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 17, 2019

Re: Update on Monitoring Activities at Refineries and in Nearby Communities

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Monitoring of specific sources (in-stack monitors) and monitoring along fence lines has been in place at refineries for decades. This has allowed the Air District to determine compliance with emission limits at specific sources and reduce impacts to nearby residents and businesses.

On April 20, 2016, the Board of Directors (Board) adopted Regulation 12, Rule 15: Petroleum Refining Emissions Tracking (Rule 12-15) a first in the nation regulation, that required additional fence line monitoring, among other requirements such as requiring a more standardized approach to determine emissions inventories and documenting characteristics of crude oils being processed at a refinery. As part of this regulatory action, the Board directed staff to establish an additional air monitoring station in each of the five refinery communities to be operated by Air District staff.

DISCUSSION

The Air District uses in-stack Continuous Emission Monitors (CEMs) that must meet specific and stringent requirements to ensure accuracy to measure emissions directly from sources. The purpose of these monitors is to ensure that emission limits in permits and regulations are constantly met. The Air District also requires refineries to install fence line monitoring called Ground Level Monitors (GLMs) to ensure that concentrations of hydrogen sulfide (H₂S) and sulfur dioxide (SO₂) do not exceed regulatory limits. The purpose of these monitors is to measure ground level concentrations that may impact local populations.

Technological improvements in a measurement technique known as Open Path (OP) measurement, in which a beam of light is passed between two points and can measure specific compounds that pass through the length of the beam, has made this an attractive alternative to traditional GLM monitoring that measures at only a single point. While the goal of using this measurement technique is the same as that for GLMs, the technique allows for greater measurement coverage along the entire path of the light beam which can be as long as 1,000 meters.

However, populations living and working near refineries voiced concerns that ground level emissions from refineries were not being adequately measured and that general air quality in refinery communities was not represented by the current air monitoring network. Staff incorporated additional monitoring requirements into Rule 12-15 to address these concerns. Original drafts of Rule 12-15 required that refineries establish air monitoring stations in nearby communities in addition to requiring open path monitoring along the refinery fence line. However, due to concerns about having refineries operating these “community monitors,” the Board directed staff to operate and maintain an additional air monitoring station in each refinery community.

The Air District’s Board of Directors also adopted amendments to Regulation 3: Fees, to pay for review of fence line air monitoring and quality assurance plans, and for installation, operation and maintenance of air monitoring stations within the five Bay Area refinery communities.

Staff will provide the Committee with an update on progress in installing both fence line monitoring at refineries and establishment of air monitoring stations in refinery communities.

BUDGET CONSIDERATIONS/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jerry Boyce
Reviewed by: Wayne Kino

STATIONARY SOURCE COMMITTEE
MEETING OF 04/29/2019

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Rod Sinks and Members
of the Stationary Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 17, 2019

Re: Update on the Implementation of Regulation 12, Rule 15 – Petroleum Refinery Emissions and Regulation 6, Rule 5 – Particulate Matter from Fluidized Catalytic Cracking Units at Refineries

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Petroleum refineries are significant sources of pollutants on both the global (greenhouse gases) and regional/local scale (toxic air contaminants and criteria pollutants). Many Bay Area residents have expressed concern about the impact of this pollution on the climate, environment and public health.

Regulation 12, Rule 15 (Petroleum Refinery Emissions Tracking) and Regulation 6, Rule 5 (Particulate Emissions from Refinery Fluidized Catalytic Cracking Units) were adopted by the Board of Directors on December 2015 and later amended in December 2018. The purpose of Regulation 12, Rule 15 is to “Track air emissions and crude oil composition characteristics from Petroleum Refineries and Support Facilities over time...” while the purpose of Regulation 6, Rule 5 is to limit emissions of condensable particulate matter and precursors of secondary particulate matter from petroleum refinery fluidized catalytic cracking units.

DISCUSSION

Currently, there are five petroleum refineries and three support facilities located in the Bay Area within the jurisdiction of the Air District, these are as follows:

1. Chevron Products Company, Richmond (BAAQMD Plant #10)
2. Phillips 66 Company – San Francisco Refinery, Rodeo (BAAQMD Plant #21359)
3. Shell Martinez Refinery, Martinez (BAAQMD Plant #11)
4. Tesoro Refining and Marketing Company, Martinez (BAAQMD Plant #14628)
5. Valero Refining Company – California, Benicia (BAAQMD Plant #12626)
6. Chemtrade West US LLC – Richmond (BAAQMD Plant # 23)
7. Air Liquide Large Industries US LP – Rodeo (BAAQMD Plant # 17419)

8. Air Products & Chemicals, Inc. – Martinez (BAAQMD Plant # 10295)

The petroleum refineries process crude oil into a variety of products such as gasoline, aviation fuel, diesel and other fuel oils, lubricating oils, and feedstocks for the petrochemical industry. Four of the five petroleum refineries have fluidized catalytic cracking units.

The support facilities provide materials such as sulfuric acid or hydrogen that are needed in various petroleum refinery processes.

As part of this agenda item, staff will provide the committee an update on the implementation of Regulation 12, Rule 15 and Regulation 6, Rule 5.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectively submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Pamela Leong
Reviewed by: Damien Breen

STATIONARY SOURCE COMMITTEE
MEETING OF 04/29/2019

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 17, 2019

Re: Public Hearing to Receive Testimony on Proposed Amendments to Air District
Regulation 3: Fees

RECOMMENDED ACTION

Staff recommends that the Board of Directors (Board) receive testimony on proposed amendments to Air District Regulation 3 that would apply in the upcoming Fiscal Year Ending (FYE) 2020. A second public hearing, which has been scheduled for June 5, 2019 is required prior to adoption.

BACKGROUND

Staff develops recommended amendments to the Air District's fee regulation as part of the budget preparation process. On March 7, 2012, the Board of Directors adopted a Cost Recovery Policy that established a goal of increasing fee revenue sufficient to achieve a minimum of 85 percent recovery of regulatory program costs. Progress towards this target is reported to the Board annually by staff and is periodically reviewed by outside consultants.

DISCUSSION

Consistent with the Cost Recovery Policy, draft amendments to specific fee schedules were made in consideration of the June 30, 2018, Matrix Consultant Group cost recovery analysis. This work, conducted at the fee schedule-level, recommends larger increases being proposed for the schedules that have larger cost recovery gaps.

Existing fee schedules would be amended as follows:

- 3.9 percent increase for fee schedules that are recovering 95 to 110 percent of costs.
- 7 percent increase for fee schedules that are recovering 85 to 94 percent of costs.
- 8 percent increase for fee schedules that are recovering 75 to 84 percent of costs.
- 9 percent increase for fee schedules that are recovering 50 to 74 percent of costs.
- 15 percent increase for fee schedules that are recovering less than 50 percent of costs.

A number of fees that are administrative in nature; permit application filing fees, alternative compliance plan fees, permit to operate renewal processing fees, transfer fees, emissions banking filing and withdrawal fees, school public notice fees, toxic inventory maximum fees, and exemption fees would be increased by 3.9 percent. The annual Consumer Price Index for Bay Area Urban Wage Earners and Clerical Workers (CPI-W) increased 3.9 percent from 2018 to 2019.

The following additional amendments are proposed:

- Revise Section 3-302 to specify that for those applicants that qualify for both the Small Business Discount (50%) and Green Business Discount (10%), only the 50% higher discount shall be applied.
- Revise Section 3-304, Alteration, to clarify that the risk assessment fee shall only be charged when the alteration required a health risk assessment.
- Revise Section 3-311 to align the current rule language with established Air District practice for applying banking fees to emission reduction credit transactions.
- Add Section 3-343, Fees for Air Dispersion Modeling, to recover the Air District's costs for conducting, reviewing, or approving air dispersion modeling done to meet a District regulatory requirement (e.g., for demonstrating compliance with Regulation 9 Inorganic Gaseous Pollutants, Rule 2 Hydrogen Sulfide requirements, Regulation 2-2-308 NAAQS Protection Requirement).
- Revise Section 3-405.5 to reduce additional late fees charged to invoices for registration and other fees which are more than 30 days late. Historically, these delinquent fees have been assessed at a disproportionately high rate to small businesses such as gasoline dispensing facilities, dry cleaners, and auto body shops. To reduce this burden on small businesses, the proposed amendment lowers this delinquent fee from 50% to 25%.
- Fee Schedule changes:
 - Increase Fee Schedule D, Gasoline Transfer at Gasoline Dispensing Facilities, Bulk Plants and Terminals, by 6%, even though cost recovery would have allowed an 8% increase, since many gasoline dispensing facilities are small businesses.
 - Revise Fee Schedule E, Solvent Evaporating Sources, to clarify when the minimum and maximum fees apply for each source.
 - Revise Fee Schedule L, Asbestos Operations, to delete the fee specific to mastic removal by mechanical buffers to assess fees for such work at the same rate as for other regulated asbestos containing material removal work.

- Revise Fee Schedule N, Toxics Inventory Fees, to recover the Air District's costs for Assembly Bill 2588 (AB 2588) fees to be paid to the California Air Resources Board and for staff to conduct the Air District's AB 2588 work.
- Revise Fee Schedule S, Naturally Occurring Asbestos Operation, to include a fee of \$325 to recover the costs for reviewing, processing, and approving amendments to existing Asbestos Dust Mitigation Plans (ADMPs). Also, revise Section 3-332 to clarify that persons required to amend ADMPs shall pay the fees set out in Fee Schedule S.

Staff will provide the committee with additional details regarding the proposed fee amendments, overall cost recovery and the proposed 6.4 percent average fee increase for the upcoming fiscal year. A summary of public comments received to date will be provided.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The proposed fee amendments would increase fee revenue in FYE 2020 by an estimated \$2.74 million from revenue that would otherwise result without a fee increase.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Barry Young
Reviewed by: Pamela Leong, Damian Breen, Jeff McKay

Attachment 19A: Proposed Regulation 3: Fees

**REGULATION 3
FEES
INDEX**

3-100 GENERAL

- 3-101 Description
- 3-102 Deleted July 12, 1989
- 3-103 Exemption, Abatement Devices
- 3-104 Deleted August 2, 1995
- 3-105 Exemption, Excavation of Contaminated Soil and Removal of Underground Storage Tank
Operation Fees
- 3-106 Deleted December 2, 1998
- 3-107 Exemption, Sources Exempt from Permit Requirements

3-200 DEFINITIONS

- 3-201 Cancelled Application
- 3-202 Gasoline Dispensing Facility
- 3-203 Filing Fee
- 3-204 Initial Fee
- 3-205 Authority to Construct
- 3-206 Modification
- 3-207 Permit to Operate Fee
- 3-208 Deleted June 4, 1986
- 3-209 Small Business
- 3-210 Solvent Evaporating Source
- 3-211 Source
- 3-212 Deleted August 2, 1995
- 3-213 Major Stationary Source
- 3-214 Deleted effective March 1, 2000
- 3-215 Deleted effective March 1, 2000
- 3-216 Deleted effective March 1, 2000
- 3-217 Deleted effective March 1, 2000
- 3-218 Deleted effective March 1, 2000
- 3-219 Deleted effective March 1, 2000
- 3-220 Deleted effective March 1, 2000
- 3-321 Deleted effective March 1, 2000
- 3-222 Deleted effective March 1, 2000
- 3-223 Start-up Date
- 3-224 Permit to Operate
- 3-225 Deleted June 3, 2015
- 3-226 Air Toxics "Hot Spots" Information and Assessment Act of 1987
- 3-227 Toxic Air Contaminant, or TAC
- 3-228 Deleted December 2, 1998
- 3-229 Deleted December 2, 1998
- 3-230 Deleted December 2, 1998
- 3-231 Deleted December 2, 1998
- 3-232 Deleted December 2, 1998
- 3-233 Deleted December 2, 1998
- 3-234 Deleted December 2, 1998
- 3-235 Deleted December 2, 1998
- 3-236 Deleted December 2, 1998
- 3-237 PM₁₀
- 3-238 Risk Assessment Fee

- 3-239 Toxic Surcharge
- 3-240 Biogenic Carbon Dioxide
- 3-241 Green Business
- 3-242 Incident
- 3-243 Incident Response
- 3-244 Permit to Operate Renewal Date
- 3-245 Permit Renewal Period

3-300 STANDARDS

- 3-301 Hearing Board Fees
- 3-302 Fees for New and Modified Sources
- 3-303 Back Fees
- 3-304 Alteration
- 3-305 Cancellation or Withdrawal
- 3-306 Change in Conditions
- 3-307 Transfers
- 3-308 Change of Location
- 3-309 Deleted June 21, 2017
- 3-310 Fee for Constructing Without a Permit
- 3-311 Banking
- 3-312 Emission Caps and Alternative Compliance Plans
- 3-313 Deleted May 19, 1999
- 3-314 Deleted August 2, 1995
- 3-315 Costs of Environmental Documentation
- 3-316 Deleted June 6, 1990
- 3-317 Asbestos Operation Fee
- 3-318 Public Notice Fee, Schools
- 3-319 Major Stationary Source Fees
- 3-320 Toxic Inventory Fees
- 3-321 Deleted December 2, 1998
- 3-322 Excavation of Contaminated Soil and Removal of Underground Storage Tank Operation Fees
- 3-323 Pre-Certification Fees
- 3-324 Deleted June 7, 2000
- 3-325 Deleted December 2, 1998
- 3-326 Deleted December 2, 1998
- 3-327 Permit to Operate, Renewal Fees
- 3-328 Fee for OEHHA Risk Assessment Reviews
- 3-329 Fees for New Source Review Health Risk Assessment
- 3-330 Fee for Renewing an Authority to Construct
- 3-331 Registration Fees
- 3-332 Naturally Occurring Asbestos Fees
- 3-333 Major Facility Review (MFR) and Synthetic Minor Application Fees
- 3-334 Greenhouse Gas Fees
- 3-335 Indirect Source Review Fees
- 3-336 Open Burning Operation Fees
- 3-337 Exemption Fees
- 3-338 Incident Response Fees
- 3-339 Petroleum Refining Emissions Tracking Fees
- 3-340 Major Stationary Source Community Air Monitoring Fees
- 3-341 Fee for Risk Reduction Plan
- 3-342 Fee for Facility-Wide Health Risk Assessment
- 3-343 Fees for Air Dispersion Modeling

3-400 ADMINISTRATIVE REQUIREMENTS

- 3-401 Permits
- 3-402 Single Anniversary Date
- 3-403 Change in Operating Parameters
- 3-404 Deleted June 7, 2000
- 3-405 Fees Not Paid
- 3-406 Deleted June 4, 1986
- 3-407 Deleted August 2, 1995
- 3-408 Permit to Operate Valid for 12 Months
- 3-409 Deleted June 7, 2000
- 3-410 Deleted August 2, 1995
- 3-411 Advance Deposit of Funds
- 3-412 Deleted December 2, 1998
- 3-413 Toxic "Hot Spots" Information and Assessment Act Revenues
- 3-414 Deleted December 2, 1998
- 3-415 Failure to Pay - Further Actions
- 3-416 Adjustment of Fees
- 3-417 Temporary Amnesty for Unpermitted and Unregistered Sources
- 3-418 Temporary Incentive for Online Production System Transactions

3-500 MONITORING AND RECORDS (None Included)

3-600 MANUAL OF PROCEDURES (None Included)

FEE SCHEDULES

- SCHEDULE A HEARING BOARD FEES
- SCHEDULE B COMBUSTION OF FUEL
- SCHEDULE C STATIONARY CONTAINERS FOR THE STORAGE OF ORGANIC LIQUIDS
- SCHEDULE D GASOLINE TRANSFER AT GASOLINE DISPENSING FACILITIES, BULK PLANTS AND TERMINALS
- SCHEDULE E SOLVENT EVAPORATING SOURCES
- SCHEDULE F MISCELLANEOUS SOURCES
- SCHEDULE H SEMICONDUCTOR AND RELATED OPERATIONS
- SCHEDULE I DRY CLEANERS
- SCHEDULE J DELETED February 19, 1992
- SCHEDULE K SOLID WASTE DISPOSAL SITES
- SCHEDULE L ASBESTOS OPERATIONS
- SCHEDULE M MAJOR STATIONARY SOURCE FEES
- SCHEDULE N TOXIC INVENTORY FEES
- SCHEDULE O DELETED May 19, 1999
- SCHEDULE P MAJOR FACILITY REVIEW FEES
- SCHEDULE Q EXCAVATION OF CONTAMINATED SOIL AND REMOVAL OF UNDERGROUND STORAGE TANKS
- SCHEDULE R EQUIPMENT REGISTRATION FEES
- SCHEDULE S NATURALLY OCCURRING ASBESTOS OPERATIONS
- SCHEDULE T GREENHOUSE GAS FEES
- SCHEDULE U INDIRECT SOURCE REVIEW FEES
- SCHEDULE V OPEN BURNING
- SCHEDULE W PETROLEUM REFINING EMISSIONS TRACKING FEES
- SCHEDULE X MAJOR STATIONARY SOURCE COMMUNITY AIR MONITORING FEES

REGULATION 3 FEES

(Adopted June 18, 1980)

3-100 GENERAL

3-101 Description: This regulation establishes the regulatory fees charged by the District.

(Amended 7/6/83; 11/2/83; 2/21/90; 12/16/92; 8/2/95; 12/2/98; 5/21/03; 5/21/08; 5/20/09; 6/19/13)

3-102 Deleted July 12, 1989

3-103 Exemption, Abatement Devices: Installation, modification, or replacement of abatement devices on existing sources are subject to fees pursuant to Section 3-302.3. All abatement devices are exempt from annual permit renewal fees. However, emissions from abatement devices, including any secondary emissions, shall be included in facility-wide emissions calculations when determining the applicability of and the fees associated with Schedules M, N, P, and T.

(Amended 6/4/86; 7/1/98; 6/7/00; 5/21/08)

3-104 Deleted August 2, 1995

3-105 Exemption, Excavation of Contaminated Soil and Removal of Underground Storage Tank Operation Fees: Fees shall not be required, pursuant to Section 3-322, for operations associated with the excavation of contaminated soil and the removal of underground storage tanks if one of the following is met:

105.1 The tank removal operation is being conducted within a jurisdiction where the APCO has determined that a public authority has a program equivalent to the District program and persons conducting the operations have met all the requirements of the public authority.

105.2 Persons submitting a written notification for a given site have obtained an Authority to Construct or Permit to Operate in accordance with Regulation 2, Rule 1, Section 301 or 302. Evidence of the Authority to Construct or the Permit to Operate must be provided with any notification required by Regulation 8, Rule 40.

(Adopted 1/5/94; Amended 5/21/03)

3-106 Deleted December 2, 1998

3-107 Exemption, Sources Exempt from Permit Requirements: Any source that is exempt from permit requirements pursuant to Regulation 2, Rule 1, Sections 103 through 128 is exempt from permit fees. However, emissions from exempt sources shall be included in facility-wide emissions calculations when determining the applicability of and the fees associated with Schedules M, N, and P.

(Adopted June 7, 2000)

3-200 DEFINITIONS

3-201 Cancelled Application: Any application which has been withdrawn by the applicant or cancelled by the APCO for failure to pay fees or to provide the information requested to make an application complete.

(Amended 6/4/86; 4/6/88)

3-202 Gasoline Dispensing Facility: Any stationary facility which dispenses gasoline directly into the fuel tanks of vehicles, such as motor vehicles, aircraft or boats. The facility shall be treated as a single source which includes all necessary equipment for the exclusive use of the facility, such as nozzles, dispensers, pumps, vapor return lines, plumbing and storage tanks.

(Amended February 20, 1985)

3-203 Filing Fee: A fixed fee for each source in an authority to construct.

(Amended June 4, 1986)

3-204 Initial Fee: The fee required for each new or modified source based on the type and size of the source. The fee is applicable to new and modified sources seeking to obtain an authority to construct. Operation of a new or modified source is not allowed until the permit to operate fee is paid.

(Amended June 4, 1986)

- 3-205 Authority to Construct:** Written authorization from the APCO, pursuant to Section 2-1-301, for a source to be constructed or modified or for a source whose emissions will be reduced by the construction or modification of an abatement device.
(Amended June 4, 1986)
- 3-206 Modification:** See Section 1-217 of Regulation 1.
- 3-207 Permit to Operate Fee:** The fee required for the annual renewal of a permit to operate or for the first year of operation (or prorated portion thereof) of a new or modified source which received an authority to construct.
(Amended 6/4/86; 7/15/87; 12/2/98; 6/7/00)
- 3-208 Deleted June 4, 1986**
- 3-209 Small Business:** A business with no more than 10 employees and gross annual income of no more than \$750,000 that is not an affiliate of a non-small business.
(Amended 6/4/86; 6/6/90; 6/7/00; 6/15/05; 6/16/10)
- 3-210 Solvent Evaporating Source:** Any source utilizing organic solvent, as part of a process in which evaporation of the solvent is a necessary step. Such processes include, but are not limited to, solvent cleaning operations, painting and surface coating, rotogravure coating and printing, flexographic printing, adhesive laminating, etc. Manufacture or mixing of solvents or surface coatings is not included.
(Amended July 3, 1991)
- 3-211 Source:** See Section 1-227 of Regulation 1.
- 3-212 Deleted August 2, 1995**
- 3-213 Major Stationary Source:** For the purpose of Schedule M, a major stationary source shall be any District permitted plant, building, structure, stationary facility or group of facilities under the same ownership, leasehold, or operator which, in the base calendar year, emitted to the atmosphere organic compounds, oxides of nitrogen (expressed as nitrogen dioxide), oxides of sulfur (expressed as sulfur dioxide), or PM₁₀ in an amount calculated by the APCO equal to or exceeding 50 tons per year.
(Adopted 11/2/83; Amended 2/21/90; 6/6/90; 8/2/95; 6/7/00)
- 3-214 Deleted October 20, 1999, effective March 1, 2000**
- 3-215 Deleted October 20, 1999, effective March 1, 2000**
- 3-216 Deleted October 20, 1999, effective March 1, 2000**
- 3-217 Deleted October 20, 1999, effective March 1, 2000**
- 3-218 Deleted October 20, 1999, effective March 1, 2000**
- 3-219 Deleted October 20, 1999, effective March 1, 2000**
- 3-220 Deleted October 20, 1999, effective March 1, 2000**
- 3-221 Deleted October 20, 1999, effective March 1, 2000**
- 3-222 Deleted October 20, 1999, effective March 1, 2000**
- 3-223 Start-up Date:** Date when new or modified equipment under an authority to construct begins operating. The holder of an authority to construct is required to notify the APCO of this date at least 3 days in advance. For new sources, or modified sources whose authorities to construct have expired, operating fees are charged from the startup date.
(Adopted 6/4/86; Amended 6/6/90)
- 3-224 Permit to Operate:** Written authorization from the APCO pursuant to Section 2-1-302.
(Adopted 6/4/86; Amended 6/7/00)
- 3-225 Deleted June 3, 2015**
- 3-226 Air Toxics "Hot Spots" Information and Assessment Act of 1987:** The Air Toxics "Hot Spots" Information and Assessment Act of 1987 directs the California Air Resources Board and the Air Quality Management Districts to collect information from industry on emissions of potentially toxic air contaminants and to inform the public about such emissions and their impact on public health. It also directs the Air Quality Management District to collect fees sufficient to cover the necessary state and District costs of implementing the program.
(Adopted 10/21/92; Amended 6/15/05)
- 3-227 Toxic Air Contaminant, or TAC:** An air pollutant that may cause or contribute to an increase in mortality or in serious illness or that may pose a present or potential hazard to human health. For the purposes of this rule, TACs consist of the substances listed in Table 2-5-1 of Regulation 2, Rule 5.
(Adopted 10/21/92; Amended 6/15/05)

- 3-228 Deleted December 2, 1998
 3-229 Deleted December 2, 1998
 3-230 Deleted December 2, 1998
 3-231 Deleted December 2, 1998
 3-232 Deleted December 2, 1998
 3-233 Deleted December 2, 1998
 3-234 Deleted December 2, 1998
 3-235 Deleted December 2, 1998
 3-236 Deleted December 2, 1998
 3-237 **PM₁₀**: See Section 2-1-229 of Regulation 2, Rule 1. *(Adopted June 7, 2000)*
- 3-238 **Risk Assessment Fee**: Fee for a new or modified source of toxic air contaminants for which a health risk assessment (HRA) is required under Regulation 2-5-401, for an HRA required under Regulation 11, Rule 18, or for an HRA prepared for other purposes (e.g., for determination of permit exemption in accordance with Regulations 2-1-316, 2-5-301 and 2-5-302; or for determination of exemption from emission control requirements pursuant to Regulation 8-47-113 and 8-47-402). *(Adopted June 15, 2005; Amended: June 21, 2017)*
- 3-239 **Toxic Surcharge**: Fee paid in addition to the permit to operate fee for a source that emits one or more toxic air contaminants at a rate which exceeds a chronic trigger level listed in Table 2-5-1. *(Adopted June 15, 2005)*
- 3-240 **Biogenic Carbon Dioxide**: Carbon dioxide emissions resulting from materials that are derived from living cells, excluding fossil fuels, limestone and other materials that have been transformed by geological processes. Biogenic carbon dioxide originates from carbon (released in the form of emissions) that is present in materials that include, but are not limited to, wood, paper, vegetable oils, animal fat, and food, animal and yard waste. *(Adopted May 21, 2008)*
- 3-241 **Green Business**: A business or government agency that has been certified under the Bay Area Green Business Program coordinated by the Association of Bay Area Governments and implemented by participating counties. *(Adopted June 16, 2010)*
- 3-242 **Incident**: A non-routine release of an air contaminant that may cause adverse health consequences to the public or to emergency personnel responding to the release, or that may cause a public nuisance or off-site environmental damage. *(Adopted June 19, 2013)*
- 3-243 **Incident Response**: The District's response to an incident. The District's incident response may include the following activities: i) inspection of the incident-emitting equipment and facility records associated with operation of the equipment; ii) identification and analysis of air quality impacts, including without limitation, identifying areas impacted by the incident, modeling, air monitoring, and source sampling; iii) engineering analysis of the specifications or operation of the equipment; and iv) administrative tasks associated with processing complaints and reports. *(Adopted June 19, 2013)*
- 3-244 **Permit to Operate Renewal Date**: The first day of a Permit to Operate's Permit Renewal Period. *(Adopted June 19, 2013)*
- 3-245 **Permit Renewal Period**: The length of time the source is authorized to operate pursuant to a Permit to Operate. *(Adopted June 19, 2013)*
- 3-300 **STANDARDS**
- 3-301 **Hearing Board Fees**: Applicants for variances or appeals or those seeking to revoke or modify variances or abatement orders or to rehear a Hearing Board decision shall pay the applicable fees, including excess emission fees, set forth in Schedule A. *(Amended June 7, 2000)*
- 3-302 **Fees for New and Modified Sources**: Applicants for authorities to construct and permits to operate new sources shall pay for each new source: a filing fee of ~~\$489508~~, the initial fee, the

risk assessment fee, the permit to operate fee, and toxic surcharge (given in Schedules B, C, D, E, F, H, I or K). Applicants for authorities to construct and permits to operate modified sources shall pay for each modified source, a filing fee of \$489~~508~~, the initial fee, the risk assessment fee, and any incremental increase in permit to operate and toxic surcharge fees. Where more than one of the schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. If any person requests more than three HRA scenarios required pursuant to Regulation 2, Rule 5 in any single permit application, they shall pay an additional risk assessment fee for each of these scenarios. Except for gasoline dispensing facilities (Schedule D) and semiconductor facilities (Schedule H), the size to be used for a source when applying the schedules shall be the maximum size the source will have after the construction or modification. Where applicable, fees for new or modified sources shall be based on maximum permitted usage levels or maximum potential to emit including any secondary emissions from abatement equipment. The fee rate applied shall be based on the fee rate in force on the date the application is declared by the APCO to be complete according to 2-1-402, excluding 2-1-402.3 fees. The APCO may reduce the fees for new and modified sources by an amount deemed appropriate if the owner or operator of the source attends an Industry Compliance School sponsored by the District.

302.1 **Small Business Discount:** If an applicant qualifies as a small business and the source falls under schedules B, C, D (excluding gasoline dispensing facilities), E, F, H, I or K, the filing fee, initial fee, and risk assessment fee shall be reduced by 50%. All other applicable fees shall be paid in full. If an applicant also qualifies for a Green Business Discount, only the Small Business Discount (i.e., the 50% discount) shall apply.

302.2 Deleted July 3, 1991

302.3 **Fees for Abatement Devices:** Applicants for an authority to construct and permit to operate abatement devices where there is no other modification to the source shall pay a \$489~~508~~ filing fee and initial and risk assessment fees that are equivalent to 50% of the initial and risk assessment fees for the source being abated, not to exceed a total of \$10,588. For abatement devices abating more than one source, the initial fee shall be 50% of the initial fee for the source having the highest initial fee.

302.4 **Fees for Reactivated Sources:** Applicants for a Permit to Operate reactivated, previously permitted equipment shall pay the full filing, initial, risk assessment, permit, and toxic surcharge fees.

302.5 Deleted June 3, 2015

302.6 **Green Business Discount:** If an applicant qualifies as a green business, the filing fee, initial fee, and risk assessment fee shall be reduced by 10%. All other applicable fees shall be paid in full.

(Amended 5/19/82; 7/6/83; 6/4/86; 7/15/87; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17; 6/6/18, TBD)

3-303 Back Fees: An applicant required to obtain a permit to operate existing equipment in accordance with District regulations shall pay back fees equal to the permit to operate fees and toxic surcharges given in the appropriate Schedule (B, C, D, E, F, H, I or K) prorated from the effective date of permit requirements. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. The applicant shall also pay back fees equal to toxic inventory fees pursuant to Section 3-320 and Schedule N. The maximum back fee shall not exceed a total of five years' permit, toxic surcharge, and toxic inventory fees. An owner/operator required to register existing equipment in accordance with District regulations shall pay back fees equal to the annual renewal fee given in Schedule R prorated from the effective date of registration requirements, up to a maximum of five years.

(Amended 5/19/82; 7/6/83; 6/4/86; 7/15/87; 6/6/90; 7/3/91; 10/8/97; 6/15/05; 5/20/09)

3-304 Alteration: Except as provided below, an applicant to alter an existing permitted source shall pay the filing fee and 50% of the initial fee for the source, provided that the alteration does not result in an increase in emissions of any regulated air pollutant. For gasoline dispensing facilities subject to Schedule D, an applicant for an alteration shall pay a fee of 1.75 times the filing fee.

304.1 **Schedule D Fees:** Applicants for alteration to a gasoline dispensing facility subject to Schedule D shall pay a fee of 1.75 times the filing fee.

304.2 Schedule G Fees: Applicants for alteration to a permitted source subject to Schedule G-3, G-4, or G-5 shall pay the filing fee, 100% of the initial fee, and, if District regulations require a health risk assessment of the alteration, the risk assessment fee (if applicable), as specified under ~~provided for in~~ Schedule G-2. The applicant shall pay the permit renewal and the toxic surcharge fees applicable to the source under Schedules G-3, G-4, or G-5.

(Amended 6/4/86; 11/15/00; 6/2/04; 6/3/15, 6/15/16, 6/6/18, TBD)

3-305 Cancellation or Withdrawal: There will be no refund of the initial fee and filing fee if an application is cancelled or withdrawn. There will be no refund of the risk assessment fee if the risk assessment has been conducted prior to the application being cancelled or withdrawn. If an application for identical equipment is submitted within six months of the date of cancellation or withdrawal, the initial fee will be credited in full against the fee for the new application.

(Amended 7/6/83; 4/6/88; 10/8/97; 6/15/05, 6/21/17)

3-306 Change in Conditions: If an applicant applies to change the conditions on an existing authority to construct or permit to operate, the applicant will pay the following fees. There will be no change in anniversary date.

306.1 Administrative Condition Changes: An applicant applying for an administrative change in permit conditions shall pay a fee equal to the filing fee for a single source, provided the following criteria are met:

- 1.1 The condition change applies to a single source or a group of sources with shared permit conditions.
- 1.2 The condition change does not subject the source(s) to any District Regulations or requirements that were not previously applicable.
- 1.3 The condition change does not result in any increase in emissions of POC, NPOC, NO_x, CO, SO₂, or PM₁₀ at any source or the emission of a toxic air contaminant above the trigger levels identified in Table 2-5-1
- 1.4 The condition change does not require a public notice.

306.2 Other Condition Changes: Applicant shall pay the filing, initial, and risk assessment fees required for new and modified equipment under Section 3-302. If the condition change will result in higher permit to operate fees, the applicant shall also pay any incremental increases in permit to operate fees and toxic surcharges.

(Amended 7/6/83; 6/4/86; 6/6/90; 10/8/97; 6/7/00; 6/15/05, 6/21/17)

3-307 Transfers: The owner/operator of record is the person to whom a permit is issued or, if no permit has yet been issued to a facility, the person who applied for a permit. Permits are valid only for the owner/operator of record. Upon submittal of a \$102 transfer of ownership fee, permits are re-issued to the new owner/operator of record with no change in expiration dates.

(Amended 2/20/85; 6/4/86; 11/5/86; 4/6/88; 10/8/97, 5/1/02; 5/21/03; 6/02/04; 6/19/13; 6/4/14, 6/15/16)

3-308 Change of Location: An applicant who wishes to move an existing source, which has a permit to operate, shall pay no fee if the move is on the same facility. If the move is not on the same facility, the source shall be considered a new source and subject to Section 3-302. This section does not apply to portable permits meeting the requirements of Regulation 2-1-220 and 413.

(Amended 7/6/83; 6/4/86; 6/15/05)

3-309 Deleted June 21, 2017

(Amended 5/19/99; 5/1/02; 5/21/03; 6/02/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17)

3-310 Fee for Constructing Without a Permit: An applicant for an authority to construct and a permit to operate a source, which has been constructed or modified without an authority to construct, shall pay the following fees:

310.1 Sources subject to permit requirements on the date of initial operation shall pay fees for new construction pursuant to Section 3-302, any back fees pursuant to Section 3-303, and a late fee equal to 100% of the initial fee. A modified gasoline dispensing facility subject to Schedule D that is not required to pay an initial fee shall pay fees for a modified source pursuant to Section 3-302, back fees, and a late fee equal to 100% of the filing fee.

310.2 Sources previously exempt from permit requirements that lose their exemption due to changes in District, state, or federal regulations shall pay a permit to operate fee and toxic surcharge for the coming year and any back fees pursuant to Section 3-303.

- 310.3 Sources previously exempt from permit requirements that lose their exemption due to a change in the manner or mode of operation, such as an increased throughput, shall pay fees for new construction pursuant to Section 3-302. In addition, sources applying for permits after commencing operation in a non-exempt mode shall also pay a late fee equal to 100% of the initial fee and any back fees pursuant to Section 3-303.
- 310.4 Sources modified without a required authority to construct shall pay fees for modification pursuant to Section 3-302 and a late fee equal to 100% of the initial fee.
(Amended 7/6/83; 4/18/84; 6/4/86; 6/6/90; 7/3/91; 8/2/95; 10/8/97; 6/02/04; 6/15/05; 6/6/12)
- 3-311 Emission Banking Fees:** ~~Any An~~ applicant ~~who applies~~wishes to bank emissions for future use, ~~or to convert an emission reduction credit (ERC) ERC~~ into an Interchangeable Emission Reduction Credit (IERC), ~~or to transfer ownership of ERCs~~ shall pay the following fees:
- 311.1 Banking ERCs: ~~An applicant who wishes to bank emissions for future use shall pay a~~ filing fee of ~~\$508~~489 per source plus the initial fee given in Schedules B, C, D, E, F, H, I or K. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. ~~Any applicant for the withdrawal of banked emissions shall pay a fee of \$489.~~
- 311.2 Converting Existing ERCs: ~~An applicant who wishes to convert an existing ERC into an IERC shall pay a filing fee of \$508 per source plus the initial fee given in Schedules B, C, D, E, F, H, I or K. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules.~~
- 311.3 Transferring ERC Ownership: ~~An applicant who currently owns ERCs who wishes to transfer some or all of its an ERCs it currently owns to another owner shall pay a filing fee of \$508.~~
- (Amended 7/6/83; 6/4/86; 7/15/87; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/02/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17; 6/6/18, TBD)
- 3-312 Emission Caps and Alternative Compliance Plans:** Any facility which elects to use an alternative compliance plan contained in:
- 312.1 Regulation 8 ("bubble") to comply with a District emission limitation or to use an annual or monthly emission limit to acquire a permit in accordance with the provisions of Regulation 2, Rule 2, shall pay an additional annual fee equal to fifteen percent of the total plant permit to operate fee.
- 312.2 Regulation 2, Rule 9, or Regulation 9, Rule 10 shall pay an annual fee of ~~\$1,2861,238~~ for each source included in the alternative compliance plan, not to exceed ~~\$12,860~~380.
- (Adopted 5/19/82; Amended 6/4/86; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/23/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17; 6/6/18, TBD)
- 3-313 Deleted May 19, 1999**
- 3-314 Deleted August 2, 1995**
- 3-315 Costs of Environmental Documentation:** An applicant for an Authority to Construct shall pay, in addition to the fees required under Section 3-302 and in any applicable schedule, the District's costs of performing any environmental evaluation and preparing and filing any documents pursuant to the California Environmental Quality Act (Public Resources Code, Section 21000, et seq), including the costs of any outside consulting assistance which the District may employ in connection with the preparation of any such evaluation or documentation, as well as the District's reasonable internal costs (including overhead) of processing, reviewing, or filing any environmental evaluation or documentation.
(Adopted 12/18/85; Amended 5/1/02; 6/3/15)
- 3-316 Deleted June 6, 1990**
- 3-317 Asbestos Operation Fees:** After July 1, 1988, persons submitting a written plan, as required by Regulation 11, Rule 2, Section 401, to conduct an asbestos operation shall pay the fee given in Schedule L.
(Adopted 7/6/88; Renumbered 9/7/88; Amended 8/2/95)
- 3-318 Public Notice Fee, Schools:** Pursuant to Section 42301.6(b) of the Health and Safety Code, an applicant for an authority to construct or permit to operate subject to the public notice requirements of Regulation 2-1-412 shall pay, in addition to the fees required under Section 3-302 and in any applicable schedule, a fee to cover the expense of preparing and distributing the public notices to the affected persons specified in Regulation 2-1-412 as follows:
- 318.1 A fee of \$2,272 per application, and

- 318.2 The District's cost exceeding \$2,272 of preparing and distributing the public notice.
- 318.3 The District shall refund to the applicant the portion of any fee paid under this Section that exceeds the District's cost of preparing and distributing the public notice.

(Adopted 11/1/89; Amended 10/8/97; 7/1/98; 5/19/99; 6/7/00; 5/21/03; 6/2/04; 6/16/10, 6/15/16, 6/21/17, 6/6/18)

3-319 Major Stationary Source Fees: Any major stationary source emitting 50 tons per year of organic compounds, sulfur oxides, nitrogen oxides, or PM₁₀ shall pay a fee based on Schedule M. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities and shall be included as part of the annual permit renewal fees.

(Adopted 6/6/90; Amended 8/2/95; 6/7/00)

3-320 Toxic Inventory Fees: Any facility that emits one or more toxic air contaminants in quantities above a minimum threshold level shall pay an annual fee based on Schedule N. This fee will be in addition to permit to operate, toxic surcharge, and other fees otherwise authorized to be collected from such facilities.

320.1 An applicant who qualifies as a small business under Regulation 3-209 shall pay a Toxic Inventory Fee as set out in Schedule N up to a maximum fee of \$10,0569,679 per year.

(Adopted 10/21/92; Amended 5/19/99; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/20/09; 6/16/10; 5/4/11, 6/15/16, 6/21/17, TBD)

3-321 Deleted December 2, 1998

3-322 Excavation of Contaminated Soil and Removal of Underground Storage Tank Operation Fees: Persons submitting a written notification for a given site to conduct either excavation of contaminated soil or removal of underground storage tanks as required by Regulation 8, Rule 40, Section 401, 402, 403 or 405 shall pay a fee based on Schedule Q.

(Adopted 1/5/94; Amended 8/2/95; 5/21/03)

3-323 Pre-Certification Fees: An applicant seeking to pre-certify a source, in accordance with Regulation 2, Rule 1, Section 415, shall pay the filing fee, initial fee and permit to operate fee given in the appropriate schedule.

(Adopted June 7, 1995)

3-324 Deleted June 7, 2000

3-325 Deleted December 2, 1998

3-326 Deleted December 2, 1998

3-327 Permit to Operate, Renewal Fees: After the expiration of the initial permit to operate, the permit to operate shall be renewed on an annual basis or other time period as approved by the APCO. The fee required for the renewal of a permit to operate is the permit to operate fee and toxic surcharge listed in Schedules B, C, D, E, F, H, I, and K, prorated for the period of coverage. When more than one of the schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. This renewal fee is applicable to all sources required to obtain permits to operate in accordance with District regulations. The permit renewal invoice shall also specify any applicable major stationary source fees based on Schedule M, toxic inventory fees based on Schedule N, major facility review fees based on Schedule P, and greenhouse gas fees based on Schedule T. Where applicable, renewal fees shall be based on actual usage or emission levels that have been reported to or calculated by the District. In addition to these renewal fees for the sources at a facility, the facility shall also pay a processing fee at the time of renewal that covers each Permit Renewal Period as follows:

- 327.1 \$10096 for facilities with one permitted source, including gasoline dispensing facilities,
- 327.2 \$198494 for facilities with 2 to 5 permitted sources,
- 327.3 \$395380 for facilities with 6 to 10 permitted sources,
- 327.4 \$593574 for facilities with 11 to 15 permitted sources,
- 327.5 \$787757 for facilities with 16 to 20 permitted sources,
- 327.6 \$984947 for facilities with more than 20 permitted sources.

(Adopted 6/7/00; Amended 6/2/04; 6/16/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, TBD)

3-328 Fee for OEHHHA Risk Assessment Reviews: Any facility that submits a health risk assessment to the District in accordance with Section 44361 of the California Health and Safety Code shall pay any fee requested by the State Office of Environmental Health Hazard Assessment (OEHHHA) for reimbursement of that agency's costs incurred in reviewing the risk assessment.

(Adopted June 7, 2000)

3-329 Fees for New Source Review Health Risk Assessment: Any person required to submit a

health risk assessment (HRA) pursuant to Regulation 2-5-401 shall pay an appropriate Risk Assessment Fee pursuant to Regulation 3-302 and Schedules B, C, D, E, F, H, I or K. In addition, any person that requests that the District prepare or review an HRA (e.g., for determination of permit exemption in accordance with Regulations 2-1-316, 2-5-301 and 2-5-302; or for determination of exemption from emission control requirements pursuant to Regulation 8-47-113 and 8-47-402) shall pay a Risk Assessment Fee. A Risk Assessment Fee shall be assessed for each source that is proposed to emit a toxic air contaminant (TAC) at a rate that exceeds a trigger level in Table 2-5-1: Toxic Air Contaminant Trigger Levels. If a project requires an HRA due to total project emissions, but TAC emissions from each individual source are less than the Table 2-5-1 trigger levels, a Risk Assessment Fee shall be assessed for the source in the project with the highest TAC emissions.

(Adopted June 15, 2005; Amended 6/21/17)

3-330 Fee for Renewing an Authority to Construct: An applicant seeking to renew an authority to construct in accordance with Regulation 2-1-407 shall pay a fee of 50% of the initial fee in effect at the time of the renewal. If the District determines that an authority to construct cannot be renewed, any fees paid under this section shall be credited in full against the fee for a new authority to construct for functionally equivalent equipment submitted within six months of the date the original authority to construct expires.

(Adopted June 15, 2005)

3-331 Registration Fees: Any person who is required to register equipment under District rules shall submit a registration fee, and any annual fee thereafter, as set out in Schedule R. The APCO may reduce registration fees by an amount deemed appropriate if the owner or operator of the equipment attends an Industry Compliance School sponsored by the District.

(Adopted June 6, 2007; Amended 6/16/10)

3-332 Naturally Occurring Asbestos Fees: After July 1, 2007, any person required to submit or amend an Asbestos Dust Mitigation Plan (ADMP) pursuant to Title 17 of the California Code of Regulations, Section 93105, Asbestos Air Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations shall pay the fee(s) set out in Schedule S.

(Adopted June 6, 2007, TBD)

3-333 Major Facility Review (MFR) and Synthetic Minor Application Fees: Any facility that applies for, or is required to undergo, an initial MFR permit, an amendment to an MFR permit, a minor or significant revision to an MFR permit, a reopening of an MFR permit, a renewal of an MFR permit, an initial synthetic minor operating permit, or a revision to a synthetic minor operating permit, shall pay the applicable fees set forth in Schedule P.

(Adopted May 21, 2008)

3-334 Greenhouse Gas Fees: Any permitted facility with greenhouse gas emissions shall pay a fee based on Schedule T. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities, and shall be included as part of the annual permit renewal fees.

(Adopted May 21, 2008)

3-335 Indirect Source Review Fees: Applicants that must file an Air Quality Impact Assessment pursuant to District rules for a project that is deemed to be an indirect source shall pay a fee based on Schedule U.

(Adopted May 20, 2009)

3-336 Open Burning Operation Fees: Effective July 1, 2013, any person required to provide notification to the District prior to burning; submit a petition to conduct a Filmmaking or Public Exhibition fire; receive an acreage burning allocation to conduct a Stubble fire; or submit a smoke management plan and receive an acreage burning allocation to conduct a Wildland Vegetation Management fire or Marsh Management fire shall pay the fee given in Schedule V.

(Adopted June 19, 2013)

3-337 Exemption Fee: An applicant who wishes to receive a certificate of exemption shall pay a filing fee of \$489508 per exempt source.

(Adopted June 19, 2013; Amended 6/4/14; 6/3/15, 6/21/17, TBD)

3-338 Incident Response Fee: Any facility required to obtain a District permit, and any District-regulated area-wide or indirect source, that is the site where an incident occurs to which the District responds, shall pay a fee equal to the District's actual costs in conducting the incident response as defined in Section 3-243, including without limitation, the actual time and salaries,

plus overhead, of the District staff involved in conducting the incident response and the cost of any materials. (Adopted June 19, 2013)

3-339 Petroleum Refining Emissions Tracking Fees: Any person required to submit an Annual Emissions Inventory, Monthly Crude Slate Report, or air monitoring plan in accordance with Regulation 12, Rule 15 shall pay the applicable fees set forth in Schedule W.

(Adopted 6/15/16)

3-340 Major Stationary Source Community Air Monitoring Fees: Any major stationary source emitting 35 tons per year of organic compounds, sulfur oxides, nitrogen oxides, carbon monoxide or PM₁₀ shall pay a community air monitoring fee based on Schedule X. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities and shall be included as part of the annual permit renewal fees.

(Adopted 6/15/16)

3-341 Fee for Risk Reduction Plan: Any person required to submit a Risk Reduction Plan in accordance with Regulation 11, Rule 18 shall pay the applicable fees set forth below:

341.1 ~~\$1,5591,500~~ for facilities with one source subject to risk reduction pursuant to Regulation 11, Rule 18, including gasoline dispensing facilities;

341.2 ~~\$3,1173,000~~ for facilities with 2 to 5 sources subject to risk reduction pursuant to Regulation 11, Rule 18;

341.3 ~~\$6,2346,000~~ for facilities with 6 to 10 sources subject to risk reduction pursuant to Regulation 11, Rule 18;

341.4 ~~\$12,46812,000~~ for facilities with 11 to 15 sources subject to risk reduction pursuant to Regulation 11, Rule 18;

341.5 ~~\$24,93624,000~~ for facilities with 16 to 20 sources subject to risk reduction pursuant to Regulation 11, Rule 18;

341.6 ~~\$33,24832,000~~ for facilities with more than 20 sources subject to risk reduction pursuant to Regulation 11, Rule 18.

(Adopted 6/21/17, TBD)

3-342 Fee for Facility-Wide Health Risk Assessment: Any person required to undergo a health risk assessment (HRA) to assess compliance with the Regulation 11, Rule 18 risk action levels shall pay a risk assessment fee for each source pursuant to Regulation 3-329 and Schedules B, C, D, E, F, H, I or K. The maximum fee required for any single HRA of a facility conducted pursuant to Regulation 11, Rule 18 shall not exceed a total of ~~\$155,850150,000~~.

If a facility retains a District-approved consultant to complete the required facility-wide HRA, the facility shall pay a fee to cover the District's costs of performing the review of the facility-wide HRA, including the costs of any outside consulting assistance which the District may employ in connection with any such review, as well as the District's reasonable internal costs (including overhead) of processing, reviewing, or approving the facility-wide HRA. The total HRA review cost shall be determined based on the District's actual review time in hours multiplied by an hourly charge of ~~\$213205~~ per hour. Facilities shall pay an HRA review fee as indicated below and the District's cost exceeding the applicable HRA review fees indicated below for performing the review of the facility-wide HRA:

342.1 ~~\$2,5982,500~~ for facilities with one to 10 sources subject to risk reduction pursuant to Regulation 11, Rule 18, including gasoline dispensing facilities;

342.2 ~~\$6,8576,600~~ for facilities with 11 to 50 sources subject to risk reduction pursuant to Regulation 11, Rule 18;

342.3 ~~\$14,54614,000~~ for facilities with more than 50 sources subject to risk reduction pursuant to Regulation 11, Rule 18.

The District shall refund to the applicant the portion of any fee paid under this Section that exceeds the District's cost of performing the review of the facility-wide HRA.

(Adopted 6/21/17, Amended 6/6/18, TBD)

3-343 Fees for Air Dispersion Modeling: An applicant for an Authority to Construct or Permit to Operate shall pay, in addition to the fees required under Section 3-302 and 3-329 and in any applicable schedule, the District's costs of performing any air dispersion modeling needed to

determine compliance with any District regulatory requirement. The total air dispersion modeling fee cost shall be determined based on the District's actual review time in hours multiplied by an hourly charge of \$213 per hour. This fee shall also apply for costs incurred in reviewing air dispersion modeling submittals by applicants and the costs of any outside consulting assistance which the District may employ in connection with the preparation of any such evaluation or documentation, as well as the District's reasonable internal costs (including overhead) of processing, reviewing, or approving the air dispersion modeling.

(Adopted TBD)

3-400 ADMINISTRATIVE REQUIREMENTS

3-401 Permits: Definitions, standards, and conditions contained in Regulation 2, Permits, are applicable to this regulation.

3-402 Single Anniversary Date: The APCO may assign a single anniversary date to a facility on which all its renewable permits to operate expire and will require renewal. Fees will be prorated to compensate for different time periods resulting from change in anniversary date.

3-403 Change in Operating Parameters: See Section 2-1-404 of Regulation 2, Rule 1.

3-404 Deleted June 7, 2000

3-405 Fees Not Paid: If an applicant or owner/operator fails to pay the fees specified on the invoice by the due date, the following procedure(s) shall apply:

405.1 Authority to Construct: The application will be cancelled, but can be reactivated upon payment of fees.

405.2 New Permit to Operate: The Permit to Operate shall not be issued, and the facility will be notified that operation, including startup, is not authorized.

2.1 Fees received during the first 30 days following the due date must include a late fee equal to 10 percent of all fees specified on the invoice.

2.2 Fees received more than 30 days after the due date must include a late fee equal to 25 percent of all fees specified on the invoice.

405.3 Renewal of Permit to Operate: The owner or operator of a facility must renew the Permit to Operate in order to continue to be authorized to operate the source. Permit to Operate Fees for the Permit Renewal Period shall be calculated using fee schedules in effect on the Permit to Operate Renewal Date. The permit renewal invoice will include all fees to be paid in order to renew the Permit to Operate, as specified in Section 3-327. If not renewed as of the date of the next Permit Renewal Period, a Permit to Operate lapses and further operation is no longer authorized. The District will notify the facility that the permit has lapsed. Reinstatement of lapsed Permits to Operate will require the payment of all unpaid prior Permit to Operate fees and associated reinstatement fees for each unpaid prior Permit Renewal Period, in addition to all fees specified on the permit renewal invoice.

405.4 Reinstatement of Lapsed Permit to Operate: To reinstate a Permit to Operate, the owner or operator must pay all of the following fees:

4.1 The applicable Permit to Operate Fees for the current year, as specified in Regulation 3-327, and the applicable reinstatement fee, if any, calculated as follows:

4.1.1 Fees received during the first 30 days following the due date must include all fees specified on the permit renewal invoice plus a reinstatement fee equal to 10 percent of all fees specified on the invoice.

4.1.2 Fees received more than 30 days after the due date, but less than one year after the due date, must include all fees specified on the permit renewal invoice plus a reinstatement fee equal to 25 percent of all fees specified on the invoice.

4.2 The applicable Permit to Operate Fees specified in Regulation 3-327 for each prior Permit Renewal Period for which all Permit to Operate Fees and associated reinstatement fees have not been paid. Each year's Permit to Operate Fee shall be calculated at the fee rates in effect on that year's Permit to Operate Renewal

Date. The reinstatement fee for each associated previously-unpaid Permit to Operate Fee shall be calculated in accordance with Regulation 3-405.4.1 and 4.1.2.

Each year or period of the lapsed Permit to Operate is deemed a separate Permit Renewal Period. The oldest outstanding Permit to Operate Fee and reinstatement fees shall be paid first.

405.5 Registration and Other Fees: Persons who have not paid the fee by the invoice due date, shall pay the following late fee in addition to the original invoiced fee. Fees shall be calculated using fee schedules in effect at the time of the fees' original determination.

5.1 Fees received during the first 30 days following the due date must include an additional late fee equal to 10 percent of all fees specified on the invoice.

5.2 Fees received more than 30 days after the due date must include an additional late fee equal to 50~~25~~ percent of all fees specified on the invoice.

(Amended 7/6/83; 6/4/86; 11/5/86; 2/15/89; 6/6/90; 7/3/91; 8/2/95; 12/2/98; 6/15/05; 6/7/06; 6/6/12; 6/19/13; 6/4/14, 6/6/18, TBD)

3-406 Deleted June 4, 1986

3-407 Deleted August 2, 1995

3-408 Permit to Operate Valid for 12 Months: A Permit to Operate is valid for 12 months from the date of issuance or other time period as approved by the APCO.

(Amended 6/4/86; Amended 6/7/00)

3-409 Deleted June 7, 2000

3-410 Deleted August 2, 1995

3-411 Advance Deposit of Funds: The APCO may require that at the time of the filing of an application for an Authority to Construct for a project for which the District is a lead agency under the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.), the applicant shall make an advance deposit of funds, in an amount to be specified by the APCO, to cover the costs which the District estimates to incur in connection with the District's performance of its environmental evaluation and the preparation of any required environmental documentation. In the event the APCO requires such an estimated advance payment to be made, the applicant will be provided with a full accounting of the costs actually incurred by the District in connection with the District's performance of its environmental evaluation and the preparation of any required environmental documentation.

(Adopted 12/18/85; Amended 8/2/95)

3-412 Deleted December 2, 1998

3-413 Toxic "Hot Spots" Information and Assessment Act Revenues: No later than 120 days after the adoption of this regulation, the APCO shall transmit to the California Air Resources Board, for deposit into the Air Toxics "Hot Spots" Information and Assessment Fund, the revenues determined by the ARB to be the District's share of statewide Air Toxics "Hot Spot" Information and Assessment Act expenses.

(Adopted October 21, 1992)

3-414 Deleted December 2, 1998

3-415 Failure to Pay - Further Actions: When an applicant or owner/operator fails to pay the fees specified on the invoice by the due date, the APCO may take the following actions against the applicant or owner/operator:

415.1 Issuance of a Notice to Comply.

415.2 Issuance of a Notice of Violation.

415.3 Revocation of an existing Permit to Operate. The APCO shall initiate proceedings to revoke permits to operate for any person who is delinquent for more than one month. The revocation process shall continue until payment in full is made or until permits are revoked.

415.4 The withholding of any other District services as deemed appropriate until payment in full is made.

(Adopted 8/2/95; Amended 12/2/98; 6/15/05)

3-416 Adjustment of Fees: The APCO or designees may, upon finding administrative error by District staff in the calculation, imposition, noticing, invoicing, and/or collection of any fee set forth in this rule, rescind, reduce, increase, or modify the fee. A request for such relief from an

administrative error, accompanied by a statement of why such relief should be granted, must be received within two years from the date of payment.

(Adopted October 8, 1997)

3-417 Temporary Amnesty for Unpermitted and Unregistered Sources: The APCO has the authority to declare an amnesty period, during which the District may waive all or part of the back fees and/or late fees for sources that are currently operating without valid Permits to Operate and/or equipment registrations.

(Adopted June 16, 2010)

3-418 Temporary Incentive for Online Production System Transactions: The APCO has the authority to declare an incentive period for transactions made using the online production system, during which the District may waive all or any part of the fees for these transactions.

(Adopted 6/6/18)

**SCHEDULE A
HEARING BOARD FEES¹**

Established by the Board of Directors December 7, 1977 Resolution No. 1046
(Code section references are to the California Health & Safety Code, unless otherwise indicated)

		Large Companies	Small Business	Third Party
1.	For each application for variance exceeding 90 days, in accordance with §42350, including applications on behalf of a class of applicants, which meet the requirements of the Hearing Board Rules for a valid and proper class action for variance Plus, for each hearing in addition to the first hearing necessary to dispose of said variance application in accordance with §42350, the additional sum of	\$6,0865 292 \$3,0472 650	\$9107 91 \$3072 67	
2.	For each application for variance not exceeding 90 days, in accordance with §42350, including applications on behalf of a class of applicants, which meet the requirements of the Hearing Board Rules for a valid and proper class action for variance Plus, for each hearing in addition to the first hearing necessary to dispose of said variance application, in accordance with §42350, the additional sum of	\$3,6543 177 \$1,8241 586	\$9107 91 \$3072 67	
3.	For each application to modify a variance in accordance with §42356.... Plus, for each hearing in addition to the first hearing on said application to modify a variance, in accordance with §42345, necessary to dispose of the application, the additional sum of	\$2,4242 108 \$1,8241 586	\$3072 67 \$3072 67	
4.	For each application to extend a variance, in accordance with §42357... Plus, for each hearing in addition to the first hearing on an application to extend a variance, in accordance with §42357, necessary to dispose of the application, the additional sum of	\$2,4242 108 \$1,8241 586	\$3072 67 \$3072 67	
5.	For each application to revoke a variance	\$3,6543 177	\$3072 67	
6.	For each application for approval of a Schedule of Increments of Progress in accordance with §41703	\$2,4242 108	\$3072 67	
7.	For each application for variance in accordance with §41703, which exceeds 90 days Plus, for each hearing in addition to the first hearing on said application for variance in accordance with §41703, the additional sum of	\$6,0865 292 \$3,0472 650	\$9107 91 \$3072 67	
8.	For each application for variance in accordance with §41703, not to exceed 90 days Plus, for each hearing in addition to the hearing on said application for a variance in accordance with §41703, the additional sum of	\$3,6543 177 \$1,8241 586	\$9107 91 \$3072 67	

		Large Companies	Small Business	Third Party
9.	For each Appeal (Permit, Banking, Title V)	\$6,0865 ,292 per hearing day	\$3,0472 ,650 per hearing day	\$3,0472 ,650 for entire appeal period
10.	For each application for intervention in accordance with Hearing Board Rules §§2.3, 3.6 & 4.6	\$3,0472 ,650	\$6125 ,32	
11.	For each application to Modify or Terminate an abatement order	\$6,0865 ,292 per hearing day	\$3,0472 ,650 per hearing day	
12.	For each application for an interim variance in accordance with §42351	\$3,0472 ,650	\$6125 ,32	
13.	For each application for an emergency variance in accordance with §42359.5	\$1,5191 ,324	\$3072 ,67	
14.	For each application to rehear a Hearing Board decision in accordance with §40861	100% of previous fee charged	100% of previous fee charged	
15.	Excess emission fees	See Attachment I	See Attachment I	
16.	Miscellaneous filing fee for any hearing not covered above	\$3,0472 ,650	\$9107 ,94	\$91079 ,4
17.	For each published Notice of Public Hearing	Cost of Publication	\$0	\$0
18.	Court Reporter Fee (to be paid only if Court Reporter required for hearing)	Actual Appearance and Transcript costs per hearing solely dedicated to one Docket	\$0	Actual Appearance and Transcript costs per hearing solely dedicated to one Docket

NOTE 1 Any applicant who believes they have a hardship for payment of fees may request a fee waiver from the Hearing Board pursuant to Hearing Board Rules.
(Amended 10/8/97; 5/19/99; 6/7/00; 6/6/01, 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, TBD)

**SCHEDULE A
ATTACHMENT I
EXCESS EMISSION FEE**

A. General

- (1) Each applicant or petitioner for a variance from these Rules and Regulations shall pay to the Clerk or Deputy Clerk of the Hearing Board, in addition to the other filing fees required in Schedule A, an emission fee based on the total weight of emissions discharged, per source or product, other than those described in division (B) below, during the variance period in excess of that allowed by these rules in accordance with the schedule set forth in Table I.
- (2) Where the total weight of emission discharged cannot be easily calculated, the petitioner shall work in concert with District staff to establish the amount of excess emissions to be paid.
- (3) In the event that more than one rule limiting the discharge of the same contaminant is violated, the excess emission fee shall consist of the fee for violation which will result in the payment of the greatest sum. For the purposes of this subdivision, opacity rules and particulate mass emissions shall not be considered rules limiting the discharge of the same contaminant.

B. Excess Visible Emission Fee

Each applicant or petitioner for a variance from Regulation 6 or Health and Safety Code Section 41701 shall pay to the Clerk or Deputy Clerk of the Hearing Board, in addition to the filing fees required in Schedule A and the excess emission fees required in (A) above (if any), an emission fee based on the difference between the percent opacity allowed by Regulation 6 and the percent opacity of the emissions allowed from the source or sources operating under the variance, in accordance with the schedule set forth in Table II.

In the event that an applicant or petitioner is exempt from the provisions of Regulation 6, the applicant or petitioner shall pay a fee calculated as described herein above, but such fee shall be calculated based upon the difference between the opacity allowed under the variance and the opacity allowed under the provisions of Health and Safety Code Section 41701, in accordance with the schedule set forth in Table II.

C. Applicability

The provisions of subdivision (A) shall apply to all variances that generate excess emissions.

D. Fee Determination

- (1) The excess emission fees shall be calculated by the petitioner based upon the requested number of days of operation under variance multiplied by the expected excess emissions as set forth in subdivisions (A) and (B) above. The calculations and proposed fees shall be set forth in the petition.
- (2) The Hearing Board may adjust the excess emission fee required by subdivisions (A) and (B) of this rule based on evidence regarding emissions presented at the time of the hearing.

E. Small Businesses

- (1) A small business shall be assessed twenty percent (20%) of the fees required by subdivisions (A) and (B), whichever is applicable. "Small business" is defined in the Fee Regulation.
- (2) Request for exception as a small business shall be made by the petitioner under penalty of perjury on a declaration form provided by the Executive Officer which shall be submitted to the Clerk or Deputy Clerk of the Hearing Board at the time of filing a petition for variance.

F. Group, Class and Product Variance Fees

Each petitioner included in a petition for a group, class or product variance shall pay the filing fee specified in Schedule A, and the excess emission fees specified in subdivisions (A) and (B), whichever is applicable.

G. Adjustment of Fees

If after the term of a variance for which emission fees have been paid, petitioner can establish, to the satisfaction of the Executive Officer/APCO, that emissions were actually less than those upon which the fee was based, a pro rata refund shall be made.

H. Fee Payment/Variance Invalidation

- (1) Excess emission fees required by subdivisions (A) and (B), based on an estimate provided during the variance Hearing, are due and payable within fifteen (15) days of the granting of the variance. The petitioner shall be notified in writing of any adjustment to the amount of excess emission fees due, following District staff's verification of the estimated emissions. Fee payments to be made as a result of an adjustment are due and payable within fifteen (15) days of notification of the amount due.
- (2) Failure to pay the excess emission fees required by subdivisions (A) and (B) within fifteen (15) days of notification that a fee is due shall automatically invalidate the variance. Such notification may be given by personal service or by deposit, postpaid, in the United States mail and shall be due fifteen (15) days from the date of personal service or mailing. For the purpose of this rule, the fee payment shall be considered to be received by the District if it is postmarked by the United States Postal Service on or before the expiration date stated on the billing notice. If the expiration date falls on a Saturday, Sunday, or a state holiday, the fee payment may be postmarked on the next business day following the Saturday, Sunday, or the state holiday with the same effect as if it had been postmarked on the expiration date.

**TABLE I
SCHEDULE OF EXCESS EMISSIONS FEES**

Air Contaminants	All at \$5.835-07 per pound
Organic gases, except methane and those containing sulfur	
Carbon Monoxide	
Oxides of nitrogen (expressed as nitrogen dioxide)	
Gaseous sulfur compounds (expressed as sulfur dioxide)	
Particulate matter	
Toxic Air Contaminants	All at \$29.0025-22 per pound
Asbestos	
Benzene	
Cadmium	
Carbon tetrachloride	
Chlorinated dioxins and dibenzofurans (15 species)	
Diesel exhaust particulate matter	
Ethylene dibromide	
Ethylene dichloride	
Ethylene oxide	
Formaldehyde	
Hexavalent chromium	
Methylene chloride	
Nickel	
Perchloroethylene	
1,3-Butadiene	
Inorganic arsenic	
Beryllium	
Polynuclear aromatic hydrocarbons (PAH)	
Vinyl chloride	
Lead	
1,4-Dioxane	
Trichloroethylene	

**TABLE II
SCHEDULE OF EXCESS VISIBLE EMISSION FEE**

For each source with opacity emissions in excess of twenty percent (20%), but less than forty percent (40%) (where the source is in violation of Regulation 6 and California Health and Safety Code Section 41701), the fee is calculated as follows:

$$\text{Fee} = (\text{Opacity} * \text{equivalent} - 20) \times \text{number of days allowed in variance} \times \text{\$} \del{5.965-18}$$

For each source with opacity emissions in excess of forty percent (40%) (where the source is in violation of Regulation 6 and California Health and Safety Code Section 41701), the fee is calculated as follows:

$$\text{Fee} = (\text{Opacity} * \text{equivalent} - 40) \times \text{number of days allowed by variance} \times \text{\$} \del{5.965-18}$$

- * Where "Opacity" equals maximum opacity of emissions in percent (not decimal equivalent) allowed by the variance. Where the emissions are darker than the degree of darkness equivalent to the allowed Ringelmann number, the percentage equivalent of the excess degree of darkness shall be used as "opacity."

(Adopted 6/7/00; Amended 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17; 6/6/18, TBD)

**SCHEDULE B
COMBUSTION OF FUEL
(Adopted June 18, 1980)**

For each source that burns fuel, which is not a flare and not exempted by Regulation 2, Rule 1, the fee shall be computed based on the maximum gross combustion capacity (expressed as higher heating value, HHV) of the source.

1. INITIAL FEE: \$~~67.6165.07~~ per MM BTU/HOUR
 - a. The minimum fee per source is: \$~~361347~~
 - b. The maximum fee per source is: \$~~126,117421,383~~
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first toxic air contaminant (TAC) source in application: \$~~489508~~ plus
\$~~67.6165.07~~ per MM BTU/hr
 - b. Minimum RAF for first TAC source: \$~~869836~~
 - c. RAF for each additional TAC source: \$~~67.6165.07~~ per MM BTU/hr
*
 - d. Minimum RAF per additional TAC source: \$~~361347*~~
 - e. Maximum RAF per source is: \$~~126,117421,383~~
* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$~~33.7932.52~~ per MM BTU/HOUR
 - a. The minimum fee per source is: \$~~256246~~
 - b. The maximum fee per source is: \$~~63,05860,694~~
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. ROUNDING: Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.
6. Applicants for an authority to construct and permit to operate a project, which burns municipal waste or refuse-derived fuel, shall pay in addition to all required fees, an additional fee to cover the costs incurred by the State Department of Health Services, and/or a qualified contractor designated by the State Department of Health Services, in reviewing a risk assessment as required under H&S Code Section 42315. The fee shall be transmitted by the District to the Department of Health Services and/or the qualified contractor upon completion of the review and submission of comments in writing to the District.
7. A surcharge equal to 100% of all required initial and permit to operate fees shall be charged for sources permitted to burn one or more of the following fuels: coke, coal, wood, tires, black liquor, and municipal solid waste.

NOTE: MM BTU is million BTU of higher heat value
One MM BTU/HR = 1.06 gigajoules/HR

(Amended 6/5/85; 6/4/86; 3/4/87; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 7/1/98; 5/19/99; 6/7/00; 6/6/01, 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, TBD)

SCHEDULE C
STATIONARY CONTAINERS FOR THE STORAGE OF ORGANIC LIQUIDS
(Adopted June 18, 1980)

For each stationary container of organic liquids which is not exempted from permits by Regulation 2 and which is not part of a gasoline dispensing facility, the fee shall be computed based on the container volume, as follows:

1. INITIAL FEE: 0.185 cents per gallon
 - a. The minimum fee per source is: \$204
 - b. The maximum fee per source is: \$27,858
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first toxic air contaminant (TAC) source in application: \$489~~508~~ plus 0.185 cents per gallon
 - b. Minimum RAF for first TAC source: \$678
 - c. RAF for each additional TAC source: 0.185 cents per gallon *
 - d. Minimum RAF per additional TAC source: \$204 *
 - e. Maximum RAF per source is: \$27,858
 - * RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: 0.093 cents per gallon
 - a. The minimum fee per source is: \$147
 - b. The maximum fee per source is: \$13,928
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. ROUNDING: Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

(Amended 2/20/85; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/20/09; 6/16/10; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17; 6/6/18, TBD)

SCHEDULE D
GASOLINE TRANSFER AT GASOLINE DISPENSING FACILITIES,
BULK PLANTS AND TERMINALS
(Adopted June 18, 1980)

A. All gasoline dispensing facilities shall pay the following fees:

1. INITIAL FEE: \$~~350.79330.93~~ per single product nozzle (spn)
\$~~350.79330.93~~ per product for each multi-product nozzle (mpn)
2. PERMIT TO OPERATE FEE: \$~~134.36426.75~~ per single product nozzle (spn)
\$~~134.36426.75~~ per product for each multi-product nozzle (mpn)
3. Initial fees and permit to operate fees for hardware modifications at a currently permitted gasoline dispensing facility shall be consolidated into a single fee calculated according to the following formula:

$$\$485.14457.68 \times \{[(mpn_{proposed})(products\ per\ nozzle) + spn_{proposed}] - [(mpn_{existing})(products\ per\ nozzle) + spn_{existing}]\}$$

mpn = multi-product nozzles
spn = single product nozzles

The above formula includes a toxic surcharge.

If the above formula yields zero or negative results, no initial fees or permit to operate fees shall be charged.

For the purposes of calculating the above fees, a fuel blended from two or more different grades shall be considered a separate product.

Other modifications to facilities' equipment, including but not limited to tank addition/replacement/conversion, vapor recovery piping replacement, moving or extending pump islands, will not be subject to initial fees or permit to operate fees.

4. RISK ASSESSMENT FEE (RAF) of \$~~489508~~ per application, if required pursuant to Regulation 3-329 or 3-342 [including increases in permitted throughput for which a health risk assessment is required.]
5. Nozzles used exclusively for the delivery of diesel fuel or other fuels exempt from permits shall pay no fee. Multi-product nozzles used to deliver both exempt and non-exempt fuels shall pay fees for the non-exempt products only.

B. All bulk plants, terminals or other facilities using loading racks to transfer gasoline or gasohol into trucks, railcars or ships shall pay the following fees:

1. INITIAL FEE: \$~~4,607.654,346.84~~ per single product loading arm
\$~~4,607.654,346.84~~ per product for multi-product arms
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first toxic air contaminant (TAC) source in application: \$~~5,2174,922~~
 - b. RAF for each additional TAC source: \$~~4,6084,347~~ *

* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$~~1,2841,211~~ per single product loading arm
\$~~1,2841,211~~ per product for multi-product arms
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

- C. Fees in (A) above are in lieu of tank fees. Fees in (B) above are in addition to tank fees.
- D. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

(Amended 2/20/85; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, TBD)

SCHEDULE E
SOLVENT EVAPORATING SOURCES
(Adopted June 18, 1980)

For each solvent evaporating source, as defined in Section 3-210 except for dry cleaners, the fee shall be computed based on the net amount of organic solvent processed through the sources on an annual basis (or anticipated to be processed, for new sources) including solvent used for the cleaning of the sources.

1. INITIAL FEE:
 - a. The fee per source is: \$1,752 per 1,000 gallons
 - b. The minimum fee per source is: \$872800
 - ~~b. \$1,607 per 1,000 gallons~~
 - cd. The maximum fee per source is: \$69,61163,863

2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first toxic air contaminant(TAC) source in application: \$489508 plus initial fee
 - b. Minimum RAF for first TAC source: \$1,4364,317
 - c. RAF for each additional TAC source: equal to initial fee *
 - d. Minimum RAF per additional TAC source: \$872800 *
 - e. Maximum RAF per source is: \$69,61163,863

* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE:
 - a. The fee per source is: \$872 per 1,000 gallons
 - b. The minimum fee per source is: \$629577
 - ~~b. \$800 per 1,000 gallons~~
 - cd. The maximum fee per source is: \$34,80331,929

4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

5. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

(Amended 5/19/82; 10/17/84; 6/5/85; 6/4/86; 10/8/87; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01, 5/1/02, 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, TBD)

**SCHEDULE F
MISCELLANEOUS SOURCES**

(Adopted June 18, 1980)

For each source not governed by Schedules B, C, D, E, H or I, (except for those sources in the special classification lists, G-1 - G-5) the fees are:

1. INITIAL FEE: \$661636
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first (toxic air contaminant) TAC source in application: \$1,2411,194
 - b. RAF for each additional TAC source: \$661636*
 - * RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$480462
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1. List of special classifications requiring graduated fees is shown in Schedules G-1, G-2, G-3, G-4, and G-5.

G-1 FEES FOR SCHEDULE G-1. For each source in a G-1 classification, fees are:

1. INITIAL FEE: \$4,9924,341
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first toxic air contaminant (TAC) source in application: \$5,6654,926
 - b. RAF for each additional TAC source: \$4,9924,341*
 - * RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$2,4922,167
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-2 FEES FOR SCHEDULE G-2. For each source in a G-2 classification, fees are:

1. INITIAL FEE: \$6,9536,046
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first toxic air contaminant (TAC) source in application: \$7,6626,663
 - b. RAF for each additional TAC source: \$6,9536,046*
 - * RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$3,4743,021
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-3 FEES FOR SCHEDULE G-3. For each source in a G-3 classification, fees are:

1. INITIAL FEE: \$36,69134,291
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first toxic air contaminant(TAC) source in application: \$37,29034,850
 - b. RAF for each additional TAC source: \$36,69134,291 *

* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE: \$18,342,17,142
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-4 FEES FOR SCHEDULE G-4. For each source in a G-4 classification, fees are:

1. INITIAL FEE: \$91,933,79,942
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first toxic air contaminant(TAC) source in application: \$92,643,80,559
 - b. RAF for each additional TAC source: \$91,933,79,942*
 - * RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$45,964,39,969
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-5 FEES FOR SCHEDULE G-5. For each source in a G-5 classification, fees are:

1. INITIAL FEE: \$51,731
2. RISK ASSESSMENT FEE (RAF) is only applicable for new and modified sources of toxic air contaminants (TACs) for which a health risk assessment is required under Regulation 2-5-401.
 - a. RAF for first TAC source in application: \$52,193
 - b. RAF for each additional TAC source: \$51,731*
 - * RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$25,865
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

(Amended 5/19/82; 6/5/85; 6/4/86; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17, 6/6/18, TBD)

SCHEDULE G-1
(Adopted June 18, 1980)

Equipment or Process Description	Materials Processed or Produced
Asphalt Roofing Manufacturing – Asphalt Dipping	Asphalt Roofing or Related Materials
Calcining Kilns, excluding those processing cement, lime, or coke (see G-4 for cement, lime, or coke Calcining Kilns)	Any Materials except cement, lime, or coke
Chemical Manufacturing, Inorganic – Processing Units with a Capacity of 1000 Gallons/Hour or more	Any Inorganic Materials
Chemical Manufacturing, Inorganic – Processing Units with a Capacity of 5 Tons/Hour or more	Any Inorganic Materials
Chemical Manufacturing, Inorganic – Reactors with a Capacity of 1000 Gallons or more	Any Inorganic Materials
Chemical Manufacturing, Organic – Latex Dipping	Any latex materials
Chemical Manufacturing, Organic – Processing Units with a Capacity of 1000 Gallons/Hour or more	Any Organic Materials
Chemical Manufacturing, Organic – Processing Units with a Capacity of 5 Tons/Hour or more	Any Organic Materials
Chemical Manufacturing, Organic – Reactors with a Capacity of 1000 Gallons or more	Any Organic Materials
Compost Operations – Windrows, Static Piles, Aerated Static Piles, In-Vessel, or similar methods	Any waste materials such as yard waste, food waste, agricultural waste, mixed green waste, bio-solids, animal manures, etc.
Crushers	Any minerals or mineral products such as rock, aggregate, cement, concrete, or glass; waste products such as building or road construction debris; and any wood, wood waste, green waste; or similar materials
Electroplating Equipment	Hexavalent Decorative Chrome with permitted capacity greater than 500,000 amp-hours per year or Hard Chrome
Foil Manufacturing – Any Converting or Rolling Lines	Any Metal or Alloy Foils
Galvanizing Equipment	Any

Equipment or Process Description	Materials Processed or Produced
Glass Manufacturing – Batching Processes including storage and weigh hoppers or bins, conveyors, and elevators	Any Dry Materials
Glass Manufacturing – Mixers	Any Dry Materials
Glass Manufacturing – Molten Glass Holding Tanks	Any molten glass
Grinders	Any minerals or mineral products such as rock, aggregate, cement, concrete, or glass; waste products such as building or road construction debris; and any wood, wood waste, green waste; or similar materials
Incinerators – Crematory	Human and/or animal remains
Incinerators – Flares	Any waste gases
Incinerators – Other (see G-2 for hazardous or municipal solid waste incinerators, see G-3 for medical or infectious waste incinerators)	Any Materials except hazardous wastes, municipal solid waste, medical or infectious waste
Incinerators – Pathological Waste (see G-3 for medical or infectious waste incinerators)	Pathological waste only
Loading and/or Unloading Operations – Bulk Plants and Bulk Terminals, excluding those loading gasoline or gasohol (see Schedule D for Bulk Plants and Terminals loading gasoline or gasohol)	Any Organic Materials except gasoline or gasohol
Petroleum Refining – Alkylation Units	Any Hydrocarbons
Petroleum Refining – Asphalt Oxidizers	Any Hydrocarbons
Petroleum Refining – Benzene Saturation Units/Plants	Any Hydrocarbons
Petroleum Refining – Catalytic Reforming Units	Any Hydrocarbons
Petroleum Refining – Chemical Treating Units including alkane, naphthenic acid, and naphtha merox treating, or similar processes	Any Hydrocarbons
Petroleum Refining – Converting Units including Dimersol Plants, Hydrocarbon Splitters, or similar processes	Any Hydrocarbons
Petroleum Refining – Distillation Units, excluding crude oil units with capacity > 1000 barrels/hour (see G-3 for > 1000 barrels/hour crude distillation units)	Any Hydrocarbons
Petroleum Refining – Hydrogen Manufacturing	Hydrogen or Any Hydrocarbons

Equipment or Process Description	Materials Processed or Produced
Petroleum Refining – Hydrotreating or Hydrofining	Any Hydrocarbons
Petroleum Refining – Isomerization	Any Hydrocarbons
Petroleum Refining – MTBE Process Units/Plants	Any Hydrocarbons
Petroleum Refining – Sludge Converter	Any Petroleum Waste Materials
Petroleum Refining – Solvent Extraction	Any Hydrocarbons
Petroleum Refining – Sour Water Stripping	Any Petroleum Process or Waste Water
Petroleum Refining – Storage (enclosed)	Petroleum Coke or Coke Products
Petroleum Refining – Waste Gas Flares (not subject to Regulation 12, Rule 11)	Any Petroleum Refining Gases
Petroleum Refining – Miscellaneous Other Process Units	Any Hydrocarbons
Remediation Operations, Groundwater – Strippers	Contaminated Groundwater
Remediation Operations, Soil – Any Equipment (excluding sub-slab depressurization equipment)	Contaminated Soil
Spray Dryers	Any Materials
Sterilization Equipment	Ethylene Oxide
Wastewater Treatment, Industrial – Oil-Water Separators, excluding oil-water separators at petroleum refineries (see G-2 for Petroleum Refining - Oil-Water Separators)	Wastewater from any industrial facilities except petroleum refineries
Wastewater Treatment, Industrial – Strippers including air strippers, nitrogen strippers, dissolved air flotation units, or similar equipment and excluding strippers at petroleum refineries (see G-2 for Petroleum Refining – Strippers)	Wastewater from any industrial facilities except petroleum refineries
Wastewater Treatment, Industrial - Storage Ponds, excluding storage ponds at petroleum refineries (see G-2 for Petroleum Refining – Storage Ponds)	Wastewater from any industrial facilities except petroleum refineries
Wastewater Treatment, Municipal – Preliminary Treatment	Municipal Wastewater
Wastewater Treatment, Municipal – Primary Treatment	Municipal Wastewater
Wastewater Treatment, Municipal – Digesters	Municipal Wastewater
Wastewater Treatment, Municipal – Sludge Handling Processes, excluding sludge incinerators (see G-2 for sludge incinerators)	Sewage Sludge

(Amended 6/4/86; 6/6/90; 5/19/99; 6/7/00; 6/2/04; 6/15/05, 6/6/18)

SCHEDULE G-2
(Adopted June 6, 1990)

Equipment or Process Description	Materials Processed or Produced
Asphalt Roofing Manufacturing – Asphalt Blowing	Asphalt Roofing or Related Materials
Asphaltic Concrete Manufacturing – Aggregate Dryers	Any Dry Materials
Asphaltic Concrete Manufacturing – Batch Mixers	Any Asphaltic Concrete Products
Asphaltic Concrete Manufacturing – Drum Mixers	Any Asphaltic Concrete Products
Asphaltic Concrete Manufacturing – Other Mixers and/or Dryers	Any Dry Materials or Asphaltic Concrete Products
Concrete or Cement Batching Operations – Mixers	Any cement, concrete, or stone products or similar materials
Furnaces – Electric	Any Mineral or Mineral Product
Furnaces – Electric Induction	Any Mineral or Mineral Product
Furnaces – Glass Manufacturing	Soda Lime only
Furnaces – Reverberatory	Any Ores, Minerals, Metals, Alloys, or Related Materials
Incinerators – Hazardous Waste including any unit required to have a RCRA permit	Any Liquid or Solid Hazardous Wastes
Incinerators – Solid Waste, excluding units burning human/animal remains or pathological waste exclusively (see G-1 for Crematory and Pathological Waste Incinerators)	Any Solid Waste including Sewage Sludge (except human/animal remains or pathological waste)
Metal Rolling Lines, excluding foil rolling lines (see G-1 for Foil Rolling Lines)	Any Metals or Alloys
Petroleum Refining – Stockpiles (open)	Petroleum Coke or coke products only
Petroleum Refining, Wastewater Treatment – Oil-Water Separators	Wastewater from petroleum refineries only
Petroleum Refining, Wastewater Treatment – Strippers including air strippers, nitrogen strippers, dissolved air flotation units, or similar equipment	Wastewater from petroleum refineries only
Petroleum Refining, Wastewater Treatment – Storage Ponds	Wastewater from petroleum refineries only
Pickling Lines or Tanks	Any Metals or Alloys
Sulfate Pulping Operations – All Units	Any
Sulfite Pulping Operations – All Units	Any

(Amended June 7, 2000)

SCHEDULE G-3
(Adopted June 18, 1980)

Equipment or Process Description	Materials Processed or Produced
Furnaces – Electric Arc	Any Metals or Alloys
Furnaces – Electric Induction	Any Metals or Alloys
Incinerators – Medical Waste, excluding units burning pathological waste exclusively (see G-1 for Pathological Waste Incinerators)	Any Medical or Infectious Wastes
Loading and/or Unloading Operations – Marine Berths	Any Organic Materials
Petroleum Refining – Cracking Units including hydrocrackers and excluding thermal or fluid catalytic crackers (see G-4 for Thermal Crackers and Catalytic Crackers)	Any Hydrocarbons
Petroleum Refining – Distillation Units (crude oils) including any unit with a capacity greater than 1000 barrels/hour (see G-1 for other distillation units)	Any Petroleum Crude Oils
Phosphoric Acid Manufacturing – All Units (by any process)	Phosphoric Acid

(Amended 5/19/82; Amended and renumbered 6/6/90; Amended 6/7/00; 6/15/05; 5/2/07)

SCHEDULE G-4
(Adopted June 6, 1990)

Equipment or Process Description	Materials Processed or Produced
Acid Regeneration Units	Sulfuric or Hydrochloric Acid only
Annealing Lines (continuous only)	Metals and Alloys
Calcining Kilns (see G-1 for Calcining Kilns processing other materials)	Cement, Lime, or Coke only
Fluidized Bed Combustors	Solid Fuels only
Nitric Acid Manufacturing – Any Ammonia Oxidation Processes	Ammonia or Ammonia Compounds
Petroleum Refining - Coking Units including fluid cokers, delayed cokers, flexicokers, and coke kilns	Petroleum Coke and Coke Products
Petroleum Refining - Cracking Units including fluid catalytic crackers and thermal crackers and excluding hydrocrackers (see G-3 for Hydrocracking Units)	Any Hydrocarbons
Petroleum Refining - Sulfur Removal including any Claus process or any other process requiring caustic reactants	Any Petroleum Refining Gas
Sulfuric Acid Manufacturing – Any Chamber or Contact Process	Any Solid, Liquid or Gaseous Fuels Containing Sulfur

(Amended June 7, 2000)

SCHEDULE G-5

Equipment or Process Description	Materials Processed or Produced
Petroleum Refinery Flares (subject to Regulation 12, Rule 11)	Any Petroleum Vent Gas (as defined in section 12-11-210 and section 12-12-213)

(Adopted May 2, 2007)

SCHEDULE H
SEMICONDUCTOR AND RELATED OPERATIONS
(Adopted May 19, 1982)

All of the equipment within a semiconductor fabrication area will be grouped together and considered one source. The fee shall be as indicated:

1. INITIAL FEE:

- a. The minimum fee per source is: \$760697
- b. The maximum fee per source is: \$60,81855,796

The initial fee shall include the fees for each type of operation listed below, which is performed at the fabrication area:

- c. SOLVENT CLEANING OPERATIONS, such as usage of:

Solvent Sinks (as defined in Regulation 8-30-214);
Solvent Spray Stations (as defined in Regulation 8-30-221);
Solvent Vapor Stations (as defined in Regulation 8-30-222); and
Wipe Cleaning Operation (as defined in Regulation 8-30-225).

The fee is based on the gross throughput of organic solvent processed through the solvent cleaning operations on an annual basis (or anticipated to be processed, for new sources):

\$514472 per 1,000 gallon

- d. COATING OPERATIONS, such as application of:

Photoresist (as defined in Regulation 8-30-215); other wafer coating;
Solvent-Based Photoresist Developer (as defined in Regulation 8-30-219); and other miscellaneous solvent usage.

The fee is based on the gross throughput of organic solvent processed through the coating operations on an annual basis (or anticipated to be processed, for new sources):

\$1,5271,404 per 1,000 gallon

2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.

- a. RAF for first toxic air contaminant (TAC) source in application: \$489508 plus initial fee
- b. Minimum RAF for first TAC source: \$1,3224,213
- c. RAF for each additional TAC source: equal to initial fee *
- d. Minimum RAF per additional TAC source: \$760697 *
- e. Maximum RAF per source is: \$60,81855,796

* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE:

- a. The minimum fee per source is: \$550505
- b. The maximum fee per source is: \$30,40427,894

The permit to operate fee shall include the fees for each type of operation listed below, which is performed at the fabrication area:

- c. SOLVENT CLEANING OPERATIONS, such as usage of:

Solvent Sinks (as defined in Regulation 8-30-214);

Solvent Spray Stations (as defined in Regulation 8-30-221);
Solvent Vapor Stations (as defined in Regulation 8-30-222); and
Wipe Cleaning Operation (as defined in Regulation 8-30-225).

The fee is based on the gross throughput of organic solvent processed through the solvent cleaning operations on an annual basis (or anticipated to be processed, for new sources):

~~\$258237~~ per 1,000 gallon

d. COATING OPERATIONS, such as application of:

Photoresist (as defined in Regulation 8-30-215); other wafer coating;
Solvent-Based Photoresist Developer (as defined in Regulation 8-30-219); and other
miscellaneous solvent usage.

The fee is based on the gross throughput of organic solvent processed through the coating operations on an annual basis (or anticipated to be processed, for new sources):

~~\$760697~~ per 1,000 gallon

4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. The fee for each source will be rounded to the whole dollar. Fees for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

(Amended 1/9/85; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 10/20/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, TBD)

**SCHEDULE I
 DRY CLEANERS
 (Adopted July 6, 1983)**

For dry cleaners, the fee shall be computed based on each cleaning machine, except that machines with more than one drum shall be charged based on each drum, regardless of the type or quantity of solvent, as follows:

1. INITIAL FEE FOR A DRY CLEANING MACHINE (per drum):
 - a. If the washing or drying capacity is no more than 100 pounds: \$700
 - b. If the washing or drying capacity exceeds 100 pounds: \$700 plus
 For that portion of the capacity exceeding 100 pounds: \$20.95 per pound

2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first toxic air contaminant (TAC) source in application: \$508489 plus initial fee
 - b. Minimum RAF for first TAC source: \$1,245
 - c. RAF for each additional TAC source: equal to initial fee*
 - d. Minimum RAF per additional TAC source: \$700*

* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE FOR A DRY CLEANING MACHINE (per drum):
 - a. If the washing or drying capacity is no more than 100 pounds: \$511
 - b. If the washing or drying capacity exceeds 100 pounds: \$511 plus
 For that portion of the capacity exceeding 100 pounds: \$10.52 per pound

4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

5. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

(Amended 10/17/84; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/02/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, TBD)

**SCHEDULE K
SOLID WASTE DISPOSAL SITES**
(Adopted July 15, 1987)

1. INITIAL FEE:
 - a. Landfill (Decomposition Process) \$5,8085,050
 - b. Active Landfill (Waste and Cover Material Dumping Process) \$2,9032,524
 - c. Active Landfill (Excavating, Bulldozing, and Compacting Processes) \$2,9032,524

2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first toxic air contaminant (TAC) source in application: \$489508 plus initial fee
 - b. RAF for each additional TAC source: equal to initial fee*

* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE:
 - a. Landfill (Decomposition Process) \$2,9032,524
 - b. Active Landfill (Waste and Cover Material Dumping Process) \$1,4511,262
 - c. Active Landfill (Excavating, Bulldozing, and Compacting Processes) \$1,4511,262

4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

5. Evaluation of Reports and Questionnaires:
 - a. Evaluation of Solid Waste Air Assessment Test Report as required by Health & Safety Code Section 41805.5(g) \$3,2002,783
 - b. Evaluation of Inactive Site Questionnaire as required by Health & Safety Code Section 41805.5(b) \$1,6041,395
 - c. Evaluation of Solid Waste Air Assessment Test Report in conjunction with evaluation of Inactive Site Questionnaire as required by Health & Safety Code Section 41805.5(b) \$1,6041,395
 - d. Evaluation of Initial or Amended Design Capacity Reports as required by Regulation 8, Rule 34, Section 405 \$1,1801,026
 - e. Evaluation of Initial or Periodic NMOC Emission Rate Reports as required by Regulation 8, Rule 34, Sections 406 or 407 \$3,3752,935
 - f. Evaluation of Closure Report as required by Regulation 8, Rule 34, Section 409 \$1,1801,026
 - g. Evaluation of Annual Report as required by Regulation 8, Rule 34, Section 411 \$2,9532,568

6. Fees for each source will be rounded off to the nearest dollar. The fee for sources will be rounded up or down to the nearest dollar.

7. For the purposes of this fee schedule, landfill shall be considered active, if it has accepted solid waste for disposal at any time during the previous 12 months or has plans to accept solid waste for disposal during the next 12 months.

(Amended 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 10/6/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17; 6/6/18; TBD)

SCHEDULE M
MAJOR STATIONARY SOURCE FEES
(Adopted June 6, 1990)

For each major stationary source emitting 50 tons per year or more of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, and/or PM₁₀, the fee shall be based on the following:

- | | | |
|----|-------------------|-----------------------------------|
| 1. | Organic Compounds | \$124.51119.84 per ton |
| 2. | Sulfur Oxides | \$124.51119.84 per ton |
| 3. | Nitrogen Oxides | \$124.51119.84 per ton |
| 4. | PM ₁₀ | \$124.51119.84 per ton |

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. In calculating the fee amount, emissions of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, or PM₁₀, if occurring in an amount less than 50 tons per year, shall not be counted.

(Amended 7/3/91; 6/15/94; 7/1/98; 5/9/99; 6/7/00; 6/6/01, 5/1/02, 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, TBD)

**SCHEDULE N
TOXIC INVENTORY FEES
(Adopted October 21, 1992)**

For each stationary source emitting substances covered by California Health and Safety Code Section 44300 *et seq.*, the Air Toxics "Hot Spots" Information and Assessment Act of 1987, which have trigger levels listed in Table 2-5-1, a fee based on the weighted emissions of the facility shall be assessed based on the following formulas:

4.

1. A fee of \$5 for each gasoline product dispensing nozzle in a Gasoline Dispensing Facility; or
2. A fee calculated by multiplying the facility's weighted toxic inventory (w_i) by the following factor:

Air Toxic Inventory Fee Factor _____ \$0.80 per weighted pound per year

Using the last reported data, the facility's weighted toxic inventory (w_i) is calculated as a sum of the individual TAC emissions multiplied by either the inhalation cancer potency factor (CP, in kilogram-day/milligram) for the TAC times 28.6 if the emission is a carcinogen, or by the reciprocal of the inhalation chronic reference exposure level (CREL) for the TAC (in cubic meters/microgram) if the emission is not a carcinogen, using the CP and CREL weighting factors listed in Table 2-5-1.

- A fee of \$5 for each gasoline product dispensing nozzle in the facility, if the facility is a Gasoline Dispensing Facility; or
2. A fee of \$88 if the facility has emissions in the current Toxic Emissions Inventory which are greater than or equal to 50 weighted pounds per year and less than 1000 weighted pounds per year; or
 3. A fee of $\$88 + 0.33 \times (w_i - 1000)$ if the facility has emissions in the current Toxic Emissions Inventory which are greater than or equal to 1000 weighted pounds per year;

where the following relationships hold:

w_i = facility weighted emissions for facility j; where the weighted emission for the facility shall be calculated as a sum of the individual emissions of the facility multiplied by either the inhalation cancer potency factor (CPF, in kilogram-day/milligram) for the substance times 28.6 if the emission is a carcinogen, or by the reciprocal of the inhalation chronic reference exposure level (REL_c) for the substance (in cubic meters/microgram) if the emission is not a carcinogen [use CPF and REL as listed in Table 2-5-1];

(Amended 12/15/93; 6/15/05; 5/2/07; 6/16/10; 5/4/11; 6/4/14; 6/3/15, 6/15/16, 6/6/18, TBD)

SCHEDULE P
MAJOR FACILITY REVIEW FEES
(Adopted November 3, 1993)

1. MFR / SYNTHETIC MINOR ANNUAL FEES

Each facility, which is required to undergo major facility review in accordance with the requirements of Regulation 2, Rule 6, shall pay annual fees (1a and 1b below) for each source holding a District Permit to Operate. These fees shall be in addition to and shall be paid in conjunction with the annual renewal fees paid by the facility. However, these MFR permit fees shall not be included in the basis to calculate Alternative Emission Control Plan (bubble) or toxic air contaminant surcharges. If a major facility applies for and obtains a synthetic minor operating permit, the requirement to pay the fees in 1a and 1b shall terminate as of the date the APCO issues the synthetic minor operating permit.

- a. MFR SOURCE FEE\$~~869805~~ per source
- b. MFR EMISSIONS FEE\$~~34,2034.67~~ per ton of regulated air pollutants emitted

Each MFR facility and each synthetic minor facility shall pay an annual monitoring fee (1c below) for each pollutant measured by a District-approved continuous emission monitor or a District-approved parametric emission monitoring system.

- c. MFR/SYNTHETIC MINOR MONITORING FEE\$~~8,6888,044~~ per monitor per pollutant

2. SYNTHETIC MINOR APPLICATION FEES

Each facility that applies for a synthetic minor operating permit or a revision to a synthetic minor operating permit shall pay application fees according to 2a and either 2b (for each source holding a District Permit to Operate) or 2c (for each source affected by the revision). If a major facility applies for a synthetic minor operating permit prior to the date on which it would become subject to the annual major facility review fee described above, the facility shall pay, in addition to the application fee, the equivalent of one year of annual fees for each source holding a District Permit to Operate.

- a. SYNTHETIC MINOR FILING FEE\$~~1,2104,120~~ per application
- b. SYNTHETIC MINOR INITIAL PERMIT FEE.....\$~~869805~~ per source
- c. SYNTHETIC MINOR REVISION FEE\$~~869805~~ per source modified

3. MFR APPLICATION FEES

Each facility that applies for or is required to undergo: an initial MFR permit, an amendment to an MFR permit, a minor or significant revision to an MFR permit, a reopening of an MFR permit or a renewal of an MFR permit shall pay, with the application and in addition to any other fees required by this regulation, the MFR filing fee and any applicable fees listed in 3b-h below. The fees in 3b apply to each source in the initial permit. The fees in 3g apply to each source in the renewal permit. The fees in 3d-f apply to each source affected by the revision or reopening.

- a. MFR FILING FEE\$~~1,2104,120~~ per application
- b. MFR INITIAL PERMIT FEE\$~~1,2104,120~~ per source
- c. MFR ADMINISTRATIVE AMENDMENT FEE.....\$~~342347~~ per application
- d. MFR MINOR REVISION FEE\$~~1,7184,594~~ per source modified
- e. MFR SIGNIFICANT REVISION FEE.....\$~~3,2032,966~~ per source modified
- f. MFR REOPENING FEE.....\$~~1,050972~~ per source modified
- g. MFR RENEWAL FEE\$~~510472~~ per source

Each facility that requests a permit shield or a revision to a permit shield under the provisions of Regulation 2, Rule 6 shall pay the following fee for each source (or group of sources, if the requirements for these sources are grouped together in a single table in the MFR permit) that is covered by the requested shield. This fee shall be paid in addition to any other applicable fees.

- h. MFR PERMIT SHIELD FEE.....\$~~1,8094,675~~ per shielded source or group of sources

4. MFR PUBLIC NOTICE FEES

Each facility that is required to undergo a public notice related to any permit action pursuant to Regulation 2-6 shall pay the following fee upon receipt of a District invoice.

MFR PUBLIC NOTICE FEE.....Cost of Publication

5. MFR PUBLIC HEARING FEES

If a public hearing is required for any MFR permit action, the facility shall pay the following fees upon receipt of a District invoice.

a. MFR PUBLIC HEARING FEE Cost of Public Hearing not to exceed \$14,78443,689

b. NOTICE OF PUBLIC HEARING FEE.....Cost of distributing Notice of Public Hearing

6. POTENTIAL TO EMIT DEMONSTRATION FEE

Each facility that makes a potential to emit demonstration under Regulation 2-6-312 in order to avoid the requirement for an MFR permit shall pay the following fee:

a. PTE DEMONSTRATION FEE.....\$207492 per source, not to exceed \$20,32348,818

(Amended 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02, 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, TBD)

SCHEDULE Q
EXCAVATION OF CONTAMINATED SOIL AND
REMOVAL OF UNDERGROUND STORAGE TANKS
(Adopted January 5, 1994)

1. Persons excavating contaminated soil or removing underground storage tanks subject to the provisions of Regulation 8, Rule 40, Section 401, 402, 403 or 405 are subject to the following fee:

- a. OPERATION FEE: \$168

(Amended 7/19/00; 8/1/01; 6/5/02; 7/2/03; 6/2/04; 6/6/07; 5/21/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/4/14; 6/3/15, 6/15/16)

**SCHEDULE R
EQUIPMENT REGISTRATION FEES**

1. Persons operating commercial cooking equipment who are required to register equipment as required by District rules are subject to the following fees:
 - a. Conveyorized Charbroiler REGISTRATION FEE: \$744 per facility
 - b. Conveyorized Charbroiler ANNUAL RENEWAL FEE: \$209 per facility
 - c. Under-fired Charbroiler REGISTRATION FEE: \$744 per facility
 - d. Under-fired Charbroiler ANNUAL RENEWAL FEE: \$209 per facility

2. Persons operating non-halogenated dry cleaning equipment who are required to register equipment as required by District rules are subject to the following fees:
 - a. Dry Cleaning Machine REGISTRATION FEE: \$371
 - b. Dry Cleaning Machine ANNUAL RENEWAL FEE: \$259

3. Persons operating diesel engines who are required to register equipment as required by District or State rules are subject to the following fees:
 - a. Diesel Engine REGISTRATION FEE: \$250
 - b. Diesel Engine ANNUAL RENEWAL FEE: \$166
 - c. Diesel Engine ALTERNATIVE COMPLIANCE PLAN FEE (for each plan submitted under District Regulation 11-17-402): \$250

4. Persons operating boilers, steam generators and process heaters who are required to register equipment by District Regulation 9-7-404 are subject to the following fees:
 - a. REGISTRATION FEE \$137 per device
 - b. ANNUAL RENEWAL FEE: \$115 per device

5. Persons owning or operating graphic arts operations who are required to register equipment by District Regulation 8-20-408 are subject to the following fees:
 - a. REGISTRATION FEE: \$446
 - b. ANNUAL RENEWAL FEE: \$278

6. Persons owning or operating mobile refinishing operations who are required to register by District Regulation 8-45-4 are subject to the following fees:
 - a. REGISTRATION FEE \$209
 - b. ANNUAL RENEWAL FEE \$123

(Adopted 7/6/07; Amended 12/5/07; 5/21/08; 7/30/08; 11/19/08; 12/3/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18)

**SCHEDULE S
NATURALLY OCCURRING ASBESTOS OPERATIONS**

1. ASBESTOS DUST MITIGATION PLAN INITIAL REVIEW/PROCESSING AND AMENDMENT FEES:

Any person submitting an Asbestos Dust Mitigation Plan (ADMP) for initial review of a Naturally Occurring Asbestos (NOA) project shall pay the following fee (including NOA Discovery Notifications which would trigger an ADMP review): \$635552

Any person submitting an amendment to a request to amend an existing ADMP of a Naturally Occurring Asbestos (NOA) project shall pay the following fee: \$325

2. AIR MONITORING PROCESSING FEE:

NOA projects requiring an Air Monitoring component as part of the ADMP approval are subject to the following fee in addition to the ADMP fee: \$4,900

3. INSPECTION FEE:

The owner of any property for which an ADMP is required shall pay fees to cover the costs incurred by the District after July 1, 2012 in conducting inspections to determine compliance with the ADMP on an ongoing basis. Inspection fees shall be invoiced by the District on a quarterly basis, and at the conclusion of dust generating activities covered under the ADMP, based on the actual time spent in conducting such inspections, and the following time and materials rate: \$144 per hour

(Adopted 6/6/07; Amended 5/21/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, TBD)

**SCHEDULE T
GREENHOUSE GAS FEES**

For each permitted facility emitting greenhouse gases, the fee shall be based on the following:

1. Carbon Dioxide Equivalent (CDE) Emissions \$0.1200.111 per metric ton

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. The annual emissions of each greenhouse gas (GHG) listed below shall be determined by the APCO for each permitted (i.e., non-exempt) source. For each emitted GHG, the CDE emissions shall be determined by multiplying the annual GHG emissions by the applicable Global Warming Potential (GWP) value. The GHG fee for each facility shall be based on the sum of the CDE emissions for all GHGs emitted by the facility, except that no fee shall be assessed for emissions of biogenic carbon dioxide.

Global Warming Potential Relative to Carbon Dioxide*

GHG	CAS Registry Number	GWP**
Carbon Dioxide	124-38-9	1
Methane	74-82-8	34
Nitrous Oxide	10024-97-2	298
Nitrogen Trifluoride	7783-54-2	17,885
Sulfur Hexafluoride	2551-62-4	26,087
HCFC-22	75-45-6	2,106
HCFC-123	306-83-2	96
HCFC-124	2837-89-0	635
HCFC-141b	1717-00-6	938
HCFC-142b	75-68-3	2,345
HCFC-225ca	422-56-0	155
HCFC-225cb	507-55-1	633
HFC-23	75-46-7	13,856
HFC-32	75-10-5	817
HFC-125	354-33-6	3,691
HFC-134a	811-97-2	1,549
HFC-143a	420-46-2	5,508
HFC-152a	75-37-6	167
HFC-227ea	431-89-0	3,860
HFC-236fa	690-39-1	8,998
HFC-245fa	460-73-1	1,032
HFC-365mfc	406-58-6	966
HFC-43-10-mee	138495-42-8	1,952
PFC-14	75-73-0	7,349
PFC-116	76-16-4	12,340
PFC-218	76-19-7	9,878
PFC-318	115-25-3	10,592

* Source: Myhre, G., et al., 2013: Anthropogenic and Natural Radiative Forcing (and Supplementary Material). In: Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Stocker, T.F., et al. (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. Available from www.ipcc.ch.

** GWPs compare the integrated radiative forcing over a specified period (i.e. 100 years) from a unit mass pulse emission to compare the potential climate change associated with emissions of different GHGs. GWPs listed include climate-carbon feedbacks.

(Adopted 5/21/08; Amended 5/20/09; 6/16/10; 6/4/14; 6/3/15; 6/15/16, 6/21/17, 6/6/18, TBD)

**SCHEDULE U
INDIRECT SOURCE REVIEW FEES**

The applicant for any project deemed an indirect source pursuant to District rules shall be subject to the following fees:

1. APPLICATION FILING FEE

When an applicant files an Air Quality Impact Assessment as required by District rules, the applicant shall pay a non-refundable Application Filing Fee as follows:

- | | |
|--|-------|
| a. Residential project: | \$615 |
| b. Non-residential or mixed use project: | \$918 |

2. APPLICATION EVALUATION FEE

Every applicant who files an Air Quality Impact Assessment as required by District rules shall pay an evaluation fee for the review of an air quality analysis and the determination of Offsite Emission Reduction Fees necessary for off-site emission reductions. The Application Evaluation fee will be calculated using the actual staff hours expended and the prevailing weighted labor rate. The Application Filing fee, which assumes eight hours of staff time for residential projects and twelve hours of staff time for non-residential and mixed use projects, shall be credited towards the actual Application Evaluation Fee.

3. OFFSITE EMISSION REDUCTION FEE

(To be determined)

(Adopted 5/20/09; Amended 6/16/10; 6/4/14; 6/3/15, 6/15/16, 6/21/17)

**SCHEDULE V
OPEN BURNING**

1. Any prior notification required by Regulation 5, Section 406 is subject to the following fee:

a. OPERATION FEE: \$138433

b. The operation fee paid as part of providing notification to the District prior to burning will be determined for each property, as defined in Regulation 5, Section 217, and will be valid for one year from the fee payment date when a given fire is allowed, as specified in Regulation 5, Section 401 for the following fires:

Regulation 5 Section – Fire	Burn Period
401.1 - Disease and Pest	January 1 – December 31
401.2 - Crop Replacement ¹	October 1 – April 30
401.3 - Orchard Pruning and Attrition ²	November 1 – April 30
401.4 - Double Cropping Stubble	June 1 – August 31
401.6 - Hazardous Material ¹	January 1 – December 31
401.7 - Fire Training	January 1 – December 31
401.8 - Flood Debris	October 1 – May 31
401.9 - Irrigation Ditches	January 1 – December 31
401.10 - Flood Control	January 1 – December 31
401.11 - Range Management ¹	July 1 – April 30
401.12 - Forest Management ¹	November 1 – April 30
401.14 - Contraband	January 1 – December 31

¹ Any Forest Management fire, Range Management fire, Hazardous Material fire not related to Public Resources Code 4291, or any Crop Replacement fire for the purpose of establishing an agricultural crop on previously uncultivated land, that is expected to exceed 10 acres in size or burn piled vegetation cleared or generated from more than 10 acres is defined in Regulation 5, Section 213 as a type of prescribed burning and, as such, is subject to the prescribed burning operation fee in Section 3 below.

² Upon the determination of the APCO that heavy winter rainfall has prevented this type of burning, the burn period may be extended to no later than June 30.

c. Any person who provided notification required under Regulation 5, Section 406, who seeks to burn an amount of material greater than the amount listed in that initial notification, shall provide a subsequent notification to the District under Regulation 5, Section 406 and shall pay an additional open burning operation fee prior to burning.

2. Any Marsh Management fire conducted pursuant to Regulation 5, Section 401.13 is subject to the following fee, which will be determined for each property by the proposed acreage to be burned:

a. OPERATION FEE: \$495476 for 50 acres or less
\$673648 for more than 50 acres but less than or equal to 150 acres
\$849817 for more than 150 acres

b. The operation fee paid for a Marsh Management fire will be valid for a Fall or Spring burning period, as specified in Regulation 5, Subsection 401.13. Any burning subsequent to either of these time periods shall be subject to an additional open burning operation fee.

3. Any Wildland Vegetation Management fire (prescribed burning) conducted pursuant to Regulation 5, Section 401.15 is subject to the following fee, which will be determined for each prescribed burning project by the proposed acreage to be burned:

a. OPERATION FEE: \$602579 for 50 acres or less
\$816785 for more than 50 acres but less than or equal to 150 acres
\$1,0621,022 for more than 150 acres

**SCHEDULE W
PETROLEUM REFINING EMISSIONS TRACKING FEES**

1. ANNUAL EMISSIONS INVENTORIES:

Any Petroleum Refinery owner/operator required to submit an Annual Emissions Inventory Report in accordance with Regulation 12, Rule 15, Section 401 shall pay the following fees:

- a. Initial submittal: \$58,86054,000
- b. Each subsequent annual submittal: \$29,43027,000

Any Support Facility owner/operator required to submit an Annual Emissions Inventory Report in accordance with Regulation 12, Rule 15, Section 401 shall pay the following fees:

- a. Initial submittal: \$3,5973,300
- b. Each subsequent annual submittal: \$1,7991,650

2. AIR MONITORING PLANS:

Any person required to submit an air monitoring plan in accordance with Regulation 12, Rule 15, Section 403 shall pay a one-time fee of \$8,1757,500.

(Adopted 6/15/16, TBD)

**SCHEDULE X
MAJOR STATIONARY SOURCE COMMUNITY AIR MONITORING FEES**

For each major stationary source, emitting 35 tons per year or more of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, Carbon Monoxide and/or PM₁₀ within the vicinity of a District proposed community air monitoring location, the fee shall be based on the following:

1.	Organic Compounds	\$60.61 per ton
2.	Sulfur Oxides	\$60.61 per ton
3.	Nitrogen Oxides	\$60.61 per ton
4.	Carbon Monoxide	\$60.61 per ton
5.	PM ₁₀	\$60.61 per ton

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. In calculating the fee amount, emissions of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, Carbon Monoxide, or PM₁₀, if occurring in an amount less than 35 tons per year, shall not be counted.

(Adopted: 6/15/16; Amended: 6/21/17)

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: April 17, 2019

Re: Update on Mobile Source Emissions Reductions Measures

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

California Air Resources Board (CARB) is the agency in the State with responsibility for the regulation of emissions from mobile sources not otherwise preempted by the federal government. CARB is responsible for developing statewide programs and strategies to reduce the emission of smog-forming pollutants, greenhouse gases (GHG) and toxics from mobile sources. These mobile sources include: both on- and off-road sources such as passenger cars; motorcycles; trucks; busses; heavy-duty construction equipment; recreational vehicles; marine vessels; lawn and garden equipment; and small utility engines.

As part of this mission, CARB has successfully developed numerous air toxic control measure (ATCM) regulations; GHG emissions reduction regulations; vehicle emission standards; enforcement and outreach programs; and plans that have significantly reduced air pollution in the State.

More recently, during a March 2018 meeting, CARB Board directed staff to proceed expeditiously to develop over 18 new strategies to further cut diesel pollution from trucks and freight equipment, with half of those measures focused on transitioning to zero-emissions operation. These actions are intended to reduce community health risk near freight facilities, regional pollution, and climate change. Incentive programs will complement these measures.

DISCUSSION

For decades, the Bay Area Air Quality Management District (Air District) has identified toxic diesel particulate matter (DPM) as a significant contributor to local health risk via its community air risk evaluation (CARE) program and regional air pollution via its clean air plans. Also, as part of recent analysis performed in identifying Assembly Bill (AB) 617 communities, the Air District has determined that DPM - from both mobile and stationary sources - contributes significantly to health risk in each of these communities.

To address this, the Air District is working through its mobile source incentive programs, development of AB 617 community emissions reduction plans, permitting and enforcement actions to reduce DPM in these communities. However, a significant component of the DPM emissions and health risk comes from mobile sources where only CARB has jurisdiction.

To highlight the cooperation between the Air District and CARB in reducing these emissions, staff has requested that CARB provide a presentation to the Board of Directors updating them on its efforts to reduce diesel emissions from mobile sources.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Damian Breen
Reviewed by: Greg Nudd