



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

ADVISORY COUNCIL REGULAR MEETING

WEDNESDAY
MARCH 22, 2006
1:30 P.M.

SEVENTH FLOOR BOARD ROOM
939 ELLIS STREET
SAN FRANCISCO, CA 94109

AGENDA

CALL TO ORDER

Opening Comments
Roll Call

Kraig Kurucz, Chairperson
Clerk

PUBLIC COMMENT PERIOD

Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3. The public has the opportunity to speak on any agenda item. All agendas for Advisory Council meetings and Committee meetings are posted at the District, 939 Ellis Street, San Francisco, at least 72 hours before a meeting. At the beginning of the meeting, an opportunity is also provided for the public to speak on any subject within the Council's or Committee's purview. Speakers are limited to five minutes each.

CONSENT CALENDAR

1. Approval of Minutes of January 11, 2006

COMMITTEE REPORTS

2. Executive Committee Meeting of March 15, 2006 Kraig Kurucz
3. Joint Air Quality Planning & Technical Committee Meeting of February 7, 2006 Stan Hayes &
Bob Bornstein
4. Public Health Committee Meeting of February 14, 2006 Jeffrey Bramlett

PRESENTATION

5. Particulate Matter (PM) Research and Abatement

Peter Hess

Dr. Eric Fujita of the Desert Research Institute and Air District Staff will present information on PM research, analysis and control measures. Topics will include the development of source profiles, speciation analysis, source apportionment, current and potential future control measures.

- a) PM Research: Source Profiles, Ambient PM Samples and Source Apportionment – Dr. Eric Fujita
- b) PM Source Apportionment for the Bay Area – Dr. David Fairley
- c) Bay Area PM Control Measures for SB656 – David Vintze

AIR DISTRICT OVERVIEW

6. Report of the Executive Officer/APCO

Jack Broadbent

Mr. Broadbent will provide an update on pending and planned District activities, policies and initiatives.

OTHER BUSINESS

7. Report of Advisory Council Chair

Kraig Kurucz

8. Council Member Comments/Other Business

Council or staff members on their own initiative, or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on their own activities, provide a reference to staff about 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.

9. Time and Place of Next Meeting

10:00 a.m., Wednesday, May 10, 2006, 939 Ellis Street, San Francisco, CA 94109.

10. Adjournment

KK:jc

CONTACT CLERK OF THE BOARDS - 939 ELLIS STREET SF, CA 94109

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- To submit written comments on an agenda item in advance of the meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- To request special accommodations for those persons with disabilities notification to the Clerk's Office should be given in a timely manner, so that arrangements can be made accordingly.

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 ELLIS STREET, SAN FRANCISCO, CALIFORNIA 94109
(415) 771-6000**

**CLERK OF THE BOARDS OFFICE:
MONTHLY CALENDAR OF DISTRICT MEETINGS**

MARCH 2006

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Advisory Council Executive Committee (Rescheduled to March 15, 2006)	Wednesday	8	9:00 a.m.	Room 716
Advisory Council Regular Meeting (Rescheduled to March 15, 2006)	Wednesday	8	10:00 a.m.	Board Room
Board of Directors Mobile Source Committee (Meets 2nd Monday each Month)	Monday	13	9:30 a.m.	4th Floor Conf. Room
Board of Directors Regular Meeting (Meets 1 st & 3 rd Wednesday of each Month)	Wednesday	15	9:45 a.m.	Board Room
Advisory Council Executive Committee (Rescheduled to March 22, 2006)	Wednesday	15	1:00 p.m.	Room 716
Advisory Council Regular Meeting (Rescheduled to March 22, 2006)	Wednesday	15	1:30 p.m.	Board Room
Joint Policy Committee	Friday	17	10:00 a.m. – Noon	MetroCenter Auditorium 101 8th Street Oakland, CA 94607
Board of Directors Budget & Finance Committee (Meets 4th Wednesday each Month)	Wednesday	22	9:45 a.m.	4th Floor Conf. Room
Advisory Council Executive Committee	Wednesday	22	1:00 p.m.	Room 716
Advisory Council Regular Meeting	Wednesday	22	1:30 p.m.	Board Room
Board of Directors Stationary Source Committee (Meets 4 th Monday of each Quarter)	Monday	27	9:30 a.m.	Board Room

APRIL 2006

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting (Meets 1 st & 3 rd Wednesday of each Month)	Wednesday	5	9:45 a.m.	Board Room
Board of Directors Mobile Source Committee (Meets 2 nd Monday each Month)	Monday	10	9:30 a.m.	4 th Floor Conf. Room

April 2006 continued on next page

APRIL 2006 (Continued)

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Advisory Council Public Health Committee	Tuesday	11	10:00 a.m.	Room 716
Advisory Council Technical Committee	Wednesday	12	9:30 a.m.	Board Room
Advisory Council Air Quality Planning Committee	Wednesday	12	1:00 p.m.	Board Room
Board of Directors Regular Meeting (<i>Meets 1st & 3rd Wednesday of each Month</i>)	Wednesday	19	9:45 a.m.	Board Room
Board of Directors Public Outreach Committee (<i>Meets 4th Monday every other Month</i>)	Monday	24	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Budget & Finance Committee (<i>Meets 4th Wednesday each Month</i>)	Wednesday	26	9:45 a.m.	4th Floor Conf. Room

MAY 2006

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting (<i>Meets 1st & 3rd Wednesday of each Month</i>)	Wednesday	3	9:45 a.m.	Board Room
Board of Directors Mobile Source Committee (<i>Meets 2nd Monday each Month</i>)	Monday	8	9:30 a.m.	4th Floor Conf. Room
Advisory Council Executive Committee	Wednesday	10	9:00 a.m.	Room 716
Advisory Council Regular Meeting	Wednesday	10	10:00 a.m.	Board Room
Board of Directors Regular Meeting (<i>Meets 1st & 3rd Wednesday of each Month</i>)	Wednesday	17	9:45 a.m.	Board Room
Joint Policy Committee	Friday	19	10:00 a.m. – Noon	MetroCenter Auditorium 101 8th Street Oakland, CA 94607
Board of Directors Budget & Finance Committee (<i>Meets 4th Wednesday each Month</i>)	Wednesday	24	9:45 a.m.	4th Floor Conf. Room

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BAY AREA AIR QUALITY MANAGEMENT DISTRICT

939 ELLIS STREET - SAN FRANCISCO, CALIFORNIA 94109

Draft Minutes: Advisory Council Regular Meeting and Retreat– January 11, 2006

CALL TO ORDER

Opening Comments: Chairperson Kurucz called the meeting to order at 10:16 a.m.

Roll Call: Present: Kraig Kurucz, Chair, Cassandra Adams, Sam Altshuler, P.E., Diane Bailey, Louise Bedsworth, Ph.D., Ken Blonski, Bob Bornstein, Ph.D., Jeffrey Bramlett, Harold M. Brazil, Irvin Dawid, Emily Drennen, Fred Glueck, William Hanna, Stan Hayes, John Holtzclaw, Ph.D., Victor Torreano, Linda Weiner, Brian Zamora.

Absent: Kevin Shanahan.

Introduction of New Advisory Council Member: Chairperson Kurucz welcomed new Advisory Council member Steven Kmucha, M.D., in the “Public Health Agency” category.

PUBLIC COMMENT PERIOD: There were no public comments.

CONSENT CALENDAR:

1. **Approval of Minutes of November 9, 2005.** Mr. Altshuler requested that on page three, paragraph three, his comment on ammonium nitrate research be expanded. Dr. Holtzclaw moved adoption of the minutes as corrected; seconded by Dr. Bedsworth; carried unanimously.

COMMITTEE REPORTS

2. **Executive Committee Meeting of January 11, 2006.** Chairperson Kurucz stated that the Committee met this morning with the members of the Applicant Selection Working Group (ASWG) to discuss the Board’s revision to the procedure for reappointing Council members. The Personnel Committee will now interview new applicants along with incumbents reapplying at the conclusion of their term.

The Executive Committee discussed the role of the Applicant Selection Working Group in the new process and agreed that the latter should conduct a paper screening, grade the applications and forward its ranking and recommendations on who should be interviewed to the Personnel Committee, which will then determine whom it wishes to interview and will conduct interviews. Incumbents seeking reappointment need to resubmit their applications and update their resumes by January 27th.

The Committee also discussed Council category representation. It was noted that the American Lung Association is not a “public health agency” *per se*. However, no action from the Council on this issue is required as only the Personnel Committee is empowered adjust members in category assignments.

RETREAT FORMAT:

3. Mission of the Advisory Council

A. Role of the Advisory Council. Chairperson Kurucz:

- reviewed the California Health & Safety Code provisions establishing the categories on the Council. Mr. Altshuler inquired if these categories could be updated to reflect the need for expertise in indoor air quality and energy. Brian Bunger, District Counsel, replied that any amendments to the categories would have to be made by the Legislature and the deadline for introducing new bills is January 21, 2006. He indicated he would confer with District staff member Tom Addison on taking this proposal to the Board at this time. Ms. Drennen requested that any language updating the legislation be couched in gender neutral terms.
- reviewed the paper in the agenda packet entitled “The Advisory Council and Public Agency Working Together” – which was jointly authored in 1990 by District Deputy APCO Peter Hess and former member of the Advisory Council, and the Air Resources Board (ARB), John Lagarias. Chairperson Kurucz observed that this paper provides an excellent historical view.
- noted that the Board’s recent revision of the reappointment process to the Council may interface with any changes in the Council categories. Mr. Hanna inquired about the number of days beyond a member’s term expiration that a member could serve, insofar as the legislation indicates one may serve until the appointment and qualification of the successor. Brian Bunger, District Counsel, replied that the general provision of the Government Code, under which the Council operates, is 90 days beyond the expiration of a term.
- urged the Council members to review the Code of Conduct recently adopted by the Council.

B. Staff Expectations for the Advisory Council. Chairperson Kurucz noted that the Executive Officer/Air Pollution Control Officer, Jack P. Broadbent, could not attend today’s meeting as he was meeting with the new Chair of the ARB, Robert F. Sawyer, P.E., Ph.D., who is a former member of the Advisory Council. Jean Roggenkamp, Deputy Air Pollution Control Officer, stated that the Council works to advise the staff and the Board.

This year the Officers of the Governing Board are as follows: Chair – Supervisor Gayle B. Uilkema of Contra Costa County; Vice-Chair – Vice-Mayor Mark Ross of the City of Martinez; and Secretary – Supervisor Jerry Hill of San Mateo County.

C. Brown Act Refresher. Mr. Bunger stated that the Brown Act requires that Council meetings be open to the public. To conduct business, agendas must be posted and publicly viewable. Its decisions must be made in an open forum. Agenda packet materials and copies of presentations must be available at the meetings. The Council cannot meet in Closed Session because it has no authority over matters for which a closed session would be required. The Brown Act also prohibits conducting “serial” as well as “spoke and hubs” meetings in which members individually and sequentially reach agreement in turn outside a formal meeting context. While a member of the public that is on the agenda as a guest speaker may participate fully in the discussion of the presentation, members of the public who address a specific agenda item are limited to filling out a speaker card and address the Council for a limited period of time. Thereafter their participation in discussion should be limited either to answering clarifying questions or providing brief comments.

Agendas are posted a minimum of 72 hours prior to a meeting on the front door of the building, in the first and seventh floor lobbies, and on the Internet. Issues not on the agenda may not be discussed, except to provide direction to staff, agendaize an item for a future meeting, or direct that research be undertaken. There are narrow exceptions for emergency items, but half of the Council must agree the matter is an emergency and two-thirds must agree to put the matter on the agenda. Moreover, the issue must be unknown to the District rather than to only the Council members.

It is acceptable for Committee Chairs to e-mail members regarding agenda items for forthcoming meetings, and also for two members to conduct research together, as long as they do not reach a quorum. It is generally preferable to limit outside communication as much as possible among Committee members. Violation of the Brown Act has been designated by law as a misdemeanor.

4. Round Table Discussion with District’s Management on Key Issues Facing the District and Assignments Proposed by District Staff. Peter Hess, Deputy APCO, presented a memorandum entitled “Potential Candidate Assignments from the Executive Officer/APCO” which proposed five areas of study for the Advisory Council, as follows:

- 1) Community Air Risk Evaluation (CARE) Program – The District is entering the second year of the multi-year CARE program. The Executive Officer/APCO is requesting the Advisory Council track the progress of program and to provide input as appropriate. – (Suggested Committees, Public Health and Technical Committees.)
- 2) Climate Change and Green House Gases – Last year the California Air Resources Board and the Air District took steps to initiate a program to address Global Warming. The Executive Officer/APCO is requesting the Advisory Council review and recommend the next steps the District should take to address Greenhouse Gases and Global Warming in coordination with initiatives under way by the California Air Resources Board. (Suggested Committees, Planning and Technical Committees.)
- 3) Particulate Matter Control – The EPA has recently proposed revised federal ambient air quality standards for PM2.5 and PM10. The District has also prepared a control program to move closer to attainment of the State particulate matter Ambient Air Quality Standard. The Executive Officer/APCO is requesting the Advisory Council track the progress of this program and provide input as appropriate. (Suggested Committee involvement, Planning, Public Health and Technical Committees.)
- 4) Wood Burning Control Strategies – A number of years ago the Advisory Council was a leader in formulating the District’s model wood burning ordinance. This ordinance has made progress in reducing emissions from wood burning devices in the District. The Executive Officer/APCO is now requesting the Advisory Council continue this work by reviewing and recommending the available emission control option(s) best suited to the District to further control the emissions from wood burning devices. (Suggested Committees, Planning and Public Health Committees.)
- 5) Asthma & Indoor Air Quality – Last year the Advisory Council recommended that the District proceed with an indoor air quality program and made recommendations for next steps. Numerous reports link asthma with poor indoor air quality. The Executive Officer/APCO is requesting the Advisory Council review and suggest possible options where the District can best interface with the County and City Health Officers relative to indoor air quality and asthma. (Suggested Committee, Public Health Committee.)

Jean Roggenkamp, Deputy APCO, stated that the District celebrated its 50th anniversary last year, initiated the CARE program, turned its toxics evaluation policy for permits into a rule, adopted new refinery flare rules and very recently adopted an Ozone Strategy for the region. The District has the fastest permit processing time, along with the finest compliance and enforcement program, in California. The Advisory Council also helped to create the climate protection program at the District. Free transit on Spare the Air Days has been expanded from BART to most of the Bay Area transit authorities. The District's budget is under preparation for FY06-07. The agency is fiscally sound. The state subvention cut that has been in effect for the last two years for the District is now expected to be withdrawn.

The District will continue the CARE program and looks to the Council to provide input on it. Also, the District will move forward with its climate protection program. The federal PM_{2.5} standard may be lowered this year, and while the District is presently in attainment its status may change by 2007. Particulate matter (PM) is a pollutant of increasingly significant health concern. In the nine Bay Area counties, 40 cities and eight counties have adopted some form of the wood smoke abatement ordinance developed a number of years ago by the District, and to which the Council devoted significant in crafting.

Indoor air quality will be a subject of further review this year in connection with asthma, and perhaps city and county public health officers can be brought into the Council's deliberations. In discussion of the time frames by which recommendations would need to be made for the staff, the spring would be ideal for receiving the Council's climate protection recommendations, prior to the Conference on Climate Protection scheduled in March. Other topics are for the long-range and do not have immediate milestones.

Dr. Holtzclaw suggested the District assess the viability of adopting indirect source review measures such as have been adopted in the Central Valley, one of which imposes penalties for building housing projects that require significant vehicular driving. There is a legal challenge to these measures pending. Ms. Weiner and Ms. Bailey expressed their concurrence that these topics deserve Council attention this year.

Ms. Bailey added that goods movement in the state should be evaluated from the perspective of the Bay Area. At the state level there is a deadline for action during this spring. Another area would be for the Council to review CEQA guidelines for the District, as these need to be updated. In the Sacramento area, for example, there are specific CEQA policies and requirements for construction equipment.

Ms. Bailey added that the Council should consider providing recommendations on the disbursement of funds for the Carl Moyer, and Transportation Fund for Clean Air (TFCA) programs, especially as funding for the Moyer program has been increased and the legislation concerning the TFCA now allows for its allocation to private fleet owners. Ms. Drennen agreed, adding that the District should promote use of public transportation, non-motorized transportation and pedestrian and bicycle projects.

Ms. Roggenkamp replied that the transit authorities are responsible for promoting public transportation, although the District emphasizes mode shift where possible. The TFCA also funds transportation projects and emphasizes mode shift and vehicular pollution reduction. The provision of free transit on Spare the Air days by BART and most of the transit authorities in the Bay Area promotes mass public transportation as a vehicular pollution reduction strategy.

Mr. Altshuler raised concern about emissions of NO₂ from diesel particulate traps. He noted that he has observed clean exhaust from buses but has smelled NO₂ on Market Street. This raises questions of health effects at, above or below odor thresholds, and the Advisory Council should investigate this matter.

Chairperson Kurucz observed that the goal is to have recommendations developed on the main issues by November, although they could occur earlier where required. This will require careful planning by each Committee. Dr. Bedsworth suggested that the District consider how to create and improve collaborative structures with other agencies and the various transit authorities, especially as the climate change issues are on the forefront, and indirect source control issues are on the horizon, of air quality management.

In reply to questions, Ms. Roggenkamp noted that the District's Ozone Strategy is intended to address the state's one-hour ozone standard, as the federal one-hour standard has been revoked. The state has an eight-hour standard, but it has not gone through the Office of Administrative Law. Attainment designations have not been made, and there are no planning requirements as yet. The District is in marginal non-attainment for the federal eight-hour standard, and there are no planning requirements for such a status.

Ms. Weiner commended staff for identifying wood smoke abatement as an issue and noted that, even though the Lung Association is not a public health government agency, it is a public health entity and has worked with the District on wood smoke abatement in previous years and will continue to do so.

Mr. Hayes stated the list prepared by staff has some continuity with last year's, and the Council should review PM source apportionment and monitoring data from this year. There is also a question of the interrelationship between emission mitigation efforts for diesel PM, criteria pollutants, air toxics and climate change. The Advisory Council may be able to weigh in on the question of such interrelationships.

Ms. Roggenkamp noted that where Committee charges overlap, joint Committee meetings economize on staff presentations. Chairperson Kurucz suggested that the Council Regular meetings receive speaker presentations on topics that are common to all committees, particularly in terms of particulate matter.

Mr. Dawid suggested the District investigate establishing bans on wood burning such as are in effect in the San Joaquin Valley as well as monitor the use of remote sensing in the South Coast.

Ms. Adams suggested that indoor air quality be adopted as a part of the District's mission. Mr. Bunker indicated that this would be an issue for the State Legislature, as indoor air quality is primarily an occupational safety and public health agency issue and concerns exposure. Ms. Roggenkamp added that the Governing Board has also adopted issues as part of the District's mission, such as the task to reduce toxic air contaminants some years ago and, more recently, the charge to improve climate protection. Mr. Hess noted that in 1974 the District was charged with implementing indirect source control for a few weeks.

Ms. Bailey suggested the Council further explore the District's role via transportation and goods movement in the state, especially as the Moyer and TFCA programs can influence vehicle emission reductions. Ms. Roggenkamp replied that in the Ozone Strategy recently adopted by the Board, there are many transportation control measures (TCMs) that focus on reducing vehicle miles traveled and trips and assist the transit authorities and the congestion management agencies implementing measures that achieve this. Grant programs help to emphasize mode shift to less polluting means of transportation. If the Council devotes further time to this topic, it should start with what exists in the Ozone Strategy at the present time.

Dr. Bedsworth observed that these measures were vetted last year through the Technical and Air Quality Planning Committees, which made joint recommendations on them in the Strategy. Mr. Hess suggested the Advisory Council provide advice on updates to the transportation issues in the Strategy as they arise. Ms. Drennen suggested the Council also consider ways to recommend implementation of TCMs.

5. **Convene to Working Lunch for Meetings and Discussion Sessions of the Public Health Committee, Air Quality Planning Committee and Technical Committee.** The Council convened into Standing Committee format at 11:56 a.m.
6. **Reconvene to Full Council Format for Follow-up on Committee Discussion Sessions.** The full Advisory Council reconvened at 1:25 p.m. The Standing Committees reported out as follows:

Public Health Committee: Mr. Bramlett stated the Committee confirmed the staff recommendations on topics for review, and will review wood burning control strategies, and indoor air quality as it relates to asthma. Regarding wood burning, the Committee will review the status quo and the level of achievement of voluntary measures, with a perspective on what future implementation strategies might be considered from a regional perspective, taking into account aspects of enforcement. Speaker presentations will include a staff review on the status of wood smoke abatement efforts in the District, and outside experts such as former Advisory Council member Dr. Michael Lipsett to address health effects issues and the status of research. Regarding asthma and indoor air quality, the focus will be on how to reduce asthma triggers. Speakers will be requested to address health effects, review research and development. The Committee will endeavor to produce recommendations in November. As adjunct issues, the Committee will be interested in PM abatement and the CARE program, and thus some joint ventures with other Committees will be sought. Time permitting, indirect source review and goods movement may be addressed. The Committee will meet in 2006 from 10:00 a.m. – 11:30 a.m. February 14, April 11, June 13, August 8, October 10 and, if necessary, December 12.

Technical Committee: Dr. Bornstein stated that the Committee will review climate change, the CARE program, and particulate matter. It will address climate change as its first priority in order to develop recommendations prior to the Conference on Climate Change in March. Committee member Dr. Bedsworth has volunteered to summarize what the Council discussed last year on climate change over several meetings and, with the assistance of Council member Hayes, will submit a draft document for Committee review at its first meeting in February. At the second meeting, the Committee will focus on PM research at the District. The Committee's third priority on the CARE program will ideally be addressed in joint meetings with the Public Health Committee. The Committee's first two meetings are scheduled for February 8 at 1:00 p.m. and April 12 at 9:30 a.m.

Air Quality Planning Committee (AQPC): Mr. Hayes stated that the Committee will initially address climate protection. A joint meeting with the Technical Committee would be ideal to discuss data on the status of PM source apportionment analysis and inventory emission work, as well as abatement actions at the District. The Committee is also interested in wood smoke abatement and the CARE Program. The question is one of determining the sources of PM emissions in order to determine what control measures are appropriate, and then to assess the degree to which these are addressed in existing control programs. Another topic the Committee would like to address is land-use planning, and how the District might productively address this subject. Air quality elements in general plans may provide one avenue for doing so, along with indirect source review. A final issue concerns the integration of and the nexus between air quality programs that address criteria pollutants, air toxics, and climate protection. The Committee would like to meet the second Wednesday of every month in between the Council meeting months. The first meeting would be on February 7th.

Dr. Bornstein suggested the AQPC and Technical Committees jointly meet on the 7th to discuss climate protection in terms of Dr. Bedsworth's summary and a presentation from staff on the status of climate protection actions by the District. Mr. Hayes expressed his concurrence with this suggestion.

Chairperson Kurucz suggested that a presentation on PM control should be scheduled for the next Council Regular Meeting since it is common to all three Committees. The Council members agreed.

COMMENDATION/PROCLAMATION:

7. Recognition of Outgoing Chairperson Brian Zamora. Chairperson Kurucz noted that the Board presented a plaque to Mr. Zamora at the December 21 Board Regular meeting acknowledging his outstanding leadership of the Council in 2005 in terms of fact-finding and developing excellent recommendations to the Governing Board on global warming and the District’s role in indoor air quality management, devoting meetings to evaluating the Governor’s hydrogen highway project, the Council’s careful review of the CARE program and its adoption of a Code of Conduct, arranging for a formative presentation on urban sprawl and air quality. The Board favorably received the Council’s recommendations in 2005. Mr. Zamora expressed his satisfaction in having served in this capacity.

OTHER BUSINESS:

8. Council Member Comments/Other Business. Mr. Dawid inquired if a Council member could receive travel reimbursement for attending a meeting of another Committee of which he or she was not a member. Mr. Bunger replied that under the Brown Act, a non-Committee member may not participate in a meeting of another Committee, and while Council members are allowed “reasonable and necessary expenses” such attendance does not qualify for reimbursement under the Brown Act. The Attorney General has issued an Opinion that concludes that attending and participating in a meeting at which one is not a member of the body that is meeting constitutes a violation of the Brown Act. Mr. Hanna inquired as to how a non-Committee member would then be able to present a stakeholder view to a Committee in view of such restrictions. Mr. Bunger replied that that member should contact the committee Chair and request that the issue be raised by the Chair as part of the discussion. Mr. Dawid inquired if a Council member could receive travel reimbursement for attending the Climate Protection Summit. Mr. Bunger replied that staff will look into that question. Ms. Bailey noted that the Air & Waste Management Association is holding a meeting on community air monitoring on February 1. Dr. Bornstein inquired about attendance at the AWMA meeting in the summer, and Mr. Bunger replied that the staff is setting a budget and once the number of places for the Advisory Council are determined the Council will be contacted.

9. Time and Place of Next Meeting. Noting that the next meeting of the Council is scheduled for March 8 when the Conference on Climate Protection is scheduled to take place, the Council unanimously agreed to modify its meeting date to: 1:30 p.m., Wednesday, March 15, 2006, 939 Ellis Street, San Francisco, CA 94109. The Council Executive Committee will meet at 1:00 p.m.

10. Adjournment. The meeting was adjourned at 1:56 p.m.

James N. Corazza
Deputy Clerk of the Boards

:jc

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, California 94109

DRAFT MINUTES

Joint Air Quality Planning & Technical Committees
9:30 a.m., Tuesday, February 7, 2006

- 1. Call to Order – Roll Call.** Chairperson Hayes called the meeting to order at 9:45 a.m. Air Quality Planning Committee (AQPC) Members Present: Stan R. Hayes, Chairperson, Ken Blonski, Harold Brazil, Irvin Dawid, Emily Drennen, Fred Glueck, John Holtzclaw, Ph.D. Air Quality Planning Committee Members Absent: Kraig Kurucz. Technical Committee Members Present: Robert Bornstein, Ph.D., Chairperson, Louise Bedsworth, Ph.D., William Hanna, (9:48 a.m.), John Holtzclaw, Ph.D. Technical Committee Members Absent: Sam Altshuler, P.E., Diane Bailey.
- 2. Public Comment Period.** There were no public comments.
- 3. Approval of Joint Committee Meeting Minutes of October 12, 2005.** Dr. Holtzclaw moved approval of the minutes; seconded by Mr. Blonski; carried with Mr. Hayes abstaining.

William Hanna arrived at 9:48 a.m.

- 4. District Climate Protection Program:** *Staff provided a presentation on climate protection activities at the District. The Committee also reviewed a summary of the Advisory Council's deliberations on the subject of climate protection, prepared by members Bedsworth and Hayes. The Joint Committee offered suggestions to the Board of Directors regarding the District's climate protection program.*

Henry Hilken, Director, Planning and Research Division, introduced the agenda item and stated that this is a major initiative for the Air District in the coming year and that the Program will be integrated into various activities within the different Divisions at the Air District. Mr. Hilken introduced David Vintze, Air Quality Planning Manager and Ana Sandoval, Environmental Planner.

Ms. Sandoval presented an overview of recent staff activities on the Climate Protection Leadership Program. Topics reviewed included the following:

Recap on Climate Protection at the District:

- Climate change identified as significant issue by staff and Advisory Council
- Board adopts resolution to address climate change on June 1, 2005
- Initial research by District staff

Ongoing Activity in California and Bay Area:

- State efforts
- Local efforts

District's First Steps:

- Joined Regional and State efforts
- Sponsored events
- Sponsored projects
- Board of Directors Ad Hoc Committee on Climate Change
- Created an informational web site

District's Comprehensive Approach to Climate Protection

- Regional Climate Protection Summit scheduled for Summer, 2006
- Greenhouse Gas (GHG) emissions inventory
- Stationary source GHG control technology
- Energy efficiency
- Green schools
- In-house GHG emission reductions
- Integrate into District activities

Potential Role of Advisory Council

- Continue providing technical guidance/information to Board
- Speakers on climate change
- Ideas for Summit
- Technical information on climate change impacts in the Bay Area
- Examples of successful programs
- Suggestions for other activities

The Committee discussed issues related to the Climate Protection Program and staff responded to Council Members' questions. Council Members provided the following comments and suggestions:

- 1) Dr. Holtzclaw suggested Rachel Gossin or someone else from the Metropolitan Transportation Commission (MTC) to speak at the Summit on growth patterns within the region and the issue around rail transit stops.
- 2) Dr. Bornstein stated that during the last semester, he attended a conference in London on Global Warming, and shared aspects of what he learned at the conference: the terms "mitigation" and "adaptation" were being used instead of the term "protection." He suggested that the District consider talking to people who are planning "adaptation," especially since sea levels are on the rise; there will be coastal flooding all over the Bay Area and precipitation patterns are going to change. He stated that the speaker presented a program on mitigation, energy production, economic benefits, and health benefits. A similar program could be presented at the Summit.

Dr. Bornstein also suggested that the District look into Regional Climate Impact Modeling. He was not sure whether this would fall under the Bay Area or some other agency, or whether the District could partner with universities or other agencies on this issue.

- 3) Dr. Bedsworth could provide the name of one of her colleagues as a speaker for the Summit on Modeling.
- 4) Mr. Glueck commented that the entire program is an overwhelming one and it is an educational process. It would be helpful to roadmap it and put it into a framework that has direction and leadership.
- 5) Mr. Dawid suggested that the District look into the Indirect Source Rule (ISR) and its relationship with GHG emissions. The San Joaquin Valley District is the only Air District in the country that has imposed the ISR. The rule is available on their website.

Mr. Dawid also applauded the District for joining the California Climate Action Registry, and suggested that it team up with the Registry to encourage those companies that are not currently members, to also join the Registry.

Mr. Dawid informed the Council Members of an article on Global Warming that was published in the February 5, 2006 edition of the Contra Costa Times. The article described the Climate Research Program which is a State-sponsored program that started three years ago. This Program looks at how Global Warming would affect the State. Mr. Dawid suggested that the Advisory Council look into the possibility of having a presentation from the Climate Research Program.

- 6) Mr. Hayes applauded the District on its leadership role and the steps it is taking on the Climate Protection Program. He stated that this Program would have to be integrated into individual lifestyles and daily activities. He further stated that there is a lot of synergy between what the District has so far done with its programs and the issue of Climate Change. He pointed out that the Report on the GHG Emissions Inventory for Sonoma County stated that 40 percent of the GHG emissions in Sonoma come from the transportation sector such as cars, trucks, buses, and vehicles that move around. Those are the sources of the many traditional air pollutants that have been the object of the District's and Advisory Council's attention for so many years. There is a real synergy between reductions in criteria pollutant and toxic emissions from these vehicles and reductions in carbon dioxide emissions. Understanding better the interactions between the traditional air programs and GHG issues is extremely important from the standpoint of the District, and perhaps the Advisory Council can offer some ideas to the District on this.

Mr. Hayes stated that Climate Change is different from the traditional air programs in one very important way – one can make money by reducing GHG emissions. Since such a large fraction comes from energy consumption, it may well be that measures that reduce energy, air pollution from power generation and greenhouse gas emissions, result in a net savings to the companies who are instituting those measures. This will save companies money, and it aligns the interest of the regulated and the regulators in ways that are very positive.

- 7) Dr. Bornstein commented that the District has the strong technical base such as modeling and emissions inventory for this issue, and this aspect could be used as a selling point by the District in its presentations. He also stated that it is a hard sell to convince people to

participate in something that is globally caused; however, the selling point is the economic incentives.

- 8) Mr. Hayes stated that, statewide, a large fraction of the GHG emissions are from motor vehicles and they are increasing at a very fast rate. The District should tackle small portions of the issue that can be easily accomplished. Mr. Hayes was of the opinion that unless there are ways to integrate thinking about this issue into peoples' daily lives, there will not be much progress made.
- 9) Dr. Holtzclaw addressed the electricity, heating and cooling aspect of Smart Growth. He explained that multi-family housing, where people share walls, ceilings and roofs, use a lot less heating and cooling energy, and expose a lot less to the elements per unit which tend to be smaller units. Therefore, there is a smaller area for heating, cooling and lighting. This is another topic that could be highlighted at the Summit.
- 10) Ms. Drennen stated that many of the cities and counties have programs for vehicle miles traveled (VMT), but they do not have sufficient funding to implement them. If there were targeted grant programs or more funding available, it would be more economical as opposed to the District taking on a brand new program and developing it. Dr. Bornstein suggested that the District can encourage, investigate and make known grant opportunities where external money can be brought into the District in partnership with universities, companies, etc., depending on the program. Mr. Hayes suggested that including the GHG issue as a criterion on the Transportation Fund for Clean Air (TFCA) project evaluation seems to be a good way to obtain funds.
- 11) Mr. Brazil suggested that the District try to integrate GHG initiatives into the federal transportation planning process.

Mr. Hilken explained that since Climate Protection is a very large issue, it is important to relate it to local and individual actions and efforts. With regard to the Land Usage and Smart Growth linkages, Mr. Hilken explained that there are many Transportation Control Measures (TCMs) in the District's Ozone Strategy. It is also important to reduce the amount of VMTs in the region. Highlighting this at the Summit would be important. The Advisory Council could recommend to the District ways to integrate the Program into the existing efforts to promote TCMs, especially the Land Usage and Smart Growth transportation linkages. Since working with MTC, Association of Bay Area Governments (ABAG) and the cities and counties will be critical, the Advisory Council's input would be helpful.

Mr. Hayes inquired what the District's schedule would be for accomplishing things related to this issue and specifically what kinds of resources does the District have currently for the Program. Mr. Hilken responded by explaining that in last year's budget there was a separate program created for Climate Protection which will continue, with the Board of Directors' support. Last year there was a little over a full time employee and this year there will be more staff dedicated to this Program. The District hopes to integrate it into its other programs. Therefore, some of the work that staff currently does in the Outreach & Incentives Division will be related to Climate Protection; staff that handles the Grants will be working on this Program as well, as it is integrated into the TFCA program. He further explained that the District is

currently in the process of developing its budget for the next fiscal year, and will be looking into staffing for this Program.

The Committee also reviewed a summary of the Advisory Council's deliberations on the subject of Climate Protection, prepared by members Bedsworth and Hayes. Dr. Bedsworth reported that at the August 16, 2005 meeting of the Air Quality Planning and Technical Committees, a number of potential areas for District activity on Climate Change were brought up for discussion. These topics warrant more discussion by the two Committees to assess if further investigation is recommended. The options that were discussed at the August 16, 2005 meeting fall into two categories. The first category includes establishing model programs for GHG reporting and reduction in collaboration with the Climate Action Registry and other stakeholders. The second category includes actions that are related to current District regulatory activities.

Climate activities that the District could undertake in collaboration with the Climate Action Registry and other stakeholders:

- Work with the Registry to rank commercial building GHG regulations in the District. Spread best practices to minimize emissions.
- Develop a climate action leader program to recognize entities in the Bay Area that voluntarily measure and report GHG emissions.
- Work with the Registry to develop model offset projects, such as traffic light replacement or traffic light synchronization.
- Collaborate with Inter-Governmental Cooperative & Local Environmental Initiatives (ICLEI) to create a template for clean city certification.

Climate activities that relate to the District's current regulatory programs:

- Explore the extent of current regulatory authority and the control of GHG's from stationary sources.
- Establish reporting requirements/processes for GHG emissions as part of the permitting process. Start including GHG as an item on the permitting form.

The Council members discussed the issues and decided to convey its strong support to the District in the form of a two-part Resolution to be developed by the two Committees. The Committees will work separately on issues related to Climate Protection and then come back as a Joint Committee, at a later date, to consolidate their recommendations for the District.

Committee Action: The two Committees jointly recommend that the full Advisory Council adopt a Resolution to the Air District's Board of Directors expressing the Council's support for the Board and Staff's leadership on the Climate Change issue, in particular on the current efforts and future direction. Mr. Glueck moved approval of the recommendation; seconded by Dr. Holtzclaw; carried unanimously.

5. Committee Member Comments/Other Business. There were none.

6. Time and Place of Next Meeting. Technical Committee: Wednesday, April 12, 2006, 9:30 a.m. Air Quality Planning Committee: Wednesday, April 12, 2006, 1:00 p.m., 939 Ellis Street, San Francisco, CA 94109.

7. Adjournment. 12 Noon.

Neel Advani
Deputy Clerk of the Boards

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, California 94109

DRAFT MINUTES

Advisory Council Public Health Committee Meeting
10:00 a.m., Tuesday, February 14, 2006

1. **Call to Order – Roll Call.** Chairperson Bramlett called the meeting to order at 10:00 a.m. Present: Jeffrey Bramlett, Chairperson, Diane Bailey, Steven Kmucha, M.D., Victor Torreano, Linda Weiner, Brian Zamora. Absent: Cassandra Adams.
2. **Public Comment Period.** There were no public comments.
3. **Approval of Minutes of October 24, 2005.** Chairperson Torreano moved approval of the minutes; seconded by Mr. Zamora; carried unanimously.
4. **Woodsmoke Abatement Efforts and Results, and Identification of Best Practices.** *Staff provided a presentation on woodsmoke outreach and education at the District, as well as woodsmoke abatement efforts in the San Joaquin Valley and Puget Sound Air Districts.*

Peter Hess, Deputy APCO, introduced the item and stated that this is a two-part presentation. Mr. Hess stated that Jack Colbourn, Senior Policy Advisor, will provide an overview of the current program and the survey results. Janet Glasgow, Air Quality Program Manager, will provide information on woodsmoke abatement efforts in other locations and the current program.

Mr. Colbourn presented his report and reviewed the wood smoke outreach messages. The messages are:

- Stop burning wood! Pollute less by using cleaner fuels to heat your home.
- Switch to a gas fireplace or insert for the health of your family.
- If you must burn wood, burn less.
- Don't use your fireplace on Spare the Air Nights.
- Urge your city or county to adopt the model Wood Smoke Ordinance.

Advertising included the following:

- Radio: 60 second ad aired on KCBS, KFOG, KLLC, and KSAN.
- Television: 30 second ad on Comcast and WB20.
- Print: ¼ page display ads in the *San Francisco Chronicle*.
- Outdoor: 60 foot banner over the Treasure Island tunnel and billboards on highway 101 and Mill Valley.
- Events: Jumbotron and tabling at Cal sports events, Boo at the Zoo, and Jingle Jam.

The Committee listened to a tape of Jack Broadbent's radio message and viewed the KPIX health video on asthma and a segment that ran in both Mandarin and Cantonese that was translated by Air District spokesperson Dr. Steve Soong. Mr. Colbourn noted that plans for the future include a multi-lingual message that would include Spanish, Vietnamese and Tagalog.

Media coverage included spots on numerous radio stations; news stories on KTVU, KPIX, and Univision; and articles about wood smoke prevention published in newspapers throughout the region.

Luna Salaver, Public Information Officer, coordinator of the Spare the Air Program, discussed the wintertime Program. Ms. Salaver stated that in the Bay Area this winter the Federal Particulate Matter (PM) standard of 2.5 was not exceeded. The winter program started on November 14, 2005 and will end on February 17, 2006.

Ralph Borrmann, Public Information Officer, reviewed the woodstove change out program. Mr. Borrmann stated that money for the program comes from the mitigation of two power plants in Santa Clara County and that the Air District administers the Program. The woodstove change-out program is only in Santa Clara County and the rebates run from \$100 to \$300. It is a voluntary program and 1,673 change-outs have been completed to date. The change-out program should run about one more year and at the end of the program, there will be a reduction in emissions of approximately 30,000 tons.

Emily Hopkins, Public Information Officer, reviewed the model woodsmoke ordinance efforts. Ms. Hopkins stated that 40 cities and eight of the nine counties have adopted woodsmoke ordinances.

Mr. Colbourn next reviewed the mid-season wintertime telephone survey and noted that the final survey would be completed by April 1, 2006. The Committee discussed several aspects of the survey and Mr. Colbourn noted that the survey is very detailed and the mid-season results cover only a portion of the survey. In discussions of the woodsmoke ordinance, Mr. Colbourn reiterated that 40 cities have adopted ordinances and that there are 60 cities and one county that have not adopted a woodsmoke ordinance.

Henry Hilken, Director of Planning, Rules & Research, stated that the California Environmental Quality Act (CEQA) documents that are received by the Air District include a component to adopt a resolution on a woodsmoke ordinance if the city does not already have one.

Mr. Zamora recommended that the Air District contact and work with the local health departments on the importance of this issue.

Janet Glasgow, Air Quality Program Manager, presented a report on woodsmoke abatement efforts in other areas. Ms. Glasgow reviewed all air pollution complaints and noted that woodsmoke complains are 1% of the total. Open burning is covered under District Regulation 5, but residential heating and cooking are not included in the District's Regulation.

The greatest complaints for fireplaces and woodsmoke are received from November through February. The Air District is dispatching inspectors when a complaint comes in. A woodsmoke pilot monitoring program was established last year and covers Mill Valley, Concord and Santa Rosa.

Ms. Glasgow reported that the Air District has been reviewing programs set up by other districts to see how this Air District could develop a program of its own. The Puget Sound Clean Air Agency and San Joaquin Valley Unified Air Pollution Control District programs were reviewed. The program for Puget Sound includes a burn ban, complaint process, promotion of local ordinances, prohibition of new uncertified devices, and it promotes public education. The San Joaquin Valley program includes episodic curtailment, restriction as to the type of fuel burned, a complaint process, prohibition of new or used uncertified devices, and a limit on density of devices.

Ms. Glasgow reviewed the District's action plan, which includes continuing the surveys conducted by the Public Outreach Division, continue working on adoption of woodsmoke ordinances, and look at the programs other air districts have. To help educate the public, workshops and community meetings need to be held to help change people's behavior.

Gary Kendall, Director of Technical Services, reviewed the winter pilot sampling program for woodsmoke. Mr. Kendall explained the monitoring process and noted that the program uses hand-held portable monitors in Mill Valley, Concord and Santa Rosa. Teams of inspectors are dispatched and pinpoint the location of the measurements with the use of a GPS device. Graphics are available on the results of the monitoring and staff will make them available to the Advisory Council if they so desire.

In response to questions by the Committee, Ms. Glasgow stated that the Puget Sound Agency does not have density restrictions, but a prohibition of sales of new devices. They have a change-out program and they try to target them to the most problematic areas. The surcharge on new woodburning devices is spent on public education.

Mr. Zamora requested staff provide the Committee with the document regarding model ordinances for woodsmoke. During discussion there was concern about the effect on low income families and using their fireplaces for heating and the resulting health effects.

Mr. Hess noted that some homes have gas, but people choose to use a woodburning stove for heating rather than propane, which costs more. It was noted that the survey covers a variety of questions and when the survey is completed, the list of questions will be provided to the Advisory Council. Ms. Bailey requested cost comparison data to heat with wood, propane, and gas.

Speaker: The following individual came forward to speak on this item:

Jenny Bard
American Lung Association
Redwood Empire Branch
Santa Rosa, CA 95404

Ms. Bard stated that the American Lung Association is working with the Air District to educate people and get woodsmoke ordinances adopted. Ms. Bard noted that the ordinances do not ban wood burning. Ms. Bard discussed calling a Spare the Air Tonight advisory at a lower standard and commented that when smoke impacts a neighborhood, it is a public health issue.

Chair Bramlett thanked Ms. Bard for addressing the Committee.

In response to Mr. Zamora, Mr. Hess stated that the Air District would invite people from the Puget Sound Clean Air Agency and the San Joaquin Valley APCD to speak to the Committee. Mr. Zamora requested that copies of each of the ordinances from the two agencies be provided to the Committee in advance of the April meeting. Mr. Zamora also noted that it would be helpful to hear from those being impacted by the ordinances, such as the real estate community and companies selling devices that are approved now, but may not be in the future. Mr. Hess stated that the Hearth Products Association might also be invited to speak to the Committee.

Mr. Zamora stated that the Committee should also look at the retrofit issue and that this might be an opportunity to look at planning new development with a required change, and what impact a retrofit would have on people that have homes with wood burning fireplaces. Mr. Hess stated that staff would provide the Committee with information regarding average cost for a retrofit for a fireplace.

5. Discussion of Speaker Schedule for Indoor Air Quality and Asthma: *The Committee discussed with District staff potential guest speaker presentations for its 2006 work plan topic concerning indoor air quality and its relationship to asthma.*

Dr. Kmucha stated that he had some contacts that he has used for other presentations and he would contact them. The Committee determined to devote the April meeting to woodsmoke and that the speakers on the issues of asthma and indoor air quality could make their presentations at the June 13th meeting.

6. Committee Member Comments/Other Business. Ms. Weiner stated that the federal government has released a proposal on standards, which according to public health research, are very weak. On March 8, 2006, the Environmental Protection Agency (EPA) will hold hearings in San Francisco, one of three cities hosting the hearings. The other two cities are Philadelphia and Chicago. The American Lung Association is working with other environmental and public health groups to get speakers for that day. Ms. Weiner suggested that someone from the Air District be available for the hearings to make comments on the proposal.

7. Time and Place of Next Meeting. 10:00 a.m., Tuesday, April 11, 2006, 939 Ellis Street, San Francisco, CA 94109.

8. Adjournment. 11:29 a.m.

Mary Romaidis
Clerk of the Boards