



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

ADVISORY COUNCIL REGULAR MEETING

MONDAY
APRIL 25, 2016
9:00 A.M.

7TH FLOOR BOARD
939 ELLIS STREET
SAN FRANCISCO, CA 94109

AGENDA

1. **CALL TO ORDER - ROLL CALL – PLEDGE OF ALLEGIANCE**

The Council Chair shall call the meeting to order and the Clerk of the Boards shall take roll of the Council members. The Council Chair shall lead the Pledge of Allegiance.

2. **APPROVAL OF THE MINUTES OF DECEMBER 3, 2015 AND FEBRUARY 3, 2016**

Clerk of the Boards/5073

The Advisory Council will consider approving the draft minutes of the Advisory Council Regular Meetings of December 3, 2015 and February 3, 2016.

3. **WELCOME**

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Executive Officer/APCO will address the Council.

4. **PUBLIC COMMENT ON AGENDA MATTERS**

Pursuant to Government Code Section 54954.3, the public has the opportunity to speak on any agenda item. All agendas for Council meetings are posted at the Air District, 939 Ellis Street, San Francisco, California 94109 at least 72 hours before a meeting.

This meeting will be webcast. To see the webcast, please visit <http://www.baaqmd.gov/The-Air-District/Board-of-Directors/Agendas-and-Minutes.aspx> at the time of the meeting.

5. **PRESENTATION ON CRUDE SLATE AT LOCAL REFINERIES** J. McKay/4629
jmckay@baaqmd.gov

Gordon Schremp of the California Energy Commission will provide a presentation on Crude Slate at local refineries.

6. **PERSPECTIVES ON EFFICACY OF GREENHOUSE GAS (GHG) CAPS FOR LOCAL REFINERIES** J. McKay/4629
jmckay@baaqmd.gov

Four groups have been invited to present their perspectives on this topic. Invitees are Communities for a Better Environment, the Western States Petroleum Association, the California Council for Environmental and Economic Balance, and 350 Bay Area.

7. **PRESENTATION ON LOW CARBON FUEL STANDARD** J. McKay/4629
jmckay@baaqmd.gov

Sam Wade of the California Air Resources Board will provide a presentation on Low Carbon Fuel Standard.

8. **COUNCIL DELIBERATION** J. McKay/4629
jmckay@baaqmd.gov

The Council will discuss the efficacy of GHG caps for local refineries, considering information provided to date. The discussion may include topics such as toxics co-benefits, the reduction of emissions from sources not covered by Cap-and-Trade, leakage and opportunity costs.

OTHER BUSINESS

9. **PUBLIC COMMENT ON NON-AGENDA MATTERS**

Pursuant to Government Code Section 54954.3, an opportunity is provided for the public to speak on any subject within the Council's purview. Speakers are typically limited to three minutes each.

10. **COUNCIL MEMBER COMMENTS / OTHER BUSINESS**

Council members may make a brief announcement, provide a reference to staff about factual information or ask questions about subsequent meetings.

11. **TIME AND PLACE OF NEXT MEETING**

At the call of the Chair.

12. **ADJOURNMENT**

The Council meeting shall be adjourned by the Chair.

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
939 ELLIS STREET, SAN FRANCISCO, CA 94109
mmartinez@baaqmd.gov

(415) 749-5016
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 Advisory Council” and received at least 24 hours prior, excluding weekends and holidays, in order to be presented at that Council meeting. Any correspondence received after that time will be presented to the Council at the following meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- **Accessibility and Title VI:** The Air District provides services and accommodations upon request to persons with disabilities and individuals who are limited-English proficient who wish to address Board matters. For accommodations or translations assistance, please call 415-749-5016 at least three days in advance of a meeting, so that arrangements can be made accordingly.

Accesibilidad y Título VI: El Distrito del Aire ofrece servicios y realiza las adaptaciones necesarias para las personas con discapacidades y para las personas con un dominio limitado del inglés siempre que estos servicios se soliciten y se deseen tratar asuntos relacionados con la Junta. Si necesita ayuda con algún tipo de adaptación o traducción, llame al 415-749-5016 como mínimo tres días antes de la reunión de manera que puedan realizarse las adaptaciones necesarias.

Magagamit na Tulong at Título VI: Nagbibigay ang Air District ng mga serbisyo at mga akomodasyon, kapag hiniling, sa mga taong may kapansanan at mga taong limitado ang kakayahan sa Ingles na gustong magpahayag tungkol sa mga usapin sa harap ng Lupon. Para sa mga tulong sa akomodasyon o sa pagsasalin, mangyaring tumawag sa 415-749-5016 nang tatlong araw man lamang na una pa sa miting, para makapaghandang ayon sa pangangailangan.

可及度及標題VI：空氣管理局根據申請為殘障人士和英語熟練程度有限但卻希望參與董事會事宜的人員提供服務和住宿。關於住宿或者翻譯幫助，請至少在會議之前三天致電 415-749-5016，以便作出相應安排。

Tạo Khả Năng Truy Cập và Chương VI: Đặc Khu cung cấp dịch vụ và phương tiện đáp ứng, khi có yêu cầu, cho những người bị khuyết tật và cho những cá nhân không thông thạo Anh ngữ muốn được tham gia các vấn đề của Hội Đồng. Để được phương tiện đáp ứng hoặc trợ giúp phiên dịch, xin gọi số 415-749-5016 ít nhất ba ngày trước khi có hội thảo, để tiện bố trí các phương tiện

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 939 Ellis Street, San Francisco, CA 94109, at the time such writing is made available to all, or a majority of all, members of that body.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 ELLIS STREET, SAN FRANCISCO, CALIFORNIA 94109
FOR QUESTIONS PLEASE CALL (415) 749-5016 or (415) 749-4941

EXECUTIVE OFFICE:
MONTHLY CALENDAR OF AIR DISTRICT MEETINGS

APRIL 2016

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	20	9:45 a.m.	Board Room
Advisory Council Meeting <i>(At the Call of the Chair)</i>	Monday	25	10:00 a.m.	Board Room
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month)</i>	Wednesday	27	9:30 a.m.	Board Room
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i> - CANCELLED	Thursday	28	9:30 a.m.	Board Room

MAY 2016

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Public Engagement Committee <i>(At the Call of the Chair)</i>	Monday	2	9:30 a.m.	Board Room
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i> - CANCELLED	Wednesday	4	9:45 a.m.	Board Room
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i>	Thursday	5	9:30 a.m.	Board Room
Board of Directors Executive Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	16	9:30 a.m.	Board Room
Board of Directors Stationary Source Committee <i>(Meets on the 3rd Monday of each Month)</i> - CANCELLED & RESCHEDULED TO WEDNESDAY, JUNE 1, 2016 AT 9:30 A.M.	Monday	16	10:30 a.m.	Board Room
Board of Directors Ad Hoc Building Oversight Committee <i>(At the Call of the Chair)</i> -CANCELLED	Wednesday	18	9:30 a.m.	Board Room
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	18	9:45 a.m.	Board Room

MAY 2016

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Climate Protection Committee <i>(Meets on the 3rd Thursday of every other month)</i> - CANCELLED	Thursday	19	9:30 a.m.	Board Room
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month)</i> - CANCELLED	Wednesday	25	9:30 a.m.	Board Room
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i> - CANCELLED	Thursday	26	9:30 a.m.	Board Room

JUNE 2016

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i> - CANCELLED	Wednesday	1	9:45 a.m.	Board Room
Board of Directors Stationary Source Committee <i>(Meets on the 3rd Monday of each Month)</i>	Wednesday	1	9:30 a.m.	Board Room
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	15	9:45 a.m.	Board Room
Board of Directors Executive Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	20	9:30 a.m.	Board Room
Board of Directors Stationary Source Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	20	10:30 a.m.	Board Room
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month)</i>	Wednesday	22	9:30 a.m.	Board Room
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i>	Thursday	23	9:30 a.m.	Board Room

HL – 4/19/16 (4:50 p.m.)

G/Board/Executive Office/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Stan Hayes and Members
of the Advisory Council

From: Jack P. Broadbent
Executive Officer/Air Pollution Control Officer

Date: April 13, 2016

Re: Approval of the Minutes of December 3, 2015 and February 3, 2016

RECOMMENDED ACTION

Approve the attached draft minutes of the Advisory Council meetings of December 3, 2015 and February 3, 2016.

DISCUSSION

Attached for your review and approval are the draft minutes of the Council meetings of December 3, 2015 and February 3, 2016.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Tom Flannigan
Reviewed by: Maricela Martinez

Attachment A: Draft Minutes of the Advisory Council Meeting of December 3, 2015
Attachment B: Draft Minutes of the Advisory Council Meeting of February 3, 2016

Draft Minutes – Advisory Council Regular Meeting of December 3, 2015

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, CA 94109
(415) 749-5073

DRAFT MINUTES

Advisory Council Regular Meeting
Wednesday, December 3, 2015

Note: An audio recording of the meeting is available on the website of the Bay Area Air Quality Management District at <http://www.baaqmd.gov/about-the-air-district/advisory-council/agendasreports>.

1. CALL TO ORDER

Advisory Council (Council) Member Stan Hayes called the meeting to order at 9:15 a.m.

Opening Comments: Member Hayes provided a welcome address to the new Council and extended appreciation to the former Advisory Council.

Roll Call:

Present: Ms. Doduc, Dr. Harley, Professor Kleinman, Dr. Lipman, Dr. Long, and Mr. Hayes.

Absent: Dr. Borenstein.

Also Present: Mayor Rod Sinks, Member of the Board of Directors (Board).

Continued Comments: Member Hayes describes the transition from an Advisory Council to the current Council.

2. WELCOME

Jack Broadbent, Executive Officer/Air Pollution Control Officer (APCO), addressed the Council and described the intent for the newly formed group and the goals of the Air District.

Oath of office administered to all present Council members.

Brian Bunger, District Counsel, addressed the Council with regards to Brown Act Requirements.

3. PUBLIC COMMENT ON AGENDA MATTERS: No requests received.

4. COUNCIL INTRODUCTIONS: Council members individually introduced themselves.

5. ELECTION OF OFFICERS

Jeff McKay, Deputy APCO, introduced the role of the chairperson and vice-chairperson of the Council.

The Council further discussed the roles and duties.

Council Action:

Member Kleinman made a motion, seconded by Member Long, to nominate Member Hayes as the Chairperson of the Council; and the motion carried by the following vote of the Council:

AYES: Doduc, Hayes, Harley, Kleinman, Lipman and Long.
NOES: None.
ABSTAIN: None.
ABSENT: Borenstein.

Member Lipman made a motion, seconded by Member Doduc, to nominate Member Kleinman as Vice-Chairperson of the Council; and the motion carried by the following vote of the Council:

AYES: Doduc, Hayes, Harley, Kleinman, Lipman and Long.
NOES: None.
ABSTAIN: None.
ABSENT: Borenstein.

6. Council Charter: Council members discussed key elements of a Council charter.

Mr. McKay described the proposed Council Charter; terms of the chair and vice-chair; how deliverables are to be created; and operational details of the Council.

The Council and staff discussed the proposed Council Charter; how additional questions to the group are to be proposed for deliberations; how to handle public comments on non-agenda and agenda items; document preparation and review Health and Safety Code requirements for appointments and reappointments.

Member Doduc made a motion, seconded by Member Kleinman, to adopt the proposed Charter of the Council; and the motion carried by the following vote of the Council:

AYES: Doduc, Hayes, Harley, Kleinman, Lipman and Long.
NOES: None.
ABSTAIN: None.
ABSENT: Borenstein.

7. Air District Overview

Mr. McKay welcomed the Council by providing an overview of the Air District, including categories of pollutants; organization; emission trends; national and state standards; attainment status; risk from toxic air contaminants; impacted communities; regional modeling of toxic air contaminants; and climate change.

Mr. Bunger welcomed the Council by providing a legal overview of the District including air quality problems; regulatory framework; District authority; criteria pollutant control planning and regulations; District regulations; criteria pollutant control permits; air toxics control; and greenhouse gases (GHGs).

The Council and staff discussed GHGs; Assembly Bill 32; Board considerations; drafting policies to achieve District goals; and caps on pollutants.

8. Presentation and Discussion on First Key Question

Mr. Broadbent presented the first key question to the Council: What is the efficacy of imposing numeric caps on GHGs from Bay Area refineries?

The Council recessed at 11:10 a.m. and resumed at 11:25 a.m.

Mr. McKay introduced Jim Karas, Director of Engineering, who gave the staff presentation *Overview of Petroleum Refining*, including a refinery overview: crude units, light gases, light and heavy naphtha, kerosene, diesel, gas oil, residue, U.S. crude oil production, California crude oil supply sources, Bay Area refinery locations, crude oil processing capacity, major Bay Area refinery products, refinery emissions sources, current refinery projects, refinery information resources, trends in crude oil quality, crude oil supply sources, west coast refinery crude oil compared to the rest of the nation, and California refinery output by product types.

Mr. McKay introduced Henry Hilken, Director of Planning and Climate Protection, who gave the staff presentation *Air District Climate Protection Program*, including program goals and focus; climate protection initiatives; local government support; outcomes and results; collaboration efforts with Air Resources Board (ARB) and other air districts; ARB's cap-and-trade program; Bay Area GHG emissions; consumption-based GHGs and emissions inventory; Bay Area GHG forecasts; Bay Area refinery emissions trends; Climate Protection Resolution; 10-Point Climate Action Work Program; climate staffing and resources; regional climate protection strategy; climate rulemaking; and the pathway to 2050.

Council Comments:

The Council and staff discussed the low carbon fuel standard; regional regulatory environment; fossil fuel sources; target goals; market changes; performance measures; qualitative measures on climate protection plans; fugitive rules; cost of compliance; socioeconomic reports for new regulations; GHG measurement and concerns in South Coast Air Basin; emissions caps interfering with cap and trade rules; methane leaks; varied fuel sources; electrification as a long-term approach; interim goals on reducing emissions; technical solutions for reducing GHGs; storing carbon in the ground; looking beyond GHG emissions and seeking a multi-pollutant

approach for toxics and GHGs; considering full lifecycle analysis of oil and related emissions; seeking reasonable and feasible solutions to emissions concerns; requests for technical expertise from refinery experts; the refinery emissions strategy; and evaluation of proposals from community groups. The Council expressed interest in further information from ARB on Cap and Trade.

9. Time and Place of Next Meeting: At the call of the Chairperson.

10. Adjournment: The meeting adjourned at 1:06 p.m.

Tom Flannigan
Acting Clerk of the Boards

Draft Minutes – Advisory Council Regular Meeting of February 3, 2016

Bay Area Air Quality Management District
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607
(415) 749-5073

Advisory Council (Council) Special Meeting
Wednesday, February 3, 2016

DRAFT MINUTES

Note: An audio recording of the meeting is available on the website of the Bay Area Air Quality Management District at <http://www.baaqmd.gov/about-the-air-district/advisory-council/agendasreports>.

1. CALL TO ORDER

Advisory Council (Council) Chair Stan Hayes called the meeting to order at 10:00 a.m.

Roll Call:

Present: Council Chair Hayes, Council Vice Chair Kleinman, and Members Dr. Borenstein, Dr. Harley, Dr. Lipman, and Dr. Long

Absent: Member Ms. Doduc

Also Present: Cupertino Councilmember Rod Sinks, Member of the Board of Directors (Board)

Opening Comments: Chair Hayes welcomed the Council members and commended the new group for its work at the first Council meeting on December 3, 2015. He also welcomed Dr. Severin Borenstein, who gave a brief introduction of himself.

Chair Hayes announced that the December 3, 2015 minutes were included in the meeting packet for consideration of approval. However, as the approval of the December 3, 2015 minutes was not included on the agenda for consideration of approval, the minutes were not considered approved.

2. WELCOME

Jack Broadbent, Executive Officer/Air Pollution Control Officer (APCO), recognized the attendance of Cupertino Councilmember, Rod Sinks, who was appointed by the District's Chairman of the Board of Directors as an Ex-Officio Advisory Council member. Mr. Broadbent then gave a brief history of the development of the Council and discussed goals of the Air District.

3. PUBLIC COMMENT ON AGENDA MATTERS

No requests received.

4. ASSEMBLY BILL (AB) 32: CALIFORNIA GLOBAL WARMING SOLUTIONS ACT OF 2006 AND THE CAP-AND-TRADE PROGRAM

Mr. Broadbent introduced Richard Corey, Executive Officer of the California Air Resources Board (ARB), and thanked him for presenting the ARB's Cap and Trade program to the District's Advisory Council. Before beginning his presentation, Mr. Corey explained what the ARB does as an agency and how the Air District partners with the ARB. His presentation, *Air Resource Board's 2016 Priorities and Objectives*, included key challenges for ARB; 2030 and 2050 greenhouse (GHG) targets; overarching 2016 priorities; 2016 integrated planning; key ongoing efforts; and interaction between California's Cap and Trade program and local GHG measures.

Council Comments:

The Council and ARB staff discussed pre and post - 2020 emission trajectories regarding the constant million metric tons (MMT) reduction of California's annual GHG emissions; additional efforts that will accelerate reduction; vehicle (truck) turnover; ARB's climate change scoping plan update; the difficulty of attaining ARB's more aggressive, but desired, constant percentage reduction goal; clean power plan requirements; petroleum reduction targets as a component of the Clean Energy and Pollution Reduction Act of 2015; projected role of Cap and Trade post 2025; and projected ratio of GHG reductions derived from the Cap and Trade program.

Presentation continued:

Mr. Corey then introduced Jason Gray, Climate Change Market Monitoring Manager, ARB, who continued the presentation with slide 14, what is the Cap and Trade program; definitions, Cap and Trade program goals; who is covered by the program; distribution of allowances; program efficiencies; local GHG limits; refinery GHG emissions; opportunities for local action; criterial pollutant and air toxics; and additional information.

Council Comments continued:

The Council and staff discussed emission cap leakage prevention; ARB's allowance allocation for the electricity sector; Cap and Trade market fluctuations post 2020; dynamics between Cap and Trade and local caps; low carbon fuel standard; Cap and Trade program protocol for accidental emission releases; forecasted timeline of meeting 2020 target cap; Western Climate Initiative and Canadian partnerships; compliance of refineries; and GHG inventory breakdown by (transportation, refinery, and electricity) sector.

Mr. Broadbent and Chair Hayes thanked Mr. Corey and his staff for their presentation.

5. REVIEW OF REFINERY REGULATION

Mr. Broadbent introduced Science and Technology Officer, Jim Karas, who gave the staff presentation *Air District Refinery Rules*, including local districts’ role in climate change; refinery emission trends 1980-2015 and main causes of reductions; current “cap-like” requirements at refineries; criteria pollutants; no net increase; rate cap by rule; cap by condition; and air toxics program risk caps.

Council Comments:

The Council and staff discussed Shell refinery’s flexicoker elimination project; types of foreign crudes; reductions of condensable particulate matter (PM_{2.5}); community concern about Bay Area refineries’ potential product exportation; decrease of toxics; emission offsets; Office of Environmental Health Hazards Assessment’s (OEHHA) potency factors and processes; health risk implications associated with individual toxics; monitoring local natural gas storage facilities to prevent leakage accidents; and lessons learned from the Aliso Canyon gas leak in Porter Ranch.

The meeting was adjourned for lunch at 12:45 p.m. The meeting reconvened at 1:30 p.m.

6. COUNCIL DELIBERATION

Chair Hayes posed the question, “What is the efficacy of imposing numeric caps on Greenhouse Gas emissions from Bay Area refineries?” which was displayed as a slide prior to the ARB presentation.

The Council and staff discussed how GHG, toxics, and criteria pollutants each impose different health risks on the public at different rates and need to be addressed with individual rules and reduction programs; anticipated commentary from the refinery industry and environmental community; predictions of a Bay Area cap in the California cap and trade market; price fluctuations in the cap and trade market; the need for technological improvements in refineries; controlling emissions versus an absolute cap; incorporating top-down measurements in the regulatory regime to account for the fact that exposures to toxics may be different than what the inventory method has done; how Bay Area refineries’ best practices rate on a global scale; the decrease of flaring in Bay Area refineries as a result of Air District regulation; accuracy of District inventories; different responsibilities and charters of the state and Air District, and the possibility of a joint role in the future; regulation of methane emissions at refineries; optimizing total emissions; shift in demand for refinery products; the District’s role in creating policy versus enforcing policy; and scheduling upcoming Council meetings and presentations.

OTHER BUSINESS

7. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

8. COUNCIL MEMBER COMMENTS / OTHER BUSINESS

None.

9. TIME AND PLACE OF NEXT MEETING

At the call of the Chair.

10. ADJOURNMENT

The meeting adjourned at 2:53 p.m.

Tom Flannigan
Acting Clerk of the Boards