

Bay Area 2009 Clean Air Plan
 Bay Area Air Quality Management District
 July 15th Public Workshop
Meeting Notes and Public Comment

These notes summarize public comments at the July 15th Public Workshop on the Bay Area 2009 Clean Air Plan.

Workshop Overview

The Workshop was divided into 3 segments with opportunities for public comment set aside after each segment. The first segment consisted of a presentation about the background and regulatory context for the Bay Area 2009 Clean Air Plan. This included Bay Area attainment status for criteria pollutants, trends in emissions of ozone, particulate matter (PM) and toxics, and requirements of the California Clean Air Act for triennial updates to clean air plans. The second segment introduced a preliminary planning approach for the Bay Area 2009 Clean Air Plan which would address multiple pollutants in addition to ozone and would be informed by health effects of air pollution. The third segment outlined the Plan schedule and key milestones, future public outreach, and CEQA review process.

Excluding District staff, 35 people were in attendance representing regional and state regulatory agencies, environmental and public health organizations, Bay Area businesses, community members, and staff from local governments.

Below is a summary of comments recorded at the workshop. Note: District responses are provided where questions were asked.

| Name | Affiliation | Summary of Comment |
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| <i>Segment One</i> | | |
| David Schonbrunn | TRANSDEF | Commenter believes that, in the past, the District has not been responsive to public comment gathered during Clean Air planning processes. Decisions are made, in particular with regard to the key question of what is considered a “feasible” control measure without public involvement. Open dialogue and collaboration with public around this question is requested now at the outset of this planning process. Would like frank discussion of control measure evaluation process, list of measures, screening filters and evaluation criteria. |
| Ken Yeager | Santa Clara County Supervisor and member of BAAQMD Board of Directors | How will the Plan take into account the variable and rapidly changing factors in our planning horizon, including phenomena such as global climate change, rising gas prices, changing standards and regulatory environment, in order to make the plan as relevant as possible? How will provision be made for the “moving parts” of the plan? How will changing conditions be accounted for and accommodated in the Plan? Assumptions for conditions going forward should be clearly stated. |

District Response: *The primary purpose of the Plan is to provide a*

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| | | <i>control strategy consisting of measures to be adopted and implemented within the 2010-2012 timeframe. The Plan will consider key regulatory, market, and technological trends known to staff during the preparation of the Plan. The Plan will be informed by the most current MTC and ABAG projections for travel demand, demographics, and land use and the most recent emissions inventory and monitoring data. Although the focus and implementation timeframe of this Plan is relatively short-term, staff will attempt to consider longer term issues and trends as well. Changes in conditions that occur during the Plan timeframe will be considered during the development of the programs and control strategies identified in the Plan.</i> |
| Jenny Bard | American Lung Association | Discuss in the Plan the District's authority over land use planning in the region. Address regional efforts to collaborate with cities and counties. Focus on public health. |
| David Schonbrunn | TRANSDEF | As a point of information, the California Clean Air Act clearly states that the District has authority to impose indirect source fees. |
| Jenny Bard | American Lung Association | Would like to see the District use its leadership and authority in service of improving health and air quality by setting aggressive targets to further protect public health. The District should take a leadership role in convening conversations about health and land use with collaborating regulatory agencies. |
| <i>Segment Two Comments</i> | | |
| Laura Lawrence | California Air Resources Board | Will pollutants for which the District is in attainment be included in the Plan? <u>District Response:</u> <i>The Clean Air Plan will satisfy the California Clean Air Act's requirement that the District demonstrate progress towards attaining the state 1-hour ozone standard. Greenhouse gases, particulate matter, and air toxics will also be addressed in the Plan. Staff does not anticipate that pollutants for which District is in attainment will be directly addressed, unless they act as a precursor to one of the pollutants addressed in the Plan.</i> |
| Johnny White | City of Richmond community member | Additional control measures should be included, especially those that address air pollution as it affects the health of children and elderly. |
| Ray Kidd | West Oakland Neighbors | Likes potential approach outlined in presentation. West Oakland Neighbors uses health in its analysis. Did the District come up with this approach? What model(s) is it drawn from? What other collaborative partners will the District be working with, besides public health? <u>District Response:</u> <i>There is no existing model of an integrated, multi-pollutant plan at this time. This concept was proposed by the National Research Council in a 2004 report entitled Air Quality Management in the United States. US EPA is currently supporting three multi-pollutant planning pilot projects. The California Air</i> |

Resources Board uses a health-based cost analysis in its Goods Movement Emissions Reductions Plan. In developing the Plan, the District will work closely with our regional agency partners – the Metropolitan Transportation Commission, the Bay Conservation Development Commission, and the Association of Bay Area Governments – as well as a wide variety of other stakeholders and interested parties.

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| David Schonbrunn | TRANSDEF | <ul style="list-style-type: none"> Referring to slide number 16 (Pollutants to be potentially addressed in 2009 Clean Air Plan). At least 3 of the 4 pollutants are affected by mobile sources. A successful strategy will have to get at their source and that’s vehicle miles traveled. Strongly encourage and urge the District to take an aggressive stance in addressing VMT. Referring to slide number 6 (Ozone emission trends slide). Would like to see data demonstrating the efficacy of the District programs in reducing ozone emissions over the last decade. Perhaps we have experienced a “lucky cool period.” Would like to see evidence that District’s control strategies are successful. Will the Plan use modeling? Urge the District to use modeling. <p><i>District Response: The CA Clean Air Act does not require air district to perform air quality modeling for a triennial ozone update. However, staff does intend to use available ozone and PM modeling results to inform the development of the Plan.</i></p> <ul style="list-style-type: none"> LUSCAT has developed the definitive document for reducing VMT. |
| Jenny Bard | American Lung Association | Prepared statement supporting a multi-pollutant approach and recommending the control strategy address vehicle miles traveled, expand public transit, reduce greenhouse gases from land use and transportation, implement an indirect source rule, have a local scope to address health impacts, and include an appendix outlining public health impacts in environmental justice communities. (Statement is attached below.) |
| Andy Katz | Breathe California | Seconds comments from Jenny Bard. AQMD must articulate a vision and aim higher than the standard. Recommends that the plan take a localized approach and look at how local air pollution reduction assists the region. Recommends that the plan take cumulative approach in controlling air pollution. Environmental justice communities have multiple sources of emissions that already exist. There is a need to identify new regulations for cumulative impacts. Encourage the District to develop control measures to address cumulative impacts. |
| Ken Kloc | Environmental Law and | Supports multi-pollutant planning concept. There is a gap in identifying primary particulate matter. Secondary PM is addressed |

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| | Justice Clinic | but not primary. Primary PM can become an issue at the neighborhood level and for environmental justice communities. Requests adding it into the planning process. |
| <i>Segment Three Comments</i> | | |
| David Schonbrunn | TRANSDEF | Encourages District to use environmental review process to analyze positive impacts of plan and not just adverse impacts. Different tiers of control measures can be developed and evaluated for positive impacts to health. Much more can be done with CEQA than is currently. Use the environmental review process to provide background information and educate the Board's decision-making process. |
| Ken Yeager | Santa Clara County Supervisor and BAAQMD Board of Directors | How many public meetings are planned and where in the region will the meetings be held? It would be helpful to broaden approach and allow the entire Bay Area to have access to meetings. Encourages District to utilize District Board of Directors' contacts, networks and venues to achieve success in public turnout throughout the 9-county region. <i>District Response: Over the course of the planning process, District staff will implement a robust outreach effort via workshops and community meetings. Staff will endeavor to provide comprehensive coverage by holding meetings at different times (day time & evening) and at different locations throughout the District for each of the key stages of development of the Plan.</i> |
| David Schonbrunn | TRANSDEF | Reads from TRANSDEF comment letter submitted on the 2005 Ozone Strategy... "AQMD needs to work on outreach...community outreach fails to encourage members of the public to fully participate in the process..." The District needs to improve outreach, especially bringing community into the public outreach process beyond advocates and organizations. Suggests that the District make presentations on the Clean Air Plan to city council meetings and boards of supervisors to expand outreach. |
| Jenny Bard | American Lung Association | Since many people (i.e. communities and agency representatives, etc.) should be a part of every discussion, the District should streamline the multi-layered, multi-agency meetings by creating a one-stop shop, bringing everyone together in their planning process and maximizing energy and resources in one place. |
| David Schonbrunn | TRANSDEF | Meeting format is very important. Lecture/presentation style of meeting does not provide an environment to encourage useful input. |
| Andy Katz | Breathe California | Segmenting the public comment for this workshop worked well. The quality of the presentation could be improved by making more clear costs and benefits of control measures and costs of health effects for the public. |
| Scott King | California Air Resources Board | ARB is very excited about the plan. Commenter commends the District for taking the lead to tackle multi-pollutant planning. ARB is very interested in this concept and eager to see how the District will address this. This effort could provide a template for future plans in other areas. |

Attachment: Written Comments Submitted by American Lung Association of California at July 15, 2008 Public Workshop on BAAQMD Clean Air Plan 2009

My name is Jenny Bard and I am representing the American Lung Association of California.

The BAAQMD Bay Area Clean Air Plan 2009 has the potential to achieve significant public health protections through ozone reductions, as well as the co-benefits of reducing air toxics, and greenhouse gas emissions. We urge the air district to carefully craft this plan to maximize public health protection.

Public Health Issue:

Bay Area residents already experience serious health effects from air pollution levels. From a regional standpoint, San Jose, San Francisco, Solano and Contra Costa Counties suffer the worst air quality in the Bay Area, according to the American Lung Association's State of The Air report. But as you mentioned, there are many community and neighborhood hotspots where more intensive air pollution impacts are suffered. Thousands of studies confirm the direct connection between air pollution and increased rates of death and illness. Increasing temperatures due to global warming will only make this situation worse.

Global warming is expected to slow progress toward attainment of clean air goals by increasing levels of emissions of smog precursors, particulates and toxic air contaminants (including emissions from power plants and fuel evaporation), by accelerating the chemical processes that generate smog, and by increasing heat waves and summertime stagnation episodes where hot air idles for days at a time. Studies of heat waves in California and Europe have demonstrated that they are associated with increased death and illness.

With the state's current estimate of premature deaths from air pollution between 14-24,000 every year, dramatic measures are needed to reduce both criteria air pollutants and global warming gases. Air pollution is also responsible for 350,000 asthma attacks and thousands of hospitalizations and emergency room visits each year in California and reduced lung function growth in children.

The Clean Air Plan must emphasize regulatory measures that promote long-term sustainable reductions in ozone and greenhouse gas emissions, maximize air quality co-benefits from all measures and ensure public health protection for cities and counties throughout the region, particularly environmental justice communities.

Recommendations:

Therefore, the American Lung Association of California recommends the following important measures be included in the Clean Air Plan:

The Plan Must Accelerate Greenhouse Gas Emission Reductions From Transportation and Land Use Sectors. Transportation is the largest contributor to global warming and air pollution in the Bay Area, representing 50% of greenhouse gas emissions and 74% of nitrogen oxide emissions that contribute to smog and particulate pollution. Cars and light trucks make up the majority of the greenhouse gas emissions from the transportation sector.

The Plan Should Set A High Bar For Reduction of “Vehicle Miles Travelled” or VMT

With current growth and development patterns, VMT is expected to increase by 70% over the next 30 years in California. In Solano County alone, the draft general plan predicts that VMT will increase by 44 percent over the next 20 years and 125 percent in congested areas. This level of growth in vehicle use would cancel out progress made in reducing greenhouse gas emissions through introduction of cleaner vehicles and fuels. The air district should set a high goal and provide the leadership and support to help local governments change land use and transportation patterns to achieve the goal.

Strong Regional Greenhouse Gas Reduction Targets Are Critical To The Clean Air Plan The best way to ensure that local governments make the changes necessary in land use and transportation planning to support compact and more efficient development patterns and reduced VMT is to establish strong regional targets for greenhouse gas reduction. These regional targets must include a mechanism to hold cities and counties accountable for achieving their share of emission reductions.

Expansion of Public Transit Should Be A Key Strategy In The Plan Expanding the Bay Area’s public transportation system, and providing consistent ongoing funding are critical measures to promote reduced need for driving. An increased emphasis on public transit is important to support local and regional agency efforts to change transportation and land use plans to emphasize smart growth strategies.

Additional Strategies To Reduce Vehicle Trips Such As Indirect Source Rules Must Be Included In The Plan Communities throughout the Bay Area can benefit from using indirect source rules to ensure developments are calculating and mitigating greenhouse gas and air quality emissions. This is another strategy to promote compact development patterns, less driving and walkable, livable communities. According to the CARB document, *Guidance for the Development of Indirect Source Control Programs*, land use design strategies that are sensitive to air quality issues, such as incorporating mixed uses into a land use project, can reduce vehicle trips by as much as 50 percent.

We urge the BAAQMD to publish an appendix outlining the public health impacts and benefits of the plan, especially as they relate to air pollution reductions in environmental justice communities.

Health Impacts Are Higher In Environmental Justice Communities And Therefore The Plan Must Provide Local Benefits Many communities in the Bay Area, in particular low-income communities and communities of color, live in close proximity to multiple sources of pollution, including ports, goods movement, and industrial pollution sources and experience higher health impacts. The plan must not only prevent

disproportionate impacts or creation of “hot spots” of pollution as required by AB 32, but must also provide benefits to local communities such as additional resources and mitigation measures to speed up air quality progress. Please include control strategies that reduce cumulative impacts of pollution in Bay Area communities when developing the Clean Air Plan 2009.

Thank you very much for considering these comments.