



BOARD OF DIRECTORS  
EXECUTIVE COMMITTEE MEETING

COMMITTEE MEMBERS

BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

ROD SINKS – CHAIR  
JOHN BAUTERS  
SCOTT HAGGERTY  
TYRONE JUE  
KATIE RICE  
BRAD WAGENKNECHT

CINDY CHAVEZ – VICE CHAIR  
JOHN GIOIA  
DAVE HUDSON  
KAREN MITCHOFF  
JIM SPERING

MEMBERS OF THE COMMITTEE MAY PARTICIPATE BY TELECONFERENCE  
PURSUANT TO EXECUTIVE ORDER N-25-20 ISSUED BY  
GOVERNOR GAVIN NEWSOM

WEDNESDAY  
MARCH 18, 2020  
9:30 A.M.

1<sup>ST</sup> FLOOR BOARD ROOM  
375 BEALE STREET  
SAN FRANCISCO, CA 94105

**AGENDA**

1. **CALL TO ORDER - ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**PUBLIC MEETING PROCEDURE**

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

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

**Public Comment on Agenda Items:** *The public may comment on each item on the agenda as the item is taken up. Public Comment Cards for items on the agenda must be submitted in person to the Clerk of the Boards at the location of the meeting and prior to the Board taking up the particular item. Where an item was moved from the Consent Calendar to an Action item, no speaker who has already spoken on that item will be entitled to speak to that item again.*

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

**Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3** *For the first round of public comment on non-agenda matters at the beginning of the agenda, ten persons selected by a drawing by the Clerk of the Boards from among the Public Comment Cards indicating they wish to speak on matters not on the agenda for the meeting will have two minutes each to address the Board on matters not on the agenda. For this first round of public comments on non-agenda matters, all Public Comment Cards must be submitted in person to the Clerk of the Board at the location of the meeting and prior to commencement of the meeting.*

Staff/Phone (415) 749-

3. **APPROVAL OF THE MINUTES OF NOVEMBER 6, 2019**

Clerk of the Boards/5073

*The Committee will consider approving the draft minutes of the Executive Committee meeting of November 6, 2019.*

4. **HEARING BOARD QUARTERLY REPORT: OCTOBER 2019 – DECEMBER 2019**

J. Broadbent/5052

[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee will receive the Hearing Board Quarterly Report for the period of October 2019 through December 2019.*

5. **BAY AREA REGIONAL COLLABORATIVE (BARC) UPDATE**

J. Broadbent/5052

[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee will receive an update by BARC Director, Allison Brooks, on the activities of the Bay Area Regional Collaborative.*

6. **CONTRACT AMENDMENTS FOR THE PRODUCTION SYSTEM OFFICE**

J. Broadbent/5052

[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee will consider recommending the Board of Directors authorize the Executive Officer/APCO to execute contract amendments for the Production System Office for the My Air Online program.*

7. **REMOTE MEETING PROTOCOL FOR SITUATIONS AFFECTING ACCESS TO AIR DISTRICT FACILITIES UPDATE**

J. Broadbent/5052

[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee will receive an update regarding remote meeting protocol for situations affecting access to Air District facilities.*

8. **BOARD OF DIRECTORS COMMITTEE MEETING SCHEDULE**

**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee will consider recommending the Board of Directors approval for a stacked committee meeting schedule.*

9. **WILDFIRE STRATEGIES**

**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*Staff will provide the Committee with an update to the Air District's wildfire strategies and highlight wildfire initiatives for this year.*

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

*Speakers who did not have the opportunity to address the Committee in the first round of comments on non-agenda matters will be allowed two minutes each to address the Committee on non-agenda matters.*

11. **COMMITTEE MEMBER COMMENTS / OTHER BUSINESS**

*Any member of the Committee, or its staff, on his or her own initiative or in response to questions posed by the public, may ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2).*

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

*At the call of the Chair.*

13. **ADJOURNMENT**

*The Committee meeting shall be adjourned by the Committee Chair.*

**CONTACT:**

**MANAGER, EXECUTIVE OPERATIONS**  
**375 BEALE STREET, SAN FRANCISCO, CA 94105**  
[vjohnson@baaqmd.gov](mailto:vjohnson@baaqmd.gov)

**(415) 749-4941**  
**FAX: (415) 928-8560**  
**BAAQMD homepage:**  
[www.baaqmd.gov](http://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 Executive Committee” and received at least 24 hours prior, excluding weekends and holidays, in order to be presented at that Board meeting. Any correspondence received after that time will be presented to the Board at the following meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the District’s offices at 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

**Accessibility and Non-Discrimination Policy**

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

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

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

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

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

# BAY AREA AIR QUALITY MANAGEMENT DISTRICT

375 BEALE STREET, SAN FRANCISCO, CA 94105

FOR QUESTIONS PLEASE CALL (415) 749-4941

## EXECUTIVE OFFICE:

### MONTHLY CALENDAR OF AIR DISTRICT MEETINGS

#### MARCH 2020

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Executive Committee	Wednesday	18	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Advisory Council Special Meeting - PM Symposium - CANCELLED	Tuesday	24	9:00 a.m.	Oakland Marriott City Center 1001 Broadway, Oakland CA
Board of Directors Budget & Finance Committee	Wednesday	25	9:30 a.m.	1 <sup>st</sup> Floor, Yerba Buena Room #109
Board of Directors Legislative Committee	Wednesday	25	10:30 a.m.	1 <sup>st</sup> Floor, Yerba Buena Room #109
Board of Directors Ad Hoc Committee on Equity & Environmental Justice	Wednesday	25	12:00 p.m.	1 <sup>st</sup> Floor, Yerba Buena Room #109
Board of Directors Mobile Source Committee	Thursday	26	9:30 a.m.	1 <sup>st</sup> Floor Board Room

#### APRIL 2020

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting	Wednesday	1	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Personnel Committee	Friday	3	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Regular Meeting	Wednesday	15	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Climate Protection Committee	Thursday	16	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Budget & Finance Committee	Wednesday	22	9:30 a.m.	1 <sup>st</sup> Floor, Yerba Buena Room #109
Board of Directors Legislative Committee	Wednesday	22	10:30 a.m.	1 <sup>st</sup> Floor, Yerba Buena Room #109
Board of Directors Stationary Source Committee	Wednesday	22	12:00 p.m.	1 <sup>st</sup> Floor, Yerba Buena Room #109
Board of Directors Mobile Source Committee	Thursday	23	9:30 a.m.	1 <sup>st</sup> Floor Board Room

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Executive Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 10, 2020

Re: Approval of the Minutes of November 6, 2019

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RECOMMENDED ACTION

Approve the attached draft minutes of the Executive Committee (Committee) meeting of November 6, 2019.

DISCUSSION

Attached for your review and approval are the draft minutes of the Committee meeting of November 6, 2019.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Marcy Hiratzka  
Reviewed by: Vanessa Johnson

Attachment 3A: Draft Minutes of the Committee Meeting of November 6, 2019

## AGENDA 3A – ATTACHMENT

Draft Minutes – Executive Committee Meeting of November 6, 2019

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

### **DRAFT MINUTES**

Summary of Board of Directors  
Executive Committee Meeting  
Wednesday, November 6, 2019

#### **1. CALL TO ORDER – ROLL CALL**

Executive Committee (Committee) Chairperson, Katie Rice, called the meeting to order at 9:41 a.m.

##### **Roll Call:**

Present: Committee Chairperson Katie Rice; Committee Vice Chair Rod Sinks; and Directors Cindy Chavez, Scott Haggerty, and David Hudson.

Absent: Directors Teresa Barrett, John Gioia, Carole Groom, Tyrone Jue, Jim Spring, and Brad Wagenknecht.

Also Present: None.

#### **2. PUBLIC COMMENT ON NON-AGENDA MATTERS PURSUANT TO GOVERNMENT CODE SECTION 54954.3**

No requests received.

#### **3. HEARING BOARD QUARTERLY REPORT: JULY 2019 – SEPTEMBER 2019 (OUT OF ORDER, ITEM 4)**

Hearing Board Chairperson, Valerie J. Armento, Esq., presented this report.

##### Public Comments

No requests received.

##### Committee Comments

The Committee and staff discussed the status of Hearing Board Docket No. 3714 (Request for Variances submitted by Tesla Motors, Inc.)

Committee Action

None; receive and file.

NOTED PRESENT: Director Hudson was noted present at 9:45 a.m.

**4. APPROVAL OF THE MINUTES OF SEPTEMBER 5, 2019 (ITEM 3)**

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Haggerty made a motion, seconded by Director Hudson, to **approve** the minutes of September 5, 2019; and the motion carried by the following vote of the Committee:

AYES: Haggerty, Hudson, Rice, Sinks.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Barrett, Chavez, Gioia, Groom, Jue, Spering, Wagenknecht.

**5. BAY AREA REGIONAL COLLABORATIVE (BARC) UPDATE**

Allison Brooks, Executive Director of BARC, gave the presentation *BARC Executive Director's Update*, including: BARC Work Plan 2020-2022; Assembly Bill (AB) 617 (Community Air Protection Program) implementation: West Oakland Community Action Plan and activities to date; and building electrification.

Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area.

Committee Comments

The Committee and staff discussed the need to align business plans of all BARC member agencies; the need for the coordinated efforts of multiple agencies regarding AB 617 implementation; BARC's outreach methods to jurisdictions; the need for more frequent interactions between jurisdictions; and the value of the member agencies' combined expertise.

Committee Action

None; receive and file.



**6. REPORT ON THE ADVISORY COUNCIL MEETING FROM OCTOBER 28, 2019**

Stan Hayes, Chairperson of the Air District’s Advisory Council (Council), gave the presentation *Particulate Matter (PM) Health Protection Symposium*, including: context of PM focus; PM Symposia overview, key points from October 28, 2019 symposium, speakers, Air District’s questions, discussion questions, and Council’s initial deliberation; and PM symposium series.

Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area.

Committee Comments

The Committee and staff discussed the suggestion the Board attend future meetings within this symposium series; actions of the Independent Particulate Matter Review Panel since the disbanding of the U.S. Environmental Protection Agency’s (EPA) Clean Air Scientific Advisory Committee, and whether the current EPA Administrator has responded to those actions; Air District staff’s appreciation for the help of the Advisory Council prior to/at the October 28, 2019, PM Symposium; Gina McCarthy’s appointment as the new Executive Director of the Natural Resources Defense Council; the request to use the video recording of the October 28, 2019, PM Symposium as publicly-available promotional material; the fact that the Air District commissioned an official summary report of the October 28, 2019, PM Symposium, and how that report will be considered for the Council’s approval in December 2019; and whether the Council, at its December 2019 meeting, plans to develop any recommendations for the Board regarding PM.

Committee Action

None; receive and file.

**7. ASSEMBLY BILL 617 IMPLEMENTATION INTO 2020**

Greg Nudd, Deputy Air Pollution Control Officer of Policy, introduced Elizabeth Yura, Director of Community Engagement and Policy, who gave the staff presentation *Assembly Bill 617 Implementation: Update and Next Steps*, including: 2019 accomplishments; AB 617 2020: regional and community; and next steps in program management.

Public Comments

Public comments were given by Mykela Patton and Jill Ratner, Rose Foundation; and Janet Johnson, Richmond-San Pablo Area Community Air Monitoring Plan Steering Committee.

Committee Comments

The Committee and staff discussed the concern that certain Bay Area communities are more engaged with the Air District’s than others, and the suggestion that community engagement becomes more evenly distributed; the suggestion that the Air District develops a workplan that describes how it will engage the community in high-priority communities; and the need for jurisdictions to outline their needs and ideas, so existing resources can be used efficiently to address issues without duplicating efforts.

Committee Action

None; receive and file.

**8. REPORT ON RECENT INCIDENT RESPONSE EVENTS**

Wayne Kino, Deputy Air Pollution Control Officer of Operations, gave the staff presentation *Report on Recent Incident Response Events*, including: NuStar Energy LP October 15, 2019 incident; wildfire status report; and Sonoma County Kincadee Wildfire.

Public Comments

Public comments were given by Nancy Rieser, Crockett Rodeo United to Defend the Environment.

Committee Comments

The Committee and staff discussed the request for the Air District’s procedure responding to such incidents; the clarification that the Air District is not a first responder agency, despite the public’s desire to see the Air District perform that role; and how the public’s behavior may be changing in response to wildfires, given previous events.

Committee Action

None; receive and file.

**9. REQUEST TO AMEND THE FISCAL YEAR ENDING (FYE) 2020 BUDGET TO INCREASE STAFFING**

Jack P. Broadbent, Executive Officer/Air Pollution Control Officer, gave the staff presentation *Fiscal Year Ending 2020 Staffing Augmentation*.

Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area.

### Committee Comments

The Committee and staff discussed retirement trends at the Air District; the request for a chart comparing staff lists from other California air districts, and their corresponding budgets and programs; how the Air District plans to pay for these positions, should the state disagree with the Air District’s priority of AB 617 funding; the request that Air District culture places equal value on its “organizing” divisions (Planning and Community Engagement) and its “regulating” divisions (Compliance & Enforcement and Engineering); the status of current vacancies within the Air District’s Compliance & Enforcement and Engineering divisions; the concern that AB 617 funding will not be sustained long-term, let alone be increased every year; the appreciation of how the Air District, a science-based agency, prioritizes community engagement.

### Committee Action

Director Haggerty made a motion, seconded by Director Hudson, to **amend** the FYE 2020 Budget to authorize the creation of ten additional full-time regular positions; and the motion carried by the following vote of the Committee:

AYES: Chavez, Haggerty, Hudson, Rice, Sinks.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Barrett, Gioia, Groom, Jue, Spring, Wagenknecht.

### 10. **PUBLIC COMMENT ON NON-AGENDA MATTERS**

No requests received.

### 11. **COMMITTEE MEMBER COMMENTS / OTHER BUSINESS**

- Director Hudson said that he attended the 26<sup>th</sup> Intelligent Transport Systems World Congress in Singapore in October 2019. He added that the 2020 Congress will take place in Los Angeles, and suggested that the Air District send a representative (or Allison Brooks from the Bay Area Regional Collaborative) to that event.
- Vice Chair Sinks said that it is predicted that global temperatures will rise four degrees Celsius or higher, and that the need for innovation and education for best practices is imperative.
- Chair Rice said that she would ask Director Barrett, Chairperson of the Climate Protection Committee, to amend Marin County’s Low Carbon Concrete Ordinance (funded by the Air District’s Climate Protection Grant Program) at an upcoming Climate Protection Committee meeting.
- Chair Rice announced that a joint powers authority agency will be put on the ballot in Marin County to address the Marin Wildfire Prevention Authority Initiative.
- Chair Rice remarked that wildfire prevention-associated power shutoffs are causing people to be even more cautious of transitioning to electric vehicles and requested that the Air District take proactive action to address backup power alternatives to the public, perhaps through the Mobile Source Committee.

- Vice Chair Sinks announced that East Bay Community Energy, Peninsula Clean Energy, Silicon Valley Clean Energy & Silicon Valley Power Distributed Resource Adequacy Capacity released a Request for Proposals regarding Resource Adequacy capacity and resilience to the load serving entities’ residential and commercial customers through the development of customer-sited Distributed Energy Resources.

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

At the conclusion of the meeting, it was announced that the next meeting would take place at the Call of the Chair.

**11. ADJOURNMENT**

The meeting adjourned at 11:49 a.m.

Marcy Hiratzka  
Clerk of the Boards

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Executive Committee

From: Chairperson Valerie J. Armento, Esq., and  
Members of the Hearing Board

Date: March 10, 2020

Re: Hearing Board Quarterly Report: October 2019 - December 2019

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RECOMMENDED ACTION

None; receive and file.

DISCUSSION

This report covers the fourth calendar quarter (October - December) of 2019.

- Held one hearing;
- Processed a total of four orders; and
- Collected a total of \$17,959.00 in filing fees.

Below is a detail of Hearing Board activity during the same period:

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**Location:** Contra Costa County; Crockett

**Docket:** 3716 – Shore Terminals LLC – Request for Emergency Variance

**Regulation(s):** Regulation 2, Rule 6, Section 307 (Permits, Major Facility Review, Non-Compliance); and Permit Condition #6185, parts 1, 14, 20, and 22.

**Synopsis:** Applicant operates Selby Terminal, a transportation and storage facility for receiving, storing, and shipping liquid petroleum and biofuel products. On October 15, 2019, a fire unexpectedly occurred at the facility and caused the collapse of two tanks and the loss of vapor controls for several other tanks. The tanks stored liquid petroleum and ethanol products. Because of the fire, the tanks' lines to the facility's Vapor Recovery Units were inoperable. Applicant sought variance relief from the Air District's Permit's requirements that the tanks continuously vent to the Vapor Recovery Units. The Applicant maintains that there were no prior indications of issues that would lead to this type of incident.

**Status:** Application filed on October 16, 2019; Air District Compliance & Enforcement Division and Hearing Board responses submitted to the Clerk on October 18, 2019, both recommending that the emergency variance be granted; Order Granting Emergency Variance filed on October 25, 2019.

**Requested Period of Variance:** October 15, 2019 to November 14, 2019.

**Estimated Excess Emissions:** Unknown at the time the application was submitted; Applicant submitted the following calculations on December 13, 2019:

VOC: 1,558 lbs (total for entire variance period)

Benzene: 0.4 lbs

Ethyl Benzene: 2 lbs

Toluene: 10 lbs

Xylenes (mixed): 3 lbs

**Fees collected this quarter:** \$1,519.00.

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**Location:** Santa Clara County; City of Morgan Hill

**Docket:** 3717 – Waste Management of California, Inc. (Kirby Canyon Recycling and Disposal Facility) – Request for Emergency Variance

**Regulation(s):** Regulation 8, Rule 34, Section 301.1 (Organic Compounds, Solid Waste Disposal Sites, Landfill Gas Collection and Emission Control System Requirements); and Permit Condition #1437, Item 7.

**Synopsis:** Applicant operates a solid waste landfill. The facility has a landfill Gas Collection and Control System (GCCS) to process the continuously generated landfill gas. Because of a Public Safety Power Shutoff executed by Pacific Gas & Electric, an unpreventable power outage at the Kirby Canyon Landfill resulted in a shutdown of the GCCS for approximately 44 hours. Air District Rule 8-34-301.1 and associated Permit Condition #1437.7 require the landfill to operate the GCCS continuously, so the shutdown put the facility in violation of its permit condition. No public nuisance was created, and no public complaints were received.

**Status:** Application filed on October 29, 2019; Air District Compliance & Enforcement Division and Hearing Board responses submitted to the Clerk on November 6, 2019, both recommending that the emergency variance be granted; Order Granting Emergency Variance filed on November 12, 2019.

**Requested Period of Variance:** October 28, 2019 to November 27, 2019.

**Estimated Excess Emissions:** None.

**Fees collected this quarter:** \$1,519.00.

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**Location:** Marin County; City of Novato

**Docket:** 3718 – Waste Management of California, Inc. (Redwood Landfill, Inc.) – Request for Emergency Variance

**Regulation(s):** Regulation 8, Rule 34, Section 301.1 (Organic Compounds, Solid Waste Disposal Sites, Landfill Gas Collection and Emission Control System Requirements); and Permit Condition #19867, Item 17.

**Synopsis:** Applicant operates a landfill GCCS to process the continuously generated landfill gas. Because of a Public Safety Power Shutoff executed by Pacific Gas & Electric, an unpreventable power outage at the Redwood Landfill resulted in a shutdown of the GCCS for approximately 52 hours. Air District Rule 8-34-301.1 and associated Permit Condition #19867 require the landfill to operate the GCCS continuously, so the shutdown put the facility in violation of its permit condition.

**Status:** Application filed on October 29, 2019; Air District Compliance & Enforcement Division and Hearing Board responses submitted to the Clerk on November 5, 2019, both recommending that the emergency variance be granted; Order Granting Emergency Variance filed on November 12, 2019.

**Requested Period of Variance:** October 28, 2019 to November 27, 2019.

**Estimated Excess Emissions:** None.

**Fees collected this quarter:** \$1,519.00.

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**Location:** Contra Costa County; Crockett

**Docket:** 3719 – Shore Terminals LLC – Request for Interim and Short-Term Variances

**Regulation(s):** Regulation 2, Rule 6, Section 307 (Permits, Major Facility Review, Non-Compliance); Regulation 8, Rule 5, Section 306 (Organic Compounds, Storage of Organic Liquids, Requirements for Approved Emission Control Systems); and Permit Condition #6185, parts 1, 14, 20, and 22.

**Synopsis:** Applicant operates Selby Terminal, a transportation and storage facility for receiving, storing, and shipping liquid petroleum and biofuel products. On October 15, 2019, a fire unexpectedly occurred at the facility and caused the collapse of two tanks and the loss of vapor controls for several other tanks. The tanks store liquid petroleum and ethanol products. Because of the fire, the tanks' lines to the facility's Vapor Recovery Units were inoperable. Applicant maintains that there were no prior indications of issues that would lead to this type of incident. Applicant sought, and was granted, emergency variance relief from the Air District's Permit's requirements that the tanks continuously vent to the Vapor Recovery Units (Docket N0. 3716) from October 16, 2019 to November 14, 2019. On November 8, 2019, Applicant called Clerk of the Hearing Board to indicate the Applicant's intent to apply for an interim/short-term variance

application, as the Applicant felt they needed to seek relief **beyond** the time period requested (and granted) in their emergency variance application several weeks prior.

**Status:** Application filed on November 14, 2019; interim variance and short-term variance hearings both originally scheduled for December 3, 2019; on November 26, 2019, Applicant requested to change both hearing dates to December 10, 2019 (which the Hearing Board approved); at the hearing held on December 10, 2019, both parties agreed to accept consideration of *solely* a Short-Term Variance, as they differed on the legal interpretation of the interim variance, and the Hearing Board proceeded to review the request for a short-term variance; Order Granting Short-Term Variance filed on December 30, 2019.

**Requested Period of Variance:** (Originally) November 14, 2019 to February 12, 2020; (Amended Request at the December 10, 2019 hearing) November 14, 2019 to November 23, 2019.

**Estimated Excess Emissions:** 1 lb. of VOC (gasoline and ethanol) per day.

**Fees collected this quarter:** \$6,701.00.

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**Location:** Santa Clara County; City of Santa Clara

**Docket:** 3720 – City of Santa Clara doing business as Silicon Valley Power – Request for Interim and Short-Term Variances

**Regulation(s):** Regulation 2, Rule 1, Section 307 (Permits, General Requirements, Failure to Meet Permit Conditions); Regulation 2, Rule 6, Section 307 (Permits, Major Facility Review, Non-Compliance); and Permit Condition #24252, Parts 20, 21, 22.

**Synopsis:** Applicant operates a 2x1 combined-cycle natural gas power plant, supplying electricity to customers in the City of Santa Clara.

Plant #84991 was offline for annual maintenance, distributive control system (DCS) replacement, and removal of the CEMS/DAHS system and replacement with a new CEMS/DAHS system. It is standard power plant practice to upgrade the DCS and to test and tune the new DCS subsequent to replacement. Plant #84991 takes two (2) outages a year for maintenance (April and November). Testing and validating the new DCS, specifically for optimization of tuning for emissions control, is required. Because tuning and testing of the new DCS is a requirement, it is not possible to curtail or terminate operations.

Gas turbine #1 and #2, along with their abatement devices, need to be run in simple cycle mode (no steam production) for testing and tuning. Testing and tuning entail numerous startups and shutdowns, as well as operations at various load points to verify the operational status of the new DCS. The need for numerous startups and shutdowns, and operating at low loads, can lead to instantaneous exceedances of CO and NOx (exceedances of emissions limits in the permit); however; hourly or 3-hour averages or mass emissions permit limits are not expected to be exceeded. All air pollution control abatement devices, i.e., water injection, SCR, and oxidation catalyst, operate during the tuning and testing period of the new DCS.



**Status:** Application filed on November 27, 2019; interim variance and short-term variance hearings both scheduled for January 28, 2020; Applicant requested to withdraw application on January 24, 2020, and the Hearing Board withdrew the matter on the same day.

**Requested Period of Variance:** December 3, 2019 to January 31, 2020.

**Estimated Excess Emissions:** None.

**Fees collected this quarter:** \$6,701.00.

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Respectfully submitted,

Valerie J. Armento, Esq.  
Chair, Hearing Board

Prepared by: Marcy Hiratzka  
Reviewed by: Vanessa Johnson

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Executive Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 10, 2020

Re: Bay Area Regional Collaborative (BARC) Update

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RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Bay Area Regional Collaborative (BARC) consists of Board/Commission representatives of the four regional agencies and provides a forum for discussing issues of regional importance.

DISCUSSION

At the upcoming Executive Committee meeting, the BARC Director, Allison Brooks, will provide an update on the activities of the BARC.

BUDGET CONSIDERATIONS/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Aloha de Guzman  
Reviewed by: Vanessa Johnson

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Executive Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 13, 2020

Re: Contract Amendments for the Production System Office

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RECOMMENDED ACTION

Recommend the Board of Directors authorize the Executive Officer/APCO to execute contract amendments with the following vendors in the amounts listed in Table 1 for the My Air Online program:

<b>Table 1</b>		
<b>Vendor</b>	<b>Amount</b>	<b>Service Description</b>
C&G Technology Services	\$380,527	Software testing services for the permitting and compliance system.
Claytablet	\$20,500	Language translation software for transmission, editing and managing content.
Clearsparc	\$798,894	Software architecture, design, development, build and release management services for the permitting and compliance system.
Cylogy	\$490,327	Backend website content management system integration, customization and infrastructure support.
ITDependz	\$439,400	Business analysis and user experience services for the permitting and compliance system.
Malinda Lai	\$43,937	Website content management and infrastructure support.
Salesforce	\$41,230	Salesforce acquired ExactTarget automation and analytics software for email, mobile and online communications and rebranded as Marketing Cloud.

Sitecore	\$21,623	Web Content Management (WCM) system for the Air District's public website.
SoftwareOne	\$192,820	Microsoft authorized reseller of Azure cloud services.
<b>TOTAL</b>	\$2,429,258	

## BACKGROUND

Air District staff is recommending contract amendments for existing vendors assisting with software development and website management support as part of the My Air Online program, to meet 2019-2020 fiscal year goals.

## DISCUSSION

The Production System Office is composed of the Permitting and Compliance System, Data Services and Online Services. These systems and services abide by a continuous improvement process whereby existing functionality is maintained while new features are implemented, extending functionality to match evolving business requirements. These efforts include expanding permitting and compliance system functionality, extending the availability of tools for website content management, and expanding our web presence. These efforts combined are what the Air District terms its My Air Online program.

In order to continue to support improvements to that program, staff plans to focus on the following activities for the remainder of the 2019-2020 fiscal year:

- Complaints workflow enhancements with integration to Radio Telephone Operators (Dispatch) assignments
- Notice of violations processing workflow
- Annual permit fee adjustments
- Advanced permit fee calculations
- Emission calculations (factor based and material usage)
- Permit application workflow with interface enhancements
- Web-map enhancements
- Web-form enhancements (i.e. Stipulated Abatement Orders and Reportable Compliance Activities)
- Spare the Air alert updates to support new woodburning regulation
- Current air quality data interactive tour and help videos
- Incident response enhancements
- Continuation of website language translation
- Annual Report website implementation

In order to accomplish these tasks, staff recommends the continued use of proven software vendors familiar with the production system office for the remainder of the 2019 fiscal year. The Air District has successfully collaborated with Cylogy and Malinda Lai in the design, development and testing of the language translation system and website content management system in prior engagements. The Air District has also successfully collaborated with C&G Technology Services, Clearsparc, Inc., ITDependz, and Trinity Technology Group in prior design, software development and quality assurance engagements. The Air District has successfully invested in software customization and integration with Claytablet, Salesforce, SoftwareOne and Sitecore.

<b>Vendor</b>	<b>Type of Services</b>	<b>Contract</b>	<b>Procurement Method</b>
<b>C&amp;G Technology Services</b>	Software testing services for the permitting and compliance system.	<a href="#"><u>FYE 2013*</u></a>	Selected the firm and resources through an informal bid process.
<b>Claytablet</b>	Language translation software for transmission, editing and managing content.	<a href="#"><u>FYE 2015</u></a>	Through an industry analysis and an informal bid process, staff determined that only ClayTablet provides the services necessary to meet needs of the Air District. Sole Source Memo.
<b>Clearsparc</b>	Software architecture, design, development, build and release management services.	<a href="#"><u>FYE 2015*</u></a>	Request for Qualifications (RFQ). One of three firms to respond. Had staff expertise and availability to perform the required scope of work.
<b>Cylogy</b>	Backend website content management system integration, customization and infrastructure support.	<a href="#"><u>FYE 2013*</u></a>	Request for Proposal (RFP) rebid in Fiscal Year Ending (FYE) 2014. One of four firms to respond that had appropriate staff, expertise, and availability to perform the required scope of work.
<b>ITDependz</b>	Business analysis and user experience services for the permitting and compliance system.	<a href="#"><u>FYE 2012*</u></a>	Selected the firm and resources through an informal bid process.
<b>Malinda Lai</b>	Website content management system and infrastructure support.	<a href="#"><u>FYE 2006</u></a>	Procurement occurred prior to the tenure of the web current team.

<b>Vendor</b>	<b>Type of Services</b>	<b>Contract</b>	<b>Procurement Method</b>
<b>Salesforce</b>	Salesforce acquired ExactTarget automation and analytics software for email, mobile and online communications and rebranded as Marketing Cloud.	<a href="#">FYE2013</a>	Product was selected through an industry analysis and informal bid process. Staff considered services from three different vendors and determined that only the ExactTarget product was able to meet needs of the Air District. Sole Source Memo.
<b>Sitecore</b>	Web Content Management (WCM) system for the Air District's public website.	<a href="#">FYE 2019</a>	Selected the firm and resources through an industry analysis and a formal bid process.
<b>SoftwareOne</b>	The Air District's longstanding Microsoft authorized reseller (Compucom) was acquired by SoftwareOne.	FYE 2016	Microsoft requires that all software and service purchases be conducted by a designated authorized reseller.
* Requalification of Contractors underway through February 2020 Request for Qualifications.			

BUDGET CONSIDERATION/FINANCIAL IMPACT

Funding for the vendor contract recommendations is included in 725, 309 and 125 program budgets for FYE 2020-2019.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Blair Adams  
Reviewed by: Damian Breen

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Executive Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 12, 2020

Re: Remote Meeting Protocol for Situations Affecting Access to Air District Facilities  
Update

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**RECOMMENDED ACTION**

Provide direction to staff regarding changes in remote meeting protocols to address potential emergency situations.

**BACKGROUND**

Since 2013, the Board of Directors has operated under the following protocol for remote participation in Air District meetings:

1. Allow remote participation by committee members for all committee meetings with the exception of Executive Committee and Personnel Committee meetings.
2. Any remote participation for committee meetings will occur only via videoconferencing at identified and secured locations.
3. Video-conferencing locations will be made available for committee meetings upon direction of the Executive Officer/APCO or by request by one or more members of the committee; provided the location(s) is/are available and all legal noticing requirements can be met.

A review of this policy has been prompted by the developing situation with the pandemic and public health emergency caused by the recently identified severe acute respiratory syndrome coronavirus 2 (SARS-Cov-2) and the associated disease (Coronavirus Disease 2019 (COVID-19)). Attempts by public health agencies to limit spread of the disease by limiting gatherings at meetings and other events to increase social distancing has also taken this policy into consideration.

## DISCUSSION

The Air District's Board and its committees host more than 50 public meetings annually. As noted above, for many of those meetings, policy of the Board of Directors allows remote member participation. Currently, remote participation is not allowed for full Board of Directors meetings, and meetings of the Executive and Personnel Committees. Under California's open meetings law applicable to the Air District (The Brown Act), members of the public may participate from remote locations.

The current policy, as noted above, allows remote participation only through means of videoconferencing. The Brown Act permits remote participation through telephone conference as well as videoconferencing. The Air District currently utilizes two (2) remote videoconferencing locations; the videoconferencing equipment available at the 375 Beale Street headquarters building can only support participation from up to two remote locations. However, more remote participation locations can be accommodated for telephonic participation.

In addition to the current evolving situation with COVID-19, additional flexibility for remote participation in Board and Board Committee meetings may be necessary in the event of other public emergencies and natural disasters affecting the Air District and its facilities.

In consideration of the limitations to equipment, the Board of Directors policy described above, and in order to ensure that the Board of Directors may continue to function as necessary for critical meetings, staff recommends the following modifications to the remote participation policy to be implemented in the case of a situation potentially affecting access to Air District facilities:

1. In the event of a situation affecting a critically needed meeting as determined by the Executive Officer/APCO in consultation with the Chair of the Board, remote participation may be allowed for all Board and committee meetings.
2. Remote participation for such meetings during such situations may be by videoconference or telephone conference, as available.
3. All remote participation shall be in accordance with the requirements of the Brown Act.



The Brown Act requirements are that meetings must:

1. Make available a room for the meeting with 10-person minimum capacity;
2. Have building and conference rooms that are publicly accessible;
3. Use building and conference rooms that meet the requirements of the Americans with Disability Act and are accessible to those with disabilities;
4. Be near public transit for members of the public. If not near transit, there needs to be public parking available;
5. Have public noticing of the Agenda 72 hours before the start of the meeting somewhere the public would be able to see it as they passed by the location; and
6. All votes during such meetings shall be by roll call.

#### BUDGET CONSIDERATIONS/FINANCIAL IMPACTS

Unknown at this time.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Brian C. Bunger

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 12, 2020

Re: Board of Directors Committee Meeting Schedule

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RECOMMENDED ACTION

The Executive Committee (Committee) will recommend Board of Directors approval for a stacked committee meeting schedule.

BACKGROUND

At the March 4, 2020, Board of Directors Meeting, the Board discussed a back-to-back (stacked) committee meeting schedule. The impetus of this discussion stemmed from the desire to create a more efficient and productive committee meeting schedule for Board member attendance, as well as promoting Air District goals of reducing unnecessary travel and thereby reducing congestion and pollution.

DISCUSSION

The Executive Committee will discuss and approve a schedule of stacked committee meetings, taking Board member assignment into consideration, in order to have a continuity of Board member attendance for each day of committee meetings. Staff have provided a current and proposed committee meeting schedule for the Committee's consideration.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Erica Trask  
Reviewed by: Vanessa Johnson

Attachment 8A: Current and Proposed Committee Meeting Schedule

**CURRENT COMMITTEE MEETING SCHEDULE 2020**

WEEK 1					WEEK 2					WEEK 3					WEEK 4				
Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri
		Board of Directors (every month)	Community & Public Health (every other month)									Board of Directors (every month)	Climate Protection (every other month)				Budget & Finance (every month)	Mobile Source (every month)	
																	Legislative (every month)		
																	Stationary Source (every other month)		

*\*\*Executive, Personnel, Ad Hoc Building Oversight, TIO Steering, and Ad Hoc Committee on Equity and Env. Justice are at the Call of the Chair*

**PROPOSED COMMITTEE MEETING SCHEDULE**

WEEK 1					WEEK 2					WEEK 3					WEEK 4				
Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri
		Breakfast and lunch provided										Breakfast and lunch provided					Breakfast and lunch provided		
		9:30AM: Board of Directors (every month)										9AM: Board of Directors, Executive, Personnel, OR Ad Hoc Building Oversight**					9AM: TIO Steering**		
												9:30AM: Community & Public Health (every other month)					9:30AM: Budget & Finance (every month)		
												10AM: Climate Protection (every other month)					10AM: Legislative (every month)		
												10:30AM: Mobile Source (every month)					10:30AM: Ad Hoc Committee on Equity & Env. Justice**		
																	11AM: Stationary Source (every other month)		

*\*\*Board of Directors, Executive, Personnel, Ad Hoc Building Oversight, TIO Steering, and Ad Hoc Committee on Equity and Env. Justice are at the Call of the Chair*

**APRIL 2020**

WEEK 1					WEEK 2					WEEK 3					WEEK 4				
Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri
		Board of Directors		Personnel								Ad Hoc Building Oversight					Budget & Finance		
												Board of Directors					Legislative		
												Climate Protection					Stationary Source		
												Mobile Source							

**MAY 2020**

WEEK 1					WEEK 2					WEEK 3					WEEK 4				
Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri
		Board of Directors										Community and Public Health					TIO Steering		
												Mobile Source					Budget & Finance		
																	Legislative		

**JUNE 2020**

WEEK 1					WEEK 2					WEEK 3					WEEK 4				
Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri
		Board of Directors										Climate Protection					Budget & Finance		
												Mobile Source					Legislative		
																	Stationary Source		

**JULY 2020**

WEEK 1					WEEK 2					WEEK 3					WEEK 4				
Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri
		Board of Directors										Community and Public Health					Budget & Finance		
												Mobile Source					Legislative		

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Executive Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 12, 2020

Re: Wildfire Strategies

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RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Due to climate change, wildfires are now a year-round phenomenon and our new reality. California experienced some of the deadliest and most destructive wildfires in its history over the last several years, but these wildfires are now happening on a global scale. Wildfires have the potential to destroy everything in their path and the smoke can significantly impact communities and entire regions, producing harmful pollutants in the air we breathe.

In 2019, the Air District developed the Wildfire Air Quality Response Program to prepare for, prevent, and respond to future wildfires and smoke impacts in the Bay Area. The program includes developing new legislation to establish a network of clean air centers and exploring grant funding opportunities, adopting new regulatory actions to protect public health and support wildfire prevention efforts, and building regional partnerships to enhance community resources and public awareness on the health impacts of wildfire smoke. These actions are necessary steps to ensure we have the most health protective measures and strategies in place.

DISCUSSION

As part of this presentation, staff will provide an update to the Air District's wildfire strategies and highlight wildfire initiatives for this year.

BUDGET CONSIDERATIONS/FINANCIAL IMPACTS

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Tracy Lee  
Reviewed by: Wayne Kino