

BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

## ADVISORY COUNCIL REGULAR MEETING

WEDNESDAY  
MARCH 11, 2009  
9:00 A.M.

7<sup>TH</sup> FLOOR BOARD ROOM  
939 ELLIS STREET  
SAN FRANCISCO, CA 94109

### AGENDA

#### CALL TO ORDER

Opening Comments  
Roll Call

Harold Brazil, 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.*

#### ACTION

##### 1. Proposed Change in Advisory Council Meetings Schedule

*Staff recommends a change in the Advisory Council meetings schedule to provide for two meetings to discuss the February 11, 2009 meeting on Air Quality and Public Health with Air District Staff, and develop recommendations for the Air District Board of Directors.*

#### DISCUSSION

##### 2. Discussion of Draft Report Relative to the Advisory Council's February 11, 2009 Meeting on Air Quality and Public Health.

*The Advisory Council will discuss a proposed Draft Report on the February 11, 2009 meeting with Air District staff and develop recommendations.*

## **OTHER BUSINESS**

### 3. 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.*

### 4. Time and Place of Next Meeting

*9:00 a.m., Wednesday, April 8, 2009, 939 Ellis Street, San Francisco, CA 94109.*

### 5. Adjournment

**CONTACT EXECUTIVE OFFICE - 939 ELLIS STREET SF, CA 94109**

**(415) 749-5127**  
**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.
- 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.
- 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. Such writing(s) may also be posted on the District's website ([www.baaqmd.gov](http://www.baaqmd.gov)) at that time.

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

**EXECUTIVE OFFICE:**  
**MONTHLY CALENDAR OF DISTRICT MEETINGS**

**MARCH 2009**

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
<b>Board of Directors Regular Meeting</b> <i>(Meets 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	4	9:45 a.m.	Board Room
<b>Board of Directors Personnel Committee</b> <i>(At the Call of the Chair)</i>	Friday	6	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
<b>Advisory Council Regular Meeting</b>	Wednesday	11	9:00 a.m.	Board Room
<b>Ad Hoc Committee on Port Emissions</b> <i>(At the Call of the Chair)</i>	Thursday	12	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
<b>Board of Directors Executive Committee</b> <i>(At the Call of the Chair)</i>	Monday	16	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
<b>Board of Directors Regular Meeting</b> <i>(Meets 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	18	9:45 a.m.	Board Room
<b>Joint Policy Committee</b>	Friday	20	10:00 a.m.	MTC Auditorium 101 8 <sup>th</sup> Street Oakland, CA 94607
<b>Board of Directors Legislative Committee</b> <i>(Meets 4<sup>th</sup> Monday of the Month)</i>	Monday	23	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
<b>Board of Directors Climate Protection Committee</b> <i>(Meets 2nd Thursday each Month)</i>	Monday	23	Immediately Following Legislative Cme. Meeting	4 <sup>th</sup> Floor Conf. Room
<b>Board of Directors Budget &amp; Finance Committee</b> <i>(Meets 4<sup>th</sup> Wednesday of each month)</i>	Wednesday	25	1:30 p.m.	4 <sup>th</sup> Floor Conf. Room
<b>Board of Directors Mobile Source Committee</b> <i>– (Meets 4<sup>th</sup> Thursday of each Month)</i>	Thursday	26	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room

**APRIL 2009**

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
<b>Board of Directors Regular Meeting</b> <i>(Meets 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	1	9:45 a.m.	Board Room
<b>Advisory Council Regular Meeting</b>	Wednesday	8	9:00 a.m.	Board Room
<b>Board of Directors Climate Protection Committee</b> <i>(Meets 2nd Thursday each Month)</i>	Thursday	9	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
<b>Board of Directors Regular Meeting</b> <i>(Meets 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	15	9:45 a.m.	Board Room

## APRIL 2009

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Stationary Source Committee <i>(Meets 3<sup>rd</sup> Monday Quarterly)</i>	Monday	20	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
Board of Directors Budget & Finance Committee <i>(Meets 4<sup>th</sup> Wednesday of each month)</i>	Wednesday	22	1:30 p.m.	4 <sup>th</sup> Floor Conf. Room
Board of Directors Mobile Source Committee – <i>(Meets 4<sup>th</sup> Thursday of each Month)</i>	Thursday	23	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
Board of Directors Legislative Committee <i>(Meets 4<sup>th</sup> Monday of the Month)</i>	Monday	27	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room

## MAY 2009

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	6	9:45 a.m.	Board Room
Advisory Council Regular Meeting	Wednesday	13	9:00 a.m.	Board Room
Board of Directors Climate Protection Committee <i>(Meets 2nd Thursday each Month)</i>	Thursday	14	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
Joint Policy Committee	Friday	15	10:00 a.m.	MTC Auditorium 101 8 <sup>th</sup> Street Oakland, CA 94607
Board of Directors Regular Meeting <i>(Meets 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	20	9:45 a.m.	Board Room
Board of Directors Legislative Committee <i>(Meets 4<sup>th</sup> Monday of the Month)</i>	Monday	25	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
Board of Directors Budget & Finance Committee <i>(Meets 4<sup>th</sup> Wednesday of each month)</i>	Wednesday	27	1:30 p.m.	4 <sup>th</sup> Floor Conf. Room
Board of Directors Mobile Source Committee – <i>(Meets 4<sup>th</sup> Thursday of each Month)</i>	Thursday	28	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room

HL – 3/3/09 (7:00 a.m.)

P/Library/Forms/Calendar/Calendar/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
Memorandum

To: Chairperson Harold Brazil, and  
Members of the Advisory Council

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 4, 2009

Re: Proposed Change in Advisory Council Meetings Schedule

RECOMMENDED ACTION

Recommend the Advisory Council approve the proposed change in the Advisory Council meetings schedule to provide for two (2) meetings to discuss the February 11, 2009 Meeting on Air Quality and Public Health with Air District Staff, and develop recommendations for the Report to the Air District Board of Directors. The first discussion meeting would be on March 11, 2009, as originally scheduled, and the second discussion meeting would be on April 8, 2009.

BACKGROUND

At the February 11, 2009 Meeting on Air Quality and Public Health there were five presentations: 1) *Community Air Risk Evaluation (CARE) Program Overview*, by Dr. Phil Martien, CARE Program Manager, 2) *Public Health, Air Quality & Equity* by Dr. Anthony Iton, Alameda County Health Officer, 3) *Health Disparities in Contra Costa County* by Dr. Wendel Brunner, Public Health Director, Contra Cost County, 4) *Air Quality and Public Health Santa Clara County* by Dr. Martin Fenstersheib, Santa Clara County Health Officer, and 5) *Air Pollution Hot Spots: Unregulated Health and Environmental Justice Issues in the United States* by Dr. Rajiv Bahtia, Director of Occupational and Environmental Health City and County of San Francisco.

DISCUSSION

Due to the complex nature of the topic "Air Quality and Public Health" for the February 11, 2009 Advisory Council Meeting and the policy and program implications for the Air District, staff believe that the Advisory Council should have additional time to fully discuss all of the presentations, materials and recommendations received at the February 11<sup>th</sup> meeting, and develop and finalize recommendations for the Report to the Air District Board of Directors. The Executive Officer, Jack Broadbent suggested that we allocate an additional meeting to allow for a full and interactive discussion with the Air District staff and the development of recommendations that will best serve the agency.

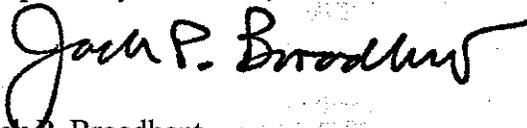
To implement this, the March 11, 2009 discussion meeting would focus on a discussion of the presentations, recommendations and materials received and the policy and program

implications, with Air District staff. The April 8, 2009 meeting which was originally scheduled for presentations on the topic of "California's 2050 GHG Emission Reduction Target of 80% Below 1990 Levels – Transportation Sector" would focus on developing and finalizing recommendations for the Report to the Air District Board of Directors. This change in the Advisory Council Meetings schedule would reduce the burden on the Advisory Council members who are preparing a draft report based on the February 11<sup>th</sup> meeting and provide for additional input by all Advisory Council members.

Staff recommends the Advisory Council approved the proposed change in the Advisory Council Meetings schedule.

The "2050 GHG Emission Reduction Target" topic would be rescheduled for the May 13, 2009 meeting. This change may require the Council to add one more meeting in late November or early December, and this issue will be discussed at the March 11<sup>th</sup> meeting.

Respectfully submitted,

A handwritten signature in black ink that reads "Jack P. Broadbent". The signature is written in a cursive style with a large initial "J".

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Gary Kendall

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
Memorandum

To: Chairperson Harold Brazil and  
Members of the Advisory Council

From: Jack P. Broadbent, Executive Officer

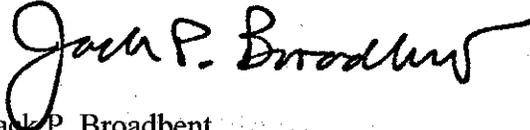
Date: March 4, 2009

Re: Discussion of Draft Report Relative to the Advisory Council's February 11,  
2009 Advisory Meeting on Air Quality and Public Health

The attached draft Report on the February 11, 2009 Advisory Council Meeting on Air Quality and Public Health was prepared by Advisory Council members Sarah Martin-Anderson, Jenny Bard, Karen Licavoli Farnkopf, Jane Martin, and Dorothy Vura-Weis.

The draft report will be discussed by the Advisory Council at its March 11, 2009 meeting and finalized at its April 8, 2009 meeting.

Respectfully submitted,



Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Gary Kendall  
Reviewed by: Jean Roggenkamp

DRAFT REPORT ON THE FEBRUARY 11, 2009 ADVISORY COUNCIL MEETING  
ON AIR QUALITY AND PUBLIC HEALTH FOR DISCUSSION BY THE  
ADVISORY COUNCIL

SUMMARY

The following presentations were made at the February 11, 2009 The Advisory Council Meeting on Air Quality and Public Health:

1. ***Community Air Risk Evaluation Program (CARE) Overview*** by Phil Martien, PhD, CARE Program Manager, Bay Area Air Quality Management District.
2. ***Public Health, Air Quality, & Equity*** by Dr. Anthony Iton. Anthony Iton, M.D., J.D., MPH is the Alameda County Health Officer. Dr. Iton received his training at Johns Hopkins Medical School, Cornell/New York Hospital, Yale, and UC Berkeley and is board certified in internal medicine and preventive medicine. Dr. Iton also has a law degree and a Master's of Public Health from UC Berkeley and is a member of the California Bar. He has worked as an HIV disability rights attorney, a health care policy analyst with Consumers Union West Coast Regional Office, and as a physician and advocate for the homeless at the San Francisco Public Health Department. Dr. Iton primary interest is the health of disadvantaged populations and the contributions of race, class, wealth, education, geography, and employment to health status. He has asserted that the biggest single contributor to our country's vulnerability to bioterrorism is the lack of a universal system of health insurance for all Americans. Dr. Iton collaborated with California Newsreel in the creation of *Unnatural Causes ... Is Inequality Making Us Sick?* This is currently being shown on public television stations across the country.
3. ***Health Disparities in Contra Costa*** by Dr. Wendel Brunner. Dr. Wendel Brunner is the Director of Public Health for the Contra Costa County Health Services Department. Contra Costa has a population of over one million people with 18 cities in the San Francisco Bay Area. The Health Department has been working the City of Richmond to develop and implement a Health Element for the Richmond General Plan. Since he became public health director nearly 20 years ago, Dr. Brunner has stood boldly behind movements such as environmental justice, an effort to force government and industry to counter years of neglect suffered by poor minority neighborhoods. In 1984, with Brunner as director, the county became the first in the nation to adopt a strict anti-smoking ordinance. In 2000, the county adopted a "zero tolerance" policy toward domestic violence.
4. ***Air Pollution Hot Spots: Unregulated Health and Environmental Justice Issues in the United States*** by Dr. Rajiv Bahtia. Dr. Bhatia received his Medical

Doctorate from Stanford and a Masters in Public Health from UC Berkeley. He has practiced medicine since 1989. Since 1998, he has served as the Director of Occupational and Environmental Health for the City and County of San Francisco's Department of Public Health. Bhatia is also an Assistant Clinical Professor of Medicine at the University of California at San Francisco and teaches a course in the Health Impact Assessment of Public Policy at UC Berkeley.

5. ***Air Quality and Public Health Santa Clara County*** by Dr. Martin Fenstershieib. Dr. Marty Fenstersheib has been the Health Officer for Santa Clara County since 1994. He has been active at the local, state and national levels in the area of disaster preparedness since 1997. Dr. Fenstersheib has made various presentations about Pandemic Influenza to various community groups and organizations. Dr. Fenstersheib is the VP of the Santa Clara County Medical Association and the past President of the California Conference of Local Health Officials.

The speakers discussed health disparities related to air quality and potential mitigation measures in Alameda, Contra Costa, Santa Clara and San Francisco counties.

#### DISCUSSION MEETING

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KEY POINTS – for discussion by Advisory Council

1. Ill health is concentrated in low-income communities of color. Health and Social inequities are positively correlated with exposure to sources of air pollution, such as freeways and industrial sources.
2. Communities need to be armed with information and tools to protect Public Health. Air Quality data is not presented in a form that is easily accessible or usable to either Public Health or the General Public. This concern applies both to the content of the data (e.g., quantitative data, geographies represented) and the language (reading level) of the data presented.
3. More detailed and localized data are needed to assist public health departments in assessing health impacts from air pollution sources. Data drives policy.
4. PM 2.5 has greater health impacts than ozone and toxic air contaminants (TACs), 10 times more than ozone and 20 times more than TACs in California. Federal and State programs geared towards criteria pollutants address regional targets and do not identify hotspots. This represents an important gap in monitoring.
5. Integration of Public Health into land use decision-making is critical, but the financial constraints of Public Health Departments necessitate BAAQMD cooperation and guidance in this process.
6. The Environmental Impact Report (EIR) process is one of the means that the air district has to require mitigation of health impacts from land use planning. Don't limit what BAAQMD does, or what data it makes available, to what is within the regulatory jurisdiction. BAAQMD can foster greater improvement in Public Health, and in community relations, by expanding its leadership role beyond what it is legally required to do. If we have strong regional targets to reduce greenhouse gases (GHG), we get the co-benefits of reduction in all pollution.
7. BAAQMD must be more proactive in regulating mobile sources of pollution within the legal constraints. Indirect Source Review is important for this reason.
8. BAAQMD should recognize roadways as a source to be measured—much of the data made the connection between roadways and health outcomes in the bordering communities. Areas within 500 feet of roadways are generally the most impacted and there are reliable models of air dispersion to predict pollution accumulation.
9. BAAQMD is a fellow health agency whose charge is to improve air quality to protect public health. There was a theme of collaboration—Public Health has a strong relationship with the community and can facilitate linkages between BAAQMD and community groups.
10. One of the ways to create change is to shift the status quo imbalance of power (industry and policymakers vs. community). This imbalance is the root cause of health inequity. BAAQMD can play an important role in helping communities advocate for themselves.

EMERGING ISSUES – for discussion by Advisory Council

1. Health Disparities and the relationship to *Cumulative Impacts*.
2. Noise pollution has negative health impacts, and is often present in the same locations as other pollutants.
3. Roadways are currently unregulated sources, falling outside the focus of both BAAQMD and CARB.
4. The use of Health Impacts Assessments is a promising part of the Environmental Review process.
5. The study of the health impacts of fine PM is a growing field in environmental health research.

RECOMMENDATIONS – for discussion by Advisory Council

1. Incorporate Fine PM into the CARE Program and require “hot spot” analysis of regional projects. Also, incorporate this hot spot analysis into updated CEQA guidelines. Consider establishing a PM 2.5 action level. Consider additional localized saturation monitoring studies along freeway corridors and in impacted areas, like the CARE Program West Oakland Measurement Study.
2. Collect data at the neighborhood level, through monitoring or modeling, and through *community based participatory methods*, like the CARE Program West Oakland On-road Diesel Truck Survey, to better assess localized impact. Data should be understandable enough that community residents can use it to push for change. Conduct monitoring to confirm modeling results (ambient concentrations) of PM emissions from major roadways.
3. Add a Health Officer (HO) position to the BAAQMD staff, similar to the position at the South Coast AQMD. The HO could provide guidance on decision making, help educate the public on health impacts of air pollution, and assist local governments with land use planning strategies that reduce air pollution and greenhouse gasses.
4. Set strong regional GHG reduction targets that will have co-benefits of reducing air pollution in impacted communities
5. Increase technical assistance to local jurisdictions for land use planning, such as establishing General Plan best practices and commenting on EIR’s.
6. Identify roadways as sources for TACs and criteria air pollutants. BAAQMD can provide technical assistance by preparing a methodology for measuring this source in Environmental Review processes and providing mitigation strategies.
7. Be more aggressive in requiring pollution reduction plans from major polluters, such as ports, and in monitoring implementation of those plans.
8. Support implementation of Container Fees at Ports to pay for air pollution mitigation and public health programs (rather than for congestion relief, which means an increase in PM and GHG), and support the anticipated state level resurrected Lowenthal bill. Investigate other strategies to fund emissions reduction and transit, such as gas taxes and increased vehicle license fees.
9. Implement Indirect Source Rules (ISR) and ensure protection for overburdened communities

10. Incorporate appropriate recommendations from the health officer presentations into the public hearing process for the CEQA Guidelines update and the Clean Air Plan 2008. Present this full report to the Board of Directors.