

# BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Approved Minutes: Board of Directors' Regular Meeting– February 20, 2008

## **Call To Order**

Opening Comments: Chairperson Jerry Hill called the meeting to order at 9:48 a.m.

Roll Call: Present: Jerry Hill, Chair, Tom Bates (10:10 a.m.), Harold Brown, Chris Daly, Dan Dunnigan, John Gioia (9:50 a.m.), Scott Haggerty (10:11 a.m.), Yoriko Kishimoto, Carol Klatt, Liz Kniss (10:05 a.m.), Janet Lockhart, Jake McGoldrick (10:15 a.m.), Nate Miley (10:11 a.m.), Mark Ross, Michael Shimansky, Tim Smith, Pam Torliatt, Gayle B. Uilkema (10:00 a.m.), Brad Wagenknecht, Ken Yeager.

Absent: Erin Garner, John Silva.

Pledge of Allegiance: The Board of Directors recited the Pledge of Allegiance.

Director Gioia arrived at 9:50 a.m.

**Swearing in of New Board Member** – Chairperson Hill welcomed new Board Member, Supervisor Ken Yeager. Executive Office Manager, Mary Ann Goodley swore in Director Yeager.

**Public Comment Period:** – There were none.

## **Consent Calendar (Items 1 – 5)**

1. Minutes of January 16, 2008 Meeting
2. Communications. Correspondence addressed to the Board of Directors. For Information only.
3. Quarterly Report of Division Activities

*Report of Division Activities for the months of October – December 2007*

4. Quarterly Report of Air Resources Board Representative – Honorable Jerry Hill

A summary of Chairperson, Hill's activities on the Air Resources Board was provided for information only.

5. Quarterly Report of the Executive Office

*A summary of Board of Directors, Hearing Board and Advisory Council meeting activities for the second quarter was provided for information only.*

**Board Action:** Director Wagenknecht moved approval of the Consent Calendar; seconded by Director Brown; carried unanimously without opposition.

Director Uilkema arrived at 10:00 a.m.

6. Report of the Public Outreach Committee Meeting of February 14, 2008

Director Ross presented the report and stated that the Public Outreach Committee met on Thursday, February 14, 2008.

Director Kniss arrived at 10:05 a.m.

The Committee received an update and recommendation on the Cleaner Burning Technology Incentive Program. Due to the overwhelming response from residents on the program the Committee provided direction to staff on modifications to the program. Modifications to: 1) Address demand for incentives retroactively to those on waiting lists; 2) Target program to delete log sets, EPA Certified Wood Burning devices and pellet stoves; and 3) Administer program using in-house staff. The Committee recommended that the Board of Directors' approve an increase to the Cleaner Burning Technology Program Incentive funding in the amount of \$400,000 with a transfer of \$400,000 from the Designated Reserve for Cleaner Burning Technology Incentive Program and a corresponding increase to FY 2007/2008 Program 302 budget.

The Committee considered a request to extend contracts for media/employer relations, advertising design, public opinion surveying and community outreach for Public Outreach programs. Future direction was provided to staff from the Committee. The Committee recommended that the Board of Directors' authorize the Executive Officer/APCO to execute contract extensions through August 15, 2008, to O'Rorke PR, Inc. not to exceed \$140,000; Allison and Partners in an amount not to exceed \$400,000; and authorize the Executive Officer/APCO to execute contract extensions through March 31, 2009, to Community Focus in an amount to exceed \$180,000 and True North in an amount not to exceed \$175,000.

Finally, the Committee received an update on the 2008 Spare the Air Campaign.

The next meeting was scheduled for Monday, March 3, 2008.

**Board Action:** Director Ross moved that the Board of Directors approve the report of the Public Outreach Committee; seconded by Director Wagenknecht; carried unanimously without opposition.

## 7. **Summary of 2007/2008 Winter PM Season**

*The Board of Directors received a presentation on the 2007/2008 winter PM season.*

Jack P. Broadbent, Executive Officer/APCO introduced Gary Kendall, Director of Technical Services, to provide the presentation. Mr. Broadbent would follow-up with a few comments about the upcoming Spare the Air Campaign, following the direction of the Public Outreach Committee.

Mr. Kendall noted that this winter had more rain and windy days, and as a result, the PM<sub>2.5</sub> standard was exceeded only 7 days compared to 27 days last winter. Similarly, there were only 6 Spare the Air Tonight advisories called, as compared to 30 last winter. Year to year changes in the weather affect the number of days that the PM<sub>2.5</sub> standard is exceeded. Over the last 8 winters there were 35 days of exceedances. In general, winters that have more rainy and windy days have fewer days over the standard, compared to winters with lower rainfall and light winds.

Mr. Kendall noted that attainment of the PM<sub>2.5</sub> standard is based on three year averages. He showed the trend in the three averages for the Bay Area starting with 2001. The Bay Area does not meet the new standard, based on measurements at San Jose and Vallejo. Mr. Kendall stated that the Environmental Protection Agency (EPA) will be making the formal designations in December of 2008. The designations will be based on 2004 through 2006 data. Also, EPA can consider 2005 through 2007 data. In either case the Bay Area does not meet the standard and is expected to be designated as non-attainment for this new standard.

Similar to ozone there are many sources of PM<sub>2.5</sub> and PM<sub>2.5</sub> precursors. Some of those sources include:

- Wood Smoke – 33%
- On-Road – 23%
- Off-Road – 20%
- Cooking – 7%
- Refining – 7%
- Power Plants – 3%
- Aircraft – 3%
- Other – 3%
- Marine – 1%

Director Bates, Director Haggerty and Director Miley arrived at 10:11 a.m.

In terms of ground-level ozone, EPA has proposed revising the national ozone standard from a level of 85 ppb to a range of between 70 and 75. Given this range, the Bay Area will expect to be non-attainment for that new standard.

Mr. Kendall noted that in 2005, the Board of Directors adopted the Bay Area Ozone Strategy which included 38 control measures and 20 further study measures. As a result of this strategy, ozone pre-cursors will continue to be reduced, but not enough to meet the state

standards or potentially the revised national ozone standards. Mr. Kendall concluded his presentation.

Director McGoldrick arrived at 10:15 a.m.

**Action:** Director Gioia requested that staff provide a breakdown of the off-road category (i.e. – agriculture, rail, and ports) and Mr. Broadbent acknowledged that the entire Board will receive a copy of the breakdown.

### **Spare the Air 2008 Campaign**

*The Board of Directors received a presentation on the Spare the Air 2008 Campaign.*

Mr. Broadbent presented the item and provided the Board of Directors with an update. Mr. Broadbent stated that the Air District is known for the “Spare the Air” program.

The background included the following:

- Started in the early 90s as a voluntary educational program;
- Designed to persuade the public to adopt clean air lifestyle choices by reducing driving and using products that do not emit VOC’s such as hair spray; and
- Health advisories based on the ozone forecast

Mr. Broadbent stated that this is the last year that the Metropolitan Transportation Commission’s (MTC) will fund the free transit portion of the campaign. Therefore, we have limited funding opportunities for this program. Initially there may be funding for one or possibly two days. A meeting took place with MTC to look at what could be done. Mr. Broadbent stated that the desire of the Public Outreach Committee was to continue the success of the program and that free transit should be a part of the program.

Mr. Broadbent noted that staff is revising a proposal on the program to be brought back to the Committee for consideration.

Mr. Broadbent suggested that as an organization the Air District could begin to be the primary funder of this program. In the past, the Air District has relied on MTC and then the Air District has funded about a quarter of the program. This would allow the Air District to have more control of the program.

Mr. Broadbent concluded his update on this item. There were many comments and suggestions on this issue. Director Uilkema complimented Mr. Broadbent on the radio and television advertisements and that the message is encouraging.

Chairperson Hill thanked both Mr. Kendall and Mr. Broadbent for their presentations.

## **Closed Session**

8. Conference with District's Labor Negotiators  
(*Government Code § 54957.6(a)*)

*Agency Negotiators: Jack P. Broadbent, Executive Officer/APCO  
Michael Rich, Human Resources Officer*

*Employee Organization: Bay Area Air Quality Management District Employees'  
Association, Inc.*

The Board convened to closed session at 10:40 a.m.

## **Open Session**

The Board reconvened to open session at 11:18 a.m.

Brian Bunger, District Counsel, reported that the Board of Directors met in closed session on agenda item 8. The Board received a report on the item and provided direction to staff.

## **Other Business**

9. Report of the Executive Officer/APCO

Mr. Broadbent informed the Board that there are several Committee meetings scheduled to take place in the upcoming weeks. In addition, Mr. Broadbent commented on the following:

- Upcoming meeting at the California Air Resources Board (ARB); regarding the proposal to allocate the air quality infrastructure bonds in California; and
- Community meeting regarding the Chevron Refinery expansion project.

Mr. Broadbent concluded his report.

10. Chairperson's Report – There was none.
11. Board Members' Comments – Director Shimansky asked if the Air District is the lead on the Chevron project and Mr. Broadbent commented that the Air District is not the lead and that the City of Richmond is the lead. Mr. Broadbent stated that Chevron is proposing to make some changes to the facility, but the emissions are not increasing and yet the community feels that they should have a say. The Air District will continue to work with the community.

Director Daly commented that he will possibly pursue a local carbon tax in San Francisco. He requested staff work with him in developing a model ordinance for local jurisdictions to move forward. This carbon tax would be in relation to the issue of climate change on a local level. Mr. Broadbent agreed that staff would work with Director Daly's office and that this discussion could be held further at the Climate Protection Committee.

12. **Time and Place of Next Meeting** – 9:45 a.m., Wednesday, March 5, 2008 – 939 Ellis Street, San Francisco, CA 94109
13. **Adjournment** – The meeting adjourned at 11:25 a.m.

*/s/Vanessa Johnson*  
Vanessa Johnson  
Acting Clerk of the Boards