



BOARD OF DIRECTORS
EXECUTIVE COMMITTEE MEETING

COMMITTEE MEMBERS

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

ERIC MAR – CHAIR
JOHN GIOIA
SCOTT HAGGERTY
JAN PEPPER
BRAD WAGENKNECHT

LIZ KNISS – VICE CHAIR
CAROLE GROOM
DAVID E. HUDSON
MARK ROSS

WEDNESDAY
MARCH 2, 2016
9:30 A.M.

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

AGENDA

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

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.

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

(Public Comment on Non-Agenda Items Pursuant to Government Code § 54954.3) Members of the public are afforded the opportunity to speak on any agenda item. All agendas for regular meetings are posted at Air District headquarters, 939 Ellis Street, San Francisco, CA, and at the Air District's website at least 72 hours in advance of a regular meeting. At the beginning of the regular meeting agenda, an opportunity is also provided for the public to speak on any subject within the Committee's subject matter jurisdiction. Speakers will be limited to three (3) minutes each.

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

Staff/Phone (415) 749-

3. **APPROVAL OF THE MINUTES OF DECEMBER 14, 2015** Clerk of the Boards/5073

The Committee will consider approving the draft minutes of the Executive Committee meeting of December 14, 2015.

4. **HEARING BOARD QUARTERLY REPORT: OCTOBER – DECEMBER 2015**

T. Trumbull/5073
TerryT1011@aol.com

The Hearing Board Chair will present the Hearing Board Quarterly Report for the period of October through December 2015.

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

J. Roggenkamp/4646
jroggenkamp@baaqmd.gov

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

6. **2016 CLEAN AIR PLAN / REGIONAL CLIMATE PROTECTION STRATEGY**

J. Roggenkamp/4646
jroggenkamp@baaqmd.gov

Staff will brief the Committee on the status of the 2016 Clean Air Plan/Regional Climate Protection Strategy.

7. **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).

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

Monday, April 18, 2016, Bay Area Air Quality Management District Office, 939 Ellis Street, San Francisco, California 94109 at 9:30 a.m.

9. **ADJOURNMENT**

The Committee meeting shall be adjourned by the Committee Chair.

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
939 ELLIS ST, SF, CA 94109
mmartinez@baaqmd.gov

(415) 749-5016
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov

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

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

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

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

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

Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the District’s offices at 939 Ellis Street, San Francisco, CA 94109, at the time such writing is made available to all, or a majority of all, members of that body.

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

EXECUTIVE OFFICE:
MONTHLY CALENDAR OF AIR DISTRICT MEETINGS

FEBRUARY 2016

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i>	Thursday	25	9:30 a.m.	Board Room
Board of Directors Stationary Source Committee <i>(Meets on the 3rd Monday of each Month)</i>	Thursday	25	11:00 a.m.	Board Room

MARCH 2016

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i> -CANCELLED	Wednesday	2	9:45 a.m.	Board Room
Board of Directors Executive Committee <i>(Meets on the 3rd Monday of each Month)</i>	Wednesday	2	9:30 a.m.	Board Room
Board of Directors Personnel Committee <i>(At the Call of the Chair)</i> -CANCELLED	Monday	7	9:30 a.m.	Board Room
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	16	9:45 a.m.	Board Room
Board of Directors Climate Protection Committee <i>(Meets 3rd Thursday of every other Month)</i>	Thursday	17	9:30 a.m.	Board Room
Board of Directors Executive Committee <i>(Meets on the 3rd Monday of each Month)</i> -CANCELLED	Monday	21	9:30 a.m.	Board Room
Board of Directors Stationary Source Committee <i>(Meets on the 3rd Monday of each Month)</i> -CANCELLED	Monday	21	10:30 a.m.	Board Room
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month)</i>	Wednesday	23	9:30 a.m.	Board Room
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i> -CANCELLED	Thursday	24	9:30 a.m.	Board Room

APRIL 2016

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	6	9:45 a.m.	Board Room
Board of Directors Executive Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	18	9:30 a.m.	Board Room
Board of Directors Stationary Source Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	18	10:30 a.m.	Board Room
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	20	9:45 a.m.	Board Room
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month)</i>	Wednesday	27	9:30 a.m.	Board Room
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i>	Thursday	28	9:30 a.m.	Board Room

MM – 2/24/16 (1:14 p.m.)

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BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Eric Mar and Members
of the Executive Committee

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

Date: February 17, 2016

Re: Approval of the Minutes of December 14, 2015

RECOMMENDED ACTION

Approve the attached draft minutes of the Executive Committee (Committee) meeting of December 14, 2015.

DISCUSSION

Attached for your review and approval are the draft minutes of the Committee meeting of December 14, 2015.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Tom Flannigan
Reviewed by: Maricela Martinez

Attachment: Draft Minutes of the Committee Meeting of December 14, 2015

AGENDA: 3 – ATTACHMENT

Draft Minutes – Executive Committee Meeting of December 14, 2015

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

DRAFT MINUTES

Summary of Board of Directors
Executive Committee Meeting
Monday, December 14, 2015

1. CALL TO ORDER – ROLL CALL

Vice-Chairperson Eric Mar called the meeting to order at 9:35 a.m.

Present: Vice-Chairperson Eric Mar; and Directors Scott Haggerty, David Hudson, Nate Miley, Mark Ross, and Brad Wagenknecht.

Absent: Directors Tom Bates, John Gioia, and Chairperson Carole Groom.

Also Present: None.

2. PUBLIC COMMENT ON NON-AGENDA MATTERS: No requests received.

3. APPROVAL OF THE MINUTES OF SEPTEMBER 23, 2015

Director Hudson made a motion, seconded by Director Wagenknecht, to recommend the Board approve the Minutes of September 23, 2015; and the motion carried by the following vote of the Committee:

AYES: Haggerty, Hudson, Mar, Miley, Ross, and Wagenknecht.

NOES: None.

ABSTAIN: None.

ABSENT: Bates, Gioia, and Groom.

4. HEARING BOARD QUARTERLY REPORT: JULY – SEPTEMBER 2015

Hearing Board Chairperson Terry Trumbull, Esq., presented the quarterly report of the Air District HB for July through September 2015, including a summary of the cases and fees collected.

Committee Comments: None.

Public Comments: No requests received.

Committee Action: None; receive and file.

5. BAY AREA REGIONAL COLLABORATIVE (BARC) UPDATE

Chairperson Mar approved staff recommendation to postpone this item to a future date.

6. COMMUTER BENEFITS PROGRAM EVALUATION

Henry Hilken, Director of the Planning and Climate Protection Division, introduced David Burch, Principal Planner, who gave the staff presentation *Commuter Benefits Program Evaluation*, including program overview; commuter benefit options; compliance and assistance; program evaluation; employer response; region-wide impact; new benefits offered by employer size; employee response; environmental outcomes; overall impact; and next steps.

Committee Comments:

The Committee and staff discussed the results of the program; working with employers at business parks to pilot new and additional commuter benefit options; surveying business parks and large regional employers about the program; increased incentives; increasing efficiency; and adding greater resources to the program.

Public Comments: No requests received.

Committee Action: None; receive and file.

7. BAY AREA CLIMATE ACTION LEADERSHIP SUMMIT

Jack Broadbent, Executive Officer / Air Pollution Control Officer, introduced Lisa Fasano, Communications Officer, who gave the staff presentation *Bay Area Climate Action Leadership Summit*, including background on climate protection efforts; planning and research; and ideas for the summit.

Committee Comments:

The Committee and staff discussed timing for the summit; inviting non-profit organizations, governments, and large corporations; formats for the summit; panel speakers; incorporating high-tech solutions; developing action-oriented solutions; alternative energy options; economic benefits of renewable and sustainable solutions; extending the summit to a three-day event with a large platform with global reach; connecting with regional youth groups; and fundraising policies and plans.

Public Comments: No requests received.

Committee Action: None; receive and file.

8. PLANNING HEALTHY PLACES

Henry Hilken, Director of the Planning and Climate Protection Division, introduced Jackie Winkel, Principal Planner, who gave the staff presentation *Planning Healthy Places*, including background; planning healthy places, maps, best practices to reduce exposure; best practices to reduce emissions; and feedback & next steps.

Committee Comments:

The Committee and staff discussed Slide 4 and color coding of the maps; how this is a useful tool and guide for urban planners; air quality in the Tri-Valley region; more information on best practices; CEQA guidelines and the presentation intersects; air quality monitors and personal monitors; city planning and regional zoning; public health concerns and generating equity throughout the whole region.

Public Comments: No requests received.

Committee Action: None; receive and file.

9. COMMITTEE MEMBER COMMENTS / OTHER BUSINESS: None.

10. TIME AND PLACE OF NEXT MEETING

Wednesday, March 2, 2016, Bay Area Air Quality Management District Headquarters, 939 Ellis Street, San Francisco, CA 94109 at 9:30 a.m.

11. Adjournment: The meeting adjourned at 10:41 a.m.

Tom Flannigan
Acting Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Eric Mar and Members of the Executive Committee
From: Chairperson Terry Trumbull, Esq., and Members of the Hearing Board
Date: February 23, 2016
Re: Hearing Board Quarterly Report – October through December 2015

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

During the fourth quarter of 2015 (October through December), the Hearing Board:

- Held one hearing on an Accusation (3682). There were no hearings relative to Variances;
- Processed a total of four Orders, including three Orders for Dismissal (3678, 3679, 3680) and one Emergency Variance (3681); and
- Collected a total of \$3,819.00 in filing fees.

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

Location: Contra Costa County; City of Antioch

Docket: 3678 APCO v. BILL BINDAL – *Accusation*

Regulation(s): Regulation 2, Rule 1, Section 302

Synopsis: Applicant operates a gas station for which they must hold a District permit to operate gasoline dispensing equipment. Applicant has conducted gas dispensing operations at this facility since April 2015 without a valid District permit and without a current permit in place since April 2011.

Status: Order for Dismissal issued on October 8, 2015.

Period of Variance: n/a

Estimated Excess Emissions: n/a

Fees collected this quarter: n/a

Location: Alameda County; City of Hayward

Docket: 3679 APCO v. ALBERTO MENDOZA – *Accusation*

Regulation(s): Regulation 2, Rule 1

Synopsis: Applicant operates an auto body painting operation without maintaining a BAAQMD P/O; this facility has operated for three years in violation of the above regulation. It was issued a Notice of Violation in 2015 for failure to renew its P/O.

Status: Order for Dismissal issued on December 14, 2015.

Period of Variance: n/a

Estimated Excess Emissions: n/a

Fees collected this quarter: n/a

Location: Solano County; City of Vallejo

Docket: 3680 APCO v. MANUEL G. SEGURA – *Accusation*

Regulation(s): Regulation 2, Rule 1

Synopsis: Applicant operates a motor vehicle refinishing operation. A Notice of Violation was issued to Respondent in 2015 for failure to renew its P/O. This facility has operated w/o a valid permit since December 2012 in violation of the above regulation.

Status: Order for Dismissal issued on December 14, 2015.

Period of Variance: n/a

Estimated Excess Emissions: n/a

Fees collected this quarter: n/a

Location: Santa Clara County; City of Santa Clara

Docket: 3681 APCO v. APPLIED MATERIALS, INC – *Application for Emergency Variance*

Regulation(s): Regulation 2, Rule 1 – Section 301 and Regulation 9, Rule 8 – Section 330

Synopsis: Applicant operates a semi-conductor research and development facility and seeks a variance for two temporary backup generators which caused a power failure to the entire building.

Status: Request for withdrawal of said Application filed on October 13, 2015.

Period of Variance: October 11, 2015 – November 11, 2015

Estimated Excess Emissions: n/a

Fees collected this quarter: n/a

Location: Santa Clara County; City of Gilroy

Docket: 3682 APCO v. HARVEY FLORES – *Accusation*

Regulation(s): Regulation 2, Rule 1

Synopsis: Applicant operates an auto body painting operation without maintaining a BAAQMD P/O; this facility has operated at least 6 years in violation of the above regulation. Notice of Violation (NOV) # A46599 was issued to the facility on January 28, 2014 for failure to renew its P/O.

Status: Hearing held on December 17, 2015.

Period of Variance: n/a

Estimated Excess Emissions: n/a

Fees collected this quarter: n/a

Respectfully submitted,

Terry Trumbull, Esq.
Chair, Hearing Board

Prepared by: Maricela Martinez

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Eric Mar and Members
of the Executive Committee

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

Date: February 18, 2016

Re: Bay Area Regional Collaborative (BARC) Update

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: Jean Roggenkamp

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Eric Mar and Members
of the Executive Committee

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

Date: February 20, 2016

Re: 2016 Clean Air Plan / Regional Climate Protection Strategy

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The California Health & Safety Code requires air districts to prepare and periodically revise plans for attaining state ozone standards. The Bay Area 2010 Clean Air Plan (2010 CAP) is the most recent ozone plan prepared by the Air District. The Health & Safety Code requires that ozone plans include “all feasible control measures” to make progress toward attaining State ozone standards in the Bay Area and to reduce pollution transport to neighboring air basins.

The 2010 CAP was the first Air District “multi-pollutant” air quality plan developed to address four categories of pollutants:

- Ground level ozone and its precursors, reactive organic gases (ROG) and nitrogen oxides (NO_x);
- Fine particulate matter (PM_{2.5}), including directly emitted PM_{2.5}, as well as precursors to secondary PM_{2.5};
- Air toxics; and
- Greenhouse Gases (GHG).

The main purpose for developing a multi-pollutant plan was to provide an integrated strategy for reducing emissions of various pollutants, in order to highlight and maximize co-benefits of proposed control measures and to minimize potential trade-offs among measures, thus resulting in the greatest benefits to public health and the global climate.

The Board of Directors’ Climate Protection Resolution and 10-Point Climate Action Work Program call for the Air District to prepare a Regional Climate Protection Strategy as part of the Clean Air Plan update. Thus, while GHGs were addressed in the 2010 CAP, measures to reduce GHGs are a more prominent focus of this current plan under development.

DISCUSSION

Staff has been developing the update to the 2010 CAP, the 2016 Clean Air Plan / Regional Climate Protection Strategy (2016 CAP/RCPS). The 2016 CAP/RCPS will also be a multi-pollutant plan to meet State air quality planning requirements, but will also include a comprehensive Regional Climate Protection Strategy to ensure a coordinated approach to protecting the climate and public health throughout the Bay Area.

Staff recently hosted public Open Houses in January and February 2016 to solicit input on potential control measures proposed for inclusion in the plan. Staff will brief the Committee on potential control measures proposed for the 2016 CAP/RCPS, the results of the Open Houses, and the schedule for completing the 2016 CAP/RCPS.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Dave Vintze
Reviewed by: Henry Hilken