

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

Board of Directors Regular Meeting  
Wednesday, November 1, 2017

### **APPROVED MINUTES**

*Note: Audio recordings of the meeting are available on the website of the  
Bay Area Air Quality Management District at  
<http://www.baaqmd.gov/about-the-air-district/board-of-directors/resolutionsagendasminutes>*

#### **CALL TO ORDER:**

1. **Opening Comments:** Chairperson, Liz Kniss, called the meeting to order at 10:00 a.m.

#### **Roll Call:**

Present: Chairperson Liz Kniss; Vice Chairperson Dave Hudson; Secretary Katie Rice; and Directors Margaret Abe-Koga, Teresa Barrett, Pauline Russo Cutter, Tyrone Jue, Rebecca Kaplan, Doug Kim, Nate Miley, Karen Mitchoff, Hillary Ronen, Mark Ross, Rod Sinks, Jim Spering, Brad Wagenknecht, and Shirlee Zane.

Absent: Directors David J. Canepa, Cindy Chavez, John Gioia, Carole Groom, Scott Haggerty, Pete Sanchez, and Jeff Sheehy.

#### **CONSENT CALENDAR ITEMS (2 – 5)**

2. Minutes of the Regular Board of Directors Meeting of October 18, 2017
3. Board Communications Received from October 18, 2017 through October 31, 2017
4. Authorize the Executive Officer/Air Pollution Control Officer (APCO) to enter into a contract agreement with KBM Hogue in an amount not to exceed \$310,000
5. Approve Reclassifying and Y-Rating of One Executive Secretary to Administrative Secretary

#### **Public Comments:**

No requests received.

#### **Board Comments:**

None.

#### **Board Action:**

Vice Chair Hudson made a motion, seconded by Director Wagenknecht, to **approve** Consent Calendar Items 2-5 inclusive; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Barrett, Cutter, Hudson, Jue, Kaplan, Kim, Kniss, Mitchoff, Rice, Sinks, Wagenknecht, and Spering.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Canepa, Chavez, Gioia, Groom, Haggerty, Miley, Ronen, Ross, Sanchez, Sheehy, and Zane.

## **COMMITTEE REPORTS**

### **6. Report of the Mobile Source Committee Meeting of October 26, 2017**

Mobile Source Committee Chair Mitchoff read:

*The Committee met on Thursday, October 26, 2017 and approved the minutes of September 28, 2017.*

*The Committee reviewed and discussed the staff presentation, Projects and Contracts with Proposed Grant Awards Over \$100,000. The Committee recommends the Board:*

- 1. Approve Transportation Fund for Clean Air projects with proposed grant awards over \$100,000 as shown in Attachment 1; and*
- 2. Authorize the Executive Officer/Air Pollution Control Officer to enter into all necessary agreements with applicants for the recommended projects.*

*The Committee then reviewed and discussed the staff presentation, Transportation Fund for Clean Air County Program Manager Fund Policies for Fiscal Year Ending 2019 and a Request for a Waiver for Fiscal Year Ending 2018 County Program Manager Policies from San Francisco County Transportation Agency. The Committee recommends the Board:*

- 1. Approve the proposed Fiscal Year Ending 2019 Transportation Fund for Clean Air County Program Manager Fund Policies; and*
- 2. Approve a policy waiver to allow San Francisco County Transportation Agency to include emissions reduction credit for replacing medium-heavy duty vehicles in the cost-effectiveness evaluation of a Fiscal Year Ending 2018 Transportation Fund for Clean Air County Program Manager light-duty vehicle project.*

*The Committee requested that staff consult with the Alameda County Transportation Commission to determine if an extension was necessary for a waiver granted to them for the Fiscal Year Ending 2017 Transportation Fund for Clean Air County Program Manager policies. Staff has consulted with the Alameda County Transportation Commission and determined that no additional action is necessary, as the waiver granted last year by the Board of Directors spans two years and is effective to the end of Fiscal Year Ending 2018.*

Finally, the Committee reviewed and discussed the staff presentation, Accept, Obligate, and Expend Funding from the California Air Resources Board, Metropolitan Transportation Commission, and Bay Area Clean Air Foundation. *The Committee recommends the Board:*

1. *Authorize the Bay Area Air Quality Management District to accept, obligate, and expend funding from the following three new awards:*
  - a. *Up to \$10 million from the California Air Resources Board to implement an Enhanced Fleet Modernization Plus-up Program;*
  - b. *Up to \$2 million in Reformulated Gas Settlement Funds from the Bay Area Clean Air Foundation, to help accelerate the adoption of zero- and near-zero-emission equipment and vehicles operating in and around the Port of Oakland and the surrounding West Oakland community and;*
  - c. *\$10 million from the Metropolitan Transportation Commission for the Air District's Spare the Air and light-duty electric vehicle programs.*
2. *Adopt resolutions authorizing the Air District to accept, obligate, and expend the funds awarded from the California Air Resources Board for the Enhanced Fleet Modernization Plus-up Program and the funds from the Metropolitan Transportation Commission for the Air District's Spare the Air and light-duty electric vehicle programs; and*
3. *Authorize the Executive Officer/Air Pollution Control Officer to enter into all agreements necessary to accept, obligate, and expend this funding.*

*The next meeting of the Mobile Source Committee will be held on Thursday, December 7, 2017, at 9:30 a.m., at the Bay Area Air Quality Management District Office, 375 Beale Street, Yerba Buena Room, San Francisco, California 94105. I move that the Board approve the Mobile Source Committee's recommendations. This concludes the Chair Report of the Mobile Source Committee.*

Public Comments:

No requests received.

Board Comments:

None.

Board Action:

Director Mitchoff made a motion, seconded by Vice Director Hudson to **approve** the recommendations of the Mobile Source Committee; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Barrett, Cutter, Hudson, Jue, Kaplan, Kim, Kniss, Mitchoff, Rice, Ronen, Sinks, Wagenknecht, and Spering.  
NOES: None.

ABSTAIN: None.

ABSENT: Canepa, Chavez, Gioia, Groom, Haggerty, Miley, Ross, Sanchez, Sheehy, and Zane.

## **7. Report of the Advisory Council Meeting of October 30, 2017**

Ex-Officio Advisory Council Member Sinks read:

*The Council met on Monday, October 30, 2017, and approved the minutes of February 6, 2017, and April 3, 2017, as amended.*

*The Council then received the staff presentations;*

- Protecting Refinery Communities from Air Pollution.
- Air Monitoring and Attainment Status of Criteria Pollutant Standards in the San Francisco Bay Area
- Advisory Council Next Area of Focus: Beyond Attainment – Prioritization for Local Health Impacts.
- Introduction to the Office of Environmental Health Hazard Assessment in Anticipation of Future Discussion Regarding Particulate Matter Health Effects.
- Complexity of Particulate Matter and Its Effects on Human Health.
- Beyond Attainment – Prioritization for Local Health Impacts and;
- *Advisory Council Terms.*

*The next meeting of the Council is at the call of the Chair. This concludes the Chair Report of the Advisory Council.*

### Public Comments:

No requests received.

### Board Comments:

None.

### Board Action:

None; receive and file.

## **PRESENTATIONS**

### **8. Information Presentation on Toxic Air Contaminants and Control Programs (OUT OF ORDER, ITEM 10)**

Jack Broadbent, Executive Officer/APCO explained that the Board of Directors will be considering Draft Rule 11-18 for adoption at their November 15, 2017 meeting, and that this presentation is meant to serve as an overview for the newer Board members.

Jean Roggenkamp, Deputy Executive Officer, introduced Dr. Phil Martien, Air Quality Engineering Manager, and Jaime Williams, Director of Engineering, who jointly gave the staff presentation *Informational Presentation of Toxic Air Contaminants and Control Programs*, including: overview; what are toxic air contaminants (TAC); examples of TACs and health impacts; TAC emission sources – diesel exhaust particulate matter, organic gases, and metals; regulatory authority and framework for TACs; how do we measure impacts; exposure and toxicity determine health impacts; cancer risk weighted emissions by pollutant and source category (2005); cancer-risk-weighted emissions from stationary sources (2015); Bay Area lifetime cancer risk from TAC exposure; overall pollution down, but higher risks in some communities; exposure/risk depends on location; stationary sources contribute to local risk; TAC impact mitigation programs; Toxics New Source Review (Rule 2-5); Air Toxics Hot Spots program (AB 2588); risk action thresholds; health risk assessment process and considerations; potential risk reduction measures; diesel engine toxics control measures; crematorium toxics control measures; paint booth toxics control measures; control measure examples; and summary.

#### **Public Comments:**

Public comments were made by Angela Scott and Esther Goolsby, Communities for a Better Environment; and Bob Brown, Western States Petroleum Association.

#### **Board Comments:**

The Board and staff discussed whether staff breaks down the District's "Bay Area Lifetime Cancer Risk" data into sub-regions, and if so, the number of sub-regions that are experiencing a decrease in cancer risk; the suggestion that the District particularly monitors the influx of construction site pollution that will result as the North Bay rebuilds from fire trauma; the feasibility of receptor-side mitigation for sensitive receptors, and the suggestion that the District develop incentives or discounts for building filtration systems to be made available to building owners to increase the amount of locations that can offer cleaner air; which agencies have regulatory authority over ships and commercial boats, construction equipment, and on-road mobile sources of pollution; what the District can do to address ultrafine diesel Particulate Matter (PM), how Draft Rule 11-18 may address diesel exhaust PM, and the California Statewide Portable Equipment Registration Program; whether the District's maps showing cancer risk include hotspots in communities downwind from refineries and at cement plants; how aggressive the risk management threshold of 10 in a million is, and which other Air Districts in California enforce it versus a 25 in a million threshold; the challenges of the aggressive timeline for Draft Rule 11-18; the District's definition of "synergistic effects of multiple air toxics"; whether Health Risk Analyses will be conducted on facilities involved with rebuilding the North Bay fire communities under Draft Rule 11-18, or if that emergency work will be exempt from the Rule; whether cumulative impacts factor into the District's permitting process; the suggestion that

the District implements short-term measures to mitigate impacts of air pollution in highly-impacted areas; the request that staff present the Board with a comparison of health benefits between risk management thresholds of 25 in a million and 10 in a million; the analyses that the District has conducted regarding the crematorium in East Oakland, the history of the City's litigation of the facility, the status of the current construction permit, how Draft Rule 11-18 may affect the facility, whether the District may consider community-side mitigation, the need for the City to look at what other sources are impacting that neighborhood, and the request that the District also pays attention to the portion of San Leandro that is adjacent to Oakland, as both cities are highly-impacted; and the challenges of regulating industrial areas that are later zoned for housing.

NOTED PRESENT: Director Ross was noted present at 10:21 a.m. and Director Miley was noted present at 10:31 a.m.

9. **2017 Summer Spare the Air Season Summary (ITEM 8)**

Mr. Broadbent introduced Lisa Fasano, Communications Officer, who gave the staff presentation *2017 Spare the Air Campaign*, including: advertising; campaign highlights; social media; media relations; employer program; and research.

Public Comments:

No requests received.

Board Comments:

The Board and staff discussed the number of N-95 particulate respirator masks were purchased and distributed to shelters by the District during the North Bay fires; the suggestion that staff procure carpool data from the Bay Area Toll Authority, even though their data does not take into consideration green or white stickers on clean air vehicles; the suggestion of expanding online Spare the Air advertising to directly connect with online carpooling matching applications; the suggestion of a "women only" carpooling application in order to increase the number of female carpoolers who might not otherwise feel safe; and the request that the District's future collaboration with MTC geo-targets corridors or sub-regions of the Bay Area that would most benefit from maximized/increased carpooling.

Board Action:

None; receive and file.

10. **Winter Spare the Air Season 2017-18 Update (ITEM 9)**

Ms. Roggenkamp introduced Wayne Kino, Director of Compliance and Enforcement, who gave the staff presentation *Winter Spare the Air Season 2017-18 Update*, including: wood burning device rule summary; Winter PM<sub>2.5</sub> seasons; wood smoke enforcement; enforcement highlights; Winter Spare the Air campaign; social media and outreach; Wood Smoke Reduction Incentive program; wood smoke information by county; and next steps.

Public Comments:

Public comments were made by Tony fisher, Coalition for Clean Air.

Board Comments:

The Board and staff discussed the value in surveying residents who applied for wood smoke exemptions in 2015-16 to find out why they did not apply for exemptions in 2016-17, and why residents in general are not choosing to burn; the suggestion that, due to the fire devastation in the North Bay, the District shift its social media outreach to the North Bay and increase enforcement there; the suggestions that the District collect psychological research on fire survivors and possible correlation to non-respiratory health effects so that knowledge may be applied to North Bay fire survivors; the timeline for the upcoming funding cycle of the Wood Smoke Reduction incentive program, and whether additional funds for the program will be procured; the request that the Wood Smoke Reduction Incentive program application be sent to the Board members; the request that the Board members receive the language requiring rental properties in natural gas service areas to have permanently installed forms of heat that do not burn solid fuel, as well as the disclosure language describing negative health impacts of PM2.5 from wood-burning devices at rental properties; whether tree bark that was previously sprayed with pesticides and then burned is subject to Draft Rule 11-18; the request for further analysis on the categories of the awarded grants from the Wood Smoke Reduction Incentive program; the suggestion of discouraging recreational burning outdoors when the District calls Spare the Air days and issues health advisories; the effectiveness of the District's cigarette images in fireplaces and chimneys communicating to the public the dangers of wood smoke; the suggestion that the District rethink which parts of the Bay Area are highly-impacted, due to the fire trauma in the North Bay; and request that special consideration for incentives and programs be given to the North Bay fire communities (especially to areas that do not have access to gas), so that conversions are accelerated within those areas.

Board Action:

None; receive and file.

**PUBLIC COMMENTS ON NON-AGENDA MATTERS**

**11. Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**

No requests received.

**BOARD MEMBERS' COMMENTS**

**12. Board Members' Comments**

- Director Kim asked the District to let Board members know which air-related items need to be included in emergency kits during natural disasters.
- Secretary Rice thanked David Burch, Principal Environmental Planner for the District, for speaking at the Marin County Health & Human Services Learning Lab workshop on October 18, 2017. Secretary Rice urged the District to educate the local governments and the public on the connection between climate change and public health, to promote behavior change.

- Director Barrett thanked District staff for delivering to her 900 N-95 masks during the North Bay fires. She distributed the masks to facilities where seniors and families were gathered.
- Regarding the rebuilding that will be taking place in the North Bay, Director Miley suggested that the District ensure that new construction allows only natural gas fireplaces. When Mr. Broadbent reminded the Board that District Rule 6-3-213 already requires this as of November 2016, Director Mitchoff suggested that the District reminds City and County building permit offices and City Managers of this rule.
- Vice Chair Hudson suggested that the California Air Pollution Control Officers Association hires a third party to collect data on regional fires, rather than require the affected area pay for the research.
- Vice Chair Hudson urged staff not to call Spare the Air days on Thanksgiving and Christmas, but suggested calling Spare the Air days just prior to the actual holidays (if necessary).

### **OTHER BUSINESS**

#### **13. Report of the Executive Officer/Air Pollution Control Officer**

Mr. Broadbent had nothing to report. His summary of ozone seasons presentation is posted on the BAAQMD website.

#### **14. Chairperson's Report**

Chair Kniss announced that the Solano County City Selection Committee reappointed Director Sanchez to the District's Board of Directors for another two-year term.

She also announced to the Board members that those who are interested in serving as an officer on the Board in 2018, or wish to nominate a fellow Board Member, must do so by close of business November 1, 2017.

#### **15. Time and Place of Next Meeting**

Wednesday, November 15, 2017, at 375 Beale Street, San Francisco, CA 94105 at 9:45 a.m.

#### **16. Adjournment**

The meeting adjourned at 12:31 p.m.

*/s/ Marcy Hiratzka*  
Marcy Hiratzka  
Clerk of the Boards