

Bay Area Air Quality Management District  
Dougherty Station Community Center  
17011 Bollinger Canyon Road, San Ramon, CA 94582

Board of Directors Special Meeting / Retreat  
Wednesday, January 17, 2018

## **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:** Outgoing Board Chairperson, Liz Kniss, called the meeting to order 9:45 a.m.

#### **Roll Call:**

Present: Chairperson David Hudson; Vice Chair Katie Rice; Secretary Rod Sinks; and Directors Margaret Abe-Koga, Teresa Barrett, David J. Canepa, Pauline Russo Cutter, John Gioia, Scott Haggerty, Tyrone Jue, Rebecca Kaplan, Doug Kim, Liz Kniss, Nate Miley, Karen Mitchoff, Hilary Ronen, Mark Ross, Pete Sanchez, Jim Spering, and Brad Wagenknecht.

Absent: Directors Cindy Chavez, Carole Groom, Jeff Sheehy, and Shirlee Zane.

### **COMMENDATIONS / PROCLAMATIONS / AWARDS**

2. The Board of Directors recognized outgoing Board Chairperson, Liz Kniss, for her leadership as Chair of the Board of Directors in 2017. Director Kniss thanked staff for their assistance during her role as Board Chairperson, and for advocating for the District's regulatory interests in Sacramento.

### **CLOSED SESSION** (commenced at 9:58 a.m.)

3. **CONFERENCE WITH LEGAL COUNSEL**

#### **EXISTING LITIGATION (Government Code Section 54956.9(a))**

*Pursuant to Government Code Section 54956.9(a), a need exists to meet in closed session with legal counsel to consider the following cases:*

- A. **Western States Petroleum Association, Valero Refining Company – California, Tesoro Refining and Marketing Company, and Phillips 66 Company vs. Bay Area AQMD, et al.**, Contra Costa County Superior Court, Case No. N17-2300

**REPORTABLE ACTION:** None.

**B. Bay Area Air Quality Management District Employees' Association v. Bay Area AQMD, San Francisco County Superior Court, Case No. CPF-17-515980.**

REPORTABLE ACTION: None.

**OPEN SESSION** (commenced at 10:22 a.m.)

**CONSENT CALENDAR (ITEMS 4 – 7)**

4. Minutes of the Regular Board of Directors Meeting of December 20, 2017
5. Board Communications Received from December 20, 2017 through January 16, 2018
6. Air District Personnel on Out-of-State Business Travel
7. Notices of Violations Issued and Settlements in Excess of \$10,000 in the month of December 2017

Public Comments:

No requests received.

Board Comments:

None.

Board Action:

Director Wagenknecht made a motion, seconded by Director Sanchez, to **approve** the Consent Calendar Items 4 through 7, inclusive; and the motion **carried** by the following vote of the Board:

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

**BOARD OF DIRECTORS RETREAT**

**8. Opening Comments**

Jack Broadbent, Executive Officer / Air Pollution Control Officer (APCO), gave an overview of the retreat presentation, explaining the topics that would be covered.

**A. State of the Air District, Air Quality Summary, and the Proposed Regulatory Agenda for 2018**

Mr. Broadbent presented the following slides: State of the Air District; Revised Air District Staff Flow Chart; Update on Air Quality; Ozone Exceedance Trends (1980 to Present); Particulate Matter (PM)<sub>2.5</sub> Exceedance Trends (2000 to Present); Sonoma/Napa Wildfire Smoke Impacts; Community Air Risk Evaluation (CARE) Program; and Key Rulemaking Efforts.

Board Comments:

The Board and staff discussed why ozone exceedances have increased since 2014, after many years of decline; the frequency of Spare the Air days called in 2017 compared to previous years; anticipated refinery-focused rules; the importance of tracking and collecting data that shows how greenhouse gas (GHG) emissions impact human health; and the District's partnership with County Public Health Officers.

**B. Air District Administrative Overview**

Rex Sanders, Chief Administrative Officer, presented the following slides: Facility Updates; and Staffing Update. Jeff McKay, Chief Financial Officer, presented the following slides: Fiscal Update; Advisory Council.

Board Comments:

The Board and staff discussed the status of the District's salary survey that is to be conducted; the specifications of the electric vehicle charging stations in the Beale Street garage, and whether the public may use them; and the historical format of the Advisory Council membership, the transition to the current format, the District's recruitment process for the two current Advisory Council vacancies, the concern that the environmental justice community is not currently represented on the Council, and the Advisory Council Members' desire for increased interaction with the Board.

NOTED PRESENT: DIRECTOR RONEN was noted present at 11:00 a.m.

**C. Update on Assembly Bill (AB) 617 Implementation**

Greg Nudd, Deputy Air Pollution Control Officer of Policy, presented the following slides: AB 617 Background and Program Components; Community Selection – Criteria Under Consideration; Examples of Potential Communities (West Oakland, Richmond, Eastern San Francisco, Livermore, Vallejo); Community Plans; Air Pollution Monitoring; Community Monitoring Methods; Emissions Inventory; Incentives; Best Available Retrofit Control Technology (BARCT); AB 617 Statutory and Program Deadlines; Early Actions; and What's Next?

Board Comments:

The Board and staff discussed the concern that not all communities have been properly evaluated to be considered "most impacted", and may not receive specialized District efforts to reduce toxics and criteria pollutant levels; the success of the Google/Aclima air monitoring pilot project in Oakland, and hope that the District will support other mobile monitoring projects that will benefit other areas; the request that the District make investigating cumulative impacts on communities a priority, in concert with proactive community side mitigation; the request that the District prioritize truck remediation regionwide, as this will benefit all areas through which cleaner trucks would travel; whether construction dust and track out be addressed under AB 617; the request that successful low-cost monitoring models from AB 617 implementation established by the District be put into effect in the North Counties; how communities that are not identified as having "high cumulative exposure burden" will be assisted and benefitted by District efforts; the request for staff to reach out to Board members to maximize the opportunity for public participation at stakeholder and community engagement meetings

pertaining to AB 617 implementation; the opinion that the use of CalEnviroScreen can lead to incorrect and incomplete conclusions; how more affluent areas should not be overlooked by the District's allocation of grants to mitigate high emission levels; concern about uniform statewide annual reporting (emission inventory) for criteria and toxic emissions; and how heavy-duty vehicle incentives work between California Air Districts, based on the statewide travel.

#### **D. Update on the Technology Implementation Office**

Damian Breen, Deputy Air Pollution Control Officer of Technology, presented the following slides: Technology Implementation Office (TIO) Team; Mainstreaming New Technologies; Currently Commercialized Technologies Not Enough to Address All GHG Emissions; We Also Need to Mainstream Technologies Beyond the Bay Area; Technical Foundation for Investments; Technology Assessment to Identify Technologies Poised for Impact and Scale; Matchmaking to Incentivize Action; Results of Stakeholder Input (3 Isolated Communities); Benefits to Partners with Air District TIO; Example of TIO Finance Program; and 3 TIO Pillars and Next Steps.

##### Board Comments:

None.

#### **E. Wood Smoke Program and the North Bay Fire Recovery Update**

Wayne Kino, Deputy Air Pollution Control Officer of Operations, presented the following slides: Wood Smoke Enforcement; Enforcement Highlights; General Versus Wood Smoke Complaints; Wood Smoke Reduction Incentive Program; North Bay Fires Background Information and Recovery Efforts; New and Expanding Air Quality Information; and Make Information of Maximum Use.

##### Board Comments:

None.

#### **F. Climate Protection Program Update**

Henry Hilken, Director of Planning and Climate Protection, presented the following slides: Long-Range Visions to Low-Carbon Future; Climate Protection Strategy and Targets; Implementing the Climate Protection Program; Basin-Wide Methane Strategy (Laying the Information, Regulatory Efforts, and 2018 Methane Rules); Climate Protection Grant Program; Support for Local Climate Action; Grant Programs; Partnerships, Communications and Outreach; and Working to Realize the Vision.

##### Board Comments:

None.

#### **G. Update on 2018 Committee Assignments and Goals**

Chair Hudson displayed the Board Members' 2018 Standing Committee Assignments.

Board Comments:

None.

Public Comments (on Items 8A - 8G):

Public comments were made by the following speakers: Jan Warren, Interfaith Climate Action Network of Contra Costa County (ICANCCC); Tony Fisher, Coalition for Clean Air; Andres Soto, Communities for a Better Environment (CBE); Margie Lewis, CBE; Jeff Kilbrate, Richmond resident; Zolboo Namkhaidorj, CBE; Esther Goolsby, CBE; Janet Stromberg, 350 Bay Area; and Greg Karras, CBE.

**PUBLIC COMMENT ON NON-AGENDA MATTERS**

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

Public comments were made by the following speakers: Janet Stromberg, 350 Bay Area; Jan Warren, ICANCCC; Andres Soto, CBE; Richard Gray, 350 Bay Area; Esther Goolsby, CBE; Zolboo Namkhaidorj, CBE; Margie Lewis, CBE.

**BOARD MEMBERS' COMMENTS**

**10. Board Member Comments**

Regarding the Alameda County Mayors' Conference's appointment of a member to the Board in March 2018, the following Board Members made comments:

- Director Ronen advocated for a Letter of Support from the entire Board regarding Director Kaplan's reappointment.
- Director Cutter stated that Mayors take precedence over City Councilmembers, according to the Alameda County Mayors' Conference's bylaws.
- Director Gioia stated that no other City Selection Committee or Cities Association of any Bay Area County limits the pool of candidates for regional agency appointments by appointing Mayors only.
- Secretary Sinks encouraged Board Members who could vote to attend Alameda County Mayors' Conference meeting and vote for Director Kaplan's reappointment to the Board.
- Director Miley stated that he had already sent a Letter of Support for Director Kaplan to the Alameda County Mayors' Conference.

Director Kaplan made the following announcements:

- She urged staff and the Board to remember that some areas of the Bay Area have been experiencing decreases in emissions, but air quality in other areas (Oakland) has not improved keep getting overlooked.
- She encouraged the District to focus on outreach regarding carpooling and wood smoke abatement.
- She requested fliers about the District's Wood Smoke Reduction Incentive Program that she could circulate in her community.
- She requested that the District identifies and reaches out to areas that lack electric vehicle charging infrastructure.

## **OTHER BUSINESS**

### **11. Report of the Executive Officer / APCO**

Mr. Broadbent had nothing to report.

### **12. Chairperson's Report**

The following items will be discussed at the next Board of Director's Regular meeting at which proposed Amendment changes will be presented:

- Board Meetings to start at 9:30 a.m. instead of 9:45 a.m.
- Standing Committees Composition: 11 members vs 9 with a quorum set at 5
- Reminder that for Conference/Meetings/Workshops attended by Board Members on behalf of the Air District:
  - Seek Board Chair approval, via email, prior to attending
  - Board Chair will report out all approvals to Executive Committee
  - Board Member to report out to full Board at next regular board of directors meeting following attendance

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

Wednesday, February 21, 2018, at 375 Beale Street, San Francisco, CA 94109 at 9:45 a.m.

### **14. Adjournment**

The meeting adjourned at 1:14 p.m.

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