

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

Board of Directors Regular Meeting
Wednesday, September 19, 2018

APPROVED MINUTES

Note: Audio recordings of the meeting are available on the website of the Bay Area Air Quality Management District at www.baaqmd.gov/bodagendas

CALL TO ORDER

1. **Opening Comments:** Board of Directors (Board) Chairperson, David Hudson, called the meeting to order at 9:57 a.m.

Roll Call:

Present: Chairperson David Hudson; Vice Chair Katie Rice; Secretary Rod Sinks; and Directors Margaret Abe-Koga, Teresa Barrett, David Canepa, Cindy Chavez, Pauline Russo Cutter, John Gioia, Scott Haggerty, Doug Kim, Liz Kniss, Nate Miley, Karen Mitchoff, Hillary Ronen, Mark Ross, Brad Wagenknecht, and Shirlee Zane.

Absent: Directors John J. Bauters, Carole Groom, Tyrone Jue, Pete Sanchez, and Jim Spring.

COMMENDATIONS/PROCLAMATIONS/AWARDS (OUT OF ORDER, ITEM 3)

2. The Board of Directors recognized Assemblyman Timothy S. Grayson for his exceptional leadership and dedication to protecting air quality in the Bay Area, and specifically for helping secure funds for Assembly Bill (AB) 617. Assemblymember Grayson thanked the Air District (District) for its efforts to protect public health.

NOTED PRESENT: Director Cutter was noted present at 9:59 a.m.

OTHER BUSINESS

3. **Chairperson's Report (ITEM 17)**

Chair Hudson announced the following:

- He will be attending the 31st International Electric Vehicle Symposium and Exhibition in Japan in October.
- He suggested a trial run of including the committee reports as part of the Consent Calendar, and having the Executive Committee discuss it at its next meeting.
- The Board meeting scheduled for October 3, 2018 has been canceled; the next Board meeting is scheduled for October 17, 2018.

PUBLIC COMMENT ON NON-AGENDA MATTERS (Item 2)

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

No requests received.

CONSENT CALENDAR (ITEMS 4 – 9)

- 5. Minutes of the Regular Board of Directors Meeting of September 5, 2018
- 6. Board Communications Received from September 5, 2018 through September 18, 2018
- 7. Air District Personnel on Out-of-State Business Travel
- 8. Consider Adopting Amendments to the Administrative Code, Division 1, Operating Policies and Procedures, Section 1, Board of Directors Meetings, Division I: New Section 1.6, Adoption of Resolutions
- 9. Consider Authorization to Execute Contract Amendments for Spare the Air Website Redesign
- 10. Notices of Violations Issued and Settlements in Excess of \$10,000 in the month of August 2018

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Wagenknecht made a motion, seconded by Director Gioia, to **approve** the Consent Calendar Items 4 through 9, inclusive; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Barrett, Canepa, Chavez, Cutter, Gioia, Haggerty, Hudson, Kim, Kniss, Mitchoff, Rice, Ronen, Ross, Sinks, Wagenknecht, and Zane.

NOES: None.

ABSTAIN: None.

ABSENT: Bauters, Groom, Jue, Miley, Sanchez, and Spering.

COMMITTEE REPORTS

- 11. Report of the **Stationary Source Committee** Meeting of September 17, 2018 (**ITEM 10**)

Stationary Source Committee Chair, Director John Gioia, read the following Committee report:

The Committee met on Monday, September 17, 2018, and approved the minutes of July 30, 2018.

The Committee reviewed and discussed the staff presentation Update on Odor Control Actions at South Bay Waste Operations.

The Committee then reviewed and discussed the staff presentation Update on Rule Development Efforts for Regulation 13, Rule 2: Organic Material Handling and Regulation 3, Rule 3: Composting Operations.

Finally, the Committee reviewed and discussed the staff presentation Update on Development of Regulation 13, Rule 1: Significant Methane Releases.

The next meeting of the Committee will be held on Monday, November 19, 2018, at the Bay Area Air Quality Management District Office, 375 Beale Street, San Francisco, CA 94105, at 9:30 a.m. This concludes the Chair report of the Stationary Source Committee.

Public Comments

No requests received.

Board Comments

The Board and staff discussed the need for the City of San Jose's participation in the South Bay Odor Stakeholder's Group and whether the District can help bridge the communication gap; how the District shares its data with local enforcement agencies (LEA), and the request for a staff presentation indicating when the District has regulatory authority regarding odor complaints versus LEAs; the fact that air pollution agencies in California do not have jurisdiction over public nuisance complaints that stem from composting operations, and the suggestion that District staff entertains the overriding of that law as potential legislation; the request that District staff apprise the Mayor of Fremont of the regional odor study that the City of San Jose has requested be conducted, as the Cities of Fremont and Milpitas are being considered as potential lead agencies of the study; and methane-recycling efforts in San Leandro.

Board Action

None; receive and file.

12. Report of the **Ad Hoc Building Oversight Committee** Meeting of September 19, 2018 (**ITEM 11**)

Ad Hoc Building Oversight Committee Chair, Director Mark Ross, read the following Committee report:

The Ad Hoc Building Oversight Committee met on Wednesday, September 19, 2018, and approved the minutes of August 1, 2018.

The Committee then met in Closed Session to receive an update on the Richmond Property, but there is no reportable action.

Finally, the Committee received and discussed the staff presentation Contract with Swinerton Builders for Renovation of Portions of the Eighth Floor at 375 Beale Street. The Committee recommends the Board:

- 1. Authorize the Executive Officer/Air Pollution Control Officer to negotiate and execute a contract, not to exceed \$900,000, with Swinerton Builders for general contracting services for*

renovation of portions of the eighth floor at 375 Beale Street, and transfer the funds for this contract from reserves into the general fund budget.

The next meeting of the Ad Hoc Building Oversight Committee will be at the call of the Chair. I move that the Board approve the Ad Hoc Building Oversight Committee's recommendation. This concludes the Chair report of the Ad Hoc Building Oversight Committee.

Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area.

Board Comments

None.

Board Action

Director Ross made a motion, seconded by Director Kniss, to **approve** the recommendations of the Ad Hoc Building Oversight Committee; and the motion **carried** by the following vote of the Board:

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

PRESENTATIONS

13. **DIESEL PARTICULATE MATTER (DPM): HEALTH BURDEN, CLIMATE IMPACTS, AND REGIONAL AND LOCAL ASSESSMENTS (ITEM 12)**

Jack Broadbent, Executive Officer/Air Pollution Control Officer, introduced Dr. Judy Cutino, Health Officer, and Dr. Phil Martien, Acting Director of Assessment, Inventory, and Modeling, who gave the staff presentation *Diesel Particulate Matter: Health Burden, Climate Impacts, & Regional and Local Assessments*, including: overview; DPM; health effects of DPM, studies of PM; DPM as identified as carcinogen; who is affected; DPM contributes to PM_{2.5} and most of the cancer risk from ambient air pollution; cancer risk from air pollution down, but higher risks in some communities; DPM as a factor in identifying the Bay Area's most impacted communities; most of the toxic air contaminants emitted are from mobile sources; concentrations of DPM can be much higher near diesel sources; DPM is a source of black carbon and warms the climate; diesel exhaust contributes about 25% of the black carbon in the Bay Area; DPM contributes to Fine PM, black carbon, and cancer risk; current controls are not fully mitigating adverse effects of DPM on human health and the environment; key findings; and diesel emissions reduction actions.

Public Comments

No requests received.

Board Comments

The Board and staff discussed how health effects of DPM vary, based on gender: contributing factors to decreases in DPM emissions along diesel corridors over the years, and whether it would be premature to anticipate continued reductions; the fact that the maps on slide ten, which show changes in cancer risk from air pollution over time, do not indicate the high exposure in areas that would be seen at a higher magnification of a given area on the map; the request that the District provides the Board with levels of cancer risk by city (local scale), and corresponding socioeconomic demographics of those populations; the District's obligation to publish its findings on health impacts (concentrations and levels of pollution); the District's efforts, in conjunction with Oakland International Airport, to decrease the amount of DPM emissions generated at the airport; the request for a joint public health campaign, as a collaborative effort of multiple air districts in California; the comparison of levels of DPM emissions between West Oakland and the Ports of Los Angeles/Long Beach; the suggestion that staff develops voluntary and regulatory measures to reduce DPM emissions from ports, warehouses, airports, rail yards, etc., and advocate for the District's authority over indirect sources; the health cost of DPM per ton; tradeoffs of transit-oriented development, the exposure that residents in affordable housing may experience if that housing is built adjacent to transit centers, and the need for improved implementation and understanding of the California Environmental Quality Act by jurisdictions that have land use authority; the California Air Resources Board's Truck and Bus Regulation that requires nearly all trucks and buses to have 2010 model year engines or equivalent by January 2023; the need to replace backup diesel generators with non-diesel, battery-operated generators; and the report that rebuilt homes in Sonoma County that burned in 2017 from wildfires were built with natural gas fireplaces.

NOTED PRESENT: Director Miley was noted present at 10:29 a.m.

Board Action

None; receive and file.

14. UPDATE ON GOVERNOR'S GLOBAL CLIMATE ACTION SUMMIT AFFILIATED EVENTS (ITEM 13)

Mr. Broadbent introduced Lisa Fasano, Communications Officer, and Ranyee Chiang, Technology Implementation Officer, who gave the staff report *Diesel Free by '33*, including: statistics; signatories; feedback; Climate Tech Marketplace event – over 275 attendees; over 30 technology companies; broad goals achieved; and staff acknowledgements.

Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area.

Board Comments

The Board and staff discussed the typo on slide 3, which states 'San Ramon' instead of 'Sonoma', which was intended; the Board's feedback and appreciation for the event; the request for resolution language that local jurisdictions have used when adopting the Diesel Free by '33 pledge; the demographics and diversity of vendors at the Climate Tech Marketplace event held on September 13, and the request to

know how many business pairings resulted by the end of that event; the request for a synopsis or list of vendors that were present and the most popular products that were showcased at the Climate Tech Marketplace; the request that the Board members receive a list of local resources that were identified from the District's Global Action Climate Summit affiliate events, and the suggestion of a workshop for Public Works Directors regarding emerging sustainable technologies; the possibility of cultivating a climate change champion from the National Basketball Association; the request that more remote locations be available in the Bay Area so that Board members may participate in District meetings via teleconference, and the need for a provision in the District's Administrative Code that addresses Board members voting remotely; and initiatives and progression to eliminate diesel emissions in Sonoma County.

Board Action

None; receive and file.

PUBLIC COMMENT ON NON-AGENDA MATTERS (ITEM 14)

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

No requests received.

BOARD MEMBER COMMENTS (ITEM 15)

16. Board Member Comments

- Director Gioia discussed the upcoming locations of the EVS31 Electric Vehicle Symposium and Exhibition.
- Director Mitchoff offered to bring the portrait that the District bestowed upon Assemblymember Grayson to Assemblymember Grayson's office, as her office is next door to his.
- Director Ronen announced that the San Francisco County Board of Supervisors appointed Supervisor Rafael Mandelman (District 8) to the District's Board on September 18, 2018. Director Mitchoff inquired after the status of Director Jue's appointment to the Board.
- Director Wagnenknecht gave a report on his trip to the Athabasca tar sands in Alberta, Canada that he took with several other Board members in August.
- Director Kniss gave a status update of the City of Palo Alto's recent adoption of an ordinance that regulates unnecessary idling of vehicles, an issue that was first brought to the City Council in August of 2017.
- Director Gioia announced a panel discussion on oil pipelines connecting resistance on September 20, 2018 at 7:00 pm at the Native American Health Center in Oakland.

OTHER BUSINESS

17. Report of the Executive Officer/Air Pollution Control Officer (ITEM 16)

Mr. Broadbent announced the following:

- The District anticipates inviting Canadian delegates and representatives from First Nations to report out to the Board on November 7 about the tour of the Athabasca tar sands that several Board members attended in August.
- A history of the District has been officially displayed on the 6th floor at 375 Beale Street, near the elevators.
- Eric Stevenson, Director of Meteorology and Measurements, will brief the Board at a future meeting on the Air Sensors International Conference that he attended as a panelist in mid-September.

18. Time and Place of Next Meeting

Wednesday, October 17, 2018, at 375 Beale Street, San Francisco, CA 94105 at 9:30 a.m.

19. Adjournment

The meeting adjourned at 12:01 p.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards