

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

Board of Directors Special Meeting
Wednesday, November 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 10:25 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, John Gioia, Carole Groom, Tyrone Jue, Rafael Mandelman, Karen Mitchoff, Mark Ross, Jim Spring, Brad Wagenknecht, and Shirlee Zane.

Absent: Directors John J. Bauters, Pauline Russo Cutter, Scott Haggerty, Doug Kim, Liz Kniss, Nate Miley, Hillary Ronen, and Pete Sanchez.

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

No requests received.

CONSENT CALENDAR (ITEMS 3 - 11)

3. Minutes of the Regular Board of Directors Meeting of November 7, 2018
4. Board Communications Received from November 7, 2018 through November 18, 2018
5. Quarterly Report of California Air Resources Board Representative – Honorable John Gioia
6. Quarterly Report of the Executive Office and Division Activities for the Months of July 2018 – September 2018
7. Air District Personnel on Out-of-State Business Travel
8. Authorization to Execute a Contract for Agricultural Waste Chipping in Lieu of Open Burning
9. Notices of Violations Issued and Settlements in Excess of \$10,000 in the Month of October 2018
10. Set a Public Hearing for December 19, 2018 to Consider Adoption of Proposed Assembly Bill (AB) 617 Expedited Best Available Retrofit Control Technology (BARCT) Implementation

Schedule, and the Certification of a Final Environmental Impact Report (EIR) Pursuant to the California Environmental Quality Act (CEQA)

11. Set a Public Hearing for December 19, 2018 to Consider Adoption of Amendments to Three Regulations Impacting Refineries: Amendments to Regulation 6, Rule 5: Particulate Matter (PM) from Refinery Fluid Catalytic Cracking Units; Amendments to Regulation 11, Rule 10: Hexavalent Chromium Emissions from All Cooling Towers and Total Hydrocarbon Emissions from Petroleum Refinery Cooling Towers; Amendments to Regulation 12, Rule 15: Petroleum Refining Emissions Tracking; and Certification of a Final Environmental Impact Report Pursuant to the California Environmental Quality Act

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Gioia made a motion, seconded by Director Canepa, to **approve** the Consent Calendar Items 3 through 11, inclusive; and the motion **carried** by the following vote of the Board:

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

COMMITTEE REPORT

12. Report of the **Executive Committee** Meeting of November 19, 2018

NOTED PRESENT: Director Ross was noted present at 10:28 a.m.

Executive Committee Chair, Board Chair Hudson, read the following Committee report:

The Executive Committee met on Monday, November 19, 2018, and approved the minutes of July 23, 2018.

The Committee received the presentation Hearing Board Quarterly Report: July to September 2018.

The Committee then received an update on recent activities of the Bay Area Regional Collaborative. The Committee then reviewed and discussed the staff presentation Update of Production System Office and Authorization to Execute Contract Amendments for Production System Office. The Committee recommends the Board:

1) *Authorize the Executive Officer/Air Pollution Control Officer to execute contract amendments with the seven recommended vendors listed in Table 1 of Agenda Item 6, totaling \$1,859,439.*

The Committee then reviewed and discussed the staff presentation Update on Air District Implementation of Assembly Bill 617.

Finally, the Committee then reviewed and discussed the staff presentation Committee Chair Reports on Board of Directors Meeting Agendas. The Committee recommends the Board:

1) *Provide direction to staff to place Committee reports on Board of Director meetings agendas under the Consent Calendar.*

The next meeting of the Executive Committee will be at the call of the Chair. I move that the Board approve the Executive Committee's recommendations. This concludes the Chair report of the Executive Committee.

Public Comments

No requests received.

Board Comments

None.

Board Action

Chair Hudson made a motion, seconded by Director Spering, to **authorize** the Executive Officer/Air Pollution Control Officer to execute contract amendments with the seven recommended vendors, totaling \$1,859,439; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Barrett, Canepa, Chavez, Gioia, Groom, Hudson, Jue, Mandelman, Mitchoff, Rice, Ross, Sinks, Spering, Wagenknecht, and Zane.

NOES: None.

ABSTAIN: None.

ABSENT: Bauters, Cutter, Haggerty, Kniss, Kim, Miley, Ronen, and Sanchez.

PRESENTATION

13. UPDATE ON CANADIAN OIL SANDS CRUDE

Jack Broadbent, Executive Officer/Air Pollution Control Officer, introduced Victor Douglas, Rule Development and Strategic Policy Manager, who gave the staff presentation *Update on Canadian Oil Sands Crude*, including: overview; what are oil sands; where do oil sands come from; oil sands extraction processes: in-situ and surface mining; oil sands production: in situ extraction operation examples; oil sands production: surface mining examples; restoration efforts; Canadian perspectives; climate and Bay Area environmental concerns; oil sands versus California crude oil: carbon intensity,

American Petroleum Institute gravity, and sulfur versus density; Canadian crude oil imports; mitigating Bay Area environmental concerns; and conclusion.

Following Mr. Douglas' presentation, Damian Breen, Deputy Air Pollution Control Officer for the Technology Section, introduced the following guest speakers: David Collyer, Consultant on behalf of Suncor and Chair of Emissions Reduction Alberta; Tzaporah Berman, Stand.earth; Charlene Aleck, Tsleil-Waututh Nation; and Pennie Opal Plant, Idle No More. The guest speakers addressed the issue of Canadian oil sands crude, and how the proposed Trans Mountain Pipeline expansion to California could affect the Bay Area.

Public Comments

Public comments were given by Rochelle Towers, 1,000 Grandmothers Bay Area; Barbara Rhine, 1,000 Grandmothers Bay Area; Greg Karras, Communities for a Better Environment; Nancy Feinstein, 1,000 Grandmothers Bay Area; Claire Valderama-Wallace, California State University, East Bay; Richard Gray, 350 Bay Area; Charles Davidson, Hercules resident; Mishwa Lee, Northridge Coop Community Garden; and Janet Stromberg, 350 Bay Area.

Board Comments

The Board and staff discussed the rate of oil sands land reclamation in Alberta, Canada, and the Conservation and Reclamation Regulation the Province of Alberta's Environmental Protection And Enhancement Act; imported Canadian crude oil with properties similar to oil sands, and which Bay Area refinery currently imports the greatest volume; the request for additional information on/difficulty in procuring information regarding Canadian crude oil imports; a study called "Oil sands and the Marine Environment: Current Knowledge and Future Challenges," which analyses environmental consequences of bitumen extraction from oil sands deposits; the request for routine updates to the Board on the status of District Rule 12-15; the need to hold polluting facilities accountable of their lack of public information regarding production and exportation of products; the status of District Regulation 11, Rule 18: Reduction of Risk From Air Toxic Emissions at Existing Facilities; the need for ways to extinguish and prevent wildfires; Alberta's withdrawal from Canada's federal climate change plan and how this affects Alberta's provincial policy on climate change; crude oil prices; how limited pipeline capacity (which transports oil out of Alberta) contributes to the discounted prices that America pays Canadian producers; the health risks of exposure to in-situ recovery extraction versus mining; the drag-reducing agent inserted into pipelines to help increase the flow of crude, and how this could be regulated by District Rule 12-15; and oil spills in 2015 and 2017 in Vancouver.

Board Action

None; receive and file.

PUBLIC COMMENT ON NON-AGENDA MATTERS

14. Public Comments on Non-Agenda Items, Pursuant to Government Code Section 54954.3

Public comments were given by Janet Scoll Johnson, Sunflower Alliance; Janet Stromberg, 350 Bay Area; Richard Gray, 350 Bay Area; and Mishwa Lee, San Francisco resident.

BOARD MEMBERS' COMMENTS

15. Board Members' Comments

- Director Spering requested that staff provides the Board with an update on District Regulation 12, Rule 15: Petroleum Refining Emissions Tracking, specifically, fence line monitoring efforts at refineries.
- Director Gioia reported that over the summer, the wood smoke in Canada was worse than what the Bay Area experienced over the past three weeks, due to multiple 2018 British Columbia wildfires.
- Director Canepa thanked the District for issuing masks to his constituents and requested that staff created a formal mask-distribution plan in the future, so that people will know what to expect from the District.

OTHER BUSINESS

16. Report of the Executive Officer/Air Pollution Control Officer

- Wayne Kino, Deputy Air Pollution Control Officer of Operations, displayed a chart indicating hourly PM_{2.5} concentrations at Bay Area monitors from November 1 to 19, 2018, due to Butte County Fire impacts. Staff added that an anticipated weather system should begin to clear the transported smoke from the Bay Area.
- Mr. Broadbent reported that the District procured a new supply of N95 respirator masks for future public distribution, if and when another wildfire occurs.

17. Chairperson's Report

Chair Hudson congratulated Directors Cutter and Sinks on their recent 2-year reappointments to the Board.

18. Time and Place of Next Meeting

Wednesday, December 19, 2018, at 375 Beale Street, San Francisco, CA 94105 at 9:30 a.m.

19. Adjournment

The meeting adjourned at 1:45 p.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards