

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

Board of Directors Special Meeting
Wednesday, May 15, 2019

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, Katie Rice, called the meeting to order at 10:25 a.m.

Roll Call:

Present: Chairperson Katie Rice; Vice Chairperson Rod Sinks; Secretary Cindy Chavez; and Directors Teresa Barrett, John J. Bauters, David J. Canepa, Pauline Russo Cutter, John Gioia, Carole Groom, David Hudson, Tyrone Jue, Doug Kim, Liz Kniss, Gordon Mar, Nate Miley, Mark Ross, Jim Spering, Brad Wagenknecht, and Lori Wilson.

Absent: Directors Margaret Abe-Koga, Scott Haggerty, Karen Mitchoff, and Shirlee Zane.

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

No requests received.

CLOSED SESSION (10:27 a.m.)

3. **CONFERENCE WITH LEGAL COUNSEL**

- A. **EXISTING LITIGATION (Government Code Section 54956.9(a))**

Pursuant to Government Code Section 54945.9(a), a need exists to meet in closed session with legal counsel to consider the following case:

Michael Bachmann and Sarah Steele v. Bay Area AQMD, Contra Costa County Superior Court, Case No. C17-01565.

REPORT OUT: Brian Bunger, Air District Counsel, stated that there was no reportable action for this item.

B. CONFERENCE WITH LABOR NEGOTIATORS (Government Code § 54957.6(a))

Agency Negotiators: Jack P. Broadbent, Executive Officer/APCO
Rex Sanders, Chief Administrative Officer

Employee Organizations: Management and Confidential Employee Groups
Bay Area Air Quality Employee's Association, Inc.

REPORT OUT: Mr. Bunger reported that the Board gave Air District staff authorization to proceed with labor negotiations.

OPEN SESSION (11:09 a.m.)

CONSENT CALENDAR (ITEMS 4 – 7)

4. **Minutes of the Board of Directors Regular Meeting of May 1, 2019**
5. **Board Communications Received from May 1, 2019 through May 14, 2019**
6. **Air District Personnel on Out-of-State Business Travel**
7. **Renewal of Contract for Spare the Air Advertising and Messaging Campaigns**

Public Comments

No comments received.

Board Comments

None.

Board Action

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

AYES: Barrett, Bauters, Canepa, Chavez, Cutter, Gioia, Groom, Hudson, Jue, Kim, Kniss, Mar, Miley, Rice, Ross, Sinks, Spering, Wagenknecht, Wilson.

NOES: None.

ABSTAIN: None.

ABSENT: Abe-Koga, Haggerty, Mitchoff, Zane.

PRESENTATION

8. Update on the Port of Oakland's Seaport Air Quality Plan

Greg Nudd, Deputy Air Pollution Control Officer of Policy, gave the staff presentation *Update on the Port of Oakland's Seaport Air Quality Plan*, including: Maritime Air Quality Improvement Plan; emission reductions at the Port of Oakland from 2008-2017; Seaport Air Quality 2020 and Beyond Plan – a pathway to zero-emissions seaport operations; local cancer risk, impact zones, and targets for cancer risk; and Zone 2 - cancer risk differences attributed to specific local sources.

Richard Sinkoff, Director of Environmental Programs and Planning at the Port of Oakland (Port), gave the presentation *Seaport Air Quality 2020 and Beyond Plan – the Pathway to Zero Emissions*, including: overview of the Port; why update the Air Quality Plan; 2020 and Beyond Plan goals; plan development milestones and implementation; screening and evaluation process; “review, comment, respond, revise”; relationship to other plans; intermediate term goals; projects currently underway; first hybrid rubber tire gantry (RTG) in service; next steps; and our commitment to their future.

Other stakeholders that were invited to comment on the Port of Oakland's Seaport Air Quality Plan included Ms. Margaret Gordon and Brian Beveridge of the West Oakland Environmental Indicators Project, and Andy Garcia of GSC Logistics.

Public Comments

Public comments were given by David Wooley, UC Berkeley, Goldman School of Public Policy.

Board Comments

The Board and staff discussed the approximate number of residents in West Oakland; Port of Long Beach's Middle Harbor Terminal Redevelopment Project and how its operational/technological feasibility compares with capabilities at the Port of Oakland; projections of throughput and growth over time at the Port of Oakland; whether vessel speed reduction would help reduce emissions and whether the Port of Oakland has authority over that; how amendments to the California Air Resources Board's Airborne Toxic Control Measure for Auxiliary Diesel Engines Operated on Ocean-Going Vessels At-Berth in a California Port Regulation may affect the Port of Oakland's Seaport Air Quality Plan; the status of the Air District's relationship with the Port of Oakland and whether that relationship can serve as a model for the oil refineries; the Port of Oakland's goal of deploying 44 pieces of zero-emissions cargo-handling equipment by 2025, and whether the Port of Oakland plans to continue electrification beyond 2025; the percentage of harbor craft and ocean-going vessels that visit the Port of Oakland that are currently capable of plugging into shore power; how the City of Oakland Charter appoints and gives the Board of Port Commissioners exclusive control and management of the Port of Oakland; the history of policies that have directly impacted minorities at disproportionate levels in the Bay Area; the concern that the Port of Oakland's Seaport Air Quality Plan is not ambitious or refined enough, and the Board's hope that the Air District and Port of Oakland would conceive bold goals that exceed the public's expectations; the Board's appreciation for the history and continuing work of the West Oakland Environmental Indicators Project; the difficulty of land use planning due to the lack of space with which to accommodate both industrial and residential facilities without one sector impacting the other; the suggestion that the Air District's Technology

Implementation Office analyzes the market penetration of the proposed technologies that will be used by the Port and how to reduce the proposed Plan's implementation costs (for the Port of Oakland); the feasibility of updating the Air District's 2017 Clean Air Plan with some specific technologies that will be utilized by the Port of Oakland in meeting the goals of the Seaport Air Quality Plan; how the Air District, lacking direct mobile source authority, plans to encourage mobile sources of air pollution to upgrade their technologies to achieve greater reductions in emissions, and whether the Air District plans to pursue indirect source authority during the next legislative session; the suggestion that the Air District appeals for help in reducing emission to the Oakland City Council, who has land-use authority over the Port of Oakland; and the importance of connecting policy and regulation to the actual people who are affected in the community.

Board Action

None; receive and file.

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

No requests received.

BOARD MEMBER COMMENTS

10. Board Members' Comments

- Vice Chair Sinks said that he would welcome an opportunity for Board members to visit the Port of Oakland to see its operations. Director Groom noted that Board members visited the Port almost ten years ago, and that it would be beneficial and interesting to see the differences now, or even hold a Board meeting there.
- Vice Chair Sinks announced that Air District staff will be polling the Stationary Source Committee members for July 15, 2019.
- Director Kniss thanked Chair Rice for providing the Board members opportunity to read The Color of Law, as it pertains to the history of environmental racism and denial of various services to residents of socioeconomic or racially-associated communities.

OTHER BUSINESS

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

Mr. Broadbent stated the following:

- On May 5, 2019, Ms. Marie Harrison community activist, and Bayview resident, passed away. The Air District is working with her family to create a scholarship in her name.
- His presentation *Air Quality Management in the San Francisco Bay Area and United States of America*, presented to the U.S. Speaker Program of the U.S. Department of State's Bureau of International Information Programs in April 2019, will be sent to the Board members.

12. **Chairperson's Report**

Chair Rice made the following announcements:

- The vacancies on the Budget & Finance, Mobile Source, and Climate Protection Committees have been filled by Director Jue, Vice Chair Sinks, and Director Hudson, respectively.
- Director Hudson and Chair Rice will be attending the 32nd Annual International Electric Vehicle Symposium in Lyon, France.
- The Air District may or may not be affected by planned power outages by the Bay Area utility companies.

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

Wednesday, June 5, 2019, at 375 Beale Street, San Francisco, CA 94105 at 9:30 a.m.

14. **Adjournment**

The meeting adjourned at 1:11 p.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards