

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 4, 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 9:39 a.m.

Roll Call:

Present: Chairperson Katie Rice; Vice Chairperson Rod Sinks; Secretary Cindy Chavez; and Directors Teresa Barrett, David J. Canepa, Pauline Russo Cutter, David Hudson, Tyrone Jue, Gordon Mar, Nate Miley, Karen Mitchoff, Mark Ross, Jim Spering, Brad Wagenknecht, and Shirlee Zane.

Absent: Directors Margaret Abe-Koga, John J. Bauters, John Gioia, Carole Groom, Scott Haggerty, Doug Kim, Liz Kniss, Shamann Walton, and Lori Wilson.

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

Public comments were given by Will Saltz, Representative of Bay Area Air Quality Management District Employees' Association; Milo Wetherall, Generation: Our Climate; and Bob Brown, Western States Petroleum Association.

CLOSED SESSION (9:47 a.m.)

NOTED PRESENT: Director Ross was noted present at 9:50 a.m., Director Mar was noted present at 9:53 a.m.; and Director Miley was noted present at 10:24 a.m.

3. **CONFERENCE WITH LEGAL COUNSEL**

EXISTING LITIGATION (Government Code § 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. **Michael Bachmann and Sarah Steele v. Bay Area AQMD**, Contra Costa County Superior Court, Case No. C17-01565

Reportable Action: Brian Bunger, Air District Counsel, said that there was no Board action to report.

B. **Associated Industries Insurance Company v. Bay Area AQMD**, U.S. District Court, N.D. Cal. No. 4:19-cv-05277-DMR

Reportable Action: Mr. Bunger said that there was no Board action to report.

OPEN SESSION (10:45 a.m.)

CONSENT CALENDAR (ITEMS 4 - 7)

4. Minutes of the Board of Directors Special Meeting of July 31, 2019
5. Board Communications Received from July 31, 2019 through September 3, 2019
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 July 2019

Public Comments

No requests received.

Board Comments

None.

Board Action

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

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

PRESENTATION

8. Wildfire Air Quality Response Program and Public Messaging

Wayne Kino, Deputy Air Pollution Control Officer of Operations, introduced the following Air District staff members and guests: Tracy Lee, Manager; Alan Abbs, Legislative Officer; Lisa Fasano, Communications Officer; Judith Cutino, Health Officer; and R. Jan Gurley, M.D., and Shruti Dhapodkar, M.D. (representatives of the Association of Bay Area Health Officials (ABAHO)).

These individuals gave the joint presentation Wildfire Air Quality Response Program and Public Messaging, including; overview; Cal Fire top twenty most destructive California wildfires; local and regional Particulate Matter (PM) from wildfires; Wildfire Air Quality Response Program; rule development; legislative initiative; grants and incentives; partnership with American Red Cross; 2017-2018 wildfire messaging: lessons learned and regional partnerships; community information and resources; introduction of Health Officers/ABAHO Liaison; creation of one common message; public health messaging principles; Bay Area Regional Air Quality Messaging Toolkit; and investing in cleaner air facilities is the safest and most cost-effective option.

Public Comments

No requests received.

Board Comments

The Board and staff discussed whether Assembly Bill 836 (Wildfire Smoke Clean Air Center Incentive Program for Vulnerable Populations) will be geographically bounded; the need for the legislation's language to emphasize the lack of long-term investment in facilities, such as schools; the suggestion of including business park development when considering which facilities to upgrade; the correlation between a person's poverty and their lack of access to facilities with updated heating and ventilation air conditioning (HVAC) systems; the concern that the American Red Cross tends to relocate its equipment to where it may be needed and may move filters purchased with Air District funds outside of the Bay Area; concerns that the newly-formed Air Quality Communications Alliance, which currently has the acronym of "AQCA" may be confused with other entities with the same acronym; the suggestion of the Air District working with local fire departments; the fact that some of the nine Bay Areas are more communicative with the Air District than others; the dispute among medical professionals regarding the efficacy of N95 respirators; the Air District's "Wildfire Smoke Preparedness Tips" tri-fold; how choosing to stay in a high-temperature facility during a wildfire incident could have lethal consequences; the estimation of a financial investment that could cover the costs of new filtration systems such as Minimum Efficiency Reporting Value (MERV) 13 or higher filters for high schools in the Bay Area, and the fact that such filters cannot simply be inserted into

existing school filtration systems; the suggestion that the Air District find out what safety procedures major employers (private and public) currently have in place; whether the Air District's Spare the Air (summer and winter) Programs should distribute MERV 13 filters as incentives; the need for upgrading infrastructure and building codes; how stress can mimic other diseases and conditions and impact medical emergency room visits during wildfire incidents, and the need for early intervention regarding behavioral health impacts during such events; the need to link climate change to the increase in wildfire frequency; and the need to support wildfire prevention work (such as prescribed burning).

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 MEMBERS' COMMENTS

10. Board Members' Comments

Director Hudson said that the success rate of extinguishing the Amazon rainforest wildfires in Brazil needs to be investigated.

Director Wagenknecht reported on his experience at the Air & Waste Management Association's 112th Annual Conference and Exhibition in Quebec City in June 2019.

OTHER BUSINESS

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

Jack P. Broadbent, Executive Officer/Air Pollution Control Officer, announced the following:

- The Air District's Wildfire Air Quality Response Program will be developed over the next several months and the regulation is expected to be brought to the Board for consideration in November 2019.
- Since January 2019, there have been nine days on which Bay Area ozone levels exceeded National Ambient Air Quality Standards.
- Dr. Ranyee Chiang, formerly the Air District's Technology Implementation Officer, has accepted the position of Meteorology and Measurement Division Director, succeeding Eric Stevenson. Recruitment for the position of Technology Implementation Officer is forthcoming.

12. **Chairperson's Report**

Chair Rice announced that San Francisco County Supervisor, Shamann Walton, was appointed to the Air District's Board of Directors for the remainder of Supervisor Hillary Ronen's (Board) term, expiring February 1, 2021.

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

Wednesday, September 18, 2019, at 375 Beale Street, San Francisco, CA 94105 at 9:30 a.m.

14. **Adjournment**

The meeting adjourned at 12:12 p.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards