



METROPOLITAN
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Scott Haggerty, Chair
Alameda County

**PLANNING COMMITTEE
MEETING OF MARCH 12, 2010
MINUTES**

Adrienne J. Tissier, Vice Chair
San Mateo County

Tom Azumbrado
U.S. Department of Housing
and Urban Development

ATTENDANCE

Commissioner Mackenzie called the Planning Committee meeting to order at 9:36 a.m. Other committee members in attendance were Commissioners Azumbrado, Chu, Giacomini, Haggerty, Lempert, Rein-Worth, Rubin, and Yeager. Commissioners Bates and Daly also attended.

Tom Bates
Cities of Alameda County

Dean J. Chu
Cities of Santa Clara County

Dave Cortese
Association of Bay Area Governments

CONSENT CALENDAR: Minutes of February 12, 2010

Commissioner Chu moved approval, Commissioner Yeager seconded. Motion passed unanimously.

Chris Daly
City and County of San Francisco

Bill Dodd
Napa County and Cities

**DRAFT BAY AREA INTERAGENCY CONSULTATION PROCEDURES
FOR FINE PARTICULATE MATTER (PM2.5) HOT-SPOT ANALYSES**

Ms. Ashley Nguyen summarized the new interagency consultation procedures that project sponsors must undergo when preparing project-level PM2.5 hot-spot analyses.

Dorene M. Giacomini
U.S. Department of Transportation

Federal D. Glover
Contra Costa County

Anne W. Halsted
San Francisco Bay Conservation
and Development Commission

Ms. Nguyen recommended that the committee approve and refer MTC Resolution No. 3946, which outlines the Bay Area interagency consultation procedures for PM2.5 hot-spot analyses, to the Commission for final action.

Steve Kinsey
Marin County and Cities

Sue Lempert
Cities of San Mateo County

Commissioner Haggerty asked if there are policy makers on the Air Quality Conformity Task Force or if it was just technical staff. Ms. Nguyen replied that the task force comprises technical staff and that the federal agencies (such as the Environmental Protection Agency, Federal Highway Administration and Federal Transit Administration) ultimately approve the PM2.5 hot-spot analyses. Commissioner Haggerty requested staff to provide updates to the Planning Committee on the PM2.5 hot-spot analyses. Mr. Steve Heminger, Executive Director, said that staff can bring back a report on the experiences of the other regions in terms of the number and kinds of projects subject to PM2.5 hot-spot analysis. He suggested inviting Southern California Association of Governments (SCAG) staff to a subsequent Planning Committee meeting to provide SCAG's experience with their PM2.5 consultation process.

Jake Mackenzie
Sonoma County and Cities

Jon Rubin
San Francisco Mayor's Appointee

Bijan Sartipi
State Business, Transportation
and Housing Agency

James P. Spering
Solano County and Cities

Amy Rein Worth
Cities of Contra Costa County

Ken Yeager
Santa Clara County

Commissioner Rein-Worth asked if these were new regulations. Ms. Nguyen explained that the planning requirements are new to the Bay Area because this is the first time that the Bay Area is designated as non-attainment for PM2.5. However, EPA established the national 24-hour PM2.5 standard back in 2006, and regions like Southern California and the Central Valley have been PM2.5 nonattainment areas and have been subject to the regulations since that time. Commissioner Rein-Worth stated that it would be helpful to see where the non-attainment areas are. Ms. Nguyen noted that the entire Bay Area

Steve Heminger
Executive Director

Ann Flemer
Deputy Executive Director, Policy

Andrew B. Fremier
Deputy Executive Director, Operations

region is designated as the PM2.5 non-attainment area. As such, any Bay Area project sponsor would have to prepare a PM2.5 hot-spot analysis to determine the localized air quality impact. Ms. Nguyen stated that PM2.5 hot-spot analyses are prepared as part of the environmental review process.

Commissioner Rubin asked if there is a process for mitigating PM2.5 emissions. Ms. Nguyen stated yes – the PM2.5 hot-spot analysis is part of the NEPA environmental review process so if there are any impacts, mitigation needs to be identified as part of that environmental assessment.

Commissioner Rubin also asked whether a project would be delayed if the mitigation plans are not satisfactory. Ms. Nguyen stated that the NEPA process is very rigorous, and through that process the project sponsors need to work closely with the federal agencies to identify a mitigation plan that would work.

Commissioner Yeager asked why a transit project would produce high levels of PM2.5. Ms. Nguyen explained that a bus or transit terminal or transfer point where a number of diesel buses congregate could produce significant local PM2.5 emissions. She noted that there is no quantitative threshold to determine which project would be considered a high-impact PM2.5 project; however, the focus is on projects with significant levels of diesel traffic. Sponsors would need to collect data to determine whether or not their project would be deemed significant.

Commissioner Chu stated that the reporting requirement is for projects of significant increase in PM2.5, and asked if there is a way to get credit on reporting projects that significantly reduce PM2.5. Mr. Heminger stated “no” since the purpose of the PM2.5 rule is to protect public health where there are high emissions concentrations.

Commissioner Azumbrado asked how much of the PM2.5 emissions came from transportation versus other sources over the past three years. He also asked if we accounted for certain mitigation measures, could we have actually fallen under the threshold; and when the measurements are taken, do the measurements take place when there is a wildfire or when there is agricultural dust migrating? Mr. Henry Hilken, BAAQMD, clarified that there will be a regional conformity analysis required for PM, so that is where we can look at the regional effects of PM emissions from transportation projects. He also stated that approximately one-quarter of the PM comes from mobile sources. In the winter, there are more PM2.5 emissions from wood burning. Commissioner Azumbrado asked if staff will be looking at the other 75%. Mr. Heminger stated that staff will be looking at that, and pointed out that the Air District will have to develop a comprehensive plan that looks at all the sources to try to come into compliance with the federal standard for PM2.5.

Commissioner Mackenzie suggested having a follow-up report on the agenda of a future Planning Committee meeting.

Commissioner Mackenzie called for public comment:

- Mr. David Schonbrunn, TRANSDEF, stated that both the Environmental Protection Agency and the Air Resources Board have done analyses of public health studies and have adopted regulations that are required under the federal Clean Air Act and state Clean Air Act to be protective of public health. He also stated that the Supreme Court made it clear that economic issues are not relevant when it comes to air quality. He also disagreed with Ms. Nguyen's comment stating that these regulations are involved in the NEPA process and stated that this is the transportation conformity process. Before MTC can adopt a TIP or RTP, the projects have to qualify for having met the hot-spot analysis, which represents a different place in the project approval process.

Commissioner Haggerty moved approval of the draft consultation procedures. Commissioner Yeager seconded. Motion passed unanimously.

DRAFT BAY AREA 2010 CLEAN AIR PLAN (CAP)

Mr. David Burch, Bay Area Air Quality Management District (BAAQMD), presented information on the Bay Area 2010 Clean Air Plan. The plan's three goals are: 1) to improve air quality, 2) protect public health and reduce exposure both at the regional scale and in impacted communities, and 3) protect the climate. Mr. Burch noted that there have been extensive public outreach and workshops, collaboration with regional agency partners, as well as consultant with CARB and neighboring air districts. In August 2009, the Air District issued a Draft Control Strategy, and just yesterday, the Air District released the Draft Clean Air Plan for public review, which will be followed by the release of Draft Environmental Impact Report, and Draft Socio-Economic Analysis for public review later in March 2010.

Mr. Burch summarized the key findings, which include: 1) Bay Area air quality has improved significantly; 2) ambient concentrations and population exposure has been reduced for criteria pollutants and air toxics; 3) negative health effects have been greatly reduced; 4) air quality improvements have contributed to increase in average life expectancy; and 5) health benefits are worth multiple billions of dollars per year. He also summarized the plan's recommended control measures. In conclusion, he stated that there will be public workshops held in early April 2010. A 45-day public comment closes in late April 2010, and a public hearing and BAAMQD Board action are slated for July 7, 2010.

Commissioner Lempert asked if there were data regarding the air quality around schools, especially since there are a lot of school drop-offs and pick-ups? Mr. Burch noted that the BAAQMD only has regional level data. Commissioner Lempert stated that it would be helpful to have this information.

Commissioner Haggerty requested that the BAAQMD look into a control measure for land fills, waste facilities, and transfer stations. Mr. Hilken replied that staff can take a look at this issue.

Commissioner Rein-Worth stated that it would be helpful to have a chart that shows where the air pollution is coming from. She also stated that there needs to be a more proactive educational approach at the neighborhood level.

Commissioner Bates emphasized that the integrated multi-pollutant plan is putting the Bay Area ahead of many regions across the U.S. Other than the stationary source measures, he asked what authority the Air District has to enforce the other measures, such as he transportation control measures and others? Mr. Burch stated that when they get beyond the stationary sources measures where they have regulatory authority, the Air District generally does not have any direct authority, and so the implementation of the measures in the TCMs, mobile sources, and other categories is primarily a matter of partnerships, funding incentives, and providing guidelines.

Commissioner Mackenzie requested that the CAP directly spell out areas where the Air District has regulatory authority and areas where it does not.

Commissioner Mackenzie called for public comment:

- Mr. David Schonbrunn, TRANSDEF, expressed his support of what the Air District is doing with the Plan. He stated that MTC has been the biggest obstacle to reducing emissions from motor vehicles – TRANSDEF proposed a TCM that would maximize the effects of building HOV lanes, which would require a commitment of funding for operating express buses before funding for construction of a HOV lane could proceed. He noted that MTC objected to this proposal.

OTHER BUSINESS/PUBLIC COMMENT

There being no other business, the meeting adjourned at 10:45 a.m. The Committee's next meeting is scheduled for Friday, April 9, 2010 at 10:00 a.m. in the Lawrence D. Dahms Auditorium, Joseph P. Bort MetroCenter, Oakland, CA.