AGENDA ITEM 

01-6-6 Continuation of a Public Hearing to Consider Approval of a Revision to the Ozone State Implementation Plan for the San Francisco Bay Area

SUMMARY OF AGENDA ITEM:

On November 1, 2001, the Board approved the San Francisco Bay Area 2001 Ozone Attainment Plan for the 1-Hour National Ozone Standard (2001 Plan) as a revision to the State Implementation Plan (SIP). This was a continuation of the initial hearing of this item on July 26, 2001. The Bay Area Air Quality Management District (District) and its co-lead agencies, the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) adopted the 2001 Plan on October 26, 2001.

The District prepared the 2001 Plan because the Bay Area failed to attain the federal ozone standard by its 2000 deadline. As a result, the U.S. Environmental Protection Agency disapproved the Bay Area’s 1999 Plan and required a new plan with an updated volatile organic compounds (VOC) and nitrogen oxides (NOx) emissions inventory, new transportation conformity budgets, and that shows attainment of the federal ozone standard by 2006.

The 2001 Plan contains a control strategy with seven new stationary source measures, five new transportation control measures (TCMs), and eleven further-study measures. In the 2001
Plan, the District commits to strengthen the Smog Check program by requesting the State Bureau of Automotive Repair to implement two VOC reducing program elements. The new measures and ongoing programs will provide 271 tons per day of combined VOC and NOx emission reductions between 2000 and 2006. The 2001 Plan also includes a new attainment assessment based on currently available data for the Bay Area. The Bay Area co-lead agencies have committed to reassess the attainment assessment in 2003 using data from the Central California Ozone Study and to submit a revised SIP to U.S. EPA in 2004 with any needed modifications to the control strategy.

The Board heard testimony from over 50 witnesses. Community and environmental groups focused on the need for an expanded public process and more controls to reduce emissions from power plants and refineries. Local government officials and business representatives from the Central Valley urged the Board to require imposition of further controls in the Bay Area, including enhanced Smog Check, to reduce downwind pollutant transport.

A large number of local Bay Area officials, mostly from transportation agencies, testified in favor of the 2001 Plan. They cited the serious impacts that would occur from a transportation conformity lapse if the 2001 Plan was not approved. Several industry representatives testified in support of the 2001 Plan, but requested that further study measures, especially those related to refineries, be based on sound science.

The Board directed the Executive Officer to convene a meeting between Bay Area and Valley representatives to discuss bringing Bay Area into enhanced Smog Check to mitigate transport and other inter-regional issues. The Board also urged the Bay Area District to complete its evaluation of the refinery further study measures by the end of 2002, and to develop any feasible measures in the near-term. In addition, the Board asked the Executive Officer to work with MTC to expand use of strategies to reduce the rate of growth in transportation demand. Finally, the Board directed staff to report back on these items in mid-2002.

ORAL TESTIMONY:

Dave Jones Counsel for Assemblyman Dennis Cardoza
Kenni Friedman City of Modesto Councilmember
Randy Attaway BAAQMD Chairman
Sharon Brown MTC Chairperson
Dick Spees ABAG Past Chairman
Ellen Garvey BAAQMD Executive Officer
Steve Heminger MTC Executive Director
Bill Haywood  Ultramar Inc./WSPA
George B. Smith  Harding ESE
Shanna O'Hare  City of Oakland, Public Works Agency
Dennis Fay  Alameda County Congestion Management Agency
Marcie Keever  Environmental Law & Justice Clinic/Our Children’s Earth
Margaret Bruce  Silicon Valley Manufacturing Group
George Britton  City Manager Modesto
Maria Brown  Citizen
A. J. Napolis  Communities for a Better Environment
Julia May  Communities for a Better Environment
Greg Karras  Communities for a Better Environment
John Holtzclaw  Sierra Club
Judith Lamare  Cleaner Air Partnership
Betty Turner  American Lung Association of Sacramento-Emigrant Trails
Cindy Tuck  CA Council for Environment and Economic Balance
Richard Napier  San Mateo County Congestion Management Association
Bruce Stewart  Richmond Improvement Association
John Sakemoto  Eichleay Engineers
Ethan Vaneklasen  CA Alliance for Jobs
Barbara Lee  Northern Sonoma APCD
Andrew Michael  Bay Area Council
Suzanne Phinney  Sacramento Metro Chamber
Dave Jones  San Joaquin Valley Unified APCD
Tina Consentino  Communities for a Better Environment
Suma Peesapati  Communities for a Better Environment
Flora Campbell  West County Toxics Coalition
Azabuike Akaba  Communities for a Better Environment
Jana Coons  City of Modesto
Annie Saido  Student, San Jose State University
Mike Tomas  Communities for a Better Environment
Marty Dinidin  Communities for a Better Environment
Lynn Brown  Communities for a Better Environment
Donna Pindia  Communities for a Better Environment
Ralph Sattler  Communities for a Safe Environment
Vincent Mow  Waekon Corp.
Dan Christians  Solano Transportation Authority
Jeff Hartwig  Chevron Corp.
Stuart Rupp  NUMMI
John Wolfe  Contra Costa Taxpayers Association
Ethel Dotson  Communities for a Better Environment
Charlie Peters  Clean Air Performance Professionals
David Schonbrunn  Transportation Solutions Defense and Education Fund
Joanna Monk  Communities for a Better Environment
Larry Armstrong  Side B Corporation DBA Quality Tuneup Shops
Jennifer Gunderson  Moffet Park Business and Transportation Association
Bob Shattuck  Lennar Communities-BIA of Sacramento
Raymond Lambert  Self

FORMAL BOARD ACTION:

The Board approved Resolution No. 01-27 by a 4-2 vote.

RESPONSIBLE DIVISION: PTSD

STAFF REPORT: Yes (41 pages)