

**The Minutes of the  
Air Improvement Resources Executive/Advisory Committee Meeting  
Alamo Area Council of Governments  
8700 Tesoro Drive, Suite 100, San Antonio, Texas  
Wednesday, April 28, 2004, 9:00 a.m.**

**Executive Committee Members**

Chairman Jay Millikin, Comal County Commissioner  
Mayor Patrick Heath, City of Boerne  
Mayor Raymond Ramirez, City of Floresville  
Councilman Chip Haass, City of San Antonio  
Judge Donald Schraub, Guadalupe County  
Judge Marvin Quinney, Wilson County  
Mayor Marcy Meffert, Greater Bexar CCC

**Technical Committee Members**

Renee Green, Co-Chair, Bexar County  
Ana Sandoval, Co-Chair, VIA Metro Transit

**AACOG Staff**

Dean Danos, Deputy Director  
Peter Bella, Director Natural Resources  
Steve Smeltzer, Modeler  
Brenda Williams, Environmental Modeler  
Dorothy Birch, Public Education Coordinator  
Isabel Chacon, Natural Resources Specialist  
Berti Vaughan, Administrative Assistant

**Advisory Committee Members**

Dan Titerle, SAWS  
Kevin Fareri, USAA  
Commissioner John Kight, Kendall County  
Kevin Butt, Toyota  
Stanley A. Dabney II, Alamo Cement Company  
Mike Riley, City of Seguin  
Forrest Mims, Guadalupe County  
Ana Sandoval for Todd Hemingson, VIA  
Mike Riley, City of Seguin

**Guests**

Terri Landan, Guadalupe County  
Debra Engler, SAWS  
Kirk D. Fauver, FHWA Texas Division  
Bryan Kirk, Seguin Gazette-Enterprise  
Liza Meyer, City of San Antonio  
Dub Smothers, Retired  
Meghan Goode, TCEQ  
Kate Williams, TCEQ

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**I. Roll Call**

Commissioner Millikin called the meeting to order. He asked that the roll be called. Dean Danos called the roll and declared a quorum. Mr. Notzon introduced Kevin Butt the new advisory member representing Toyota and welcomed him to the meeting.

**II. Approval of Minutes**

Chairman Millikin asked the Committee for consideration of the March 24<sup>th</sup>, 2004 minutes. Chairman Millikin asked that the spelling be checked on Councilman Hernandez's representative Mr. Aviles and Mayor Heath asked that his name be added to the list of those present. Mayor Heath made the motion to adopt the minutes as corrected. Mayor Marcy Meffert seconded the motion. Chairman Millikin asked for discussion. There being none, he called for the vote. The motion passed unanimously.

**III. Citizens to be Heard**

Chairman Millikin asked staff for the list of citizens signed up to speak. There were no citizens signed up to speak.

**IV. Ozone and Particulate Matter Report**

Pete Bella referred the committee to the ozone and particulate matter report handout. Mr. Bella explained that ozone season was officially under way and said they were once again beginning to track the ozone levels on the local monitors. He synopsised the ozone report.

He explained the fourth highest eight-hour ozone concentrations in 2004 as of April 27, 2004, the fourth highest eight-hour average ozone readings for San Antonio, 1999-2003, and the 3-year average of 4<sup>th</sup> highest 8-hour ozone values, in recent years. He also provided an overview of the graphs in the report indicating historical trends in ozone exceedences in the SA region and eight-hour ozone design value trends by site. Mr. Bella also reported on the PM 10 CAMS 301 and PM 2.5 National Ambient Air Quality Standard for Particulate Matter of 10 microns or less and 2.5 microns or less and said they remained well below the federal standards for air quality measurements of particulate matter.

Mr. Mims asked if TCEQ advised Mr. Bella about the ongoing Mexican smoke event. Mr. Bella responded that they had not advised him of any smoke event nor had they sent any new release with information on this event to his knowledge.

#### **V. Public Education Committee Report**

Dorothy Birch gave an **update on the air quality health alert program**. She reported that thus far there had been no air quality health alerts issued. There had been three days that reached the moderate level on the air quality index (yellow on the color coded scale) Two days were for ozone and one was for particulate matter 2.5. The days were April 9<sup>th</sup>, 22<sup>nd</sup> and 26<sup>th</sup>. Mrs. Birch reported that they currently had 1,282 recipients on the AQHA notification list, an increase of two hundred eighty six individuals since last month's update. She said staff drafted a letter to encourage local governments to purchase AQHA flags for the season and she hoped to mail the letters the following week. Mrs. Birch complemented the Northside Independent School District who was in the final stages of developing an air quality health alert protocol for the protection of student's health throughout the district.

**Outreach effort update.** So far this year She reported over 14,000 promotional or educational or informational items were handed out to the public. She reported that during the first quarter of 2004, media outreach efforts included eleven television pieces, nine radio pieces, fourteen newspaper or other print pieces, five governmental, civic, or business group presentations, three school related presentations, nine events or public meetings and four new news items issued.

**Ozone Season Kick Off Event.** Mrs. Birch reported that they had a conservative estimate count of 500 persons in attendance. She said the event was well covered by both television and radio.

**Summer Advertising Campaign.** In the near future Mrs. Birch's plans were to put together summer advertising campaign including a clean air month campaign in August, a car maintenance campaign, a drive less Commute Solution campaign and continue the basic air quality education campaign.

**Clean Air Awards Program.** Mrs. Birch asked the committee to look for a draft plan in their packet of information entitled Clean Air Month. She explained the idea of the plan is to attract attention and reward those members of the community who are actively helping to improve air quality. She presented a draft timeline that would begin in early June with the issuing of application forms with a press conference and a mail-out to the 500 largest businesses as well as cities and counties throughout the AACOG region. The forms would be due in early July with primary evaluation done by the Public Education Committee and final approval of awardees by the Air Executive Committee at the scheduled July meeting if it convenes. She explained that the plan was to present the awards in late August perhaps at a breakfast press conference or an awards ceremony concurrent with an Air Exec. Meeting bringing attention to Clean Air Month. She said the plan rewarded three types of groups: Companies, Cities and Counties and the qualifying actions are Commuter Groups,

Fleet Management, Energy Efficiency, Process Pollution Reductions, Landscaping and of course Air Quality Education.

Mayor Meffert complimented Mrs. Birch's efforts. Judge Quinney asked if telecommuting was included. Mrs. Birch replied yes.

## **VI. EPA Decisions**

- a. Promulgation of 8-hour average ozone nonattainment areas**
- b. Effective Date Deferral for Early Action Compact areas**

Peter Bella explained that on April 15, 2004, the US Environmental Protection Agency finalized two rules; first the final rule implementing the eight-hour average ozone National Ambient Air Quality Standard, second the rule designating areas of the country under the 8-hour rule. He referred to the hand out in their packets of information that outlined the following information:

### **Promulgation of 8-hour average ozone nonattainment areas (Implementation Policy):**

Areas having an 8-hour ozone Design Value of 85 ppb or greater are in violation of the 8-hour ozone NAAQS. They are declared in nonattainment of the standard.

- Areas having a 1-hour ozone Design Value less than 121 parts per billion (ppb) are classified "Basic." San Antonio's 1-hour ozone Design Value is currently 199 ppb. Three counties of our EAC region were declared "Basic."
- Guidance is pending on the planning and programming requirements for "Basic" areas.

### **Effective Date Deferral for Early Action Compact areas**

This final rule carries an effective date of June 15, 2004 and specifies, the Designation of Counties Participating in Early Action Compacts. The rule specifically lists Bexar, Comal, and Guadalupe Counties to be designated as "nonattainment/deferred" with an effective date of nonattainment of September 30, 2005. This means that:

- These three counties are within an EAC area that does not meet the 8-hour ozone standard, yet which EPA has determined to have complied with the March 2004 EAC milestone for submitting proposed SIP revisions to the state.
- These three counties are being designated nonattainment with a deferred effective date of September 30, 2005. By that date EPA intends to take notice and comment rulemaking and promulgate approval of disapproval of proposed plans as SIP revisions. If our proposed plan is approved by the EPA by September 30, 2005, we will again be granted an extension of the deferral effective date. If our plan is disapproved, these three counties will be declared nonattainment effective immediately.

Mr. Bella explained that Wilson County was designated as "unclassifiable/attainment". That meant they did not have a basis for making that call or enough information to make a designation in Wilson County.

Mr. Mims asked what the basis of available information was for Comal and Guadalupe County. Mr. Bella responded that the non attainment designations were based on the concept that either the county has monitors that show non attainment or the influence from the counties onto a county having monitors showing non attainment. Mr. Mims asked if EPA had quantified that. Kate Williams with TCEQ replied that the decision was based on the quantification from the data that TCEQ submitted to the EPA according to the argument that it should only be Bexar County. EPA considered that and came to the conclusion based on the contributing information from a number of sources. She recommended that they speak

to Michael Morton for a better description. Mr. Mims requested that the committee ask EPA about the criteria so they could see the quantified numbers where they reached their decision. Ms. Williams commented that the committee already had a copy of the data they sent EPA. As far as she knew EPA did not use additional data. They used what TCEQ sent them. She said they might have come to a different conclusion but they used that data. Rene Green, Chairman of the Air Tech Committee recommended that they place Mr. Mims' request on the Air Tech Committee meeting agenda. They would get in touch with Michael Morton and try to get an executive summary on EPA's decision making process and bring it back to the committee for their review.

## **VII. Clean Air Plan Update**

- a. Credit for Transportation Emissions Reduction Measures (TERMs)**
- b. Schedule for SIP approval by TCEQ**

Mr. Bella asked the committee to refer to a handout prepared to explain the effort under way to get credit for Transportation Emissions Reduction Measure or TERMS projects. He explained that these projects existed under the framework of transportation conformity or planning for the region so as not to do greater harm to air quality standards. The projects reduced pollution from mobile sources. He presented a bullet list in a typical transportation project plan. They included: Construction projects that improve traffic flow, ridesharing/telecommuting programs, improved transit and bicycling facilities, clean fuel vehicle programs, optimization of traffic signals, and mixed land use and pedestrian oriented development.

Mr. Bella continued the explanation using the following information contained in the handout outlined as follows:

Why are we interested in TERMS?

- EPA requested that we place creditable TERMS in our SIP by Dec. 31, 2004
  - Strengthen SIP from non-governmental organizations' viewpoint
- Request by TCEQ to note among SIP voluntary measures enacted regionally
- Allow an improved emissions inventory for future revisions, as required in EAC
- Provide blueprint to decision-makers for ongoing reduction strategies

Work underway to determine credit:

- Staff is working with SA/BC MPO and TxDOT to determine qualified TERMS projects in existing list of Transportation Improvement Program (TIP)
- Staff is calculating reductions due to these projects using approved methodology
- Sign-off by sponsoring entities (TxDOT, City of San Antonio, etc.) will be required
- Calculated emission reductions: placed in the Additional Evidence section of the SIP

The assessment will provide:

- A complete description of the measure and its estimated emission reduction benefits
- Evidence that the measure was properly adopted by a jurisdiction with legal authority to commit to and execute the measure
- Evidence that funding has been (or will be) obligated to implement the measure
- Evidence that all necessary approval has been obtained from all appropriate gov't agencies
- Evidence that a complete schedule to plan, implement, and enforce the measure has been adopted by the implementing agency or agencies

Evidence requirements are met because staff is researching projects which are either in the San Antonio/Bexar County MPO's TIP or the Rural Transportation Plan provided by TxDOT.

Credit is not being taken for TERMS as part of the regional attainment demonstration. Staff will develop and state the credit available to us in the "Additional Evidence" section. It will not be placed in the modeled attainment demonstration because:

- 1) Credit for TERMS projects is not required to show attainment in our region, and
- 2) Not claiming credit avoids the obligations that go along with applying the credit to the attainment model/demonstration, such as requirements to monitor projects.
- 3) If we have to do Transportation Conformity because the EAC fails, we will have all of these credits available to take in the Transportation Conformity demonstration.

The goal is to show that there are transportation projects which are planned and which do provide a measure of emissions reductions in our region. Providing a list of projects that meet all of the above evidence criteria will show strong evidence that these projects will occur and will produce the stated emissions reductions.

Renee Green, Chair of the Technical Committee said this was being requested of everyone in the state who were under EACs.

Mayor Heath if they were looking at projects in the metropolitan and rural counties. Mr. Bella replied yes they were referring to TxDOT who was responsible for the rural regions, and the MPO who was responsible for the metropolitan regions.

Mr. Bella asked the committee to look at the hand out with the updated schedule for SIP approval by TCEQ. He said the handout information was abbreviated to present the remaining timeline. Mr. Bella emphasized the upcoming Commissioner's work session scheduled for Friday, April 30<sup>th</sup> which would be attended by Chairman Millikin, Renee Green, and staff.

Chairman Millikin asked Kate Williams what she thought they might be asking during the work session.

Ms. Williams said that she didn't really know. However she knew about some issues concerning the implementation of measures and concern by some of the commissioners about why TCEQ is being asked to make state rules when the EACs were supposed to be local programs.

Judge Quinney commented that it seemed to him that the state should put more emphasis on completing major projects if it saved huge emissions reductions as shown through TERMS projects discussed previously.

#### **VIII. Future Meeting Schedule of the Air Improvement Resources Executive/Advisory Committees:**

Discussion was held to consider changing the number of meetings for the Air Executive Committee. Chairman Millikin pointed to the completion of the SIP milestone as perhaps a good reason not to meet as often. City Councilman Chip Haass said they were in a good position to meet every other month and recommended they do so. A consensus was held that the committee meet on June 23, August 25, October 27 and Dec. 15<sup>th</sup> unless further notification was given. It was agreed that the schedule remain flexible for such a possibility.

**IX. Other issues**

Chairman Millikin mentioned they received notification that the TCEQ executive director Margaret Hoffman had tendered her resignation.

Peter Bella brought to their attention copies of a New York Times article with interviews from San Antonio.

**X. Adjourn**

With no further business to conduct the meeting was adjourned.