League of Women Voters of the Bay Area Education Fund

Bay Area Monitor

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Going to Town on
Hydrogen Buses

Some Bay Area bus passengers are already riding the "Hydrogen Highway", and others will soon join them. Two transit teams—AC Transit/Golden Gate Transit (AC/GGT) and Santa Clara Valley Transportation Authority/San Mateo County Transit District (VTA/SamTrans)—are implementing demonstration programs using hydrogen-fueled buses.

After several years of planning, construction of fueling infrastructure, and vehicle acquisition and testing, hydrogen-fueled buses have gone into revenue service in the Bay Area. On February 28, VTA began carrying passengers on hydrogen-fueled buses on two regular routes; AC Transit ran a prototype bus on three routes last year, and three new buses will begin service in September 2005.

The new buses are a product of a "carrot and stick" approach to improving air quality—the stick in the form of a 2000 California Air Resources Board (CARB) regulation requiring transit districts to shift to cleaner buses, followed by the carrot in the form of grants from state and federal agencies as well as partnerships with private industry to fund the change. The CARB regulation offered transit districts two choices–stop buying diesel buses and shift to other fuels such as natural gas, or continue to use diesel fuel for a longer period and participate in a demonstration program using an alternative fuel. All Bay Area transit districts chose the "diesel path", which allowed them to team up to do the alternative fuel project.

Demonstration programs such as those by AC/GGT and VTA/SamTrans are essential in determining the most effective ways to operate a hydrogen-fueled bus fleet before transit districts make heavy investments of taxpayer dollars in the new technology.

When hydrogen and oxygen are combined in a hydrogen fuel cell, the results are heat, water and electricity that can power a vehicle. For public transit, this means buses are quieter and have no polluting emissions. Offsetting these advantages are the need for a new vehicle design and new infrastructure for fueling and maintenance.

The demonstration programs contain a variety of ways to implement this fuel cell technology. VTA/Samtrans chose three 40-foot, low-floor buses from Gillig Corporation with fuel cells by Ballard Power Systems, Inc. The buses are fueled at a facility located in VTA's Cerone Division, using liquid hydrogen supplied by Air Products and Chemicals, Inc. The facility also includes two maintenance bays specially outfitted for the hydrogen-fueled buses. SamTrans is contributing to capital and operating costs.

AC Transit, which had been exploring hydrogen fuel potential before the CARB regulation, began with a leased 30-foot prototype bus produced by Thor and ISE Corporation of San Diego. The initial fueling facility, which opened in October 2002 in Richmond, manufactures hydrogen from water using an electric charge. It is a joint venture with Stuart Energy and the California Fuel Cell Partnership. This facility produces 24 kilograms (kg) of hydrogen per day, enough fuel for the prototype Thor/ISE bus and for light-duty vehicles used by the Sacramento-based Partnership when these vehicles are in the Bay Area.

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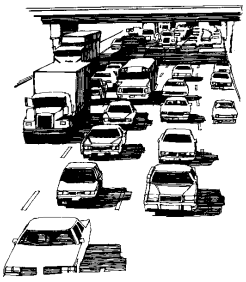
INSIDE:

Buying Into Carpool Lanes

The Bay Area's first high-occupancy toll (HOT) lane will be a four-year demonstration project on southbound I-680 between Pleasanton and Milpitas. Although the Sunol Grade HOT lane may seem to be a quick response to recent suggestions by Governor Schwarzenegger, it has been in the planning stages for some time. Alameda County's 2000 transportation sales tax measure included funding for a Sunol Grade express lane, and state legislation was passed in the 2004 session to authorize projects in the Bay Area and in San Diego. The start of construction was scheduled to begin later this year, but has been postponed because of the shortfall in state transportation funding.

Disparaged by some as "Lexus lanes" and touted by others as an efficient use of underutilized freeway lanes, HOT lanes are a "hot" topic in transportation statewide, as the revenues they raise could supplement dwindling funds from other sources.

HOT lanes are high-occupancy vehicle (HOV) lanes, which serve carpools and transit, equipped with technology which enables charging a toll for vehicles that do not usually qualify for a HOV lane, i.e. vehicles occupied by one person. The toll can be a flat toll for the entire distance traveled, or can vary by the mile, and can also be higher at more congested times of the day. Carpools and transit continue to travel free. Revenues are often earmarked for use in the HOT lane corridor.



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Online at http://www.accma.ca.gov/pdf/hot_lanes_fall_2003.pdf

The Alameda County Congestion Management Agency (ACCMA) will develop the I-680 "smart carpool" lane demonstration project in cooperation with the Santa Clara Valley Transportation Authority (VTA). The CMA is drawing on technology and experience from southern California and elsewhere in the country. In San Diego, HOT lanes are available on I-15 for 8 miles north of the city, and in Orange County, the privately constructed SR 91 toll road has been in operation since 1995. These projects have helped to answer many questions about how to effectively operate HOT lanes.

Although the Orange County HOT lanes were constructed as new lanes, the I-680 HOT lane will use an upgraded southbound high-occupancy vehicle (HOV) lane currently used by carpools and limited express buses. Toll-collection infrastructure will be added, which will read the same transponders that are already used for FasTrak toll collection on Bay Area bridges. Unlike the southern California HOT lanes, which are 8 or 9 miles long and run from a single entry point to a single exit point, the 14-mile Sunol Grade HOT lane will have several entry and exit locations, indicated by breaks in the solid double yellow stripes used to separate the HOT lane from lanes carrying regular freeway traffic. Transponder readers will be located after each entry point. If a vehicle without a transponder passes the reader, an indicator light will alert law enforcement that a violation is occurring and the vehicle can be pulled over for ticketing.

During hours when the lane is restricted to HOV/HOT use, drivers will be alerted to the current price per mile as they approach entry points for the lane. Once they enter, that price will apply to their entire trip. The price can be varied, increasing as the lane becomes more crowded, so that at some point

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The *Bay Area Monitor* provides an impartial, independent view of agency decisions and activities and other important Bay Area issues. Material and viewpoints are chosen by LWVBAEF to provide a comprehensive view of regional topics. Information is gathered from many sources; LWVBAEF is not responsible for their accuracy.

The *Monitor* is online at http://www.bayareamonitor.org, including the current issue and an archive of back issues.

Tightening the Rules on Refinery Flares

Dominant and dramatic as flares are in the landscape of communities near oil refineries, for residents they symbolize the sources of health-threatening air pollution from refineries. Residents in these neighborhoods have further suspected the flares have been used, not only as safety devices, but also for routine disposal of gases that could be collected and reused. The current actions of the Bay Area Air Quality Management District (Air District) to regulate the use of refinery flares have been particularly welcome in these communities.

A flare is a safety device that burns off gases vented from refinery process units. The gases from the process units are collected for use as fuel at the refinery, with any excess vented to flares. An alternative would be to vent the excess gas directly into the atmosphere. Excess gases are produced during startups and shutdowns of process units and equipment, as well as during emergency or upset conditions. Flares range in size, but most are tall—about twenty feet high and about four feet in diameter—and all are noisy when in operation.

In preparing the Bay Area 2001 Ozone Attainment Plan, air quality planners identified several measures that showed promise for reducing emissions of ozone precursors, but could not be developed within the time frame of the Plan. These Future Study Measures (FSMs) in the Plan included FSM-8: Refinery Pressure Vessels, Blowdown Systems, and Flares.

As the Air District staff began investigating the available information on the Bay Area's refinery flares, the lack of sufficient data to use as a basis for developing regulations became apparent. To gather needed information, Regulation 12, Rule 11: Flare Monitoring at Petroleum Refineries was adopted by the Air District Board of Directors in June 2003 *(see August/September 2003 issue)*. Under this rule, each refinery prepares monthly reports sent to the Air District. The reports must contain detailed information of each flaring event of 15 minutes or longer. The amount and composition of the gases vented to each flare must be recorded, using specified monitoring and analyzing equipment and procedures. Flare activity is recorded with video cameras. Using the information in these reports, the Air District staff prepared the draft Regulation 12, Rule 12: Flares at Petroleum Refineries.

The Bay Area is home to five oil refineries, four in Contra Costa County and one in Solano County. The five refineries have a total of 23 flares currently subject to the flare monitoring rule. In evaluating the monitoring data gathered under Regulation 12, Rule 11, the Air District staff found that each refinery is unique in its operations, each with its own list of products that it manufactures. The staff also found that the attention focused on flares during development of Rule 11 caused the refineries to scrutinize flare operation of flares and flare-associated equipment, to reduce the number of flaring events, and to take measures to reduce emissions from the processes associated with flares. All in all, emissions from flares were significantly reduced; the current estimate, on an annualized average basis, is now 2 tons per day for total (methane and non-methane) hydrocarbons.

The goal of the proposed Rule 12 is to assure that the emissions reductions that have been achieved since Rule 11 was adopted are maintained, and to further reduce flare emissions. The draft rule proposes prohibiting routine flaring, except for safety reasons or when the gas, because of its quantity or quality, cannot be recovered for use as fuel. The draft rule would also require refineries to prepare a Flare Management Plan (FMP) for each of their flares.

A FMP would be expected to contain a detailed description and technical information for the flare and all equipment and processes that vent to the flare, including an accurate flow chart and dimensions and capacities of vapor recovery systems. Monitoring and control equipment would be fully and accurately described. Any equipment, process, or procedure that the refinery has installed or implemented in the past to reduce flaring would be described. Similarly, such equipment, process, or procedure planned for the future would also be described.

Flaring that has occurred in the past or is expected to occur during planned major maintenance, including startup and shutdown, would be

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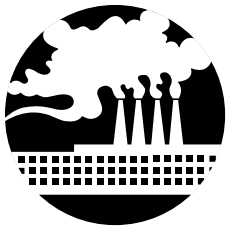

The draft of Rule 12 is online at http://www.baaqmd.gov/pln/ruledev/12-12/1212_dr_0215.pdf
Flare monitoring reports are online at http://www.baaqmd.gov/enf/flares

From Vision to Reality: Bay Area Regional Planning

The Joint Planning Committee (JPC) is composed of 21 representatives, 7 each from the Association of Bay Area Governments, Metropolitan Transportation Commission, and Bay Area Air Quality Management District. A representative of the California Secretary of Business, Transportation and Housing is a non-voting member. The JPC Regional Planning Program Director reports to the heads of the three agencies.

Tinkering with agency structure is less important than defining what the Bay Area "wants to be when it grows up", according to a group of regional planning experts at the annual conference of the League of Women Voters of the Bay Area. The panel agreed that regional plans have critical gaps, and that unless a more focused strategic plan is defined soon, changing the relative roles of state, regional and local decisionmakers may be a side issue for the region's future.

Making Regional Planning Work: Keynote speaker Ted Droettboom, Regional Planning Program Director for the three-agency Joint Policy Committee (JPC), observed that the impacts of regional planning are long-term. Since the region grows at roughly 1% per year, in any given year 99% of the region is already in place. However, over 3 decades, it is possible to affect a significant fraction of the future region. According to Droettboom, that can be done "only if we know what we want to do, have the will, are persistent, and have the right tools".

One tool is the Regional Livability Footprint/ Smart Growth Vision, developed by five regional agencies in 2003. However, Droettboom's analysis of the regional planning process indicates that the there are gaps where more work needs to be done. Although the region is required to prepare air quality plans, other environmental issues such as open space have no regional framework. Also, while communities share the region's labor force and markets, there is no Bay Area economic plan, one reason why goods movement has not been included in regional transportation planning until this year and was overlooked during the Vision process.

Since the JPC is coordinating implementation of the Smart Growth Vision, Droettboom has identified some mechanisms which are available to accomplish this: strategic public investment, partnership with other levels of government, collaboration with private and voluntary efforts, incentives such as state funding assistance, and communication and sharing of ideas.

Alternative Models of Regional Planning: Droettboom's observations are based on an intensive study of Bay Area regional planning since he arrived in the region eight months ago. However, a number of his points were echoed by two speakers with decades of Bay Area planning behind them—Revan Tranter, former Executive Director of ABAG, and Will Travis, Executive Director of BCDC.

Tranter emphasized that there is no time to waste in determining how the region will grow, because growth is coming. "Think back forty-five years, to 1960 when Kennedy was elected—we are where we are now because of planning done then," he said. "We need to look forward for the next forty-five years and care about the future we will have then." That future will see growth from 11 million to 19 million residents in an extended Bay Area that reaches Monterey, San Joaquin and Sacramento. "We will be more like LA than we want, no matter what," said Tranter. He predicted more communities like the new town of Mountain House on the Alameda/San Joaquin County border, and relatively sudden changes in demographics as ethnic and cultural communities shift within the metropolitan region.

Tranter feels that although local efforts are vital to the success of planning in the region, they are not enough. He stressed the need for coordinated action, both by individuals and agencies. "Looking at the right policy for an individual city and multiplying that by over 100 cities in the region, it would be a miracle if all those added up to the right result," he said.

Droettboom suggested three main keys to making progress: focus, collaboration and commitment. Travis restated these as: defining what needs to be accomplished, determining how to organize government to do what is needed, and maintaining political will. BCDC illustrates these strategies—Save San Francisco Bay set a clear goal of stopping massive Bay fill, and legislatively set up a structure to govern the process that cannot be easily changed. The economic and environmental advantages of BCDC's policies, demonstrated over the years, enjoy strong public support.

Agreement that the goal needs to be defined first did not keep Tranter and Travis from commenting on the potential changes in agency structure which might be considered later. Travis observed that we now have several types of regional agencies in the Bay Area. He feels that the Metropolitan Transportation Commission (MTC) is primarily a surface transportation funding agency and does not work well on other transportation issues such as seaports and airports. He quoted a description of ABAG as "a guild of local planners", while at the other extreme, the Air District and the regional water board are subsets of state agencies. BCDC has "cross-subject authority, but only within a doughnut 100 feet around the Bay." Although missions differ, BCDC is structurally similar enough to MTC so that with a few adjustments, the same people could sit on both boards and the agencies could be combined, but, Travis cautioned, "there should be some reason to do this that can't be accomplished with what we already have."

Tranter reminisced about some proposals from the past—"electing a regional 'mayor' scared the heck out of people when Speaker Leo McCarthy suggested it in 1976," he said—but he doesn't favor directly elected regional government because of the cost of campaigns. He urged the JPC to look at other regions, which usually have a single agency doing transportation and land use, and encouraged them to "think deeply about it, but not for very long!" Whatever changes are made should be targeted at a definite date in the future, which will mean that some people have left office before they take effect but everyone knows when to expect change.

Nick Bollman, CEO and President of the California Center for Regional Leadership, spoke about regional planning beyond the Bay Area. He agrees with the conclusion reached in the early 1990s by Joint Venture Silicon Valley that "jurisdiction is not the issue, it's the problem that is the issue". Looking at other parts of the state, Bollman has found about 20 different types of regional partnerships, ranging from San Diego Dialogue, a group focusing on immigration, to the 12-county Sierra Network.

The California Center for Regional Leadership was formed in 2000 and is currently working to implement the conclusions of the Hertzberg study on regionalism, which was completed in 2002 and called for region-based state government, not top down. There are now an increasing number of regions that are doing growth visions, particularly Sacramento, San Diego, Riverside and SCAG. Tranter commented that by failing to provide leadership on how we should grow, state government is "the big elephant which hasn't come into the room and sat down", but Bollman feels that with the passage in 2004 of Proposition 1A to protect local government revenues, other fiscal reforms included in the Hertzberg report can begin to be implemented and the state will have a growing role in regional planning.

Thinking Regionally, Acting Locally—A Fundamental Challenge: According to a recent study by the Public Policy Institute, while 82% of respondents want regional planning for housing, jobs, air quality and transportation, a majority also wants development decisions to be made at the local level, creating a conflict for decision makers. Four local officials formed a second panel at the conference to speak to the problems of implementing regional policy in cities and counties. Although the four represent very different parts of the Bay Area—West Contra Costa County, urban Alameda County, the City of San Mateo and the City of San Jose—there was general agreement on several points.

- Local isn't really local any more. Land use decisions in Solano County impact I-80 drivers from Richmond. People work in one part of the region but live and shop in another, leading to an imbalance between revenue and financial impacts.
- Many residents don't want change, but resistance can be overcome by showing successful examples of new concepts, and through publicizing incentives such as additional financial benefits to the community.
- Barriers to infill, transit-oriented development and other smart growth concepts include reluctance by developers to change traditional building patterns, lack of support from anti-sprawl groups for

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Hydrogen Bus, *from page 1*

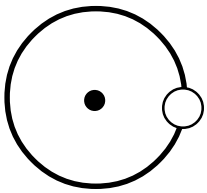
For ongoing use, AC Transit worked with Van Hool, ISE and UTC Fuel Cells to design three 40-foot buses with fuel cells from UTC and heavy-duty hybrid drives from ISE. In a public/private partnership, ChevronTexaco is constructing a second fueling station in AC Transit's Seminary Division in Oakland. This station will feature a small-scale onsite natural gas steam reformer, which will provide up to 150 kg of hydrogen per day, and will be used to fuel the Van Hool vehicles. The Oakland station will also be able to co-generate enough power for a stationary fuel cell electric generator to help power AC Transit's maintenance facilities.

Once the Oakland station is completed, the new Van Hool buses will begin carrying passengers on regular routes. For the first year, these will be routes that can be served from the Seminary station, but plans call for purchasing a mobile 100 kg fueler that will be able to travel to other operating divisions so that the buses can run on other routes. These may include GGT routes, such as the #42 line which crosses the Richmond-San Rafael Bridge. GGT personnel will be trained on operating and maintaining the vehicles. The AC/GGT program will be evaluated for vehicle performance, and also for how well it works for agencies and the public. Early evaluation of the prototype bus has indicated that it is nearly as reliable as a diesel bus and twice as fuel-efficient.

Other uses for the new station include fueling up to nine Hyundai fuel cell cars that will be tested by AC Transit road supervisors over a five year period. The district is also constructing a HyRoad Learning Center with opportunities to see the fueling station in action and hands-on exhibits to educate visitors on how hydrogen contributes to energy efficiency. The Center will be a partnership with ChevronTexaco, Lawrence Hall of Science, Schatz Energy Research Center at Humboldt State University, and the Chabot Space and Science Center.

The VTA/SamTrans program is estimated to cost $18.4 million, while the AC/GGT program has obtained $20 million in funding. Funding sources for the two programs include Santa Clara County's half-cent sales tax, the Bay Area Air Quality Management District, the California Energy Commission, the California Transportation Commission/ Caltrans, CARB, the Federal Transit Administration, the US Department of Energy Clean Cities Program and CalSTART. Companies whose technology is being used have also contributed to the programs.

It is hard to tell at this point if hydrogen is indeed the fuel of the future for transit buses, and if so, whether there will be a uniform technology or many local variations. The answers will come from the different demonstration programs now underway. Whatever option is chosen to replace current diesel buses, new buses should be both quieter and better for the region's air quality. *Leslie Stewart*



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VTA–http:// www.vta.org/ projects/ZEBs.html
AC Transit–http:// www.actransit.org/ environment/ hyroad_main.wu
California Fuel Cell Partnership–http:// www.fuelcell partnership.org/

Refinery Flares, *from page 3*

described and evaluated to determine the feasibility of performing these activities without flaring. Flaring that may occur because of the quality or quantity of gas released would be described and evaluated to determine the feasibility of recovering and treating the gases for use as fuel or for other purposes, thus avoiding flaring.

A procedure for eliminating avoidable flaring events caused by recurring equipment breakdown would be required. A process for identifying additional equipment, processes, and procedures to reduce flare use would also be required. Implementation schedules for capital improvements and for measures to prevent flaring would be prepared.

The rule also contains time schedules for the preparation and submission of FMPs to the Air District, the review and approval of the FMPs by the Air Pollution Control Officer, the updating of the FMPs, and annual reports on the flaring of gases flowing at a lower rate than would be designated as a flaring event (less than one million standard cubic feet per day).

In March, the Air District held two public workshops in Martinez and Richmond to take comments on the draft rule. The draft Regulation 12, Rule 12 may be found on the Air District website and comments can be made by e-mail, phone, or mail. *Adelia Sabiston*

HOT Lanes, *from page 2*

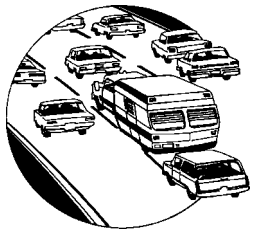
drivers decide to stay in regular lanes and traffic in the HOT lane continues to flow faster. For example, in San Diego the average price during commute hours is $4 for the 8.5 mile trip, but can rise to as much as $8 when accidents or other events create excessive demand. Decreasing the toll can encourage more drivers to use the lane, making more efficient use of the total freeway capacity.

As a demonstration project, the Sunol Grade HOT lanes will be the Bay Area's first test of the arguments in favor of charging tolls on highways that have traditionally been free to all drivers. These arguments include more efficient use of HOV lanes and of freeway capacity, countering complaints by drivers that often carpool lanes are relatively empty and should be used to relieve gridlocked traffic in adjacent lanes. Studies and experience in other areas suggest that the HOT lane could pull about 10% of vehicles from other lanes during peak commute hours without adversely affecting the capacity and speed of the HOT lane. Data from southern California also show an increase in carpool use as drivers become more familiar with HOT/HOV lanes.

Time savings are estimated at 15 minutes per trip in 2007, and could be 25 minutes per trip in 20 years as the freeway becomes more congested. While there is a perception that only wealthy drivers will benefit from HOT lanes, experience has shown that a wide range of drivers use the lanes when they are available, often business or delivery employees with deadlines, or parents hurrying to make a daycare pickup. For these drivers, the HOT lane provides a choice that would not be available with conventional HOV lanes and the money is a worthwhile tradeoff for the ability to stay on schedule. For other drivers who prefer not to pay, traffic flow in their lanes may also ease, as paying drivers move into the HOT lane.

One of the most persuasive arguments for HOT lanes in financially constrained Bay Area counties is new revenue that can be used for transportation. Revenues for the I-680 HOT lane are estimated to be $3.1 million in the first year and $6.1 million by year 20 of operation. These revenues could double if a northbound HOV/HOT lane becomes available. Over 20 years, the net revenue for the southbound lane could be $41.5 million after operating costs of $1.5-$2 million/year are paid. The operating costs include the cost of CHP enforcement.

Revenues from San Diego HOT lanes are dedicated to rapid bus service in the corridor. In Alameda and Santa Clara Counties, HOT lane revenues would be spent in the corridor, and could fund operations, completion of a northbound carpool lane or other capital improvements, or additional transit service. A joint powers board that includes ACCMA, VTA and the Alameda County Transportation Improvement Authority, which administers the county's transportation sales tax revenues, is being formed to set priorities and distribute revenues.



The Sunol Grade demonstration project is the first segment of what could become a HOT lane network throughout the Bay Area. The Metropolitan Transportation Commission has included a HOT lane plan as part of the recently adopted Transportation 2030 Plan. The regional plan shows a first phase network along I-80 from Vallejo to the Bay Bridge, along I-580 from Livermore to Hayward, and on most of the HOV lanes and connecting freeways south of the San Mateo Bridge. A second phase would add Hwy 101 from Petaluma to San Mateo, I-680, Hwy 24 and Hwy 4 in Contra Costa County, and I-80 between the Bay Bridge and Hayward.

A regional HOT lane network would require state and federal legislation and cooperation by Caltrans and the California Highway Patrol for effective implementation. However, if drivers on the Sunol Grade respond well in mid-2009 when that HOT lane becomes available, the timetable may be accelerated for other HOT lanes in the region. With revenues being collected to offset implementation costs, HOT lanes may be one of the more achievable congestion-relief programs available to the Bay Area in the near future.

Leslie Stewart

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Buying Space in Carpool Lanes
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Regional Planning, *from page 5*

infill projects, and the need for substantial financial subsidies to make some housing affordable.

The San Jose councilmember observed that the 'sacred cows' of autonomy and local control don't allow a true picture of what communities want. General Plans are not comprehensive enough, and most communities lack economic plans that tell how many jobs they want and where the jobs should go. "It is foolish to think we can do the work locally, either in San Jose or the Napa Valley", he said. Cities need to start looking at four areas—environment, economy, transportation and housing—and need to include the private sector in the discussion of economic development and housing.

Some suggestions from the panel:

- "You have to make people believe that the fate of their cities depends on the well-being of the region."
- Consider a regional port authority to spread the burdens and benefits beyond the local communities
- "Listen to constituents and respect their input, state your own principles, and don't just rubberstamp development—then an unpopular vote will probably be accepted."
- Use models, such as the Santa Clara County Joint Policy Collaborative, which includes 15 CEOs and the mayors of all the cities, to develop uniform local government actions to coordinate infrastructure with job growth as it occurs.
- Use LAFCOs more effectively.
- Some directly-elected regional authority is needed to balance neighborhood pressure to take a strictly local view of planning decisions.
- Mitigate creatively. San Mateo requires extra mitigation of development with more than 100 new trips in peak commute hours. Cities are ranked by traffic generation rates, and those over a certain threshold must contribute funding to a county fund which supports shuttle services.
- Set up a regional appeal/review body to rule on the regional impacts of local projects—this shouldn't be a new entity. The JPC has discussed acting as a regional appeal and review body.

Droettboom reported that JPC members want to work on planning gaps and needs now, and wait to consider recommendations from the 3-agency staff about any structural changes that seem necessary.

He noted that while residents may differ on regional planning and local control, they agree on one thing–they expect government to "get it right". The JPC is the latest and so far the most promising attempt to get it right. *Leslie Stewart*