



**GOVERNING BOARD**

**Leroy Ornellas, Chair**  
Supervisor, San Joaquin County

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**J. Steven Worthley**  
Supervisor, Tulare County

**Vacant**  
Scientist Appointed by Governor

**Vacant**  
Large City

**Vacant**  
Physician Appointed by Governor

**Vacant**  
Small City, Central Region

**Seyed Sadredin**  
Executive Director  
Air Pollution Control Officer

Northern Region Office  
4800 Enterprise Way  
Modesto, CA 95356-8718  
(209) 557-6400 • FAX (209) 557-6475

Central Region Office  
1990 East Gettysburg Avenue  
Fresno, CA 93726-0244  
(559) 230-6000 • FAX (559) 230-6061

Southern Region Office  
2700 M Street, Suite 275  
Bakersfield, CA 93301-2373  
(661) 326-6900 • FAX (661) 326-6985

**Agenda**

**CITIZENS ADVISORY COMMITTEE (CAC)**

San Joaquin Valley Unified Air Pollution Control District  
CENTRAL REGION OFFICE  
Governing Board Room  
1990 E. Gettysburg Avenue, Fresno, CA.

**Tuesday, June 3, 2008**

**10:00 a.m.**

The Citizens Advisory Committee Meeting will be held via video teleconference (VTC) in the following locations:

- Central Region Office (Governing Board Room, 1990 E. Gettysburg Avenue, Fresno)
- Southern Region Office (2700 M Street, VTC Room, Bakersfield)
- Northern Region Office (4800 Enterprise Way, VTC Room, Modesto).

*The Citizens Advisory Committee meeting will be webcast.*

**All Meeting attendees are advised that all pagers, cellular telephones, laptops and any other electronic devices should be powered off upon entering the Governing Board Room or VTC Room, as these devices interfere with our audio equipment.**

Any member of the public may address the Citizens Advisory Committee during both the public comment period and on any scheduled item on the agenda. Comments are limited to a maximum of three minutes per speaker unless, for good cause, the Chair grants a longer period of time.

1. CALL TO ORDER
2. ROLL CALL – Attachment: Attendance Record CAC Meeting of Tuesday, May 6, 2008
3. APPROVE MINUTES OF TUESDAY, MAY 6, 2008
4. PUBLIC COMMENTS – *This time is made available for comments from the public on matters that are not on the Agenda. It is requested that no comments be made during this period on items on the Agenda. The public may make comments on each CAC Agenda Item during the time allowed for public comments. Attention is called to the fact that the CAC is prohibited by law from taking any action on matters discussed that are not on the Agenda.*

5. CHAIR COMMENTS
6. EXECUTIVE DIRECTOR/APCO COMMENTS
7. UPDATE: PROVIDE ADVISORY RECOMMENDATION TO THE AIR POLLUTION CONTROL OFFICER ON APPOINTMENTS TO THE DISTRICT'S ENVIRONMENTAL JUSTICE ADVISORY GROUP (EJAG)
8. TAKE A POSITION ON AB2522 (ARAMBULA) – ATTACHMENT: ASSEMBLY BILL 2522
9. UPDATE: FAST TRACK TO ATTAINMENT
10. HEARING BOARD SUBCOMMITTEE RECOMMENDATIONS FOR SOUTHERN REGION HEARING BOARDS
11. RULES UNDER DEVELOPMENT – GEORGE HEINEN, RULE DEVELOPMENT SUPERVISOR
12. UPDATE: SURPLUS OFF-ROAD OPT-IN FOR NOX (SOON) PROGRAM
13. OUTREACH AND COMMUNICATIONS REPORT—JAIME HOLT, CHIEF COMMUNICATIONS OFFICER
14. ARB COMMENTS – PRESENTED BY ARB REPRESENTATIVE.
15. CAC MEMBER COMMENTS AND CAC SUGGESTIONS TO BE INCLUDED IN THE PRESENTATION OF THE CAC REPORT DURING THE GOVERNING BOARD MEETING ON THURSDAY, JUNE 19, 2008
16. VOLUNTEER TO PRESENT CAC REPORT DURING GOVERNING BOARD MEETING, THURSDAY, JUNE 19, 2008 AT 9:00 A.M.

NEXT MEETING – The next CAC Meeting is scheduled on Tuesday, August 5, 2008 (time to be determined by the Chair). Meeting held via video teleconference (VTC), with the Central Region Office (Fresno), the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating.

ADJOURN

	Industry	Primary/ Alternate	Name	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07	Jan-08	Feb-08	Mar-08	Apr-08	May-08	Jun-08	Jul-08	Aug-08	Sep-08			
Fresno	Industry/Ag	Primary	Manuel Cunha, Jr.				No November Meeting		X	X	X		X		No July Meeting					
		Alternate	Ryan Jacobsen	X		X			X	X	X		X							
	Environmental	Primary	Kevin Hamilton		X	X			X	X	X	X								
		Alternate	Sarah Sharpe	X	X				X	X										
	City	Primary	Amarpreet Dhaliwal	X	X	X			X	X	X	X	X	X						
		Alternate	Rico Aguayo	X	X	X			X	X	X	X	X	X						
Kern	Industry/Ag	Primary	Les Clark	X	X				X		X	X								
		Alternate	Suzanne Noble	X	X					X	X			X						
	Environmental	Primary	Dana Karcher	X	X	X			X		X		X	X						
		Alternate	Vacant																	
	City	Primary	Brent Green		X	X					X		X							
		Alternate	Issac George	X																
Kings	Industry/Ag	Primary	Riley E. Jones	X	X					X	X		X							
		Alternate	Ryan Bertao																	
	Environmental	Primary	Kelly Deming	X		X			X	X	X	X		X						
		Alternate	Don Giacomazzi																	
	City	Primary	Dennis Tristao	X		X			X		X	X	X	X						
		Alternate	Jim Wadsworth																	
Madera	Industry/Ag	Primary	Donald Horal	X	X			X	X	X	X	X	X							
		Alternate	Ross Thornton																	
	Environmental	Primary	Lee Smith	X	X	X		X		X	X		X							
		Alternate	Ron Flores																	
	City	Primary	Ron Harris																	
		Alternate	Sally J. Bomprezzi																	
Merced	Industry/Ag	Primary	Charles "Chris" Dodson	X		X		X				X	X							
		Alternate	Jack Mobley					X		X										
	Environmental	Primary	Mary-Michal Rawling	X	X	X			X	X	X	X								
		Alternate	Vacant																	
	City	Primary	Dean Wilson	X	X	X		X		X	X	X	X							
		Alternate	Richard Jantz (Feb 08)																	
San Joaquin	Industry/Ag	Primary	Ron McMannis																	
		Alternate	Roger Hoffdahl	X		X		X	X	X	X	X	X							
	Environmental	Primary	Perfecto P. Munoz																	
		Alternate	Vacant																	
	City	Primary	Wade Broughton		X			X	X	X	X		X							
		Alternate	Randall Blank	X	X	X		X	X	X	X	X	X							
Stanislaus	Industry/Ag	Primary	Chris Savage		X	X				X			X							
		Alternate	Andrew Van Allen																	
	Environmental	Primary	Richard Gibson (Feb 08)						X		X	X	X							
		Alternate	Vacant																	
	City	Primary	Vacant																	
		Alternate	Tom Dunlop	X							X									
Tulare	Industry/Ag	Primary	David Harrald		X	X		X	X	X		X	X							
		Alternate	Gary Rohman	X		X			X	X	X		X							
	Environmental	Primary	Christine Foster			X		X		X	X	X	X							
		Alternate	Marvin Demmers																	
	City	Primary	Vacant																	
		Alternate	Vacant																	



# San Joaquin Valley

AIR POLLUTION CONTROL DISTRICT

## GOVERNING BOARD

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**John G. Telles, M.D.**  
Appointed by Governor

**Raymond A. Watson**  
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[www.valleyair.org](http://www.valleyair.org)

**DATE:** June 3, 2008

**TO:** SJVUAPCD Citizens Advisory Committee

**FROM:** Seyed Sadredin, Executive Director/APCO

**RE:** **ENVIRONMENTAL JUSTICE ADVISORY GROUP (EJAG)**

I hereby request an advisory recommendation from the CAC as to how to proceed with appointments to the EJAG. Not having been able to identify a sufficient number of candidates for appointments to the EJAG, the following options can be considered.

**Option 1:** Proceed with appointments for positions for which suitable candidates have been identified, begin EJAG meetings as soon as possible, and re-open recruitment to fill the remaining positions.

**Option 2:** Do not make any appointments until suitable candidates for all EJAG positions have been identified. Re-open recruitment to fill the remaining positions.

### BACKGROUND:

The San Joaquin Valley Air Pollution Control District (District) is dedicated to Environmental Justice (EJ), and in recent years has worked to incorporate Environmental Justice into core programs and activities. Environmental Justice is defined in California law (Government Code section 65040.12.e) as "The fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of all environmental laws, regulations and policies."

The District's Environmental Justice Strategy was adopted by the District's Governing Board in August 2007. As part of the strategy, a 13-member Environmental Justice Advisory Group (EJAG) was to be created. Eight of these members, one from each county within the San Joaquin Valley, must have experience and interest in representing ethnic and/or low-income communities. Two of the members shall be ethnic, small-business owners. Three members shall be members of the District's Citizens Advisory Committee (CAC), one representing each of the three CAC interest groups.

On Saturday, May 17, 2008, the EJAG appointment subcommittee interviewed a total of 12 candidates; a total of 15 applications were received. Below you will find a summary of the interviews:

San Joaquin County:

- 4 applications received (1 small-business owner, 3 at-large)
- 2 applicants interviewed (at-large reps)
  - Jeremy Terhune, Central Valley Rep with Defenders of Wildlife (recommended)\*
  - Barbara Barrigan-Parrilla, Campaign Director, Restore the Delta

Stanislaus County:

- 1 application received (at-large) and applicant interviewed
  - Rosenda Mataka (recommended)\*

Merced County:

- 1 application received (at-large) and applicant interviewed
  - Melissa J. Kelly-Ortega (recommended)\*

Madera County:

- 2 applications received (2 at-large)
- 2 applicants interviewed (2 at-large)
  - Catherine Garoupa (recommended)\*
  - Gabrielle Leigh Kirkland, Director of Membership, CA Grape & Tree Fruit League

Fresno County:

- 3 applications received (2 at-large, 1 CAC-Env. Rep)
- 3 applicants interviewed
  - Lourdes Medina, Radio Producer with Radio Bilingüe (recommended at-large rep)\*
  - Kevin Hamilton (recommended CAC-Env. Rep.)\*
  - Teresa Plasencia, Government Affairs Coordinator, Fresno County Farm Bureau

Kings County:

- 2 applications received (1 at-large, 1 CAC-Industry/Ag Rep.)
- 2 applicants interviewed
  - Andre Booker, Home Healthcare Provider (recommended at-large rep)\*
  - Riley Jones (recommended CAC-Industry/Ag Rep.)\*

Tulare County:

- 1 application received (at-large)
- 0 applicants interviewed (applicant out of town until end of the month)

Kern County:

- 1 application received (at-large rep)
- 1 applicant interviewed
  - Linda MacKay (recommended)\*

\*The EJAG Appointment Subcommittee would like to make the above recommendations.

Extensive outreach has been done Valley-wide to recruit candidates for the EJAG. These efforts have included advertisements in publications throughout the Valley, PSA's, radio/TV interviews, public notices, press releases, e-mail blasts, letters to Hispanic chambers of commerce and faith-based organizations and phone calls. Despite extensive outreach, very few candidates came forward for appointments to the EJAG.

Currently, there are no candidates for the Tulare County seat, the two ethnic small-business owner seats, and the City interest group from the CAC.

AMENDED IN ASSEMBLY MAY 23, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2522**

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**Introduced by Assembly Member Arambula**  
(Principal coauthor: Senator Florez)

February 21, 2008

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An act to add Chapter 5.8 (commencing with Section 40610) to Part 3 of Division 26 of the Health and Safety Code, relating to air quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 2522, as amended, Arambula. San Joaquin Valley Unified Air Pollution Control District.

~~(1) Existing~~

*Existing* law authorizes air pollution control districts and air quality management districts, except as provided, to levy a fee *of* up to \$2 on motor vehicles, and authorizes the districts to increase this fee *to* up to \$6 if certain conditions are met.

This bill would authorize the San Joaquin Valley Unified Air Pollution Control District to increase this fee ~~by~~ *to* up to, but not exceeding, \$30 for incentive-based programs to achieve surplus emissions reductions, as specified. The bill would require the ~~Bureau of State Audits to audit the assessment of fees and expenditure of funds pursuant to these provisions and require~~ the state board to assess the use of these fees in achieving and maintaining state and federal ambient air *quality* standards.

The bill would authorize the San Joaquin Valley district to adopt rules and regulations to reduce vehicle trips in order to reduce air pollution from vehicular sources.

The district would be required to submit a specified proposal relating to vehicle fees. By imposing this duty on the San Joaquin Valley Unified Air Pollution Control District, the bill would impose a state-mandated local program.

~~(2) The bill would become operative only if SB 240 of the 2007–08 Regular Session is enacted and becomes effective.~~

~~(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: *yes-no*.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 5.8 (commencing with Section 40610)  
2 is added to Part 3 of Division 26 of the Health and Safety Code,  
3 to read:

4  
5 CHAPTER 5.8. SAN JOAQUIN VALLEY CLEAN AIR ATTAINMENT  
6 PROGRAM  
7

8 40610. The Legislature finds and declares as follows:

9 (a) Residents of the San Joaquin Valley suffer some of the worst  
10 air quality in the world. This poor air quality poses a significant  
11 threat to public health, the environment, and the economy of the  
12 valley.

13 (b) The extreme difficulty for the valley to meet state and federal  
14 ambient air quality standards requires an urgent and unified  
15 program that combines more strict clean air rules and regulations  
16 and ongoing funding to clean up those sources that cannot be  
17 regulated effectively.

18 (c) The purpose of this chapter is to establish a program for the  
19 San Joaquin Valley to achieve state and federal ambient air quality  
20 standards by the earliest practicable date.

21 40612. (a) In order to provide funding for air pollution control  
22 programs needed to achieve and maintain state and federal air  
23 quality, the district may do both of the following:



1 (1) Notwithstanding the limits on the amount of the motor  
2 vehicle fee specified in Sections 44223 and 44225, increase the  
3 fee established pursuant to these sections ~~by~~ *to* up to, but not  
4 exceeding, thirty dollars (\$30) per motor vehicle per year for the  
5 purposes of establishing and implementing incentive-based  
6 programs to achieve surplus emissions reductions that the district  
7 determines are needed to remediate air pollution harms created by  
8 motor vehicles on which the fee is imposed and that are intended  
9 to achieve and maintain state and federal ambient air quality  
10 standards required by the federal Clean Air Act (42 U.S.C. Sec.  
11 7401 et seq.). Except for the amount of the fee, any increase shall  
12 be subject to Chapter 7 (commencing with Section 44220) of Part  
13 5, including, but not limited to, the adoption of a resolution  
14 providing for both the fee increase and a corresponding program  
15 for expenditure of the moneys raised by the increased fees for the  
16 reduction of mobile source emissions.

17 (2) Notwithstanding Section 40717.9, adopt rules and regulations  
18 to reduce vehicle trips in order to reduce air pollution from  
19 vehicular sources.

20 (b) Fees adopted pursuant to this section are in addition to any  
21 other fees imposed by the district, and may be charged in any of  
22 fiscal years 2009–10 to 2023–24, inclusive. Fees may be assessed  
23 after the 2012–13 fiscal year only if the United States  
24 Environmental Protection Agency approves the district’s proposed  
25 reclassification of its nonattainment status for ozone from severe  
26 to extreme. The fees adopted pursuant to this section are for the  
27 district portion of the total amount needed to achieve and maintain  
28 state and federal ambient air quality standards. At least ten million  
29 dollars (\$10,000,000) shall be used to mitigate the impacts of air  
30 pollution on public health and the environment in  
31 disproportionately impacted environmental justice communities  
32 in the San Joaquin Valley. The district board shall convene an  
33 environmental justice advisory committee, selected from a list  
34 given to the board by environmental justice groups from the San  
35 Joaquin Valley, to recommend the neighborhoods in the district  
36 that constitute environmental justice communities, and how to  
37 expend funds within these communities.

38 (c) (1) The fees adopted pursuant to this section shall become  
39 effective after the state board makes both of the following findings:

1 (A) The district has undertaken all feasible measures to reduce  
2 nonattainment air pollutants from sources within the district’s  
3 jurisdiction and regulatory control.

4 (B) The district has notified the state board that fees have been  
5 adopted pursuant to this section and provided the state board with  
6 an estimate of the total funds that will be provided annually by  
7 each of those fees.

8 (2) The state board shall file a written copy of its findings made  
9 pursuant to this subdivision with the Secretary of State within two  
10 days of its determination.

11 (3) The fees adopted pursuant to this section shall be collected  
12 nine months after the requirements of paragraph (2) are met.

13 ~~40613. (a) The Bureau of State Audits shall audit the district’s~~  
14 ~~assessment and expenditure of any fees authorized pursuant to~~  
15 ~~Section 40612 every two years that the fee is assessed, and shall~~  
16 ~~submit these audits to the Legislature within two weeks of their~~  
17 ~~completion.~~

18 ~~(b)~~

19 ~~40613.~~ The state board shall assess the district’s progress in  
20 using any fees assessed pursuant to Section 40612 to achieve and  
21 maintain state and federal ambient air quality standards every two  
22 years that the fee is assessed, and shall submit these assessments  
23 to the Legislature within two weeks of their completion.

24 ~~40614. The district shall submit an assessment to the~~  
25 ~~Legislature by January 1, 2010, on the manner in which vehicle~~  
26 ~~license fees or other types of fees could be imposed on vehicles~~  
27 ~~that are not registered in the district, but that travel through the~~  
28 ~~district.~~

29 ~~SEC. 2. No reimbursement is required by this act pursuant to~~  
30 ~~Section 6 of Article XIII B of the California Constitution because~~  
31 ~~a local agency or school district has the authority to levy service~~  
32 ~~charges, fees, or assessments sufficient to pay for the program or~~  
33 ~~level of service mandated by this act, within the meaning of Section~~  
34 ~~17556 of the Government Code.~~

35 ~~SEC. 3. This bill shall only become operative if Senate Bill~~  
36 ~~240 of the 2007-08 Regular Session is enacted and becomes~~  
37 ~~effective.~~

O