

Action Summary Minutes  
San Joaquin Valley Unified Air Pollution Control District

**CITIZEN'S ADVISORY COMMITTEE**

Central Region Office, Governing Board Room  
1990 E. Gettysburg Avenue, Fresno, CA.

**Tuesday, December 1, 2009**  
**10:00 a.m.**

*The Citizens Advisory Committee Meeting was held via video teleconference (VTC): Central Region Office, Governing Board Room, 1990 E. Gettysburg Avenue, Fresno, the Southern Region Office, VTC Room, 2700 M Street, Bakersfield and the Northern Region Office, VTC Room, 4800 Enterprise Way, Modesto. The CAC Meeting was webcast.*

1. CALL TO ORDER - The Chair, Mary-Michal Rawling, called the Meeting to order at 10:05 a.m.
2. ROLL CALL - was taken and a quorum was present.

<u>County</u>	<u>Member Name/Interest Group</u>	<u>Location</u>
Fresno	Manuel Cunha/IAIG (P)	Central
	Ryan Jacobsen/IAIG (A)	Central
	Sarah Sharpe/EIG (A)	Central
Kern	Les Clarke/IAIG (P)	Southern
	Brent Green/CIG (P)	Southern
Kings	Kelly Deming/EIG (P)	Central
	Dennis Tristao/CIG (P)	Central
Madera	Donald Horal/IAIG (P)	Central
Merced	Mary-Michal Rawling/EIG (P)	Central
San Joaquin	Roger Hoffdahl/IAIG (P)	Northern
Stanislaus	Richard Gibson/EIG (P)	Northern
	Chris Savage/IAIG (P)	Northern
Tulare	Derek Williams/IAIG (P)	Central

*(P)=Primary, (A)=Alternate, IAIG=Industry/Ag Interest Group,  
EIG=Environmental Interest Group, CIG-City Interest Group*

Staff present in Central Region Office (Fresno) - Seyed Sadredin, Executive Director/APCO; Rick McVaigh, Deputy APCO; Scott Nestor, Director of Planning; Jessi Fierro, Senior Air Quality Specialist; Jaime Holt, Chief Communications Officer; Rich Burt, Communication Systems; Angie DeSantiago, Clerk of the Board

Staff present in the Northern Region Office (Modesto) - Theresa Hayward, Senior Office Assistant

Staff present in the Southern Region Office (Bakersfield) - Nannette Manzo, Senior Office Assistant

3. APPROVE MINUTES OF OCTOBER 6, 2009 – Minutes were approved as submitted.
4. PUBLIC COMMENTS - There were no public comments.
5. CHAIR COMMENTS - Ms. Rawling thanked the members for their participation this past year and looks forward to continuing in her capacity as the Environmental Interest Group representative for Merced County.

EXECUTIVE DIRECTOR/APCO COMMENTS - Seyed Sadredin, Executive Director/APCO, gave the presentation. He stated at the November 5, 2009 Governing Board meeting, the Board heard a summary of the District's innovative summer Healthy Air Living outreach efforts. In addition, he stated prizes were awarded to the winners of the following contests: Commute Green in the San Joaquin Corporate Challenge, Commute Green in the San Joaquin Kids' Edition, Healthy Air Living "For Reel" Video Contest and the Win a Chevy Malibu Hybrid contest. He added the winner of the Chevy Malibu Hybrid is a resident of Coalinga.

Mr. Sadredin reported the Board authorized the District to provide assistance to the Air Resources Board in implementing the State Lower Emission School Bus Program on behalf of several small or rural air districts. Additionally, the Board approved the transfer of unused DERA administration funds to project funds. He stated the District only used about \$5,800 of the \$14,350 allocated to administer the grant because of streamlining measures implemented in the grant programs. He added the remaining money was allocated to help further reduce bus emissions.

Mr. Sadredin reported the Board approved the modifications to the Burn Cleaner Wood-Burning Device incentive program. He stated the changes for 2009-2010 include establishing incentive levels ranging from \$100 to \$500 based upon the type of device purchased. In addition, the program will offer low income residents \$1,500 for the purchase of an eligible device. He also stated the Board directed that the program begin on January 15, 2010.

Mr. Sadredin announced the Board tabled until December considering the Regional Policy on Addressing and Mitigating Greenhouse Gas (GHG) Emission

Impacts and the amendments to Rule 2301 in light of technical communications at the meeting. He also reported the adoption of the new Rule 9410 (Employer Based Trip Reduction) will be taken to the Governing Board for approval in December.

Mr. Sadredin asked for CAC comments on a request received from a CAC member in Merced to allow other areas to participate in the CAC meetings through their own video conferencing such as Council of Governments (COG). He stated he is not in support of the recommendation because CAC meetings are subject to the Brown Act and each location would be required to provide public noticing for all meetings. He stated the District would lose control of maintaining video conferencing systems and could result in cancellations of meetings if a system experiences problems.

Mr. Sadredin introduced Cindi Hamm as the new Director of Administrative Services. He stated she comes to the District with eleven years of successful government budget management and private sector experience.

Ms. Sharpe and Ms. Rawling were in support of Mr. Sadredin's recommendation to not include video conferencing with other agencies at this time.

Mr. Gibson asked what criteria the District follows for low income residents to qualify for purchasing wood stove replacements. He added the California Public Utility Commission has run out of funds and no longer offers discounts to low income. Mr. Sadredin stated the District will take this information into consideration and may need to look at other data to base their criteria for qualifying low income. He added that he will report back to the CAC with this information at the next meeting.

7. ELECTION OF CITIZEN'S ADVISORY COMMITTEE CHAIR FOR A TERM OF TWO YEAR - Chris Savage, Chair for the Industry Ag Interest Group, announced the group nominated Manuel Cunha to serve a two year term (2010-2012) as Chair for the CAC. Mr. Tristao motioned and Mr. Horal seconded the motion to nominate Mr. Cunha as Chair. This item was continued to January 5, 2009 due to lack of quorum from the City Interest group.
8. REPORT FROM THE ENVIRONMENTAL JUSTICE ADVISORY GROUP (EJAG) Linda MacKay, At-large representative gave the presentation. She took this opportunity to thank the CAC, on behalf of the EJAG, for all their support. She stated at the October meeting, EJAG discussed the barriers preventing participation for members and the public at monthly meetings. She added it has been difficult to have effective participation due to heavy agendas. EJAG also

discussed making sure community members are notified when items of interest are on agenda, mileage reimbursements, producing outreach materials to identify EJAG to the community, and the availability of translation for community members at EJAG meetings. She stated the group continues to work on the EJ maps and the public information fee waiver. She also stated discussion was held on the EJAG evaluation and on EJAG's input that was compiled by Kelly Ortega. She announced the October meeting marked EJAG's one year anniversary and the group is proud of their hard work and the commitment of its members. She reported at the November meeting, the EJAG's Public Fee Waiver Process and EJ map suggestions were finalized and approved.

Mr. Sadredin commented that the Fee Waiver Process and staff's recommendations will be an item on the CAC agenda at a future date.

9. REVIEW AND PROVIDE COMMENTS ON THE DRAFT EVALUATION OF THE ENVIRONMENTAL JUSTICE ADVISORY GROUP PREPARED BY THE AIR POLLUTION CONTROL OFFICER - Mr. Sadredin reported in August 2007, the Governing Board approved the District's Environmental Justice Strategy and the formation of the EJAG. He stated the Governing Board directed the APCO to prepare an evaluation six months after the formation of the EJAG. He added this evaluation would serve as a guide to make changes, if necessary. He stated the evaluation report will be presented to the Governing Board in January or February 2010.

Mr. Sadredin presented a complete overview of the draft evaluation and recommendations to the CAC. He emphasized all the EJAG members are dedicated individuals with a genuine desire to help improve quality of life in the valley. He asked the CAC members for their comments on the draft evaluation and the recommendations that have been brought before them.

Mr. Cunha thanked Mr. Sadredin for the hard work that has gone into the evaluation and for the District's efforts in providing outreach to EJAG members and their communities. He stated as a CAC member and as next year's Chair, the CAC is committed to work effectively with the District and EJAG.

Mr. Williams stated his appreciation for all the work that has gone into this draft evaluation. He felt the bylaws will be impacted by the changes on the recommendations mentioned in the evaluation and suggested that the CAC be involved in the creation of the bylaws before they are brought to the CAC for approval.

Mr. Sadredin clarified the final set of bylaws will reflect the recommended

changes when this item is presented to the Governing Board in January or February 2010. He also stated he will accept any comments the CAC may have and the final language will support these recommendations. He added there was no need to revisit the bylaws because they were brought before the CAC in October for review.

Mr. Williams stated the CAC did not take action on the bylaws at the October meeting and the item was tabled until the draft evaluation became available. He felt it would be appropriate to discuss the bylaws at this meeting or at a future meeting. Ms. Rawling stated even though no action was taken at the October meeting on the bylaws, there was discussion and changes were made. Mr. Tristao stated he had specific examples for changes to the proposed bylaws and wanted to make sure the comments provided by the CAC were taken into account in the proposed bylaws.

Mr. Sadredin suggested the CAC provide general feedback on the bylaws and on the proposed recommendations be presented in the draft evaluation. He stated the final document would be brought back to the CAC in January for approval.

Mr. Tristao stated the evaluation report and recommendations are well founded, however, he felt there were issues with EJAG's language on the proposed bylaws. He also requested for Mr. Sadredin to bring this item back in January. Ms. Rawling asked if the CAC would be voting on the bylaws. Mr. Sadredin stated the CAC would be given an opportunity to vote on the bylaws, however, if there is no consensus, it will be taken to the Board for approval. Ms. Deming clarified for the CAC it was at the September meeting a motion was made and seconded to table the bylaws because of further discussion.

Mr. Williams stated he would send Mr. Sadredin his comments on the draft evaluation via email. Ms. Sharpe stated the draft evaluation is a good report and complimented the efforts of EJAG members and District staff. She asked if EJAG has reviewed this document and given feedback. Ms. Sharpe also stated her concerns in changing the makeup of the EJAG. She added it is difficult to recruit members and the importance in keeping a seat open to an ethnic business owner. She felt if members were going to be added from CAC, it should be from the Environmental Interest Group. Mr. Sadredin stated the draft evaluation will be presented to EJAG at the December meeting.

Chris Savage stated he also supports the request to bring the proposed bylaws back to the CAC for approval. He added it is important for CAC to be fully aware of EJAG's operations and the CAC must be satisfied with any recommendations and communications from the group because the CAC ultimately makes

recommendations to the Board. He supports the recommendation for EJAG to establish goals and objectives and asked Mr. Sadredin to set a plan of action for EJAG to begin establishing those goals and objective as described in the evaluation report.

Mr. Savage asked when the current terms expire and if the reimbursement for transportation costs were a concern of all members. Mr. Sadredin replied that the appointment is for two years and there are current vacancies that can now be filled. He also stated the transportation cost is a major concern of all the EJAG members and the cost is estimated to be no more than \$1000 per year. Reimbursement should ease the hardship on EJAG members and may also increase the interest in serving on EJAG. Mr. Savage stated he appreciated all the hard put forth by EJAG and acknowledged his full support of Mr. Sadredin's annual review and the recommendations.

Public Comment:

Ms. Linda MacKay, Kern County, At-large  
Catherine Garoupa, Madera County, At-large

Mr. Sadredin commented on his proposed recommendations to change the EJAG composition and requested the Industry-Agriculture Interest Group for their input. He stated replacing two ethnic business representatives with two CAC members from the CAC Industry/Agriculture Interest Group would bring needed viewpoints from the business sector to the EJAG deliberations. In addition, he stated because of the difficulty in recruiting at-large members, he suggests reducing the number of at-large members from 8 to 6 (2 from each region). He added a smaller membership will make a more manageable composition and will provide opportunities for complete discussion and will enable the District to be provided with more resources. He stated these changes will take place when term for the current affected EJAG members expires.

Mr. Sadredin continued his comments on the proposed recommendations with the CAC. He stated he wants to establish a better process of formally adopting goals and objectives by having EJAG set new goals and objectives each year. He added the District's Environmental Justice Strategy and the proposed bylaws will play a role in helping EJAG in establishing goals and objects along with an action plan to meet these goals and objectives. He also stated the EJ Strategy and proposed bylaws give the EJAG Chair the primary responsibility to prepare a proposed agenda for each EJAG meeting with input from the EJAG and CAC members, District staff, and members of the public.

He stated the communication between EJAG and CAC has been less than

effective. He offered three recommendations to improve communications which included CAC participation at EJAG meetings; EJAG members attend CAC meetings and a standing agenda item for each CAC meeting. He noted the District will provide a written summary of the actions taken by the EJAG and issues discussed or considered. He also stated the District's efforts to advance environmental justice can benefit from better communication between EJAG and the CAC.

Mr. Sadredin concluded EJAG needs to be provided additional training and support to enable them to do their job effectively. He noted there are District funded or sponsored training opportunities for EJAG members that will better equip and enable EJAG members to serve. He also stated EJAG members should be reimbursed for their transportation costs for attending regularly scheduled EJAG meetings, EJAG ad-hoc committee meetings and CAC meetings.

Mr. Cunha gave his full support to the draft evaluation and the recommendations. He stated he understands the need to build a relationship between EJAG and the CAC. He added member participation from the CAC into the EJAG would help in bridging the communication between the two groups. He also stated the Industry-Ag group currently represents many of the rural ethnic business groups in their communities. He added CAC representation on EJAG serves as a valuable tool, not as an attempt to break down EJAG. Mr. Williams and Mr. Clark also gave support to the draft evaluation and the recommendations.

Ms. Rawling stated the evaluation is fair and she appreciates the efforts of the District and EJAG. She gave her support to the Industry/Agriculture interest group to participate as EJAG members and hopes that all counties are represented on the EJAG. She asked Mr. Sadredin to clarify the timeframe for the agenda process.

Mr. Sadredin responded that EJAG's primary responsibility is to prepare the agenda with final determination by the APCO. He stated any disagreements with the APCO concerning the EJAG agenda may be brought to the attention of the CAC by the Chair of the EJAG for resolution.

Mr. Sadredin stated the EJAG is attempting to work through the barriers and supports leaving the EJAG composition with eight members, one from each county seat for one more year, if the CAC agrees. He noted the recommendation includes maintaining three members from each interest group with an additional two from the Industry/Agriculture Interest group. He added the current composition of EJAG members requires two members must be business

representatives, not necessarily minority businesses. He noted CAC members on the EJAG would enhance participation and viewpoints from the business sector.

Mr. Sadredin stated as recommended the composition will include CAC Industry/Agriculture representatives. He added during the selection process preference will be given to those representing ethnic small business owners. He noted to allow other seats to be represented by ethnic small business owners out of CAC would make the selection process too complicated.

Ms. Sharpe also expressed her concerns about having the same people on the same boards and only supports having representation from two of the Environmental Interest group rather than the Industry/Agricultural group.

Ms. Rawling suggested having a joint session for open dialogue between the EJAG and CAC once a year to improve communication. Mr. Sadredin supported this recommendation.

He asked the Industry/Agriculture Interest group if they had objections to the recommendations of the EJAG composition. The recommendations were supported by Mr. Tristao and Mr. Williams. Mr. Horal did not support the change to the current composition of EJAG. He stated the current economic situation will make it difficult to receive participation from business owners. Mr. Savage stated to continue with the evaluation process as long as the rest of the recommendations are in place.

Mr. Sadredin stated the revised document will be emailed to CAC members.

10. REVIEW AND CONSIDER TAKING A POSITION ON PROPOSED DISTRICT RULE 9410 (EMPLOYER BASED TRIP REDUCTION PROGRAMS) OUTREACH AND COMMUNICATIONS REPORT - Jessi Fierro, gave the presentation. She reported Rule 9410 is designed to reduce emissions associated with work commutes by reducing the use of single-occupancy vehicles in the Valley. She stated under the proposed Rule, larger employers (those with 100 or more eligible employees) would use District supplied materials to establish employee trip reduction programs. She added this Rule proposes a menu-based approach and a phased in compliance schedule.

Ms. Rawling commended District staff's innovation and willingness to listen and for the efforts to make Rule 9410 very flexible for businesses. She asked for CAC members to give comments in support of Rule 9410 even though action could not be taken due to not having a quorum from the City Interest group. Ms. Rawling replied the CAC may provide input to District staff as individual members.



Mr. Green expressed Rule 9410 will be viewed extremely negative and will have a great impact and put a burden on businesses. Mr. Williams asked if there is a guarantee that the applicability in this Rule will not change in the future.

Mr. McVaigh, Deputy APCO, stated this is already in state law.

Mr. Cunha stated this will be a big issue for businesses and EPA is putting the pressure on the state through the air districts to clean up greenhouse gas issues and climate change. Mr. Cunha commended the District staff has done an excellent job in communicating and providing outreach to businesses on Rule 9410.

Mr. Horal asked about the cost for an employer to implement Rule 9410. Mr. Nester stated the District went through every measure and tallied the cost to be between \$2,000 and 10,000 per year for an average business. Ms. Fiero stated many of the ETRIP measures are already being initiated by businesses and do not expect the Rule to be costly to implement.

Mr. McVaigh stated the District is committed in Rule 94210 to make every effort to lower business costs by supplying them with all the needed materials. He added the ETRIP measures have a significant effect in improving ride-sharing. The District has gone from 10% alternate transportation to 50% alternate transportation by implementing such measures and other businesses have gone from 10% to 20-30% alternate transportation which gives us a significant reduction in emissions when looking at all the residents commuting in the valley. He noted the District is trying to minimize the costs and burdens to get the benefits that can be achieved.

Ms. Rawling asked if the commute verification process is still in effect. Ms. Fiero stated by making the form mandatory, the District would expect 100% completion and the sampling mechanism will vary from employer to employer. She added the District will allow employers to determine what percentage is appropriate for them with District approval. Mr. Nester also pointed out the District will see the forms the employers will be handing out to employees to fill out and return. Mr. McVaigh stated the District does recognize all the costs associated with the measures.

Ms. Rawling again commended the District for all their hard work in implementing Rule 4910.

11. RULES UNDER DEVELOPMENT - Mr. Heinen, Planning Supervisor stated the following rules will be presented for adoption at the Governing Board meeting on December 17, 2009: Rule 2301 (Emission Reduction Credit Banking), Rule 9410 (Employer Based Trip Reduction), Rule 4308 (Boilers, Steam Generators, and Process Heater, rated 0.075 to <2.0 MMBtu/hr) and Rule 4601 (Architectural Coatings). He reported workshops for Rule 4653 (Adhesives), Rule 4905 (Natural Gas-Fired, Fan-Type Residential Central Furnaces), Rule 4566 (Organic Waste Operations; Rule 4566 (Organic Waste Operations) and Rule 4570 (Confined Animal Facilities) will be held in January or February 2010. He stated the District is discussing stakeholder issues on the various control measures that may be used to achieve the best possible emission reductions based on the current science. He added the Summary of Draft Rules and Plans will be updated prior to the Governing Board meeting on December 17, 2009.
12. OUTREACH AND COMMUNICATION REPORT - Jaime Holt, stated the Kids Calendar and 2009 Annual Report will be available at the Governing Board Meeting on December 17, 2009. She stated copies would be available to CAC member upon their request.
13. ARB COMMENTS - Jeff Lindberg, ARB Planning Liaison for the San Joaquin Valley, presented the report. He stated the Air Resources Board recently released the preliminary draft regulation for the Cap and Trade Program. A workshop is scheduled for December 14, 2009 at 1:00 p.m. at Cal EPA Headquarters. Mr. Cunha asked Mr. Lindberg to encourage ARB to have a Cap and Trade workshop at the District office. Mr. McVaigh added the District would be happy to volunteer the facility for the workshop.
14. CAC MEMBER COMMENTS AND SUGGESTIONS TO BE INCLUDED IN THE PRESENTATION OF THE CAC REPORT DURING THE GOVERNING BOARD MEETING ON THURSDAY, DECEMBER 17, 2009 - Ms. Rawling will report on the discussions of the following items: Changing CAC meeting locations to include VTC through COG's; the Election of Chair; CAC's discussion on the EJAG draft evaluation; and CAC's comments on Rule 9410.
15. VOLUNTEER TO PRESENT CAC REPORT DURING GOVERNING BOARD MEETING, THURSDAY, DECEMBER 17, 2009 AT 9:00 A.M. – Ms. Rawling will give the presentation to the Board.

Adjourned at 12:27 p.m.

NEXT MEETING – The next CAC Meeting is scheduled on Tuesday, January 5, 2010.