

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, May 4, 2010
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, Manuel Cunha, called the meeting to order at 10:01 a.m.
2. Roll Call - was taken and a quorum was present to hold a meeting. A quorum for voting was not formed until 10:08 a.m.

<u>County</u>	<u>Member Name/Interest Group</u>	<u>Location</u>
Fresno	Manuel Cunha/IAIG (P)	Central
	Sarah Sharpe/EIG (A)*	Central
Kern	Les Clark/IAIG (P)	Southern
	Brent Green/CIG (P)	Southern
Kings	Riley E. Jones/IAIG (P)**	Central
	Kelly Deming/EIG (P)	Central
Madera	Dennis Tristao/CIG (P)	Central
	Donald Horal/IAIG (P)	Central
Merced	Tim Durham/IAIG (P)	Northern
	Mary-Michal Rawling/EIG (P)	Central
San Joaquin	Wade Broughton/CIG (P)	Northern
	Roger Hoffdahl/IAIG (P)	Northern
Stanislaus	Chris Savage/IAIG (P)	Northern
Tulare	Derek Williams/IAIG (P)	Central
	Mike Santana/CIG (P)	Central

*Sarah Sharpe arrived at 10:08 a.m.

**Riley Jones arrived at 10:20 a.m.

(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; Errol Villegas, Program Manager; Jaime Holt, Chief Communications Officer; Jessi Fierro, Senior Air Quality Specialist; Rich Burt, Communication Systems Analyst; Angie DeSantiago, Clerk to the Board ; Durinda Montoya, Office Assistant II

Staff Present in the Northern Region Office (Modesto) – Theresa Haywood, Senior Office Assistant.

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

3. Approve Minutes of April 6, 2010 – Ms. Rawling suggested the following correction for agenda item 9: on page 8, regarding the vote tally, “City/Industry Interest Group” should read “City Interest Group.”

Ms. Rawling indicated she would like to receive the Environmental Justice maps. Mr. Sadredin indicated the maps could be mailed to those who request them.

Ms. Sharpe arrived at 10:08 a.m.; quorum for voting formed.

Public comment: None.

Mr. Cunha stated the Minutes stand approved as per the corrections stated by Ms. Rawling.

4. Public Comments – *The following persons provided testimony during the Public Comments portion of this meeting:*
 - Melissa Kelly-Ortega, Environmental Justice Advisory Group
5. Chair Comments – Mr. Cunha advised all CAC members will receive an up-to-date CAC member list, which will include the alternates. In regards to vacant CAC positions, he said CAC needs to do its best to fill those positions. Mr. Cunha said Ms. DeSantiago will be sending CAC members information regarding the seats that need to be filled. Additionally, during the May Governing Board meeting, the Governing Board will be asked to assist in filling those positions.
6. Executive Director/APCO Comments – Mr. Sadredin reiterated the discussion during last month’s CAC meeting regarding Rule 4354 (Glass Melting Furnaces), stating one of the glass plants provided the District with economic information that indicated, due to the downturn in the economy, complying with this rule would result in the plant going out of business. Representatives from that business developed a proposal, which would require the plant to comply with tougher requirements approximately 4 years ahead of the deadline, but would exempt the plant from complying with the interim deadline; resulting in lower emissions and a shorter timeline. The District presented that proposal to the Governing Board as an option to Rule 4354 (Glass Melting Furnaces) during April’s meeting. The Governing Board authorized the District to pursue the rule making process.

Mr. Sadredin said the District received the following two grants, which were presented to the Governing Board for approval:

- \$1.8 million dollars from the EPA's National Clean Diesel Emissions Reduction Program, which will provide funding to replace approximately 48 trucks.
- California Energy Commission's Energy Efficiency and Conservation Block Grant Program, which will provide benefits to small cities and counties in the Valley through energy efficiency projects. The District took part in helping small cities and counties with the administration process, of which approximately 33 cities and counties in the Valley have signed up for the program.

Mr. Sadredin stated during the April's Governing Board meeting, the District presented an end of the year report on the winter wood-burning season and the Check Before You Burn Program. He said compliance and air quality was better than the previous year, and the previous year was one of the cleanest years on record. Mr. Sadredin explained an extensive analysis, which corrected the data for the cooperative weather, showed that the wood-burning rule was actually the primary factor for significantly reducing wintertime PM2.5.

Mr. Sadredin said the District will have the first of two Budget Hearings for this year at the Governing Board meeting on May 20th. As he indicated during the last CAC meeting, it is essentially a status-quo budget. He stated the District is re-organizing and moving some staff between departments, resulting in the reduction of one position, as well as creating the Strategy and Incentives Department by combining the Grant Program and the Planning Department.

During the May 20th Governing Board meeting, Mr. Sadredin stated the District will present a report on agricultural burning, along with recommendations needed to fulfill state mandates under Senate Bill 705. The report will list recommendations for additional burning prohibitions, and provide necessary documentation for postponing prohibitions for crop types where there are no viable alternatives to burning. Mr. Sadredin indicated the report is available on the District's webpage.

Mr. Jones arrived at approximately 10:20 a.m.

Also during the May 20th Governing board meeting, Mr. Sadredin said he will recommend a stipend increase of \$50 for hearing board members. The District has three hearing boards, which hear appeals regarding District staff actions in regards to permits, as well as requests from businesses for variances related to various rules and regulations. A number of board members have indicated the current stipend, which is \$100 per meeting, is not adequate due to the amount of work and time involved to conduct research and attend meetings.

Mr. Sadredin stated the District is sponsoring a major PM conference in Fresno, "Air Quality Conference: Particulate Pollution in the San Joaquin Valley," which will be held on June 9th and 10th at the Holiday Inn in Fresno. The conference will focus on how science drives policy, translating science to policy. A number of elite scientists from around the state and nation will be attending the conference, providing information on

the sources of particulate matter and the health impacts. In addition, there will be a panel on translating science into policy.

Mr. Tristao requested an update on the non-attainment fee in regards to the EPA's approval of the District's rule. Mr. Sadredin said the District adopted a non-attainment fee rule approximately 8 years ago, which was sent to the EPA. Last January the EPA partially approved the rule and partially disapproved the rule; disapproving the District's Clean Emissions Unit exemption from the fee. However, after hearing concerns from our District and South Coast, as well as concerns from others around the nation, the EPA provided two options as an alternative to imposing the fee on stationary sources: 1) impose fees on other source categories (i.e. mobile sources); and 2) develop additional emission reduction strategies that would acquire the reductions intended to come from the imposition of the non-attainment fee. Mr. Sadredin stated the District then took a recommendation to the Governing Board for the District to develop a program that would continue to exempt clean emission units, which the Governing Board approved. The District hopes to begin the public workshop process to develop the program and present a recommendation to the Governing Board this year. Mr. Sadredin said it is estimated the District will need to collect approximately \$29 million to satisfy the section 185 requirements.

Mr. Savage commented that many cities, communities, and local industries are impacted by this rule. Also, he stated the rule takes away much needed funds from other programs. Mr. Savage requested an item be placed on the June agenda for District staff to present information on the emission reduction credit equivalency process.

Public comment: No public comment.

7. Rules Under Development – Mr. Errol Villegas, Program Manager in the Strategy and Incentives Department, provided a brief update. A "Summary of Draft Rules and Plans," dated May 4, 2010, was provided to CAC members in the Agenda packet.

Regarding Rule 4354 (Glass Melting Furnaces), Mr. Savage asked what the District process will involve for the amendments. Mr. Villegas said a public workshop will, hopefully, be scheduled for sometime in June, and then the rule presented to the Governing Board in September for adoption. Mr. Villegas stated the District will contact the stakeholders, as well as conduct the normal rule development mail notification process.

Regarding Rule 4566 (Organic Waste Operations), Mr. Savage asked if it was possible for Mr. Villegas to provide a brief synopsis of the changes that have been made to the field report. Due to the meeting time constraints, Mr. Villegas stated he would contact Mr. Savage at a later date and provide the details.

Public comment: No public comment.

8. ARB Comments – Jeff Lindberg, Air Resources Board (ARB) representative, provided a summary of the upcoming ARB public workshop on Senate Bill 375, scheduled for May 12, 2010. A handout entitled “SB 375 Public Workshop” was provided to the CAC members in the Agenda packet.

Mr. Williams asked what ARB could do to help support the Williamson Act. Mr. Lindberg stated the Williamson Act has historically been heavily used, especially in California and especially in the Valley. He also said the Williamson Act is underfunded. In recognition that the program is significant in the Valley, he will bring this item back to ARB. Additionally, Mr. Lindberg suggested CAC members provide direct comments to ARB.

Ms. Sharpe requested further explanation of RTPs and why RTPs will not help achieve greenhouse gas reduction targets for California’s Metropolitan Planning Organizations. Mr. Lindberg stated Regional Transportation Plans are essentially the roadmap that the local associations of governments use to define where they are going to spend transit money. It is a federally required plan that is revised every 4 years. Here in the Valley, in order for a target to be addressed and schedule an RTP, it would be required to have those plans adopted by the middle of June or July of this year. Because that happens before there is a target to be addressed, a target can not be addressed in an RTP; therefore, SB 375 is set up so that a target is only addressed after the target has been set. Since the RTPs are revised every 4 years, regional planners who are thinking ahead in terms of hitting a target in the next RTP could include policies and strategies that do not directly address a target that has not been set, but sets them in a better position 4 years from now, when they actually have a target to address.

Public comment: No public comment.

9. Reports on Efforts to Develop a CAC Action Plan for CAC Assistance with the ETRIP Rule 9410 Implementation – Jessi Fierro, Senior Air Quality Specialist, gave the presentation on this item. Ms. Fierro said the ETRIP Rule 9410 has provided the District opportunities to work with stakeholders who have never worked with the District before. She explained the District’s outreach efforts thus far, which has included mailing compliance bulletins to approximately 2200 employers and scheduling a number of meetings and providing presentations, including providing presentations to the Manufacturers Council and Tulare County. Additionally, the District webpage has a number of informational documents and worksheets to assist employers to understand the ETRIP Rule and the processes involved in registration. Regarding registration, Ms. Fierro said employer registration is currently underway and the deadline for employers to register is July 1, 2010.

Ms. Fierro expressed extensive outreach is imperative to ensure employers are aware of this rule, as well as helping employers understand the rule and understand the registration process. She said CAC could assist the District with the outreach effort in a couple of ways: 1) help schedule meetings where District staff can attend and

provide a presentation on the ETRIP Rule; and 2) CAC members can use the provided toolkit (which includes a draft email text, two brochures, and a poster size version of the brochure) to conduct their own outreach.

In assisting scheduling meetings, CAC members could provide a contact person's information to Ms. Fierro for her to follow-up to schedule a meeting, or CAC members could go ahead and set up a few possible dates, provide Ms. Fierro with that information and she would then contact the employer to finalize the date and time.

In regards to the toolkit, Ms. Fierro said she could provide the draft via email to CAC members, so they could easily forward the information on. In addition, she has a short PowerPoint presentation (5 slides) that she could also provide to CAC members. Ms. Fierro also stated CAC members could contact her for more brochures, and that she will work with Ms. DeSantiago to make sure CAC members receive the electronic copies of the tools.

Ms. Fierro requested CAC members provide her, by the end of next week, with the dates, times, locations, and point of contact of who would benefit from the District's ETRIP presentation. Additionally, in order to avoid duplication in the outreach effort, Ms. Fierro asked CAC members to provide her with the information of who they plan to contact, and she will keep the information organized.

Mr. Williams suggested the District provide a presentation at Board of Supervisors meetings for every county in the region. Ms. Rawling requested she receive an email of the presentation and the draft email, as well as receive a stack of brochures, as she will at least contact the larger schools that may apply to this rule, as well as follow-up with a couple of businesses she has already been in contact with. She thanked Ms. Fierro for providing the toolkit, as she felt it is important to be able to leave printed information with someone who is contacted through an outreach effort. Mr. Durham thanked Ms. Fierro for the presentation she provided to the Manufacturers Council of the Central Valley a couple of weeks ago. He said he thought it was extremely helpful for the employers who attended and encouraged CAC members who have employers who may not be knowledgeable regarding the ETRIP rule to get them involved as soon as possible.

Mr. Cunha requested every CAC member to report back during the June CAC meeting of at least one contact they were able to provide to Ms. Fierro.

Public comment: No public comment.

10. Environmental Justice Advisory Group (EJAG) Business

a. Receive and Provide Input on Proposed Goals and Objectives for the Environmental Justice Advisory Group (EJAG) for 2010 – Mr. Sadredin said EJAG's business was moved back on the CAC agenda, with sub-headings for various items, due to comments made during last month's CAC meeting and based on direction from

the Chair. He requested to hear from CAC members if this format is acceptable and if so, the information will be presented in this manner for future meetings.

Regarding EJAG's goals and objectives, Mr. Sadredin said that after evaluating EJAG, one recommendation was for EJAG to each year come up with their own goals and objectives, as well as an action plan for meeting those goals and objectives, in order to facilitate better focus and better organization. These goals and objectives would then dictate their agenda for the coming year. The Governing Board delegated the APCO with the final authority for approval with input and in consultation with the CAC.

Mr. Sadredin said EJAG developed their goals and objectives for 2010, which he made some modifications to before taking them back to EJAG for approval. The final goals and objectives, which include his changes that were approved by EJAG, are included in the "Environmental Justice Advisory Group (EJAG) 2010 Goals, Objectives, and Action Plan" handout that is included in CAC members' packets. Mr. Sadredin then reviewed the information provided on the handout and requested CAC members' input.

Mr. Williams asked if the goal and objective for EJAG developing letterhead and business cards had been removed, as it was not on the list. Mr. Sadredin stated it was removed from the list because it is not an EJAG goal and objective, but rather a task for the District to work on providing EJAG with badges, business cards, and letterhead.

Due to interest expressed by CAC members regarding goal and objective 3, Mr. Sadredin suggested EJ maps be placed on the CAC agenda, in order to discuss the maps and how they were developed and how the District uses them.

Mr. Cunha requested CAC members forward their thoughts and ideas to Mr. Sadredin.

Public comment: No public comment.

b. Select One Member from Each Interest Group for Appointment by the Governing Board to EJAG as Alternate Members - Mr. Sadredin stated Mr. Williams recommended this item, in order to increase CAC's attendance at EJAG meetings. Mr. Sadredin said the final appointments would require approval by the Governing Board. Mr. Cunha said each interest group was asked during last month's meeting to nominate an alternate. Mr. Williams volunteered for the Industry/Ag group; Ms. Sharpe volunteered for the Environmental group; and there were no volunteers from the City group.

Public comment: No public comment.

Moved: Deming

Seconded: Rawling

Ayes: Cunha, Clark, Jones, Horal, Durham, Hoffdahl, Savage, Williams, Sharpe, Deming, Rawling, Green, Tristao, Broughton, Santana

Nays: None

Motion passes unanimously to recommend Mr. Williams to EJAG as the alternate Industry/Ag representative and Ms. Sharpe to EJAG as the alternate Environmental representative to EJAG for appointment by the Governing Board.

c. Approve Recommendation for Appointment to the District Environmental Justice Advisory Group – Mr. Sadredin said there were two applicants who were interviewed and recommended by the appointment subcommittee to fill vacancies on EJAG: Liza Bolanos and Marvin Dean; however, Ms. Bolanos subsequently withdrew her application. He stated today's recommendation is for CAC to approve Marvin Dean to serve as an ethnic small business representative on EJAG. If approved by CAC, the recommendation will go before the Governing Board for appointment.

Ms. Sharpe said she was involved in the interview process and thinks Mr. Dean is very qualified. She stated he has been on the Hearing Board in the South Valley; therefore, he is familiar with the Air District.

Mr. Savage suggested in the future CAC discuss how recommendations for board members should come to the CAC for approval, because the amount of information provided in the staff report is not fully adequate to make a determination. He suggested the report include resumes or other relevant details, in order for CAC to make a more informed decision. Mr. Cunha agreed, stating the information should be received prior to a scheduled meeting and included within CAC members' packets.

Public comment: No public comment.

Moved: Sharpe
Seconded: Deming
Ayes: Cunha, Clark, Jones, Horal, Durham, Hoffdahl, Savage, Williams, Sharpe, Deming, Rawling, Green, Tristao, Broughton, Santana
Nays: None

Motion passes unanimously to approve recommendation for appointment of Mr. Dean as an ethnic small business representative on the District's Environmental Justice Advisory Group.

d. Report from Environmental Justice Advisory Group (EJAG) - "Report on District Environmental Justice Advisory Group (EJAG) Activities" was provided in CAC members' packet. Ms. Kelly-Ortega stated Mr. Sadredin had explained a large portion of the report earlier and she confirmed that the goals and objectives were reduced from the original draft, making the goals and objectives more doable. She thanked CAC for their comments. She then stated, as indicated on the highlights sheet, EJAG's meeting dates and times for the remainder of the year will change to Wednesdays at 5:30 p.m. starting in June. Ms. Sharpe commented EJAG has accomplished a lot in a short time and the new meeting schedule would be a positive change.

Public comment: No public comment.

11. Outreach and Communication Report – Ms. Holt said the District is supporting a number of activities up and down the Valley this month, because May is National Bike Month and Air Quality Awareness month. She said on Wednesday, May 5, there will be a Mall-to-Mall bike ride and Bike to Work week is May 18 – May 21. Ms. Holt stated there will be events going on in Stockton, Modesto, Tracy, Atwater, Merced, Fresno, Kern, Bakersfield, and Tulare. She said the District is still working with Kings and Madera County to try and get them involved. She asked CAC members who know of bicycle enthusiasts who live in those two counties to pass that information on to the District.

Ms. Holt reiterated the information Mr. Sadredin had provided earlier regarding the conference on particulate matter. She stated the conference starts at 9:00 on June 9 (9:00-10:00 Registration and Continental Breakfast; 10:00-10:30 Welcome & Conference Overview) and ends at approximately 4:00 on June 10. Ms. Holt advised the District has some great partnerships and sponsors; therefore, there are scholarships available, which are based on economic need.

Ms. Holt said there are a few vouchers left for the District's lawnmower program. If CAC members know of people who want to exchange their gas powered lawn mower for an electric one, have them contact the District.

Ms. Rawling thanked Ms. Holt and her staff for participating in the Earth Day event, which was re-scheduled to this Friday, May 7. Ms. Rawling said today is World Asthma Day. Ms. Rawling thanked the District for supporting the biking efforts in Merced, as there are a number of biking activities, including the bike coalition, and the new bike advisory commission.

Public comment: No public comment.

12. Member Comments and Suggestions to be Included in the Presentation of the Report During the Governing Board Meeting on May 20, 2010 – Mr. Tristao requested ARB give a report to CAC on greenhouse gas and Cap-And-Trade. Mr. Lindberg said he will make a request and coordinate with Mr. Sadredin for this item to be placed on an agenda. Mr. Cunha told Mr. Lindberg that CAC will forward a presentation, via email, on the Williamson act to him. He stated the presentation was presented directly to the governor and focuses on the importance of the Williamson Act.
13. Volunteer to Present Report During Governing Board Meeting - Mr. Cunha will present the report to the Governing Board on May 20, 2010.

Meeting adjourned at 12:07 p.m.

NEXT MEETING: The next CAC Meeting is scheduled on Tuesday, June 1, 2010.