

Action 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, June 1, 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 10:05 a.m.
2. Roll Call - was taken and a quorum was present to hold a meeting.

<u>County</u>	<u>Member Name/Interest Group</u>	<u>Location</u>
Fresno	Manuel Cunha/IAIG (P)	Central
	Sarah Sharpe/EIG (A)*	Central
Kern	Brent Green/CIG (P)	Southern
Kings	Riley E. Jones/IAIG (P)****	Central
	Dennis Tristao/CIG (P)****	Central
Madera	Donald Horal/IAIG (P)****	Central
	Lee Smith/EIG (P)	Northern
Merced	Tim Durham/IAIG (P)***	Northern
San Joaquin	Wade Broughton/CIG (P)****	Northern
	Roger Hoffdahl/IAIG (P)**	Northern
Stanislaus	Richard Gibson/EIG (P)	Northern
Tulare	Derek Williams/IAIG (P)	Central
	Christine Foster/EIG (P)	Central

\*Sarah Sharpe arrived at 10:08 a.m. and departed at 12:18 p.m.

\*\*Roger Hoffdahl arrived at 10:17 a.m. and departed at 12:08 p.m.

\*\*\*Tim Durham departed at 12:08 p.m.

\*\*\*\*Riley Jones, Dennis Tristao, Donald Horal, and Wade Broughton departed at 12:18 p.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; George Heinen, Supervising Air Quality Engineer; Dr. David Lighthall, Health Science Advisor; Scott Nester, Senior Projects Manager; Jessi Fierro, Senior Air Quality Specialist; Rich Burt, Communication Systems Analyst; Angie DeSantiago,

Clerk to the Board; Michelle Franco, Operations Supervisor; Maricela Velasquez, Senior Public Information Representative.

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 May 4, 2010 – Minutes approved with no changes.  
Public comment: None.
4. Public Comments – None.
5. Chair Comments – Mr. Cunha stated there will be no CAC meeting in July and for the August meeting, he will be in the Modesto District office.
6. Executive Director/APCO Comments – Mr. Sadredin acknowledged the outgoing Clerk to the Boards, Angie DeSantiago, for 18 years of service. Ms. DeSantiago is retiring on June 3rd. He stated during the last Governing Board meeting, Ms. DeSantiago was presented with a plaque as a small token of appreciation by the District. Mr. Sadredin introduced the new Clerk to the Board, Michelle Franco. He explained Ms. Franco went through an extensive recruitment process, competing with other well-qualified individuals, and she was selected as the best qualified person for the position. Mr. Sadredin expressed confidence in Ms. Franco's ability to carry out the tasks in her new position and reiterated the District's appreciation for Ms. DeSantiago's service to the District. On behalf of the CAC members, Mr. Cunha thanked Ms. DeSantiago for all her assistance with CAC matters and welcomed Ms. Franco.

Mr. Sadredin stated one of the major items on the last Governing Board meeting agenda was the District's 2010-11 Budget, which begins July 1<sup>st</sup>. He explained the District, by law, must hold two public hearings on the Budget, and the purpose of this first hearing was to receive public comment. Mr. Sadredin said the District is making a number of changes in terms of staffing and re-organizing, including consolidating some departments, in order to generate savings and improve efficiency. Regarding consolidating departments, Mr. Sadredin explained the District merged the old Planning Department with the Incentive and Grant Program to form a new department called Strategies and Incentives with Samir Sheikh as the Director. This merger resulted in the elimination of the Director of Planning position. The previous Director of Planning, Scott Nester, will now assume a new position as Senior Technical Projects Manager. This new position will allow the Senior Technical Project Manger to more efficiently serve the needs of various departments. Mr. Sadredin stated he was also eliminating his Executive Secretary position as of July 1<sup>st</sup>, with duties assumed by the OPS Team and new Clerk to the Boards. He said he hoped this transition will be a seamless process in regards to communicating with his office; however, he invited

CAC members to provide input and solicited their reaction as the District moves forward with this change.

Mr. Sadredin advised that the Governing Board has hired an actuary to review options to reduce the District's retirement costs. Options to reduce costs in this area, which would need to be negotiated with the labor union, include a second tier system for new employees, as well as potential increases in the employees' contribution rate.

Although Mr. Sadredin provided a highlight of Budget items, he encouraged CAC members to review the Budget, as it contains a number of other changes. He stated the Governing Board will take action on the Proposed Budget on June 17<sup>th</sup>.

Mr. Sadredin stated another major item on the Governing Board agenda in May, was the District's Rule 4103 (Open Burning). Although most types of agricultural burning have been prohibited for several years, burning is still allowed for a few crop types where there was no economically feasible alternative. Mr. Sadredin provided an overview SB 705, introduced in 2004 by Senator Dean Florez, stating the Bill has a provision which allows the deadlines for prohibiting the burning of the few remaining crop types to be postponed. He explained that if the District makes a finding that economically feasible alternatives to open burning are not available, and if the Air Resources Board agrees with the District, then those prohibitions can be postponed until those conditions no longer apply. Mr. Sadredin stated the District went through an extensive process and worked with ARB, the U.S. Department of Agriculture, the Ag Commissioners, and a number of other stakeholders and developed a comprehensive report on this issue. This comprehensive report, which proposed additional prohibitions for some crop types, but also proposed that the deadline for prohibition be postponed until an economically feasible alternative becomes available for two crops, citrus and grape orchard removals, was approved by the Governing Board. Mr. Sadredin explained the limited burning that would continue to be permitted for these two crops would be done under the strict Smoke Management System the District already has in place, which ARB has indicated the District's smoke management system is a model for the rest of the state.

Mr. Sadredin stated ARB held a hearing on this matter on May 27<sup>th</sup>. He indicated Senator Florez had requested ARB delay concurring with the District for 60 days in order to allow the Senator to hold a hearing in which to possibly produce evidence that would compel ARB to not concur with the District. Mr. Sadredin attended the ARB hearing, as well as Mr. Cunha, Shirley Batchman from California Citrus Mutual, and Mark Arax, who represented Senator Florez. During that hearing, Mr. Sadredin stated he suggested, instead of ARB delaying action for 60 days as requested by Senator Florez, that ARB agree with their staff recommendation to concur with the District, then ARB could provide Senator Florez the opportunity to present any evidence supporting why the deadlines should not be postponed to ARB at a later date and ARB could then decide if any changes needed to be made. Mr. Sadredin stated ARB agreed with the District's position and unanimously voted to concur with the District. ARB also gave

the Senator 60 to 90 days to present new information to substantiate why the deadlines should not be postponed.

Mr. Sadredin said the District's 2010 Ozone Mid-Course Review will be presented during the next Governing Board meeting. He explained the main focus of the report will be to essentially set the stage for the next round of ozone planning, as there is a new standard EPA is working on, which would require the District to develop another plan to reduce ozone. The District expects a proposal in August from the EPA on the standard, as well as how the EPA plans on implementing it. Mr. Sadredin explained the current ozone standard is 85 parts per million and the standard could be set as low as 60 parts per billion. This will require another 80 to 90 percent reduction in NOx emissions. For the San Joaquin Valley and South Coast to reach these new reductions, it could require the elimination of all fossil fuel combustion.

Mr. Sadredin said EPA is establishing the process of how to classify a region as severe or extreme. He stated there are two or three options under consideration: the San Joaquin Valley being classified as "serious," meaning a 2027 deadline; or classified as "extreme," meaning a deadline of 2031. In August, the EPA's proposal will identify what classification the District will take, and Mr. Sadredin encouraged CAC members to review the proposal when it is made available.

Mr. Sadredin stated the District will suggest to the Governing Board to postpone the requirements related to Rule 4905 (Natural Gas-Fired, Fan-Type Residential Central Furnaces) for two years, as technology needed to meet more stringent standards is not yet commercially available. During this time period, the District will work with the South Coast Air District on research and technology advancements needed for this rule.

Mr. Sadredin said the District will also be taking a proposal to the Governing Board for the Clean Green Yard Machine Program (Lawn Mower Replacement Program). He stated the District has \$417,000 for this program, which was funded by AB 118 (Alternative and Renewable Fuel and Vehicle Technology Program). Mr. Sadredin provided information as to the program and how people can participate.

Mr. Sadredin stated ARB will present their plans for Proposition 1B allocations to their Board in June. He said the San Joaquin Valley will receive a fair share of Central Valley contributions and will actually receive more money for truck replacements and retrofits than any other region in the state. In addition, the District will also receive some funding for locomotive replacements.

Mr. Gibson said he had recently received several phone calls from farmers who have 100 plus acres who were requested to pay \$40 for burn permits. Mr. Gibson inquired as to why these farmers, who have neither citrus nor grape crops, were requested to pay money for burn permits. He also asked if there were periods in the year in which it was permissible to move fallen trees to the side of the road and burn them. Mr. Sadredin explained for some crop types there are still some limited burning that is

allowed and if a farmer has a permit then there is a permit fee. However, if a permit is not needed, if a farmer does not intend to burn, the permit can be cancelled. Mr. Sadredin also explained that for some crops the burn limit is the total acreage the farmer wants to burn, not the size of the farm. Mr. Cunha interjected that there are two burn permit fees: one for location (one site), which is \$26; and one for multiple sites, which is \$46.

Regarding the discussion concerning the District's Rule 4103 (Open Burning), Mr. Williams asked if citrus could still be burned. Mr. Sadredin stated because there is, at this time, no economical feasible alternative, citrus orchard removals (not prunings) could still be burned.

Ms. Sharpe said the CAC may want to weigh in on ARB's upcoming Clean Cars regulations by supporting the position that reduces harmful emissions from new cars and making new cars as clean as possible. She stated ARB will be working on regulations and, she believed, would be making decisions in January.

Mr. Cunha stated he had read an article describing the new standard that EPA is proposing, which indicated EPA is spending \$20 million with the South Coast Air Basin to conduct studies on background emissions approximately 200 miles off-shore. Mr. Sadredin stated that San Joaquin Valley is going to be a big part of that study as well. He explained it is a joint study, called CalNex, that ARB and the National Oceanic and Atmospheric Administration are sponsoring. Mr. Sadredin then provided a brief overview of the study.

Public comment: None

7. Rules Under Development – Mr. George Heinen, Supervising Air Quality Engineer, provided a brief update. A "Summary of Draft Rules and Plans," dated June 1, 2010, was provided to CAC members in the Agenda packet.

Regarding Rule 4103 (Open Burning), Mr. Heinen reiterated Mr. Seyed's earlier comment that the Board had approved the District's report on Rule 4103 and added that the District will be conducting outreach for this rule. He advised the District has a one page summary on Rule 4103 (Open Burning), which CAC members could review, and there is also a 500 page report.

Mr. Smith asked about the status of a recent proposal for the District to begin performing Prevention of Significant Deterioration analysis. Mr. Sadredin stated the PSD is still under consideration and the District is soliciting input from affected stakeholders.

Public comment: None

8. ARB Comments – Jeff Lindberg, Air Resources Board Representative, introduced Ms. Lucille Van Ommering, an ARB manager in the office of Climate Change, who provided an informational presentation on the Cap-and-Trade program.

Mr. Cunha reminded members this was an information item only and advised ARB has a planned workshop on this item, which will provide more detailed information; therefore, he limited the amount of time for CAC members' comments and questions. He stated he hoped CAC members, as well as EJAG members, would attend the workshop. During the discussion, Ms. Van Ommering briefly explained Cap-and-Trade, the Western Climate Initiative, offset credits (also known as "allowances"), objectives, regulations, and other issues as well as the Cap-and-Trade rulemaking schedule.

Mr. Williams suggested this topic be placed on a future CAC agenda, perhaps an action item, where CAC could consider forming an ad-hoc committee to examine this issue closely.

Public comment: None

9. Update on the Efforts to Develop a CAC Action Plan for CAC Assistance with the ETRIP Rule 9410 Implementation – Jessi Fierro, Senior Air Quality Specialist, provided an update on the District's on-going outreach efforts for the ETRIP Rule. She also expressed appreciation for the continued email communications with CAC members and encouraged members to continue to contact the District with ideas and opportunities to conduct additional outreach regarding this rule.

Ms. Fierro reiterated the deadline is July 1 for registration. She stated the District acted on CAC members' suggestions to present information at County Board of Supervisors meetings. Thus far, the District has been placed on the agenda for 5 out of the 8 counties; presentations have occurred already for Tulare and Madera County and presentations are scheduled for Kings, Stanislaus and Kern Counties. Ms. Fierro stated an orientation was also presented to members of the agricultural community last week.

Ms. Fierro said the District will be holding an ETRIP registration assistance workshop on June 16<sup>th</sup> at 2 p.m. at all three District offices. The focus of the workshop will be to answer questions and assist with registration. Computers will be set up and District staff available in order to get employers registered. The District will be sending out a Compliance Assistance Bulletin reminder to everyone on the District's mailing list, which will include information about this opportunity. In addition, the District issued a press release to Valley media today, highlighting this workshop and reminding people to register by July 1<sup>st</sup>. It is requested anyone interested in attending this workshop to RSVP by email ([tripreduction@valleyair.org](mailto:tripreduction@valleyair.org)) or by calling one of the District's offices. Ms. Fierro also stated an ETRIP registration video, providing instructions on how to register, will be posted on the District's website later this week or early next week.

Public comment: None

10. Preview of District PM Conference - Brochures were provided to CAC members. Dr. David Lighthall, Health Science Advisor, provided an overview of the "Particulate Pollution in the San Joaquin Valley: Translating Science into Policy" Air Quality Conference scheduled for June 9 and 10, 2010 at the Holiday Inn Downtown Conference Center, Fresno.

Dr. Lighthall said some of the top particulate matter scientists have been invited to speak at the conference. A series of presentations will be offered, including presentations on research that is just unfolding here in the San Joaquin Valley. In addition, at the conclusion of the conference, there will be a policy makers' discussion, which will be attended by Mr. Sadredin, members from ARB, and from the EPA's Region 9 (Southwest Region), which will discuss some of the implications of the findings as we move forward trying to address some of the difficult standards, as well as trying to reduce health effects.

Mr. Sadredin stated some Governing Board members will be attending and encouraged CAC members to attend, as the District will soon begin the plan developing process for the new PM2.5 standard and it is essential to have a good knowledge base that this conference will provide.

CAC members were informed that scholarships are available for the conference fee if the cost is an issue.

Public comment: None

11. Update on District Efforts to Develop Additional Fast Track Measures to Expedite Attainment of Air Quality Standards – Scott Nester, Senior Projects Manager, presented a power-point presentation, providing a brief background on the Fast Track program, which included the following topics: strategy for ozone attainment, Fast Track measures, deliverables, tentative schedule, alternative energy, green procurement, and urban heat island mitigation.

Regarding the green procurement, for items that are not proven technology, Mr. Durham asked if there are programs the District has or can develop that might help companies with hybrid vehicles, for example - things to replace yard shuttles. Mr. Nester stated those are the kinds of ideas the District wants to hear about. He expressed he would like to discuss this matter further with Mr. Durham. Ms. Foster suggested the District contact the Urban Tree Foundation, in the Visalia area, a non-profit agency.

Mr. Nester advised, for now, he would be the one to be contacted regarding ideas and suggestions.

Public comment: None

12. Environmental Justice Advisory Group (EJAG) Business –

a. EJAG Highlights – “Report on District Environmental Justice Advisory Group (EJAG) Activities” was provided in CAC members’ packet. Mr. Terhune provided a brief update on the last EJAG meeting, which included the need to improve attendance.

Mr. Williams thanked Mr. Terhune for his hard work and also acknowledged Mr. Jones’ and Ms. Kelly-Ortega’s efforts and hard work as members of EJAG.

Public comment: None

b. Chair to Appoint CAC Members to Form a Joint Ad-Hoc Committee with EJAG to Plan Teambuilding Workshop/Retreat – Mr. Sadredin stated CAC and the Governing Board approved this item in order to build trust and more effective working relationships between CAC and EJAG. He explained part of the planning process was for the formation of an ad-hoc committee, which would develop the agenda and how the retreat would be conducted. Mr. Sadredin stated the Chair has the authority to appoint CAC members to the committee or the Chair could solicit volunteers. Mr. Sadredin suggested 3 CAC members, one from each interest group, serve on the ad-hoc committee.

Mr. Durham, representing the Industry/Ag Interest Group, volunteered and Ms. Sharpe, representing the Environmental Interest Group, volunteered. There was not a volunteer from the City Interest Group; therefore, Mr. Cunha appointed Mr. Dhaliwal. Mr. Cunha stated he would also participate in the ad-hoc committee.

Public comment: None

c. Select One Member from CAC City Interest Group for Appointment by the Governing Board to EJAG as an Alternate Member – Mr. Sadredin reiterated the earlier concern expressed by Mr. Terhune regarding EJAG’s attendance. He said one of the solutions CAC came up with, and implemented, was to appoint alternate members for the CAC representative. During the last CAC meeting a representative from the Environmental Interest Group and the Industry/Ag Interest Group volunteered to serve as alternates to sit on the EJAG committee. An alternate from the City Interest Group is still needed.

Since no City interest group member present volunteered, Mr. Cunha stated he and Mr. Tristao would work on this matter to get it resolved.

Mr. Terhune thanked the Chair for creating a sense of urgency for this item.

Public comment: None



13. Outreach and Communication Report – Mr. Sadredin stated he and a number of his colleagues from other Air Pollution Control Districts would be meeting with the American Lung Association in Oakland on June 3<sup>rd</sup>. The purpose of the meeting will be to discuss the American Lung Association’s annual report, which basically gives an “F” grade to almost everybody for air quality. It is because of this simplistic approach that no one pays a great deal of attention to their report. The American Lung Association has expressed some interest in perhaps making some changes to their report. Mr. Sadredin advised he would provide an update to the CAC in the future.

Ms. Velasquez stated the deadline to register for the Particulate Matter Air Quality Conference is June 4<sup>th</sup>. She advised scholarships were still available and could be obtained by contacting the District’s Outreach and Communication Department.

Ms. Velasquez said the District sent out a press release last week regarding the three EJAG vacancies – the At-Large County Representative for Fresno, At-Large County Representative for Tulare, and the Ethnic-Small Business Owner seat. She stated there may also be vacancies coming up this year, as current members’ terms expire; therefore the District is accepting general applications as well as acclamations for re-appointments. She indicated the deadline to turn in applications is June 25<sup>th</sup>.

Ms. Velasquez advised the District still has vouchers available for the lawn-mower trade-in program. To receive a voucher, contact the Outreach and Communication Department.

Ms. Velasquez thanked everyone who made the May Bike Month a success in all the counties that participated.

Mr. Williams suggested if any current EJAG members re-apply for membership on EJAG that their attendance over the last 14 to 15 months be reviewed by the new selection committee.

Public comment: No public comment.

14. Member Comments and Suggestions to be Included in the Presentation of the CAC Report During the Governing Board Meeting on June 17, 2010 – None.
15. Volunteer to Present Report During Governing Board Meeting – Mr. Cunha will present to the Governing Board on September 16th.

Meeting adjourned at 12:19 p.m.

NEXT MEETING: The next CAC Meeting is scheduled on Tuesday, August 3, 2010.