

Action Summary Minutes  
**San Joaquin Valley Unified Air Pollution Control District**

**CITIZENS ADVISORY COMMITTEE**

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

**June 5, 2012**  
**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, Amarpreet Dhaliwal, called the meeting to order at 10:01 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	Amarpreet Dhaliwal/CIG (P)	Central
	Sarah Sharpe/EIG (P)	Central
Kern	Les Clark/IAIG (P)*	South
	Carolyn Temple/EIG (P)	South
	Brent Green/CIG (P)	South
Kings	Dennis Tristao/CIG (P)	Central
Madera	Donald Horal/IAIG (P)	Central
	Lee Smith/EIG (P)	North
Merced	Tim Durham/IAIG (P)	North
San Joaquin	Roger Hoffdahl/IAIG (P)	North
Stanislaus	Richard Gibson/EIG (P)	North
Tulare	Derek Williams/IAIG (P)**	Central

\*Mr. Clark arrived at 10:25 am

\*\*Mr. Williams arrived at 10:04 am

*(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; Brandon Swedblom, Network Systems Analyst; Michelle Franco, Deputy Clerk of the Boards; Jaime Holt, Chief Communications Officer; Samir Sheikh, Strategies and Incentives Director; Errol Villegas, Strategies and Incentives Program Manager; Dave Warner, Permit Services Director; Daniel Barber, Supervising Air Quality Specialist, Arnaud Marjollet, Permit Services Manager; Carol Flores, Operations and Program Support Supervisor

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

Staff Present in the Southern Region Office (Bakersfield) –Nannette Diaz,  
Senior Office Assistant

3. Approve Minutes of April 3, 2012 – The minutes were approved with no changes.
4. Public Comments – None
5. Chair Comments – Mr. Dhaliwal acknowledged the members present and encouraged more participation from CAC members.
6. Executive Director/APCO Comments – Seyed Sadredin, Executive Director/APCO updated the members on the Public Hearing for the District's Recommended Budget for 2012-13. He noted the District is once again not increasing fees despite the increased workload which is being absorbed through streamlining and efficiency. Mr. Sadredin explained the Board also reviewed the spending plan for District grant programs, including recommendations from the EJAG Grants Subcommittee for the expenditure of \$10 million in DMV fees.

Mr. Sadredin reported that a request for proposal (RFP) process was completed for public benefits grants which are aimed at public agencies and municipalities to assist with public projects that will reduce air pollution. He noted there will be approximately 8 projects in the area of advanced transit and transportation that will be brought before the Governing Board for consideration and approval at a future meeting.

Mr. Sadredin discussed a recent court ruling involving South Coast AQMD regarding Vehicles Miles Traveled (VMT). He reported the court ruled South Coast AQMD's plan did not adequately mitigate the VMT increases in their region. He explained that historically EPA, ARB and air districts addressed this requirement by considering the overall emissions from vehicles, and if the emissions are being reduced then the requirement is satisfied. Mr. Sadredin reported the court ruling stated the actual vehicle miles increase must be reviewed and mitigated. He commented a strict reading of the ruling would mean South Coast would have to eliminate all of the cars in Orange County in order to meet the requirement. He added under one strict interpretation of this ruling, the San Joaquin Valley could have to remove about 6 million vehicles off the road (when the Valley only has about 4 million vehicles) so it would not be possible for the Valley to meet the requirement. Mr. Sadredin reported EPA has a new interpretation

of the court ruling that would make the requirement achievable, but the new approach probably will be subject to further litigation. Mr. Sadredin stated this regulation applies to areas with severe and extreme ozone non-attainment status and under this new interpretation it is possible to utilize credit for various transportation control strategies that lead to vehicle turnover. He gave the example if the ARB truck rule requires early replacement of vehicles there would be credit for those reductions.

Mr. Sadredin reported the District will be creating a new 1-Hour Ozone Plan to submit to EPA. He explained a plan was submitted to EPA in 2004, but the mobile source inventory in the plan became out of date prior to their response because so much time had elapsed since the initial submittal. He indicated that a new mobile source inventory and control measures from the 2007 8-Hour Ozone Plan would be included in the new 1-Hour Plan.

Mr. Sadredin also discussed the abnormal weather conditions on Friday, June 1, 2012 including a 1-Hour Ozone violation in Parlier which occurred at 6 pm. He commented this is actually an improvement because Parlier used to have several violations each summer. He noted the violation is another indication of school traffic and weather conditions as the main sources of 1-Hour Ozone violations.

Mr. Tristao asked for specifics on the court case regarding transportation. Mr. Sadredin responded information can be found in the May 2012 Study Session agenda items. Ms. Sharpe asked why the District did not have more outreach regarding the abnormal weather conditions on June 1st. Mr. Sadredin explained the District's three-faceted approach: to educate the public to change their behavior on an ongoing basis, to notify schools and the public utilizing the RAAN program to help protect health, and the Air Alert program to assist with meeting the 1-Hour Ozone standard. He described the previous Spare the Air Day program which sent out daily cautions and noted the public became indifferent to the constant notifications so as to not change their behavior. He also reviewed facets of the RAAN program and the Air Alert Program. Ms. Sharpe acknowledged that all the programs are good but suggested the District should make some sort of outreach attempt during an exceptional event such as the wind storm. Mr. Sadredin noted there was a cautionary press release issued for the recent wind storm.

Public Comment: None

7. Rule and Plan Updates – Errol Villegas, Strategies and Incentives Program Manager, reported the 2012 PM2.5 Plan development is in process. He stated staff is working with EPA and ARB on the foundational aspects of the plan including modeling inventory updates. He reported public workshops

were held in April 2012 including a technical symposium with ARB. Mr. Villegas noted staff met with CVAQ and are looking forward to meeting with interested stakeholders.

Public Comment: None

8. Verbal Report from California Air Resources Board (ARB) – Elizabeth Melgoza, Air Resources Board (ARB) representative, reported ARB held a meeting on May 24<sup>th</sup>, during which a panel of climate change and policy experts briefed the Board on the latest research findings on potential benefits of reducing short lived climate pollutants such as methane and black carbon. She added the panel also discussed US and global initiatives to reduce these pollutants. She reported the Board also announced the recipients of the 2011 Haagen-Smit Clean Air Awards. She explained the award is presented annually to individuals in the air quality community who have made significant contributions towards improving air quality and public health. Ms. Melgoza reported at the June 28<sup>th</sup> ARB meeting, the Board will consider a draft report on a vision for clean air for 2012-2050, air pollution research for 2012-13 and the AB118 Air Quality Improvement program funding plan for 2012-13. She added the Board will also consider amendments to the California cap on greenhouse gas emissions in market based compliance mechanisms to allow for the use of compliance instruments issued by link jurisdiction.

Ms. Sharpe requested information regarding the Cap-and-Trade workshop. Ms. Melgoza responded she did not have information but will present at the next CAC meeting.

Public Comment: None

9. Consider Position on Extraweight Truck Pilot Program –Mr. Sadredin stated heavy-duty trucks are the single largest source of nitrogen oxides (NO<sub>x</sub>) in the Valley. He explained that in 2009, the California League of Food Processors (CLFP) approached the District with a proposal to raise the federal highway weight limit. He added CLFP claims that allowing trucks to carry more weight would effectively add a 25% payload to each truck therefore reducing the number of trucks on the road and consequently lowering emissions. Mr. Sadredin reported the legislation to increase the truck weight efforts were unsuccessful. He explained the District has again been approached by CLFP to support an Extraweight Truck Pilot Program. He added the study would ascertain the impacts of a greater weight limit. Mr. Sadredin commented the District's support for the pilot program would be conditional upon satisfying other concerns that the public may have regarding safety and maintenance issues. He noted the study is designed to document mileage, fuel usage, routes that can handle the added weight,

emissions and safety issues. Mr. Sadredin stated the recommendation is to support CLFP efforts in developing the study and to have the District provide in-kind technical support to quantify emissions benefits and ensure the study is created to look at other issues and concerns.

Mr. Durham stated he would support this study due to several older, higher polluting vehicles on the road during the peak agricultural hauling season. Mr. Green stated concerns with the maintenance of the roads and safety issues. Mr. Tristao commented the Valley is in extreme non-attainment and stated he would recommend the District to support the CLFP Pilot Program. Mr. Sadredin clarified the District's only involvement in the study is to quantify the emissions benefits.

Public Comment: None

*Moved:* Tristao  
*Seconded:* Dhaliwal  
*Ayes:* Horal, Durham, Hoffdahl, Williams, Smith, Gibson, Sharpe, Dhaliwal, Tristao  
*Nays:* Clark, Temple, Green  
*Abstention:* None

***While the majority of CAC members from all three interest groups (City, Industry/Ag and Environmental) voted to support the proposal in a nine to three vote, only three members of the City interest group were present and only two supported the proposal, so the motion did not pass. (CAC bylaws require at least three votes from each interest group to pass a motion) .***

10. Environmental Justice Advisory Group (EJAG) Business –

**a. Verbal Report on EJAG Activities:** Mr. Derek Williams, Tulare County At-Large Representative, reported the Grants Subcommittee finalized their recommendations for Grant programs. Mr. Williams reported the EJAG re-elected Sandra Celedon-Castro for another term as Vice Chair.

**b. Reappoint Sarah Sharpe, CAC Environmental Alternate to EJAG:**

Public Comment: None

Moved: Williams  
Seconded: Tristao  
Ayes: Clark, Horal, Durham, Hoffdahl, Williams,  
Sharpe, Temple, Smith, Gibson, Dhaliwal,  
Green, Tristao  
Nays: None  
Abstention: None

**Motion unanimously passed to reappoint Sarah Sharpe as the CAC Environmental Alternate to EJAG.**

- c. Appoint CAC City Interest Group Representative to EJAG Appointment Subcommittee:** Mr. Sadredin explained the EJAG By-Laws require an EJAG Appointment Subcommittee with six members. He stated a proposed amendment will be brought before the Governing Board to allow for more flexibility due to issues obtaining the required members for the Appointment Subcommittee.

Mr. Dhaliwal appointed Brent Green, CAC Kern County City Interest Group Primary member to the EJAG Appointment Subcommittee.

- d. Review and Provide input on EJAG Recommendations for Emissions Reduction Grants in EJ areas:** Mr. Williams reviewed the recommendations from the Grant Subcommittee:
- i. School Bus:  
That \$3 million be set aside and allocated for the replacement of school buses in Environmental Justice (EJ) areas/districts as defined by the EJ maps of the District, with \$1 million to each of the District regions.
  - ii. Refuse Collection Vehicles:  
That \$3 million be set aside and allocated for the replacement or retrofitting of privately-owned refuse collection vehicles based on operating not less than 75% in EJ areas as defined by the EJ maps of the District, with \$1 million to each of the three regions.
  - iii. On-Road Heavy Duty Vehicles:  
That \$3 million be set aside and allocated for the retrofitting or replacement of on-road heavy duty trucks for fleet operators, and/or to provide additional funding for certain

small fleets or single-owner operators based and operating not less than 75% in EJ areas as defined by the EJ maps of the District, with \$1 million to each of the Districts regions.

iv. Light-Duty Passenger Vehicles:

That \$1 million be set aside and allocated for Tune In, Tune Up voucher program specifically within EJ areas as defined by the EJ map of the District. Said funds to be matched by San Joaquin Valley Air Pollution Control District. Program shall be designed to increase voucher amount to a maximum of \$1,000 per voucher. Funding shall be divided evenly among each of the three regions within the District.

Mr. Dhaliwal asked if the funding would be distributed equally to all three regions within the District. Mr. Sadredin explained some areas may have additional funding so the total funding may be more than stated in the recommendations. He noted school bus funding was discussed at a Governing Board meeting to clarify if legislation changes and school districts no longer use buses, the funding will be re-distributed accordingly. He added the funding for school buses is to prevent exposure and health risk to children who ride the buses, not because the buses are a major contributor of emissions.

Mr. Clark asked who makes the final decision on which school awards of school bus funds. Mr. Sadredin explained there is a formula in the grant program which would provide funding to the most polluting bus first.

Public Comment: None

Moved: Williams

Seconded: Durham

Ayes: Clark, Horal, Durham, Hoffdahl, Williams, Sharpe,  
Temple, Smith, Gibson, Dhaliwal, Green, Tristao

Nays: None

Abstention: None

**Motion unanimously passed to support EJAG  
Recommendations for Emissions Reduction Grants in EJ  
areas.**

11. Consider Position on Amendments to District Guide for Addressing and Mitigating Air Quality Impacts – Arnaud Marjollet, Permit Services Manager, gave the presentation on this item which proposed revisions for streamlining

processes and incorporating current District policies and practices. Mr. Marjollet reviewed the requirements of a lead agency according to the California Environmental Quality Act (CEQA) including determining significance of environmental effects, implementing feasible mitigation measures and disclosing potential environmental impacts to the public. He explained how the District implements CEQA utilizing a philosophy of providing all tools possible and a streamlined permitting process for the project components. Mr. Marjollet reviewed the Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI) as an advisory document for assessing and mitigating air quality impacts under CEQA. He noted the GAMAQI will assist in lowering overall project emissions and identifying feasible mitigation measures to reduce project specific impacts to less than significant. Mr. Marjollet reported the amendments are recommended by staff to capture what is already in practice.

Mr. Smith requested clarification on the District's position for agencies that do not follow the GAMAQI. Mr. Marjollet explained the lead agency has the ultimate authority but the District will assess and comment on all emission and project impacts according to District standards. Mr. Sadredin added the GAMAQI serves as an aid to agencies that look to the District as a subject matter expert in the field of air quality and serves as a guide for mitigation measures available. Mr. Smith asked if the District has made negative comments on projects that don't follow the GAMAQI. Mr. Sadredin responded the District has made negative comments to lead agencies not following the GAMAQI. Mr. Williams asked if the Cap-and-Trade process is being brought into this guide. Mr. Sadredin explained Cap-and-Trade is not part of this document; however there were court rulings that require land use agencies to review greenhouse gas emissions when evaluating a project. Mr. Williams asked if the District is able to quantify greenhouse gas effects from different types of entities. Mr. Sadredin responded affirmatively. Ms. Sharpe asked for an explanation determining the assignment of lead, responsible or commenting agencies. Mr. Sadredin explained that the agency with the broadest jurisdiction is the lead agency and the District is rarely the lead agency due to the District's scope being limited to air quality. Mr. Dhaliwal asked if other Districts have a GAMAQI. Mr. Marjollet responded affirmatively explaining that a requirement of CEQA is for a lead agency to possess a document like GAMAQI.

Public Comment – None

Moved: Williams  
Seconded: Sharpe  
Ayes: Clark, Horal, Durham, Hoffdahl, Williams, Sharpe, Temple, Gibson, Dhaliwal, Tristao  
Nays: None



Abstention: Smith, Green

***Motion did not pass to support amendments to District Guide for Addressing and Mitigating Air Quality Impacts due to lack of majority vote of support from the City Interest Group.***

12. Outreach and Communications Report – Jaime Holt, Chief Communications Officer, reported the deadline to submit an entry for the For-Reel Video Contest is June 8, 2012. She thanked everyone who participated in the Bike-to-Work events throughout the Valley. Ms. Holt explained enrollment in the HAL Partner program can now be done online. She reported staff is working on the 2012 Annual Report and preparing for several summer programs. Ms. Holt noted it is the 20<sup>th</sup> anniversary of the District's formation this year.

Public Comment: None

13. CAC Member Comments; CAC Member Suggestions To Be Included In The Presentation Of The CAC Report During The Governing Board Meeting on June 21, 2012 – Mr. Smith suggested reporting the actual breakdown of voting results of the motions heard at the CAC meeting to the Governing Board at their June meeting.
14. Volunteer to Present Report During Governing Board Meeting – Mr. Dhaliwal volunteered to present the report during the Governing Board meeting.

Meeting adjourned at 11:33 a.m.

Next Meeting – The next meeting is scheduled on August 7, 2012. The meeting will be held via video teleconference (VTC), with the Central Region Office (Fresno), the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating.