



San Joaquin Valley Air Pollution Control District

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Action Summary Minutes Citizens Advisory Committee Meeting San Joaquin Valley Unified Air Pollution Control District Central Region Office, 1990 E. Gettysburg Avenue, Governing Board Room, Fresno, CA.

Tuesday, August 2, 2005, 10:00 a.m.

Meeting held via video teleconference (VTC) including the Central Region Office (Fresno), the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield).

1. **Call to Order** – The meeting was chaired by the Vice Chair, Chris Savage, who called the meeting to order at 10:07 a.m.
2. **Roll Call** was taken and a quorum was present.

(P) designates Primary Member and (A) designates Alternate Member

<u>County</u>	<u>Member Name/Interest Group</u>	<u>Regional Office</u>
<u>Fresno</u>	(* Kevin Hamilton, Environmental (P)	Central
<u>Kern</u>	Dana Karcher, Environmental (P)	Southern
"	Harry Love, Environmental (A)	Southern
"	Brent Green, City (P)	Southern
<u>Kings</u>	Riley Jones, Industry/Agriculture (P)	Central
"	Kelly Deming, Environmental (P)	Central
"	Dennis Tristao, City (P)	Central
<u>Madera</u>	Don Horal, Industry/Agriculture (P)	Central
"	John Wells, City (P)	Central
<u>Merced</u>	Mary-Michal Rawling, Environmental (P)	Central
"	Dean Wilson, City (P)	Central
<u>San Joaquin</u>	Roger Hoffdahl, Industry/Agriculture (A)	Northern
<u>Stanislaus</u>	Chris Savage, Industry/Ag., Vice Chair	Northern
"	Denny Hoeh, Environmental (P)	Northern
<u>Tulare</u>	David Harrald, Industry/Agriculture (P)	Central
"	Gary Rohman, Industry/Agriculture (A)	Central
"	Christine Foster, Environmental (P)	Central

(* Arrived after Roll Call

Also present in the Central Region Office (Fresno) – David L. Crow, Executive Director/APCO, Seyed Sadredin, Deputy APCO, Roger McCoy, Director of Administrative Services, Scott Nester, Director of Planning, George Heinen, Supervising Air Quality Engineer, Jaime Holt, Public Education Administrator, Jennifer Barba, Senior Air Quality Specialist, Alex Krivobok, Communication Systems Analyst, Colby Morrow, Southern California Gas Company and Sissy Smith, Clerk to the Board.

Also present in the Northern Region Office (Modesto) Jan Ennenga, MCCV and Dottie Shoffner, Senior Office Assistant.

Also present in the Southern Region Office (Bakersfield) – Emily Gonzalez-Demont, Administrative Analyst.

3. **Approve Minutes of Tuesday, June 7, 2005** – The Vice Chair asked if there were any comments regarding the Minutes.

Mary-Michal Rawling stated that the June 7, 2005 minutes reflect the CAC would receive a presentation today on the Biogenic Urban Forestry. Ms. Rawling stated that item is not listed on today's agenda and asked when the CAC could expect to receive that presentation.

Dennis Tristao responded the Biogenic Urban Forestry could be presented at the September CAC meeting.

The Vice Chair requested the Clerk list the Biogenic Urban Forestry presentation item on the September 6, 2005 CAC Agenda.

The Vice Chair declared the Minutes of Tuesday, June 7, 2005 were approved as submitted.

4. **Chair Comments** – No comments.
5. **APCO Comments** – David L. Crow, Executive Director/APCO, reported that the Governing Board did not meet during the month of July 2005. Mr. Crow listed some items that will appear on the August 18, 2005 Governing Board agenda including the revised Air Quality Guidelines for General Plans. Mr. Crow indicated the agenda is not set at this time but there is a possibility the District might have two mitigation agreements to move forward to the Board.

Mr. Crow announced the District in on track to be in attainment of the PM10 Standard by the end of this December.

Mr. Crow announced the District on August 1, 2005 released the dairy emission factor. Mr. Crow stated the next step is for the Dairy Permitting Advisory Group

(DPAG) to start a round of meetings to work on the determination of the Best Available Control Technology (BACT) for the new dairies. Mr. Crow noted that by July 2006 the District Governing Board has the responsibility to adopt a retrofit control rule for existing dairies.

Dennis Tristao commented that the Dairy Emission Factor is a difficult issue to address and he congratulated the Dairy Permitting Advisory Group (DPAG) and the Air District on arriving at an emission factor and taking steps forward.

Christine Foster and Mary-Michal Rawling asked Mr. Crow if the mitigation contracts that are scheduled for the August 18, 2005 Governing Board Agenda will be opened up to the public or the community.

Mr. Crow stated that there will be ample opportunity for all the parties engaged in the land use permitting process and in the CEQA process to review the contracts and the URBEMIS analysis.

Mr. Crow stated the District has also been very involved with Rule 9510 and 3180 which was formally ISR and is now called Decreasing Emissions' Significant Impact from Growth and New development (DESIGN).

Update on SB 999 – Mr. Crow noted the measure has made it through all of the Senate Committees, Policies and Appropriations and the floor vote. Similarly in the Assembly it has made it through two policy committees and after the legislature recess it is scheduled to be considered by the Assembly Appropriations Committee and then to the floor for a vote.

6. **Formation of CAC Ad Hoc Subcommittee – Purpose of subcommittee: Review Regional Hearing Board Applications** – Specifics regarding the formation of the subcommittee were addressed by Seyed Sadredin, Deputy Air Pollution Control Officer and Sissy Smith, Clerk to the Boards.

The following individuals volunteered to serve on the CAC Ad Hoc Subcommittee:

Central Region

Kelly Deming, Environmental Primary Member, Kings County
Kevin Hamilton, Environmental Primary Member, Fresno County

Northern Region

Mary-Michal Rawling, Environmental Primary Member, Merced County
Dean Wilson, City Primary Member, Merced County

Southern Region

Christine Foster, Environmental Primary Member, Tulare County
(*) Les Clark, Industry/Agriculture Primary Member, Kern County

The Vice Chair requested a volunteer to serve as subcommittee Chair to make sure the subcommittee is organized.

Kelly Deming volunteered to Chair the CAC Ad Hoc Hearing Board Subcommittee if the Clerk will assist. Ms. Smith responded affirmative.

(* During this item the Vice Chair requested the Clerk contact Les Clark to inquire of his availability to serve on the subcommittee. Subsequent to the August 2, 2005 CAC Meeting the Clerk contacted Les Clark and asked if he would be interested in volunteering to serve on the subcommittee. Mr. Clark volunteered.

The Vice Chair requested Ms. Deming report back to the CAC when the subcommittee has setup timelines for reviewing applications. The Vice Chair indicated that Ms. Deming's report on timelines would not be returned to the CAC for approval but would serve as an informational report as to how things were proceeding.

7. **Public Comments** – No Public Comments.
8. **Public Education Report** – Jaime Holt, Public Education Administrator, updated the CAC on recent activities of the Public Education Division. Ms. Holt reported that Public Education has been working diligently with media requests recently with both the dairy emission factor and the DESIGN Rule (Rule 9510). Ms. Holt noted that the Dairy Emission Factor Report is now on the District's web site as well as all comments received and responses to comments. Ms. Holt reported that the initial DESIGN (Rule 9510) draft report is on the District's web site as well.

Ms. Holt reported the District is in the midst of Spare the Air and depending on what county you are in we've had about ten Spare the Air days.

Ms. Holt announced Public Education will have two items on the August 18, 2005 Governing Board Agenda: a request for the Board to approve and authorize an agreement with the American Lung Association for a School Flag Program in the amount of \$40,000, and a request for the Board to sign agreement with the Enterprise of Education Corporation to fund the Clean Air Challenge middle and high school curriculum program in the amount of \$20,000.

Ms. Holt noted that Public Education is currently accepting drawings for the Kids Club Calendar contest. Ms. Holt stated we are getting a few in and hope to see a lot more in September.

Ms. Holt reported Public Education is in the process the next few weeks of starting a marketing research project that the Board approved two months ago.

Ms. Holt reported that Public Education has been working with a subcommittee of stakeholders that are drafting an Environmental Justice Policy and once we have a draft we will be taking it to public workshop and then hopefully taking that before the Board sometime in the near future.

Ms. Holt announced that the District's web site has been revised with a new home page. Ms. Holt noted it is a work in progress and the District will be happy to take any suggestions the CAC might have.

Ms. Holt announced that Public Education is working closely with what was called Mobile Sources Program and is now called Emission Reduction Incentive Program (ERIP) to make sure the word is getting out about all of our incentive programs that the District has. Ms. Holt pointed out the two main incentives are: Heavy-Duty Incentive Program and the REMOVE II Program. Ms. Holt noted that Public Education is currently creating a brochure of an overview of those two programs. Ms. Holt noted that the REMOVE II Program has some new elements such as e-mobility. The District thinks there is a lot of opportunities for folks in the Valley to be innovative and to look for ways to reduce vehicle mass miles traveled through e-mobility and technology.

Dean Wilson suggested the District add a glossary of terms to the District's web site.

Ms. Holt responded that she would look into Mr. Wilson's request and if a glossary of terms was not currently on the District's web site it will be within the next month or so.

9. **Rules Under Development** – George Heinen, Supervising Air Quality Engineer, provided the summary on Rules Under Development.
10. **Rule Update** – Rule 9310 (School Bus Fleets), Rule 9510 (Indirect Source Review), Rule 3180 (Indirect Source Review Fee) – George Heinen reported on Rule 9310 (School Bus Fleets) by stated the District hopes to have a draft rule out by the 4th Quarter of 2005 and hold a workshop on Rule 9310 in the 1st Quarter of 2006.

Seyed Sadredin, Deputy Air Pollution Control Officer, made comments in respect to Rule 9310 (School Bus Fleets). Mr. Sadredin noted there is some additional funding this year in the Governor's budget as well as some changes to the Carl Moyer Program Guidelines in respect to funding for school buses. Mr. Sadredin stated that at this point the District is re-evaluating whether developing a rule alone is the right way to go to achieve reductions, or should incentives be the part of the equation also. Mr. Sadredin commented the reason for the question is that there really is no requirement in California to do school busing with the exception for Special Education pupils. Mr. Sadredin noted that if we do a rule

and solely use the command and control approach measure to deal with the school buses, due to funding limitations, we might force schools to virtually drop all school busing and that would not be good for air pollution.

Mr. Heinen updated the CAC on the ISR Rule 9510 (DESIGN) and stated the District hopes to have a workshop on this rule by the first of September. Mr. Heinen noted the District should have in a couple of weeks some information out on that rule.

Jennifer Barba updated the CAC regarding Rule 9510 by stating staff is looking to have a focus group on the socio-economic analysis sometime next week so that people who have participated or have volunteered to participate will be notified. Ms. Barba noted a workshop on Rule 9510 will be held on September 1, 2005, Staff is currently reviewing comments, looking at our analysis and making changes if necessary.

11. **Report from CAC Technical Rule Review Subcommittee** – Chris Savage reviewed the CAC Technical Rule Review Subcommittee report with the CAC.

Dana Karcher stated the report included in the CAC packet titled *Urban Forestry Strategies* was written by CARB staff.

Ms. Karcher noted there are a couple of things happening legislatively that could impact the State of California through urban forestry a Parks Bond Bill SB 153, authored by Senator Chesbro. Ms. Karcher stated if the bill does not pass there is no funding for the urban forestry program for the State of California. Ms. Karcher indicated she would discuss this issue with Mr. Tristao and Ms. Foster and then come back to the CAC with a more detailed presentation and with a request for CAC action.

The Vice Chair requested a Urban Forestry item be added to the September 6, 2005 CAC agenda for a detailed presentation with specificity as to what the CAC is being asked to support.

Ms. Karcher indicated she would discuss this issue with the Urban Forestry Liaison Committee members Christine Foster and Dennis Tristao and put something together for the September 2005 CAC Meeting.

The Vice Chair noted that the Alternative Compliance Strategies Committee does not appear to be getting off the ground due to time constraints of both the committee members and District staff.

The Alternative Compliance Strategies Committee members concurred that the District should coordinate a meeting between the Committee and the District.

Seyed Sadredin stated the District truly believes that as more rules are developed that impact smaller sources at a much greater cost we do need to have alternative compliance options available. Mr. Sadredin noted if there is another way to get the same, or more reductions less expensively we need to be able to take advantage of that. Mr. Sadredin stated that EPA is a concern because they may have objections to Alternative Emission Compliance Plans (AECP) and similar alternative compliance strategies.

The Vice Chair stated he would like to see a recommendation from the CAC to the Governing Board with the support of staff that funds, perhaps substantial, be directed to look for outside resources to help move this process forward.

After extensive discussion the following motion was made by Dana Karcher and seconded by Kelly Deming:

The CAC recommends to the Governing Board that they consider hiring a third party resource to come in and assist the District and the regulated community to develop alternative compliance strategies that the District can draw from when moving forward with the implementation of District rules.

Mr. Sadredin stated staff would be more comfortable with a recommendation from the CAC that directs staff to explore other options. Staff would return with a recommendation to the Board including one option being the hiring of a consultant to develop a program. Mr. Sadredin stated that he thinks we need to look at this issue closely to find out what the obstacles are and where the issues are. Mr. Sadredin noted that before the District can support the CAC recommendation staff needs to have the opportunity to explore other options that may or may not involve funding. Mr. Sadredin noted that staff is on board with the need for AECP, but at this point the District cannot commit to what would be the best approach to move the program forward without involving EPA, ARB and stakeholders.

David Harrald asked if the maker of the motion would consider withdrawing the motion.

The maker of the motion did not agree to withdraw the motion.

Public Comments – Colby Morrow, Southern California Gas Company, suggested the committee could use the expertise of the California Air Pollution Control Officers Association.

Jan Ennenga, MCCV, commended the CAC for taking this issue up.

Dana Karcher amended the motion, seconded by Kelly Deming.

AMENDED MOTION – *The CAC requests the Governing Board direct staff to investigate an approach to develop Alternative Compliance Strategies that may involve participation of outside resources and a dedicated financial commitment from the Governing Board to the process. The CAC requests that this be done within some reasonable time period in the next forty-five to sixty days after the Governing Board approves the recommendation and that the CAC be an integral part to the development of those alternatives to be brought back to the Governing Board for ultimate action.*

The amended motion unanimously carried with the following roll call vote:

Ayes: Kevin Hamilton, Dana Karcher, Brent Green, Riley Jones, Kelly Deming, Don Horal, John Wells, Mary-Michal Rawling, Dean Wilson, Roger Hoffdahl, Chris Savage, Denny Hoeh, David Harrauld and Christine Foster.

Absent: Paul Betancourt, Donald Ikemiya, Les Clark, Dennis Tristao, Lee Smith, Terry Howard, Perfecto Munoz, Wade Broughton, Farrell Jackson and Mike Smith.

The Vice Chair noted that he had previously made a commitment to prepare along with the Clerk a document for new CAC Members explaining the role of the CAC Technical Rules Subcommittee. The Vice Chair stated he will make it a point between now and the next meeting to prepare that document.

Public Comments – Colby Morrow indicated that the Gas Company has an interest in Rule 4905 (Residential Space Heaters). Ms. Morrow stated if the CAC has any constituents who might have this type of appliance or would like additional information they are welcome to give her a call.

Dean Wilson requested that Chris Savage present the CAC's Alternative Compliance Strategies recommendation to the Governing Board on August 18, 2005.

The Vice Chair stated that he will make that presentation.

12. **CAC Member Comments** – Harry Love announced a Solar Conference will be held in Bakersfield on Tuesday, September 20, 2005 from 9:00 a.m. to 3:00 p.m.

Kevin Hamilton reported on behalf of Dennis Tristao that the PG& E changeout program was proceeding with a very good response from farmers in the Valley.

Mary-Michal Rawling reported she attended the VOC emission factor workshop as well as the ISR workshop. Ms. Rawling stated District staff did a very good job during the workshops and she commended them for that.

Ms. Rawling asked if the CAC would meet in November 2005 since the Governing Board will be meeting during the month of November 2005.

The Vice Chair requested the Clerk add an item to the September 6, 2005 CAC Agenda pertaining to the question of the CAC meeting in November 2005.

Ms. Rawling stated the Technical Rules Subcommittee Status Sheet is a good tool but she feels it would have more of an impact if the CAC would start making specific recommendations to the Governing Board when staff takes a rule to the Board for public hearing.

The Vice Chair stated he was in agreement with Ms. Rawling's comments. The Vice Chair stated the specific Rule Liaisons should be bringing those recommendations to the CAC when their specific rule will be going to the Governing Board for adoption.

Mr. Sadredin reminded the CAC that their by-laws stipulate a recommendation for a specific rule adoption must have a unanimous vote from the CAC.

13. **CAC Member Suggestions for CAC Report at Governing Board Meeting on Thursday, August 18, 2005**
 - CAC Technical Rules Subcommittee Review
 - CAC Volunteers for the Ad Hoc Subcommittee to review Hearing Board applications
 - A Biogenic Urban Forestry presentation will be made during the September CAC meeting
 - CAC recommendation to the Governing Board on the Alternative Emission Compliance Strategies issue
14. **Volunteer to present CAC Report during Governing Board Meeting Thursday, August 18, 2005** – The Vice Chair, Chris Savage, volunteered to make the CAC Report to the Governing Board.
15. **Next Meeting** – Tuesday, September 6, 2005, 10:00 a.m., meeting held via video teleconferencing (VTC), with the Central Region Office (Fresno), the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield).
16. **Adjourn** – The Vice Chair adjourned the meeting at 12:03 p.m.

Sissy Smith, Clerk to the Boards
Citizens Advisory Committee (CAC)
San Joaquin Valley Unified APCD