



# San Joaquin Valley Air Pollution Control District

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**David L. Crow**  
Executive Director/  
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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, March 1, 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 Chair, Les Clark, called the meeting to order at 10:01 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>	Paul Betancourt, Industry/Agricultural (P)	Central
<u>Kern</u>	Les Clark, Industry/Agricultural (P) <b>Chair</b>	Southern
"	Dana Karcher, Environmental (P)	Southern
"	Harry James Love, Environmental (A)	Southern
<u>Kings</u>	Riley Jones, Industry/Agricultural (P)	Central
"	Kelly Deming, Environmental (P)	Central
"	Dennis Tristao, City (P)	Central
<u>Madera</u>	Donald Horal, Industry/Agricultural (P)	Central
"	Lee Smith, Environmental (P)	Northern
"	John Wells, City (P)	Central
<u>Merced</u>	Terry Howard, Industry/Agricultural (P)	Northern
"	Mary-Michal Rawling, Environmental (P)	Central
<u>San Joaquin</u>	(* Edward Gable, Industry/Agricultural (P)	Northern
"	(* Perfecto Munoz, Environmental (A)	Northern
<u>Stanislaus</u>	Chris Savage, Industry/Ag (P) <b>Vice Chair</b>	Northern
"	Denny Hoeh, Environmental (P)	Northern

**(\* Arrived after Roll Call**

**Also present in the Central Region Office (Fresno)** – David L. Crow, Executive Director/APCO, Alex Krivobok, Communications Systems Analyst, Jaime Holt, Public Education Administrator, Joe Nazareno, Senior Air Quality Engineer, Jennifer Barba, Air Quality Specialist, George Heinen, Supervising Air Quality Engineer, Mike Prandini, BIA, Colby Morrow, So. Cal Gas Co., and Sissy Smith, Clerk to the Board.

**Also present in the Northern Region Office (Modesto)** – Doug Ito, ARB Representative and District Liaison, Jan Ennenga, MCCV, Dottie Shoffner, Senior Office Assistant, and Karen Morris, Administrative Analyst.

**Also present in the Southern Region Office (Bakersfield)** – Cheryl Ripley, Office Services Supervisor.

3. **Approve Minutes of Tuesday, February 1, 2005** – The Chair asked if there were any comments regarding the Minutes. Hearing no comments the Chair declared the Minutes of Tuesday, February 1, 2005 approved as submitted.
4. **Chair Comments** – The Chair announced that the following individuals are leaving the CAC: the Merced County representative, Linda Falasco, Industry/Agricultural Primary Member, and the Kings County representative, Theo DeHaan, Environmental Alternate Member. The Chair noted that Certificates of Appreciation have been prepared for Ms. Falasco and Mr. DeHaan, and will be forwarded to them.

The Chair noted that Ms. Falasco was very involved in the unification of the San Joaquin Valley Unified Air Pollution Control District. The Chair expressed his appreciation to Ms. Falasco, and Mr. DeHaan for their participation in the CAC.

Kelly Deming volunteered to deliver Mr. DeHaan's certificate to him.

The Chair introduced the new Merced County Industry/Agricultural Primary Member, Terry Howard.

Mr. Howard stated that he works in the aggregate industry for Calaveras Materials in Merced County.

5. **APCO COMMENTS** – David L. Crow, Executive Director/APCO, briefed the CAC on the Board's February 17, 2005 meeting actions, and the tentative agenda for the March 17, 2005 Board Meeting.

Mr. Crow announced that the District is in the process of having a Modesto office (Northern Region Office) constructed. Mr. Crow noted the groundbreaking was a couple of weeks ago, and the District is looking at about eight or nine months to

completion. Mr. Crow indicated that the new location is in the same general area as the existing office.

Mr. Crow announced the District has completed the second year of the Wood Burning Season that runs from November through February.

Mr. Crow announced that Senator Florez, is having a Senate Air Quality Hearing with the topic titled "*Problems with our Wood Burning Rule*" on Wednesday, March 2, 2005, Bakersfield City Council Chambers, Bakersfield, CA. at 7:00 p.m.

### **Update on webcasting research**

Mr. Crow noted that following up on a previous CAC meeting request the District has done more research in what the options are for webcasting District meetings. Mr. Crow stated we do have some information for the CAC on the technical infrastructure issue. And, Public Education has done some work on where we might be able to capitalize on either free radio, or television for the most part to rebroadcast Board Meetings.

Mr. Crow stated that it would be worthwhile to have a discussion on what the CAC has in mind in regard to webcast streaming. Specifically, what is it we are looking to broadcast, CAC Meetings, Board Meetings, workshops, etc., any or all of the above. How many people do we anticipate might want to avail themselves of this, and are you talking about maybe broadcasting the Board Meetings. Is it the interest and desire of the CAC that these be fully interactive, which is never possible, but it could be cast in live time with the ability of people to email in, or most scenarios it's a re-broadcast of a meeting if it's done through the electronic media like television or radio. Mr. Crow requested the CAC give some thought as to how they might see it being of benefit to folks, and then what staff will do is talk a little bit about what further we've learned in terms of what the cost is.

Ken Pretzer, Information Services Officer, stated staff looked at some outsourcing options and found that outsourcing is very cost effective. Mr. Pretzer stated that the cost for outsourcing one three hour meeting viewed by twenty people once a month would be \$100, with approximately 25 participants, and for 500 participants the cost would be \$500.

The CAC stated they anticipated participating in workshops via webcasting. The CAC also stated that webcasting of Governing Board Meeting would be great to have them on television on real time.

Jaime Holt, Public Education Administrator, stated that staff found that it differs greatly from county to county in respect to broadcasting government meetings. Ms. Holt stated that one county would be happy to broadcast our Board meetings. They would broadcast it at a time that we found mutually agreeable

and would rebroadcast it when they needed to fill in. Ms Holt stated there is a cost associated with that between \$500 to \$600, and it would not be real time, it would be a recording that was rebroadcast.

Mr. Crow stated that staff needs a consensus on the following:

- Are we looking to broadcast to 3.5 million people who have an interest, or are we looking to facilitate the rule development workshopping process, or a narrower group of stakeholders. Those that are very much interested in what's happening in the District's planning, and rule making environment, and wanting to access that in a meaningful way where their input could be utilized by the Board, or staff.

The Chair suggested staff prepare an outline on some of the parameters of CAC's suggestions, and in the next meeting or so we discuss it again.

Mr. Crow stated he would request Ms. Holt to continue her research of broadcasters to see what extent we can penetrate that market.

Mr. Crow stated that the District is in the midst of Budget Development for 2005-06, and he will offer these options on the outsource connections to the Governing Board's Budget Ad Hoc Subcommittee. And, point out that the CAC is interested in having District workshops, etc. more accessible to more people in a real time environment. The Board could then give us some idea in how interested they are in staff pursuing this topic.

6. **ARB REPORT** – Douglas Ito, ARB Representative, and District Liaison, reported that ARB staff will be holding a public workshop on March 2, 2005 in Fresno, CA. via video teleconference with Modesto, Bakersfield, Sacramento, and South Coast participating with call in numbers available also, to discuss the definition of the Large Confined Animal Facility as required by Senate Bill 700. Mr. Ito stated that ARB staff will be taking this item to the ARB Board in June 23, 2005 for a Public Hearing.

Mr. Ito announced that on Friday, March 4, 2005 ARB staff will hold a meeting in Los Angeles to discuss ARB's Land Use Handbook that was released on February 17, 2005.

Mr. Ito announced that the ARB Board at their Thursday, March 17, 2005 Board Meeting will consider the Annual Report to the Legislature on indoor air quality.

7. **PUBLIC COMMENTS** - Colby Morrow, So. Cal. Gas Company, commented on the webcasting issue and stated that the City of Fresno is developing a channel and they are looking for content.

8. **PUBLIC EDUCATION REPORT** – Jaime Holt, Public Education Administrator, reported on the following Public Education activities:
- In February, Public Education handled 50 news media inquiries, responded to 83 Public inquiries, and conducted 6 public outreach activities.
  - Issued four press releases dealing with:
    - The Dairy Permitting Advisory Group
    - The dairy panel discussion at the Tulare Ag Show
    - The American Lung Association School flag program
    - The end of the Wood Burning Season
  - The second workshop for our Clean Air Challenge Program was hosted in Bakersfield with over 20 teachers attending the all day training. The final training is planned for early March.
  - The Environmental Justice Group met and continues to work on a proposed Environmental Justice mission statement to take to public workshop.
  - Several media meetings were held with various Fresno media outlets.
  - Staff attended the EPA Air Quality Conference in San Francisco and brought back several tools for program development and enrichment.
  - Work continues on the District Status Report.
  - The revision of the Elementary School Curriculum.
  - The market research study.
  - The Clean Green Lawn Machine lawn mower exchange program is being developed. The event will include three lawn mower exchange days. These dates are scheduled for May 14 in Modesto, May 15 in Fresno, and June 11 in Bakersfield.
  - Wood Burning Season ended successfully with 6 curtailment days and positive compliance by the majority of the public.
9. **Rules Under Development** – Joe Nazareno, Senior Air Quality Engineer, provided the summary on Rules Under Development.

Chris Savage stated he received a letter as Chair, of the Technical Rules Subcommittee, from the Manufacturers Council of the Central Valley (MCCV), Jan Marie Ennenga, Executive Director, requesting the CAC support the Governing Board adopting amendments to Rule 4306 (Boilers, Process Heaters and Steam Generators) at their March 17, 2005 Board Meeting. Mr. Savage noted that the letter dated February 23, 2005 was also cc: to Les Clark, CAC Chair and Sissy Smith, SJVUAPCD. Mr. Savage requested the letter be mentioned in the CAC Minutes as part of the Official Record.

**MOTION TO SUPPORT** – *Chris Savage made the motion to support amendments to Rule 4306. Seconded by Dennis Tristao and carried unanimously with the following Roll Call Vote:*

**Ayes:** *Paul Betancourt, Les Clark, Dana Karcher, Riley Jones, Kelly Deming, Dennis Tristao, Don Horal, Lee Smith, John Wells, Terry Howard, Mary-Michal Rawling, Ed Gable, Perfecto Munoz, Chris Savage and Denny Hoeh.*

**Absent:** *Kevin Hamilton, Donald Ikemiya, Dean Wilson, Wade Broughton, Mike Burns, David Harrald, Christine Foster and Mike Smith.*

***The CAC, with a unanimous vote, supports the District's Governing Board adopting the proposed amendments to Rule 4306 (Boilers, Process Heaters, and Steam Generators) at their March 17, 2005 meeting.***

10. **Rule Update – Rule 9310 (School Bus Fleets), Rule 9510 (Indirect Source Review), Rule 3180 (Indirect Source Review Fee)**

**Rule 9310 (School Bus Fleets)**

Joe Nazareno reported Rule 9310 was being held up because of funding issues.

**Rule 9510 (Indirect Source Review, and Rule 3180 (Indirect Source Review Fee)**

Jennifer Barba, Air Quality Specialist, reported staff will be looking at this rule in conjunction with the District's Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI), and possibly revising the GAMAQI document concurrently with the rule.

The CAC asked if the District was close to completing the NEXUS Study to come up with a fee for Rule 3180.

Ms. Barba replied that staff is still working on the study. It will be released in the next round of workshops.

The CAC asked if staff was still considering splitting Rule 9510 into three different rules, and will they be workshopped at the same time.

Ms. Barba responded that staff is still considering this issue. If Rule 9510 is split into three different rules staff will hold different workshops for each one.

The CAC discussed the issue of funding for School Bus Fleets with staff. Staff noted the District is looking at several issues related to the funding of School Bus Fleets.

**Item 11 moved down on the Agenda**

15. **Comments from CAC Reports to Governing Board on Thursday, February 17, 2005** – Dana Karcher briefed the CAC on the CAC Report made to the Governing Board on February 17, 2005. Ms. Karcher indicated that the Board had no comments in respect to the CAC Report.

The CAC discussed biogenics emissions study with staff.

Mr. Crow noted staff will include the CAC biogenics information in the GAMAQI document, and District plans.

11. **Discussion/Action** – CAC position regarding the concept of a registration program in respect to Rule 4307 (Small Boilers), Chris Savage.

George Heinen, Supervising Air Quality Engineer, commented that staff is attempting to have a separate stationary equipment registration rule. Mr. Heinen stated this concept is brand new and has not been done, as far as we know anywhere else. Mr. Heinen stated staff is looking at the concept that we want to have something for equipment that is currently permit exempt. If a piece of equipment is currently required to have a permit, staff will comply with the New Source Review Rule requirements, and also the Title V implications. If however, in the case of the small boilers between the size of 2 and 5 million BTUS per hour, those ratings are currently exempt under District Rule 2220. As such, staff can go ahead and register them, and have a simpler streamline type of program. Mr. Heinen announced the District did send out questionnaires utilizing the Market Place Software to firms that staff thought might have small boilers, billing managers, small offices, and things of that nature that might be impacted.

Mr. Heinen announced the District will hold another scoping meeting today on Rule 4307 (Small Boilers).

Mr. Savage suggested this item be tabled for now to see how Rule 2250 is resolved.

12. **Report from CAC Technical Rule Review Subcommittee** – Chris Savage noted the CAC has the latest updated version of the Status Sheet. Mr. Savage noted that he added Rule 2250 (Stationary Equipment Registration). Mr. Savage asked if anyone wanted to volunteer to serve as the liaison for Rule 2250.

Mr. Tristao volunteered as the liaison for Rule 2250. Mr. Savage also volunteered.

Mr. Savage requested that Rule 4602 (Motor Vehicle and Mobile Equipment Coating Operations) be removed from the Status Sheet.

Mr. Savage requested Mr. Tristao, Liaison for the Biogenic Urban Forestry item, update the CAC on the subcommittee activities.

Mr. Tristao stated he will contact ARB to get the research proposals from ARB regarding the studies they are looking at for funding to address biogenic emissions. Mr. Tristao also stated that he will attempt to obtain a status report on the studies. Mr. Tristao noted that he will be following up with District staff on the revisions to the guidelines for the California Environmental Quality Act (CEQA) process, and the Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI).

The CAC asked about the status of the Indirect Source Rule Review Group.

Mr. Crow responded that the Building Industry Association (BIA) held a statewide convention in Newport Beach about two weeks ago. Mr. Crow stated that in a report back from that meeting the BIA has indicated they were not supportive of ISR in any way, shape, or form, and they would vigorously oppose, and litigate any ISR rule, or any fee associated with ISR. The local BIA, and the statewide BIA's have stepped out of that process. Mr. Crow reported that the District continues to meet with City and County Planning officials in an effort on the District's part to attempt to better understand their processes.

13. **CAC Member Comments** – Denny Hoeh reminded everyone that next month, April, Earth Day activities will be taking place, and requested the CAC be involved in those activities.

Chris Savage requested information on SB 999, the Machado bill that talks about expansion to the District Governing Board membership.

Mr. Crow responded that Senator Machado brought back SB 999 last week. Mr. Crow noted that in it's present form it's identical to the measure that was defeated last year. The District Board will oppose it the same as they did last year.

Mr. Savage requested this item be added to the agenda for the next two months as an update item.

Mr. Savage stated he understands there is some pending legislation from Earth Justice on failure to implement certain rules in a timely fashion. Mr. Savage ask Mr. Crow if he could comment on that now.

Mr. Crow stated that the CAC may have read a press release on Earth Justice's intent to file a suit within 60 days for the District failing to adopt timely the timelines for rule adoptions described in our PM10, and Ozone Plans in respect to about six rules including the Indirect Source Rule. Mr. Crow noted that the



District is in conversations with the potential plaintiffs, and Earth Justice's attorney's on that. Mr. Crow reported that frankly the suit is against the Governing Board Members, and staff will handle this in Closed Session which is allowed under the Brown Act.

Dennis Tristao stated that Senator Dean Florez held a hearing in Fresno regarding the Carl Moyer Program, and asked if there was anything substantial that came out of that hearing.

Mr. Crow responded that the hearing focused on how the Carl Moyer Program is being implemented. Mr. Crow noted that the South Coast, Sacramento and the Valley Air District participated. The Senator was looking to the extent that we have consistency in some of our program administrative mechanisms. The strength of that being, if one District has found an effective and expeditious way to implement the Moyer Program, we could all benefit from that. Mr. Crow noted there were a number of suggestions offered by the people that participated. Mr. Crow stated that it was a good sharing of information, and the District is constantly evaluating how to improve the program, and we are going to consider some of what we heard.

Dennis Tristao noted that he had the opportunity to attend Dave Jones's retirement party, and he stated that it was an excellent event.

Mr. Crow stated that this morning it was announced that Scott Nester was appointed as the District's Director of Planning. Mr. Crow noted that Mr. Nester has been with the District for approximately thirteen years, transitioning from Kern County. Mr. Nester has extensive experience in the planning area, educated as an engineer, and as you know has a good deal of experience in the rule development process.

Mary-Michal Rawling stated that when the District is ready to do the outreach for the \$2 DMV, the CAC should help with that outreach as much as possible.

Mary-Michal Rawling asked where the new Modesto Office would be located.

Mr. Crow responded that it is in the same general location as the existing office.

14. **CAC Member Suggestions for CAC Report at Governing Board Meeting**

- CAC is interested in Rule 2250 (Stationary Equipment Registration).
- CAC will be having further discussions on biogenics emissions, and reviewing the CEQA documentation.
- CAC spent a lot of time discussing the topic of webcasting for Board Meetings, workshops, etc.
- CAC is watching SB 999.

- CAC discussed the ISR Rule.
  - CAC in a unanimous vote supports the adoption of Rule 4306.
  - CAC received an update report from the Technical Rule Subcommittee members.
16. **Volunteer to present CAC Report during Governing Board Meeting, Thursday, March 17, 2005 at 9:00 a.m.** – Dennis Tristao volunteered to make the CAC Report to the Board on March 17, 2005.
17. **Next Meeting** – Tuesday, April 5, 2005, 10:00 a.m., meeting held via video teleconference (VTC), with the Central Region Office (Fresno), the Northern Region Office (Modesto), and the Southern Region Office (Bakersfield).
18. **Adjourn** – The Chair adjourned the meeting at 12:08 p.m.

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