



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, June 6, 2006
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, 2700 M Street, VTC Room, Bakersfield and the Northern Region Office, 4800 Enterprise Way, VTC Room, Modesto. The CAC Meeting was webcast.

1. **Call to Order** – The Chair, Dennis Tristao, called the meeting to order at 10:00 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>	Manuel Cunha, Industry/Agriculture (A)	Central
	" Sarah Sharpe, Environmental (A)	Central
<u>Kern</u>	Les Clark, Industry/Agriculture (P)	Southern
	" Suzanne Noble, Industry/Agriculture (A)	Southern
	" Dana Karcher, Environmental (P)	Southern
	" Harry Love, Environmental (A)	Southern
<u>Kings</u>	" Brent Green, City (P)	Southern
	Kelly Deming, Environmental (P)	Central
"	Dennis Tristao, City (P), Chair	Central
<u>Madera</u>	Don Horal, Industry/Agriculture (P)	Central
	" Lee Smith, Environmental (P)	Central
<u>Merced</u>	Chris Dodson, Industry/Agriculture (P)	Northern
	" (*) Jack Mobley, Industry/Agriculture (A)	Northern
	" Mary-Michal Rawling, Environmental (P)	Central
	" Dean Wilson, City (P)	Central
<u>San Joaquin</u>	Wade Broughton, City (P)	Northern

2. **Roll Call, continued**

<u>County</u>	<u>Member Name/Interest Group</u>	<u>Regional Office</u>
<u>Stanislaus</u>	No attendees	
<u>Tulare</u>	Gary Rohman, Industry/Agriculture (A)	Central
"	(**) Christine Foster, Environmental (P)	Central

(*) Arrived during Item #8

(**) Arrived during Item #11

Also present in the Central Region Office (Fresno) - Seyed Sadredin, Executive Director/APCO, Rick McVaigh, Deputy APCO, Roger Mc Coy, Director of Administrative Services, Alex Krivobok, Communication Systems Analyst, Tom Jordan, Special Projects Administrator, Jeff Findley, Program Manager, Todd DeYoung, Senior Air Quality Planner, George Heinen, Supervising Air Quality Engineer, Jaime Holt, Public Education Administrator, Jenny Saklar, FMM, Ryan Jacobsen, Fresno County Farm Bureau, Colby Morrow, So Cal Gas Co., Gabrielle Kirkland, CGTFL and Sissy Smith, Clerk to the Board.

Also present in the Southern Region Office (Bakersfield) – Jerry Frost, Kern Oil & Refinery and Sharon Martinez, Senior Office Assistant.

Also present in the Northern Region Office (Modesto) – Jeff Lindberg and Ravi Ramalingam, ARB representatives, Dottie Shoffner, Senior Office Assistant and Karen Morris, Administrative Analyst.

3. **Approve Minutes of Tuesday, May 2, 2006** - The Chair asked if there were any comments regarding the Minutes. Hearing no comments the Chair declared the Minutes of Tuesday, May 2, 2006 approved as submitted.

4. **Public Comments** – Jerry Frost, Kern Oil & Refinery, noted that a EPA news release announced that starting June 1, 2006 EPA will require refiners and fuel importers to cut the sulfur content of highway diesel fuel 97 percent, from 500 parts per million to 15.

5. **Chair Comments** – The Chair thanked Mr. Frost for his comments.

6. **Executive Director/APCO Comments** – Seyed Sadredin, Executive Director/APCO, introduced Rick McVaigh as the District's new Deputy Air Pollution Control Officer.

Mr. Sadredin reported that ARB has reviewed and approved the District's request for determination of PM10 Attainment, and forwarded the District's request to EPA. Mr. Sadredin stated the District will be in contact with EPA to assist them in making a timely decision.

Mr. Sadredin indicated the May 17, 2006 one-day Symposium on air quality research was very successful. Mr. Sadredin noted the Symposium was well

attended by several Governing Board Members, as well as the business community, the environmental community and local officials. Mr. Sadredin stated that he believes it was a good first step in sharing pertinent information and soliciting suggestions to assist the District in putting an attainment plan together. Mr. Sadredin indicated it also served as a reality check for everyone in the business community, as well as community representatives, as to the difficulty and the magnitude of the challenges that are ahead of the District in bringing the Valley into attainment. Mr. Sadredin indicated the Symposium also raised the issue of whether or not we need to request an extension for the 8-hour ozone attainment date.

Mr. Sadredin indicated he sent the CAC a letter on May 4, 2006 regarding the idea of organizing town hall meetings. Mr. Sadredin explained that the purpose of town hall meetings will be to educate the public on topics relating to air quality, inform them of District activities, and to solicit their thoughts and concerns regarding air quality issues.

Mr. Sadredin indicated he would like to hear ideas from the CAC regarding potential town hall meetings. He suggested the CAC setup a subcommittee or a workgroup to meet and confer concerning their input on topics they feel would be beneficial for public discussion during the town hall meetings.

Mr. Sadredin reported that during the May 18, 2006 Governing Board Meeting, the Board held a special public hearing to review the District's 2006-07 Recommended Budget and give the public an opportunity to comment. The Governing Board set June 15, 2006 for a public hearing to consider adoption of the 2006-07 Recommended Budget. Mr. Sadredin indicated two administrative staff positions have been included in the 2006-07 Budget. In spite of significant enhancements to District programs, the operating budget reflects only a minor increase in spending.

Mr. Sadredin indicated that Jeff Lindberg, Planning Liaison for the Air Quality & Transportation Planning Branch of ARB, presented a report titled "State of the State Air Quality". The report reflected that air quality trends continue to show improvement in the San Joaquin Valley. The report indicated that for 2005 the San Joaquin Valley experienced a dramatic reduction in the number of 8-hour ozone exceedances. Mr. Sadredin noted the report compared the District's progress with the progress in South Coast which experienced a slight reduction in the number of exceedances, and with Sacramento which experienced a slight increase in the number of exceedances. Mr. Sadredin stated the report indicated that the dramatic reductions in the San Joaquin Valley demonstrate real air quality improvement, and are not attributed to weather patterns. The San Joaquin Valley experienced "normal" weather during the 2005 ozone season.

Manuel Cunha thanked staff and the San Joaquin Valleywide Air Pollution Study Agency Governing Board for their efforts regarding the May 17, 2006 Study Agency Symposium. Mr. Cunha indicated he has received numerous compliments regarding the Symposium.

The Chair asked for volunteers to serve on a CAC Town Hall Meeting Subcommittee. The Chair requested Mary-Michal Rawling serve as Chair for this Subcommittee. Ms. Rawling agreed to serve as Chair of the Subcommittee.

The CAC Town Hall Meeting Subcommittee Members are:

Mary-Michal Rawling, Chair
Sarah Sharpe
Chris Savage, assigned
Dean Wilson
Suzanne Noble,
and District Staff: Seyed Sadredin, Executive Director/APCO

7. **Report from CAC Technical Rule Review Subcommittee** – No Report.
8. **Action Item: CAC Support/Oppose Governing Board's Consideration to Adopt Rule 4570 (Confined Animal Feeding)** – Presentation by Seyed Sadredin, Executive Director/APCO and George Heinen, Supervising Air Quality Engineer.

Mr. Heinen indicated that last month the CAC suggested the District add a process explaining what procedures the District would implement pertaining to the use of alternative mitigation measures. Mr. Heinen explained that the District's permitting staff will be implementing that portion of the rule. Mr. Heinen stated staff has included an appendices in the rule which spells out the procedures the District will be following to process alternative mitigation measures in an attempt to make that component more transparent to the public when they are reviewing the rule. Mr. Heinen noted the Staff Report includes language that clarifies the use of alternative mitigation measures.

The CAC raised the following issues pertaining to Rule 4570:

- Rule 4570 should allow the use of excess emission reductions credits, the exchange of emission reductions credits within a facility, and encourage voluntary emission reduction credits for small facilities
- Encourage educating District staff regarding operating procedures for dairies

CAC Motion to move Rule 4570 (Confined Animal Feeding) forward to the Governing Board – On motion by Manuel Cunha to move Rule 4570 forward to the Governing Board, seconded by Mary-Michal Rawling.

CAC Comments during roll call vote:

Les Clark indicated he would vote to abstain because no dairy personnel was involved in today's CAC process. Mr. Clark noted that maybe staff could tell him if the dairy industry is supportive of proposed Rule 4570.

The Chair indicated that Paul Martin, Western United Dairymen, stated the Western United Dairymen are in support of Rule 4570.

Manuel Cunha indicated that Kevin Abernathy, California Dairy Campaigns, stated that no one is happy with Rule 4570, but they want to do their share of helping to clean the air in the Valley. Mr. Cunha explained that his motion was made to allow Rule 4570 to move forward for the Governing Board to make their decision, and to allow industry to comment. Mr. Cunha noted the dairy representatives he talked with would like to move Rule 4570 forward so they will be aware of how to comply with the rule.

Dana Karcher indicated she spoke with two dairy representatives in the Southern Region, and they indicated to her that they are not happy with Rule 4570. Ms. Karcher indicated one dairy representative she spoke to noted he's had a difficult enough time right now attempting to get the District to act on issues regarding his dairy. Ms. Karcher indicated she was going to vote no.

Mr. Sadredin indicated he wanted to be perfectly clear that the dairy industry is in support of the rule in its present format. Mr. Sadredin noted that statement should by no means be taken as something the dairy industry perceives as a non-impact rule or something that they can comply with easily. He indicated that Rule 4570 is going to be a costly rule, but the dairy industry understands that the VOC emissions from dairies are fifty percent of the District's VOC emissions and they want to assist in reducing emissions. Mr. Sadredin noted the dairy industry feels like this has been a good process in terms of the District hearing their concerns and developing a rule that gives them various options to pursue. Mr. Sadredin indicated he thinks he can characterize the dairy industry's position as being in support of Rule 4570. Mr. Sadredin noted that Rule 4570 will be a costly rule to the dairy industry, and by no means does the dairy industry feel like they received everything they wanted in Rule 4570, but if they had to take a position on this rule, they would be supportive of it.

Motion to move Rule 4570 forward to the Governing Board failed with the following roll call vote:

Ayes: *Manuel Cunha, Sarah Sharpe, Mary-Michal Rawling, Dennis Tristao, Dean Wilson and Wade Broughton.*

No: *Dana Karcher.*

Abstain: *Les Clark, Don Horal, Chris Dodson, Gary Rohman, Kelly Deming, Lee Smith, Brent Green.*

Absent: *Riley Jones, Roger Hoffdahl, Chris Savage, Perfecto Munoz, Denny Hoeh, Christine Foster, Harry Armstrong and John Wells.*

9. **Rules Under Development** – Presentation by George Heinen, Supervising Air Quality Engineer.

Sarah Sharpe asked if an additional workshop would be held on Rule 9310 (School Bus Fleets). Ms. Sharpe also asked if there is another workshop held for Rule 9310, will the final date for public comment be changed.

Mr. Heinen indicated there was a possibility that the District will hold another workshop for Rule 9310, but no date has been set at this time. Mr. Heinen noted the public may comment on Rule 9310 up to, and including the Receiving and Filing of Rule 9310 in August 2006. Mr. Heinen noted the draft Socioeconomic Analysis for Rule 9310 will be available soon for public comment and review.

10. **Rule Update** – Rule 9310 (School Bus Fleets). On May 2, 2006 the CAC requested staff to provide additional information regarding funding issues.

Presentation by Seyed Sadredin, Executive Director/APCO and George Heinen, Supervising Air Quality Engineer.

Mr. Sadredin indicated a report regarding projects funded to June 8, 2006 was included in today's CAC Packet.

The Chair asked if the District had any comment on the proposed state bond issues regarding funding for school bus replacement.

Mr. Sadredin indicated the District is supportive of the proposed state bond measure.

11. **Public Education Report** - Jaime Holt, Public Education Administrator, announced today was the beginning of the District's Spare the Air season. Ms. Holt explained the program to the CAC, and encouraged them to contact her if they knew of someone that might be interested in joining the program.

Ms. Holt reported the District sponsored a Fresno Grizzlies game on June 2, 2006 as a pre-season Spare the Air activity. Information about Spare the Air was handed out and attendees had a chance to win an electric lawnmower and other giveaways. 200 tickets were provided to Spare the Air Employer Partners also.

Ms. Holt reported the District's Clean Green Yard Machine annual lawn mower trade-in program event was held in Bakersfield on May 20, and in Visalia on June 3, with upcoming events scheduled in Fresno June 10, Merced June 17, and in Stockton on June 24.

Ms. Holt announced the District recently completed a Clean Air brochure to assist the public in making air-friendly choices in personal habits around the house, and the yard.

Ms. Holt noted the Study Agency Symposium held in May was very successful, and people who attended found it very valuable. Ms. Holt indicated some of the information from the Symposium will be presented during the upcoming Town Hall Meetings. Ms. Holt thanked the CAC members who took part in the Symposium.

Ms. Holt indicated Public Education is in the midst of redesigning the District's elementary school curriculum and it will be available soon. Ms. Holt indicated an area teacher Mary Funk shared the curriculum with their sister school in Uganda. Ms. Holt read a short letter from Mary Funk's class indicating they were trying to raise money for supplies to be sent to Uganda. Ms. Holt noted the District contributed a small amount towards that effort.

Ms. Holt announced this Wednesday, Valley CAN (Clean Air Now) will be holding their Clean Energy Expo, and Public Education will have a booth at this event. Ms. Holt noted the District is helping to get the word out regarding this event because the District believes it will be a positive event with a car crushing demonstration, hybrids cars you can sit in, and various activities throughout the afternoon geared towards learning about air pollution.

Ms. Holt announced the District would like to expand the Community Group Meetings that occur the first Monday of each month at 10:00 a.m. Ms. Holt asked for assistance from the CAC in getting the word out to their respective communities encouraging people to attend the Community Group Meetings. Ms. Holt noted the District has a conference call line open for individuals who might want to participate in that fashion.

Ms. Holt announced the District's Citizens Advisory Committee (CAC) and Governing Board Meetings are now being Webcast in real time so you can go to the District's website and click on the appropriate icon and watch the meetings being held. Ms. Holt noted the webcast meetings are not archived. Ms. Holt indicated that if you want to see a meeting, but do not wish to drive to one of the District offices this will be a great way to keep tabs on what is happening.

Mary-Michal Rawling stated she thinks the CAC can play a role in getting the word out to the community in respect to the Community Group Meetings. Ms. Rawling noted that unless the CAC is opposed she would suggest the District send the Community Group Meeting agendas to the CAC, and perhaps the CAC could provide it to their constituents to help increase public awareness and attendance.

Ms. Holt indicated Public Education will send the Community Group Meeting agendas to the CAC.

The following person provided Public Comment during the public comment period of this item:

Colby Morrow, on behalf of Operation Clean Air, noted that Operation Clean Air donated \$60,000 to the Clean Green Yard Machine program.

12. **Action Item: CAC Review and Comment on the draft Environmental Justice Strategy** – Presentation by Seyed Sadredin, Executive Director/APCO and Jaime Holt, Public Education Administrator.

Ms. Holt announced there has been no change to the draft Environmental Justice Strategy (EJ Strategy) that was presented to the CAC on May 2, 2006 with the exception of a date change on the first page from April 2006 to May 2006.

During the May 2, 2006 presentation the Chair requested that the Chair of each Interest Group discuss amongst their respective members what comments they might have on the Draft EJ Strategy, and bring their comments together for consideration by the full CAC today.

The Chair indicated he has been unsuccessful in coordinating a comment from the City Interest Group regarding the Draft EJ Strategy. The Chair indicated he received a call from the Industry/Agriculture group saying they had comments, but they were having an issue getting the members together to agree on those comments.

Sarah Sharpe stated she did not have specific comments other than to say that after looking at the Draft EJ Strategy it seems like a good idea for the District to have it in writing because it protects the rights of a lot of people.

Mary-Michal Rawling indicated she has received nothing but positive comments about District staff working with members of the community.

Christine Foster indicated her name is misspelled in the VI., Acknowledgements, and indicated her first name is Christine not Christina.

Manuel Cunha noted the Industry/Agriculture group requires more time to pull their final comments together.

Mr. Sadredin noted the District planned on putting the public workshops together in the August, September timeframe. Mr. Sadredin indicated everyone will have ample time to comment during the public workshop process. Mr. Sadredin noted he had hoped that today's CAC meeting would be utilized as a screening exercise before the Draft EJ Strategy is provided to the general public.

Manuel Cunha suggested the CAC take till the end of June to get comments to the Chairs of the Interest Groups, pool our comments together, and have them ready for the August 1, 2006 CAC Meeting.

Mr. Sadredin suggested the District start the public workshop process and make the Draft EJ Strategy a standing agenda item whereby staff will report back to the CAC each month on activities relating to the Draft EJ Strategy.

The Interest Groups committed to having their comments assembled regarding the draft EJ Strategy for the August 1, 2006 CAC Meeting.

Draft Environmental Justice Strategy Standing Item on the CAC Agenda – On motion by Dennis Tristao to include the Draft Environmental Justice Strategy as a Standing Item on the CAC Agenda. Seconded by Manuel Cunha.

Motion amended as follows: Dennis Tristao amended his motion to include the following: The Interest Groups will have their Draft Environmental Justice Strategy comments assembled prior to the August 1, 2006 CAC Meeting for dissemination. A discussion on the Interest Group's Draft Environmental Justice Strategy comments will take place at the August 1, 2006 CAC Meeting and will be provided to the Executive Director/APCO. Seconded by Manuel Cunha. (Additional discussion took place before the roll call vote).

The following person provided Public Comment during the public comment period of this item:

Colby Morrow, Southern California Gas Company, noted the public has the ability to go to the District's web page, open the Governing Board Agenda, click on any Agenda Item, and the related Board Letter can be viewed. Ms. Morrow respectively requested the CAC consider asking the District to put the same information the CAC receives in their meeting packets available on the District's website.

Ms. Morrow indicated this is the first time she has seen the Draft EJ Strategy and noted she has concerns with the timeline set forth in the document. Ms. Morrow thinks industry deserves the opportunity to comment.

Christine Foster noted a few CAC Environmental Interest Group members worked on the Draft Environmental Justice Strategy process, and she does not believe this process has been handled any differently than any rule or regulation process that comes before the CAC.

Suzanne Noble asked if the public workshops will start before the August 1, 2006 CAC meeting.

Mr. Sadredin responded that the District desires to start the public workshop process after the August 1, 2006 CAC meeting, therefore it is imperative that the

CAC provide their comments to staff regarding the Draft EJ Strategy during the August 1, 2006 CAC meeting.

Mary-Michal Rawling noted she prefers to see the process start now, and would rather not wait another two months before the document goes public.

Mr. Sadredin indicated his preference was for the CAC to provide comments to staff before the document goes public in an effort to make sure there are no major issues that we may have missed in the development process of the document.

Roll Call Vote:

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

Ayes: Manuel Cunha, Les Clark, Don Horal, Chris Dodson, Gary Rohman, Sarah Sharpe, Dana Karcher, Kelly Deming, Lee Smith, Mary-Michal Rawling, Christine Foster, Brent Green, Dennis Tristao, Dean Wilson and Wade Broughton.

Absent: Riley Jones, Roger Hoffdahl, Chris Savage, Perfecto Munoz, Denny Hoeh, Harry Armstrong and John Wells.

CAC Action:

- 1. The Draft Environmental Justice Strategy will be a standing item on CAC Agendas.***
- 2. The Interest Groups will have comments prepared and submitted to the Clerk to the Board for inclusion in the CAC agenda packet prior to the August 1, 2006 CAC Meeting.***

The Chair noted a member of the public requested that support documents for the CAC Agenda Packet be posted on the website. The Chair asked if the District would look into doing that.

Mr. Sadredin indicated the District will comply with that request, if support documents are electronically available, or can be scanned in.

Mr. Sadredin offered the assistance of District staff to the CAC Interest Groups when they're reviewing the Draft Environmental Justice Strategy. Mr. Sadredin indicated staff would also be available to attend a CAC workgroup meeting for the review of the Draft EJ Strategy if necessary.

13. **ARB Comments** – Jeff Lindberg, ARB Planning Liaison, apologized for his absence at the last three CAC meetings. Mr. Lindberg presented the ARB Report to the CAC.

Sarah Sharpe noted that during the May 2006 ARB Board Meeting, the ARB Board voted to request staff to develop a plan to phase out the use of

perchloroethylene in existing dry cleaners located in residential buildings, and new perchloroethylene dry cleaners located near sensitive receptors.

14. **CAC Member Comments** – Gary Rohman requested a copy of the EPA news release Jerry Frost commented on in the earlier part of the meeting regarding the ultra-low sulfur diesel. *(Staff provided Mr. Rohman with a copy of the EPA news release).*

15. **CAC Member Suggestions to be included in the presentation of the CAC Report during the Governing Board Meeting on Thursday, June 15, 2006**

Christine Foster suggested the report include information that the CAC added a standing CAC agenda item regarding the Draft Environmental Justice Strategy.

Ms. Foster suggested the CAC Report to the Governing Board include information regarding the District's Clean Green Yard Machine trade-in program.

Sarah Sharpe requested the report mention that although the environmental community is supportive of Rule 4570 (Confined Animal Facilities) they do have concerns that Rule 4570 is not as strict as it should be.

The Chair suggested the CAC report include the CAC vote regarding Rule 4570, the Public Education presentation, as well as a reference to the ARB report.

Mary-Michal Rawling indicated it was really exciting that the CAC Meetings are webcast.

16. **Volunteer to present CAC Report during Governing Board Meeting, Thursday, June 15, 2006 at 9:00 a.m.** – The Chair, Dennis Tristao, volunteered to make the CAC Report to the Governing Board.

17. **Next Meeting** – Tuesday, August 1, 2006 at 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) participating. The CAC Meeting will be webcast.

18. **Adjourn** – The Chair adjourned the meeting at 11:55 a.m.