



San Joaquin Valley Air Pollution Control District

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Seyed Sadredin
Executive Director/
Air Pollution Control Officer

Northern Region Office
4800 Enterprise Way
Modesto, CA 95356-8718
(209) 557-6400
FAX (209) 557-6475

Central Region Office
1990 East Gettysburg Avenue
Fresno, CA 93726-0244
(559) 230-6000
FAX (559) 230-6061

Southern Region Office
2700 M Street, Suite 275
Bakersfield, CA 93301-2373
(661) 326-6900
FAX (661) 326-6985

www.valleyair.org

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, May 2, 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.

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>
Fresno	Manuel Cunha, Industry/Agriculture (A)	Central
"	(**) Kevin Hamilton, Environmental (P)	Central
"	Sarah Sharpe, Environmental (A)	Central
Kern	(****) Suzanne Noble, Industry/Agriculture (A)	Southern
"	Dana Karcher, Environmental (P)	Southern
"	Brent Green, City (P)	Southern
Kings	(*) Riley Jones, Industry/Agriculture (P)	Central
"	Kelly Deming, Environmental (P)	Central
"	Dennis Tristao, City (P) Chair	Central
Madera	Don Horal, Industry/Agriculture (P)	Central
"	John Wells, City (P)	Central
Merced	Colleen Trieweiler, Environmental (A)	Central
"	Dean Wilson, City (P)	Central
San Joaquin	(***) Roger Hoffdahl, Industry/Agriculture (A)	Northern
"	Perfecto Munoz, Environmental (P)	Northern

2. **Roll Call, continued**

<u>County</u>	<u>Member Name/Interest Group</u>	<u>Regional Office</u>
<u>Stanislaus</u>	Chris Savage, Industry/Agriculture (P)	Northern
<u>Tulare</u>	David Harrald, Industry/Agriculture (P)	Central
"	Gary Rohman, Industry/Agriculture (A)	Central
"	Christine Foster, Environmental (P)	Central

- (*) Arrived during Item # 3
- (**) Arrived during Item # 5
- (***) Arrived during Item # 6
- (****) Arrived during Item # 8

Manuel Cunha announced during Roll Call that Karla Edwards, Industry/Agriculture Primary Member representing Fresno County, has moved out of the area and resigned from the CAC. Mr. Cunha indicated the appointing authority for Fresno County has been notified.

The Chair announced he was recently contacted by Donald Ikemiya who has resigned from the CAC. *(The Clerk, prior to today's CAC meeting, forwarded Mr. Ikemiya's resignation information to the appropriate appointing authority).*

Also present in the Central Region Office (Fresno) – Seyed Sadredin, Executive Director/APCO, Roger McCoy, Director of Administrative Services, Jaime Holt, Public Education Administrator, Scott Nester, Director of Planning, Lucinda Roth, Air Quality Specialist, Joe Nazareno, Senior Air Quality Engineer, Colby Morrow, Southern California Gas Company, Rey Leon, Latino Issues Forum, Karri Hammerstrom, Fresno County Farm Bureau and Sissy Smith, Clerk to the Board.

Also present in the Southern Region Office (Bakersfield) Scott Faulkenburg, Petrotech and Sharon Martinez, Senior Office Assistant.

Also present in the Northern Region Office (Modesto) – Dottie Shoffner, Senior Office Assistant and Karen Morris, Administrative Analyst.

3. **Approve Minutes of Tuesday, April 4, 2006** – The Chair asked if there were any comments regarding the Minutes.

Dana Karcher requested the Minutes of Tuesday, April 4, 2006 be revised to reflect an amendment to:

Item 5, Executive Director/APCO Comments, page 4, fourth paragraph to read:

A ~~CAC Member~~ Dana Karcher requested a written report in respect to the meeting soliciting comments, and suggestions regarding expending the District's grant program funds, with concurrence from Mr. Sadredin.

The Chair indicated the Minutes of Tuesday, April 4, 2006 were approved with the amendment to Item # 5.

4. **Public Comments** – No Public Comments.
5. **Chair Comments** – The Chair indicated he made the CAC report to the Governing Board during their April 20, 2006 meeting. The CAC's vote of recommendation for rules under consideration for adoption by the Board was well received. The Governing Board was very interested in the CAC's position and comments regarding Rule 9310 (School Bus Fleets). The Chair reported that Board Member Sam Armentrout commented he was interested in receiving feedback from the CAC on Rule 9310.

The Chair announced that Donald Ikemiya, City Primary Member, representing Fresno County, has resigned from the CAC. The Chair stated that earlier in the meeting Mr. Cunha reported that Karla Edwards has moved away from Fresno, and resigned from the CAC.

The Chair requested the Clerk send a letter of appreciation, on behalf of the CAC to Karla Edwards and Donald Ikemiya, reflecting their service on the CAC.

6. **Executive Director/APCO Comments** – Seyed Sadredin, Executive Director/APCO, offered staff's assistance to enhance the effectiveness of the CAC. He indicated he would be happy to meet with CAC members individually or as a group to talk about this issue. Mr. Sadredin noted with the outset of his appointment as the Executive Director he wants to take this opportunity to discuss any enhancements the CAC might be interested in.

Mr. Sadredin reported that during the April 20, 2006 Governing Board Meeting, the Board approved a Lawn Mower Trade-In Program to take place over the course of the next few weeks in various locations throughout the Valley. Mr. Sadredin requested the CAC provide the dates and locations of the trade-in event to their constituents. The Governing Board also renewed a contract with Jeffrey/Scott Advertising for an additional year for the multilingual advertising program that has been very successful over the years. Mr. Sadredin stated that next year the CAC might want to get involved as the District goes through the Request for Proposals (RFP) process for hiring a new advertising agency. He noted that if the CAC has any ideas in terms of outreach to their communities, or their constituents please share that with us.

Mr. Sadredin thanked the CAC for their support on the administrative amendments to Rule 4702 (Internal Combustion Engines – Phase 2) and Rule 4307 (Boilers, Steam Generators, and Process Heaters – 2.0 MMBtu/hr to 5.0 MMBtu/hr). Mr. Sadredin noted it was a historic action by the CAC because it was the first time they had taken a unanimous position. He stated this was helpful to the Governing Board, and appreciated by staff.

The Chair asked if it was correct that ARB, or ARB's Executive Director has approved the PM10 attainment status for the District.

Mr. Sadredin stated that last week the District sent a formal request to ARB for the PM10 designation along with three years of data showing we have no exceedances of PM10. Mr. Sadredin stated the District received verbal indication that ARB agrees with our assessment, and will be forwarding our request to EPA shortly.

Mr. Sadredin announced that the District is planning on web-casting the video and audio of the May 18, 2006 Governing Board Meeting, and also the June 6, 2006 Citizens Advisory Committee Meeting.

7. **Report from CAC Technical Rule Review Subcommittee** – Chris Savage stated there was no formal update to report today. Mr. Savage reported the CAC Technical Rule Review Subcommittee will meet on Tuesday, May 16, 2006 from 9:00 a.m. to 10:00 a.m., via the District's video teleconferencing system (VTC) in all three regional offices. Mr. Savage indicated during this meeting the subcommittee will discuss the strategies for this group in an attempt to figure out how we can better serve the CAC, as well as the Governing Board.
8. **Action Item: CAC Support/Oppose Governing Board Receiving and Filing Rule 4570 (Confined Animal Feeding)** – Seyed Sadredin, Executive Director/APCO and Joe Nazareno, Senior Air Quality Engineer, briefed the CAC on Rule 4570.

Mr. Sadredin noted the District is ready to address any issues regarding Rule 4570 the CAC would like before we take this rule to Receive and File. Rule 4570 comments will be allowed up to, and including the final public hearing date before the Board. Hopefully, we will get some feedback from the CAC today.

No Public Comments received.

Comments and questions from CAC

Chris Savage and Riley Jones asked if there seemed to be good support of this rule from the dairy industry. *(Staff responded there is general consensus, and satisfaction within the dairy industry that the District has listened to their issues,*

and addressed their concerns. The dairy industry is willing to do their fair share, and they understand the magnitude of air quality problems that we have in the Valley).

Chris Savage asked if the District expects the receiving and filing of Rule 4570 to be relatively quiet, or does the District expect a large contingency of dairies and other stakeholders to show up and oppose it. *(Staff indicated we have worked closely with the dairy industry for over a year, and feel comfortable that this rule is something they can work with).*

Sarah Sharpe provided comments on behalf of Mary-Michal Rawling for the Environmental Interest Group:

The Environmental Interest Group supports recommending the Governing Board Receive and File Rule 4570 with two comments:

- 1.) The District should devise a process that outlines, and defines how alternative mitigation measures will be submitted to the District, validated, and approved for use. The rule states you can use another alternative mitigation measure, but it is not clear on how that process will happen.
- 2.) The Environmental Interest Group hopes they will see significant ammonia reductions as a result of this rule, but they also look forward to the District working on additional ammonia controls in the future.

Mr. Sadredin indicated he appreciates the Environmental Interest Group for their review and consideration of Rule 4570.

Dean Wilson noted that during the last CAC meeting we had discussions about dairies having only nineteen alternative mitigation measures available to them out of a total of forty-nine. He asked if those options have changed.

Mr. Sadredin explained that last month when we discussed Rule 4570 there were forty-nine measures in the rule. Mr. Sadredin stated that subsequent to last month the District has expanded the list to include approximately sixty-nine measures. Dairies will have to make decisions regarding what's the best choice for their operation.

Manuel Cunha indicated Rule 4570 is a monumental rule. Mr. Cunha pointed out that some dairies, due to the type of operations they have, may not be a good fit for any of the mitigation measures. Mr. Cunha stated the District needs to be very flexible in a situation like that.

CAC MOTION TO RECOMMEND GOVERNING BOARD RECEIVE AND FILE RULE 4570 – Manuel Cunha made the motion that the CAC recommends the District's Governing Board Receive and File Rule 4570. Seconded by

Kevin Hamilton. Additional discussion listed below took place before the roll call vote was taken.

Dana Karcher indicated she recently had a discussion with representatives from the dairy industry in Kern County who noted Rule 4570 is flexible, but the dairy industry is fearful the District will not be flexible.

Gary Rohman requested clarification on what the financial impact will be to businesses as a result of the Governing Board adopting Rule 4570.

Mr. Sadredin indicated the socio economic analysis for Rule 4570 will be available on May 16, 2006.

Some CAC members voiced concern of recommending the adoption of Rule 4570 without seeing the socio economic analysis.

The Chair explained that today's CAC action is merely to recommend the Governing Board Receive and File Rule 4570 during their May 18, 2006 meeting. The actual adoption of Rule 4570 will be considered during the June 15, 2006 Governing Board Meeting.

The Chair requested staff reschedule Rule 4570 to the June 6, 2006 CAC meeting, and noted the CAC will review the socio economic analysis, and make a recommendation regarding the support/opposition of the Governing Board's consideration to adopt Rule 4570 during their June 15, 2006 meeting.

No Public Comments received.

Roll Call Vote: CAC MOTION TO RECOMMEND GOVERNING BOARD RECEIVE AND FILE RULE 4570

Ayes: Manuel Cunha, Suzanne Noble, Riley Jones, Don Horal, Roger Hoffdahl, Chris Savage, David Harrald, Kevin Hamilton, Dana Karcher, Kelly Deming, Colleen Trieweiler, Perfecto Munoz, Christine Foster, Brent Green, Dennis Tristao, John Wells and Dean Wilson.

Absent: Chris Dodson, Lee Smith, Denny Hoeh, Harry Armstrong, Wade Broughton and Mike Smith.

CAC Action:

The motion carried unanimously. The CAC supports the Governing Board Receiving and Filing Rule 4570 (Confined Animal Feeding) during their May 18, 2006 Board Meeting.

9. **Rules Under Development** – Joe Nazareno, Senior Air Quality Engineer, presented this item.

The Chair reminded the CAC that Governing Board Member Armentrout wanted to make sure the CAC took the time, and the effort to discuss Rule 9310 with their local school districts.

Kevin Hamilton asked for clarification regarding comments he's heard that the process for funding pre-1977 and 1988 school bus fleets is not moving very quickly.

Mr. Sadredin indicated staff will provide that information to the CAC during their June 6, 2006 meeting.

Manuel Cunha asked if the District has looked at providing 100% financial assistance to smaller school districts who cannot afford to replace their old school buses.

Mr. Sadredin stated the District will fund 100% of school bus replacements if they meet the criteria for a hardship case.

10. **Rule Update – Rule 9310 (School Bus Fleets)** – This item covered in Item # 9.

11. **Public Education Report** – Jaime Holt, Public Education Administrator, reminded the CAC about the upcoming Lawn Mower Trade-In Program dates:

- May 20, 2006, Cal State, Bakersfield
- June 3, 2006, College of Sequoias, Visalia
- June 10, 2006, Fresno State University, Fresno
- June 17, 2006, Merced College, Merced
- June 24, 2006, San Joaquin Delta College, Stockton

Ms. Holt announced the Spare the Air Program starts the first of June 2006.

Ms. Holt indicated Public Education is putting the final touches on the revisions of the draft elementary school curriculum, and hope to have it ready for CAC review in the next few months.

Sarah Sharpe stated she was a former teacher and she volunteered to assist with the elementary school curriculum activities.

Ms. Holt stated when the District has a final product she will be looking at putting together an ad hoc subcommittee for folks to review the revised curriculum, and give us some feedback.

Manuel Cunha thanked Ms. Holt for working with the Asian community regarding the District's outreach programs.

Ms. Holt reminded the CAC that the San Joaquin Valleywide Air Pollution Study Agency Symposium will be held to discuss findings from the Central California Ozone Study (CCOS) and California Regional PM10/PM2.5 Air Quality Study. The symposium will be held in Fresno, Piccadilly Inn, May 17, 2006.

12. **Informational Report: SJVAPCD Draft Environmental Justice Strategy**
Presentation by Seyed Sadredin, Executive Director/APCO and Jaime Holt, Public Education Administrator.

Mr. Sadredin provided the CAC with the history on the development of the policy. Mr. Sadredin stated that perhaps the CAC could put together a workgroup to review and form comments, or however the CAC would like to handle it, so that the District can move forward with the draft policy.

Ms. Holt presented the Environmental Justice Draft Strategy:

- Purpose
- Process
- Background
- Draft EJ Mission
- Goals
- Ongoing Activities
- New Initiatives
- Recommendation

Ms. Holt played a couple of multi-lingual radio spots for the CAC.

Ms. Holt requested the CAC review the draft EJ Policy and provide comments to the District.

Suzanne Noble asked for clarification on page number ten, **V. Ongoing Activities, Section 1., Community Access and Involvement, Subsection c.**, regarding the District providing scholarship funds for EJ representatives to attend important District meetings, and she also asked where the funds come from.

Ms. Holt indicated that in the past, scholarships were provided to EJ representatives to attend the District's symposiums. Scholarships will be provided to anyone who deemed themselves in need of a scholarship to attend specific meetings that require a fee. Ms. Holt explained that funds for scholarships are offset by fees paid by individuals to attend the District's symposiums, and District symposiums have sponsors that have also provided scholarship funds.

Ms. Noble asked for clarification on page numbers 10 and 11, **Section 2. Multi-Lingual Outreach and Access, Subsection c.**, pertaining to the District encouraging public participation in the permitting process.

Mr. Sadredin indicated the District has a public noticing requirement in the permitting process, and occasionally we get permitting actions that generate a great deal of public interest, and sometimes we are asked to provide multilingual documents during this process.

Ms. Noble's next question was on page number twelve, **Section VI, Subsection 1. Advisory Committee**, that states the District will be soliciting recommendations from the CAC to the size, qualifications and sector categories regarding the formation of an EJ Advisory Committee. Ms. Noble suggested that one representative from each CAC Interest Group (three) be a member of the EJ Advisory Committee, so you would have one member from Industry/Agriculture Interest Group, one from the Environmental Interest Group and one from the City Interest Group.

Ms. Noble asked how the District envisions the CAC commenting on this, as a whole body, individual interest groups, individual representatives, or some other process.

Mr. Sadredin stated the CAC could put a workgroup together, or a subcommittee, or the committee as a whole can review and comment.

The Chair requested each Interest Group Chair to discuss amongst their respective Interest Groups what comments you have on the Draft EJ Policy, and at the next CAC Meeting (June 6, 2006) we will bring the comments together for consideration by the full CAC.

The Chair announced that the City Interest Group no longer has a Chair with the resignation of Donald Ikemiya. The Chair indicated he would take the liberty as a City Member to coordinate the comments from the Cities until a new City Interest Group Chair can be elected.

Riley Jones stated it appears to be a pretty good price tag for this program and he asked how much duplication will there be between state permitting agencies who already have EJ departments and programs in place.

Mr. Sadredin explained there is nothing in the Environmental Justice Policy that will require additional expenditures beyond what is in the District's Budget. He noted that federal, state and local agencies have their own environmental justice programs they have to abide by. Since we deal with different issues at different levels of government, there's really no duplication.

Mr. Sadredin stated he views the EJ Policy as a two-way communication tool that is needed at this juncture in respect to the District's various mandates. He noted one of the things that is frustrating to him is people think air quality is getting worse in the San Joaquin Valley. He wants to have the capability to use the

venue provided in the EJ Policy to communicate the accomplishments the District has achieved, and the financial decisions that have been made. He feels certain the EJ Policy will enable people to start their participation in this process with a good level of understanding of what's going on, and he also wants to hear what some of their concerns and issues are.

Kevin Hamilton congratulated District staff for taking this huge step forward and bringing this issue to fruition. Mr. Hamilton noted Smoke School was mentioned in the draft EJ Policy and he asked for a definition of Smoke School.

Ms. Holt explained the Air Resources Board has a process where you get certified to read smoke for emissions levels based on opacity.

Christine Foster congratulated everyone who put a lot of work into the development of the EJ Policy. Ms. Foster stated the draft EJ Policy is a first step, and a giant step for the environmental justice committee trying to make sure that each and every person in our community has a way to interact with the Governing Board, and that their thoughts, needs and feelings are presented.

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

Rey Leon, Latino Issues Forum, noted it has taken a while for this process to be initiated, and he applauds District staff for bringing it forward at this juncture.

The Chair reminded the Chairs of the CAC Interest Groups to coordinate comments with their respective members. The Chair indicated this item will be on the CAC agenda for the June 6, 2006 CAC meeting.

13. **ARB Comments** – The Chair stated that it is his understanding that we do not have an ARB representative available to make comments today. The Chair noted it is important to have a presentation from ARB, and if we can't have a verbal presentation we should at least have something written that we can refer to.
14. **CAC Member Comments** – Gary Rohman stated he would like to thank the District for a job well done. Mr. Rohman indicated he recently utilized the District's Heavy-Duty Incentive Program for re-powering off road construction equipment. Mr. Rohman stated the expertise and efforts of District staff with the Emission Reduction Incentive Program (ERIP), made this process a simple, easy to understand experience.

Manuel Cunha encouraged every CAC member to attend the entire day at the May 17, 2006 upcoming Study Agency Symposium.

Christine Foster commended everyone involved in putting the Study Agency Symposium together. Ms. Foster noted that unfortunately, she will be unable to attend due to her teaching schedule. Ms. Foster requested some sort of presentation, or feedback regarding the Symposium be provided to the CAC.

Mr. Sadredin indicated there will be a number of power point presentations presented and staff will provide the CAC with copies of those documents.

Don Horal noted that Les Clark is in the hospital in Bakersfield, and suggested we send him our best wishes.

15. **CAC Member suggestions to be included in the Presentation of the CAC Report during the Governing Board Meeting on Thursday, May 18, 2006**
 - A unanimous vote from the CAC recommending the Governing Board Receive and File Rule 4570 (Confined Animal Feeding)
 - A mention of the draft Environmental Justice Policy
 - Note the various comments made during the Rule Development presentation
 - Report on the Clean Green Yard Machine Program
 - Mention the CAC inquired about the status of School Bus funds
16. **Volunteer to present CAC Report during Governing Board Meeting, Thursday, May 18, 2006** – The Chair, Dennis Tristao, volunteered to make the presentation.
17. **Next Meeting** – Tuesday, June 6, 2006 at 10:00 a.m.. This meeting will be webcast. 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 via VTC.
18. **Adjourn** – The Chair adjourned the meeting at 12:15 p.m.

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