



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, September 5, 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>
Fresno	Manuel Cunha, Industry/Agriculture (P)	Central
"	Ryan Jacobsen, Industry/Agriculture (A)	Central
"	Kevin Hamilton, Environmental (P)	Central
Kern	Les Clark, Industry/Agriculture (P)	Southern
"	Suzanne Noble, Industry/Agriculture (A)	Southern
"	Dana Karcher, Environmental (P)	Southern
"	Brent Green, City (P)	Southern
Kings	Kelly Deming, Environmental (P)	Central
"	Dennis Tristao, City (P) (Chair)	Central
Madera	Don Horal, Industry/Agriculture (P)	Central
"	Lee Smith, Environmental (P)	Northern
"	John Wells, City (P)	Central
Merced	Mary-Michal Rawling, Environmental (P)	Central

2. **Roll Call, continued**

<u>County</u>	<u>Member Name/Interest Group</u>	<u>Regional Office</u>
<u>San Joaquin</u>	Wade Broughton, City (P)	Northern
<u>Stanislaus</u>	Chris Savage, Industry/Agriculture (P)	Northern
"	Steven Murov, Environmental (A)	Northern
<u>Tulare</u>	David Harrald, Industry/Agriculture (P)	Central
"	Gary Rohman, Industry/Agriculture (A)	Central

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

Also present in the Southern Region Office (Bakersfield) – Jerry Frost, Kern Oil & Refinery Emily Gonzalez-Demont, Administrative Analyst.

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, August 1, 2006** – The Chair asked if there were any comments regarding the Minutes. Hearing no comments the Chair declared the Minutes of Tuesday, August 1, 2006 approved as submitted.

4. **Public Comments** – No Public Comments.

5. **Chair Comments** – The Chair encouraged the CAC to share any information they receive during today’s meeting with their respective constituents.

6. **Executive Director/APCO Comments** – Seyed Sadredin, Executive Director/APCO, reported that District staff will release the Draft 8-hour Ozone Plan during the latter part of this month, with workshops tentatively scheduled for October 17, 2006. Mr. Sadredin stated the District’s preliminary assessment shows that it will be difficult to meet the 2013 attainment deadline.

Mr. Sadredin reported the SB 999 bill which would have extended the Governing Board membership from eleven to fifteen members, failed to pass the legislature. Mr. Sadredin thanked everyone that worked on this issue, and he stated it gives him comfort and confidence that there are a lot of people that are interested in the District’s work.

Mr. Sadredin announced that data assembled during the past three years indicates the District is in attainment with the 24-hour standard for PM2.5.

Mr. Sadredin updated the CAC in respect to PM10 and reported that the District submitted a request to EPA a few months ago asking them to declare the Valley in attainment for PM10. Mr. Sadredin announced that EPA will finalize their decision in the very near future.

7. **Action Item: Review and Comment: Rule 9310 (School Bus Fleets)**

Presentation by George Heinen, Supervising Air Quality Engineer.

Manuel Cunha and Kevin Hamilton discussed the issue of Carl Moyer funding not available in respect to replacement of older school buses.

Mr. Sadredin indicated that later this year he will be taking the District's Legislative Platform with next year's legislative goals to the Governing Board for approval. Mr. Sadredin noted the issue of school bus replacement funding will definitely be an item on that list.

Motion to Recommend – *Kevin Hamilton made a motion recommending the Governing Board approve Rule 9310. Seconded by Manuel Cunha and carried with the following roll call vote:*

Ayes: *Manuel Cunha, Don Horal, Chris Savage, David Harrald, Kevin Hamilton, Dana Karcher, Kelly Deming, Lee Smith, Mary-Michal Rawling, Brent Green, Dennis Tristao, John Wells and Wade Broughton.*

Abstain: *Les Clark.*

Absent: *Riley Jones, Chris Dodson, Roger Hoffdahl, Perfecto Munoz, Christine Foster, Amarpreet Dhaliwal and Dean Wilson.*

{Subsequent to the adjournment of the meeting, Steven Murov, Environmental Alternate, Stanislaus County, contacted the Clerk and noted his name was not called during roll call vote. Mr. Murov indicated he would have voted in favor of the motion}.

8. **Action Item: Report from CAC Technical Rule Review Subcommittee** - Chris

Savage, Chair, Technical Rule Review Subcommittee, reported the subcommittee held a meeting in mid September via VTC. Mr. Savage noted there was limited attendance with only three members present, as well as three District staff. A variety of issues were discussed with the biggest issue being what is the functionality of the subcommittee, and is the subcommittee performing at an adequate level of service to the CAC, and ultimately to the Governing Board in terms of rule review.

Mr. Savage noted it was a general agreement amongst the subcommittee members that it really isn't as useful as it would like to be. There is a general agreement amongst the members that the members believe it's an important function that the subcommittee exists. The subcommittee needs to

provide meaningful feedback to the CAC for purposes of decision making, and ultimately making recommendations to the Governing Board in terms of support or lack of support or disagreeing over rules that are going to be in front of the Governing Board.

Mr. Savage explained what seems to be a substantial stumbling block for the subcommittee is a lack of adequate participation from members of the subcommittee to provide feedback to the CAC in a timely enough fashion to make it useful.

Mr. Savage noted that as a result of the last subcommittee meeting he would like to offer that the subcommittee focus on one or two rules or plans that the CAC needs to address in the foreseeable future. The Ozone Plan could be one area we feel the subcommittee should focus on. Mr. Savage indicated the subcommittee is looking for guidance from the full CAC as to what they want the subcommittee to focus their time on. The subcommittee members can make suggestions and they can make recommendations, but ultimately the subcommittee members want direction from the CAC as far as what the CAC feels is important enough for the subcommittee to track and follow.

Mr. Savage stated the subcommittee makes the following specific recommendations:

- 1.) Reorder the CAC Agenda by placing the CAC Technical Rule Review Subcommittee Agenda item immediately after the Rules Under Development Agenda item.
- 2.) Add the Draft 8-hour Ozone Plan as a standing CAC Agenda item.

Mr. Savage explained that the CAC will receive regular feedback on the development on the Plan at each meeting. The District should have one to three District staff designated to provide monthly feedback to the full CAC up to point of staff listing the Plan on the Governing Board agenda and the CAC will ultimately have to make a recommendation to the Governing Board.

Les Clark stated he concurred with Mr. Savage's recommendations.

Mary-Michal Rawling thanked Mr. Savage for his efforts in respect to the CAC Technical Rule Review Subcommittee.

Ms. Rawling indicated that during the recent subcommittee meeting one issue the subcommittee discussed is that Air District staff requests the CAC members provide outreach functions in their respective communities. Ms. Rawling noted this is a very critical function for the CAC to perform in assisting the District in getting the word out to the public regarding rules, and to assist in providing public

comment to the District. Ms. Rawling stated this is something the full CAC needs to keep focused on and not just the subcommittee members. Ms. Rawling stated she hopes that Mr. Savage's recommendations make for a more productive CAC, and subcommittee.

Manuel Cunha thanked Mr. Savage for his efforts regarding the Technical Rule Review Subcommittee. Mr. Cunha stated he thinks what Mr. Savage has laid out between the two recommendations and the comments of Ms. Rawling about the CAC providing outreach and keeping the public aware of District activities is a very important part of this discussion.

The Chair stated he agrees with the recommendations, and it is his preference that the full CAC vote on them.

Motion to Approve Recommendations – Manuel Cunha made the motion to approve Mr. Savage's recommendations. Seconded by Kelly Deming and unanimously carried with the following roll call vote:

Mr. Savage requested the opportunity to speak before the CAC cast their votes.

Mr. Savage indicated he was very pleased the CAC is accepting his recommendations, but he wanted to make it clear to everyone who will be voting that for the CAC to be successful and provide the necessary feedback there has to be committed participation from everyone on the CAC not just the subcommittee members. Mr. Savage noted that if the CAC members just give his recommendations a perfunctory yes, and then not throw the necessary resources and commitment behind it, than we will probably be having this conversation again in six months. Mr. Savage stated he was not sure if we could cut this group down to much more than what it is currently in terms of what it is focusing on. So, if we don't see the kind of participation that he is looking for we will need to evaluate whether the subcommittee really needs to be in existence. In fact, we need to have a broader discussion about what is the role of the CAC again, and are we able to effectively provide guidance to the Governing Board on rules or plans under development in such a way that makes this group's formation meaningful.

The Clerk called the roll for a vote after Mr. Savage's comments.

Ayes: Manuel Cunha, Les Clark, Don Horal, Chris Savage, David Haraald, Kevin Hamilton, Dana Karcher, Kelly Deming, Lee Smith, Mary-Michal Rawling, Brent Green, Dennis Tristao, John Wells and Wade Broughton.

Absent: Riley Jones, Chris Dodson, Roger Hoffdahl, Perfecto Munoz, Christine Foster, Amarpreet Dhaliwal and Dean Wilson.

- 1.) **Reorder the CAC Agenda by placing the CAC Technical Rule Review Subcommittee Agenda item immediately after the Rules Under Development Agenda item.**
- 2.) **Add the Draft 8-hour Ozone Plan as a standing CAC Agenda item. The CAC will receive regular feedback on the development on the Plan at each meeting, and the subcommittee will have the assistance of one to three District staff provide monthly feedback to the full CAC up to point of which staff puts the Plan on the Governing Board and we ultimately have to make a recommendation to the Governing Board. The CAC will provide guidance to the subcommittee as to which rules are priority for the subcommittee to review.**

{Subsequent to the adjournment of the meeting, Steven Murov, Environmental Alternate, Stanislaus County, contacted the Clerk and noted his name was not called during roll call vote. Mr. Murov indicated he would have voted in favor of the motion.}

The Chair thanked Mr. Savage for his leadership with the Technical Rule Review Subcommittee.

Mr. Sadredin offered to assist if there is anything that the District can provide along the lines of pertinent information on rules etc., or to have a staff person available to meet with various groups to cover important issues.

9. **Status Report: Draft Environmental Justice Strategy** – The Chair requested Mary-Michal Rawling discuss the comments provided in the CAC packet from the Environmental interest Group on the Environmental Justice Strategy.

Ms. Rawling stated that many members of the Environmental Interest Group were actively involved in the creation of this draft policy. As a result of their role in the development of the EJ policy it's intuitive that most of their comments are already embodied within the document itself.

However, the members of the Environmental Interest Group wanted to submit the following additional comments to the members of the CAC:

- A definition of Environmental Justice principles would benefit the policy by defining the communities that are disparately impacted by environmental pollution
- Leave the word "prevent" in Section IV. B. 3. to address disparate environmental impacts
- Retain references 1 and 8 as written

Ms. Rawling thanked the CAC for their consideration on the above items.

Mr. Sadredin announced the first round of workshops regarding the Draft Environmental Justice Strategy are tentatively scheduled during the last two weeks of October.

10. **Rules Under Development** – George Heinen, Supervising Air Quality Engineer, provided the Rule Development Report to the CAC.

The Chair suggested the CAC Technical Rule Review Subcommittee and the full CAC review and provide a recommendation on Rule 2250 (Permit-Exempt Equipment Registration) and Rule 3155 (Permit-Exempt Equipment Registration Fee) at the next CAC Meeting. The Chair requested Rules 2250 and 3155 be placed on the next CAC agenda as an action item. The Chair indicated he would be willing to serve as the lead person on these particular rules.

11. **Public Education Report** – Jaime Holt, Public Education Administrator, announced the District is planning a one day air quality symposium on Wednesday, December 6, 2006, from 8:30 a.m. to 5:00 p.m. in Bakersfield at the Doubletree Hotel. Ms. Holt reported that the District received confirmation from Environmental economics expert Jane Hall, Ph. D. and partners that they will be in attendance to give an overview of their 2006 study, "The Health and Related Economic Benefits of Attaining Healthful Air in the San Joaquin Valley."

Ms. Holt reported that the Air Resources Board will hold their Board Meeting on Thursday, December 7 and Friday, December 8, 2006 in Bakersfield.

Ms. Holt announced the District's is accepting entries for the 2007 Clean Air Kids Club Calendar for kids in grades K-12 to draw a clean-air picture for the Air District's 2007 educational, bilingual calendar. Ms. Holt reported the deadline for accepting drawings is September 28, 2006.

Ms. Holt announced the District is partnering with Fresno State University to provide a course for Certificate Award in Air Quality Management. Ms. Holt stated this will be a 7-day course and meet every other Friday beginning September 22, 2006. Ms. Holt noted this course is available through the Division of Continuing & Global Education from Fresno State. The District is hopeful we will receive scholarships from Valley Clean Air Now (CAN) for this course. Ms. Holt pointed out the course will be held via VTC from Fresno with the Modesto and Bakersfield offices included.

Ms. Holt announced the Spare the Air Season is closing soon. Ms. Holt indicated she will prepare a more formal report after the season is over.

Ms. Holt noted the Public Education Division will have two items on the September 21, 2006 Governing Board Agenda:

- Agreement with the American Lung Association for a School Flag Program in the amount of \$40,000
- Agreement with the Enterprise for Education Corporation to Fund the Clean Air Challenge Middle and High School Curriculum Program in the amount of \$30,000

Ms. Holt noted that staff of the Public Education Division is always available to do outreach. Ms. Holt encouraged the CAC to contact her or her staff to request their outreach participation.

Mr. Sadredin provided additional input regarding the District's upcoming symposium. Mr. Sadredin noted he will be requesting a few members of the CAC to participate as panelist during the symposium. Mr. Sadredin indicated the symposium events will include informative presentations and panel discussions on:

- Making the connection: Health-based standards and the District's attainment plan
- Challenges and strategies: Meeting the 8-hour ozone standard
- Green contracting: Untapped potential of innovative solutions
- Thinking outside the box: Alternative compliance
- Valley united: Working together to bring financial resources to the Valley

Mr. Sadredin indicated the District will invite environmentalists, industry representatives, as well as Valley legislators to attend the symposium to talk about ideas on how we can mobilize the Valley to assist with bringing financial resources to the Valley.

12. **ARB Comments** – Jeff Lindberg, ARB Planning Liaison, presented the ARB Report to the CAC. Mr. Lindberg reported the California Legislature recently adopted a landmark piece of legislation, AB 32 – the California Global Warming Solutions Act of 2006, to reduce California's contribution to global warming.

Mr. Lindberg explained that AB 32 makes ARB responsible for monitoring and reducing greenhouse gas emission from significant sources within the state. The law requires ARB to adopt regulation and market mechanisms to achieve real, quantifiable, and cost effective reductions of greenhouse gases. It also sets 1990 greenhouse gas emission levels as the statewide cap, to be achieved by 2020.

Mr. Lindberg reported the legislation is currently on the Governor's desk awaiting his signature.

Chris Savage stated he would like to see the development process for AB 32 appear as a standing agenda item or perhaps, Mr. Lindberg will update the CAC each month during the ARB Comments item.

Les Clark stated that AB 32 is a big step backwards for anybody that wants to do business in the State of California.

Manuel Cunha commented that in 1974 ARB made an agreement with EPA to reduce automotive emissions, which ARB has not accomplished. Mr. Cunha noted he was in agreement with Mr. Clark's comments that AB 32 will drive businesses out of California.

Kelly Deming requested that Mr. Lindberg's ARB monthly reports be provided to the CAC in writing so the CAC can follow along.

Mary-Michal Rawling asked for the District's perspective regarding AB 32.

Mr. Sadredin stated that if AB 32 impacts stationary sources there should be a role for District participation.

Kevin Hamilton and Manuel Cunha requested that ARB report back to the CAC regarding ARB's decision to not fund school bus replacement through the Carl Moyer Program.

Ravi Ramalingam, ARB representative volunteered to report back to the CAC regarding ARB's decision about the school bus replacement funding issue, hopefully next month.

Manuel Cunha requested ARB staff attend the District's September 21, 2006 Governing Board Meeting to provide some positive information regarding school bus replacement funding.

Mr. Ramalingam indicated he would convey Mr. Cunha's request to ARB.

13. **CAC Member Comments** – No CAC Member comments.

14. **CAC Member Suggestions to be Included in the Presentation of the CAC Report during the Governing Board Meeting on Thursday, September 21, 2006**
Report regarding AB 32 discussion
School bus funding replacement issue
CAC Recommendation regarding Rule 9310 (School Bus Fleets)
CAC Recommendation regarding the CAC Technical Rule Review Subcommittee
Workshops will be held at the end of October 2006 for the Draft Environmental Justice Strategy

15. **Volunteer to present CAC Report during Governing Board Meeting, Thursday, September 21, 2006 at 9:00 a.m.** – The Chair volunteered to provide the CAC Report to the Governing Board on September 21, 2006.

16. **Next Meeting** – Tuesday, October 3, 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.
17. **Adjourn** – The Chair adjourned the meeting at 11:42 a.m.

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