



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, January 2, 2007
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	Ryan Jacobsen, Industry/Agriculture (A)	Central
Kern	(**) Les Clark, Industry/Agriculture (P)	Southern
"	(*) Suzanne Noble, Industry/Agriculture (A)	Southern
"	Dana Karcher, Environmental (P)	Southern
Kings	Riley Jones, Industry/Agriculture (P)	Central
"	Kelly Deming, Environmental (P)	Central
"	Dennis Tristao, City (P), Chair	Central
Madera	Lee Smith, Environmental (P)	Central
Merced	Chris Dodson, Industry/Agriculture (P)	Northern
"	Dean Wilson, City (P)	Central
San Joaquin	Perfecto Munoz, Industry/Agriculture (P)	Northern
"	Wade Broughton, City (P)	Northern
Stanislaus	No Attendees	
Tulare	David Harrald, Industry/Agriculture (P)	Central
"	(**) Christine Foster, Environmental (P)	Central

(*) Arrived after Roll Call
() Arrived after during Item #7**

Also present in the Central Region Office (Fresno) – Rick McVaigh, Deputy Air Pollution Control Officer; Tom Jordan, Special Projects Administrator; Joe Nazareno, Senior Air Quality Engineer; Rich Burt, Communication Systems Analyst; Kelly Morphy, Senior Air Quality Education Representative; Don Hunsaker, Supervising Air Quality Planner; Gabrielle Kirkland, CGTFL; and Sissy Smith, Clerk to the Board.

Also present in the Northern Region Office (Modesto) – Kurt Spycher, incoming CAC Member representing Turlock City Council; Jeff Lindberg, ARB Planning Liaison for the District; and Dottie Shoffner, Senior Office Assistant.

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

3. **Approve Minutes of Tuesday, December 5, 2006** – The Chair asked if there were any comments regarding the Minutes. Hearing no comments the Chair declared the Minutes of Tuesday, December 5, 2006 were approved as submitted.
4. **Public Comments** – No Public Comments.

The Chair requested meeting attendees power off their cell phones because they interfere with the District's audio equipment.

5. **Chair Comments** – The Chair wished everyone a Happy New Year and noted the CAC is starting a new year. He mentioned the City representatives' terms will expire on January 31, 2007 and encouraged the City Members interested in remaining on the CAC to contact their respective City Selection Committee regarding re-appointment.

The Chair noted that for this upcoming year he would like to initiate a new action item. This would entail the respective Chair for each of the CAC's three Interest Groups, i.e. Industry/Agriculture, Environmental and City prepare comments for action items that could be submitted to the Governing Board, on those occasions where the CAC as a whole is unable to recommend a course of action or a unified position for items that appear on the Governing Board agenda for action. The Chair noted during 2007 he will work with the Interest Groups' Chairs to establish some guidelines for this new item.

The Chair noted one of the items the CAC is charged with is outreach efforts to their respective constituents. The Chair noted that regardless of what Interest Group a CAC member belongs to they should continue to pass along information received during CAC meetings. The Chair requested the CAC continue to keep the activity level high on the issues of plan and rule development, particularly, as the District continues with the development of the new 8-hour Ozone Plan. This

plan will have a tremendous impact on all of us one day from potential improvements for the health of the citizens of this Valley to the potential financial burden that will be placed on industry and respective city government.

The Chair noted we will have an item coming up next month which he thinks will create quite a bit of attention over the course of this year and that is the Environmental Justice Policy and the role of the CAC.

6. **Executive Director/APCO Comments** – Rick McVaigh, Deputy Air Pollution Control Officer, provided comments for today's meeting. Mr. McVaigh noted that a revised version of the Environmental Justice Policy (EJ) is posted on the District's Internet site. Staff is still working on the actual document that will provide the responses to specific comments received and those will be posted shortly. The one outstanding issue pertains to the makeup of the Environmental Justice Advisory Group. Staff is still taking suggestions on the size, the qualifications, the term and the representation of people who would be included in the makeup of that group.

Mr. McVaigh noted the December 6, 2006 District Symposium, "Mission Possible," was a great success, and he thanked everyone who participated or contributed. The District received a number of comments, including one from Dr. Robert Sawyer, ARB Board Chairman, on how well informed the District's stakeholders are.

Mr. McVaigh noted the District is continuing to work on the 2007 Ozone Plan and Don Hunsaker with the Planning Department will provide an update on those efforts shortly during Agenda Item #9.

Mr. McVaigh indicated that in November the voters approved Proposition 1B which will eventually provide about one billion dollars to mitigate the air quality impact of the Goods Movement in California. The District, the Valley COGs and the Valley Partnership will be assembling a request to receive twenty-five percent of that one billion dollars here in the Valley. District staff thinks that is well warranted for two reasons: the seriousness of the Valley's air quality problem; and twenty-eight percent of all heavy duty truck traffic in California occurs here in the Valley.

Dean Wilson asked how the new federally mandated diesel truck engines will impact the Valley's air quality. Mr. McVaigh indicated the District's Ozone Plan takes into account the potential emission reductions as a result of the new engine standards. The District will also be accelerating the portion of the Ozone Plan in respect to incentive money to hopefully speed the acquisition of those new engines.

Riley Jones noted the ARB's website lists several workshops scheduled for bio diesel specifically.

7. **Public Education Report** – Presented by Tom Jordan, Special Projects Administrator. Mr. Jordan indicated the 2007 Kids Club Calendars have been printed and ready for pick up in the three regional offices. A Hmong language calendar is also ready and will be distributed to Hmong and Laotian organizations throughout the San Joaquin Valley. If the CAC would like to receive additional calendars for distribution to organizations of their choice, contact the Public Education Department.

Mr. Jordan announced the District has been working with Operation Clean Air and the Hearth Patio Bar-B-Q Products Association to develop a program called the "Burn Cleaner Program," which will start at the end of January and is available to residents who want to retire older non EPA certified woodstoves and replace them with a cleaner burning stove. Mr. Jordan explained that a homeowner has the potential of receiving between \$325 and \$800 to do that conversion. Homeowners can convert to an EPA certified device, a pellet device or a natural gas device through that program. Information pertinent to the Burn Cleaner Program will be available at Valley vendors who sell hearth products.

The "Check Before you Burn" program is in full swing, and the Public Education Department has brochures available upon request.

The Environmental Justice (EJ) policy is posted on the District's website, and the District is still reviewing comments on the section pertaining to the makeup of the EJ Advisory Group.

The District's recent symposium was a great success with over two hundred people in attendance. The District intends to continue to offer these types of events in the future.

Fifty-five people recently completed the program for the "Certificate in Air Quality Management Course" through Fresno State Extension. The District received a lot of great feedback on that program, and with the syllabus now complete, we will likely continue this program sometime in the future.

Mr. Jordan indicated EPA is having two Environmental Justice workshops to discuss PM10 issues with one in Wasco on January 18, 2007 and in Fresno on January 20, 2007. The District will be providing a brief presentation about District issues at that meeting, and he noted the public is welcome to attend those workshops.

Dana Karcher asked if fireplace conversions were included in the "Burn Cleaner" program. Kelly Morphy indicated that the program will fund the installation of inserts into open fireplaces.

Dean Wilson asked for more information regarding the "Certification in Air Quality Management Course;" Mr. Jordan provided additional information.

Suzanne Noble requested the Clerk send course information regarding upcoming sessions to the CAC as soon as it's available.

8. **Status Report: Sand and Gravel Permit Streamlining Efforts** – Presented by James Swaney, Permit Services Manager. Mr. Swaney indicated that in 2003 the District started a backlog reduction effort with stakeholders that has morphed into the District's ongoing permit streamlining effort. The District asked the stakeholders to suggest any facility or type of industry that might benefit from having a source-specific permitting policy, and one of the stakeholders mentioned the sand and gravel industry would be a possibility. After investigation, the District decided that this source should have a general permit policy. Mr. Swaney indicated the purpose in doing this policy is to let the industry know the types of issues that may arise when the District is processing permits and also to develop standardized permit conditions.

Mr. Swaney noted the District formed an industry group with certain facilities, consultants and trade association and held one meeting with the sand and gravel industry. The sand and gravel industry group agreed with the need for the policy. Unfortunately, since that time period not a lot of work has been done on either side of this policy, and the numerous bonds that were passed last year could lead to a tremendous amount of construction happening in the Valley. Mr. Swaney stated he would like to take this opportunity to re-energize the group and get focused on working together again on the permit streamlining effort. With active participation from this industry, we should finish this policy in early 2007. Mr. Swaney announced that later this week he will be emailing the workgroup that we had set up before asking if there are other members who wish to participate.

David Harrald indicated that the Clerk faxed to Mr. Swaney a contact list of fifteen members of the Construction Materials Association. Mr. Harrald stated that all of the members indicated interest in assisting the District in moving ahead with this project. Mr. Harrald noted that if Mr. Swaney has any trouble energizing this group to let him know.

9. **Status Report: Draft 8-hour Ozone Plan** – Presented by Don Hunsaker, Supervising Air Quality Planner. Mr. Hunsaker noted that staff is working on refining the control measures on the Plan and looking for more opportunities to give incentive based reductions in the Plan. ARB needs to redo the

photochemical modeling they performed for an earlier draft of the Plan because the Valley received more NOx emissions from mobile sources than originally anticipated. In the original model, heavy-duty diesel truck emissions were counted where the trucks were registered, and not where they were operated. The increase in NOx emissions was significant enough to require the remodel.

Additionally, the District has incorporated public comments received on the October draft into the latest version of the plan to be released on January 29, 2007. The District will hold a public workshop on February 8, 2007. The Plan will be on the Governing Board's March 15, 2007 meeting agenda to be received and filed and on their April 19, 2007 agenda for adoption. The plan is due to EPA on June 15, 2007.

Mr. Hunsaker noted that on December 22, 2006, the U.S. Court of Appeals for the District of Columbia Circuit Court in Washington, D.C., in response to a lawsuit brought by South Coast Air Quality Management District and others, issued a ruling vacating the entire EPA rule under which the District is preparing their plan. The District will continue to develop its 8-hour Ozone Plan, but noted that there is no rule to guide the process at this time.

Suzanne Noble asked if the District had a copy of the news article referring to the case. Staff indicated they will send a copy of the Court's ruling to the CAC, and they will keep the CAC updated on this issue.

10. **Rules Under Development** – Joe Nazareno, Senior Air Quality Engineer, provided the Rule Development Report to the CAC.
11. **CAC Technical Rule Review Subcommittee** – No Report.
12. **ARB Comments** – Jeff Lindberg, ARB Planning Liaison for the District, updated the CAC on ARB activities. He noted that the court ruling to vacate the EPA rule has left them “up in the air” as well.

Mr. Lindberg updated the CAC on AB 32 and noted that as of yesterday the inventory for global warming emissions was turned over to ARB from the California Climate Action Network, and ARB has a workshop coming up on January 22, 2007 in Sacramento to discuss the air action measures that are required by AB 32 as well as to work on the timeline to implement those measures.

13. **CAC Member Comments and CAC Suggestions to be included in the presentation of the CAC Report during the Governing Board meeting on Thursday, January 18, 2007** - Perfecto Munoz noted that we have different challenges as it relates to air quality within each county in the Valley, and he requested an air quality comparison between each county. Mr. Munoz noted he

thinks this would be helpful information to be able to understand the different challenges and how he as an individual can give input and suggestions on how to address these concerns.

Mr. Munoz also asked if the District had participated in the California Partnership for the San Joaquin Valley meetings, and has the Partnership tried to encourage the Governor to look at the Central Valley as it relates to securing additional funding.

Tom Jordan noted that the District is involved with the Partnership activities, and participated in the development of the Partnership's Strategic Action Proposal and its recommendations in identifying areas where we need support and incentive funding. The District has worked closely with the Partnership and the Council of Governments regarding Proposition 1B funds, which are earmarked for Goods Movement. Traditionally, Goods Movement funds are sought by large urban centers and the Ports; however, the District and the Partnership will be putting together a resolution for cities and counties in the Valley to request support from any of the associations or groups the CAC members are involved in to help the State representatives see the whole Goods Movement picture. Although Proposition 1B funds are distributed by the ARB, the State Legislature can put restrictions on where those funds are distributed. Staff will keep the CAC posted on the development of this issue.

Rick McVaigh stated that staff would put together a report showing county comparisons of air quality for a future CAC Meeting.

Christine Foster suggested the report to the Governing Board include mention of the issues surrounding the 8-hour Ozone Plan, and also on the ARB's upcoming meeting regarding AB 32. David Harrald requested the report include information regarding permit streamlining pertaining to the sand and gravel industry.

Dean Wilson noted that in respect to the 8-hour Ozone and PM Standard he volunteered and encouraged all the CAC members to work on coordinating information with their respective local leaders who may be able to assist the District in receiving additional federal and state funding.

Due to technical difficulties the video teleconference system shut down at 11:00 a.m.

Meeting resumed at 11:05 a.m.

The Chair indicated the report should include information regarding Proposition 1B and the importance of allocation of our fair share of those funds in the Valley.

14. **Volunteer to present CAC Report during Governing Board Meeting, Thursday, January 18, 2007 at 9:00 a.m.** – The Chair, Dennis Tristao, volunteered to present the CAC Report to the Governing Board on January 18, 2007.
15. **Next Meeting** – The next CAC Meeting is scheduled on Tuesday, February 6, 2007 at 10:00 a.m., the meeting will be held via video teleconferencing (VTC), with the Central Region Office (Fresno), the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating.
16. **Adjourn** – The Chair adjourned the meeting at 11:06 a.m.