



San Joaquin Valley Air Pollution Control District

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Action Summary Minutes Citizens Advisory Committee (CAC) Meeting San Joaquin Valley Unified Air Pollution Control District Central Region Office, 1990 E. Gettysburg Avenue Governing Board Room, Fresno, CA.

Tuesday, December 3, 2002
9:30 a.m.

Meeting held via video teleconferencing (VTC) at the Central Region Office (Fresno) with the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating via VTC.

1. **Call Meeting to Order** – The Chair, Lee Smith, called the meeting to order at 9:37 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	Roger Isom, Industry/Agriculture (P)	Central
"	Jack Grisanti, Environmental (P)	Central
Kern	Suzanne Noble, Industry/Agriculture (A)	Southern
"	Ann Williams, Environmental (P)	Southern
Kings	Dennis Tristao, Industry/Agriculture (P)	Central
"	Kelly Deming, Environmental (P)	Central
"	Theo DeHaan, Environmental (A)	Central
Madera	Ron Flores, Industry/Agriculture (P)	Central
"	Lee Smith, Environmental (P) Chair	Central
"	Donald Horal, Environmental (A)	Central
"	Glenn Igo, City (P)	Central
Merced	Pheakdey Preciado, Environmental (P)	Central
San Joaquin	Robert Sarvey, Industry/Agriculture (P)	Northern
Stanislaus	Chris Savage, Industry/Agriculture (A)	Northern
"	L. D. "Denny" Hoeh, Environmental (P)	Northern
"	Mike Burns, City (P)	Northern

Roll Call cont:

<u>County</u>	<u>Member Name/Interest Group</u>	<u>Regional Office</u>
Tulare	David Harrald, Industry/Agriculture (P)	Central

Also present in the Central Region Office (Fresno) – David L. Crow, Executive Director/APCO, Robert Dowell, Director of Planning, Joe Nazareno, Senior Air Quality Engineer, Rich Burt and Alex Krivobok, Communication Systems Analysts, Dave Jones, Planning Manager, Roger McCoy, Director of Administrative Services, Seyed Sadredin, Director of Permit Services, Fred Bates, Controller, Janis Parker, Air Quality Education Rep., Don Hunsaker, Supervising Air Quality Planner, Louise Fisher Brooke, Tulare Co. Farm Bureau, Jenny Huntsman, Caltrans, Colby Morrow, Sempra Energy Utilities and Sissy Smith, Clerk to the Board.

Also present in the Northern Region Office (Modesto) – Ravi Ramalingam, ARB representative and ARB Liaison for the Valley Air District, John Honnette, member Sierra Club and Karen Morris, Administrative Analyst.

Also present in the Southern Region Office (Bakersfield) – Linda Phillips, Administrative Analyst.

3. **Chair Comments** – The Chair stated that he had no comments

David Harrald stated that Mr. Ted Falasco, Linda Falasco's father passed away over the weekend at the age of 81. Mr. Harrald noted that services will be at 11 a.m., Thursday in Los Banos.

4. **APCO COMMENTS** – David L. Crow, Executive Director/APCO, reported on the Highlights of District Activities from the November 14, 2002 Governing Board Meeting. Mr. Crow noted that the Board received and filed a number of rules four of which will be before the Board for action at their December 19, 2002 meeting as well as amendments to the Rate of Progress Plan.

Mr. Crow noted that at the November meeting Mayor Autry attended the meeting again and spoke to the Board regarding the efforts that are underway Valleywide to develop a Clean Air Action Plan. For the purpose of soliciting support from the federal government both monetary and regulatory to accelerate cleanup efforts here in the Valley. Mr. Crow noted that the Board, in response to the Mayor, awarded a \$25,000 amount to assist in the organizational efforts that will culminate probably early in March with Phase I of the Plan which is to develop the Plan itself in terms of the voluntary commitments that various sectors would commit to. In part contingent on availability of money local or federal support for it. The Board also appointed an Ad Hoc Subcommittee to monitor progress and

to participate from the Governing Board's perspective. Mr. Crow provided the CAC with a DRAFT of the San Joaquin Valley Clean Air Action Plan (rev. 10/25/02).

Mr. Crow announced that the District will have a number of workshops that will be taking place on wood burning devices beginning this evening at 6:30 p.m. here in the Fresno Office and video telecast to the Bakersfield and Modesto Offices. Then over the next two days those meetings will take place as well.

Mr. Crow announced that the District has a number of long standing Governing Board Members that will be leaving the Board come this meeting (December 19) will be their final. Mr. Crow noted that it has been asked if possible for people to attend in the Board Meeting in the Fresno Office. Mr. Crow noted that Supervisor William Sanders, Tulare County, will be stepping down from the Board after many years service. Mr. Crow stated that Supervisor Nick W. Blom, Stanislaus County, will be stepping down and he is the only remaining original Board Member who has served on the Governing Board for the past eleven years and Councilmember Tom Applegate, City of Newman, is completing two years on the Board and will be stepping down. Mr. Crow invited the CAC to attend the December 19 meeting for a farewell to the above mentioned Board Members.

5. **Approve Minutes of Tuesday, November 5, 2002** – The Chair asked if there were any corrections, additions or comments regarding the Minutes of November 5, 2002. Hearing no comments the Chair declared the Minutes of November 5, 2002 approved as submitted.
6. **Public Education** – Janis Parker, Air Quality Education Rep., stated that the Public Education is in the throes of the ***Please Don't Light Tonight***” campaign. Ms. Parker explained the various Public Education outreach efforts regarding that campaign.

Ms. Parker noted that Public Education staff have been very busy answering questions regarding the ***Please Don't Light Tonight Program*** and ***Rule 4901 (Residential Wood Combustion)***. Ms. Parker explained that Public Education prepared a frequently asked questions fact sheet that they will use for the upcoming workshops and also for general use for the public.

Ms. Parker announced that she provided the CAC Members with a District 2003 calendar. Ms. Parker noted that the District is very proud of our 2003 calendar. Ms. Parker explained that the District received hundreds of entries from kids throughout the Valley and it was very difficult to select only fourteen pictures. The calendar features original art work from these kids and it's a great depiction of there interpretation of what air pollution is all about. Ms. Parker noted that if the CAC wanted extra copies of the calendars let someone in Public Education know and they would be glad to send as many as they could. Mr. Parker did note however, that the calendars are very popular and they are going out the

door quickly.

7. **Rules Under Development** – Joe Nazareno, Senior Air Quality Engineer, reported on the following rules:

Rule 2020 (Exemptions)

Rule 2201 (New and Modified Stationary Source Review Rule)

Rule 4313 (Lime Kilns)

Rule 4351 (Boilers, Steam Generators and Process Heaters - Phase 1)

Rule 4305 (Boilers, Steam Generators and Process Heaters - Phase 2)

Rule 4306 (Boilers, Steam Generators and Process Heaters - Phase 3)

Rule 4408 (Glycol Dehydration)

Rule 4701 (Stationary Internal Combustion Engines - Phase 1)

Rule 4702 (Stationary Internal Combustion Engines – Phase 2)

Westside NOx Exemption in Rule 4305 (Boilers, Steam Generators and Process Heaters) and Rule 4701 (Stationary Internal Combustion Engines)

Rule 4610 (Glass Coating Operations)

Rule 4901 (Residential Wood Combustion)

8. **Status of the Bump-up** – David L. Crow, Executive Director/APCO, stated that as you may recall from the Board's deliberations this past June and July over our attainment status. With the severe designation being upon us and with the inability to produce an attainment demonstration by November 2005 that would show attainment. That fact required us to put on the table the necessity of moving to extreme non-attainment status that would require the same diligence with regard to rulemaking and emission reduction strategies but would give additional time to bring the Valley into attainment. That would put us basically on the same path as the South Coast Air Quality Management District and a number of other places around the country.

Mr. Crow noted that the deadline for the Board to make such a decision is September 2003. Mr. Crow explained that while those discussions took place this past June it's pretty apparent that there has been a number of new issues to be considered that are still kind of developing at the federal level. Mr. Crow noted that foremost among these issues is one that we did cite as a potential impact on this deliberation of early last summer and that relates to the implementation of the new 8-hour average ozone standard. Mr. Crow pointed out that we are presently on a 1-hour standard.

Mr. Crow stated that the EPA now has the authority to move forward with implementation of the 8-hour standard. Mr. Crow explained that it is our understanding that when they do so another 320 counties nation-wide would fall into non-attainment status. Mr. Crow noted that EPA is now engaged in a timeframe for how will they go about ascertaining which counties are non-attainment to that 8-hour standard. And, then what does that mean in relation to attainment status in the period of time that air districts would have with the new

standard to reach attainment. Mr. Crow explained that all of these things are being developed but are not to a point of certainty at this juncture where we know enough to follow through with the Board. Mr. Crow noted that basically prudence would suggest that we be in a holding pattern until the feds have greater clarity in terms of how they will implement the new standards. The timeframe they will use to implement the new standards and what it may mean. Mr. Crow pointed out that this is kind of a departure from what we previously heard from EPA Region IX specifically last spring. Now unlike what we had anticipated the EPA are actively considering having the new standards supplant the existing standard. Mr. Crow explained that, that may present new facts for the Board to consider prior to them deciding if they want to defer the discussion of extreme.

After a question and answer period by the CAC Mr. Crow stated that nothing he has mentioned in his status report of the bump-up is precluding District staff from doing what the Board directed staff to do. And, that is to move forward with development of an extreme attainment plan. Mr. Crow noted that we are still in that mode as aggressively as we have been in the past in terms of identifying what it would take under the extreme scenario to bring the Valley to attainment. Mr. Crow stated that what he was speaking to earlier is another cloud that hangs over that effort as it relates to the implementation by the EPA of the new 8-hour standard.

Dave Jones, Planning Manager, stated that we are hoping to have a timeline, the first draft of the timeline of the plan, available by the end of the week. Mr. Jones noted that we are doing that because we were requested by the Policy Committee of the Study Agency to give them an idea of when the plan would be completed. Mr. Jones noted that when we get that done he would give it to the Clerk and she will send it out to the CAC.

9. **PM10 Plan Status** - Dave Jones, Planning Manager, reported that the District held workshops last month on technical issues which related basically to the inventory and what type of modeling we were going to do. We also released a preliminary list of suggested control measures. Mr. Jones pointed out that they were not ones that we committed. Mr. Jones noted that they were measures that either we identified or other districts have done or have been suggested to us. Mr. Jones explained that it was a list of what we were going to look at and consider to put in the plan. The workshops were sparsely attended in the afternoon and hardly any attendance in the evening which was unfortunate because we were trying to educate people about what the real problem is. Mr. Jones explained that a lot of people have the misconception that the entire PM10 problem in the Valley is all fugitive dust and what we are seeing is that it is not. Fugitive dust is a component but its basically carbon and secondary PM10 that causes the major problem in the wintertime. Mr. Jones noted that we were kind of disappointed with the turn out at the workshops but we did put together a good package of information and that package is still available on the web site. Mr. Jones stated that the modeling has slipped a little bit for the PM10 Plan, and

basically we won't have the results of the modeling until some time later this month. The second or third week of December is what they are shooting for. Which means that the plan release, the first draft plan, will probably not come out until the middle of January. Which then puts us at the workshops in early February if everything stays on schedule from now on. Which would then mean that we would be taking the receive and file to the Board in March with an April adoption date. Which is basically slipping a month from where we were the last time we reported to the CAC about two months ago.

10. **Changes to the NSR Rule** – The Chair stated that the proposed NSR will be before the Board in December for adoption. The Chair stated that the reason this is on the agenda today is that there was a question to whether or not it would be helpful for the CAC to make a recommendation to the Board. The Chair stated that he was wondering if we need to setup a subcommittee to prepare that presentation or if that is something the CAC wanted to do at all. The Chair asked the CAC for input.

Dennis Tristao stated that if the Chair's intent is to have comments to the NSR Rule for a discussion paper from the CAC he would work with a group on that.

The Chair and Dennis Tristao will develop a discussion paper for the December 19, 2002 Governing Board Meeting in respect to the NSR Rule.

11. **Clean Air Action Plan/Role of CAC** – The Chair stated that from his read of the materials that was in the Governing Board Packet in respect to the development of the Clean Air Action Plan is that one of the ideas was to put together a group that would provide input. The Chair noted that it looked to be the same organizational structure of the CAC. The Chair stated that it seemed to him that it would be beneficial for the CAC perhaps to take that position or least somehow volunteer to interact with what is going on with the Plan.

Denny Hoeh requested information on volunteering for involvement in the process.

Mr. Crow noted that the Great Valley Center has retained an individual who on a daily kind of basis will be coordinating that process and answering questions through Phase I which would culminate in the development of a Plan. Mr. Crow noted that the Plan is going to be a living amending kind of document and that Plan would initially go back to Washington, D.C. in February. Mr. Crow announced that Carolyn Ratto, former councilmember from the City of Turlock and fairly recently past president of League of California Cities, is the individual that will coordinating the process. Mr. Crow noted that Ms. Ratto will be working with Mayor Autry and Supervisor Bob Waterston, et al.

The CAC skipped to:

13. **Discussion/Recommendation re: Sustainable Incentives for Agriculture Emission Reductions** – The Chair noted that this agenda item title should not have been just specific to agriculture it read Sustainable Incentives.

Mr. Tristao provided the CAC with a handout titled **Sustainable Incentives**. Mr. Tristao noted that at the last CAC Meeting and this is part of our efforts here to make recommendations to the Governing Board for implementing programs that promote emission reductions. We formed a committee and the charge of the committee was to put forth a program called **Sustainable Incentives**. Mr. Tristao noted that he had the opportunity to receive comments from the other committee members: Jack Grisanti, Les Clark and Chris Savage on this issue. Mr. Tristao explained that the issue today is reviewing this document and insuring that there is an understanding that what the **Sustainable Incentives** concept is promoting a free market approach to emission reductions. While at the same time the other issue that he is involved with in Kings County is for the local municipalities to be able to look towards the District for assistance in acquiring funds necessary to implement emission reductions programs.

Mr. Tristao pointed that this is just a framework for a concept. And that this concept if possible be implemented in the prohibitory rule development and into the State Implementation Plans(SIP) whether it be Rate of Progress or PM10. And to afford an opportunity to promote market based approaches for acquiring emission reductions that are least costly then perhaps those being requested for a prohibitory rules but, to explore those concepts.

Mr. Tristao requested that the Chair asked for general comments from the CAC to see if they have anything they wish to add or delete and then if it's the pleasure of the CAC that this **Sustainable Incentives** concepts be presented as a recommendation for the Governing Board to pursue.

Committee Member Jack Grisanti, thought maybe it might be pertinent, particularly with the Clean Air Action Plan. Mr. Grisanti stated that it seems like there is common goals and maybe part of that should be to see how to fledgling groups could be worked together.

Mr. Tristao stated that he would agree with that. But, we have to remember as this Board we are appointed by our respective Board of Supervisors. We are identified in legislation. It is not our goal to follow the lead of another organization but rather if we embrace this concepts to recommend them it is part of our participation in the clean air now. But, this would be something that our Board would like to pursue. The issue is what financial incentives can be offset to municipalities and businesses in order to facilitate more rapid reductions occurring without having to incur the cost associated with command and control.

Committee Member Chris Savage, stated that he would volunteer to participate with Mr. Tristao on this. Mr. Savage stated that he is fully behind what's being proposed here. Mr. Savage stated that he thinks that as we work at trying to get the last few bits of emission reductions that we are trying to achieve we are not going by using our traditional methods (as Mr. Tristao's phrases it) command and control. Mr. Savage stated that he thinks we need to be creative as possible looking for alternative ways of going after it. The Carl Moyer Fund is referenced in the document as an excellent example of that. Mr. Savage stated that he thinks we need to take a stronger position as possible of looking at these alternative methods of compliance is the only way we are going to get to our goals. And, quite frankly keep businesses in the Valley because we are not going to do it with our historical approaches and what we have been doing.

APPROVAL OF PRESENTING THE SUSTAINABLE INCENTIVES AS A GENERAL CONCEPT TO THE GOVERNING BOARD – *The motion was made by Chris Savage to present the Sustainable Incentives Concept to the Governing Board. Seconded by Roger Isom and carried unanimously with the following Roll Call Vote:*

Ayes: *Roger Isom, Jack Grisanti, Suzanne Noble, Ann Williams, Dennis Tristao, Kelly Deming, Ron Flores, Lee Smith, Glenn Igo, Pheakdey Preciado, Robert Sarvey, Chris Savage, Denny Hoeh, Mike Burns and David Haraald.*

Absent: *Joseph Rhodes, Les Clark III, Linda Falasco, David Brown, Wade Broughton and Ray Millard.*

Action:

The CAC approved presenting the Sustainable Incentives at the December 19, 2002 Governing Board meeting as a general concept and something that the CAC is considering and to let the Board be aware that this is a path worth looking at.

The Chair encouraged the CAC as soon as possible to take a really good look at the document and if they have any comments to contact Dennis Tristao, Chris Savage or himself.

12. **Discussion of Governing Board Agenda/CAC Input** – The Chair stated that he would like to see the CAC put together a more comprehensive statement that includes the CAC comments on NSR as well as volunteering to work with the Clean Air Action Plan as well as the sustainable incentives concept.
14. **ARB Comments** – Ravi Ramalingam, California Air Resources Board (ARB) representative and ARB Liaison for the Valley Air District. Mr. Ramalingam stated that he had nothing to report

15. **CAC Member Comments** – Roger Isom reported that a coalition of agriculture groups in the Air District and the USDA Natural Resources Conservation Service put together a packet. Mr. Isom noted that it is a booklet called Air Quality Conservation Management Practices of San Joaquin Valley Farms. Mr. Isom explained that the agriculture industry prepared this booklet to provide farmers with accurate information and practical guidance for implementation of sound conservation and management practices to minimize PM10 from unpaved roads and equipment yards and from storage of bulk materials on San Joaquin Valley farms and ranches. Mr. Isom noted that farmers and ranchers are encouraged to prepare PM10 Management Plans for their own operations. Mr. Isom explained that this booklet includes samples and actual forms farmers and ranchers can use to document their management plans.

Mr. Isom stated that the booklet was funded in part by a U.S. Department of Agriculture Natural Resources Conservation Service's Environmental Quality Incentives Program (EQIP) grant provided to the California Cotton Ginners and Growers Association, and by the Agriculture Improving Resources (AIR) partners.

Mr. Isom noted that they are in the process of distributing over 10,000 of these as we speak. Mr. Isom stated that he just wanted to make the committee aware that these are available. Mr. Isom explained that this is just the first one in a series. The next one you will find out in the coming months the Air District is looking to move to on field activities, land preparation, disking, harvesting those type of things. We will update this booklet to include those practices as those come about. We simply wanted to share with the CAC that the agriculture community has been working with the Air District to get the word out to growers to put in a form that they can understand and easily use.

16. **Public Comments and/or Reports** – No Public Comments.
17. **Volunteer to present CAC Report, Thursday, December 19, 2002 at 9:00 a.m., Governing Board Meeting** – The Chair stated that someone from the sustainable incentives committee will possibly be making the CAC Report to the Board.
19. **Next Meeting** – Tuesday, January 7, 2003 at 9:30 a.m., via video teleconferencing (VTC), Central Region Office (Fresno) with the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating via VTC.

The Chair introduced two new CAC Members:

Kelly Deming, Environmental, Primary, Kings County
Theo DeHaan, Environmental, Alternate, Kings County

20. **Adjourn** – The Chair adjourned the meeting at 10:44 a.m.

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