

Action Summary Minutes  
San Joaquin Valley Unified Air Pollution Control District  
**Governing Board**

Central Region Office, Governing Board Room  
1990 E. Gettysburg Avenue, Fresno, CA

**Wednesday April 30, 2008**  
**9:00 a.m.**

*Meeting held via teleconferencing (VTC) with the Central Region Office (Fresno), the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield).  
This meeting was webcast.*

1. CALL MEETING TO ORDER

The Chair, Supervisor Ornellas, called the meeting to order at 9:04 a.m. He welcomed Dr. Telles, a new Board Member appointed by the Governor. Dr. Telles stated his involvement in the air pollution problem began 20 years earlier when he was coaching soccer and noticed the inhalers his players had. Dr. Telles stated that he has a background in agriculture, and he believes in a balanced approach to solving our air quality problems. Dr. Telles articulated that while he realizes the Valley has a huge air pollution problem, he does not believe it is the top health concern. He stated he believes the top health issue in the Valley is access to healthcare, and noted if the air is cleaner, then more clean businesses would want to locate in the Valley and thus, with a lower unemployment rate, there would be more Valley residents with access to healthcare. Dr. Telles noted that he felt he is not the right person for the ARB Board, to which he was also appointed by the Governor, and planned to resign his position in November.

2. ROLL CALL was taken and a quorum was present.

*Present*

Tony Barba, Supervisor	Kings County
Raji Brar, Councilmember *	City of Arvin
Judy Case, Supervisor	Fresno County
Ronn Dominici, Supervisor	Madera County
Michael G. Nelson, Supervisor	Merced County
William O'Brien, Supervisor **	Stanislaus County
Henry T. Perea, Councilmember	City of Fresno
John G. Telles, M.D.	Appointed by Governor
Raymond Watson, Supervisor	Kern County
J. Steven Worthley, Supervisor	Tulare County
Chris Vierra, Councilmember, <b>Vice Chair</b>	City of Ceres
Leroy Ornellas, Supervisor, <b>Chair</b>	San Joaquin County

\* Attended meeting in Southern Region Office (Bakersfield)

\*\* Attended meeting in Northern Region Office (Modesto)

3. APPROVAL OF CONSENT CALENDAR – *Item numbers 14-22. These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public is given the opportunity to comment on any consent item.*
  14. *Approve Action Summary Minutes For The Governing Board Meeting Of Thursday, March 20, 2008*
  15. *Receive And File List Of Scheduled Meetings For 2008*
  16. *Receive And File Operations Statistics Summary For March 2008*
  17. *Receive And File Budget Status Report As Of March 31, 2008*
  18. *Receive And File Proposed Amendments To Rule 7070 (Perchloroethylene From Dry Cleaning Operations)*
  19. *Appropriate \$5.7 Million In Unanticipated Early Grant Revenue From Proposition 1B: Goods Movement Emission Reduction Program*
  20. *Accept Lower-Emission School Bus Program Funds From The California Air Resources Board*
  21. *Approve Agreement With Marks Bloxom Architects, Inc. In The Amount Of \$40,300 For Architectural Services Necessary To Convert Warehouse Space To Office Space In The Central Region Office*
  22. *Approve An Addendum To The Agreement With U.S. Bank National Association ND For The Continued Use Of The District Procurement Card Program*

Dr. Telles asked to discuss Consent Item 15 on the consent agenda. He noted that the item 15 included a list of rules currently under development, and asked if these rules were being developed under the PM2.5 Plan under consideration. Mr. Sadredin answered affirmatively, explaining that the rules listed were being developed in a public process to address commitments from the 2007 Ozone Plan and other mandates, but that provisions to address the commitments in the 2008 PM2.5 Plan would be included in final rule proposals, if the Plan were to be adopted.

On Consent Item 16, Dr. Telles pointed out that the operations statistics summary indicated that there had been 58 violations of the new Federal PM2.5 standard year to date, and asked if “year to date” was beginning in January. Mr. Sadredin responded affirmatively.

On Consent item 19, Dr. Telles took issue with the discussion text in the staff report in support of the recommendation to receive \$5.7 million dollars for early grants under Proposition 1B. The staff discussion stated that the District will replace approximately 60 trucks and will retrofit approximately 450 trucks with cleaner technology. Dr. Telles stated that, by his calculations, if 60 trucks were replaced for \$50,000 each, that \$3,000,000 would be expended, leaving \$300,000 or 10% for administrative fees, which he felt was too high.

Mr. Sadredin and staff responded explaining that: administrative fees cover the costs associated with a variety of activities including ongoing onsite inspections; the District has historically used only 3-4% of funds for administrative fees, the lowest in the state; the staff report states that administrative fees are limited to 5%; the number of trucks identified as to be replaced in the staff report (60) was just an approximation; and the Resolution indicated that administrative fees were limited to \$285,000, which is 5% of the funding level. Mr. Sadredin also proposed to make the 5% limit and a commitment to use any excess funding for emissions reduction projects a part of the motion under consideration.

Supervisor O’Brien asked if changing the number of trucks in the staff report from “approximately 60” to “approximately 63” would resolve the issue. Dr. Telles responded affirmatively.

Supervisor Nelson clarified that the number of trucks to be replaced and the stated funding of up to \$50,000 per truck replacement included in the staff report was just an estimate, and that the actual number and costs could vary. Mr. Sadredin confirmed this adding that, as indicated in the staff report, up to \$50,000 per truck will be offered. If a higher match is provided by the grant recipient, the District may replace many more trucks. The staff report is only intended to provide an estimate, and the attached Resolution, which only authorizes \$285,000 for administrative fees, is what the Board is voting on.

Phil Jay, District Counsel, stated the Resolution is the official document, not the staff report, and in the Resolution the administrative costs are enumerated.

Public Comment—None

*Moved:* O'Brien                      *Seconded:* Telles

*Ayes:* Barba, Brar, Case, Dominici, O'Brien, Perea, Telles  
Watson, Worthley, Vierra, Ornellas

*Nays:* Nelson

***Motion carried by a vote of 11-1 to approve Item 19 with a revision to the staff report under Discussion Item Number One to change the text from "approximately 60" to "approximately 63" trucks being replaced.***

On Consent Item 21, Dr. Telles questioned the \$400,000 estimate for converting warehouse space to 3,900 sq. ft. of office space. He indicated that he had recently rebuilt 6,000 sq. ft. of office space for only \$300,000.

Mr. McCoy responded indicating that the \$400,000 figure was based on the architect's estimate and once bids were obtained, the project would be brought back to the Board for final consideration. Mr. McCoy also explained that in addition to the office space, the project included 3,500 sq. ft. of additional storage and reconfiguration of the parking lot. He also pointed out that our agency is required to pay prevailing wages which can add 10% – 15% in labor costs as compared to private projects that may not be subject to the same requirements.

Public Comment—None

*Moved:* Worthley                      *Seconded:* Watson

*Ayes:* Barba, Brar, Case, Dominici, O'Brien, Perea, Nelson,  
Telles, Watson, Worthley, Vierra, Ornellas

*Nays:* None

***Motion unanimously carried to approve Items 14-18; 20-22 as recommended.***

4. PUBLIC COMMENT— There was no public comment.
5. PUBLIC HEARING: PROPOSED 2008 PM2.5 PLAN—The report was presented by Seyed Sadredin, Executive Director/APCO, James Sweet, Air Quality Project Planner; Jessi Hafer, Senior Air Quality Specialist; Don Hunsaker, Supervising Air Quality Planner; Rick McVaigh, Deputy APCO; and Scott Nester, Director of Planning. The PM2.5 Plan was written to fulfill the District's requirement to submit a Plan to EPA addressing the 1997 PM2.5 standard. Staff noted the 2006 PM2.5 standard will be addressed formally through a Plan in 2012 or 2013.

The presentation included an overview of the health effects of PM2.5 which include increased cardiovascular disease, increased respiratory symptoms,

increased hospitalizations due to cardiovascular disease and respiratory ailments, bronchitis, lung cancer, aggravated asthma, and premature death. The total cost to the Valley each year in PM2.5 related health issues is \$3.2 billion. Staff noted that as of 2006, the Northern half of the Valley will be in attainment with the 1997 PM2.5 standard. The rest of the Valley should be in attainment by 2015. The presentation included an overview of the science in the Plan including extensive field monitoring at the surface and aloft, improved emission inventory, state-of-the-science air quality monitoring, and a world class database. Staff noted multiple models and weight of evidence confirm the projected attainment, and ARB's regional modeling confirmed the Valley's attainment outlook. Staff demonstrated through the use of graphs, the downward trend in NOx and PM2.5. Staff presented their control strategy which builds on control measures from the 2007 Ozone Plan. The District has made several Rule commitments to reduce directly emitted PM2.5 and SO<sub>2</sub>. They noted Appendix I shows the evaluation of source categories for potential control, and Chapter 6 shows the draft control measure commitments. The District has also committed to several feasibility studies for further reductions such as re-examining conservation management practices, prescribed burning, and fireworks restrictions. In addition, the District's Healthy Air Living program, incentive programs, and Fast Track measures should also reduce PM2.5.

Staff noted the Plan requires the District to show reasonable further progress in reducing emissions, and must have contingency measures in the event that reductions are not as steep as projected. The District's contingency measures include accelerated adoption of state measures, incentive-based reductions, and excess reductions from adopted measures not needed for Regional Further Progress. Staff stated the 2008 PM2.5 Plan underwent CEQA review, and a proposed Negative Declaration was prepared and issued for public comment.

Staff stated the 2008 PM2.5 Plan calls for \$188 million/year in incentive funds until attainment is reached, and the District has increased incentive funding from \$40 million/year (2007-08) to over \$110 million/year (2008-09). Staff stated the Rule development process can sometimes reveal additional reduction potential, and the incentive programs, Healthy Air Living, and Fast Track would achieve additional reductions not quantified for attainment projections. ARB measures could also achieve some pre-2014 reductions that could contribute to expeditious attainment.

Staff noted the public process began in 2005 and 2006 in conjunction with the 2007 Ozone Plan, and workshops were held in December 2007 and February 2008. ARB will hear the Plan in Fresno on May 22-23. During the public process, the District received several comments. Numerous comments were in both opposition and support for strengthening the residential wood burning restrictions. As this is one of the key pieces for controlling PM2.5, the District will reopen the Rule to consider how it could be strengthened.

Staff concluded that both short-term and long-term downward trends in PM<sub>2.5</sub> levels have occurred, that directly emitted PM<sub>2.5</sub> and NO<sub>x</sub> are key to a control strategy, while SO<sub>2</sub> reductions are also beneficial. Staff noted the Valley is making significant progress towards the upcoming 24-hour PM<sub>2.5</sub> standard.

The Chair called for a ten minute break at 10:35 a.m. The meeting resumed at 10:46 a.m.

Kerry Drake, EPA, stated EPA will recommend reclassifying the Valley as in attainment for PM<sub>10</sub>. He thanked the competent, dedicated and professional staff of the District.

John DeMassa, ARB, stated he is pleased to have partnered with the District over the past two years. He stated the complex analysis of sources show that 2/3 of the NO<sub>x</sub> and SO<sub>x</sub> reductions needed, and 1/2 of the PM<sub>2.5</sub> reductions needed, come from already adopted measures. He noted this Plan meets Federal Standards.

Public Comment—*the Following persons provided testimony in this matter:*

- Maria C. Arejalo, LUCA
- Nidia Bautista, Coalition for Clean Air
- Bernard (Barney) Berrie, Circle 8 Dairy System
- Juan Berumen, Commute for a Better Arvin
- Liza Bolanos, Central Valley Air Quality
- Camila Chavez, DHF
- Terry Conboy, New Dimensions Landscaping
- Vince Correll
- Paul Cort, Earthjustice
- Manuel Cunha, Nisei Farmer's League
- Teresa DeAnda, CA for Pesticide Reform
- Jan Ennenga, Manufacturers Council of the Central Valley
- Philip Erro, Westside Resource Conservation District
- Maria Espinoza, ASMA (*Liza Balanos spoke on her behalf*)
- Paola Fernandez, DHF
- Jerry Frost
- Laura Fultz, Coalition for Clean Air
- Catherine Garoupa, Madera Coalition for Community Justice
- John Grant, Asthma Coalition
- Kevin Hamilton
- Laine Hendricks, National Parks Construction Association
- Roger Isom, Cotton Ginners and Growers Association
- Sarah Jackson
- Lisa Kayser-Grant, Moms Clean Air Network
- Melissa Kelly-Ortega, Merced/Mariposa Asthma Coalition
- Linda McKay, AIR

- Robert Merrill, Resident
- Diane Merrill, Resident
- Patsy Montgomery, Planned Parenthood Mar Monte
- Colby Morrow, Southern California Gas Company
- Brent Newell, Center on Race, Poverty and the Environment
- Suzanne Noble, WSPA
- Lydia Ortiz, KC Greenfield Walking Group
- Timoteo Prado, DHF
- Nick Robinson
- Jenny Saklar, Fresno Metro Ministry
- Carolina Simunovic, Fresno Metro Ministry
- Daniela Simunovic, CRPT
- Mark Stout, Cleantech America
- Shirley Studt
- Mario Talavera, LUCA
- Kim Thompson, Fresno Madera Medical Society
- Art Unger, Sierra Club
- Alvin Valeriano, ISSRC
- Maria Yopez, DHF
- Maria Zecua

Supervisor Nelson left the meeting at 12:00 p.m. The Chair called for a 40 minute lunch break at 12:20 p.m. The meeting resumed at 1:02 p.m.

Supervisor Worthley asked if staff wanted to respond to any of the Public Comments. Mr. Sadredin stated the staff would like to offer additional clarification .

With respect to the Residential Wood Burning Rule, he stated that while the annual average daily reductions in emissions appear to be less than a ton, the daily reductions when burning is curtailed are significantly higher and exceed 8 tons per day. He stated the District agrees that strengthening the fireplace Rule, as proposed in the Plan, will provide significant cost effective reductions in emissions.

Mr. Sadredin indicated that the 2007 Ozone Plan contains a number of Control Measures that were not repeated in the PM2.5 Plan and asked Mr. Sweet to explain the scientific reasoning for not including ammonia and VOC controls in the PM2.5 Plan. Mr. Sweet noted that extensive sensitivity modeling was run to show what the PM2.5 reductions would be if NOx, VOC, Ammonia, and Sulfates were each reduced by 50%. He noted that with respect to the annual standard, a 50% reduction in NOx netted a 5 micrograms annual improvement in PM2.5 while a 50% reduction in ammonia only netted 0.2 micrograms benefit. Therefore, NOX was clearly the limiting constituents that needed to be controlled. A 50% reduction in VOC's gained a benefit of 1.4 micrograms and the VOC reductions from the measures in the

Ozone Plan were included in the modeling. Mr. Sweet added that Sulfate reductions gained a 1 microgram/year reduction.

As for the operational controls, Mr. Sadredin reiterated the reasons for not recommending such measures as suggested by some. He noted the restrictions imposed under the interstate commerce and the federal preemption on local controls on mobile sources as well the logistical difficulties associated with enforcing broad-based operational controls. He stated the District will pursue elimination and shifting of high emitting equipment by businesses and municipalities through the District's Healthy Air Living initiative. He also reiterated the District's commitment to early attainment through the incentive programs, and Fast Track measures. The Chair thanked the public for their participation in the meeting.

Supervise Case asked if the District had any incentives for using solar energy including solar powered agriculture pumps. Mr. Sadredin stated that Moyer funds cannot be used for solar power because it does not meet the cost-effectiveness threshold. He stated that the farmers would like to be able to sell back the energy the solar panels produce to recoup the costs of the panels. The District should support "net metering" to make solar projects more cost effective.

Supervisor Worthley stated he and District staff recently went to Washington D.C. where they were pushing for a tax credit empowerment zone. He stated he hesitated to push expensive technology as long as more cost-effective projects are available.

Supervisor Case asked to add net metering to the legislative agenda. She also stated that the Residential Wood Burning Rule should extend beyond 3,000 foot elevation, and wanted to state in the PM2.5 Plan that we are aiming for the new lower standard.

Dr. Telles asked staff to clarify whether, under state law, the PM2.5 Plan could include provisions that go beyond federal mandates. Mr. Jay responded indicating that, under state law, federal plans could not include provisions not needed to attain the federal standard. Mr. Sadredin also clarified that, in the staff's view, the proposed Plan did include all legal feasible control measures, and that nothing, other than draconian operation controls and controls prohibited by the interstate commerce clause or other federal preemptions, was left off the table.

Supervisor Watson asked if there were any Plans to add monitoring sites south of Bakersfield. Mr. Nester stated staff is currently working with another entity to gather more air quality data. Mr. Nester noted the population in Lebec and Frazier Park is below a level that obliges the District to place a monitor in that Region. Supervisor Watson asked why asthma rates continue to go up while pollution rates go down. Mr. Sadredin stated a growing body of



evidence shows that pollution aggravates asthma, but does not create it. Supervisor Watson also asked what the future opportunities are to change or modify the Plan. Mr. Sadredin noted that the Plan is a list of current and future control measures that are available. He stated the District can be more stringent in the Rule Development Phase, but can not roll back on commitments contained in the Plan. Supervisor Watson noted the effects of fireplaces are cumulative and wanted to know what the District would accomplish by lowering thresholds. Mr. Sadredin stated PM2.5 builds up over a number of days, and currently, no-burn days are called at the end of that period. The District could add a safety margin in the proposed amendments to the Rule, so the build up does not occur as heavily.

Supervisor Dominici noted he worked with staff to get an air monitoring station in Madera, so the population there does not rely on monitors in other areas. Supervisor Barba noted that the recycling rules for composting may negatively impact Valley businesses.

Dr. Telles asked what percentage of the population would be residing in areas in violation of the 2006 daily PM2.5 standard in 2015. Mr. Sweet indicated that we did not have that data because PM 2.5 concentrations had not yet been modeled for the entire Valley in 2015. Staff described the concentrations projected for areas that had been modeled. Dr. Telles indicated the percentage of the population residing in areas in violation of the 2006 daily PM2.5 standard in 2015 would be important to know, because it is the daily PM2.5 levels that are an indicator for adverse cardiovascular effects. Dr. Telles indicated that he believed that the number of monitors was not adequate to characterize air quality at every location in the Valley, and was also concerned that monitors were not in the worst locations next to freeways.

Mr. Sweet described the extensive data collection process for the CRPAQS modeling study. Mr. Sadredin described how comprehensive computer modeling is used to project concentrations in areas that do not have monitors, and that the modeling is designed to be conservative and protective of human health. Mr. Sweet described the specific procedures in federal regulations and scientific considerations for locating monitors. He also explained that, because secondary PM, which is the most common form, is created downwind of emissions sources, the highest PM concentrations are not always directly adjacent to the freeways and other sources.

Dr. Telles noted that it had been stated that utilities do not exist for some agricultural pumps. He asked how it was determined that electricity was often not available. Mr. Sadredin responded that the District had extensive experience with this issue, having electrified over 1,000 pump engines, and that the need for line extensions is almost always a consideration.

Dr. Telles asked if there had ever been a Plan that failed. Mr. Sadredin responded affirmatively. Dr. Telles indicated that, considering the possibility

that the Plan could fail, he believed that the contingency measures should be stronger. Mr. Sadredin indicated that the reason Plans had failed in the past was that the state of science was not as good as today, and the State had grossly underestimated mobile source emissions, and overestimated the long term effectiveness of mobile source controls. He further indicated that the science and understanding of the inventories is much better today than 20 years ago.

Councilmember Perea asked if the District was considering VOC controls on composting operations. Mr. Sadredin described the rule currently being promulgated by the District which is being designed for optimum controls on composting operations throughout the Valley.

Mr. Sadredin also indicated that contingencies are under the Board's discretion, as long as the proposals did not violate interstate commerce restrictions or federal preemptions. Dr. Telles asked what contingencies could be added in case the measures in the Plan failed. Mr. Sadredin reiterated that, in the staff's view, the proposed Plan did include all legal and feasible control measures, and that nothing was left off the table.

Supervisor O'Brien thanked the public and noted the public, ARB and EPA would all need to do their part to help the Valley reach attainment. He suggested replacing water heaters with more efficient or on-demand units, and eliminating all gas-powered mowers. He noted those solutions would be costly to the public, but we are also imposing costly solutions to businesses.

Councilmember Brar stated the District needs to be the torchbearer. She articulated that the District staff is intelligent and suggested if staff knew the Plan would be denied, they would have produced a tougher Plan. She feels the District should not get caught up in politics and wants a revolutionary standard.

Dr. Telles stated the District can't stop all industry to accomplish their goals, but we need to do as much as we can. He noted the Valley gets a lot of pollution from the goods movement corridors and would like to see a fee placed on those goods moving through the Valley. Supervisor Case agreed that there should be a statewide DMV surcharge fee of which the District would get a portion, not just a DMV fee on Valley residents.

*Motion:* Worthley      *Second:* Case

*Ayes:* O'Brien, Dominici, Case, Worthley,  
Barba, Watson, Vierra, Ornellas

*Nays:* Telles, Perea, Brar

*Absent:* Nelson

***Motion approved 8-3 to approve the PM2.5 Plan as recommended by staff with the inclusion to add net metering to our legislative platform.***

The Chair called for a five minute break at 3:02 p.m. Councilmember Brar and Supervisor Watson left during the break. The meeting resumed at 3:07 p.m.

6. REPORT FROM CITIZENS ADVISORY COMMITTEE (CAC)—Kevin Hamilton presented the report. He noted Dana Karcher was selected to be both the new CAC Vice-Chair as well as the Chair of the Environmental Interest Group. He stated the CAC received a report on the Proposition 1B funds and the Fast Track Task Force. He noted the CAC is eager to move forward with the Environmental Justice Advisory Group. He noted there was a suggestion from the CAC for the District to work with businesses to help prepare them for upcoming standards.

Public Comment—There was no public comment.

7. S.T.A.R. (SERVICE, TEAMWORK, ATTITUDE, RESPECT) RECOGNITION FOR YEARS OF SERVICE—Carolyn Rose, Director of Personnel presented the report.

Public Comment—There was no public comment.

8. APPROVE CONTRACTS WITH OMNIPRESENCE INC., FOR REPLACEMENT/UPGRADE OF THE DISTRICT'S VIDEO TELECONFERENCING (VTC) SYSTEM IN THE AMOUNT OF \$1,273,884.40 AND WITH GE GOVERNMENT FINANCE INC. AND MARSHALL & ILSLEY TRUST COMPANY TO PROVIDE LEASE FINANCING FOR THE PROJECT IN THE AMOUNT OF \$1,139,514.46—Ken Pretzer, Information Systems Manager, presented the report. Mr. Pretzer noted the VTC system was installed in October 1999, and many of the components have not been upgraded. He stated that because the technology was aging, the District's maintenance contractor dropped the contract. The District sent out a Request for Proposals for a new maintenance contract, and received no responses. Currently, the District is self-supporting most of the equipment, and had resorted to purchasing used components online from sites including E-bay. He noted the new VTC system would improve audio and video quality, improve computer presentation capabilities, and improve local audio amplification quality. This system would include upgrades to the Governing Board Room, Central Region VTC Room, Northern Region VTC Room, and include construction of the Southern Region VTC Room.

Supervisor Case asked if the new system would be digital or analog. Mr. Pretzer stated it would be digital and high definition. Supervisor Ornellas suggested a lower podium microphone, and Supervisor Worthley noted the podium in the County of Tulare's Board Chambers includes an elevator podium that can be raised or lowered.

Public Comment—There was no public comment.

*Motion:* Dominici      *Second:* Barba

*Ayes:* Barba, Dominici, Case, Worthley, Telles,  
O'Brien, Perea, Vierra, Ornellas

*Nays:* None

*Absent:* Brar, Watson, Nelson

***Motion unanimously passes to approve Contract with Ominipresence Inc., for replacement/upgrade of the District's Video Teleconferencing System and with Government Finance Inc., and Marshall & Ilsley Trust Company to provide lease financing for the project.***

9. VERBAL REPORT: RECAP OF THE 2007-08 "CHECK BEFORE YOU BURN" PROGRAM AND AN OVERVIEW OF THE PRELIMINARY FINDINGS FROM THE DISTRICT FUNDED FRESNO STATE, UNIVERSITY HEALTH POLICY INSTITUTE CURRENT RESEARCH STUDY ASSESSING THE IMPACT OF RULE 4901 ON PM 2.5 LEVELS IN THE VALLEY BETWEEN 2000 AND 2007—Jaime Holt, Chief Communications Officer, presented the report. The PowerPoint presentation included an overview of the Check Before You Burn program that runs from November to February. Mandatory curtailments begin when the Air Quality Index (AQI) is above 150, and voluntary curtailments begin with an AQI of 100. Ms. Holt noted there are some exceptions to the Rule, such as elevations above 3,000 feet, no gas service to the home, or the fireplace is the sole source of heat. In 2007-08, there were 30 mandatory curtailments. There have been no PM10 exceedences, and there is good public support. Violations are written when inspectors see wood smoke visible. Photos are taken, if possible, and inspectors never enter the property. The violations are mailed. Ms. Holt noted that first time offenders are fined \$50 and given the option to attend a Compliance School to erase the fine. Ms. Holt also noted the Burn Cleaner program works with Operation Clean Air to replace wood burning stoves with gas stoves. To date, 158 units have been replaced.

The Chair stated he is concerned by the first time offense fine, and wanted to know if there are alternatives for those that can not make the Compliance School because it is too far away or they lack transportation. Rick McVaigh, Deputy APCO, stated the District has allowed people to take the course at home if needed. Ms. Holt stated staff takes their role to educate the public seriously.

Public Comment—The following person provided testimony on this item:

- Colby Morrow, Southern California Gas Company

Seyed Sadredin, Executive Director/APCO, asked to postpone the remainder of the item until May 15, 2008.

10. DISTRICT'S ANNUAL AIR TOXICS REPORT FOR THE YEAR 2007—This item was postponed until May 15, 2008..
11. VERBAL REPORT: CALIFORNIA AIR RESOURCES BOARD (ARB)—There was no report from ARB.
12. EXECUTIVE DIRECTOR/APCO COMMENTS—Seyed Sadredin, Executive Director/APCO, noted 500 people attended the Healthy Air Living Summits. He stated they are reaching out to municipalities to declare July 7-14 as Healthy Air Living Week, and asking them to donate funds the Community Clean Air Fund for the San Joaquin Valley.
13. GOVERNING BOARD MEMBER COMMENTS—Supervisor Dominici noted he had copies of a press release announcing the new Madera air monitoring station if anyone was interested. Supervisor Case noted she asked her County to make a \$10,000 donation to the Clean Green Yard Machines Program. She stated she was meeting with Mr. Sadredin and Ms. Holt to discuss Healthy Air Living Week with Fresno County's Department heads.

ADJOURN at 3:52 p.m.

*Next scheduled meeting of the Governing Board: Thursday, May 15, 2008.  
Meeting starts at 9:00 a.m., Central Region Office, Governing Board Room, 1990  
E. Gettysburg Avenue, Fresno. The meeting will be held via video teleconference  
(VTC) with the Northern Region Office (Modesto) and the Southern Region Office  
(Bakersfield) participating via VTC.*