

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

**Thursday, May 15, 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 9:08 a.m.
2. ROLL CALL was taken and a quorum was present.

*Present*

Judy Case, Supervisor	Fresno County
Tony Barba, Supervisor	Kings County
Raymond Watson, Supervisor*	Kern 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
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

*Absent*

Raji Brar, Councilmember	City of Arvin
John G. Telles, M.D	Appointed by Governor

\* Attended meeting in Southern Region Office (Bakersfield)

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

3. APPROVAL OF CONSENT CALENDAR – *Item numbers 14-19. 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 WEDNESDAY, APRIL 30, 2008
  15. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2008

16. RECEIVE AND FILE OPERATIONS STATISTICS SUMMARY FOR APRIL 2008
17. RECEIVE AND FILE BUDGET STATUS REPORT AS OF APRIL 30, 2008 AND CASH BALANCE REPORT AS OF MARCH 31, 2008
18. CITIZENS ADVISORY COMMITTEE (CAC) RECOMMENDATION TO APPOINT NEW HEARING BOARD MEMBERS
19. APPROVE CONTRACT WITH GOLDEN SPECIALTY LABORATORY, LTD. TO PROVIDE LABORATORY ANALYSIS OF NON-METHANE ORGANIC COMPOUNDS FOR A TOTAL OF \$120,000 AND APPROVE CONTRACT WITH EASTERN RESEARCH GROUP, INC. TO PROVIDE LABORATORY ANALYSIS OF CARBONYL COMPOUNDS FOR A TOTAL OF \$50,000

Public Comment— None

Moved: Barba

Seconded: Dominici

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

Nays: None

***Motion unanimously carried to approve Items 14-19 as recommended.***

4. PUBLIC COMMENT— Aaron Margosian, a Central Valley farmer, asked if the air quality has been monitored to see how it has improved due to orchard grinding as opposed to orchard burning. He commented that the wood-chippers used for grinding use approximately 50 gallons of diesel fuel per hour. The wood-chips are then hauled off-site, using more fuel, and the material is eventually burned off-site. Mr. Margosian believes there must be a better method. Seyed Sadredin stated that the ban on agricultural burning is State mandated, but commented that finding non-polluting alternatives to crop removal is something the District has been pursuing. Supervisor Worthley commented that the District had a very effective program that only allowed for burning on days when the excess emissions would not have a significant impact on air quality. The State mandate was made with no consultation with the District and has created many problems. Manuel Cunha of Nisei Farmers League stated the District's Ag Tech group is meeting to deal with 2010 phase of the State mandate. This group is working with the District and ARB and carefully looking at the alternatives.

Jerry Frost complimented the District on its newsletter. He suggested the District expand the "Grant and Incentive Program Activities" section to include the amount of emission reductions that have resulted from the disbursed funds, as well as the cost-effectiveness of the funded programs. Mr. Frost

also suggested the District give an annual summary in the December issue, including all funds disbursed into incentive programs, all resulting emission reductions and the cost-effectiveness of each of those programs.

5. REPORT FROM CITIZENS ADVISORY COMMITTEE (CAC)—Dennis Tristao, Kings County City Representative to the CAC, presented the report. Mr. Tristao stated the CAC received updates on Healthy Air Living at their last meeting. He also said that programs that build awareness, like Healthy Air Living, are necessary and need to be carried on continuously. Mr. Tristao announced that the CAC made appointments to the Hearing Board for the Southern Region. The CAC also discussed AB 2543, which would allow additional vehicle license fee surcharges to improve air quality. Mr. Tristao commented that it is difficult to find funding sources for these incentive programs, especially to find funds that could be generated as leverage to get additional funds from federal sources. Mr. Tristao stated there was a presentation on Rule Development during which there was a discussion about the Rules Subcommittee being reactivated. He said there is some degree of difficulty in members being able to participate, but there are members who have volunteered to be representatives and to present data to the CAC.

Supervisor Case thanked Mr. Tristao and asked if the CAC discussed the PM2.5 plan. Mr. Tristao said the plan was discussed, but the CAC could not come to a unanimous agreement on a recommendation. However, the city subcommittee interest group did put together a recommendation in support of the Plan for the Board's consideration.

6. VERBAL REPORT: 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 PM2.5 LEVELS IN THE VALLEY BETWEEN 2000 AND 2007 - Mr. Sadredin stated the Board funded and sanctioned a study last year to measure the effectiveness of the District's Fireplace Rule. Mr. Sadredin introduced Dr. David Lighthall who presented the report. This study is focused on Fresno and Bakersfield and looks at the overall impact the Fireplace Rule has had on wintertime PM2.5 concentrations. The study is in Phase I, quantifying the actual reductions in PM2.5, particularly in the evening, as a result of Rule 4901. Later, the study will focus on the relationship between PM2.5 concentrations and what is happening in Valley emergency rooms.

Dr. Lighthall stated the study includes data from November 2000 through 2008, which is three years of data before Rule 4901 was implemented and about 4 years of data after the Rule was implemented. The study looks at daily cycles, comparing PM2.5 levels on similar categories of days pre-Rule versus post-Rule. Dr. Lighthall commented that David Nunes, Senior Air Quality Specialist, has done a fantastic job with the modeling and Tim Tyner of UCSF has also been an important part of the team. The study showed that

bans on fireplace usage, on average, had prevented violations of the PM2.5 standard in Fresno, and had also significantly reduced PM2.5 exposure in Bakersfield.

Mr. Sadredin stated that the Board adopted the PM2.5 Plan at their last meeting and one of the major commitments of the Plan is to strengthen the Fireplace Rule. The Rule is one of the most cost-effective means of reducing PM2.5. New revisions to the Rule will include a safer margin by triggering wood-burning bans before PM2.5 levels build up to peak levels. There will also be a new PM2.5 Federal standard soon which will necessitate changes to the Rule. Mr. Sadredin stated that the Rule development process will begin shortly and the District will have the revised Rule in place before the start of next year's wood-burning season if no public process can be completed before the end of this year.

Supervisor Worthley asked if different variations of the Rule could apply to the South Valley and not basin-wide. Mr. Sadredin answered that the ban is currently county by county, but the District is looking to break down counties into smaller regions if a workable public notification arrangement can be developed. Supervisor Case commented the ban currently goes into effect at an Air Quality Index (AQI) of 150. She expressed concern about pollution transporting between counties. Mr. Lighthall clarified that our directly-emitted PM2.5 problem has more of a localized characteristic with minimal transport on a regional basis. She asked the District to consider banning wood-burning at a lower AQI. Supervisor Ornellas asked why the North Valley was not included in the study. Dr. Lighthall answered that the hourly data is only available in Fresno and Bakersfield for the pre-Rule period. He also commented that the PM2.5 problem is not as severe in the North Valley.

Supervisor Case commented that urban areas have higher concentrations of fireplaces and it seems that wood-burning should be banned more often in these areas. Mr. Sadredin stated the District wants to take a more localized approach to the Fireplace Rule. He mentioned the option of banning wood-burning by zip-code. Mr. Sadredin said with that many different designations, it would be difficult to communicate the daily burn status to the public and to implement the Rule in a reasonable and effective manner.

7. DECLARE JULY 7<sup>TH</sup> THROUGH 13<sup>TH</sup>, 2008 AS THE HEALTHY AIR LIVING WEEK FOR THE SAN JOAQUIN VALLEY AND APPROVE THE DISTRICT'S ACTIVITIES IN SUPPORT OF THE HEALTHY AIR LIVING INITIATIVE— Mr. Sadredin stated that the Board approved the Healthy Air Living (HAL) program concept in January. Today's item requests the Board to declare the week of July 7<sup>th</sup> through July 13<sup>th</sup> as Healthy Air Living Week, to approve additional internal District activities related to Healthy Air Living, and approve the District's concept for external outreach.

Carolyn Rose, Director of Personnel, identified the current internal trip reduction measures the District has in place. These measures include a 9/80 work schedule, on-site postage and dry cleaning delivery services, secured bicycle storage, and provision of an alternate transportation incentive, which over 40% of employees currently receive. Ms Rose also shared with the Board a whole host of enhanced activities directly related to the Healthy Air Living program. The enhancements include telecommuting, on-site food service, bicycles in each office for running personal errands, and a pilot van pool program. Ms. Rose also discussed the recommendation to hire a part-time, temporary Healthy Air Living Coordinator to provide support for both internal and external Healthy Air Living activities.

Supervisor Worthley asked if approved staff could be pre-qualified to telecommute on days when the air quality is bad. Ms. Rose stated this is a pilot program and the District is going to start small, but this idea could be incorporated into the program in the future. She also commented that such episodic telecommuting could be difficult, for example, if the employee has a meeting that day.

Jaime Holt, Chief Communications Officer, presented a report on the external component of the Healthy Air Living program. The program is a shift from an episodic "Spare the Air" type of strategy to a universal focus on Valley residents permanently changing their habits. Ms. Holt stated that the external activities include traditional and innovative public relations strategies; a comprehensive advertising campaign; and extensive collaboration with municipalities, faith communities, businesses and organizations.

Tom Jordan, Senior Policy Advisor, announced the District will raffle off a Toyota hybrid vehicle during Healthy Air Living Week. Valley residents can enter the raffle by test driving a hybrid or by filling out the District's Healthy Air Living pledge cards. Valley businesses can pledge to do ten things to promote Healthy Air Living and their employees will get an entry into the raffle. Individuals can also enter the raffle by pledging to do seven things. Ms. Holt stated the District is working on getting every Toyota dealership in the Valley to participate in the raffle. Supervisor Ornellas asked for the list of participating Toyota dealerships and suggested Board members might visit these dealerships to help attract media attention.

Supervisor O'Brien asked if worker's compensation would cover any accident occurring during the vanpool program. Ms. Rose affirmed that it would if the District owns the vehicle, but if the pilot program were sustained beyond Healthy Air Living Week, a third party will administer it and there would be no District involvement. Mr. Sadredin stated it would be less expensive to use District vans, but that would mean more liability. Mr. Sadredin stated if the pilot program is successful and the District wishes to sustain it, the options would then be presented to the Board.

Councilmember Vierra suggested the District partner with bicycle shops to offer incentives or discounts on bicycle purchases for Valley residents who bike to work.

Councilmember Perea left the meeting at 11:00 a.m.

Public Comment – *The following persons provided testimony on this item:*

- Colby Morrow, Southern California Gas Company
- Carolina Simunovic, Fresno Metro Ministry
- Laura Fultz, Coalition for Clean Air
- Melissa Kelly-Ortega, Merced/Mariposa County Asthma Coalition
- Mary-Michal Rawling, Merced/Mariposa County Asthma Coalition
- David Lighthall, Fresno County Bicycle Coalition

*Moved:* Case

*Seconded:* Worthley

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

*Nays:* None

***Motion unanimously carried to declare July 7<sup>th</sup> through July 13<sup>th</sup>, 2008, as the Healthy Air Living Week for the San Joaquin Valley and approve the District's activities in support of the Healthy Air Living Initiative.***

8. PUBLIC HEARING: ADOPT PROPOSED AMENDMENTS TO RULE 7070 (PERCHLOROETHYLENE FROM DRY CLEANING OPERATIONS)—Glenn Reed, Senior Air Quality Specialist, presented the report. Mr. Reed stated the District is required by State law to implement and enforce Airborne Toxic Control Measures (ATCM) adopted by ARB. These measures are intended to protect human health. ARB has adopted revisions to the previous ATCM for Perchloroethylene emissions from dry cleaning operations and the District needs to incorporate those revisions into Rule 7070.

Public Comment - *The following persons provided testimony on this item:*

- Laura Fultz, Coalition for Clean Air

*Moved:* Case

*Seconded:* Barba

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

*Nays:* None

***Motion unanimously carried to adopt the proposed amendments to Rule 7070 and authorize the Chair to sign the Resolution.***

9. DISTRICT'S ANNUAL AIR TOXICS REPORT FOR THE YEAR 2007—*The Chair postponed Item 9 until June 19, 2008.*
10. AMEND THE DISTRICT'S 2008 LEGISLATIVE PLATFORM TO INCLUDE A POLICY SUPPORTING "NET METERING" IN AN EFFORT TO PROMOTE SOLAR POWER TECHNOLOGY – Mr. Sadredin stated when the PM2.5 Plan was adopted at the April 30, 2008 Board meeting, there was a desire to advance solar technology. He stated that one impediment to making solar technology cost-effective was the lack of net-metering, and proposed adding one sentence to our legislative platform to support legislation to enable net-metering.

Public Comment - *The following person provided testimony on this item:*

- Mary-Michael Rawling, Merced/Mariposa County Asthma Coalition

*Moved:* Worthley

*Seconded:* Dominici

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

*Nays:* None

***Motion unanimously carried to amend the District's 2008 Legislative Platform to include a policy supporting net-metering.***

11. VERBAL REPORT: CALIFORNIA AIR RESOURCED BOARD (ARB) –Jeff Lindberg, ARB Representative, announced there will be a workshop this afternoon to discuss ARB staff's recommendation to approve the PM2.5 Plan. ARB approved changes to the Zero Emission Vehicle (ZEV) Mandate in March 2008, which requires automakers to produce 25,000 ZEVs to be marketed between 2012 and 2014. The ARB Board also approved an alternative option which could result in up to 60,000 more enhanced Alternative Technology Partial Zero Emission Vehicles (ATPZEV) which use partial zero emission technology. These could be battery-powered hybrids that get some all-electric mileage before the motor turns on, or they could use an internal combustion engine fueled on hydrogen.
12. EXECUTIVE DIRECTOR/APCO COMMENTS – Seyed Sadredin, Executive Director/APCO, announced that Toni Taber, Clerk of the Boards, is leaving the District and recruitment for a new Clerk will begin soon. Supervisor Worthley and Mr. Sadredin reported that the version of the Farm Bill the District is promoting with \$50 million of incentives was passed by the House with a veto proof margin and the same is expected in the Senate. Mr. Sadredin mentioned the District's Composting Rule to reduce VOC emissions from organic waste has created a lot of interest and concern and is scheduled to come before the Board next year. The District has formed a technical advising workgroup and interested parties are welcome to participate.

13. GOVERNING BOARD MEMBER COMMENTS – No comments.

ADJOURNED at 11:44 a.m.

*Next scheduled meeting of the Governing Board: Thursday, June 19, 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.*