

## 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, August 19, 2010**

**9:00 a.m.**

*Meeting held via teleconferencing 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, Tony Barba called the meeting to order at 9:02 a.m.
2. ROLL CALL was taken and a quorum was present.

*Present:*

David G. Ayers, Councilmember	City of Hanford
Tony Barba, Supervisor, <b>Chair</b>	Kings County
Judy Case, Supervisor	Fresno County
Ronn Dominici, Supervisor	Madera County
Henry J. Forman, Ph.D.	Appointed by Governor
Ann Johnston, Mayor*	City of Stockton
Mike Lane, Councilmember	City of Visalia
Randy Miller, Councilmember**	City of Taft
Michael G. Nelson, Supervisor	Merced County
William O'Brien, Supervisor*	Stanislaus County
Leroy Ornellas, Supervisor*	San Joaquin County
Chris Vierra, Councilmember*	City of Ceres
Raymond Watson, Supervisor**	Kern County
J. Steven Worthley, Supervisor, <b>Vice Chair</b>	Tulare County

\*Attended meeting in Northern Region Office

\*\*Attended meeting in Southern Region Office

*Absent:*

John G. Telles, M.D. Appointed by Governor

Ken Pretzer, the District's ITS Director, announced that there was a video teleconference equipment malfunction prior to the start of the meeting. He stated that if the problem reoccurs, it may be necessary to take a short break to switch over to an audio only teleconference

3. APPROVAL OF CONSENT CALENDAR – Item numbers 18 – 27 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.
18. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD MEETING OF THURSDAY, JUNE 17, 2010
  19. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2010
  20. RECEIVE AND FILE OPERATION STATISTICS SUMMARY FOR JUNE AND JULY 2010
  21. RECEIVE AND FILE BUDGET STATUS REPORT AS OF JULY 31, 2010
  22. RECEIVE AND FILE LISTING OF REFUNDS FOR FISCAL YEAR 2009/10
  23. AMEND 2010/2011 ADOPTED BUDGET TO REPLACE ADVANCED EMISSION REDUCTION OPTION (AERO) FEE REVENUE WITH 2009/2010 FUND BALANCE DESIGNATED FOR AERO FEES
  24. RECEIVE AND FILE PROPOSED AMENDMENTS TO RULE 4653 (ADHESIVES AND SEALANTS)
  25. RECEIVE AND FILE PROPOSED AMENDMENTS TO RULE 4354 (GLASS MELTING FURNACES)
  26. APPROVE AND AUTHORIZE THE CHAIR TO EXECUTE AMENDMENT NO. 3 TO THE PROPOSITION 1B GOODS MOVEMENT EMISSION REDUCTION PROGRAM FUNDING AGREEMENT #N-1065 WITH ASSOCIATED FEED & SUPPLY TO EXTEND THE TERM OF THE CONTRACT TO OCTOBER 31, 2010
  27. APPROVE CONTRACT AMENDMENT WITH THE FRESNO STATE FOUNDATION GRANTING THE CENTRAL VALLEY HEALTH POLICY INSTITUTE A FOUR MONTH NO-COST EXTENSION UNTIL OCTOBER 31, 2010 TO COMPLETE RESEARCH ON HEALTH EFFECTS OF OZONE AND PM2.5 IN BAKERSFIELD, FRESNO, AND MODESTO

Public Comment: None

Moved: Watson  
Seconded: Worthley  
Ayes: Case, Forman, Ayers, Lane, Nelson, Worthley, Dominici, Ornellas, O'Brien, Vierra, Johnston, Watson, Miller, Barba  
Nays: None

**Motion unanimously carried to approve Consent Calendar Items 18-27**

4. PUBLIC COMMENT – *The following person provided testimony during the public comments portion of the meeting:*

- Manuel Cunha, Nisei Farmers League

*The Governing Board took a recess at 9:12 a.m. to address technical issues.  
The Governing Board reconvened at 9:25 a.m.*

5. REPORT ON DISTRICT CITIZENS ADVISORY COMMITTEE ACTIVITIES – Manuel Cunha, Chair of the Citizens Advisory Committee (CAC) gave a report on activities which occurred at the August 3, 2010 meeting. He reported the CAC received a verbal report on the District's Particulate Matter Conference held on June 9<sup>th</sup> and 10<sup>th</sup> in Fresno. He stated that they received an update on recent activities for eTRIP (Rule 9410) implementation from staff and were encouraged to continue to share eTRIP outreach materials and notify District staff as they find new opportunities for outreach presentations. He also reported that CAC received a report on the District's efforts to develop a new rule aimed at reducing VOC emissions from green waste composting operations. Lastly, he noted that the CAC and EJAG will hold a joint teambuilding workshop on November 10<sup>th</sup> from 9:00 a.m. until 3:00 p.m. at the District's Central Region Office. Mr. Sadredin noted this workshop is designed to be a trust building exercise to improve the dialogue between CAC and EJAG and reported that EPA has tentatively agreed to pay for a facilitator for this workshop.
6. S.T.A.R. RECOGNITION (SERVICE, TEAMWORK, ATTITUDE, RESPECT) – Sharon Kendall, Personnel Administrator gave the presentation on this item which recognized the following District employees who have reached a service milestone during the second quarter of 2010:

**Five Years of Service**

Emily Gonzalez-Demont, Office Services Manager

**Ten Years of Service**

David Nunes, Senior Air Quality Specialist  
Madeleine Armi, Air Quality Assistant  
Colette Kincaid, Senior Air Quality Specialist  
Gary Stanford, Air Quality Instrument Technician

7. VERBAL REPORT ON EMPLOYER TRIP REDUCTION (eTRIP) RULE IMPLEMENTATION – Seyed Sadredin, Executive Director/APCO introduced Jessi Fierro, Senior Air Quality Specialist, who gave the presentation on this item. He stated the District made a big commitment to help businesses comply with this Rule without incurring excessive administrative costs. Ms. Fierro reported as part of the District's commitment to assist employers in each phase of rule implementation, the District has conducted extensive outreach including workshops, rule advisories, a

web video and multiple presentations. She noted that while the registration deadline was July 1, 2010, the next deadline for implementation is not until September, 2011, so staff can continue to conduct outreach and help make compliance as easy as possible for businesses. She stated the District also recently refined its outreach approach and materials to address concerns about the tone of early eTRIP rule communications and to simplify worksheets as much as possible. As a result of these efforts, she noted there are currently 290 worksites registered.

Supervisor O'Brien thanked staff for quickly addressing the concerns about the tone of early eTRIP rule communications. Supervisor Case stated she appreciated the outreach efforts. Councilmember Lane noted that it is very important that stakeholders feel they have a say in the process and thanked staff for changing the tone of future rule communications.

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

- Mary-Michal Rawling, Merced/Mariposa Asthma Coalition

8. APPROVE AND AUTHORIZE CHAIR TO SIGN AIR QUALITY IMPROVEMENT AGREEMENT WITH HYDROGEN ENERGY CALIFORNIA LLC – Dave Warner, Permits Director, gave the presentation on the voluntary agreement under which the District would mitigate emissions resulting from a proposed new power plant in Kern County, which will use an innovative new technology to reduce greenhouse gas emissions.

Supervisor Worthley stated this is an excellent project which will provide additional employment in the area and noted this project could be very significant in terms of oil recovery. Dr. Forman noted this is a terrific advance over a standard power plant. However, he also stated he hoped that eventually hydrogen would be generated by other means besides coal and coke. Mayor Johnston asked when the additional funds would be paid if the plant's NOx reduction goals are not met. Mr. Sadredin stated the funds would have to be paid after a two-year period. Supervisor Watson stated he is very excited about this project in his District because virtually all waste products from the coal-fired plant is being used in one way or another. Councilmember Miller noted this will be the sixth co-gen power plant in his area.

Gregory Skannal, Manager for Health, Safety, Security and Environment for Hydrogen Energy California LLC, gave additional project information to the Board and answered their questions. He also thanked District staff for working with them on this project.

*Supervisor Worthley left at 10:02 a.m.*

Public Comment: None

Moved: Case  
Seconded: Ayers  
Ayes: Nelson, Lane, Ayers, Case, Forman, Dominici, Vierra,  
Johnston, Ornellas, O'Brien, Watson, Miller, Barba  
Nays: None

***Motion unanimously carried to approve and authorize Chair to sign Air Quality Improvement Agreement with Hydrogen Energy California LLC.***

9. HEALTH UPDATE: KEY RESEARCH FINDINGS REGARDING HEALTH RISKS FROM ROADWAY EMISSIONS – Dr. David Lighthall, the District's Health Science Advisor, gave the presentation on this topic as requested by Supervisor Case. He discussed physical and chemical characteristics of roadway emissions, focusing on ultrafine particles (PM 0.1); how air pollutants create oxidative stress within the body; epidemiological associations between traffic emissions and health outcomes; and evidence of oxidative stress and related health impacts and implications for regulatory policies in the San Joaquin Valley.

Mr. Sadredin noted there are difficult policy issues regarding the new EPA standards coming before the Board in the future which will be impacted by these findings. These new standards will be nearly impossible for the Valley to meet. However, with good science we can achieve significant reductions in public health risk by implementing strategies that target pollutants with higher risk due to size or chemical speciation. Councilmember Lane asked for a discussion at the upcoming Board Study Session on the types of legislative activities which will be necessary to communicate the District's concern on measuring emissions in mass versus the chemical makeup of particles. Supervisor Case stated the greatest challenge is educating the public that the health danger is not visible emissions as much as those associated with roadways.

Public Comment: None

10. APPROVE CONTRACT WITH UCSF-FRESNO TO CONDUCT PILOT FIELD RESEARCH ON URBAN EMISSION PLUMES AND ASSOCIATED EXPOSURE TO FINE AND ULTRAFINE PARTICLES FOR A TOTAL OF \$35,000 – Dr. Lighthall gave the presentation on this item which is a research contract with UCSF-Fresno to conduct a pilot field study of urban emission plumes and the health effects related to exposure to fine and ultrafine particles (UFP) in the Fresno/Clovis metro area. He noted this study will give District staff a better understanding of PM 2.5 and UFP and help guide future air quality planning efforts.

Public Comment: None

Moved: Case  
Seconded: Lane  
Ayes: O'Brien, Ornellas, Vierra, Nelson, Case, Ayers,  
Lane, Dominici, Forman, Watson, Miller, Barba  
Nays: None  
*\*\*Note: Mayor Johnston was not present for this vote.*

***Motion unanimously carried to approve contract with UCSF-Fresno to conduct pilot field research on urban emission plumes and associated exposure to fine and ultrafine particles for a total of \$35,000.***

11. APPROPRIATE AN ADDITIONAL \$2,449,194 IN REVENUE FOR THE CARL MOYER MULTI-DISTRICT VOUCHER INCENTIVE PROGRAM FROM THE CALIFORNIA AIR RESOURCES BOARD – Mr. Sadredin gave the presentation on this item which appropriates additional funds from the California Air Resources Board (ARB) for the District's Truck Voucher Incentive Program. He noted ARB awarded this increased funding to the District based on the District's successful implementation of the State's first Voucher Incentive Program in 2009. He reported under the Voucher Incentive Program, Valley fleet owners are eligible for up to \$35,000 toward the purchase of a newer truck.

Public Comment: None

Moved: Case  
Seconded: Nelson  
Ayes: Nelson, Case, Ayers, Lane, Forman, Dominici, O'Brien,  
Johnston, Vierra, Ornellas, Miller, Watson, Barba  
Nays: None

***Motion unanimously carried to appropriate an additional \$2,449,194 in revenue for the Carl Moyer Multi-District Voucher Incentive Program from the California Air Resources Board.***

12. VERBAL REPORT ON 2010 SUMMER SEASON HEALTHY AIR LIVING ACTIVITIES AND COMPREHENSIVE MULTILINGUAL PUBLIC OUTREACH AND EDUCATION CAMPAIGN, HIGHLIGHTING TELEVISION, RADIO, OUTDOOR AND ONLINE MEDIA PROMOTING THE "ONE CHANGE" MESSAGE – Mr. Sadredin announced that due to ongoing technical issues with the video teleconferencing equipment today, this item would be tabled until the September 16<sup>th</sup> Governing Board meeting.
13. SEPTEMBER 2010 GOVERNING BOARD STUDY SESSION FOR EDUCATIONAL AND STRATEGIC PLANNING PURPOSES – Mr. Sadredin noted the Board has scheduled a Study Session on September 29<sup>th</sup> and 30<sup>th</sup> to allow for a less formal setting to discuss important policy issues that will benefit the District from a strategic standpoint. Also, he noted this session should benefit the new Board members by providing them with historical information on District challenges and current issues

we face. He presented a proposed agenda and asked for feedback from the Board. Items scheduled to be discussed include:

1. Upcoming Federal Ambient Air Quality Standards and the Subsequent Implementation Mandates
2. Near-Roadway Air Monitoring
3. Identify Health and Scientific Research Priorities for the District
4. Public Response and District's Public Education Strategies
5. Strategic Use of Incentive Funds
6. Community Service by District Employees – District Facilitation
7. District Actions to Meet Climate Change Mandates
8. Legal Challenges – Past and Present

Mr. Sadredin noted Supervisor Worthley asked for an additional item to be added to the Study Session Agenda on improving the District's socioeconomic analyses for rules brought before the Board, so the Board will have full confidence when making the decision on proposed rules. This is important as the Board is likely to consider extremely costly measures in response to new standards. Councilmember Lane stated he was interested in finding ways to align the District's incentive funds with rule implementation; a legislative strategy to deal with EPA and ARB; and, looking for ways to work with various utilities as they are required to use more renewables to generate energy. Supervisor O'Brien asked for item number 5 to include information on actual dollars spent by area. He also asked for a policy decision to be included on carpools that originate in the Valley but leave the area. Mayor Johnston asked for recommendations and alternatives to consider from staff on actions that could be taken for each item. Supervisor Watson asked for copies of the Annual Report to be provided at the Study Session for the benefit of new Board members. The Board consented to allow Supervisor Worthley's suggestion to be added to the agenda.

Public Comment - None

14. VERBAL REPORT BY JOHN G. TELLES, M.D. ON AIR RESOURCES BOARD ACTIVITIES – There was no verbal report on Air Resources Board activities as Dr. Telles was absent from the meeting.
15. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sadredin reported at the last ARB Board meeting in June, there was a discussion about Proposition 1B allocations, of which the District received \$5.5 million dollars which was diverted from other areas. He noted that he distributed a copy of the District's exhibits from the Senator Florez hearing to each of the Board members and gave a report on the discussion held at the hearing. He stated he presented a 25-year and 40-year cost analysis at Senator Florez' request and noted the 10-year analysis was actually more conservative. He reported that Senator Florez suggested that every farmer who wanted to burn agricultural waste should appear before the Board in the future. Mr. Sadredin stated he informed Senator Florez of the inefficiency and impracticality of that suggestion. He stated ARB may hold a hearing on this matter in September. Lastly, he reported that the Valley has enjoyed the cleanest summer on record in

terms of air quality, with only four unhealthy days reported thus far.

16. GOVERNING BOARD MEMBER COMMENTS – Mayor Johnston thanked staff for providing the “In the News” email blasts containing news clips on air quality issues throughout the Valley. Supervisor O’Brien asked staff to provide additional information on areas that Proposition 1B funds are being spent in the future Board Briefing reports.
17. CLOSED SESSION – Conference with Legal Counsel – Anticipated Litigation: Initiation of Litigation Pursuant to Government Code Section 54956.9: One Potential Case

## **ADJOURN**

Meeting adjourned at 11:43 a.m.

*Next scheduled meeting of the Governing Board: Thursday, September 16, 2010. Meeting starts at 9:00 a.m., Central Region Office, Governing Board Room, and 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.*