

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, January 19, 2012
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, Supervisor O'Brien called the meeting to order at 9:05 a.m.
2. ROLL CALL was taken and a quorum was present.

Present:

Tony Barba, Supervisor	Kings County
Oliver L. Baines III, Councilmember	City of Fresno
Skip Barwick, Councilmember, Vice Chair	City of Tulare
Sally Bompreszi, Councilmember	City of Madera
Judy Case, Supervisor	Fresno County
Ronn Dominici, Supervisor	Madera County
Dr. Henry Jay Forman, Ph.D.***	Appointed by Governor
Harold Hanson, Councilmember	City of Bakersfield
William O'Brien, Supervisor, Chair	Stanislaus County
Chris Vierra, Mayor*	City of Ceres
Raymond Watson, Supervisor**	Kern County
Dr. Alexander Sherriffs	Appointed by Governor
Hub Walsh, Supervisor	Merced County
J. Steven Worthley, Supervisor	Tulare County

* Attended meeting in Northern Region Office

**Attended meeting in Southern Region Office

***Arrived at 10:22 a.m.

Absent:

Leroy Ornellas, Supervisor San Joaquin County

3. INTRODUCTION OF NEW VICE CHAIR SKIP BARWICK AND NEW GOVERNING BOARD MEMBERS OLIVER L. BAINES III, SALLY J. BOMPRESZI, AND HAROLD HANSON – Supervisor O'Brien welcomed Vice Chair Skip Barwick, and new Governing Board members Councilmember Oliver L. Baines III, Councilmember Sally J. Bompreszi, and Councilmember Harold Hanson to the District's Governing Board.

Vice Mayor Barwick stated he was pleased to be a part of the Governing Board and thanked the City and County of Tulare for their support in appointing him to the post. Councilmember Baines stated he is very excited to serve on the SJVAPCD Governing Board. Councilmember Bompreszi stated she was honored to serve on the Governing Board and noted she also suffers from respiratory problems which are affected by the air pollution in the Valley. Councilmember Hanson stated he is very interested in working on the Valley's air pollution issues.

4. RECOGNITION OF THE OUTGOING CHAIR: SUPERVISOR WORTHLEY – Supervisor O'Brien presented a plaque to Supervisor Worthley, in appreciation for his service and leadership as Chair of the Governing Board in 2011. Supervisor O'Brien thanked him for his hard work and the great job he did as Chair.
5. 2012 STATE OF THE DISTRICT REPORT BY THE OUTGOING CHAIR, SUPERVISOR WORTHLEY – Supervisor Worthley stated he has enjoyed the opportunity to serve as Chair of the District's Governing Board. He noted many of the air quality challenges faced by the Valley are unmatched by any other region in the state or in the nation. He stated in spite of the enormity of the task, he found it extremely rewarding when year after year the Valley saw significant improvements and progress in the journey towards cleaner air for all Valley residents. He explained that just over the past ten years, the Valley has experienced a reduced number of ozone exceedances by 62%. During that same period, he noted the number of days with unhealthy air quality during "ozone season" have been reduced from 150 days in 2002 to less than 20 days in 2011. He noted in 2011, the Valley had the lowest "ozone designed value", which is the measure of how close the Valley was to meeting the standard. In spite of those accomplishments, he stated much work remains to be done. He noted the current "La Nina" weather pattern and it's adverse impact on the Valley's winter air quality is a stern reminder of the enormity of the task before the District. In addition, Supervisor Worthley recognized and commended the enormous sacrifices made by Valley businesses and residents. He voiced his appreciation for the many Valley residents who are doing their part and embracing "one change" to improve air quality in the Valley. Lastly, Supervisor Worthley commended the District's Governing Board and staff for the manner in which they have pursued their mission to improve the quality of life for Valley residents.
6. APPROVAL OF CONSENT CALENDAR – (Item Numbers 21 - 25) *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.*
 21. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD MEETING OF THURSDAY, DECEMBER 15, 2011
 22. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2012
 23. RECEIVE AND FILE OPERATION STATISTICS SUMMARY FOR DECEMBER, 2011
 24. RECEIVE AND FILE BUDGET STATUS REPORT AS OF DECEMBER 31, 2011

25. APPOINT NEW MEMBERS TO DISTRICT HEARING BOARDS

Public Comment: None

Moved: Case
Seconded: Barwick
Ayes: Baines, Barba, Barwick, Bompreszi, Case, Dominici,
Hanson, Sherriffs, Walsh, Worthley, Vierra, Watson, O'Brien
Nays: None

Motion unanimously carried to approve Consent Calendar Items 21 - 25

7. PUBLIC COMMENT – *The following persons provided testimony during the public comments portion of the meeting*

- Andy Christensen, SEIU Local 521
- Tom Abshere, SEIU Local 521
- Tony Her, Fresno Metro Ministry
- John Burnett
- Betsy Reifsnider, Catholic Diocese
- Kevin Hall, Central Valley Air Quality Coalition (CVAQ)
- Tom Frantz, Central Valley Air Quality Coalition (CVAQ)

8. S.T.A.R. RECOGNITION (SERVICE, TEAMWORK, ATTITUDE, RESPECT) – Marissa Gonzales, the District's Personnel Director, gave the presentation on this item which formally recognized the employees who have reached a service milestone during the fourth quarter of 2011.

Five Years of Service

Peter Biscay, Air Quality Specialist II
Renee Chavez, Senior Air Quality Inspector
Leonard Contreras, Maintenance Worker
Nannette Diaz, Senior Office Assistant
Claire Gottschalk, Air Quality Inspector II
Erin Green, Office Assistant II
Guadalupe Juaregui, Senior Air Quality Inspector
Jonathan Klassen, Senior Air Quality Specialist
Wai-Man So, Air Quality Engineer II
Noemi Walther, Office Assistant II

Ten Years of Service

Brant Botill, Senior Air Quality Specialist
Timothy Bush, Air Quality Engineer II
Alexander Krivobok, Network Systems Analyst II
Iona Safavardi, Air Quality Inspector II

Manuel Salinas, Air Quality Engineer II
Stanley Tom, Senior Air Quality Engineer

Fifteen Years of Service

Dorothy Schoffner, Air Quality Assistant

9. REPORT ON DISTRICT CITIZENS ADVISORY COMMITTEE ACTIVITIES – Manuel Cunha, CAC Industry/Ag Representative for Fresno County introduced new CAC Chairman, Mayor Amarpreet Dhaliwal from the City of San Joaquin. Chairman Dhaliwal reported on highlights from the CAC meeting held on January 3rd, 2012. He stated CAC members received a detailed presentation on proposed amendments to District Rule 2301 (Emission Reduction Credit Banking). He stated without objection, CAC members from all three interest groups supported the adoption of these proposed amendments by the District Governing Board. In addition, he reported the CAC received an update on the District Technology Advancement Program from Mr. Samir Sheikh, Director of the District's Strategies and Incentives Program. He also reported CAC members received an update from the CAC Hearing Board Appointment Subcommittee regarding nominations for vacant Hearing Board positions and there were no objections to the recommendations from CAC members, therefore he has forwarded the nominations to the Governing Board for their consideration. Lastly, Chair Dhaliwal reported CAC received an update on recent EJAG activities including word that the EJAG Grants Subcommittee is working to develop recommendations regarding the use of incentive funding to reduce emissions in environmental justice areas.

Supervisor Case recognized Chairman Dhaliwal for his many contributions to the community and welcomed him to his post as Chairman of the CAC.

10. VERBAL REPORT: ENHANCEMENTS TO REAL-TIME AIR ADVISORY NETWORK (RAAN) – David Lighthall, Ph.D., the District's Health Science Advisor, gave the presentation on this item which explained recent enhancements to the Real-Time Air Advisory Network (RAAN), which was developed in 2010 to provide Valley schools and the general public with up-to-date, timely, localized air quality information. He explained that version 2.0 of RAAN was launched in January and incorporates feedback from users over the past 18 months of RAAN's operation and additional insights from current research on the health effects of ozone and fine-particulate matter (PM2.5).

Dr. Sherriffs stated the enhancements provide more clarity to residents and suggested developing a "catchy phrase" to encourage them to exercise during healthier air quality times. Supervisor Worthley commented the public will now have access to critical information to help them decide on the healthier times for outdoor activities, in an easy-to-read format. He also clarified that rain is not the critical weather component to improved air quality, wind is. Supervisor Walsh asked if outreach was planned to schools and associations regarding the new approach to RAAN. Mr. Sadredin stated staff is in constant communication with school officials, and many of the enhancements were made to address issues raised by schools. He noted outreach to schools and the community is ongoing. Supervisor Watson congratulated staff for raising the bar for the reduction of air pollution in the Valley. Supervisor O'Brien suggested developing a

mobile application to inform Valley residents about the best times for outdoor activity. He suggested using technology to the District's advantage. Mr. Sadredin noted staff is working towards final approval from Apple for the release of the District's new mobile application for the Woodburning and Air Alert programs. Dr. Sherriffs reminded everyone to keep exercising, but choose healthier times and places.

Dr. Forman arrived at 10:22 a.m.

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

- Tom Frantz, CVAQ
- Elizabeth Jonasson, Coalition for Clean Air
- Kevin Hamilton, Clinica Sierra Vista
- Maricela Mares-Alatorre, People for Clean Air & Water of Kettleman City
- Christopher Breedlove
- Michelle Garcia, Fresno/Madera Medical Society
- Kevin Hall, CVAQ

11. ADOPT PROPOSED AMENDMENTS TO RULE 2301 (EMISSION REDUCTION CREDIT BANKING) – Dave Warner, Director of Permit Services, gave the presentation on this item which proposed to allow Valley businesses and other entities to receive credit for voluntary greenhouse gas (GHG) emission reductions that go beyond regulatory requirements for GHG reduction and occur in the air basin. The proposed amendments were intended to encourage early local reductions in emissions by providing an economic incentive through the banking and sale of carbon credits. The District's credit bank is also designed to provide high quality credits that ensure quantifiable, enforceable, and surplus reductions in emissions.

The presentation was followed by discussion and clarification by the Board, concerning potential uses of the credits in relation to CEQA and AB32 requirements.

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

- Mike Wells, Fresno Metro Ministry
- Kevin Hall, CVAQ
- Tom Frantz, CVAQ
- Sarah Sharpe, Fresno Metro Ministries
- Kevin Hamilton, Clinica Sierra Vista
- Elizabeth Jonasson, Coalition for Clean Air
- Casey Creamer, CCGGAWAPA

Moved: Dominici
Seconded: Worthley
Ayes: Baines, Barba, Barwick, Bomprezzi, Case, Dominici, Hanson, Sherriffs, Walsh, Worthley, Vierra, Watson, O'Brien
Nays: Forman

Motion carried 13-1 to adopt proposed amendments to Rule 2301 (Emission Reduction Credit Banking).

This item taken out of turn.

13. CUMULATIVE ENVIRONMENTAL VULNERABILITIES: OPPORTUNITIES FOR ENHANCING REGIONAL CLEAN AIR POLICY: A VERBAL REPORT BY JONATHON LONDON, Ph.D., DIRECTOR, UC DAVIS CENTER FOR REGIONAL CHANGE - Mr. Sadredin introduced Dr. London, who gave the presentation on this item which summarized his report titled "Land of Risk Land of Opportunity". Dr. London gave an overview of the regional challenges facing the Valley, including: the hot/cold inverted bowl of the SJ Valley; wealthy land/less-wealthy people and communities; limited philanthropic and public funding; disconnection between sources of problems and effective policy levers. He reported on regional opportunities including: important progress in cleaning Valley air; innovative public engagement (EJAG, CAC); committed non-profit organizations; and strong research base for understanding air quality and informing policy. Key findings of his research include:

- a. A region at risk: Nearly 1/3 (1.2 million) of San Joaquin Valley residents face extreme cumulative environmental and social vulnerability.
- b. More environmental hazards exist than are publically documented: Residents identified many more environmental hazards than are documented or addressed by the state and federal regulatory inventories.
- c. Not all vulnerability is equal: The combination of environmental risk and social vulnerability is not randomly distributed across the region, but rather concentrated within particular communities.
- d. Collaborative action is needed, focused on the most vulnerable people and places.

Supervisor Case thanked Dr. London for the valuable information he provided in his report. Vice Mayor Barwick echoed her remarks, as did Councilmember Baines. Councilmember Baines also thanked the Board, APCO and staff for commissioning this report, calling it a "strategic investment". Dr. Sherriffs stated this information would help the Board make better, more strategic decisions. Mr. Sadredin commented the report contains excellent information that the Board could use to make future decisions, including identifying areas to provide future funding. He also identified a number of areas where the District could work to update and enhance data used in the report

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

- Mary Curry, Fresno Resident
- Sarah Sharpe, Fresno Metro Ministries
- Kevin Hamilton, Clinica Sierra Vista

This item taken out of turn

15. ADOPT THE DISTRICT'S 2012 LEGISLATIVE PLATFORM – Mr. Sadredin introduced Mr. Paul Yoder, the District's Legislative Analyst who provided an overview of the current situation in Sacramento. Following Mr. Yoder's presentation, Mr. Tom Jordan, the District's Senior Policy Advisor, gave an overview of the District's proposed 2012 Legislative Platform including:

- (State/Federal) Seek funding and other support from the State Air Resources Board and federal Environmental Protection Agency (EPA) to install and operate additional air quality monitoring instruments throughout San Joaquin Valley.
- (Federal) Advance the District's "health-risk based" approach to provide for a more reasonable implementation of National Ambient Air Quality Standards by prioritizing public health.
- (State) Promote "clean cars" and urge the State of California and the California Air Resources Board to continue to develop and adopt expanded Low Emission Vehicle (LEV III) standards to reduce criteria air pollutants and greenhouse gases and to strengthen the state's Zero Emission Vehicle (ZEV) and Clean Fuels Outlet (CFO) infrastructure programs.
- (State/Federal) Support efforts that provide for cost-effective alternatives to agricultural burning including subsidies and/or preferential utility rates for power produced from biomass and additional research to identify other technologically and economically feasible alternatives.
- (State/Federal) Support energy efficiency/alternative energy policies and initiative that will result in emissions reductions and cost effective alternatives to burning agricultural waste.
- (State/Federal) Support legislation that preserves and increases funding for air quality incentive programs.
- (Federal) Support the establishment of an Air Quality and Health Empowerment Zone Designation that would provide financial assistance to regions that have significant air quality, health, and economic challenges.
- (Federal) Support air quality funding and programs in the federal transportation bill re-authorization.
- (State/Federal) Support adequate resources and policies to reduce the impact of wildfires and their attendant public health impact. (State/Federal) As the state and federal governments implement climate change programs, the District will support measures that will target a portion of any revenues generated under cap and trade program to emissions reduction projects in areas that are already disproportionately impacted by air pollution, support measures that have co-benefits to criteria pollutant reductions, and oppose measures that may lead to increases in criteria pollutant or toxic emissions.
- (Federal) Support the continuation of air quality funding in the Farm Bill that is designed to accelerate the replacement of agricultural equipment.
- (State) Support legislation allowing for the establishment of a local joint powers authority to oversee scheduling and operation of the AMTRAK San Joaquin route.

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

- Kevin Hall, CVAQ

Moved: Worthley

Seconded: Case

Ayes: Baines, Barba, Barwick, Bomprezzi, Case, Dominici, Hanson, Sherriffs, Walsh, Worthley, Vierra, Watson, O'Brien

Nays: Forman

Motion carried 13-1 to adopt the District's 2012 Legislative Platform.

12. REVIEW AND PROVIDE COMMENT ON THE DRAFT 2011 ANNUAL REPORT TO THE COMMUNITY – Mr. Sadredin stated that the report is intended as a report card to the public concerning District activities during the preceding year. The report addresses air quality trends, various air quality issues that were encountered and addressed by the Valley, work by Valley businesses and residents towards clean air, and detailed activity reports from various departments of the District. Supervisor Watson suggested providing examples of changes the public can make in their everyday life to reduce air pollution and possibly create economic savings. Mr. Sadredin responded affirmatively.

Public Comment: None

14. APPROVE AGREEMENT WITH KINGS COUNTY ASSOCIATION OF GOVERNMENTS IN THE AMOUNT OF \$97,500 TO PREPARE A COMMUNITY-WIDE GREENHOUSE GAS EMISSIONS INVENTORY – Mr. Sadredin stated one of the directions given to staff by the Board as they adopted the Climate Action Plan was to be a resource to municipalities in their attempt to comply with AB32. He stated one of the services the District has been providing is to help local governments to prepare their community-wide greenhouse gas (GHG) emissions inventories. He noted this is one such agreement with the Kings County Association of Governments.

Mayor Vierra suggested the Board provide the APCO with a stipulated amount, allowing him to enter into such contracts with other governmental agencies. Mr. Sadredin responded if the Board desired, he would bring a separate item to before the Board at a future date to amend the District's Administrative Code.

Public Comment: None

Moved: Barba
Seconded: Forman
Ayes: Baines, Barba, Barwick, Bomprezzi, Case, Dominici, Forman, Hanson, Sherriffs, Walsh, Worthley, Vierra, Watson, O'Brien
Nays: None

Motion unanimously carried to approve agreement with Kings County Association of Governments in the amount of \$97,500 to prepare a Community-Wide Greenhouse Gas Emissions Inventory.

16. ADOPT PROPOSED GREEN PROCUREMENT AND SUSTAINABLE PRACTICES POLICY – Mr. Sadredin stated this item proposed adoption of the District's Green Procurement and Sustainable Practices Policy. He noted this policy is part of the District's Fast Track component of the Dual Path Ozone Strategy, which implements a variety of voluntary approaches to enable attainment of the 8-hour ozone health standard. Cindi Hamm, Director of Administrative Services explained the policy was written to encourage the use of green and sustainable practices within the District, and also may serve as a model for outside organizations.

Public Comment - None

Moved: Hanson
Seconded: Worthley
Ayes: Baines, Barba, Barwick, Bompreszi, Case, Dominici, Forman,
Hanson, Sherriffs, Walsh, Worthley. Vierra, Watson, O'Brien
Nays: None

Motion unanimously carried to adopt the District's proposed Green Procurement and Sustainable Practices Policy.

17. VERBAL REPORT BY ALEXANDER SHERRIFFS, M.D. ON AIR RESOURCES BOARD (ARB) ACTIVITIES – Dr. Sherriffs reported ARB authorized Truck Reuse Program with a focus on the Valley. He explained trucks replaced under the Prop. 1B Goods Movement Emission Reduction Program can be re-used to replace the oldest trucks in the Valley not required to upgrade until 2017. He explained the program will be administered by the District. Dr. Sherriffs also reported ARB adopted amendments to the State Low Carbon Fuel Standard Regulation including reporting requirements, credit trading, regulated parties, opt-in and opt-out provisions and regulatory definitions. Mr. Sadredin thanked Dr. Sherriffs for his representation at the ARB meeting, especially his assistance on the Truck Reuse Program.
18. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sadredin reported the Lawn Care Conference will be held on March 21, 2012 at the Radisson hotel in Fresno. He requested also feedback from the Governing Board members for a potential date for the upcoming Board Study Session.
19. GOVERNING BOARD MEMBER COMMENTS – None
20. CLOSED SESSION – Catherine Redmond, District Counsel, announced the Board would adjourn to Closed Session to consider the following, with no additional announcement to be made:
 - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code section 54956.9(a): *Our Children's Earth Foundation v. San Joaquin Valley Air Pollution Control District, et al., San Joaquin County Case No. 39-2011000270026-CU-WM-STK*
 - CONFERENCE WITH LABOR NEGOTIATOR– Marissa Gonzales, Pursuant to Government Code Section 54957.6. Employee Organization – SEIU Local 521
 - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code section 54956.9(a): *Committee for a Better Arvin et al. v. U.S.E.P.A. et al., Ninth Circuit, Case No. 11-7392*

ADJOURN

Meeting adjourned at 1:39 p.m.

Next scheduled meeting of the Governing Board: Thursday, February 16, 2012. 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.