

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 22, 2015
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 Wheeler called the meeting to order at 9:00 a.m.
2. ROLL CALL was taken and a quorum was present.

Present:

Sally Bompreszi, Councilmember	City of Madera
Dennis Brazil, Mayor*	City of Gustine
John Capitman, Ph.D.	Appointed by Governor
David Couch, Supervisor**	Kern County
Bob Elliott, Supervisor*	San Joaquin County
Harold Hanson, Councilmember**	City of Bakersfield
Buddy Mendes, Supervisor	Fresno County
William O'Brien, Supervisor*	Stanislaus County
Craig Pedersen, Supervisor	Kings County
Dr. Alexander Sherriffs	Appointed by Governor
Hub Walsh, Supervisor*	Merced County
Tom Wheeler, Supervisor, Chair	Madera County
J. Steven Worthley, Supervisor	Tulare County

* Attended meeting in Northern Region Office

**Attended meeting in the Southern Region Office

Absent:

Oliver L. Baines III, Councilmember, **Vice Chair** City of Fresno

3. INTRODUCTION OF NEW GOVERNING BOARD MEMBERS: SUPERVISOR BUDDY MENDES AND SUPERVISOR CRAIG PEDERSEN – Supervisor Wheeler welcomed new Governing Board members Supervisor Buddy Mendes from Fresno County and Supervisor Craig Pedersen from Kings County.

Supervisor Mendes said it is an honor to represent the hard-working people of Fresno County on the Governing Board and noted he is looking forward to serving his constituents. Supervisor Pedersen said it is a pleasure to serve on the Governing Board. He commented he has always been impressed by the Governing Board's ability to work through issues and listen to outside interests and this is why he is eager to serve on the Board.

4. APPROVAL OF CONSENT CALENDAR – (Item Numbers 16 – 23) *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.*

16. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD MEETING OF DECEMBER 18, 2014

17. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2015

18. RECEIVE AND FILE OPERATION STATISTICS SUMMARY FOR DECEMBER 2014

19. RECEIVE AND FILE BUDGET STATUS REPORTS AS OF DECEMBER 31, 2014

20. APPROVE EXTENSION OF AGREEMENT WITH CALIFORNIA AIR RESOURCES BOARD (ARB) FOR DISTRICT ENFORCEMENT OF STATE ANTI-IDLING REGULATIONS FOR TRUCKS AND BUSES

21. APPROVE RESOLUTION AUTHORIZING THE DISTRICT TO SUBMIT APPLICATIONS TO THE CALIFORNIA AIR RESOURCES BOARD FOR THE CARL MOYER MEMORIAL AIR QUALITY STANDARDS ATTAINMENT PROGRAM

22. APPROVE AGREEMENTS WITH THE GREATER STOCKTON CHAMBER OF COMMERCE AND THE MODESTO CHAMBER OF COMMERCE FOR AMOUNTS NOT TO EXCEED \$10,000 TO ENHANCE AND IMPLEMENT THE AWARD WINNING GREEN TEAM PROGRAMS IN THEIR RESPECTIVE COUNTIES

23. SIX MONTH NO-COST CONTRACT EXTENSION WITH UC DAVIS TO CONDUCT AIRCRAFT-BASED RESEARCH ON TRANSBOUNDARY OZONE

Public Comment: None

Commenting on Item #22, Dr. Sherriffs suggested finding ways in the future to expand the amount of funding for the Green Team programs, noting these programs have a large impact in the communities. Mr. Sadredin responded this program initially started with the Greater Stockton Chamber of Commerce, which developed the Green Team program, and worked with the District to expand the program to other Valley chambers such as the Modesto Chamber that is included in today's item. He said the District has found the program to be very effective as businesses are receptive to being approached by chamber staff to help find ways to increase efficiency. He encouraged Board members in other counties to encourage their chambers to reach out to the District in efforts to make this program available in other areas of the Valley.

Moved: Bompreszi

Seconded: Worthley

Ayes: Bompreszi, Brazil, Capitman, Couch, Elliott, Hanson, Mendes, O'Brien, Pedersen, Sherriffs, Walsh, Worthley, Wheeler

Nays: None

Motion unanimously carried to approve Consent Calendar Items 16 – 23

5. PUBLIC COMMENT: None

6. S.T.A.R. RECOGNITION (Service, Teamwork, Attitude, Respect) – Adriana Myovich, Personnel Director, formally recognized employees who have reached a service milestone during the fourth quarter of 2014:

Five Years of Service

Ruth Crisp, Audio Visual Specialist II
Alex Haulman, Air Quality Inspector II
Song Thao, Senior Office Assistant

Ten Years of Service

Angela Frantz, Senior Air Quality Inspector
Trevor Joy, Air Quality Specialist II
Betty Laudig, Air Quality Specialist II
Wendy Olsen, Air Quality Assistant

Fifteen Years of Service

Todd DeYoung, Program Manager
Lisa Middleton, Air Quality Inspector II

Twenty Years of Service

Dwayne England, Air Quality Inspector II
Carlos Garcia, Senior Air Quality Engineer
Robert Rinaldi, Air Quality Engineer II

7. **REPORT ON DISTRICT CITIZENS ADVISORY COMMITTEE ACTIVITIES** – Dennis Tristao, Citizens Advisory Committee (CAC) Industry/Ag Representative from Kings County, provided highlights from the January 6th CAC meeting. He reported CAC members received an update on the implementation of recent programmatic changes to the District's Burn Cleaner incentive program. He also reported CAC members received a presentation on proposed changes to Rule 4905, the District's point of sale rule for natural gas-fired, fan-type, residential central furnaces, and voted in support of the proposed amendments.

Mr. Tristao also noted members received an update on the District's recent award of \$677,214 in federal funding from U.S. EPA to fund the replacement of approximately 48 medium duty trucks within the San Joaquin Valley. Furthermore, he reported CAC members recommended the Governing Board appoint two new members and reappoint several members to the District's Environmental Justice Advisory Group (EJAG). Lastly, Mr. Tristao asked for assistance from Board members to help fill vacant CAC positions from the City Interest Group.

Dr. Capitman asked if CAC members would discuss potential SB 535 funding. Mr. Sadredin responded that the District's Legislative Platform places a huge priority on ensuring that the District gets its fair share of Cap and Trade funding. He said according to the CalEnviroScreen tool, 23 of the top 30 disadvantaged communities in the state are located in the San Joaquin Valley. He said the District is working to identify projects within the Valley to use these dollars and gave an example of a project in Kings County that provides transportation for farmworkers. He noted items would be presented to both CAC and EJAG in future months in an effort to engage constituencies. He commented there are other government agencies that could potentially use some of the funding for housing weatherization and other types of projects that would benefit these communities in need. Mr. Sadredin reported this would be a topic of discussion at the Governing Board Study Session in May.

Public Comment - None

8. **APPOINT MEMBERS TO THE DISTRICT'S ENVIRONMENTAL JUSTICE ADVISORY GROUP (EJAG)** – Seyed Sadredin, Executive Director/APCO, gave the presentation on this item. He said this item is typically on the consent calendar as the Board regularly makes appointments and reappointments to EJAG. However, Mr. Sadredin explained that he placed this item on the regular agenda as the proposed appointment of the CAC Environmental Representative to EJAG does not follow past practice. Although Board policy does not require that CAC endorse the EJAG appointments that come before the Board for

consideration, the practice has been to ask for CAC endorsement before the Board appoints their representatives to EJAG. He said in this case, there were two candidates for the position of CAC Environmental Primary Representative to EJAG, Kevin Hamilton and Michael Brown. He reported CAC was unable to reach consensus on either appointment. Since both members received majority support from the committee, he is recommending that Mr. Hamilton be appointed as the primary CAC Environmental Group representative and Mr. Brown be appointed as the alternate CAC Environmental Group representative to EJAG. Mr. Sadredin commented that Mr. Hamilton's past service on the EJAG and his extensive experience in public health and air quality were taken into account in recommending his appointment as the primary member.

Public Comment – None

Moved: Sherriffs
Seconded: Capitman
Ayes: Bompreszi, Brazil, Capitman, Couch, Elliott, Hanson, Mendes, O'Brien, Pedersen, Sherriffs, Walsh, Worthley, Wheeler
Nays: None

Motion unanimously carried to appoint members to the District's Environmental Justice Advisory Group.

9. **AUTHORIZE THE LAUNCH OF THE DISTRICT'S NEIGHBORHOOD BY NEIGHBORHOOD WEB-BASED ARCHIVED AIR QUALITY SYSTEM (WAAQS)**

– Mr. Sadredin remarked that at the direction of the Board, providing accurate and up to date air quality information to Valley residents is a top priority for the District. Towards that end, in 2010 the District created the groundbreaking Real-Time Air Advisory Network (RAAN) system to provide the residents of the Valley access to hour-by-hour local air quality conditions. This first of its kind risk-management tool made it possible for schools, parents, and others to make informed decisions about when, and for whom, outdoor activities should be limited. RAAN revolutionized the way local air quality conditions are communicated on a real-time basis. However, RAAN relies on data from air quality monitors that are typically sited at locations, which measure worst-case concentrations. Given the large geographical area that is covered by the District's air monitoring network, this method, although providing the worst-case air quality measurements, may not accurately reflect the actual air quality conditions at the neighborhood level.

Mr. Sadredin reported he was pleased to present the District's new Neighborhood by Neighborhood Web-Based Archived Air Quality (WAAQ) system, which will allow residents to "walk back through history" and see how neighborhood level air quality has changed over time. It also provides a tool to compare where Valley neighborhoods stand in comparison to the county and air basin as a whole.

Mr. Sadredin commented this completes Phase II of the three-phase approach to implement the Board's direction at the May 2014 Study Session to provide air quality conditions to Valley residents on a neighborhood by neighborhood scale. The project was organized into the following three phases:

- Phase I – Establish Algorithms and/or modeling techniques for Quantifying Neighborhood Level Particulate and Ozone Concentrations - COMPLETED
- Phase II – Provide Historical Air Quality Trends at the Neighborhood Level – READY TO LAUNCH
- Phase III – Provide Real-time Air Quality Data at the Neighborhood Level – UNDER DEVELOPMENT

Phase III will be to upgrade the RAAN system and make it a neighborhood by neighborhood program, making it a more realistic and less expensive option than placing an air monitor in each neighborhood across the Valley. He said this system will actually replicate what the air quality would be in a neighborhood as if there was an actual air monitor located in the neighborhood.

Mr. Sadredin introduced Jon Klassen, Program Manager who gave the Board an overview of the WAAQ system, an online tool that will allow residents to view historical air quality information for their neighborhood by simply entering an address of their choosing. The neighborhood level air quality statistics that will be provided to the public consist of the following:

- Number of days with Good air quality
- Number of days with Unhealthy air quality
- Days over federal standards for ozone and PM2.5
- Neighborhood air quality compared to trends for the County and San Joaquin Valley

The District will release a beta version of the online web page to the public on March 1, 2015. The District will accept and consider comments and recommendations in a continuous effort to improve the information provided on the web page.

Jaime Holt, Chief Communications Officer, provided the Board with a preview of the web interface for this new program. Supervisor Wheeler asked if the WAAQ tool is currently available on the District's website. Ms. Holt responded that it will be available to the public on March 1, 2015 via the website or direct link: www.valleyair.org/WAAQS. Regarding the county and basin comparison information, Mr. Sadredin stated current methodology calls for the District to count each day that a violation of the standard occurred at any monitor in the Valley. For example, he said if there was a violation on a Monday in Stockton and one in Modesto on Tuesday they would currently be counted as two violations in the air basin even though no one outside each area was exposed to both violations. This information is sometimes misconstrued by the media. He said to the extent that the District is representing this as a neighborhood scale tool, it might be better to show which neighborhood in each county had the most violations. He asked for feedback from the Board as to what their preference

might be.

Dr. Capitman commented that reporting the average number of violations across all locations might be helpful. Mr. Sadredin said that could be an option that would make the system easier to manage as only the average number of violations would need to be reported. Supervisor Worthley voiced support for Dr. Capitman's suggestion. Supervisor Walsh agreed. Supervisor Elliott asked about the logistics of WAAQ system reporting. Mr. Sadredin responded currently under RAAN air quality information could be coming from a monitor 40 miles away from the location entered. He said the area of significance would be narrowed down from 20-40 miles to 4 kilometers. Supervisor Elliott voiced support for Dr. Capitman's suggestion. Dr. Sherriffs said this whole process is wonderful in the sense of the District's commitment to transparency, sharing information and connecting with the public while trying to educate them. He said the challenge lies in how the public will understand the information.

Supervisor Couch asked about the margin of error for the WAAQ system. Mr. Sadredin responded the information is based on modeling, emissions inventory, and there is no specific range of accuracy at this point. He noted it is important that information is communicated clearly to the public, so they do not think the WAAQ system will replicate the exact information that would be provided if an air monitor were located at that location. He said staff would do their due diligence to make the best estimate possible and take variables into account such as exceptional events. Mayor Brazil asked if a specific address is required to obtain this information. Ms. Holt responded staff is working on the ability to search various locations by name and address through a Google interface. Mr. Sadredin stated this feature will be available by the proposed March 1, 2015, beta launch.

Dr. Capitman commented a population-weighted average is another available option. He noted many users will want to link this information back to a census track or population base. Mr. Sadredin commented the District is committed to continually enhancing the model with more monitoring. He noted the District's 2015 Legislative Platform will propose to seek more funding from the federal government for air monitoring. He also said he plans to propose funding in the District's 2015-16 Budget for more portable monitoring capabilities to help fill any gaps. He suggested average population exposure could be the ultimate reporting goal, in terms of showing air quality improvements in the Valley. Supervisor Wheeler asked if any other air districts have a similar program. Mr. Sadredin responded the District is the first in the nation to offer programs such as RAAN and the new WAAQ system.

Public Comment – None

Supervisor O'Brien congratulated staff on the advancement of this program. He said Phase III will be a complete game changer for the public and their ability to make informed decisions regarding their health. He said it is a huge accomplishment to make this important information available for the public. He

commented he would not be surprised to see a nationwide launch of this program when completed. Supervisor Wheeler agreed.

Moved: Hanson
Seconded: Bomprezzi
Ayes: Bomprezzi, Brazil, Capitman, Couch, Elliott, Hanson, Mendes, O'Brien, Pedersen, Sherriffs, Walsh, Worthley, Wheeler
Nays: None

Motion unanimously carried to authorize the launch of the District's Neighborhood by Neighborhood Web-Based Archived Air Quality System (WAAQS).

12. *This item was taken out of order at the Chair's prerogative*
APPROVE MEMORANDUM OF AGREEMENT WITH THE STATE DEPARTMENT OF CONSERVATION AND THE CALIFORNIA AIR RESOURCES BOARD TO IMPLEMENT REQUIREMENTS OF SENATE BILL 4
– Dave Warner, Deputy APCO, gave the presentation on this item which asked the Board to authorize the Executive Director/APCO to execute a Memorandum of Agreement (MOA) with the state Department of Conservation – Division of Oil, Gas and Geothermal Resources (DOGGR) and the California Air Resources Board (CARB) to implement the requirements of Senate Bill 4 (SB4). He explained Senator Pavley authored SB4 in response to significant public interest in hydraulic fracturing (fracking) used in the oil and gas production industry in California and the associated potential environmental impacts. The bill requires DOGGR to promulgate regulations that require permits and reporting by companies that perform fracking or other types of oil and gas well stimulation techniques, requires state agencies to examine and address potential environmental impacts, and requires DOGGR to enter into agreements regarding regulatory responsibilities with other involved agencies, including local air districts. Mr. Warner noted it is this latter requirement that is addressed by today's proposed MOA.

Supervisor O'Brien asked about the permit review process. Mr. Sadredin responded there is a public review process for permits that DOGGR will have to comply with under SB4. Supervisor Couch asked for clarification on the expedited review process for the District and if the District must adhere to the 14-day review process, while ARB can take up to 45 days to review. Mr. Sadredin responded affirmatively.

Supervisor Pedersen asked about the number of applications the District is expecting to receive. Mr. Sadredin responded estimates are 5,000 to 8,000 applications per year for oil and gas well drilling and fracking.

Dr. Sherriffs asked about the District's existing authority to monitor emissions and whether it is strictly limited to criteria pollutants. Mr. Sadredin responded the District's authority is for criteria pollutants but that some of the emissions from

such activities fall within the definition of VOCs. He said the District has a very strict fugitive component rule that subjects these activities to leak prevention and reporting requirements. He said staff will revisit this item once DOGGR has completed their rule making process and complied with SB4 to determine if there are gaps that may need to be filled.

Public Comment: *The following persons commented on this item:*

- Jennifer Pitcher, WSPA

Moved: Worthley

Seconded: Bomprezzi

Ayes: Bomprezzi, Brazil, Capitman, Couch, Elliott, Hanson, Mendes, O'Brien, Pedersen, Sherriffs, Walsh, Worthley, Wheeler

Nays: None

Motion unanimously carried to approve Memorandum of Agreement with the State Department of Conservation and the California Air Resources Board to implement requirements of Senate Bill 4.

Supervisor Couch left at 10:52 a.m.

10. APPROVE THE DISTRICT'S 2015 LEGISLATIVE PLATFORM AND TAKE POSITIONS ON ANTICIPATED FEDERAL AIR QUALITY LEGISLATIVE PROPOSALS – Mr. Sadredin explained this item provides guidance to District staff on various legislative items that they are asked to consider on behalf of the Board. He reported this year the District's focus at the federal level includes the proposed common sense improvements to the Federal Clean Air Act that the District has been advocating for some time. He said he is optimistic that middle of the road enhancements would be possible given the current political climate. He introduced Paul Yoder, state legislative advocate with Strategic Local Government Services, and Lynn Jacquez, federal legislative advocate with CJ Lake, LLC, who provided the Board with an overview of legislative conditions in Sacramento and Washington, DC, respectively.

Tom Jordan, Senior Policy Advisor, provided the Board an overview of the District's 2015 Legislative Platform. The priority issues for 2015 include:

- Seek legislative common sense improvements to the Federal Clean Air Act. In addition to our legislative proposals, the District has worked with EPA to advance administrative changes that can address certain issues with the Clean Air Act. These efforts have been productive, as EPA included many of the District's suggestions in their proposed implementation rule for the latest 8-hour Ozone Standard.
- The District receives State Subvention Funding to offset the costs of state mandated air quality programs. Despite significant increases in

responsibilities and the impact of inflation, the funding level has not been adjusted for over 20 years. The District supports an increase in State Subvention Funding.

- As the state develops updated policies/guidelines for the Carl Moyer program, the District will pursue policies that continue to focus the program on public health, maintain formulas that take air quality challenges into consideration, and that utilize cost-effectiveness surplus emission reductions as the primary eligibility criteria.
- The compliance regiment under the state's Cap and Trade program may lead to increases in criteria and toxic emissions or missed opportunities to reduce such emissions in certain areas. Therefore, the District will advocate for policies that target a portion of Cap and Trade revenues to regions that are already overly impacted by criteria pollutant emissions with a greater focus on environmental justice communities.
- The District will oppose greenhouse gas measures that are detrimental to public health due to increases in criteria pollutant or toxic emissions, and support greenhouse gas measures that achieve criteria pollutant and toxic emissions reductions.
- When assessing state/federal policies concerning disadvantaged communities, the District considers poverty as a key factor contributing to diminished public health. The District will oppose efforts that lead to "redlining" these communities and inhibit economic growth. The District will support measures that improve quality of life and economic welfare by providing new state and federal resources. The District will oppose measures that dilute local control by diverting local revenues or the authority over the expenditure of local resources to the state or federal government.
- Seek funding and other support from ARB and EPA to install and operate additional air quality monitoring instruments throughout San Joaquin Valley.
- Support efforts that provide for cost-effective alternatives to agricultural open burning, level the playing field and provide fair competition between biomass plants and other renewable sources of power, and additional research and development of alternatives to agricultural open burning.
- Support state and federal funding of technology advancement projects to help develop technologies to meet federal air quality standards. Potential areas for funding include zero and near-zero emission mobile source projects, renewable energy projects, and projects to eliminate emissions associated with waste disposal.

- Support adequate resources and policies to reduce the impact of wildfires and their attendant public health impact.

Mr. Jordan outlined key Clean Air Act policy issues, which the District believes must be addressed administratively or legislatively including:

- Transition between standards is chaotic – the District has 6 active plans and is developing 4 new plans in the next two years.
- Deadlines are unrealistic – new standards approach background concentrations in the Valley and meeting these standards will require a ban on fossil fuel combustion. Such transformative measures require more time than allowed under the current deadlines.
- The courts and EPA impose impossible mandates, such as the requirements to offset VMT growth.
- Consideration of cost and feasibility – courts have determined that EPA cannot consider cost and feasibility in setting standards.
- Requiring contingency measures in Extreme Non-Attainment areas make no sense.

In addition, Mr. Jordan discussed the Clean Air Strong Economies (CASE), Ozone Regulatory Delay and Extension of Assessment Length (ORDEAL), and Commonsense Legislative Exceptional Events Reform (CLEER) acts, the first two of which focus on EPA's ability to set new air quality standards and the third which would provide for more congressional guidance relating to EPA's definition and treatment of exceptional events. These bills were introduced in the previous legislative session and the District anticipates these bills or similar legislation will be reintroduced in Congress this year.

Mr. Sadredin asked the Board for direction on their position regarding these bills noting the District has become a central figure in discussions related to potential changes to the federal Clean Air Act. He said he has been contacted by congressional offices from other states due to the District's experience and expertise in dealing with Clean Air Act issues. He explained that an ideal bill would not just ask EPA to delay setting these standards but would really target the implementation and administration phases to allow the District adequate time to do the most it can to reduce air pollution. Supervisor Worthley said the District should take the position of support as presented today. He said the District is in a unique position because of the maturity of our program and the range of rules adopted by the Board is way ahead of most of the country. He said these are reasonable approaches to be taken and the District needs to be at the table sharing their experiences and challenges which will help other areas of the country as these standards become more difficult. Supervisor Mendes voiced support for Supervisor Worthley's comments. He said the District is doing a great job balancing public health without crushing the economy.

Supervisor Elliott also voiced support for Supervisor Worthley's comments. He said it is important to support measures that inject common sense into the process. He said the District needs to support measures that require consideration of cost and feasibility in whatever actions are taken. He noted a balance must be struck between the worthy goal of improving air quality, and the equally worthy goal of promoting economic development which also improves people's lives. Supervisor Walsh asked if the bills have been reintroduced. Mr. Sadredin commented he has been contacted by legislators who intend to reintroduce many of these bills. Ms. Jacquez confirmed all bills expire at the end of the two-year legislative session and must be reintroduced. She said the inquiries coming now are from those who would like to reintroduce the bills. Supervisor Walsh echoed the support of his colleagues and suggested crafting support with a nuanced approach as the process is very fluid and subject to many changes.

Dr. Sherriffs noted there is much to support in this document and staff has done an admirable job summarizing some of the nuances. He commented this is not the time to decelerate the work already completed as the Clean Air Act has been very successful in decreasing health risks related to air pollution across the nation. He noted 90% of the health risk from air pollution is now concentrated in California, in the Central Valley and South Coast. He said he is very concerned with the implications of decelerating that process by increasing the length of review times. He said he cannot support CASE and ORDEAL as outlined, noting there are principles that can and should be supported. Supervisor Pedersen asked where this issue might surface committee-wise. Ms. Jacquez responded the jurisdiction will be primarily Energy and Commerce on the House side and Environment and Public Works on the Senate side. She said the question for the District is how to craft their position as these bills are introduced and then assess the likelihood of actual progress through the process and whether the committee would take it up. She said there is a definite desire from the Environment and Public Works committee to take up issues they have not been able to move on in the past.

Supervisor O'Brien voiced agreement with comments made by Supervisor Walsh and Ms. Jacquez. He said there is no doubt that CLEER should be supported but noted the District should be pragmatic regarding CASE and ORDEAL. He noted bipartisan support would be required to pass and those bills probably would not pass in their current form. He said finding the balance is tricky but Supervisor Walsh's suggestion provides good direction. Dr. Capitman voiced support for a nuanced approach. He said he is uncomfortable supporting the CASE and ORDEAL Acts as a public health advocate. He said progress that has been made is based on scientific progress, and setting health based standards that reflect scientific process is an absolute necessity and is what has driven the improvements in air quality across the country. He said in order to move to a health based standard then the current review schedule must be kept. He said he does support efforts to reduce the number of plans that must be worked on at once as it does not make sense. He said his concern with the CLEER Act is what would happen if drought conditions become the new normal. He asked if

the CLEER Act as written would allow for additional scientific exploration.

Mr. Sadredin responded in terms of the drought, the bill currently says lack of precipitation and stagnation are not exceptional events. However, he said the door should be open if the episode is prolonged, such as the Valley's current drought. He said with respect to these bills, as Board members pointed out there are factors to weigh. He suggested not taking a position of outright opposition or support, even though he understands the concerns that were raised. He said a more nuanced approach could be for the District to state its support for the bills' intended goals, such as bringing some order to the standard setting process and bringing feasibility and cost effectiveness to be part of the decision making process. He said it could be stated as "we agree with the intended goal, but feel a better way to approach this would be..." adding specific recommendations about how to change the implementation and administrative process to achieve those end goals and achieve realistic deadlines and reduce multiple redundant requirements. He also suggested speaking to the local Valley delegation to see if they are willing to introduce bills that specifically achieve the District's goals. He stated the Board has never been against using good sound science to set standards and has always been supportive of moving forward and leaving no stone unturned. He detailed the significant air quality progress that has been made in response to Clean Air Act mandates while outlining the unintended consequences that have resulted with redundant regulations.

Dr. Sherriffs commented the standard is scientific but the implementation is administrative and the District should not support something that interferes with the science driving what it is trying to achieve. He said everyone has bought into the technology to achieve this. Supervisor Pedersen made a motion to accept the principles as presented to the Board and to move forward on the legislative platform in whatever form the legislation comes in. Mr. Sadredin asked for clarification on the motion with his understanding being that the District would support the intended goals of the above-mentioned legislation but would ask for fixes through the implementation and administration of the Clean Air Act rather than through imposing restrictions on the EPA's ability to set health-based standards. The maker of the motion and the second agreed with the clarification.

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

- Kevin Abernathy, Milk Producers Council and Dairy Cares
- Dolores Weller, CVAQ

Moved: Pedersen
Seconded: Worthley
Ayes: Bomprezzi, Brazil, Capitman, Elliott, Hanson, Mendes,
O'Brien, Pedersen, Sherriffs, Walsh, Worthley, Wheeler
Nays: None

Motion unanimously carried to approve the District's 2015 Legislative Platform and to support legislative goals that bring a reasonable measure of technological achievability and economic feasibility and an orderly transition between standards through the implementation and administration of the Clean Air Act without restricting EPA's ability to routinely set health standards that properly rely on sound science. The Board also directed the staff, consistent with those principles, to develop legislative language and encourage the local Valley delegation to introduce their own bills that advance these objectives.

11. ADOPT PROPOSED AMENDMENTS TO RULE 4905 (NATURAL GAS-FIRED, FAN-TYPE CENTRAL FURNACES) – Errol Villegas, Program Manager, gave the presentation on this item. He explained that during the last Governing Board meeting on December 18, 2014, District staff recommended postponing rule adoption in response to late concerns raised by some manufacturers regarding their potential inability to accommodate increased production demands in time to meet the compliance deadlines as proposed in Rule 4905. As a result, the Board elected to continue the adoption of this rule until the January meeting to allow staff the time to make necessary rule amendments and to properly notice the public in regards to the proposed rule amendments. The proposed amendments now include an additional option for manufacturers to pay emissions fees if non-compliant units are sold during the initial phase of implementation.

Mr. Villegas reported the proposed Rule 4905 amendments would lower the allowed NOx emission rates by 65% for new units sold in the San Joaquin Valley and extend the applicability of Rule 4905 to commercial units and units installed in manufactured homes. He said these proposed amendments will satisfy the commitments included in the 2008 PM2.5 Plan, 2012 PM2.5 Plan, and 2013 Plan for the Revoked 1-hour Ozone Standard.

Public Comment – None

Moved: Sherriffs
Seconded: Mendes
Ayes: Bomprezzi, Brazil, Capitman, Elliott, Hanson, Mendes,
O'Brien, Pedersen, Sherriffs, Walsh, Worthley, Wheeler
Nays: None

Motion unanimously carried to adopt proposed amendments to Rule 4905 (Natural Gas-Fired, Fan-Type Central Furnaces)

13. VERBAL REPORT ON AIR RESOURCES BOARD ACTIVITIES – Dr. Sherriffs provided highlights from the December 18, 2014, ARB Board meeting. He reported the Board considered adding a new Compliance Offset Protocol for Rice Cultivation and updates to an existing protocol for US Forest Projects. In addition, he noted the Board approved the proposed ARB 2015-2016 Research Plan, and stated two proposed projects have specific connections to the San Joaquin Valley. Dr. Sherriffs reported that on February 19, 2015, the Board will consider adoption of a new Low Carbon Fuels Standard (LCFS) regulation to replace the existing LCFS regulation adopted by the ARB in 2009. Lastly, he reported the Board will consider adoption of a proposed regulation governing the commercialization of diesel fuel substitutes for mobile vehicles.

Public Comment – *The following person provided comment on this item:*

- Cesar Campos, Central CA Environmental Justice Network

This item was revisited at the Chair's prerogative

5. PUBLIC COMMENT: *The following persons provided comment during this item:*

- Mark Bomboy

14. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sadredin reminded the Board about the Transboundary Ozone Conference which begins on March 31st at the Tenaya Lodge. He commented that the first couple of days would be very scientific in nature but the last day would focus on policy development discussions regarding the impact of transboundary ozone on the SIP planning process. He also congratulated Dr. Capitman on his Senate Rules Committee hearing held the day before. He said Governor Appointees to the Board must be confirmed by the Senate and this year there are two Valley Senators on this committee – Senator Cannella from Stanislaus County and Senator Fuller from Kern County. He shared that Dr. Capitman articulated very well the challenges faced by the Valley in balancing the economy and public health. He recalled a statement made by Dr. Capitman describing the challenge to “find the least intrusive way of getting the most reductions in emissions”. Mr. Sadredin said Dr. Capitman’s statement really captures how the Board has operated. He reported Dr. Capitman gave a lot of compliments to the Board and how they have been able to achieve that balance while improving air quality. He congratulated Dr. Capitman for receiving a unanimous vote confirming his appointment. Many Board members echoed his congratulations.
15. GOVERNING BOARD MEMBER COMMENTS – Supervisor Worthley asked about the status of the Burn Cleaner program, in light of recent changes adopted by the Board. Mr. Sheikh responded interest has picked up again after the holidays and currently there is a balance remaining in most counties. He reported there is really high demand in San Joaquin and Madera Counties, and staff is trying to find ways to meet the public’s demand in these counties.

Supervisor Walsh commented that it was an honor to Chair the Board last year,

and thanked the Board and staff for their assistance as we move forward to address air quality concerns in the Valley. Mayor Brazil welcomed Supervisor Mendes and Supervisor Pedersen to the Governing Board. Councilmember Hanson thanked Mr. Sadredin and Ms. Holt for their assistance with in responding to questions and helping to educate residents regarding a recent issue.

ADJOURN

Meeting adjourned at 12:22 p.m.

The Governing Board meeting scheduled on February 19, 2015 was cancelled. The next scheduled meeting of the Governing Board is: Thursday, March 19, 2015. The meeting starts at 9:00 a.m., in the 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.