

**Action Summary Minutes
San Joaquin Valley Unified Air Pollution Control District
Governing Board Meeting
Governing Board Room
1990 E. Gettysburg Avenue, Fresno, CA.**

**Thursday, September 21, 2006
9:00 a.m.**

<p>Meeting held via video teleconference (VTC) system with the Central Region Office (Fresno), the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield). This meeting was webcast.</p>
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1. **CALL TO ORDER** – The Chair, Councilmember Mike Maggard, called the meeting to order at 9:05 a.m.

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

Judith G. Case, Supervisor	Fresno County
Barbara Patrick, Supervisor	Kern County
Tony Barba, Supervisor	Kings County
Ronn Dominici, Supervisor (absent)	Madera County
Sam Armentrout, Councilmember (*)	City of Madera
Michael G. Nelson, Supervisor (absent)	Merced County
Dan Prince, Councilmember (**)	City of Ripon
William O'Brien (Alternate) (**)	Stanislaus County
Jack A. Sieglock, Supervisor (**)	San Joaquin County
J. Steven Worthley, Supervisor, Vice Chair	Tulare County
Mike Maggard, Councilmember, Chair	City of Bakersfield

(*) Arrived during Item # 4

(**) Attended Meeting in Northern Region Office (Modesto)

The Chair welcomed Supervisor William O'Brien, (Alternate) Stanislaus County to the meeting.

3. **APPROVAL OF CONSENT CALENDAR – (Item Numbers 15-25).** (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any consent item).

15. Approve Action Summary Minutes for the San Joaquin Valley Unified Air Pollution Control District Governing Board Meeting held on Thursday, August 17, 2006.

16. Receive and file List of Scheduled Meetings for 2006.

17. Receive and file Operations Statistics Summaries August 2006.
18. Receive and file Budget Status Report as of August 31, 2006.
19. Approve voluntary Air Quality Mitigation Agreement with Panama 99 Properties, LLC, to receive funds in the amount of \$905,679 for the purpose of mitigating air quality impacts of proposed Panama Lane and Highway 99 Commercial Development Project.
20. Approve voluntary Air Quality Mitigation Agreement with Castle & Cooke Commercial-CA. Inc., to receive funds in the amount of \$589,625 for the purpose of mitigating air quality impacts of proposed Gosford Village Development Project.
21. Approve voluntary Air Quality Mitigation Agreement with Castle & Cooke California, Inc., to receive funds in the amount of \$1,274,328 for the purpose of mitigating air quality impacts of proposed Stockdale Ranch Development Project.
22. Approve voluntary Air Quality Mitigation Agreement with Castle & Cooke California, Inc., to receive funds in the amount of \$2,489,693 for the purpose of mitigating air quality impacts of proposed Gateway Village Development Project.
23. Receive and file listing of refunds for fiscal year 2005/06.
24. Approve changes to the District's Compensation package for management and administrative employees.
25. Receive and file Proposed Rule 2250 (Permit Exempt Equipment Registration) and Rule 3155 (Permit Exempt Equipment Registration Fees) and set October 19, 2006 for a Public Hearing to consider the proposed rules for adoption.

APPROVED AS RECOMMENDED – *On motion by Governing Board Member Patrick to approve the Consent Calendar as submitted. Seconded by Governing Board Member Case and unanimously carried with the following roll call vote:*

Ayes: *Sieglock, Barba, O'Brien, Case, Patrick, Prince, Worthley and Maggard.*

Absent: *Nelson, Armentrout and Dominici.*

Governing Board Action:

Approved Consent Calendar Item Numbers 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25 as submitted.

4. **PUBLIC COMMENT** - The following individuals spoke in support of District staff's Memorandum of Understanding for the current labor negotiations, and requested the Governing Board reconsider their compensation proposal for District staff:

Randy Gann, Secretary-Treasurer of the Central Labor Council Fresno, Madera, Tulare, and Kings

Sheraz Gill, Senior Air Quality Engineer, SJVUAPCD

Janelle Schneider, Air Quality Education Rep., SJVUAPCD

Robert Rinaldi, Air Quality Engineer, SJVUAPCD

Carlos Garcia, Senior Air Quality Engineer, SJVUAPCD

Bob Goon, Air Quality Inspector, SJVUAPCD

Dora Griggs, Air Quality Assistant, SJVUAPCD

Cynthia Echavarria, Air Quality Specialist, SJVUAPCD *(read into the record by Dora Griggs)*

Elena Nuno, Air Quality Specialist, SJVUAPCD

Maya Hildebrand Garcia, Air Quality Specialist, SJVUAPCD

Dave Baldwin, Supervising Air Quality Inspector, SJVUAPCD

Bruce Muir, Air Quality Inspector, SJVUAPCD

Alvin Valeriano, Senior Air Quality Specialist, SJVUAPCD

John Cadrett, Air Quality Inspector, SJVUAPCD

Richard Wright, Air Quality Inspector, SJVUAPCD

Fred Cruz, Air Quality Engineer, SJVUAPCD

Mike Buss, Senior Air Quality Engineer, SJVUAPCD

Marianne Beckham, Air Quality Inspector, SJVUAPCD

Carolina Simunovic, Fresno Metro Ministry

Sarah Sharpe, Coalition for Clean Air

Liza Bolanos, Coordinator for Central Valley Air Quality Coalition

Daniela Simunovic, Center on Race, Poverty and the Environment

Kim Thompson, Fresno-Madera Medical Society, announced an event titled *The Body and the Air We Breathe*. Ms. Thompson noted the event will be held on Wednesday, October 18, 2006 at UCSF Fresno Auditorium, 155 N. Fresno Street from 1:00 p.m. – 3:30 p.m. and the Piccadilly Inn University, 4961 N. Cedar Avenue from 6:00 p.m. – 8:30 p.m.

Ms. Thomson indicated the sponsors of the event are: California Air Resources Board, San Joaquin Valley Air Pollution Control District and the Fresno-Madera Medical Society. Ms. Thompson noted the event's target audience is the concerned public, health care professionals and local/regional policy makers involved in planning the Valley's future.

5. **REPORT FROM CITIZENS ADVISORY COMMITTEE (CAC)** - Report given by Dennis Tristao, City Primary Member, Kings County, and Chair of the CAC. Mr. Tristao reported the CAC had a very animated discussion regarding AB 32, the greenhouse gas emission legislation that was recently signed into law, and reported the CAC will be coming back to the Governing Board sometime in the future with more comprehensive comments pertaining to AB 32.

Mr. Tristao indicated, the CAC, with the exception of one abstention, voted unanimously to urge the Governing Board to adopt Rule 9310 (School Bus Fleets). Mr. Tristao noted there was recognition from the CAC that additional sources of funding need to be developed, and reported the CAC is taking a closer look at the Carl Moyer funding program in respect to the funding limitations on replace for older school buses.

Mr. Tristao reported it was decided that the CAC Technical Rule Review Subcommittee will take a more focused approach towards rules that they review. This focused approach will rely on CAC members requesting specific rules for review, and in turn the subcommittee will follow these specific rules through to their final development. Mr. Tristao reported the CAC Technical Rule Review Subcommittee will also review plans that are in development including the upcoming 8-hour Ozone Plan.

Mr. Tristao expressed his sincere gratitude to the Governing Board for the work Seyed Sadredin and his staff have done in providing educational and informational items to the Citizens Advisory Committee. Mr. Tristao indicated the CAC strives to take this information back to their constituents.

6. **APPROVE COMPONENTS OF COMPREHENSIVE SCHOOL EDUCATION AND OUTREACH PROGRAM** – Presentation by Seyed Sadredin, Executive Director/APCO and Jaime Holt, Public Education Administrator.

- 6a. **APPROVE AND AUTHORIZE THE CHAIR TO SIGN AGREEMENT WITH THE AMERICAN LUNG ASSOCIATION FOR A SCHOOL FLAG PROGRAM IN THE AMOUNT OF \$40,000**

Governing Board Member Patrick asked if all school districts in the Valley have been contacted, and asked if outreach was provided in the same way to every school district throughout the eight county region.

Mr. Sadredin stated that this is a voluntary program, but the District does provide all school districts the opportunity to take advantage of this program, and encourages them to participate.

Governing Board Member Case noted she appreciates this program because she believes a big piece of our work has to be informing the public. Governing

Board Member Case asked if the District targeted areas specifically known for being hot spots with high levels of pollutions in the Valley.

Ms. Holt indicated the American Lung Association has made a commitment to continue to look at those environmental justice communities. Ms. Holt noted the environmental justice communities are considered as high priority communities by the District and the American Lung Association.

Governing Board Member Patrick stated if we reach out to local communities and are not getting a response from them, then it is the District's responsibility to accelerate their outreach efforts. Board Member Patrick noted we are an eight county region and we should be reaching out equally to eight counties.

The Chair suggested the District contact each County of School Superintendents.

Mr. Sadredin stated the District will re-examine this issue, and report back to the Governing Board with a recommendation regarding additional outreach.

6b. APPROVE AND AUTHORIZE THE CHAIR TO SIGN AGREEMENT WITH THE ENTERPRISE FOR EDUCATION CORPORATION TO FUND THE CLEAN AIR CHALLENGE MIDDLE AND HIGH SCHOOL CURRICULUM PROGRAM IN THE AMOUNT OF \$30,000

Item 6b received no comments.

6c. APPROVE AND AUTHORIZE THE CHAIR TO SIGN MEMORANDUM OF UNDERSTANDING BETWEEN THE AIR DISTRICT AND CALIFORNIA STATE UNIVERSITY, FRESNO FOR IMPLEMENTATION OF A CERTIFICATE PROGRAM IN AIR QUALITY MANAGEMENT

Governing Board Member Case requested the District consider looking at the program for continuing education credits for physicians and other health care providers that are interested in pursuing continuing education credits.

The following persons provided comments during the public comment portion of this item:

Colby Morrow, Southern California Gas Company, spoke in support of the recommended programs.

Mary-Michal Rawling, Merced/Mariposa Asthma Coalition, spoke in support of the School Flag Program. Ms. Rawling thanked the Governing Board and staff for their efforts in putting this program together.

Susan Rico, representative of the American Lung Association, spoke in support of the School Flag Program. Ms. Rico announced that the flag program is not only expanding in school districts, we've also been contacted by hospitals and county health departments who have expressed a desire to participate in the flag program. Ms. Rico indicated the Lung Association is interested in expanding this program into other arenas as well.

Governing Board Member Case indicated the School Flag Program is a great program.

The Chair stated the Flag Program is an interesting program, and indicated it might be worthwhile to talk to people like the Boys and Girls Club, and Parks & Recreational Programs, which provide after school activities for children, regarding their interest in participating in the flag program.

APPROVED AS RECOMMENDED – On motion by Governing Board Member Patrick to approve the three components of Comprehensive School Education and Outreach Program as recommended. Seconded by Governing Board Member Case and unanimously carried with the following roll call vote:

Ayes: Case, Prince, Patrick, Armentrout, Sieglock, Barba, O'Brien, Worthley and Maggard.

Absent: Dominici and Nelson.

Governing Board Action:

6a. Approved and authorized the Chair to sign the agreement with the American Lung Association of California (ALAC) for continuation of a School AQI Flag Program in the amount of \$40,000 to inform area students, parents and teachers about daily air quality status.

6b. Approved and authorized the Chair to sign the agreement with Enterprise for Education for continuation of the Clean Air Challenge middle and high school curriculum program to inform area students and teachers about ground-level ozone and particulate pollution for an amount not to exceed \$30,000.

6c. Approved and authorized the Chair to sign the Memorandum of Understanding (MOU) with California State University, Fresno (CSUF) for implementation of a certificate program in air quality management.

7. **UPDATE ON THE SAN JOAQUIN VALLEY REGIONAL BLUEPRINT PROJECT** – Seyed Sadredin, Executive Director/APCO, indicated the District is

a partial sponsor of this program in the amount of \$500,000. Mr. Sadredin stated the District's hope is that this venture will lead to re-evaluating how we make land use decisions in the Valley, and that the District will provide any technical help, and guidance that might be necessary. Mr. Sadredin indicated he believes additional funding will be requested for this program at sometime in the future, and therefore, asked the Blueprint Planning Process coordinator to give an update. Mr. Sadredin stated the District is hoping the Blueprint Planning Process can show us how to achieve significant reductions in air pollution from vehicles, which are a major source of the Valley's pollution problems.

Marjorie Kirn, Merced County Association of Governments, thanked the Governing Board for their time and consideration. Ms. Kirn introduced several key people involved in the planning process: Barbara Goodwin, Fresno COG, Scott Cochran, Tulare County, CAG, Derek Winning, Madera County Transportation Committee, Christina Lehn, Kings County Association of Governments, and Becky Napier, Kern Council of Governments.

Ms. Kirn played a video produced by Valley Public Television and the Great Valley Center, which gave an overview of the Blueprint Project. After the video, Ms. Kirn updated the Governing Board with the following information:

- Blueprint Study Area
- Blueprint Decision Making Process
- Blueprint Schedule
- San Joaquin Valley Regional Blueprint Process Matrix
- San Joaquin Valley Blueprint June 28, 2006 Summit Meeting
- Key Messages: The Purpose of the San Joaquin Valley Blueprint
- Accomplishments to date
- Next Steps

Governing Board Member Armentrout noted the City of Madera recently completed a two year process to develop a Vision Plan. Governing Board Member Armentrout noted the Vision Plan is very extensive, and that it was developed with a lot of public comment and public outreach. Board Member Armentrout stated the final draft was presented at last night's Madera City Council Meeting. Board Member Armentrout noted a lot of work, time and money went into this Plan, and he is hoping this Plan will be implemented over the upcoming years. Governing Board Member Armentrout asked Ms. Kirn to explain how the City of Madera's Vision Plan will fit into the San Joaquin Valley Blueprint.

Ms. Kirn stated the City of Madera's Vision Plan will be incorporated into the Valleywide Blueprint. Ms. Kirn explained what the City of Madera undertook in developing their Vision Plan needs to be done on a Valleywide basis to have any

real effect on our air quality and on our quality of life in this Valley. Ms. Kirn noted the City of Madera has a major head start amongst the rest of the communities. "You know what you want, and you know where you want to be in the future whether its twenty, thirty or fifty years".

The Chair stated he understands that there is a regional opportunity for the COGs to participate, but asked to what extent are individual cities invited to participate and provide input?

Ms. Kirn stated that in each city, coordinators of the San Joaquin Valley Blueprint will present the products that the coordinators come up with, so the cities and the counties will be the ultimate implementers. They have the local decision authority to make this happen. Ms. Kirn indicated if Governing Board Members would be interested in a presentation in their respective regions, the Merced County COG staff has the resources to make the presentations. Ms. Kirn indicated Governing Board Members could contact her regarding a presentation, and she will make the necessary arrangements.

The Chair requested Ms. Kirn provide a Blueprint presentation to the Bakersfield City Council, and thanked Ms. Kirn for her update report.

The Chair indicated Item #9 has been moved up on the Agenda

9. **PUBLIC HEARING TO ADOPT REVISED PROPOSED RULE 9310 (SCHOOL BUS FLEETS)** – Presentation made by Seyed Sadredin, Executive Director/APCO and George Heinen, Supervising Air Quality Engineer.

The following persons provided comments during the public comment portion of this item:

John Clements, Director of Kings County Unified School District, spoke in support of Rule 9310. Mr. Clements stated that Kings County Unified School District appreciates the fuel use neutrality as addressed in Rule 9310.

Mario Talavera, LUCA, spoke in support of Rule 9310.

Alicia Bohlke, Merced/Mariposa Asthma Coalition, requested the Governing Board clean up the older school bus fleets in a more expedited time frame.

Manuel Cunha, Nisei Farmers League, spoke in support of Rule 9310. Mr. Cunha noted the ARB needs to deal with Carl Moyer Funding as it relates to replacement of school bus fleets.

Joseph K. Bjerke, Director of Transportation, Clovis Unified School District, spoke in support of Rule 9310. Mr. Bjerke noted the funding source for replacement of older school bus fleets is the key, without funding it will not happen.

Sarah Sharpe, Coalition for Clean Air (CCA), provided the Governing Board with approximately 200 postcards titled "*Help Clean Up School Buses!*". Ms. Sharpe noted the postcard writers indicated they are in support Rule 9310, but would like to see some amendments added to the rule.

Ms. Sharpe indicated that CCA believes Rule 9310 is not the best it could be, but they do not want to discourage the Governing Board from adopting the rule. Ms. Sharpe noted Rule 9310 is a good start, but CCA believes the rule could be more stringent. Ms. Sharpe requested the Governing Board include a replacement schedule in the rule to be utilized whenever funding is available. Ms. Sharpe stated the CCA believes the rule should include incentives for the use of alternative fuels.

Luis Cabrales, Coalition for Clean Air, requested the Governing Board amend Rule 9310 to require older school buses will be phased out, as soon as possible, whenever funding is available.

Liza Bolanos, spoke on behalf of her nieces who currently ride older school buses, and noted various problems they encounter while riding in older school buses, such as breathing diesel fumes, etc. Ms. Bolanos urged the Governing Board to replace older school buses before the deadline date of 2016.

Patrick Young, school teacher, noted: this program, which is well intentioned, is the most grossly wasteful thing California has ever done. Mr. Young listed various items that could be removed and recycled from older school buses before they are crushed, and noted that older school buses could be very useful in other counties. Mr. Young stated he would like to submit proposals to the District that include information on the logical use of the older school buses destined to be crushed.

The Chair requested Mr. Young put his comments in writing, and share that information with staff.

Carolina Simunovic, Fresno Metro Ministry, noted she recently toured the Madera School District Transportation Division and felt it was very informative. Ms. Simunovic stated she agrees with the previous speakers in the aspect of replacing older school buses, as soon as possible.

Mary-Michal Rawling, Merced/Mariposa County Asthma Coalition, encouraged an accelerated time frame for replacement of older school buses. Ms. Rawling also encouraged the use of alternative fuels in school bus fleets.

Michelle Garcia, American Lung Association, stated the Association is very much in support of the adoption of this rule.

Moses Brathwaite, Coalition of Clean Air, stated Rule 9310 is a good rule, but it lacks some bite to it and it also lacks in timing. Mr. Brathwaite indicated the replacement of older school bus fleets should be dealt with quickly.

Art Unger, member of the Sierra Club, stated the fees received from the New Source Review rule is a source of money that could be used to fund the replacement of older school bus fleets. Mr. Unger stated that personally speaking he believes the District's New Source Review fees should be increased.

Mike Franco, Southern California Gas Company, requested the Governing Board increase the incentive dollars for any school district who goes above and beyond the call of Rule 9310 by purchasing cleaner school buses such as those powered by CNG, as well as hybrid buses. Mr. Franco stated he commends the District for drafting Rule 9310, but the Southern California Gas Company feels this rule should evolve to incorporate the use of alternative fuels for the good of the community, and for the future of our children.

Patricia Monahan, Senior Analyst, Union of Concerned Scientists (UCS), commended the District for tackling this problem. Ms. Monahan stated UCS supports Rule 9310, but believes the rule should be strengthened by removing the pre-1977 school buses off the road quickly. Ms. Monahan stated the rule should prioritize the pre-1987 school buses for a clean up, and have some sort of phased in requirement so school districts in 2016 are able to comply, and the District should provide a clear path for compliance.

Katherine Molther, Program Associate, Merced/Mariposa County Asthma Coalition, spoke on behalf of school bus drivers. Ms. Molther encouraged the Governing Board to consider the following amendments to Rule 9310.

- Provide some incentives for school districts to use alternative fuel for school buses, and
- Encourage and enable school districts to turn over their dirtiest buses earlier than the proposed 2016 compliance date.

Mr. Sadredin stated he appreciates the support that has been voiced for the adoption of Rule 9310, and recommended all interested individuals work together next year on legislation to obtain more money for replacement of school bus fleets in the Valley. Mr. Sadredin expressed hope and plans for building a broad-

based Valley advocacy group during the next legislative year to bring the much needed resources to the Valley.

The Chair indicated Mr. Sadredin's recommendation was a good one. The Chair thanked all the speakers who provided comments for Rule 9310.

Several Governing Board Members spoke in support of Rule 9310, and were in agreement that the need to find additional funding for replacement of school bus fleets exists.

Governing Board Member Patrick indicated she believes everyone would have a higher comfort level if District staff prepared a plan outlining how we will go about replacing the pre-1977 and pre-1987 school buses.

Governing Board Member Worthley stated he believes it is a waste of resources to crush these school buses when they could be useful in third world countries.

Governing Board Member Armentrout stated he believes there should be some sort of incentive in Rule 9310 for alternative fuels.

The Chair suggested the Governing Board lobby for additional funding, and assist with the introduction of legislature that contains language for restrictive funding specifically for school bus replacement. The Chair indicated there are many private contractors who provide transportation for school districts, and noted it would be interesting to see if we can provide incentives to private contractors for replacement of their buses.

The Chair suggested if members of the public wanted to quickly, and dramatically effect the consequences in their respective school districts, they should lobby school district board members.

ADOPTED AS RECOMMENDED – *On motion by Governing Board Member Patrick to adopt Rule 9310 as recommended. Seconded by Governing Board Member Case and unanimously carried with the following roll call vote:*

Ayes: *O'Brien, Prince, Sieglock, Patrick, Armentrout, Case, Barba, Worthley and Maggard.*

Absent: *Nelson and Dominici.*

Governing Board Action:

- 1. *Adopted Revised Proposed Rule 9310 (School Bus Fleets).***
- 2. *Authorized the Chair to sign the Resolution.***

THE GOVERNING BOARD BROKE FOR LUNCH AT 12:35 p.m.

Philip M. Jay, District Counsel, stated the Governing Board will discuss the following Closed Session Item during their break.

14. **CLOSED SESSION** - The Governing Board will hold a Closed Session pursuant to Sections **54957.6** of the Government Code (Ralph M. Brown Act) as follows:
- Conference with labor negotiator – Agency negotiator: Carolyn Rose; Employee Organization: SEIU, Local 700; pursuant to Government Code Section **54957.6**

RECONVENED FROM LUNCH AT 1:00 p.m.

Governing Board Member Armentrout did not return to the meeting after the lunch break.

8. **PUBLIC HEARING TO ADOPT PROPOSED AMENDMENTS TO RULE 2020 (EXEMPTIONS) AND RULE 2201 (NEW AND MODIFIED STATIONARY SOURCE REVIEW RULE)** – Presentation made by Seyed Sadredin, Executive Director/APCO and Dave Warner, Director of Permit Services.

The following persons provided comments during the public comment portion of this item:

Brent Newell, Association of Irrigated Residents (AIR), Sarah Jackson, Earthjustice and a member of the Central Valley Air Quality Coalition, Carolina Simunovic, Fresno Metro Ministry, and David Lighthall, RCI, spoke in opposition to the Governing Board adopting Rules 2020 and 2201.

The Chair requested the District Legal Counsel, Philip M. Jay, provide a brief response regarding the challenge about the legality of the Governing Board adopting Rule 2020 and 2201 and the reference to a supremacy clause.

Mr. Jay explained that a supremacy clause argument was not applicable at this point. The question is, does the Governing Board have the authority to change their own rule; and the answer is, yes they do. The Governing Board sends the changed rule on to EPA, and if EPA agrees, the rule is legally changed at that point in time.

Governing Board Member Case asked for clarification in relationship of the cited SB 288.

Mr. Jay explained that SB 288 is a state law stating a district cannot relax their New Source Review Rules. Mr. Jay noted this amendment is not a relaxation of the Governing Board's New Source Review Rule. Under SB 288 the process is the rule moves forward, and ARB will they look at the rule and decide if it violates SB 288 or not. If ARB says it violates SB 288, then it comes back to the Governing Board. If ARB finds that the rule does not violate SB 288, then it goes on to EPA.

ADOPTED AS RECOMMENDED – On motion by Governing Board Member Worthley to adopt Rules 2020 and 2201 as recommended. Seconded by Governing Board Member Sieglock and unanimously carried with the following roll call vote:

Ayes: O'Brien, Barba, Case, Sieglock, Prince, Patrick, Worthley and Maggard.

Absent: Nelson, Dominici and Armentrout.

Governing Board Action:

- 1. Adopted proposed amendments to Rule 2020 (Exemptions) and Rule 2201 (New and Modified Stationary Source Review).***
- 2. Authorized the Chair to sign the Resolution.***

10. **PUBLIC HEARING TO ADOPT REVISED PROPOSED AMENDMENTS TO RULE 4602 (MOTOR VEHICLE AND MOBILE EQUIPMENT COATING OPERATIONS) AND REVISED PROPOSED RULE 4612 (MOTOR VEHICLE AND MOBILE EQUIPMENT COATING OPERATIONS – PHASE II)**

Presentation by Seyed Sadredin, Executive Director/APCO and George Heinen, Supervising Air Quality Engineer.

Ron Hervosky, Coating and Compliance Consultant, spoke in support of the Governing Board adopting Rules 4602 and 4612.

Mike Vercy, Sherwin-Williams Automotive Finishes, spoke in support of the Governing Board adopting Rules 4602 and 4612.

ADOPTED AS RECOMMENDED – On motion by Governing Board Member Prince to adopt as recommended. Seconded by Governing Board Member Sieglock and unanimously carried with the following roll call vote:

Ayes: Barba, Patrick, Prince, O'Brien, Sieglock, Case, Worthley and Maggard.

Absent: Armentrout, Dominici and Nelson.

Governing Board Action:

1. ***Adopted the revised proposed amendments to Rule 4602 (Motor Vehicle and Mobile Equipment Coating Operations) and adopted revised proposed Rule 4612 (Motor Vehicle and Mobile Equipment Coating Operations-Phase II)***
2. ***Authorized the Chair to sign the Resolution.***

11. **VERBAL REPORT: CALIFORNIA AIR RESOURCES BOARD (ARB)**

Mr. Lindberg reported the California Legislature recently adopted a landmark piece of legislation, AB 32 – the California Global Warming Solutions Act of 2006, to reduce California’s contribution to global warming.

Mr. Lindberg explained that AB 32 makes ARB responsible for monitoring and reducing greenhouse gas emissions from significant sources within the state. The law requires ARB to adopt regulations and market mechanisms to achieve real, quantifiable, and cost effective reductions of greenhouse gases. It also sets 1990 greenhouse gas emission levels as the statewide cap, to be achieved by 2020.

12. **EXECUTIVE DIRECTOR/APCO COMMENTS** – Seyed Sadredin, Executive Director/APCO, showed the Governing Board the front page of the September 21, 2006 edition of the Fresno Bee titled “*Valley Air Comes Clean*” which reports on the District achieving PM2.5 attainment. Mr. Sadredin stated there are many good comments in the article, which are very complimentary of the Governing Board, the business community for their investment, and the public for their support.

Mr. Sadredin showed the Governing Board a satellite picture of the Day Fire burning in Ventura County, and noted that although we often hear comments about transport from the Bay Area the Day Fire picture shows transport coming from Ventura County into the San Joaquin Valley. Mr. Sadredin also noted that if smoke transports from that direction, other pollutants could be transported into the Valley as well, and indicated staff will be taking a closer look at that source of transport into the Valley.

13. **GOVERNING BOARD MEMBER COMMENTS** – Governing Board Member Patrick, informed everyone that in October she is hopeful we will entertain the California Partnership for the San Joaquin Valley’s recommendations, particularly those relating to air quality. Governing Board Member Patrick stated that it is very important that the Valley Air District Governing Board acknowledge the good work the air quality group has been doing. Since the Governing Board has had a very limited amount of time to look at these recommendations, it would be great if the Governing Board received a presentation on the California Partnership for the San Joaquin Valley.

Mr. Sadredin stated the District has been quite involved with the California Partnership for the San Joaquin Valley, and we are very supportive of their recommendations. Mr. Sadredin indicated the primary recommendation is to bring resources to the Valley of approximately 500 million dollars per year, or more for the clean up of the San Joaquin Valley's air quality. Mr. Sadredin noted the District will present the Partnership's recommendations to the Governing Board for their review and comment, and the District will incorporate the partnership's recommendations into the District's Ozone Plan.

OTHER BUSINESS – No Other Business.

ADJOURN – The Chair adjourned the meeting at 1:42 p.m.