

Action Summary Minutes
San Joaquin Valley Unified Air Pollution Control District
Governing Board

Central Region Office, Governing Board Room
1990 E. Gettysburg Avenue, Fresno, CA

Thursday, August 16, 2007
9:00 a.m.

Meeting held via teleconferencing (VTC) with the Central Region Office (Fresno), the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield). This meeting was webcast.

1. CALL MEETING TO ORDER

The Chair, Supervisor Worthley, called the meeting to order at 9:06 a.m.

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

Present

Tony Barba, Supervisor	Kings County
Raji Brar, Councilmember	City of Arvin
Judith Case, Supervisor	Fresno County
Ronn Dominici, Supervisor	Madera County
Michael G. Nelson, Supervisor *	Merced County
William O'Brien, Supervisor *	Stanislaus County
Henry T. Perea, Councilmember	City of Fresno
Michael J. Rubio, Supervisor	Kern County
Chris Vierra, Councilmember *	City of Ceres
J. Steven Worthley, Supervisor, Chair	Tulare County

Absent

Leroy Ornellas, Supervisor, **Vice Chair** San Joaquin County

* Attended meeting in Northern Region Office (Modesto)

3. APPROVAL OF CONSENT CALENDAR – Item numbers 18-24. 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.

Item 26 was pulled for comments. Mr. McVaigh stated there was a language change to allow sources to remove turbines from service in lieu of compliance.

17. *Approve Action Summary Minutes for the Governing Board Meeting of Thursday, June 21, 2007*
18. *Receive and File List of Scheduled Meetings for 2007*
19. *Receive and File Operations Statistics Summaries for June and July, 2007*
20. *Receive and File Budget Status Report as of July 31, 2007 and Cash Balance Report as of June 30, 2007*
21. *Receive and File Listing of Refunds for the Fiscal Year 2006/07*
22. *Approve Contract With SPL Integrated Solutions to Provide Maintenance Support for the District's Video Tele-Conferencing System for An Amount Not to Exceed \$26,750*
23. *Terminate Agreement With McGuinness Norris & Williams, LLP Effective July 31, 2007 and Approve Agreement With Stiff Cerda and Lake, LLP for Specialized Legal Services for An Amount Not to Exceed \$35,415*
24. *Receive and File Proposed Amendments to Rule 4651 (Volatile Organic Compound Emissions From Decontamination of Soil)*
25. *Receive and File Proposed Amendments to Rule 4682 (Polystyrene, Polyethylene, and Polypropylene Products Manufacturing)*
26. *Receive and File Proposed Amendments to Rule 4703 (Stationary Gas Turbines) and Set September 20, 2007 for A Public Hearing to Consider the Proposed Amendments for Adoption.*
27. *Receive and File Proposed Amendments to the Solvent Cleaning Portion of Eleven District Rules*

Public Comment: None.

Moved: Barba
Seconded: Case

Ayes: Rubio, Brar, Case, Nelson, Perea, Dominici,
Barba, O'Brien, Vierra, Worthley

Nays: None

Motion to approve Items 17-27 including the addendum on Item 26 as recommended unanimously carried.

4. **PUBLIC COMMENT**

There was no public comment.

5. **REPORT FROM CITIZENS ADVISORY COMMITTEE (CAC)**

Dennis Tristao, Chair of the CAC, presented the report. He stated the CAC received an excellent presentation on the PM10 Maintenance Plan, and an update on the Fast Track to Attainment. He stated the CAC also received an update on the new construction equipment rule and on the efforts the District is putting forth to receive a fair share of the Proposition 1B funding.

6. **SERVICE, TEAMWORK, ATTITUDE, RESPECT (S.T.A.R.) RECOGNITION FOR YEARS OF SERVICE**

Carolyn Rose, Director of Personnel, presented the list of District staff who had reached the five, ten, and fifteen year anniversaries. The Chair thanked the staff for their hard work and dedication.

7. **HEALTH UPDATE: ADVERSE HEALTH EFFECTS FROM SHORT-TERM AND LONG-TERM EXPOSURE TO FINE PARTICULATE MATTER**

Dr. Linda Smith, ARB, presented a PowerPoint slideshow on the health effects of PM2.5 and Cardiovascular Disease.

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

Item 13 was taken out of order to accommodate the schedule of the ARB representative. Jeff Lindberg presented the report. Mr. Lindberg stated when ARB passed the District's Ozone Plan on June 14, they ordered the creation of a task force to find ways to beat the 2024 deadline. The first Task Force meeting will be held in Fresno on August 22. Additionally there will be town hall meetings in Parlier, Kearny, and Arvin to get public input.

8. **HEALTH STUDY: APPROVE AGREEMENT WITH UCSF, IN AN AMOUNT NOT TO EXCEED \$256,000, TO CONDUCT A VALLEY SPECIFIC HEALTH STUDY DETERMINING THE RELATIVE CONTRIBUTION OF PM2.5 AND OZONE INDUCING LUNG INFLAMATION ON NON-ATOPIC ASTHMATICS**

Seyed Sadredin, Executive Director/APCO, introduced Tim Tyner, Associate Director of the Center for Clinical Studies, Department of Medicine, UCSF in Fresno, and a professor at CSU Fresno. Mr. Tyner presented a PowerPoint illustrating his proposal. He stated the study intends to look at local effects of ozone and PM2.5 on Asthma, such as:

- How the different composition of PM2.5 in Valley communities affect lung health
- Whether chemical biomarkers can be used to track personal exposures to PM2.5 and select components.
- How interactions between environmental exposures, viral infections and genetic variation affects Valley residents.

Public Comment:

The following citizens spoke in favor of the study:

- Melissa Kelly-Ortega, Merced Mariposa Asthma Coalition
- Carolina Simunovic, Fresno Metro Ministry
- Mary-Michal Rawling, Merced Mariposa Asthma Coalition
- Stephanie Camoroda, Latino Issues Forum
- Ray León, Latino Issues Forum

Moved: Case

Seconded: Barba

Ayes: O'Brien, Dominici, Perea, Nelson, Case
Vierra, Barba, Rubio, Brar, Worthley

Nays: None

Motion passes unanimously to approve the agreement with UCSF.

9. APPROVE THE DISTRICT'S ENVIRONMENTAL JUSTICE STRATEGY

Sayed Sadredin, Executive Director/APCO, and Jaime Holt, Chief Communications Officer, presented the report. Mr. Sadredin stated the Environmental Justice Strategy had gone before the CAC, and they approved in June 2007.

Public Comment:

The following citizens spoke in favor of the Environmental Justice Strategy:

- Maria Garcia, LUCA
- Margarita Guzman, Comité Asma
- Rosinda Mitaka
- Mary-Michal Rawling, Merced Mariposa Asthma Coalition
- Inez Rojas, Comité Asma
- Juan Gonzales, LUCA
- Maria Espinoza, Comité Asma
- Francisco Sillas, LUCA
- Theresa deAnda
- Jenny Sacklar, Fresno Metro Ministry
- Sarah Sharpe, Coalition for Clean Air
- Daniella Simunovic, Center for Race Poverty and the Environment
- Stephanie Camoroda, Latino Issues Forum
- Estella Cisneros, Latino Issues Forum
- Catherine Garoupa, CVAQ, MCCV
- Liza Balanos, CVAQ Coalition
- Melissa Kelley-Ortega, Merced Mariposa Clean Air Coalition
- Ray León, Latino Issues Forum

The Chair stated that while “justice for all” has been implicit in the Board’s actions, he supports making the concept explicit. Councilmember Brar stated she is glad the Environmental Justice Strategy is moving forward and thanked staff for their efforts.

Moved: Rubio
Seconded: Case

Ayes: Brar, Rubio, Barba, Dominici, Case, Vierra
Nelson, O’Brien, Perea, Worthley

Nays: None

Motion passes unanimously to approve the Environmental Justice Strategy

The board recessed at 11:00 a.m. and reconvened at 11:10 a.m.

10. **IN-USE DIESEL ENGINE RETROFIT VERIFICATION PROGRAM UPDATE: DESCRIBE THE VERIFICATION PROCESS FOR IN-USE DIESEL ENGINES INCLUDING POTENTIAL RANGE OF COSTS AND CURRENT AND FUTURE AVAILABILITY OF VERIFIED RETROFIT DEVICES FOR IN-USE ON-ROAD VEHICLES**

Sayed Sadredin, Executive Director/APCO, stated that 80% of NOx in the Valley comes from mobile sources, and one way of controlling these emissions is with retrofit technology; however, retrofit devices must be verified ARB, so he invited Shawn Daley, ARB manager of the Retrofit Technology Program, to speak on this subject for the benefit of the Board. Ms. Daley presented a PowerPoint in which she stated the objectives of verification are to determine if emissions reductions are real and durable, to determine if the emission reductions have been accurately quantified, and to ensure continued system performance. Additionally, Ms. Daley discussed verification requirements and considerations. She noted that there are six verified systems that reduce both PM and NOx. Ms. Daley stated the challenges to implementation are lack of significant emissions reductions, space constraints, temperature constraints, cost approaching or exceeding cost of engine, and failure of the user to adequately maintain the system.

Supervisor Barba asked what the cost per unit is. Ms. Daley stated it depends on type, but a large one may cost \$50,000. Supervisor Case asked if there are level three systems available. Ms. Daley stated the Swiss have a program, but although it reduces PM, it produces more NOx. She stated that device manufacturers are conservative in approaching ARB for certification.

11. **APPOINT A BOARD MEMBER TO SAN JOAQUIN VALLEY REGIONAL PLANNING AGENCIES POLICY COUNCIL**

The Chair suggested the standing Chair should be the appointee to the Policy Council to rotate with each new Chair. Supervisor Barba supported that suggestion.

Moved: Perea
Seconded: Rubio

Ayes: Case, Perea, O'Brien, Rubio, Nelson, Dominici, Barba,
Brar, Vierra, Worthley

Nays: None

Motion passes unanimously to appoint the standing Chair to the San Joaquin Valley Regional Planning Agencies Policy Council.

12. **APPOINT EVALUATION COMMITTEE FOR HEARING BOARD REAPPOINTMENTS**

Seyed Sadredin, Executive Director/APCO, stated the Evaluation Committee is to look at the performance of current Hearing Board Members and decide if they want to reappoint them. The Chair suggested each region meet on their own to evaluate their region's Hearing Board. The Chair suggested the following appointments: in the Northern Region, Supervisor O'Brien and Councilmember Vierra; in the Central Region, Supervisors Barba and Dominici; and in the Southern Region, Supervisors Worthley and McQuiston.

Moved: Perea
Seconded: Rubio

Ayes: Case, Perea, O'Brien, Rubio, Nelson, Dominici, Barba,
Brar, Vierra, Worthley

Nays: None

Motion passes unanimously to appoint O'Brien and Vierra (Northern Region), Barba and Dominici (Central Region), Worthley and McQuiston (Southern Region) to the Evaluation Committee for Hearing Board Reappointments.

13. **EXECUTIVE DIRECTOR/APCO COMMENTS**

Seyed Sadredin, Executive Director/APCO, gave information on the upcoming Symposium scheduled for Visalia on October 3 and 4, 2007. He suggested a Board Retreat be scheduled for the morning of October 3rd. The Chair agreed. Mr. Sadredin stated the District has partnered with the Governor's Partnership for the San Joaquin Valley, and the Partnership will hold their meeting immediately following the Symposium. Additionally, Biztalk

will be held the following day in Visalia with the featured speakers Vincente Fox and Dominique Dawes.

Mr. Sadredin stated the District is working on calculating the carbon footprint of each City and County in the Valley to help them mitigate their air pollution. He also noted recent wildfires in Southern California have affected the Valley.

Mr. Sadredin stated that Senator Florez (D-Linden) amended SB240, and the District plans to support the measure at the opportune time. Mr. Sadredin stated EPA will reaffirm the Valley is in attainment for PM10.

14. GOVERNING BOARD MEMBER COMMENTS

Supervisor Nelson stated he and Supervisor Dominici met with Citizens Advisory Group of Industry (CAGI) and wanted to make sure other groups were aware that the Board Members are always willing to meet with groups that invite them. He noted the air seems quite clean this year. Supervisor Nelson stated he recently went on a public tour of Site 300 of Livermore National Lab in Tracey.

The Board adjourned to Closed Session at 12:15 p.m.

15. CLOSED SESSION—

- a. Conference with labor negotiator—agency negotiator: Carolyn Rose; Employee Organization: SEIU, Local 700; pursuant to Government code Section 54957.6
- b. Conference with District representative (Seyed Sadredin) regarding compensation for management.

ADJOURN

The meeting adjourned at 12:40 p.m.

Next scheduled meeting of the Governing Board: Thursday, September 20, 2007, Meeting starts at 9:00 a.m., Central Region Office, Governing Board Room, 1990 E. Gettysburg Avenue, Fresno. The meeting will be held via video teleconference (VTC) with the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating via VTC.