

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 17, 2008
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 Ornellas, called the meeting to order at 9:04 a.m. He presented a plaque thanking the previous Chair, Supervisor Worthley, for his service as Chair in 2007. The Chair also introduced and welcomed Supervisor Watson, the new Board Member from Kern County.

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

Present

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

* Attended meeting in Southern Region Office (Bakersfield)

** Attended meeting in Northern Region Office (Modesto)

3. APPROVAL OF CONSENT CALENDAR – Item numbers 16-22. 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.

Councilmember Brar pulled item 22 from the Consent Calendar.

16. *Approve Action Summary Minutes For The Governing Board Meeting Of Thursday, December 20, 2007*

17. *Receive And File List Of Scheduled Meetings For 2008*
18. *Receive And File Operations Statistics Summary For December 2007*
19. *Receive And File Budget Status Report As Of December 31, 2007*
20. *Receive And File Comprehensive Annual Financial Report And Single Audit Report For The Fiscal Year Ended June 30, 2007*
21. *Approve Agreement With Siff & Lake, LLP For Federal Fund Raising Activities For An Amount Not To Exceed \$42,498*

Supervisor Case corrected an error in the minutes that referred to the next meeting as February 21, 2008 when it should have read January 17, 2008.

Public Comment: None

Moved: Case
Seconded: Watson

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

Nays: None

Abstain: None

Motion unanimously carried to approve Items 16-21 as recommended and including the change to the Minutes as noted.

22. *Support Confirmation Of Supervisor Judith G. Case Appointment To The California Air Resources Board*

Councilmember Brar stated she felt the Board should review the qualifications of the new Governing Board members before supporting Supervisor Case's nomination. Supervisor Dominici stated Supervisor Case's qualifications as a health professional, Valley resident, and long time member of the District's Governing Board gives her ample qualifications. Supervisor Watson stated the ARB member needs to be experienced and suggested the new members will have an opportunity to serve on ARB's Board in the future. Supervisor Barba concurred. Supervisor Worthley emphasized Supervisor Case's experience. Supervisor O'Brien stated he fully supported Supervisor Case's nomination. Supervisor Case stated she has been a clinical professional for 30 years and was appointed by the Governor last year.

Public Comment—*The following members of the public presented testimony on this item:*

- Daniella Simunovic, Center for Race, Poverty, and the Environment
- Roger Isom, California Cotton Ginners and Growers Association
- Colby Morrow, Operation Clean Air

Moved: Worthley

Seconded: Nelson

Ayes: Watson, Case, Nelson, Perea, Dominici, Barba, O'Brien,
Worthley, Vierra, Ornellas

Nays: Brar

Abstain: None

Motion carried with a vote of 10-1 to approve item 22.

4. PUBLIC COMMENT

There was no public comment.

5. REPORT FROM CITIZENS ADVISORY COMMITTEE (CAC)—There was no update from the CAC.

6. SERVICE, TEAMWORK, ATTITUDE, RESPECT (S.T.A.R.) RECOGNITION FOR YEARS OF SERVICE—Carolyn Rose, Director of Personnel, presented the report. The Chair thanked the staff for their dedicated service to the District.

7. HEALTH UPDATE: RESPIRATORY EFFECTS OF EXPOSURE TO DIESEL TRAFFIC IN PERSONS WITH ASTHMA, VERBAL REPORT BY JOHN GASMAN, M.D.—Dr. John Gasman presented the PowerPoint. He stated the research was done by monitoring subjects as they walked on a street which was open to diesel trucks and taxicabs only, and monitoring the same subjects two weeks later as they walked in a park setting with no vehicles around. The study showed diesel exhaust can impact lung function in persons with asthma.

Supervisor Case asked if the effects of pollution were cumulative over time. Dr. Gasman stated that chronic inflammation can permanently change airflow patterns in the lungs. Supervisor Case asked if there were any upcoming studies on PM2.5 and its effect on cardiovascular health. Dr. Gasman stated that while lung function tests can be done immediately after exposure, cardiovascular effects are long term and more difficult to study.

Supervisor Watson asked about how EPA standards are set. Mr. Sadredin stated EPA limits are based on health-based studies. He noted EPA revisits their standards every seven to eight years. Supervisor Watson asked if the low sulphur fuel helps with the pollution, and Mr. Sadredin stated yes, but more importantly, it allows more controls to be added to the engine's exhaust.

8. ADOPT PROPOSED RESOLUTION URGING ARB TO INCREASE THE DISTRICT'S SHARE OF GOODS MOVEMENT AIR QUALITY MITIGATION FUNDS—Rick McVaigh, Deputy APCO, presented the report. He stated ARB has proposed distributing 25% of the funds to be shared by the District and Sacramento Metropolitan AQMD. Mr. McVaigh stated that because of the

severity of the air quality problem in the Valley, the great challenge we face, and the impact of goods movement in our trade corridors, we had expected more. He stated ARB staff used an inventory that has not been vetted, and is not the one used in the District's State Implementation Plan. Another key problem is that ARB staff looked at population figures without calculating exposure to pollutants. The third key problem is that in determining SIP needs, ARB staff did not consider the commitment from the State Board and the Governor to help the District attain the federal ozone standard by 2017. The District requests that ARB use an officially sanctioned truck emission inventory, consider population exposure, and consider the Valley's need for expedited attainment of the federal ozone standard. These changes would appropriately increase the District's share to 37% of the total funding.

Councilmember Perea indicated he would attend the ARB meeting. He stated he would take this to his City Council and work with other groups to gather support for our position. Supervisor Nelson stated he would work on getting a Resolution from his Board of Supervisors. He asked if Environmental Groups are working on this issue. Mr. Sadredin stated the Central Valley groups are supportive, but those with a statewide focus are staying neutral.

Supervisor Worthley noted when the Proposition 1B funds were first discussed, ARB had planned to give none to the Central Valley, so the 25% they have proposed is a testament to the hard work the District has done in lobbying for a greater share.

Public Comment— *The following members of the public presented testimony on this item:*

- Pete Weber, California Partnership for the San Joaquin Valley
- Katy Stevens, California Partnership for the San Joaquin Valley
- Sarah Sharpe, Coalition for Clean Air
- Roger Isom, California Cotton Ginners and Growers Association
- Teresa Plascencia, Fresno County Farm Bureau
- Don Patrick, Nisei Farmer's League

Moved: Perea

Seconded: Case

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

Nays: None

Abstain: None

Motion unanimously carried to approve Item 8 as recommended.

9. APPROVE 2008 LEGISLATIVE PLATFORM—Tom Jordan, Senior Policy Advisor, presented the report. He stated the priorities are fair allocation of Proposition 1B and AB118 funds, and gaining new incentive funding. He stated the District is seeking authority to regulate or mitigate mobile source

emissions for the Valley. He added the District is seeking to establish an Umbrella Air Quality Enterprise Zone Designation for enhanced incentive funding. Mr. Jordan noted the District will support legislation that will encourage, promote, and facilitate alternative uses for agricultural waste.

Supervisor Case stated the District should examine ways to allow law enforcement officers to write a citation if they see illegal burning. She also stated she supports SB240, but given that the Valley is also exposed to emissions from pass-through traffic, she would also support a statewide program. She stated we should investigate having transient trucks pay a fee. Mr. Sadredin stated staff is investigating ways to identify and assess pass-through traffic.

Supervisor Barba stated out of state trucks should pay an additional fee to mitigate their emissions. Mr. Jordan stated that currently, pass-through trucks do not pay an emissions fee.

Public Comment—*The following members of the public presented testimony on this item:*

- Carolina Simunovic, Fresno Metro Ministry

Supervisor Case also urged that we amend the platform to include measures aimed at addressing climate change and greenhouse gas emissions.

Supervisor Worthley suggested the Board adopt the Platform as it is, and request it be brought back for augmentation.

Moved: Worthley

Seconded: Case

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

Nays: None

Abstain: None

Motion unanimously carried to approve Item 9 as recommended.

At 11:04 a.m., the Chair called a ten minute break. The meeting reconvened at 11:14 a.m.

10. PUBLIC HEARING: ADOPT PROPOSED AMENDMENTS TO RULE 3010 (PERMIT FEE), RULE 3020 (PERMIT FEE SCHEDULES), RULE 3030 (HEARING BOARD FEES), RULE 3040 (OPEN BURNING FEES), RULE 3050 (ASBESTOS REMOVAL FEES), RULE 3060 (EMISSION REDUCTION CREDIT BANKING FEE), RULE 3070 (OTHER CHARGES), RULE 3110 (AIR TOXICS FEES), RULE 3120 (REGULATION VIII ALTERNATIVE COMPLIANCE PLAN REVIEW FEE), RULE 3135 (DUST CONTROL PLAN FEE), RULE 3140 (FEES FOR CERTIFICATION OF AIR PERMITTING PROFESSIONALS), RULE 3150 (FEES FOR PORTABLE EQUIPMENT REGISTRATION), RULE 3155 (PERMIT-EXEMPT EQUIPMENT

REGISTRATION FEES), RULE 3160 (PRESCRIBED BURNING FEES),
RULE 3180 (ADMINISTRATIVE FEES FOR INDIRECT SOURCE REVIEW),
AND RULE 3190 (CONSERVATION MANAGEMENT PRACTICES PLAN
FEE); AND THE PROPOSED REPEAL OF RULE 3080 (ATMOSPHERIC
ACIDITY PROTECTION ACT PROGRAM FEE) AND RULE 3090

(CALIFORNIA CLEAN AIR ACT FEES)—Seyed Sadredin, Executive Director/APCO, introduced the report. He stated the District has the lowest fees of any major district in the State, with the lowest overhead. He noted that efficiency and productivity are also the highest in the State, and that there has been no fee increase in ten years. He stated the workload is increasing in size and complexity at all times, and the District implemented budget cuts last year; however, further cuts will diminish the District's ability to accomplish its mission. The increase proposed is modest, and the District will continue having the lowest fees in the State.

Supervisor O'Brien encouraged staff to look at incremental annual fee increases. Supervisor Watson asked if there were any cash flow projections. Roger McCoy, Director of Administrative Services, stated they have prepared five year projections without the fee increase. The Fund balance would be used up in two years, and the District would run at a deficit. The two proposed increases will not cover the full deficit, but with the cuts and streamlining, it should be close.

Public Comment-- *The following members of the public presented testimony on this item:*

- Sarah Sharpe, Coalition for Clean Air
- Roger Isom, California Cotton Ginners and Growers Association
- Ben Jacob, Sequoia Kings National Park
- Carolina Simunovic, Fresno Metro Ministry
- Bobby Comansky, Comansky Environmental
- Richard Bagley
- Kris Ryan

Supervisor Dominici asked if open burning fees were raised five or six years earlier. Mr. Sadredin stated that a new fee had been added at that time. Supervisor Barba wanted to ensure members of the public could see the expenses and incomes of the District. Mr. Sadredin stated anyone can get a breakdown of the costs, and that expenses and incomes are included in financial reports and budgets.

Moved: Watson

Seconded: Barba

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

Nays: None

Abstain: None

Motion unanimously carried to approve Item 10 as recommended.

11. PUBLIC HEARING: ADOPT PROPOSED AMENDMENTS TO RULE 7011 (HEXAVALENT CHROMIUM - CHROME PLATING AND CHROMIC ACID OPERATIONS)—Samir Sheikh, Permit Services Manager, presented the report. He noted ARB has adopted revisions to an existing airborne toxic control measure (ATCM) which are more protective to human health. The District is required to enforce all ATCMs.

Moved: Case
Seconded: Nelson

Ayes: Barba, Brar, Case, Domirici, Watson, Nelson, O'Brien,
Perea, Worthley, Vierra, Ornellas
Nays: None
Abstain: None

Motion unanimously carried to approve Item 11 as recommended.

12. APPROVE HEALTHY AIR LIVING INITIATIVE IN CONCEPT AND APPROVE CONTRACT RENEWAL WITH JEFFREY/SCOTT ADVERTISING (JSA) FOR ADVERTISING AND MARKETING AGENCY REPRESENTATION AND COMPREHENSIVE, MULTILINGUAL PUBLIC OUTREACH CAMPAIGNS--Seyed Sadredin, Executive Director/APCO, introduced the report. He stated that the Spare the Air campaign has been successful in the past, but the District believes the program has served its purpose, so the District has designed a more proactive campaign called Healthy Air Living. Jaime Holt, Chief Communications Officer, presented the report. She stated that Healthy Air Living is part of the Fast Track to Attainment and has been referred to as Enhanced Spare the Air in the past. The original Spare the Air program was episodic and focused on just the summer months. Healthy Air Living is a comprehensive, multi-faceted program to develop new approaches and will focus on mid-summer, but also be a year-round concept. The goals are to reduce vehicle miles traveled, reduce emissions from high emitting equipment and processes, shift emissions from peak smog episodes, and reduce emissions through energy efficiency and the use of cleaner fuels and/or equipment. Everyone is a target audience from agriculture, to warehouses, to environmental organizations, to schools and the public. Ms. Holt stated that initially, Healthy Air Living week, scheduled for the second week of July, will saturate the public with messages, recognize businesses and municipalities that have successful strategies in place, and provide tools to Human Resource departments to promote carpooling, telecommuting; partner with businesses and municipalities, faith-based organizations, and environmental organizations. She noted there will be summits in each region from March 25-March 27 to promote Healthy Air Living, and the program will be refined in the spring and summer. Ms. Holt noted the contract was originally awarded in 2007, and this renewal better aligns with the summer and winter campaigns.

Supervisor Case asked if the District was going to promote Earth Day. Ms. Holt stated the District will join Earth Day activities. She also noted that the District will use Clean Air Month in May and Bike to Work week as teasers for Healthy Air living.

Moved: Case
Seconded: Worthley

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

Nays: None

Abstain: None

Motion unanimously carried to approve Item 12 as recommended.

13. VERBAL REPORT: CALIFORNIA AIR RESOURCES BOARD (ARB)—Jeff Lindberg, ARB, presented the report. He stated that EPA denied ARB's request for a waiver on greenhouse gasses to allow ARB to set lower emissions thresholds, which ARB spent two years developing. Over the years, EPA has approved California's request for waivers on forty occasions. EPA stated the global nature of this issue means California doesn't need its own standards. On January 2, 2008, California joined 15 states in a lawsuit against the EPA.
14. EXECUTIVE DIRECTOR/APCO COMMENTS—Seyed Sadredin, Executive Director/APCO, presented the report. He stated this is the twelfth consecutive year the District has received no comments or errors on an external audit of the financial statements. He thanked Roger McCoy and his staff for their efforts. He stated on January 21, a conference on Short Sea Shipping will be held in Fresno.
15. GOVERNING BOARD MEMBER COMMENTS—Supervisor Worthley asked the District to send sample Proposition 1B resolutions to all Board Members.

ADJOURN

The meeting adjourned at 12:15 p.m.