

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, March 19, 2009**  
**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, Chris Vierra, called the meeting to order at 9:11 a.m.

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

*Present:*

Tony Barba, Supervisor, <b>Vice Chair</b>	Kings County
Judy Case, Supervisor	Fresno County
Ronn Dominici, Supervisor	Madera County
Henry J. Forman, Ph.D.	Appointed by Governor
Michael G. Nelson, Supervisor	Merced County
Leroy Ornellas, Supervisor*	San Joaquin County
John G. Telles, M.D.	Appointed by Governor
Chris Vierra, Councilmember, <b>Chair</b>	City of Ceres
Raymond Watson, Supervisor	Kern County
J. Steven Worthley, Supervisor	Tulare County

\*Attended meeting in Northern Region Office

*Absent:*

William O'Brien, Supervisor	Stanislaus County
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3. APPROVAL OF CONSENT CALENDAR – Items numbers 17 – 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.*

17. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD MEETING OF THURSDAY, FEBRUARY 19, 2009

18. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2009

19. RECEIVE AND FILE OPERATIONS STATISTICS SUMMARY FOR FEBRUARY 2009

20. RECEIVE AND FILE BUDGET STATUS REPORT AS OF FEBRUARY 28, 2009
21. APPROVE AND AUTHORIZE CHAIR TO SIGN AIR QUALITY MITIGATION AGREEMENT WITH GWF ENERGY LLC
22. APPROVE AND AUTHORIZE THE CHAIR TO SIGN AGREEMENT BETWEEN THE DISTRICT AND NEUTON TO CONDUCT A LAWN MOWER TRADE-IN PROGRAM AND APPROVE BUDGET RESOLUTION APPROPRIATING \$11,500 IN UNANTICIPATED REVENUE FOR A LAWN MOWER PROGRAM
23. APPROVE CONTRIBUTION IN THE AMOUNT OF \$30,000 TO THE SAN JOAQUIN VALLEYWIDE AIR POLLUTION STUDY AGENCY FOR A FIELD STUDY OF ORGANIC WASTE COMPOSTING EMISSIONS

Public Comment – None

Regarding Consent Item #18, Chairman Vierra directed staff to add the word “Tentative” in parenthesis next to the November 12, 2009 meeting date.

Moved: Worthley  
Seconded: Case  
Ayes: Case, Watson, Worthley, Dominici, Nelson, Telles  
Forman, Barba, Ornellas, Vierra  
Nays: None

**Motion unanimously carried to approve Consent Calendar Items 17-23.**

4. PUBLIC COMMENT – None
5. REPORT FROM THE CITIZEN'S ADVISORY COMMITTEE (CAC) – Dennis Tristao, Kings County City Interest Group Representative on the CAC gave a report on the most recent CAC meeting held on March 3, 2009. He stated they received a report from Seyed Sadredin, Executive Director/APCO on the progress of the Special City Selection Committee, the analysis relating to wood burning season, and the District's Economic Assistance Initiative. In addition, he stated the CAC received a report on the influence of wildfires on the Valley's air quality in 2008 and also received an update from ARB Liaison, Jeff Lindberg.
6. HEALTH UPDATE: AIR QUALITY'S CONTRIBUTION TO U.S. LIFE EXPECTANCY – Board Member Dr. John Telles presented the results of a recently published study in the New England Journal of Medicine on the impacts of small particle pollution, known as PM2.5, on life expectancy. The research compared data from 1978-1983 with 1999-2000 in 51 metro areas, including four in California, and also adjusted for

socio-economics, geographic area and lifestyle. The study showed that average life expectancies improved along with reductions in concentrations of PM2.5. Dr. Telles said it was important to note that these statistics represent the lives of real people and that those who benefit the most from reduced exposure to pollution are vulnerable populations with serious health issues. The presentation was followed by Board Member discussion.

Public Comment – None

7. ADOPT PROPOSED AMENDMENTS TO RULE 4902 (RESIDENTIAL WATER HEATERS) – George Heinen, Planning Manager, gave the presentation and acknowledged Project Leads, Manuel Salinas and Lisa Van De Water. These amendments will require new water heaters sold in the Valley to emit less nitrogen oxides (NOx). The NOx emissions combine with other pollutants to form ozone during the hot, stagnant Valley summers. The new limits will ultimately eliminate 75 percent of the current NOx emissions from these heaters. The new limits apply to newer replacement units only, do not require change out of existing equipment, and are enforced at points of sale.

Supervisor Ornellas asked if the amendments apply to natural gas and propane and what the implementation dates are. Mr. Heinen responded they apply to natural gas only and the implementation dates are January 1, 2010 for normal heaters and January 1, 2012 for instantaneous heat units.

Public Comment - None

<i>Moved:</i>	Case
<i>Seconded:</i>	Watson
<i>Ayes:</i>	Watson, Telles, Forman, Case, Nelson, Ornellas Barba, Dominici, Worthley, Vierra
<i>Nays:</i>	None

***Motion unanimously carried to adopt proposed amendments to Rule 4902 (Residential Water Heaters)***

8. APPROVE THE DISTRICT'S ACTIVITIES IN SUPPORT OF THE HEALTHY AIR LIVING INITIATIVE AND RENEW CONTRACT WITH JEFFREY/SCOTT ADVERTISING (JSA) FOR COMPREHENSIVE PUBLIC OUTREACH AND EDUCATION CAMPAIGNS – Carolyn Rose, Personnel Director and Jaime Holt, Chief Communications Officer, gave the presentation. Healthy Air Living is the District's ongoing outreach initiative designed to further the public health mission by making air quality a priority in daily decision-making. Among the Healthy Air Living events planned for 2009 are: air quality summits in each of the District's three regions; establishing a Healthy Air Partner program with businesses and organizations Valley-wide; implementing a broad range of outreach events and activities oriented toward public participation; and partnering with other organizations throughout the year to support activities such as Bike-to-Work Days, commute

challenges and energy-efficiency campaigns.

In addition, the District's internal activities include: providing a carpool match service to employees; providing showers and locker rooms for employee use; secure bike storage for employees who commute to the District on their bicycles; flexible work schedule; an alternative transportation incentive; providing conveniences to minimize employee trips including postage stamps, dry cleaning, movie tickets, and cash advances, in addition to many other services. Jackie Grazier, Director of Client Services for JSA, also gave a presentation on the services provided to the District by Jeffrey Scott Advertising, which include the development and implementation of a multilingual TV, radio, billboard, and print advertising campaign. The 2009-10 contract, as in past years, includes funding to execute the advertising campaign for the following programs: 2009-10 Healthy Air Living Spring-Summer campaign; 2009-10 Healthy Air Living Fall-Winter campaign including the Check Before You Burn program; 2009-10 Umbrella Outreach: Burn Cleaner Woodstove Change-Out program; Clean Green Yard Machines; and Annual Symposium.

Supervisor Watson congratulated Ms. Rose, Ms. Holt and JSA for putting together such a comprehensive campaign. He asked if there was a way to pick an activity from the campaign and measure the results so they can be reported to the public as making a difference. Mr. Sadredin responded the District is planning to conduct a public survey to get feedback about the District's current outreach activities. Supervisor Case reported she got a lot of positive feedback regarding the District's television outreach activities. She also stated the branding of "One Change" is very important to the success of the outreach program. She asked if the Healthy Air Living Summits could be held during the evening or weekend hours to enable more members of the public to attend. She also suggested soliciting a donated electric scooter as a raffle prize. Mr. Sadredin responded that holding the Summits on the weekend is a good idea. He stated currently the Summits are a day-long event, but staff will look into possibly holding them on the weekend and making them shorter.

Dr. Telles stated he is interested in seeing the results achieved by the District's outreach program and asked if there has been contact from anyone interested in duplicating the District's internal Healthy Air Living program. Mr. Sadredin responded there have been several requests and stated approximately 40 of the 59 cities within the District have adopted Healthy Air Living. Ms. Holt stated last year, when developing the Districts Healthy Air Living outreach program, JSA held focus groups in all three regions in both English and Spanish and gained valuable feedback on the program. Dr. Telles suggested including information on cleaner burning vehicles in the Healthy Air Living outreach materials. Mr. Sadredin replied the District has an emissions and economic calculator for vehicles on its Healthy Air Living website.

Supervisor Barba remarked that Kings County uses van pools for farm workers, prison employees and commuters from other cities and counties to locations throughout Central California. Supervisor Dominici agreed in these economic times, every penny spent is important. However, he stated there will be many times where

it will be impossible to judge the result of programs the District must spend money on, but he believes even a small increase in our outreach efforts will help achieve desired results. Supervisor Worthley stated for the price increase, because of the current state of the economy, the District should see an increased media presence. Mr. Sadredin stated in the interest of transparency, monthly reports from JSA detailing District monies spent are available to the public. In addition, he stated the Board made a policy decision to get the public on board with helping the District achieve air pollution reductions. He noted without spending this money to get the public to do their part, the costs of attainment will be even greater to businesses. He also stated the magnitude of this program compared to last year has essentially doubled the work for JSA.

Supervisor Dominici commented he feels the District's public outreach message has reached its target audience in the last two years, and noted South Coast AQMD was impressed by the District's outreach program and stated they would like to emulate it. Supervisor Watson stated the District should constantly seek outcomes that can be measured and let the public know what has been achieved with the money spent. Chairman Vierra stated he has received several calls from people who have heard the District's message via its media outreach program. He stated in order to reach younger Valley residents, the District should focus on additional media outlets including Facebook and Twitter. Mr. Sadredin replied the District has its own Facebook page. Supervisor Case stated she appreciates the concern for the expenditures and feels the fact that this program is going from a seasonal to an annual program justifies the small increase in cost. She also stated the report received earlier on the health affects of PM shows the importance of getting the message out to the public. She noted the public's opinion of the District has drastically improved since 1999, thanks to the media outreach program.

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

- Darren Thomas, Private Citizen
- Laura Fultz-Stout, Coalition for Clean Air
- Manuel Cunha, Nisei Farmers League

*Moved:* Worthley  
*Seconded:* Barba  
*Ayes:* Ornellas, Telles, Dominici, Nelson, Forman,  
Case, Worthley, Barba, Watson, Vierra  
*Nays:* None

***Motion unanimously carried to approve the District's activities in support of the Healthy Air Living Initiative and renew contract with Jeffrey/Scott Advertising for comprehensive public outreach and education campaigns.***

9. APPROPRIATE \$935,900 IN UNANTICIPATED REVENUE FOR THE CARL MOYER MEMORIAL AIR QUALITY STANDARDS ATTAINMENT PROGRAM FROM ANTELOPE VALLEY AND MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICTS – Seyed Sadredin, Executive Director/APCO, gave the presentation regarding \$935,900 in revenue for the Carl Moyer Air Quality Standards Attainment program. The Antelope Valley and Mojave Desert air districts, due to circumstances beyond their control, were unable to utilize all of their funds and have requested that our District use the money to fund qualifying emission-reduction projects in the Valley. These projects will benefit air quality in both regions. During recent audits of the program, the District was lauded for its efficient use of Carl Moyer funds, and several of its policies and procedures were highlighted as best practices and recommended to other air districts. This has resulted in more cooperative arrangements on grant funding with the neighboring air districts.

Public Comment – None

Moved: Watson  
Seconded: Dominici  
Ayes: Watson, Barba, Dominici, Case, Worthley  
Telles, Forman, Ornellas, Vierra  
Nays: None

Note: Supervisor Nelson was not present for this vote.

**Motion unanimously carried to appropriate \$935,900 in unanticipated revenue for the Carl Moyer Memorial Air Quality Standards Attainment Program from Antelope Valley and Mojave Desert Air Quality Management Districts**

10. APPROVE UPDATES TO THE GROSS POLLUTING VEHICLE REPLACEMENT PROGRAM, APPROVE AGREEMENT WITH JEFFREY/SCOTT ADVERTISING (JSA) FOR ADVERTISING CAMPAIGN, AND APPROVE BUDGET RESOLUTION INCREASING THE 2008-09 DISTRICT BUDGET BY \$96,500 TO FUND THIS AGREEMENT – Mr. Sadredin began the presentation on this matter by expressing disappointment in relation to the low participation level in this program. He added that changes to the program are necessary to achieve a larger penetration with qualifying high polluting vehicle owners. Samir Sheikh, ERIP Manager, gave the presentation and recognized Program Leads, Kevin Wing and Aaron Tarango. The Gross Polluting Vehicle Replacement program was approved by the Board in 2007 and is the first of its kind in the United States. The program provides incentives to crush or replace vehicles that are targeted by the District as potentially the worst polluting vehicles in the Valley. Participants receive either \$1,000 cash for their vehicles to be crushed or \$5,000 towards the purchase of a clean replacement vehicle certified to the LEV II standard. Under the revised program, the name will be changed to Polluting Automobile Scrap and Salvage (PASS) program; additional funds will be shifted from a prior year reserve and appropriated for marketing and outreach; and other minor changes will be made to the program to enable more Valley residents to be eligible to receive up to \$5,000 in funding to help buy a newer, cleaner vehicle.

Dr. Telles expressed his concern relating to the effectiveness of gross polluting vehicle replacement programs in reducing air pollution. Mr. Sadredin responded there is good evidence that shifting to a newer car, in general, will reduce emissions. Mr. Sheikh also responded the District is working on building safeguards into this program to ensure vehicles that are replaced are those actually being driven on the roads. Supervisor Worthley stated there is a definite need for this program in the Valley and suggested that staff consider using telemarketing as an outreach tool. Supervisor Watson stated his belief that this is not a marketing issue, it is an economic issue. He suggested developing a partnership with used automobile dealers to reach the target audience. Mr. Sadredin stated that one major shortcoming in the existing program was the total reliance on direct mail for outreach. The program as revised will provide other means for contacting eligible high emitting vehicle owners. Supervisor Case voiced her support for this program and the proposed changes and also suggested targeting participants in the Clean Air Now smog check program. Supervisor Nelson stated he supports staff's idea to fix a program that is not currently working. He also asked if undocumented workers are eligible for this program. Mr. Sadredin responded the District will attempt to target low income households and try to address the fear undocumented workers may have toward dealing with a government agency. He also suggested, at the Board's direction, to pursue developing a partnership with reputable used car dealerships. Supervisor Dominici voiced his lack of support for this program and felt the effort to get gross polluters off the road would be best served through enforcement.

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

- Sarah Sharpe, Fresno Metro Ministry
- Patty Lopez, Private Citizen

Moved: Worthley  
Seconded: Watson  
Ayes: Case, Ornellas, Forman, Nelson,  
Barba, Worthley, Watson, Vierra  
Nays: Telles, Dominici

***Motion carried 8-2 to approve updates to the Gross Polluting Vehicle Replacement program, approve agreement with Jeffrey/Scott Advertising for advertising campaign, and approve Budget Resolution increasing the 08-09 District Budget by \$96,500 to fund this Agreement***

*The Governing Board took a short recess at 12:05 p.m.*

The Governing Board reconvened at 12:14 p.m.

11. RECEIVE AND FILE STAFF REPORT ON PHASE III AMENDMENTS TO RULE 4103 (OPEN BURNING) – Rick McVaigh, Deputy APCO, gave the presentation on the implementation of the 2007 amendments to Rule 4103 (Open Burning), which prohibited the burning of most material from orchard removals. He reported the

District has been successful in reducing open burning from agricultural materials, tracking the remaining orchard removal burns, and strictly managing agricultural burning through the District's Smoke Management System (SMS). The District's database for orchard removal burns shows there has been a significant decrease and downward trend in open burning since 2004. He also stated the District has met all of its commitments with regard to implementing these burning restrictions.

Dr. Telles stated the major problem for chippers is the lack of access to biomass plants, which means the orchard material cannot be removed and essentially renders the land useless. He also stated they are pursuing legislation to acquire more biomass facilities. He suggested contacting the federal government to inquire about the availability of Federal Stimulus Package funds to achieve this goal. Mr. Sadredin replied there are many obstacles to creating new biomass plants, including lack of tax breaks, permitting issues, and renewable fuels competition. He also stated the stimulus plan does not have any specific money for building biomass facilities.

Tom Jordan, Senior Policy Advisor stated the Renewable Portfolio Standard for utilities is one opportunity, in addition to several legislative avenues, to deal with this issue. He also stated the District is in discussions with PG&E to find ways to expand their use of the Valley's biomass energy output. Dr. Telles also suggested discussing this issue with the various Ag Commissions to plan ahead for future needs.

Public Comment - None

*Moved:* Worthley  
*Seconded:* Watson  
*Ayes:* Barba, Dominici, Watson, Worthley, Telles  
Ornellas, Nelson, Forman, Case, Vierra  
*Nays:* None

***Motion carried unanimously to receive and file the Staff Report on Phase III Amendments to Rule 4103 (Open Burning)***

12. VERBAL REPORT: OVERVIEW OF SB375 (REGIONAL TARGETS FOR GREENHOUSE GASES) AND OTHER LOCAL GOVERNMENT GREENHOUSE GAS REQUIREMENTS AND PLANNED DISTRICT ASSISTANCE EFFORTS – Tom Jordan, Senior Policy Advisor gave the presentation on planned District efforts to assist local Valley governments in meeting climate change requirements and greenhouse gas emission targets mandated by SB375 (Regional Targets for Greenhouse Gases). These include new CEQA requirements and other planning considerations related to climate change. District efforts include providing technical assistance to cities and counties, assisting in mitigating climate-change emissions through voluntary greenhouse gas emission agreements, air-quality guidelines for general plans, Rule 9510 (Indirect Source Review), grant programs and programs to reduce vehicle trips at work sites. In order to help implement SB375, the District will



work with Valley MPO's to create a uniform process for setting Regional emissions targets.

Dr. Telles stated there is a need for a local group to begin working on this issue. Supervisor Case responded there is a local Metropolitan Planning Organization based group, the Transportation Technical Committee, and that would be a good place to start. Mr. Sadredin stated there is a Regional Policy Council that meets frequently and would also be a good resource.

13. VERBAL REPORT: CALIFORNIA AIR RESOURCES BOARD – Jeff Lindberg, ARB Liaison, gave the presentation. He stated ARB Staff recommended several areas for non-attainment including: entire eastern Kern County (with a carve-out for the Indian Wells Community), two remote, high-elevation sites: the Tuscan Buttes in Shasta County and the Pinnacles National Monument in San Benito County, and three rural areas, eastern San Luis Obispo County, southern Inyo County and San Bernadino County. He reported these areas were submitted to EPA on March 12<sup>th</sup> and EPA is required to make a final designation of areas by March, 2010. He reported State implementation plans for all non-attainment areas will be due in 2013.
14. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sadredin, Executive Director/APCO thanked Merced County, Tulare County, Turlock Irrigation District and City of Ceres for their contribution and support to the District's lawnmower exchange program.  
  
*Supervisor Worthley left at 12:55 p.m.*
15. GOVERNING BOARD MEMBER COMMENTS – Supervisor Nelson stated he will attend the April Governing Board Meeting in the new Bakersfield Office. Dr. Telles stated he will be sending out a summary of future ARB Board Meetings via email.

## **ADJOURN**

Meeting adjourned to Closed Session at 12:57 p.m.

Meeting adjourned at 1:45 p.m.

*Next scheduled meeting of the Governing Board: Thursday, April 16, 2009.  
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.*