

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, April 21, 2011**  
**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 Worthley, called the meeting to order at 9:07 a.m.
2. ROLL CALL was taken and a quorum was present.

*Present:*

Tony Barba, Supervisor	Kings County
Judy Case, Supervisor	Fresno County
Ronn Dominici, Supervisor	Madera County
Dr. Henry Jay Forman, Ph.D.***	Appointed by Governor
Ann Johnston, Mayor*, <b>Vice Chair</b>	City of Stockton
Mike Lane, Councilmember	City of Visalia
Randy Miller, Mayor**	City of Taft
William O'Brien, Supervisor*	Stanislaus County
Leroy Ornellas, Supervisor*	San Joaquin County
Chris Vierra, Mayor*	City of Ceres
Hub Walsh, Supervisor	Merced County
Raymond Watson, Supervisor**	Kern County
J. Steven Worthley, Supervisor, <b>Chair</b>	Tulare County

\* Attended meeting in Northern Region Office  
\*\*Attended meeting in Southern Region Office  
\*\*\*Dr. Forman arrived at 9:56 a.m.

*Absent:*

John G. Telles, M.D.	Appointed by Governor
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3. RECOGNIZE PHILIP M. JAY, DISTRICT COUNSEL, FOR EIGHTEEN YEARS OF OUTSTANDING SERVICE AND DEDICATION TO THE VALLEY AIR DISTRICT  
Supervisor Ornellas thanked Mr. Jay for all of his hard work on behalf of the District. Supervisor O'Brien noted Mr. Jay's track record and voiced his appreciation. Supervisor Watson noted Mr. Jay has fought a lot of hard battles and won them all. He thanked Mr. Jay for his hard work and initiative and noted it has been a pleasure to work with him. Mayor Miller voiced his appreciation for Mr. Jay's service. Supervisor Case she has worked with Mr. Jay and the Board for thirteen years and marveled at the tough battles fought and won by Mr. Jay. Supervisor Barba noted he has worked with Mr. Jay for sixteen years and thanked him for all he has done.

Supervisor Walsh wished Mr. Jay luck in his future endeavors. Supervisor Dominici thanked Mr. Jay for all of his advice and stated he would be missed. Supervisor Worthley noted Mr. Jay's track record speaks for itself, and voiced his appreciation for Mr. Jay's advice, approach and demeanor on various District issues. Seyed Sadredin, Executive Director/APCO, expressed his appreciation for all the great work Mr. Jay has done. He noted he has been a great friend, colleague, advisor and mentor for over twenty years.

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

- Manuel Cunha, Nisei Farmers League
- Phil Newell, Guardian Industries

4. APPROVAL OF CONSENT CALENDAR – Item numbers 17 – 25 *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, MARCH 17, 2011.
18. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2011
19. RECEIVE AND FILE OPERATION STATISTICS SUMMARY FOR MARCH, 2011
20. RECEIVE AND FILE BUDGET STATUS REPORT AS OF MARCH 31, 2011
21. RECEIVE AND FILE COMPREHENSIVE ANNUAL FINANCIAL REPORT AND SINGLE AUDIT REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2010
22. RECEIVE AND FILE PROPOSED AMENDMENTS TO RULE 3170 (FEDERALLY MANDATED OZONE NONATTAINMENT FEE)
23. RECEIVE AND FILE PROPOSED AMENDMENTS TO RULE 4307 (BOILERS, STEAM GENERATORS AND PROCESS HEATERS – 2.0 MMBTU/HR TO 5.0 MMBTU/HR)
24. RECEIVE AND FILE PROPOSED AMENDMENTS TO RULE 4354 (GLASS MELTING FURNACES)
25. APPROVE CONTRACT AMENDMENT WITH GARCIA CONSTRUCTION TO RELOCATE THE FORMER BAKERSFIELD – GOLDEN AIR MONITORING STATION TO THE NEW BAKERSFIELD – MUNICIPAL AIRPORT LOCATION

Public Comment: None

Moved: Case  
Seconded: Dominici  
Ayes: Miller, Watson, Barba, Walsh, Case, Dominici,  
Lane, O'Brien, Johnston, Ornellas, Vierra, Worthley  
Nays: None

**Motion unanimously carried to approve Consent Calendar Items 17-25.**

*This item was taken out of turn.*

6. REPORT ON DISTRICT CITIZENS ADVISORY COMMITTEE (CAC) ACTIVITIES – Manuel Cunha, Chair of the CAC, reported on items discussed at their April 5, 2011 meeting. He reported that Jaime Holt, Chief Communications Officer, provided an update on District efforts to develop a new episodic outreach and action strategy to help the Valley avoid costly exceedances of the federal 1-hour ozone standard. He noted they also received an update from District staff on new air quality studies funded through the San Joaquin Valleywide Study Agency. Lastly, he reported CAC members are working to improve communications with Environmental Justice Advisory Group (EJAG) members by encouraging each interest group to attend EJAG meetings. He also noted EJAG is currently working on finalizing their Goals and Objectives for 2011.

Supervisor Case asked for the criteria used by EJAG to determine environmental justice communities. Mr. Sadredin responded he would send a copy of the EJ map and determining criteria to the Board members.

5. PUBLIC COMMENT – *The following persons provided testimony during the public comments portion of the meeting:*

- Richard Rios, Syntec
- Todd Sill, Stanislaus County

7. S.T.A.R. RECOGNITION (SERVICE, TEAMWORK, ATTITUDE, RESPECT) – Carolyn Rose, Personnel Director, gave the presentation on this item which recognized years of service for the following District employees:

**Five Years of Service**

Sajjad Ahmad, Air Quality Engineer II  
Amerjit Chahal, Air Quality Inspector II  
Lester Day, Air Quality Inspector II  
Adam Mumford, Air Quality Inspector II  
Wes Pierson, Senior Programmer/Analyst  
Glenn Ramming, Air Quality Inspector II  
Tony Reyes, Accounting Assistant II  
Jerry Sandhu, Air Quality Engineer II  
Nhia Vu, Senior Air Quality Specialist  
Jim Warkentin, Air Quality Specialist II

**Ten Years of Service**

Brian Clerico, Air Quality Engineer II  
Steve Davidson, Air Quality Engineer II  
Sheraz Gill, Supervising Air Quality Engineer  
Vernon McKnight, Senior Air Quality Inspector  
Andrea Ogden, Air Quality Engineer II  
Juscelino Siongco, Air Quality Engineer II  
Aaron Tarango, Supervising Air Quality Specialist

*This item was taken out of turn.*

13. **CONSIDER REQUEST BY THE CITY OF FRESNO TO CHANGE DISTRICT GOVERNING BOARD MEETING DAYS** – Mr. Sadredin explained that when legislation added city seats to the Governing Board, it also created the Valleywide Special City Selection Committee which developed a rotation schedule and selection process. He stated next year will begin a new three-year term for four city members including one from the City of Fresno. He noted Fresno's City Council meetings are held on Thursdays, at the same time as the District's Governing Board meetings. He recently met with Fresno City Council, who are currently looking at options for possibly changing their meeting date/time, and have appointed a committee to address this issue. He stated before moving forward, Fresno City Council has asked the Board to consider changing District meeting days to accommodate Fresno's meeting schedule. Mr. Sadredin introduced Councilmember Clint Olivier, representing the 7<sup>th</sup> District in the City of Fresno, who addressed the Board on this request. Councilmember Olivier thanked the Board for their leadership and all the hard work they've done on behalf of the Valley's residents. Mr. Olivier articulated the request by City of Fresno for a possible change to the District's meeting days beginning in 2012.

Supervisor Dominici remarked that Madera County moved many of their meetings to accommodate his District Governing Board meeting schedule, due to the importance of the Board's work. He stated he did not support moving the District's Board meetings. Councilmember Lane stated he would support continuing a dialogue with the City of Fresno to attempt to resolve this issue. He suggested possibly moving the Governing Board meetings to Wednesday. Mr. Sadredin responded that the District's Hearing Board meetings are currently held on Wednesdays in the same facilities. Supervisor Worthley stated he appreciated the difficulty of the City of Fresno's situation. However, he noted most of the Governing Board members sit on many other committees and boards, and changing the Board meeting date could cause many other potential conflicts. He stated changing the Board meeting date on the basis of one potential new member's request was not a good precedent. Supervisor Case stated her concern of changing a meeting date at the request of a member who is appointed to the Board for a three-year term. She stated she spoke to the Fresno City Council President, who requested the Board send a letter to their council with the final decision.

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

- Sarah Sharpe, Fresno Metro Ministries

- Manuel Cunha, Nisei Farmers League
- Elizabeth Johnsson, Coalition for Clean Air
- Phil Newell, Guardian Industries

*Dr. Forman arrived at 9:56 a.m.*

Supervisor Walsh stated he looked forward to working with the City of Fresno in the future. However, he stated he does not support changing the Board meeting date. The Chair stated there appeared to be a consensus among Board members to not change their meeting date. He also noted the objections that were raised by the businesses that interact with the District concerning this matter. He thanked Mr. Olivier for appearing at the meeting and stated a letter would be sent to the Fresno City Council to reflect the Board's consensus.

8. ADOPT PROPOSED AMENDMENTS TO RULE 2201 (NEW AND MODIFIED STATIONARY SOURCE REVIEW RULE) – Dave Warner, Permit Services Director, gave the presentation on this item which proposed amendments to Rule 2201 (New and Modified Stationary Source Review Rule). He reported the proposed amendments incorporate federal PM2.5 New Source Review (NSR) permitting requirements and resolve the EPA's issue with the language the District uses to refer to the state's limited exemption from offsets for agricultural operations.

*Public Comment: The following persons provided testimony during the public comments portion of the meeting:*

- Phil Newell, Guardian Industries

*Moved:* Case

*Seconded:* Barba

*Ayes:* Barba, Case, Walsh, Dominici, Lane, Forman,  
Ornellas, Johnston, Vierra, O'Brien, Miller, Watson, Worthley

*Nays:* None

***Motion unanimously carried to adopt proposed amendments to Rule 2201 (New and Modified Stationary Source Review Rule).***

9. END-OF-SEASON REPORT ON THE 2010-2011 WOOD-BURNING SEASON – Mr. Sadredin stated when Rule 4901 (Wood-Burning Fireplaces and Wood-Burning Heaters) was adopted by the Board three years ago, as the toughest rule in the nation, the Board directed staff to report annually on its impact on air quality. He reported the Rule has been a huge success and has led to major improvements in air quality. He introduced Jaime Holt, Chief Communications Officer and Jessica Fierro, Supervising Air Quality Specialist, who gave the presentation on this item which is a comprehensive end-of-the-season report on the 2010-2011 wood-burning season. They reported that the public continued to play a big role in improving the Valley's air quality. The report detailed the District's "Check Before You Burn" and related Healthy Air Living outreach, the air quality and public health benefits from implementation of this Rule, and statistics of compliance activities and the Burn Cleaner Community Incentive Grant.

Supervisor Worthley acknowledged the success of this Rule and its impact on pollutants which have a very detrimental effect on public health. He congratulated staff of the results of this report. Supervisor Case mentioned areas such as Shaver Lake, Oakhurst and Huntington Lake, which still have unrestricted burning. She asked for additional statistics on those areas. Supervisor Worthley recommended increasing public outreach regarding the Burn Cleaner Program. Mr. Sadredin responded that the District will look into an incentives grant program in these areas to promote cleaner burning through a voluntary rather than a regulatory approach.

Supervisor O'Brien stated he would love to see a smart phone application for current wood-burning status during winter months. He also mentioned the mixed messages received by those who live in the Northern Region and are subject to advertising messages from other Air Districts. Mr. Sadredin stated the smart phone application has been included in the District's proposed 2011-12 Budget. He reported he has had extensive discussions with Bay Area AQMD, and they have changed the messaging on their 800 number for burn status to include a referral for San Joaquin Valley residents at the start of the phone message.

10. APPROVE CHANGES TO THE DISTRICT'S GRANT PROGRAM WHICH PROVIDES FUNDING ASSISTANCE TO PUBLIC TRANSPORTATION AND COMMUTER VANPOOL PASSENGERS – Mr. Todd DeYoung, Strategies and Incentives Manager, gave the presentation on this item, which is an update to an item presented to the Board at their Study Session in September, and is designed to increase participation in and improve access to the Public Transportation and Commuter Vanpool Subsidy Component of the REMOVE Program. He stated that mobile sources account for more than half of the air basin's overall emissions and noted that encouraging viable transportation alternatives is critical to reducing air pollution. He outlined the proposed changes to the program's operation, including: Increasing the funding cap from \$20 to \$35 per pound for emission reductions; Shifting to a voucher-based program to streamline program implementation and enhance flexibility for partnering vanpool agencies and participants; And, amending program requirements to better fund vanpools for Valley residents who commute to areas outside the District. In addition, he reported staff recommended authorizing the Executive Director/APCO to work with neighboring air districts to develop regional vanpool and public transportation projects.

Supervisor Case asked how the funding cap increase was determined. Mr. Sadredin responded that staff recognized that reductions will continue to be seen well after the funding expires. He noted this program also includes public education and involvement, and staff felt that this raised the cost-effectiveness to a point to recognize the added benefits. Supervisor Worthley stated it was important to note that the funding cap is a triggering mechanism to see if the vanpools will qualify, and is not actually an expenditure of public funds. Supervisor O'Brien shared in Stanislaus County there are 13,500 daily commuters to the Bay Area and 11,000 daily commuters to Sacramento. He asked staff to work with Sacramento, as well as Bay Area vanpools. He stated he greatly appreciated staff working to incentivize vanpools that go outside the District, as that is where the majority of his area commuters travel. Mr. DeYoung noted the Sacramento AQMD is not currently operating a vanpool program. He stated staff would be happy to

work with Sacramento and any other Air Districts on future vanpool programs.

Mr. DeYoung noted these amendments propose a change from a one-year to three years of financial support for vanpoolers. He noted it could take more than one year to change commuter behavior. Mayor Johnston stated that San Joaquin County has 40,000 daily commute over the Altamont Pass into the Bay Area, not including Sacramento. She encouraged staff to press Sacramento AQMD for support of these projects. Mr. Sadredin responded that staff will continue to work with Sacramento AQMD. Supervisor Barba noted Kings County has 400-500 vanpools in their county. Mr. Sadredin noted San Joaquin and Stanislaus COGs also have funding and staff is working to coordinate with them and strategically use these funds.

Public Comment: *The following persons provided testimony during the public comments portion of the meeting:*

- Joe Miller, West Kern Water District
- Angie Dow, Kings County Area Public Transit Agency

Moved: Barba

Seconded: Dominici

Ayes: Johnston, Ornellas, O'Brien, Vierra, Watson, Miller,  
Case, Walsh, Barba, Dominici, Forman, Lane, Worthley

Nays: None

***Motion unanimously carried to approve changes to the District's grant program which provides funding assistance to public transportation and commuter vanpool passengers.***

11. APPROVE MODEL PROPOSAL FOR COMMUNITY-WIDE GREENHOUSE GAS EMISSIONS INVENTORY PREPARATION SERVICES AND APPROVE MEMORANDUM OF UNDERSTANDING WITH COUNTY OF KERN IN THE AMOUNT OF \$89,500 TO PREPARE A COMMUNITY-WIDE GREENHOUSE GAS EMISSIONS INVENTORY – Dave Warner, Permits Services Director, gave the presentation on this item which is a model proposal to provide community-wide greenhouse gas (GHG) emissions inventory services to Valley cities and counties. He also reported on a proposed \$89,500 memorandum of understanding with Kern County to provide GHG inventory services. He noted federal and state GHG reduction goals continue to require the dedication of significant resources by businesses and municipalities.

Supervisor Watson stated if the memorandum of understanding were approved today, it would come before the Kern County Board of Supervisors at their May 3<sup>rd</sup> meeting. He stated Craig Murphy, Division Chief of the Kern County Planning Department, was present to answer any questions from the Board. Mayor Johnston asked about interest demonstrated in the Northern Region. Mr. Warner responded that City of Stockton was the one of the first jurisdictions in the Valley to address this issue.

Public Comment - None

Moved: Case  
Seconded: Barba  
Ayes: Case, Barba, Walsh, Forman, Dominici, Lane, Vierra,  
Johnston, O'Brien, Ornellas, Miller, Watson, Worthley  
Nays: None

***Motion unanimously carried to approve model proposal for community-wide greenhouse gas emissions inventory preparation services and approve Memorandum of Understanding with County of Kern in the amount of \$89,500 to prepare a community-wide greenhouse gas emission inventory..***

12. APPROVE THE DISTRICT'S NEW PUBLIC BENEFIT GRANTS PROGRAM – Mr. Sadredin stated the District has been quite successful in bringing state and federal funding to help with the Valley's air pollution problem. He noted Valley residents are also contributing via the new motor vehicle fee and other regulations. He stated the Board directed staff to find ways to get this revenue back to the public, as directly as possible to their benefit. He introduced Samir Sheikh, Strategies and Incentives Director, who gave the presentation on this item which creates a new program focused on funding emission reduction projects that provide broad benefits to Valley residents, in partnership with local government agencies and public educational institutions. He reported on potential project categories including: electric, hybrid or other alternative fuel vehicles or equipment; advanced transit systems and infrastructure; advanced vehicle refueling or charging infrastructure; bicycle infrastructure and sharing; off-road and other heavy-duty fleet vehicle replacement/purchase; utility vehicles; other public-benefit emission reduction projects. This item also provides authorization for the Executive Director/APCO, on behalf of the Board, to make administrative changes to the program, as necessary.

Supervisor Case asked about the possibility of incentives for large off-road equipment used by municipalities. Mr. Sadredin stated if this program is successful, perhaps this could be added as a second round component. Supervisor Watson stated this program contains provisions to deal with mobile sources, which are a huge source of pollutants. He asked about the possibility of a voucher program for fuel additives which may cut emissions. Mr. Sadredin responded products which claim to reduce emissions must be thoroughly investigated.

Public Comment: *The following persons provided testimony during the public comments portion of the meeting:*

- Zac Griffin, Bike Bakersfield
- Heather Bernikoff
- Evelyn Young, CSU Bakersfield

Councilmember Lane stated there is a tremendous opportunity with CSU Bakersfield and Fresno to raise visibility of mobile source emissions. Supervisor Worthley noted Tulare County recently developed a system where a portion of student fees are allocated to provide funding for students to access county and city transportation with their Student ID. Supervisor Case noted advanced vehicle fueling or charging infrastructure is greatly

needed in the Valley.

*Moved:* Case  
*Seconded:* Dominici  
*Ayes:* Watson, Miller, Walsh, Barba, Case, Forman, Dominici,  
Lane, Johnston, Vierra, Ornellas, O'Brien, Worthley  
*Nays:* None

***Motion unanimously carried to approve the District's new Public Benefit Grants Program.***

14. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sadredin reported that staff has been in extensive discussions with Congressman McCarthy's staff on his pending legislation regarding the ozone nonattainment penalty and the new standards. He stated Councilmember Vierra and Supervisor Worthley will be joining staff and other industry and environmental interests on their annual trip to Washington D.C. He stated funding would be difficult this year with the current budget situation in Washington and the group would focus on departments. Lastly, he reported that he, Ms. Holt, Chief Communication Officer and other members of the District's management team are currently touring the Valley and plan to meet with every County Board of Supervisors and City Council to inform them on current District activities and Valley air quality issues.
15. GOVERNING BOARD MEMBER COMMENTS – Supervisor Barba commended Mr. Sadredin and Ms. Holt on their presentation in Kings County last week. Supervisor Miller stated the financial statements the Board received this month were excellent and some of the best he's ever read.
16. CLOSED SESSION – The Board adjourned to Closed Session at 12:04 p.m. At 1:10 p.m., the Board reconvened and announced that Catherine T. Redmond had been appointed as District Counsel by a unanimous vote.

*Moved:* Barba  
*Seconded:* Dominici  
*Ayes:* Johnston, Barba, Case, Dominici, Forman, Lane,  
Miller, O'Brien, Ornellas, Vierra, Walsh, Watson, Worthley  
*Nays:* None

***Motion unanimously carried to appoint Catherine T. Redmond as District Counsel.***

**ADJOURN**

Meeting adjourned at 1:12 p.m.

*Next scheduled meeting of the Governing Board: Thursday, June 16, 2011. Meeting starts at 9:00 a.m., Central Region Office, Governing Board Room, and 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.*