

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 15, 2012

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 O'Brien called the meeting to order at 9:00 a.m.
2. ROLL CALL was taken and a quorum was present.

Present:

Tony Barba, Supervisor	Kings County
Oliver L. Baines III, Councilmember	City of Fresno
Sally Bomprezzi, Councilmember	City of Madera
Judy Case, Supervisor	Fresno County
Ronn Dominici, Supervisor	Madera County
Dr. Henry Jay Forman, Ph.D. **	Appointed by Governor
William O'Brien, Chair *	Stanislaus County
Dr. Alexander Sherriffs	Appointed by Governor
Chris Vierra, Mayor*	City of Ceres
Hub Walsh, Supervisor*	Merced County
J. Steven Worthley, Supervisor	Tulare County

* Attended meeting in Northern Region Office

**Arrived at 10:12 a.m.

Absent:

Skip Barwick, Councilmember, Vice Chair	City of Tulare
Harold Hanson, Councilmember	City of Bakersfield
Leroy Ornellas, Supervisor	San Joaquin County
Raymond Watson, Supervisor	Kern County

3. APPROVAL OF CONSENT CALENDAR – (Item Numbers 13 - 17) *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.*

13. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD MEETING OF THURSDAY, FEBRUARY 16, 2012

14. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2012
15. RECEIVE AND FILE OPERATION STATISTICS SUMMARY FOR FEBRUARY 2012
16. RECEIVE AND FILE BUDGET STATUS REPORT AS OF FEBRUARY 29, 2012
17. APPROVE CHANGES TO THE DISTRICT'S CLASSIFICATION PLAN AND POSITION CONTROL LIST TO INCORPORATE ORGANIZATIONAL CHANGES AND IMPROVE STAFF UTILIZATION AND EFFICIENCY WITHOUT FISCAL IMPACT

Public Comment: None

Moved: Walsh

Seconded: Vierra

Ayes: Baines, Barba, Bomprezzi, Case, Dominici,
Sherriffs, Walsh, Worthley, Vierra, O'Brien

Nays: None

Motion unanimously carried to approve Consent Calendar Items 13 – 17.

4. PUBLIC COMMENT – *The following persons provided testimony during the public comments portion of the meeting:*
 - Andy Christensen, SEIU Local 521
 - Kevin Hall, CVAQ
 - Maricela Mares-Alatorre, People for Clean Air and Water in Kettleman City
5. REPORT ON DISTRICT CITIZENS ADVISORY COMMITTEE ACTIVITIES – Manuel Cunha, Chair of the Industry Ag Interest Group, gave the report on the Citizens Advisory Committee (CAC) meeting on March 6, 2012. He reported the CAC voted unanimously to support the proposed On-Road Heavy Duty Truck Voucher Incentive Program to be considered by the Board at today's meeting. He noted CAC received a report on EJAG Activities including gratitude expressed by the EJAG Chair, Melissa Kelly-Ortega, for the two groups collaborating and improving communications. Lastly, he noted CAC received a report from District staff on the Health Risk-Based Strategy.

Supervisor Worthley noted that EJAG held a discussion on replacement of school buses and refuse trucks. He suggested the focus on cleaning the air would be better served by replacing refuse trucks, which run almost every day, all day long, including the crucial summer months when emission reduction is critical. Mr. Sadredin noted that although buses may not be used as much as refuse trucks, the reason the District is focused on replacing school buses is due to potential leakage of diesel emissions into the school bus, exposing children to toxic emissions. He also noted some of the funding is targeted and only available for use on school buses.

6. APPROVE NEW ON-ROAD HEAVY-DUTY TRUCK VOUCHER INCENTIVE PROGRAM IN THE SAN JOAQUIN VALLEY – Todd DeYoung, Strategies and Incentives Manager, gave the presentation on this item which proposed the creation of a new On-Road Truck Voucher Incentive Program in the San Joaquin Valley. He explained this item also proposed the allocation of \$3,000,000 in existing motor vehicle surcharge revenues to fund this new program, and authorization of the Executive Director/APCO to make administrative changes to the program as necessary.

Supervisor Worthley noted targeting smaller businesses is a great idea as often they are too busy driving to participate in District programs. Supervisor Case asked if it would be better to focus incentives on 2010 or later replacement trucks. Mr. Sadredin responded the 2010 models are cleaner and the Board has discretion to raise the amount of incentives to increase focus on 2010 or later models. Supervisor Walsh echoed Supervisor Case's comments and suggested possibly lowering the incentive amount for 2007 models and raising the amount for 2010 models. Supervisor O'Brien asked if this program covered mid-sized trucks. Mr. DeYoung responded this program captures Class 6 trucks, which are ineligible for any other funding source. Supervisor O'Brien complimented Mr. Sadredin for his stance with ARB regarding the Harris Ranch arson incident and truck replacement grants.

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

- Kevin Hall, CVAQ
- Michael Collier, CD Mathes, Inc. Trucking
- Sarah Sharpe, Fresno Metro Ministry

Supervisor Case made a motion to accept staff recommendations, and added for trucks meeting 2007 emission standards, the maximum incentive should be lowered to \$40 thousand.

Moved: Case

Seconded: Walsh

Ayes: Baines, Barba, Bomprezzi, Case, Dominici,
Sherriffs, Walsh, Worthley, Vierra, O'Brien

Nays: None

Motion unanimously carried to approve new On-Road Heavy-Duty Truck Voucher Incentive Program in the San Joaquin Valley as recommended by staff with the adjustment of lowering the maximum incentive to \$40 thousand for trucks meeting 2007 emission standards.

Dr. Forman arrived at 10:12 a.m.

7. APPROVE AND AUTHORIZE THE CHAIR TO SIGN AN AGREEMENT FOR \$184,700 WITH THE STANISLAUS COUNCIL OF GOVERNMENTS, TO PURCHASE LAND USE TOOLS TO ASSIST CITIES AND COUNTIES WITH DEVELOPING LAND-USE SCENARIOS AND TO ASSESS THE ASSOCIATED EMISSIONS IMPACTS – Mr.

Sadredin stated the Board has been concerned with mobile source emissions over the history of the District, and with 80% of the NOx emissions coming from mobile sources, noted that is the key pollutant that needs to be reduced both for PM and Ozone. He noted staff has been working on bringing together the 8 Valley MPOs and/or COGs, as they are responsible for developing the transportation plans. He reported the District was able to get some funding to the MPOs previously, including \$2 million from the state and about \$500 thousand from the District to help them get a better planning tool to project transportation-related emissions.

He stated this was a key issue for SB 375 targets, as last year ARB set interim targets for each of the 8 MPOs who were concerned that they didn't have enough tools to meet the targets. He stated now that a good model has been created, this funding will go towards getting good quality data to put into this model and try various scenarios to find what is achievable under SB 375. He noted that although this contract is with Stanislaus County, it involves 7 of the 8 COGs in the Valley – as Fresno County had already moved on their own ahead of time, using the same model.

Mr. Sadredin introduced Carlos Yamzon, Senior Regional Planner with the Stanislaus Council of Governments who gave the Board a brief summary of what the MPOs are doing with regards to land use and transportation.

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

- Carey Knecht, ClimatePlan
- Sarah Sharpe, Fresno Metro Ministry
- Kevin Hall, CVAQ
- Elizabeth Jonasson, Coalition for Clean Air

Moved: Worthley

Seconded: Barba

Ayes: Baines, Barba, Bomprezzi, Case, Dominici, Forman,
Sherriffs, Walsh, Worthley, Vierra, O'Brien

Nays: None

Motion unanimously carried to approve and authorize the Chair to sign an agreement for \$184,700 with the Stanislaus Council of Governments, to purchase land-use tools to assist cities and counties with developing land-use scenarios and to assess the associated emissions impacts.

8. FINALIZE AGENDA FOR THE MAY 2012 GOVERNING BOARD STUDY SESSION –

Mr. Sadredin presented the proposed Agenda items for the Governing Board Study Session scheduled for May 2nd and 3rd in Bass Lake, which will be a two-day, duly noticed meeting of the Governing Board. He reported the proposed Agenda items included:

1. Antiquated Provisions of the Federal Clean Air Act

2. Title V Permitting Equivalency
3. Credit for Incentive Reductions in State Implementation Plan (SIP)
4. Incentive Grants for General Public in San Joaquin Valley
5. Quantify and Report Air Pollution Exposure and Trends at the Neighborhood Level Throughout the Valley
6. Potential Opportunities to Enhance Efficiency and Flow of Regularly Scheduled Meetings of the Governing Board
7. Air Pollution Health Research Priorities for the Coming Year
8. Reauthorization of Carol Moyer and AB 923 Incentive Funding
9. Leveraging Web and Mobile Resources for Further Enhancements to District Internal Operations, Interactions with Regulated Businesses, and Public Outreach
10. Valley Fever
11. Indoor Pollution
12. The District's Paperless Agenda Process

Supervisor Worthley suggested including forest fire issues as they affect health to Agenda Item #7 "Air Pollution Health Research Priorities for the Coming Year". Supervisor O'Brien suggested staff provide background information and Board members be responsible for studying this information prior to the Study Session, to allow for a more productive dialogue. Mr. Sadredin noted there would be time limits in place for each Agenda item. He stated the supporting material and related documents would be sent to the Board members well in advance of the meeting.

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

- Adenike Adeyeye, Earthjustice
- Kevin Hall, CVAQ

Moved: Vierra
Seconded: Dominici
Ayes: Baines, Barba, Bomprezzi, Case, Dominici, Forman, Sherriffs, Walsh, Worthley, Vierra, O'Brien
Nays: None

Motion unanimously carried to finalize Agenda for the May 2012 Governing Board Study Session.

9. APPOINTMENT OF GOVERNING BOARD MEMBERS TO AD-HOC HEARING BOARD MEMBER REVIEW COMMITTEES – Mr. Sadredin reported the six Public members of the Regional Hearing Boards are currently scheduled for reappointment and asked for two Governing Board members from each region to serve on the Ad-Hoc Hearing Board Member Review Committees. The following Governing Board members were appointed to serve on this committee: Northern Region: Supervisors Ornellas and O'Brien; Central Region: Supervisor Barba and Councilmember Bomprezzi; Southern Region: Vice Mayor Barwick and Councilmember Hanson.
10. EXECUTIVE DIRECTOR/APCO COMMENTS – None

11. GOVERNING BOARD MEMBER COMMENTS – Supervisor Barba stated he was approached by a constituent in his district asking if there would be any incentive funds available for converting from traditional fireworks to a laser fireworks show. Mr. Sadredin responded at the Chair's direction, he would add this item to a future Governing Board Agenda. Mr. Sadredin noted if such an incentive were possible, it would be beneficial to the Valley, as July 5th is typically a bad air quality day due to the fireworks from the night before. Supervisor O'Brien responded affirmatively.

12. CLOSED SESSION

- CONFERENCE WITH LABOR NEGOTIATOR - Marissa Gonzales; Pursuant to Government Code section 54956.6. Employee Organization SEIU Local 521
- CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION; Initiation of litigation pursuant to Government Code section 54956.9(c) (1 potential case)

At the end of Closed Session, District Counsel Catherine Redmond reported pursuant to the Brown Act, the Governing Board voted unanimously to intervene in the 9th Circuit challenge to EPA's finding that the Valley had not attained the 1-Hour Ozone Standard, Medical Advocates for Healthy Air vs. US EPA.

ADJOURN

Meeting adjourned at 10:50 a.m.

Next scheduled meeting of the Governing Board: Thursday, April 19, 2012. 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.