

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, September 16, 2010
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, Tony Barba called the meeting to order at 9:05 a.m.
2. ROLL CALL was taken and a quorum was present.

Present:

David G. Ayers, Councilmember	City of Hanford
Tony Barba, Supervisor, Chair	Kings County
Judy Case, Supervisor	Fresno County
Ronn Dominici, Supervisor	Madera County
Henry J. Forman, Ph.D.	Appointed by Governor
Mike Lane, Councilmember	City of Visalia
Michael G. Nelson, Supervisor	Merced County
William O'Brien, Supervisor*	Stanislaus County
Leroy Ornellas, Supervisor*	San Joaquin County
John G. Telles, M.D.	Appointed by Governor
Chris Vierra, Councilmember*	City of Ceres
Raymond Watson, Supervisor	Kern County

*Attended meeting in Northern Region Office

Absent:

Ann Johnston, Mayor	City of Stockton
Randy Miller, Councilmember	City of Taft
J. Steven Worthley, Supervisor, Vice Chair	Tulare County

Dr. Telles arrived at 9:05 a.m.

3. APPROVAL OF CONSENT CALENDAR – Item numbers 15 – 21 *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.*
 15. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD MEETING OF THURSDAY, AUGUST 19, 2010

16. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2010
17. RECEIVE AND FILE OPERATION STATISTICS SUMMARY FOR AUGUST 2010
18. RECEIVE AND FILE BUDGET STATUS REPORT AS OF AUGUST 31, 2010
19. RECEIVE AND FILE PROPOSED AMENDMENTS TO RULE 4612 (MOTOR VEHICLE AND MOBILE EQUIPMENT COATING OPERATIONS)
20. APPOINT MEMBERS TO THE DISTRICT'S ENVIRONMENTAL JUSTICE ADVISORY GROUP
21. APPROVE AND AUTHORIZE THE CHAIR TO EXECUTE AMENDMENT NO. 3 TO THE PROPOSITION 1B GOODS MOVEMENT EMISSION REDUCTION PROGRAM FUNDING AGREEMENT # N-1035 WITH JOE GONZALES JR. TRUCKING TO EXTEND THE TERM OF THE CONTRACT TO OCTOBER 31, 2010

Public Comment: None

Moved: Watson
Seconded: Dominici
Ayes: Case, Forman, Ayers, Lane, Nelson, Dominici, Telles,
Watson, O'Brien, Vierra, Ornellas, Barba
Nays: None

Motion unanimously carried to approve Consent Calendar Items 15 - 21

4. PUBLIC COMMENT – *The following persons provided testimony during the public comments portion of the meeting:*
 - Roger Isom, California Cotton Ginners & Growers Association, Ag Energy Consumers Association
 - Mike Wells, Fresno Metro Ministry
 - Eric Reimer, Stanislaus Taxpayers Association
 - Linda MacKay, Environmental Justice Advisory Group
5. REPORT ON DISTRICT CITIZENS ADVISORY COMMITTEE ACTIVITIES – Manuel Cunha, CAC Chair, gave the report on activities from the meeting held on September 7, 2010. He stated they received a verbal report on the District's Charbroiler Incentive Program, and an update on the Proposition 1B Goods Movement Emission Reduction Funding. He also reported the CAC approved a proposal for appointing several new and returning members to the Environmental Justice Advisory Group (EJAG). He noted the CAC voted not to approve a comment letter from EJAG on ARB's proposal to set greenhouse gas emissions reduction targets for California regions including the San Joaquin Valley under SB 375 (Steinberg 2008). Lastly, he stated he is looking forward to the upcoming

CAC/EJAG Teambuilding Workshop, on November 10, 2010, which will help both groups gain mutual understanding and appreciation of their roles in District business.

6. ADOPT PROPOSED AMENDMENTS TO RULE 4653 (ADHESIVES AND SEALANTS) – George Heinen, Supervising Air Quality Engineer, gave the presentation on this item which proposed amending the rule to reduce VOC content limits for sealants and adhesives. He reported that products that comply with these more stringent limits are already available, so staff does not expect the rule changes to significantly impact Valley businesses.

Public Comment: None

Moved: Case
Seconded: Forman
Ayes: Nelson, Lane, Ayers, Case, Forman, Dominici, Telles,
Watson, Vierra, Ornellas, O'Brien, Barba
Nays: None

Motion unanimously carried to adopt proposed amendments to Rule 4653 (Adhesives and Sealants).

7. ADOPT PROPOSED AMENDMENTS TO RULE 4354 (GLASS MELTING FURNACES) – Samir Sheikh, Strategies and Incentives Director, gave the presentation on this item which proposed to add a new compliance schedule allowing short-term compliance flexibility for flat-glass melting furnaces in exchange for more stringent long-term controls. He reported although the new schedule is voluntary, it is expected to reduce nitrogen oxide (NOx) emissions by up to 32 tons per year beginning in 2014. He noted the NOx emissions combine with other pollutants to form ozone during the hot, stagnant Valley summers and particulates during the cold Valley winters.

Dr. Forman asked about the reason for Pilkington's ability for early compliance with the rule. Mr. Sadredin responded staff tried to make sure their compliance deadlines are consistent with sources' rebuild schedules. He noted this item proposes the facility will install a greater level of control in 2014 instead of 2018, which would achieve more reductions sooner.

Public Comment: None

Moved: Watson
Seconded: Case
Ayes: Vierra, O'Brien, Ornellas, Telles, Nelson, Case, Ayers,
Lane, Dominici, Forman, Watson, Barba
Nays: None

Motion unanimously carried to adopt proposed amendments to Rule 4354 (Glass Melting Furnaces).

8. VERBAL REPORT ON 2010 SUMMER SEASON HEALTHY AIR LIVING ACTIVITIES AND COMPREHENSIVE MULTILINGUAL PUBLIC OUTREACH AND EDUCATION CAMPAIGN, HIGHLIGHTING TELEVISION, RADIO, OUTDOOR AND ONLINE MEDIA PROMOTING THE "ONE CHANGE" MESSAGE – Jaime Holt, Chief Communications Officer, gave the presentation on this item which highlighted a new Healthy Air Living media campaign which hit the airwaves, billboards and web over the summer, featuring the voices and faces of the District's own Governing Board and personalizing the Healthy Air Living message of making one change for clean air. The advertising promoted clean-air changes we can all make at work and at home such as joining a vanpool, riding a bike to work, bringing your lunch or driving a hybrid.

Supervisor Case commended Ms. Holt and Jeffrey Scott Advertising for doing a terrific job with the Healthy Air Living Campaign. Supervisor O'Brien stated he liked the campaign and asked about the possibility of developing a new phrase along the lines of a Check Before You Burn day, to make the public aware of poor air quality days during the summer, and the steps they can take to lessen the impact. Mr. Sadredin responded there will be an item presented at the upcoming Governing Board Study Session on the District's public outreach strategy and potential enhancements to it. He stated the goal of the Healthy Air Living campaign is to encourage the public to make lifestyle changes, as opposed to periodic changes in their daily routine. He noted the District's new Real-Time Air Quality Advisory Network (RAAN) is designed to keep the public informed of daily air quality issues.

9. CONSIDER INVITATION FROM MENDOTA ADVANCED BIOENERGY SUGAR BEET COOPERATIVE TO BE A MEMBER OF A DELEGATION TRAVELING TO GERMANY – Mr. Sadredin presented this item which is regarding an invitation extended to the Air Pollution Control Officer from Mendota Advanced Bioenergy Sugar Beet Cooperative to join a fact-finding delegation traveling to Germany. He reported the Cooperative is researching development of an integrated biorefinery at the site of the former Spreckels Mendota sugar factory that would produce electricity, ethanol fuels and biomethane from almond prunings and locally harvested sugar beets. Mr. Sadredin pointed to potential benefits from the project relating to fuel diversity and an alternative to open burning of agricultural waste.

Mr. Sadredin stated that he has instituted a strict policy prohibiting District employees from accepting travel accommodations or reimbursements from outside entities. To avoid conflict of interest or appearance thereof, this policy applies to current or future members of the regulated community as well as non-profit organizations that may appear before the District. Consistent with this policy, Mr. Sadredin recommended that the Board reject the offer to pay the travel costs. Instead, he suggested that if the Board finds that the trip serves a public benefit then the District should pay for travel costs.

Several Board members articulated support for the policy of not accepting offers to pay for trips or other events by outside entities. Supervisor Case complimented the APCO for bringing this matter publicly to the Board's attention noting that it

reinforces the transparency and commitment to public accountability at the District. Supervisor Case also shared her concerns regarding the economic plight of the community in Mendota following the closure of the Spreckels plant and the benefits that the new plant, if viable, can offer the community.

Supervisor Watson made a motion to reaffirm the policy of not accepting payment or reimbursement for trips from outside entities, reject the offer from Mendota Advanced Bioenergy Sugar Beet Cooperative to pay for the trip, but for the APCO to participate in the fact-finding trip and have the District cover the travel costs. Supervisor Case asked that if the motion could be amended to grant APCO discretion to assess the overall benefits of such trips in the future and the most efficient means for District participation. Supervisor Watson agreed.

Public Comment: None

Moved: Watson
Seconded: Case
Ayes: Nelson, Case, Ayers, Lane, Forman, Watson, Dominici,
O'Brien, Vierra, Ornellas, Barba
Nays: Telles

Motion carried 11-1 to reaffirm the policy of not accepting payment or reimbursement for trips from outside entities, reject the offer from Mendota Advanced Bioenergy Sugar Beet Cooperative to pay for the trip, but for the APCO to participate in the fact-finding trip and have the District cover the travel costs. Also, to grant the APCO discretion to assess the overall benefits of such trips in the future and the most efficient means for District participation.

10. DISCUSS THE DISTRICT'S POSITION CONCERNING THE REGIONAL GREENHOUSE GAS EMISSION REDUCTION TARGETS FOR AUTOMOBILES AND LIGHT TRUCKS PROPOSED BY THE CALIFORNIA AIR RESOURCES BOARD (CARB) UNDER SB 375 – Mr. Sadredin stated this item relates to a major action before the Air Resources Board next week relating to SB 375 and introduced Tom Jordan, Senior Policy Advisor, who gave the presentation on this item. Mr. Jordan presented background information on SB 375 including the goal of the bill which is to reduce greenhouse gas emissions from passenger vehicles, targeting land use and light-duty passenger cars and trucks.

Mr. Sadredin gave information on staff's recommendations to support establishing realistic, achievable regional greenhouse gas emission reduction targets for Valley cars and light trucks. He recommended approval of a District position that asks CARB to set reduction targets of 2% for 2020 and 5% for 2035 as placeholders until regional transportation models for the Valley can be improved. He noted establishing ambitious but achievable targets will help assure that future infrastructure projects will comply with Sustainable Community Strategies and that emissions from Valley vehicles will actually be reduced.

Supervisor Case stated she supports the staff recommendation as a good one containing achievable goals. Dr. Forman noted it was important to encourage realistic goals. Dr. Telles suggested going for the biggest goals possible. Supervisor Dominici urged Dr. Telles to present the District's position on SB 375 to CARB at their next meeting. Dr. Telles requested examples of regional transportation measures.

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

- Autumn Bernstein, ClimatePlan
- Ted Smalley, Tulare Council of Governments
- Raleigh Smith, Department of Housing and Urban Development
- Mike Bitner, Fresno Council of Governments
- Michael Prandini, Building Industry Association
- Michelle Garcia, Fresno/Madera Medical Society
- Mike Wells, Fresno Metro Ministry
- Manuel Cunha, Nisei Farmers League
- Andrew Chesley, San Joaquin Council of Governments
- Rob Ball, Kern Council of Governments
- Linda MacKay

Moved: Dominici
Seconded: Ayers
Ayes: Ornellas, Vierra, O'Brien, Watson, Case, Lane, Ayers, Nelson, Dominici, Barba
Nays: Forman
Abstain: Telles

Motion carried 10-1 with one abstention to approve the District's position concerning the Regional Greenhouse Gas Emission Reduction Targets for Automobiles and Light Trucks proposed by the California Air Resources Board (CARB) under SB 375.

11. VERBAL REPORT ON DEVELOPMENT OF AMENDMENTS TO RULE 4570 (LARGE CONFINED ANIMAL FACILITIES) – Mr. Sadredin reminded the Board that they were asked to continue this item on the proposed amendments to Rule 4570 (Large Confined Animal Facilities) at their June Governing Board Meeting. He reported staff has gone through an extensive process to obtain additional public and agency input and the timeline for a revised proposed version of the rule for Board consideration. He noted the Board will consider the amendments for adoption at a public hearing at their October 21, 2010 meeting.
12. VERBAL REPORT BY JOHN G. TELLES, M.D. ON AIR RESOURCES BOARD ACTIVITIES – Dr. Telles reported the SB 375 issue will be discussed at the upcoming ARB Board Meeting, in addition to the Renewable Portfolio Standard. He

noted the Cap And Trade Program will be discussed in the next several months.

13. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sadredin mentioned that due to the high temperatures and back to school traffic, the Valley experienced exceedances of the 1-Hour Ozone Standards, which triggered the non-attainment penalty under Section 185 of the Clean Air Act. He stated staff would make recommendations to the Board at their October meeting on various options relating to the penalty. He also reminded Board members about the upcoming Governing Board Study Session on September 29 & 30 in Bass Lake.
14. GOVERNING BOARD MEMBER COMMENTS – None

ADJOURN

Meeting adjourned at 12:11 p.m.

Next scheduled meeting of the Governing Board: Thursday, October 21, 2010. 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.