

## 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, August 15, 2013  
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, Councilmember Barwick called the meeting to order at 9:01 a.m.
2. ROLL CALL was taken and a quorum was present.

*Present:*

Oliver L. Baines III, Councilmember	City of Fresno
Tony Barba, Supervisor	Kings County
Skip Barwick, Councilmember, <b>Chair</b>	City of Tulare
Sally Bomprezzi, Councilmember	City of Madera
Judy Case, Supervisor	Fresno County
David Couch, Supervisor**	Kern County
Bob Elliott, Supervisor*	San Joaquin County
William O'Brien, Supervisor*	Stanislaus County
Dr. Alexander Sherriffs	Appointed by Governor
Hub Walsh, Supervisor, <b>Vice Chair*</b>	Merced County
Tom Wheeler, Supervisor	Madera County
J. Steven Worthley, Supervisor	Tulare County

\* Attended meeting in Northern Region Office

\*\*Attended meeting in the Southern Region Office

*Absent:*

Dennis Brazil, Mayor	City of Gustine
Harold Hanson, Councilmember	City of Bakersfield

3. APPROVAL OF CONSENT CALENDAR – (Item Numbers 18 - 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.*

18. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD MEETING OF THURSDAY, JUNE 20, 2013
19. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2013
20. RECEIVE AND FILE OPERATION STATISTICS SUMMARY FOR JUNE AND JULY 2013
21. RECEIVE AND FILE BUDGET STATUS REPORT AS OF JULY 31, 2013
22. APPROVE AGREEMENT WITH CJ LAKE, LLC FOR FEDERAL LEGISLATIVE ADVOCACY FOR AN AMOUNT NOT TO EXCEED \$89,244
23. NO-COST CONTRACT AMENDMENT WITH UC MERCED TO EXTEND TIMEFRAME FOR THE VALLEY AIR QUALITY FELLOWSHIP PROGRAM
24. NO-COST CONTRACT EXTENSION WITH UC DAVIS TO EXTEND FIELD RESEARCH ON TRANSBOUNDARY OZONE
25. REAPPOINT HEARING BOARD PRIMARY AND ALTERNATE ATTORNEY AND ENGINEER MEMBERS TO SERVE A TERM OF THREE YEARS

Public Comment: None

Moved: Wheeler

Seconded: Worthley

Ayes: Baines, Barba, Bomprezzi, Case, Couch, Elliott,  
O'Brien, Sherriffs, Walsh, Wheeler, Worthley, Barwick

Nays: None

***Motion unanimously carried to approve Consent Calendar Items 18-25.***

4. PUBLIC COMMENT: *The following persons commented during this item:*
  - Chris Romanini
  - Marion Vargas
5. S.T.A.R. RECOGNITION (Service, Teamwork, Attitude, Respect) – Adriana Myovich, the District's Personnel Director, gave the presentation on this item which formally recognized employees who have reached a service milestone during the second quarter of 2013:

**Five Years of Service**

Allan Abrea, Air Quality Field Assistant  
Greg Brown, Air Quality Specialist II  
Mark Montelongo, Senior Air Quality Specialist  
Jeannine Tackett, Senior Air Quality Specialist

**Ten Years of Service**

Vanesa Gonzalez, Air Quality Engineer II  
Derek Fukuda, Air Quality Engineer II  
Ramon Norman, Air Quality Engineer II  
Janelle Schneider, Air Quality Education Representative II

**Fifteen Years of Service**

David Torii, Air Quality Engineer II

**Twenty Years of Service**

George Heinen, Senior Air Quality Engineer  
Amelia Yuan, Supervising Air Quality Inspector  
Bryan Wong, Supervising Accountant

6. **REPORT ON DISTRICT CITIZENS ADVISORY COMMITTEE ACTIVITIES –**  
Manuel Cunha, Fresno County Industry/Agriculture Interest Group Representative, gave the presentation on this item which provided highlights from the Citizens Advisory Committee (CAC) meeting of August 6, 2013. Mr. Cunha reported CAC members from all three interest groups (City, Industry/Agriculture, and Environmental) voted unanimously to support a District initiative to help small fleet operators reduce their truck emissions.

In addition, he reported CAC received an update on upcoming changes to Rule 4308, which applies to Boilers, Steam Generators, and Process Heaters with ratings of less than 2.0 MMBtu/hr. Lastly, Mr. Cunha reported CAC received an update on recent Environmental Justice Advisory Group (EJAG) activities including their endorsement of an EJAG Grants Committee proposal to recommend establishing a low-income funding component of the District's Burn Cleaner Fireplace and Wood Stove Change-Out Program targeting EJ communities. Also, EJAG approved a proposal by Chairman Williams to begin scheduling meetings every other month, rather than every month.

7. **UPDATE ON OZONE AIR QUALITY PROGRESS AND AIR ALERT INITIATIVE**  
– Mr. Seyed Sadredin, Executive Director/APCO, stated this summer has been relatively good with respect to air quality despite a string of triple-digit temperatures and wildfires, and noted the District is on the verge of meeting the

1-Hour Ozone Standard. He introduced Samir Sheikh, Director of Strategies and Incentives who gave the presentation on this item along with Jaime Holt, Chief Communications Officer. Mr. Sheikh reported the Valley has experienced no violations of the 1-Hour Ozone Standard this year, with only a handful of violations of the standard in recent years. In addition, he reported:

- Valley residents have seen a 97 percent reduction in the number of 1-hour ozone exceedances.
- The Valley is on the verge of attainment with 1-hour ozone standard with no violations so far this year. With no exceedances for the remainder of 2013, it is possible for the Valley to meet that standard.
- The Valley has also seen significant improvement with the tougher, 8-hour ozone standard recording the lowest Valley 8-hour ozone “design value” in 2012. Ozone concentrations continue to drop, with 60 percent fewer exceedances of the 8-hour ozone standard.
- 2013 continues to show ozone progress, despite heat episodes and wildfires. Air-quality benefits have come through implementation of numerous strategies and billions of dollars of investment by Valley businesses.

Ms. Holt reported a key factor in preventing any 1-hour ozone exceedances for the remainder of this season will be the District’s Air Alert notification program, including:

- Public education and warning system designed to notify residents of impending periods of deteriorating air quality.
- Activated during August/September, coinciding with back-to-school periods. She noted emissions and conditions associated with back-to-school traffic have a negative effect on air quality.
- Air Alerts declared Valley-wide, given the nature of ozone plumes.
- Extensive outreach efforts to inform the public (new releases, TV, radio, social media)
- Attaining the standard would return full control to the Valley regarding the need, magnitude and expenditure of DMV dollars.
- Opportunity to avoid penalty with voluntary action by general public and businesses to reduce emissions.

Supervisor Worthley voiced appreciation for this report and noted the importance of sharing information on the Valley’s improving air quality with the public. He thanked industry, residents, and staff for their efforts toward improving the Valley’s air quality. Dr. Sherriffs stated he appreciated outreach efforts geared toward school traffic emissions, and asked what other measures can be taken to address emissions. Mr. Sadredin responded that the District also communicates with businesses and municipalities about things they can do voluntarily to reduce impact on air quality during Air Alerts. Supervisor Case asked about an Android application for the Air Alert Program. Ms. Holt reported there is an Android application in the works, but noted any cell phone capable of receiving text messages can sign up for the District’s Real Time Air Advisory Network (RAAN)

notifications. Ms. Case commented about other industries, including hospitals and agriculture that also may affect emissions along with school traffic. She suggested additional outreach for school traffic. Supervisor Barwick commended staff for their outreach efforts.

Public Comment – *The following persons commented on this item:*

- Manuel Cunha, Nisei Farmers League
- Sarah Sharpe, Fresno Metro Ministry

8. APPROVE TARGETED EFFORT TO PROVIDE INCENTIVE FUNDING FOR SINGLE TRUCK OWNER/OPERATORS – Todd DeYoung, Strategies and Incentives Manager, gave the presentation on this item which recommended appropriating \$7 million in funding through the District's Truck Voucher program to assist owner/operators in replacing high-emitting diesel trucks. He explained that trucks are the largest source of NOx emissions (the key precursor for ozone and particulates) in the San Joaquin Valley. Mr. DeYoung stated this program will not only help the owner operators comply with the looming January 1, 2014 deadline for the state Air Resources Board's truck rule, but also significantly reduce other smog-forming emissions above and beyond the requirements of the state truck rule. He also explained the specifics of a targeted outreach campaign to advise owner/operators of the upcoming deadline and available funding.

Supervisor Walsh stated this program was a great idea. He asked if there was a way to encourage ARB to revisit their position on this item. Mr. Sadredin stated he has had a number of discussions with ARB and has a meeting next week to discuss this issue with them. Supervisor Worthley asked if funds are also available to retrofit. Mr. Sadredin responded at this point funds cannot be used for retrofit alone because the reductions would not be surplus of rule requirements. Supervisor Case stated this program is long overdue but noted the amount of money available is small for the number of trucks. She stated one of the most significant things the District can do is to work with these owner/operators. Mr. Sadredin noted the District is separating compliance and enforcement from eligibility for this program. He stated ARB's approach is that if owner/operators are non-compliant, they are not eligible for their grants programs. He stated the District's contingency plan for non-compliant vehicles after January 1<sup>st</sup> is to continue allowing them to be eligible for the program since truck replacement will result in reductions far beyond what is required by the state truck rule.

Supervisor Elliott stated this was an excellent example of a common sense approach to a problem where the District can make a difference. Dr. Sherriffs stated this was a great program and noted ARB has devoted a lot of resources trying to reach these owner/operators. He stated the rule is important to help attain health standards, noting diesel emissions are the most dangerous. Councilmember Barwick voiced strong support for this program.

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

- Manuel Cunha, Nisei Farmers League
- Amy Brooks, CA Cotton Ginners Association, CA Cotton Growers Association and Western Agriculture Processors Association
- Charles Diaz, CD Trucking

*Moved:* Barba

*Seconded:* Case

*Ayes:* Baines, Barba, Bompreszi, Case, Couch, Couch, Elliott, O'Brien, Sherriffs, Walsh, Wheeler, Worthley, Barwick

*Nays:* None

***Motion unanimously carried to approve targeted effort to provide incentive funding for single truck owner/operators and to direct staff to work with the state Air Resources Board and Cal EPA to craft a more comprehensive solution to help truckers comply statewide.***

*Item #12 was taken out of order.*

12. APPROVE AGREEMENT WITH GREATER STOCKTON CHAMBER OF COMMERCE FOR AN AMOUNT NOT TO EXCEED \$20,000 TO PROMOTE AND REPLICATE THE AWARD-WINNING "GREEN TEAM" PROGRAM THROUGHOUT THE VALLEY – Mr. Sadredin explained the District has a long standing relationship with Stockton Chamber of Commerce. He added approval of this agreement would extend the award winning Green Team program to at least 20 communities throughout the Valley. He explained the Green Team program is designed to reduce the cost of doing business by promoting recycling, energy efficiency, and air quality education for Valley businesses and public agencies. Mr. Sadredin introduced Frank Ferral, Program and Public Policy Director.

Mr. Ferral explained the primary focus of the Greet Team program is to reach out to Valley residents, business and municipalities to assist in taking advantage of energy efficiency opportunities. He noted several municipalities where he was making a presentation.

Supervisor Walsh expressed support for the agreement.

Supervisor Case complimented Mr. Ferral and the program.

Supervisor Elliott commented the program has worked very well in San Joaquin County and supports its growth throughout the Valley.

Public Comment: None

Moved: Wheeler  
Seconded: Worthley  
Ayes: Baines, Barba, Bompreszi, Case, Couch, Elliott, O'Brien,  
Sherriffs, Walsh, Wheeler, Worthley, Barwick  
Nays: None

***Motion unanimously carried to approve agreement with Greater Stockton Chamber of Commerce for an amount not to exceed \$20,000 to promote and replicate the award-winning "Green Team" Program throughout the Valley.***

9. APPROVE AGREEMENT WITH VALLEY CLEAN AIR NOW (VALLEY CAN) TO PROVIDE AN ADDITIONAL \$4 MILLION FOR THE CONTINUED IMPLEMENTATION OF THE TUNE-IN TUNE-UP PROGRAM TO PROVIDE FINANCIAL ASSISTANCE TO VALLEY RESIDENTS FOR TESTING AND REPAIRING HIGH POLLUTING VEHICLES – Brian Dodds, Supervising Air Quality Specialist, gave the presentation on this item which recommended approval of an agreement with Valley Clean Air Now for an additional \$4 million in funding to continue the District's award-winning Tune In, Tune Up program. He explained in the program's first two years, 40 Tune In Tune Up events have been held throughout the Valley, and nearly 7,000 high-emitting cars have been identified and repaired.

Mr. Dodds introduced Joe Drew and Tom Knox from Valley Clean Air Now who thanked the Board and staff for their support with this program. Mr. Knox explained at the events, Valley residents with cars identified as gross polluters have received vouchers for up to \$850 in related repairs. He noted the Tune In Tune Up program has been especially popular and effective at weekend events in the Valley's low-income communities, where hundreds of local residents have lined up to have their older cars tested.

Supervisor Worthley voiced strong support for this program. He suggested future Tulare County event could be held in the southern area of the county. Mr. Sadredin asked the Board members to recommend suitable facilities, with large parking lots that are not used on Saturdays, for future events. Supervisor Case commented this was a wonderful program that has been quite effective in reaching a specified target audience. Supervisor O'Brien noted a concern with timely payments to the repair shops. Mr. Knox responded Valley Clean Air Now is now within a net 30-day window on payment of invoices. Dr. Sherriffs asked about the possibility of vehicle replacement in the future. Mr. Sadredin stated the Board has allocated funding for vehicle replacements noting the repair option is often the most economically viable solution for the public. He also commended Valley Clean Air Now for coming up with private funding for vehicle registrations. Supervisor Couch recognized and thanked Mr. Drew for his hard work on this program.

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

- Manuel Cunha, Nisei Farmers League

*Moved:* Sherriffs

*Seconded:* Case

*Ayes:* Baines, Barba, Bomprezzi, Case, Couch, Elliott, O'Brien,  
Sherriffs, Walsh, Wheeler, Worthley, Barwick

*Nays:* None

***Motion unanimously carried to approve Agreement with Valley Clean Air Now (Valley CAN) to provide an additional \$4 million for the continued implementation of the Tune-In Tune-Up Program to provide financial assistance to Valley residents for testing and repairing high polluting vehicles.***

10. RECEIVE AN UPDATE ON THE CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY'S ENVIRONMENTAL JUSTICE COMPLIANCE AND ENFORCEMENT WORKING GROUP TARGETING THE FRESNO AREA –

Mr. Sadredin presented this item which recommended the Board consider an invitation from Cal/EPA to participate in its upcoming multimedia, multi-agency, environmental enforcement effort targeting businesses in environmental justice communities in central Fresno. He introduced Arsenio Mataka, Cal/EPA's Assistant Secretary for Environmental Justice and Tribal Affairs, who provided assurances that Cal/EPA will coordinate with the District to avoid duplication, and that all participating agencies will be asked to provide resource assistance to the affected businesses and communities.

The Board expressed the following concerns regarding this initiative by Cal/EPA:

- Cal/EPA's effort so far to design and plan these activities has failed to be open and transparent to the public and targeted businesses;
- Using the Cal Enviro Screen tool to identify targeted businesses and communities for enforcement constitutes a misuse of this tool, which was portrayed by Cal/EPA as a mapping tool that could identify communities in need of additional support and resources;
- The District already conducts more than 90,000 inspections per year, and Cal/EPA's effort may be duplicative with little or no added value.

In addition, in considering the invitation, the Board wanted assurances that Cal/EPA would coordinate with the District to avoid duplicative and redundant inspections and unreasonable enforcement actions. The Board also demanded that Cal/EPA augment this effort by bringing resources to these communities.

Mr. Mataka provided assurances that Cal/EPA will coordinate with the District to avoid duplication, and that all participating agencies will be asked to provide



resource assistance to the affected businesses and communities. The Board authorized participation subject to the above stipulations.

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

- Lee Smith
- Betsy Hunter, Milk Producers Association
- Sarah Sharpe, Fresno Metro Ministry
- Darren Montaro, Dairy Cares
- Manuel Cunha, Nisei Farmers League
- Colby Morrow, So Cal Gas

Moved: Worthley

Seconded: Baines

Ayes: Baines, Barba, Bomprezzi, Case, Couch, Elliott, O'Brien, Sherriffs, Walsh, Wheeler, Worthley, Barwick

Nays: None

***Motion unanimously carried to authorize the District's participation in the California EPA's Environmental Justice Compliance and Enforcement Working Group with the following conditions: close coordination of inspections to allow for no redundancies or duplication; ensure Cal EPA delivers to include bringing additional resources to environmental justice communities; and to provide routine reports back to the Board.***

*Councilmember Baines left at 1:08 p.m.*

11. CONTRACT WITH UC DAVIS TO DEVELOP A MODEL OF ULTRAFINE PARTICLE EXPOSURE IN THE SAN JOAQUIN VALLEY – David Lighthall, Ph.D., the District's Health Science Advisor, gave the presentation on this item which proposed the Board approve a 15-month research contract with UC Davis for \$130,000 that will develop a model for estimating population exposure to ultrafine particles in the San Joaquin Valley.

Public Comment: None

Moved: Case

Seconded: Wheeler

Ayes: Barba, Bomprezzi, Case, Couch, Elliott, O'Brien, Sherriffs, Walsh, Wheeler, Worthley, Barwick

Nays: None

***Motion unanimously carried to approve contract with UC Davis to develop a model of ultrafine particle exposure in the San Joaquin Valley.***

13. APPROVE CONTRACT WITH THE CENTRAL CALIFORNIA ASTHMA COLLABORATIVE TO EXECUTE THE HEALTHY AIR LIVING SCHOOLS PROGRAM, AND MEMORANDA OF UNDERSTANDING WITH VALLEYPBS

AND KVIE Jaime Holt, Chief Communications Officer, gave the presentation on this item. She reported the tougher federal standards cannot be met on the backs of businesses alone and engaging the public is essential. She explained the District's outreach goals include education and motivation to change behaviors. Ms. Holt noted educational opportunities for children are a key component of the District's outreach strategy including reducing vehicle emissions relating to transporting children to schools. She noted the partnership with Valley PBS allowed for building interest in the elementary level Healthy Air Living kit which includes educational items.

Ms. Holt expanded on the outreach goals including continuing education and communication. She reviewed items that are free to any school (public, private or charter). She briefly reviewed the RAAN web portal and the RAAN Guidelines noting it is the school's decision regarding allowing children's outside activities. Ms. Holt reported the Central California Asthma Collaborative (CCAC) Outreach includes partnerships with asthma coalitions in every District county and involvement of school-based medical professionals. She noted the partnerships with ValleyPBS & KVIE promote Healthy Air Living Kids kits.

Supervisor Walsh asked why some of the results were short of the expectation. Ms. Holt explained there was a delay in starting the program until all the materials were in place. Supervisor Walsh asked if information is available from schools that have adopted the no-idling program. Mr. Sadredin noted a collaborative discussion with schools and other stakeholders will take place to ensure an appropriate policy is proposed addressing all concerns.

Public Comment: None

*Moved:* Walsh  
*Seconded:* Worthley  
*Ayes:* Barba, Bompreszi, Case, Couch, Elliott,  
O'Brien, Sherriffs, Walsh, Wheeler, Worthley, Barwick  
*Nays:* None

***Motion unanimously carried to approve contract with the Central California Asthma Collaborative to execute the Healthy Air Living Schools program and Memoranda of Understanding with ValleyPBS and KVIE.***

14. VERBAL REPORT ON AIR RESOURCES BOARD ACTIVITIES - Dr. Alexander Sherriffs gave the presentation on this item. He reported ARB approved the District's 2008 PM2.5 State Implementation Plan. He added there were research proposals approved including some regarding health risk based issues. He noted the ARB Cool California Challenge increased community involvement toward reducing carbon footprints.
15. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sadredin mentioned the upcoming District legislative advocacy trip to Washington D.C. is scheduled on October 8<sup>th</sup> – 11<sup>th</sup>. He asked Board members to respond with their availability for

this trip. He also mentioned the Ozone Saturation Study has recently kicked off in the Arvin area. He noted the new monitor at the school is having readings as high or higher than the previous location at the water district facility.

16. GOVERNING BOARD MEMBER COMMENTS – Supervisor Walsh suggested staff provide outreach materials on items discussed at today’s Governing Board meeting to cities and counties in the Valley. Mr. Sadredin noted the District releases a list of Governing Board Meeting Highlights shortly after the meeting. He stated he would ensure that all cities and counties in the Valley receive this document.
17. CLOSED SESSION – Interim District Counsel, Annette Ballatore-Williamson, announced the Board would move to Closed Session pursuant to Section 54957 and 54956.9(d)(4) of the Government Code (Ralph M. Brown Act) to discuss the following item.
  - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION; Initiation of litigation pursuant to Government Code section 54956.9(c) (2 potential cases)

Ms. Ballatore-Williamson reported out of Closed Session that the Board gave its approval to initiate 2 litigations. She noted the actions, defendants and other particulars shall, once commenced, be disclosed to any persons upon inquiry. Followed by adjournment.

**ADJOURN**

Meeting adjourned at 2:17 p.m.

*The next scheduled meeting of the Governing Board is: Thursday, September 19, 2013. Meeting starts at 9:00 a.m., in the 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.*