



# San Joaquin Valley Air Pollution Control District

## GOVERNING BOARD

**J. Steven Worthley, Chair**  
Supervisor, Tulare County

**Leroy Ornellas, Vice Chair**  
Supervisor, San Joaquin County

**Judith G. Case**  
Supervisor, Fresno County

**Jon McQuiston**  
Supervisor, Kern County

**Tony Barba**  
Supervisor, Kings County

**Ronn Dominici**  
Supervisor, Madera County

**Michael G. Nelson**  
Supervisor, Merced County

**William O'Brien**  
Supervisor, Stanislaus County

**Vacant**  
Large City, Central Region

**Vacant**  
Medium City, Northern Region

**Vacant**  
Small City, Southern Region

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**Seyed Sadredin**  
Executive Director/  
Air Pollution Control Officer

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Central Region Office  
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Southern Region Office  
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[www.valleyair.org](http://www.valleyair.org)

## Action Summary Minutes San Joaquin Valley Unified Air Pollution Control District

### GOVERNING BOARD

Governing Board Room  
1990 E. Gettysburg Avenue, Fresno, CA

Thursday, January 18, 2007  
9:00 a.m.

**Meeting held via teleconferencing (VTC) 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 9:15 a.m.

2. ROLL CALL was taken and a quorum was present

Judith G. Case, Supervisor	Fresno County
Jon McQuiston, Supervisor	Kern County
Tony Barba, Supervisor	Kings County
Ronn Dominici, Supervisor	Madera County
Michael G. Nelson, Supervisor	Merced County
Leroy Ornellas, Supervisor, <b>Vice Chair</b>	San Joaquin County
William O'Brien, Supervisor (*)	Stanislaus County
J. Steven Worthley, Supervisor, <b>Chair</b>	Tulare County

(\*) *Attended meeting in Northern Region Office*

3. STATE OF THE DISTRICT  
J. Steven Worthley, Chair, Governing Board, made comments in respect to the State of the District noting the achievements for 2006 and the District's goals for 2007.

4. APPROVAL OF CONSENT CALENDAR – Item numbers 14-19.  
*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.*
14. Approve Action Summary Minutes for the San Joaquin Valley Unified Air Pollution Control District Governing Board Meeting held on Thursday, December 14, 2006.
15. Receive and file List of Scheduled Meetings for 2007.
16. Receive and file Operations Statistics Summaries for December 2006.
17. Receive and file Budget Status Report as of December 31, 2006.
18. Reappoint Primary and Alternate Public members to Regional Hearing Boards.
19. Receive and file Comprehensive Annual Financial Report and Single Audit Report for the fiscal year ended June 30, 2006.

Public Comment: NONE

Moved: Case

Seconded: Dominici

Ayes: Case, McQuiston, Barba, Dominici,  
Nelson, Ornellas, O'Brien, Worthley

Nays: None

Absent: None

***Motion carried to approved items 14-19 as recommended***

5. PUBLIC COMMENT  
Manuel Cunha with Nisei Farmers League thanked the District Board members for working with the State government to declare a state of Emergency in the Valley with regards to the recent hard freeze.
6. REPORT FROM CITIZENS ADVISORY COMMITTEE (CAC)  
Dennis Tristao, Chair of the CAC, briefed the Governing Board regarding the CAC's January 2, 2007 meeting. Mr. Tristao reported that each special interest group put forth more effort to present position papers for the District Governing Board's consideration. He noted that the District's greatest resource

is information, which the CAC would like to share with the State and interest groups to ensure that the District gets its fair share of funding.

Mr. Tristao stated that David Harrald, industry representative from Tulare County, was pleased with the District's efforts towards permit streamlining guidelines for the sand and gravel industry. The CAC pledges to take advantage of their diversity in making recommendations to the District

The Chair, on behalf of the Governing Board, thanked the CAC for their efforts.

7. S.T.A.R. RECOGNITION (SERVICE, TEAMWORK, ATTITUDE, RESPECT)

Seyed Sadredin, Executive Director/APCO, reported on the implementation of the S.T.A.R. work culture program. The S.T.A.R. Program has a number of significant components including quarterly recognition of those employees who have reached service milestones. Mr. Sadredin noted that Dottie Shoffner and Fred Bates had both reached 10 years of continuous service. Ms. Shoffner stated that she has enjoyed her 10 years at the District, and that it is a wonderful place to work.

8. APPROVAL OF THE DISTRICT'S 2007-08 LEGISLATIVE PLATFORM

Seyed Sadredin presented the Legislative Platform. He stated that the District hopes to better educate the lawmakers on the unique challenges to the District as well as the good work the Governing Board has done towards achieving good air quality. The Platform also outlines our top legislative priorities in two pages making it useful as a handout to legislators.

One of the district's most important goals is achieving the federal ozone standard. To achieve this, we will need to seek significant funding from Federal and State government. The top priorities are: Proposition 1B funds, which are provided to mitigate the air quality impact of goods movement; air quality enterprise/empowerment zone designations; funding for school bus replacement; and port regulations.

Mr. Sadredin also stated that the District might be able to support a container fee if it contains a formula to send our fair share to the Valley; without that formula, we would oppose such a measure.

Paul Yoder, the District's Legislative Advocate, updated the Board on the status of the new California Legislative Session and the bills that are being introduced related to air quality. He also complimented the District staff on their willingness to meet with many legislators and their staff.

Supervisor Case commented that we should put together a program for District staff and Governing Board members to educate new legislature members who are not in the Valley. Mr. Sadredin agreed and said that our commitment is to have a constant presence. So far, we've had a productive meeting with the Senate Pro Tem's staff. The District wants to meet with the Governor's office and partner with other air districts as well. Supervisor Case requested the Governing Board Members receive multiple possible dates for the meetings, so they can work with their calendars.

Supervisor Worthley asked that the District staff look at the emissions of vehicles rather than CAFE standards in the District's pursuit of better emissions from mobile sources. Mr. Worthley is concerned that some cars with high fuel mileage may also be big polluters, and may also be unsafe due to their size in comparison with other vehicles on the road. Supervisor Case agreed that we need to look at more universal standards, so we can get automobile manufacturers to look at the tailpipe and not the horsepower.

Public Comments:

- Colby Marrow, Southern California Gas Company (SCGC), said that her company is happy to work with staff to promote our goals, and will leverage their relationship with South Coast Air Quality Management District to that end.
- Manual Cunha, Nisei Farmer's League, updated the Board on a meeting between San Joaquin Valley farmers, Valley Councils of Governments, Burlington Railroad and Port of Oakland to discuss various projects to reduce container traffic in the Valley. He also noted that the farming industry does not support container fees, but does support the DMV fees. Mr. Cunha also thanked Tom Jordan for working with them on the rail projects with the ports.
- Sarah Sharpe, Coalition for Clean Air, commented that school bus replacement is a priority, and supported the District's goal of working towards receiving Proposition 1B funds. Ms. Sharpe offered to assist the District in any way she could.

Moved: Case

Seconded: Nelson

Ayes: Case, McQuiston, Barba, Dominici,  
Nelson, Ornellas, O'Brien, Worthley

Nays: None

Absent: None

***Motion carried to approve as amended***

9. PUBLIC HEARING TO ADOPT PROPOSED AMENDMENTS TO RULE 4702 (INTERNAL COMBUSTION ENGINES—PHASE 2)

George Heinen presented the report. Mr. Sadredin stated that the primary purpose is to make sure we don't force farmers to switch from natural gas to diesel.

Public Comments:

- Colby Marrow, Southern California Gas Company, said that her company supports this Rule, and applauded the District staff for proposing this solution.
- Roger Isom, California Cotton Ginners and Growers Association (CCGGA), commended the staff of the District for their dedication, and added that Samir Sheikh had attended every meeting they had regarding this Rule. The CCGGA is not opposing the standards, but their position is that incentives must occur this summer.
- Manual Cunha, Nisei Farmers League (NFL), stated his organization supports this proposed Rule. Mr. Cunha would like to thank Samir Sheikh, Seyed Sadredin, and Rick McVaigh for their work. The NFL would like to encourage Dr. Sawyer, Chairman of ARB, to move on certification. Mr. Cunha proposed we send a letter to the ARB Chairman saying that we are not getting cooperation from ARB staff for Carl Moyer funding for natural gas engines. Supervisor Worthley agreed and directed staff to prepare a draft.
- Greg Huckaby, Cummins West, strongly concurs with the District
- Robert Stewart, Department of Water Resources, was concerned that the Rule doesn't allow for the maintenance or repair of prime power equipment.

Mr. Sadredin stated that the Rule amendments are for emergency repairs, and that routine maintenance needs to be completed under the normal permit process. Additionally, Mr. Heinen said the Rule amendments refer to testing the emergency generators, not for using them as a backup for engines.

Mr. Worthley stated that rules could be reexamined and amended again if necessary.

Moved: Nelson

Seconded: Dominici

Ayes: Case, McQuiston, Barba, Dominici,  
Nelson, Ornellas, O'Brien, Worthley

Nays: None

Absent: None

***Motion carried to approve as recommended***

10. VERBAL REPORT: CALIFORNIA AIR RESOURCES BOARD (ARB)  
Jeff Lindbergh with the ARB presented this verbal report.

Mr. Lindbergh noted that on December 22, 2006, the U.S. Court of Appeals for the District of Columbia Circuit Court in Washington, D.C., in response to a lawsuit brought by South Coast Air Quality Management District and others, issued a ruling that vacated the entire EPA rule under which the District is preparing their ozone plan. We expect the EPA to request reconsideration by February 5, 2007, and ask the court to stay the decision. The ARB is going to continue to work on their current schedule, and we encourage the District to do the same.

Mr. Sadredin stated that the District is keeping an eye on the court's decision, but we are continuing to work with the information we have because of our strict timeline.

11. EXECUTIVE DIRECTOR/APCO COMMENTS

Mr. Sadredin introduced the new Clerk to the Board, Toni Taber. Mr. Sadredin thanked the outgoing Clerk to the Board, Sissy Smith, for her work over the past 14 years. Mr. Sadredin then gave Board Members an editorial piece written by Mr. Worthley responding to a recent newspaper opinion column. Additionally, he said that he hopes to bring to the Board a proposal for a medical/science work group. The Board has had a history of using science to back-up the District's mission, and we hope to use this group to look at Valley specific data in an objective manner.

Mr. Sadredin informed the Board of the "Burn Cleaner" program, which offers people incentive money to replace old wood stoves with newer, cleaner burning stoves. He also noted that the next draft of the 8-hour Ozone Plan would be released on January 29 with a public workshop scheduled for February 8. The final draft should go to the Board in April.

Lastly, the League of California Cities will vote in February on the new Board Members, and we should see them at the Board Meeting in March.

12. GOVERNING BOARD MEMBER COMMENTS

Supervisor O'Brien stated that he is looking forward to serving on the Board.

Mr. Sadredin added a comment that for the tenth consecutive year, the District has received a clean audit. He thanked Roger McCoy, Fred Bates and the entire Finance staff for their work on the Comprehensive Annual Financial Report (received and filed during consent calendar items).

*ADJOURNED TO CLOSED SESSION AT 10:53 a.m.*

13. CLOSED SESSION

Phil Jay, District Counsel, returned from Closed Session with the following announcements:

*Latino Issues Forum v. EPA:* The Board voted unanimously to have the District intervene in this case.

*Association of Irrigated Residents v. SJVUAPCD (Foster Farms); Federal District Court, Eastern District #1:06 – CV—01648 – OWW -- DVB:* The Board unanimously ratified Mr. Jay's appearance in that case.

Adjournment followed.

*The next meeting is scheduled for Thursday, February 15, 2007. 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 conferencing (VTC), with the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating via VTC. Governing Board Meetings are webcast.*

Respectfully submitted,



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Toni J. Taber, Clerk to the Board  
San Joaquin Valley Unified  
Air Pollution Control District