

**Action Summary Minutes  
for the  
San Joaquin Valley Unified Air Pollution Control District  
GOVERNING BOARD MEETING  
Thursday, June 15, 2000 at 9:00 a.m.  
1990 E. Gettysburg Avenue, Fresno, CA.**

**Meeting held via video teleconferencing (VTC) in the Central Region Office (Fresno) with the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) included via VTC.**

1. **CALL TO ORDER** – The Chair, Supervisor Jerry O’Banion, called the meeting to order at 9:09 a.m.

2. **ROLL CALL was taken and a quorum was present.**

Barbara Patrick, Supervisor	Kern County
Nettie Washington, Councilmember	City of Tulare
Bill Maze, Supervisor <b>(Alternate)</b>	Tulare County
Tony Barba, Supervisor	Kings County
Dennis Lujan, Councilmember	City of Selma
Gail Hanhart McIntyre, Supervisor	Madera County
Kenni Friedman, Councilmember	City of Modesto
Nick W. Blom, Supervisor	Stanislaus County
Robert J. Cabral, Supervisor	San Joaquin County
Judith G. Case, Supervisor, <b>Vice Chair</b>	Fresno County
Jerry O’Banion, Supervisor, <b>Chair</b>	Merced County

3. **APPROVAL OF CONSENT CALENDAR** – Item Numbers **(13-23)**. (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any consent item).

13. Approve Action Summary Minutes for the Special Public Hearing: Review of 2000-2001 Recommended Budget of Thursday, May 18, 2000.

14. Approve Action Summary Minutes for the Governing Board Meeting of Thursday, May 18, 2000.

15. Receive and file List of Scheduled Meetings for 2000.

16. Receive and file Operations Statistics Summary for May 2000.

17. Receive and file Budget Status Report as of May 31, 2000.

18. Receive and file Progress Report to the PM10 Attainment Demonstration Plan. Set August 17, 2000 for the Public Hearing to consider approval. The Progress Report describes District progress in implementing the rulemaking, outreach, grant funding, and research commitments in the 1997 PM10 Attainment Demonstration Plan, and updates PM10 attainment projections.
19. Authorization to assign judgement for costs, *Pacheco v. District*, Stanislaus Superior Court No. 153253.
20. Approve contract with Atmospheric Analysis and Consulting, Inc. to provide laboratory analysis for \$27,400.
21. Approve amendments to REMOVE Program grant award contracts as follows:
  - Approve and authorize the Chair to execute Amendment No. 1 to the REMOVE Program Contract # 97-060 with the City of Tulare to extend the term of the contract to March 15, 2001.
22. Accept Carl Moyer Program funds in the amount of \$3,187,452 from ARB and \$350,000 from CEC to be placed in the District's Heavy-Duty Engine Emission Reduction Incentive Program.
23. Approve the contract for Emission Inventory Improvements for Selected Petroleum Production and Transportation Source Categories for \$99,227.

**APPROVED AS SUBMITTED** – *A motion was made by Board Member Cabral and seconded by Board Member Friedman to approve the Consent Calendar as submitted. The motion carried unanimously with the following Roll Call Vote:*

**Ayes:** *Lujan, Barba, Maze, Washington, Patrick, Cabral, Blom, Friedman, Hanhart McIntyre, Case and O'Banion.*  
**Noes:** *None.*  
**Absent:** *None.*

***Therefore, the Board approved Consent Calendar items 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23 as submitted.***

4. **PUBLIC COMMENT – Roger Christy, Chevron USA, Inc.**, presented a report to the Board on a significant emission reduction project that Chevron just completed in respect to the Kern River Cogeneration Facility.

**Manuel Cunha, Nisei Farmers League**, reported on the June 14 meeting between industry, the Director of the Environmental Protection Agency (EPA),

Region IX and District staff in respect to the New Source Review (NSR) Rule agreement that was signed by EPA in March of 1998.

Mark Boese, Deputy Air Pollution Control Officer, who represented the District at this meeting thanked the full Board for signing the letter that went to Felicia Marcus, Regional Administrator, Region IX, EPA, that expressed the Board's concerns with regards to the many delays with the NSR rule. Mr. Boese indicated that the letter from the Board was very helpful at the meeting. Based upon what happened yesterday staff feels pretty comfortable that the two issues that were remaining have been resolved.

Mr. Boese noted that EPA indicated they are going to move forward with a limited approval/disapproval of the NSR rule. The District will then have eighteen months to make the necessary corrections to the rule.

5. **REPORT FROM CITIZENS ADVISORY COMMITTEE** – The Chair of the Citizens Advisory Committee (CAC), Tom Stearns, City, Primary Member, Fresno County, reported on the CAC Meeting held on Tuesday, June 6, 2000.

**This item was not on the Agenda:**

***The Chair presented a beautiful bouquet of red roses to Josette Merced Bello, Public Education Administrator from the San Joaquin Valleywide Air Pollution Study Agency Policy Committee for all of her efforts in respect to the news conference held on June 5, 2000 for the kick off event for the California Regional PM10/PM2.5 Air Quality Study and the Central California Ozone Study.***

6. **PUBLIC HEARING: ADOPT PROPOSED AMENDMENTS TO RULE 3020 (PERMIT FEE SCHEDULES)** – Recommend adopting the proposed amendments would adjust fees to fund mandated District programs associated with gasoline dispensing equipment and Title V sources.

Staff presentation made by Dave Crow, Executive Director/APCO, Mark Boese, Deputy Air Pollution Control Office and Wayne Clarke, Air Quality Compliance Manager for the Central Region.

**The following persons provided comments during the public comment portion of this item:**

**Bank Moore, Banks and Company**, protested the fee increase and asked the Board to postpone adopting the proposed amendments to Rule 3020 for one year to see what the California Air Resources Board does with the new specifications.

**Manuel Cunha, Nisei Farmers League**, stated that his concern was to make sure that the agriculture commissioners are still part of the inspection activity.

**ADOPTED AS RECOMMENDED WITH A LETTER TO THE CALIFORNIA AIR RESOURCES BOARD (ARB) – A motion was made by Board Member Blom and seconded by Board Member Hanhart McIntyre to adopt the amendments with a request for a letter be sent to ARB. The motion carried unanimously with the following Roll Call Vote:**

**Ayes:** Barba, Maze, Washington, Patrick, Cabral, Blom, Friedman, Hanhart McIntyre, Lujan, Case and O'Banion.

**Noes:** None.

**Absent:** None.

***Therefore, the Board took the following action: adopted proposed amendments to Rule 3020 (Permit Fee Schedules) for Schedule 11 (Fuel Dispensing Equipment Schedule) and Schedule 13 (Title V Permit Surcharge Schedule). The motion included that a letter be sent to ARB pointing out to ARB that the District's policy is "if a source does not violate District rules the District should not increase the amount of times a source is inspected".***

***Board Member Case requested a formalized Staff Report back in respect to Rule 3020, Schedule 11 (Fuel Dispensing Equipment Schedule) regarding any new technology improving the vapor recovery system in nine to twelve months.***

***Mr. Crow stated that staff would be happy to do that. Mr. Crow suggested that rather than making it a specific date on the calendar we make it event oriented. One that when CARB undertakes a review of this issue and any new actions that they come up with. The time frame that we are looking at is approximately one year. And if they were to do something prior to that then we will come back at that point. Mr. Crow indicated that we could also bring CARB staff down to give the Board a description of what it is they did.***

7. **PUBLIC HEARING TO ADOPT THE DISTRICT'S 2000-2001 RECOMMENDED BUDGET** – Approve and authorize the Chair to sign resolution establishing the District's 2000-2001 Budget.

Staff presentation made by Dave Crow, Executive Director/APCO, Mark Boese, Deputy Air Pollution Control Officer, Roger McCoy, Director of Administrative Services and Fred Bates, Controller.

Mr. McCoy indicated that there was one modification made to the District's 2000-2001 Recommended Budget since it was presented to the Board on May 18,

2000. Mr. McCoy provided copies to the Board and the Public of modified budget pages 1, 2, 3 and 26. Mr. McCoy noted that the modification to the District's 2000-2001 Recommended Budget was that the District received notification of grant awards for the Heavy-Duty Engine Emission Reduction Incentive Program as follows:

\$3,187,452	Carl Moyer Memorial Air Quality Attainment Program
<u>350,000</u>	California Energy Commission
\$3,537,452	Total

Appropriations and revenue estimates have been included in the 2000-2001 Recommended Budget for these pass-through funds.

**The following persons provided comments during the public comment portion of this item:**

**Manuel Cunha, Nisei Farmers League**, spoke to the issue of a possible increase of the subvention funds and the Carl Moyer money.

Mr. Cunha also spoke on behalf of the Citizens Advisory Group of Industries (CAGI) and stated that CAGI has no problems with the 2000-2001 Recommended Budget.

**ADOPTED AS RECOMMENDED WITH ONE MODIFICATION** - A motion was made by Board Member Patrick to adopt the 2000-2001 Recommended Budget with one modification. The motion was seconded by Board Member Cabral. The motion carried unanimously with the following **Roll Call Vote:**

**Ayes:** Maze, Washington, Patrick, Cabral, Blom, Friedman, Hanhart McIntyre, Lujan, Barba, Case and O'Banion.  
**Noes:** None.  
**Absent:** None.

***Therefore, the Board took the following action: approved and authorized the Chair to sign the resolution establishing the District's 2000-2001 Budget with one modification to receive a grant for the Heavy-Duty Engine Emission Reduction Incentive Program.***

8. **LIFT FUNDING SUSPENSION FOR MUNICIPAL HEAVY-DUTY LOW-EMISSION ENGINE PROJECTS LOCATED IN FRESNO COUNTY**

Staff presentation made by Dave Crow, Executive Director/APCO and Tom Jordan, Senior Air Quality Planner.

***No Public Comments were received during the Public Comment portion of***

*this item.*

**APPROVED AS RECOMMENDED** – A motion was made by Board Member Lujan to approve Staff's Recommendation, the motion was seconded by Board Member Washington. The motion carried unanimously with the following **Roll Call Vote**:

**Ayes:** Washington, Patrick, Cabral, Blom, Friedman, Hanhart  
McIntyre, Lujan, Barba, Maze, Case and O'Banion.

**Noes:** None.

**Absent:** None.

**The Board took the following action: approved as recommended Staff's Recommendation to lift the District's suspension on funding for municipal heavy-duty low-emission engine projects located in Fresno County.**

9. **VERBAL REPORT: CALIFORNIA AIR RESOURCES BOARD (ARB) BOARD MEETING** – Report regarding ARB Board Meeting.

Board Member Patrick made the Verbal Report regarding the most recent ARB Board Meeting.

10. **EXECUTIVE DIRECTOR/APCO COMMENTS** – Dave Crow, Executive Director/APCO, commented that last Monday US EPA began the notice in the Federal Register to reclassify the San Joaquin Valley Air Basin to severe non-attainment for ozone. That publication in the Federal Register has a thirty day comment period. The time frame involved in reclassification previously discussed with the Board is a November 2005 attainment date to meet the federal standards. As we have previously discussed on numerous occasions with the bump up necessitates a rather extensive round of new planning efforts and rule making.

Mr. Crow asked Josette Merced Bello to present a new video in respect to the *Spare the Air Program campaign*.

Ms. Merced Bello noted that the District has bought into every medium market in the District to again remind Valley residents of the District's Spare the Air Program. We're investing \$68,000 in a television and radio campaign that will run through the end of August.

11. **GOVERNING BOARD MEMBER COMMENTS** – Board Member Blom thanked staff for the work they did on the 2000-2001 Recommended Budget. It is not often when you have a Budget Public Hearing that you only have one participant from the Public to comment. Board Member Blom stated that he is complementing what has been done and he thinks that it is a credit to staff and their work with the Stakeholders.

Board Member Lujan welcomed Board Member Bill Maze (Alternate), Tulare County to the meeting.

Board Member Washington noted that Board Member Patrick, Dave Crow, several staff members from the Valley Air District as well as Manuel Cunha attended the *Air Quality and Agriculture Forum*, on Thursday, June 8, 2000 at the EDISON AgTAC Facility in Tulare, Ca. Board Member Washington stated that it was an excellent program. Board Member Washington stated that she got a lot of technical information at the forum that we receive at the Board Meetings but in laymen's terms at the forum.

Board Member Blom requested information on the number of phone calls received on flex Friday closures.

Board Member Lujan requested that a list of the REMOVE Committee Members be mailed to him.

The Chair announced that the Governing Board would not meet during the month of July 2000.

**OTHER BUSINESS** – No Other Business.

12. **CLOSED SESSION** – The Governing Board will hold a Closed Session pursuant to Section 54957.6 of the Government Code (Ralph M. Brown Act) as follows:
- Conference with District Representative (Dave Crow) regarding compensation for management.

**ADJOURN**

**The Board adjourned to the San Joaquin Room for a Closed Session at 11:27 a.m.**

**The Board adjourned from Closed Session at 11:43 a.m.**