

**PLACER COUNTY AIR POLLUTION CONTROL DISTRICT
BOARD OF DIRECTORS**

**Thursday, February 14, 2008
2:30 P.M.**

Meeting Minutes

The Board of Directors of the Placer County Air Pollution Control District met in session at 2:30 P.M., Thursday, February 14, 2008 at the Placer County Board of Supervisors' Chambers, 175 Fulweiler Avenue, Auburn, California. Representing the District was: Tom Christofk, Air Pollution Control Officer; Todd Nishikawa, Compliance and Enforcement Manager; Yu-Shuo Chang, Planning and Monitoring Manager; and Jane Bailey, Administrative Services Manager.

1. **Call to Order:** Chairman Nakata
2. **Flag Salute:**
3. **Roll Call / Determination of a Quorum**

Present: Mike Holmes, Tom Millward, Kent Nakata, Peter Hill, Kirk Uhler, and Jim Gray

Absent: Robert Weygandt, Sherrie Blackmun and Jim Holmes

Quorum established

4. **Approval of Minutes:** December 13, 2007 Regular Board Meeting
Motion: M. Holmes/Gray/Unanimous
5. **Public Comment:** No public comment
6. **Synopsis of Agenda (information only, no action needed)**
7. **Approval of Agenda:**
Motion: M Holmes/Millward/Unanimous

Consent Calendar Items: 8, 9, & 10

8. **Budget Revision #08-01; Clean Air Grants (Consent/Action)**
Approve and sign the Budget Revision #08-01 thereby increasing the budgeted expenditure and revenue of Air Quality Mitigation Funds for Clean Air Grants (CAGs) in FY2007-08.
9. **Budget Revision #08-02; Woodstove Incentive Program (Consent/Action)**
Approve and sign the Budget Revision #08-02 thereby increasing the budgeted expenditure and revenue for the Woodstove Replacement Incentive Program; and

Approve and sign Resolution #08-01 thereby implementing the Woodstove Replacement Incentive Program.

- 10. Budget Revision #08-03; Roseville Railyard Air Monitoring Project (Consent/Action)**
Approve and sign the Budget Revision #08-03 thereby increasing the budgeted expenditure and revenue for the continuance into the fourth year of the Roseville Railyard Air Monitoring Project (RRAMP) study.
Motion for Consent Items 8, 9 & 10: Uhler/Gray/Unanimous

Public Hearing/Action Item

- 11. Adoption of Rule 411, Indemnification of District: (Public Hearing/Action)**

Mr. Christofk stated that Mr. Nishikawa and Director Hill would be addressing this item. Mr. Nishikawa said that the proposed rule was originally placed on the agenda in August of 2007 and has been continued as an open public hearing in each successive board meeting since then. In conjunction with input from the public, County Counsel, and the ad hoc committee appointed by the Board and comprised of Directors Jim Holmes, Jim Gray and Peter Hill, the rule has now been refined and the proposed final version is ready for consideration. Mr. Hill gave a brief synopsis of what the committee did to move this rule forward. He said that the group did not meet but did most of their work over the phone and through email. The biggest concern for him was whether the rule was necessary at all. He asked County Counsel to contact other air districts to get their input. County Counsel found that there was an increase in legal challenges, permit decisions and CEQA (California Environmental Quality Act) challenges. This trend is driving other air districts to look into and adopt an indemnification rule if they don't already have one.

The main changes from the original rule had to do with due process and inclusion of an appeal process for excessive hardship. The final proposed rule before the Board on February 14, 2008, used parts of the San Diego and South Coast Air District rules as models. Mr. Hill said he appreciated the time that County Counsel spent working with him and answering the questions he had. He said the committee recommends that the Board adopt this rule. Director Gray said that Mr. Hill had done most of the work on the rule and that he believes the rule was a much better product due to those efforts.

Chairman Nakata asked if there was any other public comment or comments from the Board. As there were none Chairman Nakata asked for a motion.

Motion: M. Holmes/Millward/Unanimous

Action Item

- 12. Request to Reclassify the Sacramento Federal Ozone Non-attainment area as Severe for the National 8-Hour Ozone Ambient Air Quality Standards (Action)**
Mr. Christofk said that Dr. Chang would present this item and that the Air Resources

Board (ARB) and the Sacramento Metropolitan Air Quality Management District (SMAQMD) has sent staff members to answer any questions the Board may have since this is a regional issue and not just a Placer County issue. Dr. Chang introduced Ms. Laura Lawrence, ARB Air Pollution Control Specialist, and Ms. Brigette Tollstrup, Division Manager of Program Coordination at SMAQMD, to the Board.

Dr. Chang used a power point presentation to assist him in outlining the main points of why this reclassification is necessary. He said that in 1995, the Sacramento Valley Region was classified as a severe non-attainment area under the 1-hour federal ozone standards. In June of 2004 the region was reclassified from severe to serious due to the new 8-hour federal ozone standards. The Clean Air Act and EPA rules require that air districts within non-attainment areas submit a plan to show that the region is achieving the emission reduction standards of 3% per year. The region was also supposed to submit a demonstration plan to show that the 8-hour clean air standards will be met by June 2013. These plans were both due June 15, 2007.

For several reasons, the region did not meet the deadlines. Some of the data and modeling results necessary for the plans are still being analyzed. The Sacramento regional air districts and SACOG (Sacramento Area Council of Governments) agreed, with approval of state and federal planners, to include the latest vehicle activity data from the SACOG Metropolitan Transportation Plan (MTP). That information was not available until late December 2007 and is currently being reviewed.

Preliminary analysis of the data indicates that the federal standard can not be attained by June 15, 2013. This is due to the fact that most of the ozone is produced by vehicles which are not regulated by air districts. Many State and federal vehicular control measures will not go into effect until after 2012 and the emission reductions from those measures would not be achieved until after the attainment deadline.

Since the Clean Air Act allows for a state to request a higher reclassification with a later attainment date, the region decided to go ahead and request reclassification now rather than wait until the SIP (State Implementation Plan) is submitted in the fall of 2008, which is when the region had planned to do it. Air district Staff became aware on January 11th 2008 that the EPA was going to issue findings of "failure to submit" on February 15, 2008 since the region had missed the June 2007 deadline. The region may avoid receiving a findings letter, which could result in additional sanctions and withholding of federal transportation dollars, by "bumping-up" the non-attainment classification from serious to severe.

The Placer County APCD Board is the last of the five air district boards in the region to approve a voluntary reclassification. The region already meets the severe area requirements from the existing 1-hour ozone classification. By bumping-up, the region can buy more time to submit the required data and avoid additional sanctions as well as

extend the time for attainment potentially up to 2019. The reclassification is unavoidable and it is more prudent to do it now than to wait. The district's progress plan should be ready for Board approval at the April 10, 2008 meeting. Dr. Chang concluded his report by explaining some of the various charts which showed how difficult it will be to meet attainment deadlines in 2013.

Director Mike Holmes asked if the region really is making any progress in reducing emissions. He said that he wanted to be able to go back to his constituents and tell them that even though the region is "bumping-up" to severe that the emission levels are actually declining. Dr. Chang said that the region is making progress in reducing emissions on those things the districts can regulate such as stationary sources. Most of the criteria pollutants come from mobile sources and the air districts do not regulate them. Through the Clean Air Grant program the District can assist in replacing or retrofitting older heavy duty vehicles and help with the purchase of cleaner running vehicles, but that is about all that can be done for mobile source emissions. Mr. Christofk said that the concentration levels are dropping but that even if every vehicle stopped driving, the region would barely achieve the 8-hour standard. He said that over the next 3-4 years there should be a more significant drop in the concentration levels of pollutants and the number of exceedences of the 8-hour standard.

Director Hill said that the District/Region had qualified for the severe standards for a long time if the 1-hour standard were still being used. All of the same restrictions for the severe classification have applied for many years and nothing will change for businesses in the region if we reclassified.

Motion: Hill/Millward/Unanimous

Information Item:

13. Regulatory Measures for 2008

Mr. Nishikawa explained that each year the District is required by the State Health and Safety Code to publish a list of rules or regulatory measures each January which are anticipated to be adopted in that calendar year. This year the District will consider a new rule limiting the VOC (Volatile Organic Compounds) content of coatings for metal parts and products (the District has made a commitment to the EPA to adopt this measure this year), and an amendment of Rule 506, and other rules as necessary, to provide a way to create Emission Reduction Credits (ERC) from rice straw burning reductions. The District may also consider a new rule, and amendment of existing rules as necessary, to create ERC's from other non-traditional emission sources. There were several other rules listed as possible to be considered, but they are less likely to be adopted in 2008.

14. Air Pollution Control Officer's Report

a. CAPCOA Green Technology Conference Plans

Mr. Christofk gave the Board a briefing on the Green Technology Expo in Long

Beach that is scheduled for this coming September. The Board approved some funding in the budget to do this kind of outreach and the District has been working with South Coast AQMD and other air district staff to get the event organized and planned. This event is expected to draw in thousands of attendees from all over the state and the country. There will be a workshop for entrepreneurs to learn how to fund and market their ideas and concepts. There will also be many vendors, exhibitors and keynote speakers on numerous green technology concepts.

b. Cap to Cap 2008

Mr. Christofk said that the air quality issues slated for the Cap-to-Cap conference are not too profound this year. He said he did not think his attendance would be necessary and will not go this year. Directors Mike Holmes and Kent Nakata will be going and will represent the District in the air quality arena.

c. 2008 Clean Air Grant (CAG) Update

This year there will be about 1.7 million dollars for the CAG program. The District has, for the first time, placed radio ads for the CAG. Mr. Christofk played the ad for the Board. He encouraged any jurisdictions to apply for the grants since budgets are tight this year. Director Uhler requested that all the Board members receive copies of the applications in advance of the April meeting. Mr. Christofk said he would make sure that Staff provides the applications, most likely in an electronic format.

d. Fiscal Update

Ms. Bailey gave a briefing on the fiscal health of the District. She said there were no items of significance to draw to the Boards attention. The only new item is the Woodstove Incentive Program which was just passed on consent and will be in place as soon as the resources are made available for someone to manage it.

15. Adjournment: Chairman Nakata

Margie Koltun, Clerk of the Board

NEXT REGULARLY SCHEDULED MEETING: Thursday, April 10, 2008 at 2:30 PM