

Agenda Date: June 17, 2004
Agenda Placement: Admin
Estimated Time: N/A
Continued Item: No

Board Agenda Item

TO: Air Pollution Control District Board
FROM: Terry Dressler, Air Pollution Control Officer
CONTACT: Linda Beard, 961-8853
SUBJECT: Minutes of the May 2004 CAC Meeting

RECOMMENDATION:

Receive and file the attached draft minutes from the May 12, 2004 meeting of the Community Advisory Committee.

DISCUSSION:

The attached minutes summarize the May Community Advisory Council meeting.

**Draft
Minutes
of
The Santa Barbara County
Air Pollution Control District
Community Advisory Council**

May 12, 2004

I. The meeting was called to order at 6:35 p.m.

II. Roll Call

There was a quorum in attendance. Seventeen members were present, and one member joined the meeting at 7 p.m.

III. Approval of Minutes

Motion to approve the April 14, 2004 minutes

Moldaver/Gilliland

Motion Passed: 10:0:7

Abstain: Brechwald, Deacon, Gilliland, Kranzler,
Moldaver, Surmeier, Winters

Dr. Cox questioned the omission of her and Marc Chytilo's comments regarding pesticides. Tom Murphy explained that during review of the draft plan all comments are noted and incorporated into the final plan. He also provided some general background on pesticides in past plans.

CAC Secretary Linda Beard reminded the members that according to the CAC By-laws, the minutes shall consist of motions and votes only.

IV. Public Comment

There were no public comments.

Several CAC members had comments or questions on the following topics:

John Gilliland asked if the questions asked in Public Comment would be included in the minutes. Terry Dressler responded that they would.

Dr. Cox reported that residents in a mobile home park near Winchester Commons had reported to her that large diesel trucks were parked at a gas station near their homes with refrigeration units running all night. The residents were concerned about the noise, effects of diesel exhaust, and want the Air Pollution Control District to look into this situation. John Gilliland reported that ARB was working on heavy duty truck idling regulations. Patrice Surmeier suggested that county/city noise ordinances address the noise, and Mr. Dressler said that the truck units are considered portable; therefore not under APCD jurisdiction.

Lee Moldaver suggested that public comment be bifurcated into "public comments" and "CAC member comments." He also reported that Shane Stark, County Counsel, presents a workshop every year regarding

the guidelines for public meetings as specified in the Brown Act and that reference booklets may be available if members were unable to attend.

Norvell Nelson asked if California ARB could have higher air quality standards than federal standards and Mr. Dressler responded “yes”.

Jayne Brechwald reported that the American Lung Association (ALA) was supporting AB3104 which included a permanent funding mechanism for diesel fuel reduction. Also the ALA supports AB2997 which prohibits cigarette smoking in vehicles occupied by persons under 18 years old.

Dr. Cox requested information on the Santa Barbara County Energy Division status report that documented the 1996 Venoco/ExxonMobil Line Detection System failure.

V. Organization of Agenda and Statement of Interests.

There were no changes to the order of the agenda. Statements of Interests were not given since no items required a vote.

VI. APCO Report

Terry Dressler responded to CAC member, John Gilliland’s inquiries regarding internal combustion engine rules. Mr. Dressler said that the ARB approved most of the proposed air toxic control measures (ATCMs) for stationary and portable engines at its February hearing. He said that the proposed rules still needed to go through a 15-day public review process, comments received would be addressed; the final ATCMs would be published and would have to be approved through the Office of Administrative Law. Mr. Dressler stated that new diesel internal combustion engines (DICE) must comply with the rules by January 2005, existing emergency and standby DICE by January 2006, and all other in-use prime DICE at various times between 2006 – 2009.

In response to questions regarding APCD authority to regulate air quality on tribal lands, Mr. Dressler reported that the states, counties, special districts and local air pollution regulatory agencies have no authority on tribal lands. He said that EPA has a trust responsibility on tribal lands and if a federal operating permit was required, EPA would issue it. Mr. Dressler explained that EPA has limited rules resulting in “hollow permits” which contain no applicable requirements as operating conditions; thereby precipitating a rule making action by EPA to develop a rule to apply to the project. He also responded that it is unknown at this time if two tribal properties separated by only a public highway would constitute one stationary source by virtue of contiguity. He said that the attainment status of tribal lands is the same as that of the area that surrounds the reservation.

Mr. Dressler reported on the 8-hour ozone National Ambient Air Quality Standards (NAAQS) designations issued by EPA on 4/15/04 becoming effective 6/15/04. He said Santa Barbara County is designated as an “attainment” area for the federal 8-hour ozone standard. He explained that our design value is 0.084 ppm – 1 ppb from “nonattainment.” He said Phase 1 of Implementation Guidance deals with classifications, attainment dates, revoking the 1-hour NAAQS, and anti-backsliding provisions; Phase 2 is due in August and deals with attainment demonstrations. In addition, Santa Barbara County will have one more federal plan for Maintenance due 6/15/07. Mr. Dressler said the transport implications under the new 8-hour NAAQS are still being researched, but it appears that the interstate transport rule published by EPA on 1/30/04 only applies to the East Coast at this point. Mr. Dressler added that Conformity for the county goes away on 6/15/05 once the 1-hour standard is revoked resulting in the likely loss of up to \$3 million in CMAQ funding. Mr. Dressler said that the Basinwide Control Council had already written letters to our legislators asking that this funding be continued.

It was also reported that the recent high winds on several days, especially in the North County, may have caused an exceedance of the state standard and possibly the federal standard for particulate matter.

VII. New Business

Tom Murphy introduced APCD staff: Bobbie Bratz, Vijaya Jammalamadaka, and Ron Tan who addressed the two “New Business” items on the agenda. Ms. Bratz reported that the CAC comments in the 1998 Clean Air Plan to consider the effects of tourist traffic on air quality were heeded, resulting in the “Take a Vacation from Your Car” program. She said the program has achieved great success with 90 partners participating and was recognized by the EPA with an “Environmental Excellence” award.

A. Receive and discuss the 2004 Clean Air Plan Chapter 7 – Land Use Strategies and Incentive Programs

Ron Tan highlighted the major principles of land use planning and discussed policies and strategies which could minimize the impacts of growth on air pollution. A number of CAC members made suggestions to clarify and define the contents of the chapter. Several members commented that the concepts in this chapter should be implemented by planning agencies. It was requested that CAC receive a report regarding the enactment status of city and county planning agencies to implement the policies addressed in Chapter 7. All of these comments were so noted by staff.

B. Receive and discuss Potential Indirect Source Review Options

Ron Tan presented three options to the CAC: 1) Adopt an Enhanced Indirect Source Review and Impact Mitigation Process; 2) Adopt an Indirect Source Fee Rule; 3) Adopt an Indirect Source Review Rule. After discussing all the options, it was agreed that the CAC was interested in pursuing indirect source review and recognized it could be a controversial issue. Tom Murphy stated that it was important to have CAC’s complete support of the program in order to receive Board approval. It was suggested a sub-committee be formed to thoroughly study the options and bring a detailed plan back to the CAC. The following members volunteered to be on the sub-committee: Larry Rennacker, John Deacon, George Croll, John Gilliland, and Marc Chytilo. Bobbie Bratz will be the staff liaison to the sub-committee.

VIII. Adjourn

The meeting was adjourned at 9:10 p.m.