



ANGELA THOMPSON, CHAIR  
*Vice Mayor, Biggs*

ALAN WHITE, VICE CHAIR  
*Mayor, Paradise*

BILL CONNELLY  
*Supervisor, District #1*

LARRY WAHL  
*Supervisor, District #2*

MAUREEN KIRK  
*Supervisor, District #3*

STEVE LAMBERT  
*Supervisor, District #4*

KIM YAMAGUCHI  
*Supervisor, District #5*

SCOTT GRUENDL  
*Councilmember, Chico*

JERRY ANN FICHTER  
*Mayor, Gridley*

CHERI BUNKER  
*Councilmember, Oroville*

W. James Wagoner  
*Air Pollution Control Officer*

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## Minutes of the Butte County Air Quality Management District Governing Board of Directors Meeting of May 26, 2011

### Members Present

Alan White  
Bill Connelly  
Larry Wahl  
Maureen Kirk  
Kim Yamaguchi  
Scott Gruendl  
Jerry Ann Fichter  
James Sheppard, Alternate

Mayor, Town of Paradise  
Butte County Supervisor  
Butte County Supervisor  
Butte County Supervisor  
Butte County Supervisor  
Councilmember, City of Chico  
Mayor, City of Gridley  
Councilmember, City of Biggs

### Staff Present

W. James Wagoner	Air Pollution Control Officer
Robyn Sousa	Admin. Services Officer
Armen Kamian	Associate AQ Planner
David Lusk	Senior AQ Engineer
Jason Mandly	AQ Compliance Specialist
Greg Einhorn	District Legal Counsel

### Members Absent

Cheri Bunker  
Steve Lambert  
Angela Thompson

Councilmember, City of Oroville  
Butte County Supervisor  
Councilmember, City of Biggs

### Others Present

Linda Furr

League of Women Voters

**1. Call to Order**

In the absence of the Chair, Vice Chair White called the meeting to order at 10:00 a.m. at the Chico City Council Chambers, 421 Main Street, Chico, California.

**2. Additions and Deletions to the Consent Agenda**

There were no additions or deletions to the consent agenda.

**3. Consent Agenda**

- 3.1 By Consent, approve Minutes of the April 28, 2011 Meeting of the Board of Directors.
- 3.2 By Consent, Accept and File, Activity Report on Butte County Air Quality Management District activities.
- 3.3 By Consent, Accept and File, Financial Status Report for Fiscal Year 2010-2011.
- 3.4 By Consent, Accept and File, report on Calendar of Events.
- 3.5 By Consent, re-authorize a line of credit to be used as a contingency measure.
- 3.6 By Consent, approve the survey, disposal and release of accountability of specified District property.

**Action Requested: Approve Consent Agenda Items 3.1 through 3.6.**

There were no public comments.

**Motion: Approve Consent Agenda Items 3.1 through 3.6.**

AYES: Mayor White, Supervisor Connelly, Supervisor Wahl, Supervisor Kirk (second), Supervisor Yamaguchi, Councilmember Gruendl, Mayor Fichter (motion), Councilmember Sheppard  
NOES: None  
ABSTAIN: None  
ABSENT: Vice Mayor Thompson, Supervisor Lambert, Councilmember Bunker

**Motion Carries.**

**4. Items Removed from the Consent Agenda for Board Consideration and Action.**

There were no items removed from the consent agenda.

**Regular Agenda**

**5. Consider adopting proposed recodification and amendments to Regulation IV, PERMITS, including amendments to Rule 400, Rule 401, Rule 430 and Rule 432.**

Senior Air Quality Engineer David Lusk discussed the on-going work to modify District permitting rules for the State Implementation Plan, referred to as the SIP. The District does not have a new source review permit rule in the SIP and this is a federal requirement. The proposed amendments include creating separate state and federal new source review rules and reorganizing the administrative requirements. No written comments have been received yet from EPA

or the California Air Resources Board, however verbal comments have been received from CARB. Staff recommended the Board approve the amendments as proposed, with the changes noted in the addendum to the staff report. If comments are received at a later date staff can bring back amendments for Board consideration. Mr. Lusk also stated that sections identified in the proposed adoption resolution would be excluded from the SIP submittal.

Supervisor Yamaguchi asked how much more strict these rules are? Mr. Lusk said there are new PM2.5 requirements. The most significant impact would be to a large cogeneration facility such as Pacific Oroville Power. There are not any stricter requirements affecting minor sources.

Supervisor Wahl asked if the amendments would affect agricultural pumps. Mr. Lusk said no, ag pumps are registered under a separate District rule, and are not subject to District permitting requirements. Staff provided examples of the types of businesses that are affected by the permitting program.

**PUBLIC HEARING:** Opened at 10:12 a.m.

Supervisor Wahl asked, with the exception of Pacific Oroville Power, will these regulations not cost businesses a dime. Vice Chair White said that no one could make this assurance. Staff concurred.

There were no public comments.

**PUBLIC HEARING:** Closed at 10:16 a.m.

**Action Requested:** Following a public hearing, approve the proposed resolution adopting the proposed recodifications and amendments.

**Motion:** I move to approve the proposed resolution adopting the proposed recodifications and amendments..

AYES: Mayor White, Supervisor Connelly, Supervisor Kirk (motion), Supervisor Yamaguchi, Councilmember Gruendl (second), Mayor Fichter, Councilmember Sheppard  
NOES: Supervisor Wahl  
ABSTAIN: None  
ABSENT: Vice Mayor Thompson, Supervisor Lambert, Councilmember Bunker

**Motion Carries.**

## 6. Public Hearing to Present the Proposed 2011-2012 Fiscal Year Budget.

Administrative Services Officer Robyn Sousa presented a summary of the proposed budget. She explained that this hearing is to accept public comments only. The Board will be asked to consider approval of the proposed budget at the June 23, 2011 meeting.

### **ACTION REQUESTED:**

1. Open Public Hearing to receive comments.
2. Take no action on the Proposed 2011-2012 Budget.

**PUBLIC HEARING:** Opened at 10:19 a.m.

There were no public comments.

**PUBLIC HEARING:** Closed at 10:19 a.m.

**No Action Taken. Next Public Hearing scheduled for June 23, 2011.**

**7. Presentation on the Proposed Biggs Biomass Facility.**

Vice Chair White stated that the presenter was not available so the presentation will be postponed to a future Board meeting.

**8. Report on Annual 2010 Air Quality Summary.**

Associate Air Quality Planner Armen Kamian presented a summary from the Annual 2010 report.

There were no public comments.

**Action Requested: Receive Report.**

The Board took no action on this item.

**9. APCO Report.**

Air Pollution Control Officer Jim Wagoner provided a report on air quality issues at the local, state and federal levels. He reported on new open burning brochures available for the public, referring to samples provided in the Board packets. He also reported that staff will be bringing forward proposed amendments to District regulations at the June meeting to allow the leasing of emission reduction credits (ERCs) from the community bank. Mr. Wagoner reported that he, Supervisors Wahl and Kirk attended a Fire Safe Council tour of the Upper Ridge Shaded Fuel Break project the previous day. Supervisor Yamaguchi expressed appreciation for staff member Ursula Parker's participation on the Fire Safe Council Board of Directors.

There were no public comments.

**Action Requested: Receive Report.**

The Board took no action on this item.

**10. Other Business.**

Air Pollution Control Officer Jim Wagoner introduced new staff member Jason Mandly, recently hired as an Air Quality Compliance Specialist.

**11. Public Comment Period.**

There were no public comments.

**12. ADJOURNMENT: 10:30 a.m.**

  
\_\_\_\_\_  
W. James Wagoner, Air Pollution Control Officer

I hereby attest that this is a true and correct copy of the action taken by the Butte County Air Quality Management District Board of Directors on May 26, 2011.

ATTEST:   
\_\_\_\_\_  
Clerk of the Governing Board