



W. James Wagoner  
Air Pollution Control Officer

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MAUREEN KIRK, CHAIR  
Supervisor, District 3

JAMES JOHANSSON, VICE CHAIR  
Vice Mayor, Oroville

BILL CONNELLY  
Supervisor, District #1

JANE DOLAN  
Supervisor, District #2

STEVE LAMBERT  
Supervisor, District #4

KIM YAMAGUCHI  
Supervisor, District #5

ANGELA THOMPSON  
Councilmember, Biggs

SCOTT GRUENDL  
Councilmember, Chico

JERRY ANN FICHTER  
Mayor, Gridley

ALAN WHITE  
Councilmember, Paradise

## Minutes of the Butte County Air Quality Management District Governing Board of Directors Meeting of August 26, 2010

### Members Present

Maureen Kirk, Chair  
James Johansson, Vice Chair  
Bill Connelly  
Jane Dolan  
Steve Lambert  
Kim Yamaguchi  
Angela Thompson  
Scott Gruendl  
Jerry Ann Fichter  
Alan White

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

### Staff Present

W. James Wagoner Air Pollution Control Officer  
Bob McLaughlin Assistant APCO  
Robyn Sousa Admin. Services Officer  
Trish Weir Clerk of the Board  
Ursula Parker AQ Compliance Specialist  
Greg Einhorn District Counsel

### Others Present

Rick Gudgel Gudgel Contracting  
Steve Schoonover Chico Enterprise-Record

### 1. Call to Order

Chair Kirk called the meeting to order at 10:17 a.m. at the City of Chico Council Chambers, 421 Main Street, Chico, CA.

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

There were none.

## Agenda Item 3.1

### **3. Consent Agenda.**

- 3.1 By Consent, Approve Minutes of the July 22, 2010 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, Status Report on Calendar of Events.
- 3.5 By Consent, Survey, Disposal and Release of Accountability of District property.
- 3.6 By Consent, Adopt Proposed Resolution Required by SDRMA For the District Vehicle Purchase Approved at the July 22, 2010 Governing Board Meeting.

There were no comments from the public.

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

AYES: Supervisor Kirk, Supervisor Dolan, Supervisor Connelly, Supervisor Lambert, Supervisor Yamaguchi, Councilmember Gruendl, Mayor Fichter (second), Vice Mayor Johansson, Councilmember White (motion), Councilmember Thompson.

NOES: None

ABSTAIN: None

ABSENT: None

#### **Motion Carries.**

### **4 Items removed from the Consent Agenda for Board consideration and action.**

There were no items removed.

### **Regular Agenda**

### **5. Report on Sacramento Valley Air Basin Smoke Management Program.**

Ursula Parker provided a presentation on The Sacramento Valley Air Basin Smoke Management Program Regulation with an emphasis on Rice Straw Burning.

Supervisor Dolan requested that the presentation be provided to people who have attended previous meetings and commented on this topic. She also asked that staff post the presentation on the District's website.

There were no comments from the public.

#### **ACTION REQUESTED: Receive Report.**

The Board took no action on this item.

**6. Report on Request for Air Quality Monitoring in the Durham area.**

Jim Wagoner stated at last month's meeting a Durham resident expressed concerns about the air quality in the Durham area and the lack of monitoring data. Board members expressed an interest in staff pursuing the use of a CARB portable PM 2.5 monitor to conduct some monitoring in the Durham area to provide additional data.

Jim Wagoner reported that staff sent a letter to CARB requesting assistance with a special purpose ambient air monitor for use in the Durham area this fall. If approved by CARB, the monitor will be used to confirm whether or not the air monitor in Gridley is representative of ambient PM 2.5 concentrations in the adjacent rural communities including Durham. Jim also stated that if the District were to purchase a monitor, for portable use District-wide, the cost would be approximately \$15,000.00 plus monthly satellite connection fees. Staff do not expect there would be any costs to the District for use of the CARB monitor.

There were no comments from the public.

**ACTION REQUESTED: Receive Report.**

The Board took no action on this item.

**7. PUBLIC HEARING: Consider Adoption of Proposed New Rule 433, *Rice Straw Burning Emission Reduction Credits*.**

David Lusk provided a report on proposed New Rule 433, *Rice Straw Emission Reduction Credits*. Rule 433 would provide a federally recognized procedure for quantifying and certifying rice straw burning emission reductions and issuing the resulting Emission Reduction Credit (ERC) certificates. The program would be voluntary, and the ERC certificates could be used in the permitting of major modification projects or new major stationary sources. Based on comments received from U.S. EPA staff recommended changes to the rule as identified in the supplemental report, changing the maximum burn acres from 69,142 to 67,413 acres.

David stated the District mailed public workshop announcement postcards to all current rice straw burn permit holders and the proposed rule and a fact sheet was distributed during the Rice Registration period. A public workshop was held on August 12, 2010.

Public Hearing was opened at 10:39 am.

There were no comments from the public.

Public Hearing was closed at 10:40 am.

**ACTION REQUESTED: After holding a public hearing to receive public comments, adopt Rule 433, *Rice Straw Emission Reduction Credits*, as proposed in the July 28, 2010 staff report with changes to the rule as documented in the supplemental Board Report and revised Resolution of Adoption.**

**Motion: Move to Adopt Rule 433.**

AYES: Supervisor Kirk, Supervisor Dolan, Supervisor Connelly (motion), Supervisor Lambert, Supervisor Yamaguchi, Councilmember Gruendl, Mayor Fichter, Vice Mayor Johansson (second), Councilmember White, Councilmember Thompson.

NOES: None

ABSTAIN: None

ABSENT: None

**Motion Carries.**

**8. APCO Report**

Jim Wagoner provided a report from the Air Pollution Control Officer on current areas of potential interest to the Board, including air-quality-related activities at the local, state and federal scene.

Supervisor Yamaguchi requested the District accelerate the grant program providing incentives for the change-out of old woodstoves.

Councilmember Gruendl asked if District staff have discussed with Chico City staff how the improved air quality in the last 2 years could affect the need for the City's potential wood burning curtailment ordinance. Jim reported that there has been an initial discussion. District staff would be available to assist the City as they assess their potential ordinance.

There were no comments from the public.

**ACTION REQUESTED: Receive Report.**

The Board took no action on this item.

Due to the scheduled closed session, Chair Kirk moved the Supplemental Agenda Item 12 and Public Comment period forward in the agenda.

**12. Supplemental Agenda Item: Consider Hearing Schedule for Proposed Amendments to Regulation III, and Rule 300, Open Burning Requirements, Prohibitions and Exemptions, and Rule 507, Burn Permit Fees**

Jim Wagoner requested a Board discussion of the scheduling for the adoption hearing, currently set for September 23<sup>rd</sup> in Paradise. Supervisor Yamaguchi will be unable to attend the September meeting due to the upcoming RCRC conference. The Board consensus was to hold the hearing and accept public comments on September 23<sup>rd</sup>, and continue the adoption hearing to the December 9<sup>th</sup> meeting in Chico.

**13. Public Comment Period.**

There were no comments from the public.

**9. Adjourn to Closed Session at 10:55 a.m.**

District Office Real Property Negotiations (Government Code 54956.8).

Property: 629 Entler Ave, Suites 14 and 15, Chico  
Agency negotiator(s): Jim Wagoner, Robyn Sousa, & Greg Einhorn  
Negotiating parties: Rick Gudgel, Gudgel Contracting  
Under negotiation: Terms and Conditions of Lease

Property: 2525 Dominic Dr, Suite J, Chico  
Agency negotiator(s): Jim Wagoner, Robyn Sousa, & Greg Einhorn  
Negotiating parties: R. Scott Chalmers, RSC Associates  
Under negotiation: Terms and Conditions of Lease

**10. Report from Closed Session.**

The Board returned from Closed Session at 11:15 a.m.

**11. Consider approving the proposed lease for the District Office:  
629 Entler Avenue, Units 14 & 15, Chico, CA**

**ACTION REQUESTED: Approved proposed lease.**

**Motion: Move to approve the proposed lease adding 2 additional months of free rent at the end of the lease, as negotiated.**

There were no comments from the public.

AYES: Supervisor Kirk, Supervisor Dolan, Supervisor Connelly (motion), Supervisor Lambert, Supervisor Yamaguchi, Councilmember Gruendl, Mayor Fichter, Vice Mayor Johansson, Councilmember White, Councilmember Thompson (second).


NOES: None

ABSTAIN: None

ABSENT: None

**Motion Carries.**

**14. ADJOURNMENT: 11:17 am**

  
\_\_\_\_\_  
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 August 26, 2010.

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