

TREASURE VALLEY AIR QUALITY COUNCIL

MEETING MINUTES

June 13, 2006

The Treasure Valley Air Quality Council (“Council”) convened at 8:50 a.m. on June 13, 2006, at the Idaho Department of Environmental Quality conference center, 1410 N. Hilton, Boise, Idaho.

Council members present:

Matt Beebe, Chairman, Canyon County Board of Commissioners (joined meeting at 9:45 a.m.)
William Eddie, Advocates for the West
Beth Elroy, Micron Technology
Michael Gifford, Associated General Contractors
John McCreedy, Amalgamated Sugar
Gary Multanen, Best Bath Systems
Pete O’Neill, O’Neill Enterprises, Council Chairman
Alan Prouty, J.R. Simplot Company
Dr. Dale Stephenson, Boise State University
Rick Stott, Agri Beef Company

Council members absent:

Tammy DeWeerd, Mayor, City of Meridian
Garret Nancolas, Mayor, City of Caldwell
Rick Yzaguirre, Chairman, Ada County Board of Commissioners
Graye Wolfe, Wolfe Ranches

Department of Environmental Quality (“DEQ”) staff present:

Debra Cline, Management Assistant and Recorder
Leonard Herr, Airshed Coordinator, Boise Regional Office
Michael McGown, Administrator, Boise Regional Office
Robert Wilkosz, Mobile and Area Source Air Manager, State Air Quality Program

Others Present:

Beth Baird, Boise City
Ethan Curtis, Scott Peyron & Associates
Charles Johnson, Canyon County citizen
Kris Kamann, Scott Peyron & Associates
Dennis Turner, Air Quality Board

NOTE: All attachments referenced in these minutes are available on the Council’s Web site at: <http://www.treasurevalleyair.org/researchdocuments.html> or by calling the DEQ Boise Region Office at (208) 373-0550.

Council members discussed the formation of the Citizen’s Committee. Kris Kamann, Peyron and Associates, distributed a proposal with recommendations for the process, a list of potential members for the Citizens Committee, a proposed distribution list for the draft Air Quality Plan, and a draft news release (Attachment 1). The news release is intended as a “call to the community” to announce the formation of the Citizens Committee and explain what the Council

is seeking from the Committee. He noted the individuals represented on the lists are a starting point to reach out to all interests.

Dr. Dale Stephenson commented this aspect of seeking comment is very important. There can be concerns about over representation by industry. Chairman O'Neill emphasized the intent is to have a broad-based Citizens Committee.

Council members suggested the following additions to the lists:

Idaho Transportation Department

Smart Growth representative

Valley Ride

All Highway Districts in the Treasure Valley

Senator David Langhorst

COMPASS

Automobile dealers association

Gas station owners association

Idaho Petroleum Marketers Association

Farm Bureau and other agricultural associations

Canyon County ranching/farming associations (Rick Stott will provide specific organizations)

Snake River Building Contractor's Association

Western States Equipment

Associated General Contractors

Additional environmental interests

Gary Richardson,

All Treasure Valley service clubs (Lions, Kiwanis, Rotary)

Claudia Haynes

Local legislators

Joint Legislative Environmental Common Sense Committee

John McCreedy commented it was important to maintain a record of the distribution list for the draft. He suggested the proposal distributed by Mr. Kamen reference the legislative language on the structure of the Citizens Committee. It should clarify that anyone can join the Committee, and this is one method being utilized to develop leadership for the Committee. He also suggested the following change on page two, Operation of Citizens Committee, "A designated member from the TVAQ Council will serve as ~~counsel~~ facilitator and be present at all citizens committee meetings." He felt the change was needed to clarify the designated member would not be acting as legal counsel.

Dr. Stephenson discussed the timeline for the next three weeks. The legislative timeline requires the draft Air Quality Plan to be distributed for public comment by July 31, 2006. He suggested the list of potential members for the Citizens Committee and a letter of invitation be finalized and a date set for an initial meeting very soon. Kris Kamann agreed and recommended the invitation letters be sent out, followed by the press release, then two weeks later another announcement of the initial Citizens Committee meeting to explain the purpose and goals of the Committee. A follow-up phone call to the proposed members would encourage interest and attendance and provide an opportunity to respond to initial questions.

Chairman O'Neill suggested a briefing document with a summary of the draft plan be prepared as a handout for the initial meeting. He felt it should stress the draft Air Quality Plan is a work in progress. Dr. Stephenson also felt it was important to emphasize to the Citizens Committee that the Council was created as a proactive measure, but was not intended to solve all of the air quality problems in the Treasure Valley.

Approve May 24, 2006 Meeting Minutes

Leonard Herr stated the minutes were not completed at this time and would be presented for approval at the next meeting.

Discussion and Comments on Draft Treasure Valley Air Quality Plan

Chairman O'Neill asked Kris Kamann to update the list of suggested members for the Citizens Committee, the distribution list for the draft Air Quality Plan, and the proposal with a detailed timeline per today's discussion. Council members should make any additional suggestions to Mr. Kamann. An updated draft will be presented at the next meeting for adoption by the Council.

Kris Kamann presented a brief presentation about the Council's updated Web site. The site will have current versions of the draft plan available for public review. A message board will also be available for public comments. Scott Peyron & Associates will monitor the message board. Rick Stott felt it was not necessary to have a DEQ staff contact name and phone number on the site. Alan Prouty suggested tabs be added for a calendar, the draft plan, and a library of related documents.

The new updated Council Web site is schedule to be available by June 30 when the draft plan is released for public comment. Dr. Stephenson suggested the invitation letters for the Citizens Committee include the Web site address and that it should go live when the letters are sent out. Mr. Kamann will coordinate the efforts. He asked Council members to supply brief biographical information to be included on the Web site.

Mr. Kamann announced that Michael Journee, former press secretary and senior advisor to Governor Kempthorne, had joined Scott Peyron & Associates and will oversee its public affairs clients including the Council.

Mr. Kamann proposed a press release with an executive summary of the Air Quality Plan for June 30 (the legal deadline for submission of the plan). A press conference is also being planned for Friday, June 30 no later than 11:00 a.m. Council members were invited to attend. The location will be announced next week.

John McCreedy noted the plan must be distributed to interested local, state, and federal agencies. He suggested the list be expanded to include EPA Region X, the Department of the Interior, the Federal Highway Administration, any federal parks or forest lands in the area, the Idaho Department of Parks & Recreation, and the Idaho State Department of Agriculture. Kris Kamann will work with Senator Langhorst and Mike McGown to expand the list. Chairman O'Neill suggested all local chambers of commerce be included.

Leonard Herr introduced Emily Taylor, Air Quality Intern for the DEQ Boise Region Office, who will be providing support for the Council.

Alan Prouty asked how the Drafting Subcommittee would get final approval from the Council for its final edits before the draft plan is released. Dr. Stephenson commented it is a working draft, even once it is released, and the Council must rely on the Subcommittee. Chairman O'Neill suggested the draft plan have a cover letter with a disclaimer that it is a work in progress and it is intended to go out in draft form to gather input. The current draft plan is short of recommendations, and the question is whether the Council should refine the recommendations or leave them in their current general form for the Citizens Committee to develop. He felt the two efforts could go hand-in-hand and develop as the process moves forward.

Alan Prouty suggested the draft plan include several key recommendations that are strongly supported by the Council, then list a number of other potential control measures that are still under consideration. Gary Multanen encouraged the Council to be bold with its recommendations.

Mr. Prouty suggested the draft plan include language to clarify the current focus is ozone and explain how the specific recommended control measures will address that problem. It may not be possible to include that information in the draft plan when it is released, but a disclaimer can be added to indicate the information is being refined to be added later.

Potential Control Measures

Leonard Herr discussed the difficulties involved in ranking the control measures based on cost/benefit and public health issues. It is not always easy to estimate the cost, and in some cases it may be more important and valuable to give more weight to measures that provide protection of public health over another measure that provides a larger volume reduction of a less toxic pollutant. More guidance is needed to clarify which pollutants are being targeted. A ranking process needs to be defined that will be accurate and understandable to the general public.

Dr. Stephenson asked the Drafting Subcommittee to consider adding information to the draft plan that will indicate how a recommended control measure will be monitored and validated in the future. Mr. Herr noted it is very easy to monitor and measure some control measures, such as a vehicle inspection and maintenance program; however, other voluntary measures that try to influence public behavior such as air quality alerts are very difficult to measure. It can be done, but is difficult and can be expensive. Small measures like diesel retrofits and the program to reduce idling and diesel fumes around schools have a great benefit to the children in the area, but are difficult to validate valley wide. Mr. Herr recommended the ranking be done on a more general basis and avoid trying to get very specific because it will result in a very time-consuming, complicated document.

Council members discussed the need for public education for voluntary "good citizen" measures that each person can take to reduce pollution. A separate section may be created in the draft to address the issue. Leonard Herr suggested the information regarding voluntary measures stress that air quality problems in the Treasure Valley are episodic, and it is most important to use the voluntary measures during episodes when air quality is not good.

Michael Gifford asked if the control measures could be identified by whether they target criteria pollutants that reduce ozone and PM_{2.5} (and help achieve the goal of avoiding nonattainment), or are health risk pollutants that affect the public health.

Dr. Stephenson suggested a disclaimer be added to the draft plan to indicate it is not intended to address indoor air quality issues.

John McCreedy commented it was clear to the Drafting Subcommittee that the focus of the draft plan was ozone and PM_{2.5} and that should be reflected throughout the document. An introduction will be added to the beginning of Chapter 5 to explain which criteria pollutants will be the main focus and which will have secondary benefits.

Leonard Herr reviewed the current list of control measures, “*Section V. Options for Maintaining and Improving Air Quality*” (Attachment 2). The order of the measures will change to reflect the Council’s top recommendations. The following comments and suggestions were discussed:

- Add language to each control measure explaining how it can be implemented.
- Add a section regarding fiscal impact and the need for funding for the public outreach effort for voluntary “good citizen” measures.
- Combine Sections 5.1.1 *Homeowner woodstove education* and 5.1.4 *Air Quality Alert & Burn Ban Education*. Clarify these are existing programs that need improvement and additional public education efforts to be implemented valley wide.
- Recommend uniform enforcement and adoption of municipal ordinances throughout the Treasure Valley airshed.
- Verify statistics on smoking vehicles with the data from the Air Quality Board.
- Reference the smoking vehicle ordinance, move to section on vehicle inspection and maintenance testing program (if recommendation for program is adopted by Council).
- Impose vehicle emission testing on high-polluting vehicles only by using drive-by testing technology.
- Focus on low-emission standards for new vehicles rather than testing all vehicles to catch a few smoking vehicles that will be phased out eventually. Review Lev II Program adopted in California, Oregon, and Washington at next meeting. Investigate whether EPA plans to make its standards more stringent to match the California standards.
- Recommend the legislature create a committee and broad-based stakeholder group to address dust control and investigate uniform rules (need to consider agriculture and local issues).

Update on Vehicle Emissions Testing Program Review

Chairman O’Neill briefly discussed the range of options for a vehicle emission testing program. He reported he attended a meeting with Jay Witt, COMPASS; Dennis Turner, Air Quality Board; Leonard Herr, DEQ; Commissioner Matt Beebe, and Gary Multanen to review the scientific data and justification for the different options. The options included:

- Continue current Vehicle Inspection and Maintenance Program (Ada County only)
- Eliminate the current program and have no emission testing program
- Create a program utilizing dynamometer testing – this is the equipment needed for a program to be effective, but it is very expensive.

- Create a program using an on-board diagnostic (“OBD”) emission test for vehicles that are 1996 or newer. New cars would not need to be tested until they are four-years old, then every other year. Remote testing equipment could be used to conduct “drive-by” tests and identify gross polluters. The identified vehicles would be required to be tested. An additional \$4-5 fee would be added to all Treasure Valley vehicle registrations to fund the program, and the registration would not be renewed until the required testing was completed. The program would be implemented by a joint agency of the cities and counties. Legislative action would be required to provide the necessary authority to establish an airshed management district, provide funding, and require the Department of Transportation (“DOT”) to implement verification of testing before a vehicle can be registered. The \$5 registration fee could also provide a source of funding for educational programs for air quality.

Jay Witt, COMPASS, reported an analysis is being conducted running EPA models in Ada and Canyon counties to determine the impacts of the different options for emissions testing. The models will look at the reductions each option could provide starting in 2006 to 25 years into the future. The models have been run and the calculations are being performed. The data will provide a scientific basis to help determine the best option. Mr. Witt commented there is no “silver bullet” and the reduction, especially for 2006, will not be large. The preliminary numbers for 2006 show emission reductions in the 10% range. Mike McGown emphasized this is still a very substantial reduction and is very good compared to other control measures.

Mr. Turner stated the Air Quality Board is starting to discuss changes to the current Vehicle Inspection and Maintenance Program. The consensus of the Board is to change to something along the lines of the option proposed for OBD and bi-annual testing, although some of the issues are not resolved. He submitted proposed language for inclusion in Section 5 of the plan on emissions testing of vehicles (Attachment 3).

Jay Witt pointed out that monitoring equipment may need to be increased for future validation of emissions reductions. The current monitoring equipment is limited due to resources and funding. The Council may want to discuss putting a recommendation in the plan regarding future needs for monitoring.

Mr. Herr distributed copies of a February 22, 2005 letter to the chairs of the Joint Legislative Environmental Common Sense Committee from DEQ administrators (Attachment 4). The letter reports the findings of a group of stakeholders convened at the Committee’s request to study the current vehicle emission testing program to see if it is still a valid program. Basically, the general recommendations support of the Council’s proposal.

Open Discussion

Council members briefly discussed stage one vapor recovery and the challenges of controlling the use of off-road diesel fuel (for off-road use only). New federal standards for both on-road and off-road diesel will be implemented next year to lower the sulfur levels in the fuel. Dr. Stephenson noted part of the reason EPA is taking action on diesel standards is because the emissions contain a carcinogen.

The Council agreed the control measures should be grouped into categories and the formatting should be consistent and follow the format of the section on emission testing of vehicles submitted by Dennis Turner.

John McCreedy asked if input was needed from the Idaho Department of Transportation regarding traffic light synchronization. Mr. Witt explained this is a control measure that is already ongoing through ITD and ACHD and suggested the Council include the matter in a section of the plan for control measures that are already in place. The Council can then state its support for these measures and clarify they are not necessarily something it plans to implement. Mr. Herr explained such a section was planned and will be presented to the Council for its review and approval. Chairman O'Neill asked that a meeting be planned at some point in the future to discuss transportation issues with COMPASS.

Rick Stott questioned whether wildfires, controlled burns or other forest management practices should be addressed in the plan. Leonard Herr responded natural events could be addressed in a paragraph in the plan. The EPA natural events action policy recognizes the impact of natural events such as wildfires on air quality. If air quality standards are exceeded due to a natural event, it is excused and does not affect attainment. He noted that if there is poor air quality due to a natural event, it does not mean we do not want people to do something to lessen their impact during that event. The air quality alert program is very important at these times, so it may be valuable to add a discussion about this issue to the plan. John McCreedy stated the information could be added to the introduction of the plan.

Leonard Herr distributed a draft of *XX. Appendix: Compilation of Treasure Valley Air Quality Ordinances* for the Council's review (Attachment 5). These are only burn ban ordinances; there may be other air quality ordinances that exist through municipalities. He asked if the Council wanted to include the ordinances in the plan. The Council discussed the matter and felt it would make the plan too large if all the ordinances were included in the plan. John McCreedy suggested the ordinances be listed in the appendix and put on the Council's Web site for reference.

Leonard Herr distributed a report he prepared in November 2003, *Emissions Trading Program Review* (Attachment 6) for the Council's review. The report discusses emissions trading programs and the options and issues involved in this incredibly complicated subject. He commented when the matter was looked at a few years ago, it seemed insurmountable for Idaho. Mr. Herr asked if the Council wanted to address the matter in the plan. He explained whenever these programs have been used in other states, it was because there was a regulatory reason; they have never been done voluntarily.

Beth Elroy commented Micron is very supportive of developing an emissions trading program. It does become regulatory if an area goes into nonattainment. She proposed the Council include a section with an explanation of emissions trading and stating the Council recognizes this is a complicated program and recommends further investigation of the issue as a possible option in the future. Council members discussed the matter and agreed the plan should present a brief discussion of the issue as a matter needing further investigation as a future option.

Chairman O'Neill commented the land use section of the plan needs to be strengthened. He felt the information and data from the Community Choices plan would provide the best affect. John

McCreedy also thought there should be a strong recommendation for land use planning regardless of whose program it is. Jay Witt commented it would show strong support to state that it needs to be a regional effort. Chairman O'Neill asked DEQ staff to work with COMPASS to strengthen the land use section.

Set Agenda for the Next Meeting

The Council is scheduled to meet again on June 21 at 8:30 a.m. The Council will review the final distribution list for the draft plan. A meeting was also scheduled for June 29 at 8:30 a.m. Both meetings will take place at the Idaho Department of Environmental Quality conference center in Boise. The draft plan will be approved for release for public comment at the June 29 meeting.

The meeting adjourned at 12:10 p.m.

/s/

Pete O'Neill, Chairman

/s/

Debra L. Cline, Management Assistant
and Recorder