

TREASURE VALLEY AIR QUALITY COUNCIL

MEETING MINUTES

August 15, 2006

The Treasure Valley Air Quality Council (“Council”) convened at 8:35 a.m. on August 15, 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
Tammy DeWeerd, Mayor, City of Meridian
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
Rick Stott, Agri Beef Company
Dr. Dale Stephenson, Boise State University, Council Vice-chairman

Council members absent:

Garret Nancolas, Mayor, City of Caldwell
Alan Prouty, J.R. Simplot Company
Graye Wolfe, Wolfe Ranches
Rick Yzaguirre, Chairman, Ada County Board of Commissioners

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
Jon Sandoval, Administrator, Environmental Management & Information Division
Faye Weber, Administrative Assistant, Boise Regional Office
Robert Wilkosz, Mobile and Area Source Air Manager, State Air Quality Program

Others Present:

Rocky Barker, Idaho Statesman
Charles Johnson, Canyon County citizen
Mike Journee, Scott Peyron & Associates
Kris Kamann, Scott Peyron & Associates
Alan Shealey, Co-Chair, Citizen’s Committee

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.

Amendments to Agenda

Chairman Pete O'Neill amended the agenda to add a presentation from the Coalition for Regional Public Transportation by Ray Stark.

Leonard Herr, DEQ Airshed Coordinator, Boise Regional Office, provided a brief report on the Air Quality Red Alert just issued by DEQ. This is the first Red Alert ever issued by DEQ. It is due to an exceedance of the ozone standard caused by wildfire smoke and may last several days. The PM_{2.5} levels have also been getting higher as the smoke from the fires travels into the Treasure Valley. This is caused by natural events, so will not have an effect on attainment. He noted that while the control measures being considered by the Council could not prevent such an episode, they will keep it from getting worse.

Mr. Herr announced several personnel changes in the DEQ Boise Region Office. Mr. Herr has been promoted to the Boise Region Airshed Manager position recently vacated by June Hues. Michael DuBois will fill the Airshed Coordinator position and will be working with the Council in the fall. Mike McGown, Administrator of the Boise Region Office, has accepted a position in the DEQ State Office and Jon Sandoval has been appointed to replace him as administrator.

Chairman O'Neill asked if the Red Alert might be a good opportunity to bring the message to the public about the Air Quality Plan. Mike Journee, Scott Peyron & Associates, believed it was a good opportunity to talk to the media and educate the public about the airshed we share. He will work with Council members to dovetail its message into the press release and media contacts that will be taking place as a result of the Air Quality Red Alert issued by DEQ.

Commissioner Matt Beebe suggested the DEQ director contact the Department of Transportation director to ask if the DOT reader boards could be used to notify the public about the air quality alerts. Mr. Herr will follow up on the suggestion.

Approve June 13 and June 29, 2006 Meeting Minutes

- **MOTION:** John McCreedy moved the Council approve the minutes from the June 13 and June 29, 2006 meetings.
- SECOND:** Matt Beebe
- VOICE VOTE:** Motion carried by unanimous vote.

Update on Citizens Committee

Alan Shealey, Co-chairman of the TVAQC Citizen's Committee, reported on the activities of the Committee. He commented the members of the Committee are very passionate about their views; some are very supportive of emission testing because they make a living doing the testing, some strongly support emission testing and the other control measures discussed by the Council, and others are agnostic. The first action of the Committee was to determine its mandate. There was consensus the Committee needed to deliberate and debate the recommendations of the Council and develop some cogent suggestions for the Council. It was questioned whether the Commission should be another proxy for the Council or just keep it simple and debate the recommendations, collect citizen input, and bring the concerns and issues to the Council. Given the limited amount of time, in its most simplistic form it appears the Committee's mandate is to

debate the recommendations and bring its concerns to the Council. Everyone who attends the meetings is welcomed as a member of the Committee. They discussed how they would deliberate, develop decisions, and translate them to the Council. Mr. Shealey believed there would be a relatively small nucleus of people who consistently attend the meetings and develop the recommendations.

The first Committee meeting seemed to focus on the perception issue between Ada County and Canyon County. There is a perception this is an Ada County problem that is being forced on Canyon County residents, and there will be big bureaucracy that will be very expensive with no real benefit. Mr. Shealey attempted to educate the Committee members about the science and the unique geographical features of the Treasure Valley that create a single airshed. It is a problem where everyone who burns fossil fuels contributes to the problem and needs to be part of the solution.

The Committee discussed on-board diagnostic testing and emissions testing. Charles Johnson expressed concern about the science being antiquated in terms of it identifying and controlling PM₁₀ and carbon monoxide. Mr. Shealey acknowledged these are valid concerns; if the emissions testing is not updated to address current pollutants of concern, it should be discontinued. The consensus of the Committee was the old standards of the emissions testing program are no longer valid because the Treasure Valley now has different problems, and the program has appropriately identified the new problems of PM_{2.5} and ozone and is trying to control those pollutants.

The Committee discussed the expense of dynamometer testing versus tailpipe testing and remote sensing and reached consensus that on-board diagnostic testing was the best option. A key issue was whether older vehicles should be tested. Although a consensus was not reached, the Committee felt it might be a mistake to dispense with the idea entirely of testing older cars. Even though 75% of the vehicle miles traveled is with newer cars, there is some marginal benefit from testing the older vehicles. The main question is how to conduct the testing; remote sensing may be the best method. This may be part of the recommendations that come from the Committee.

Dr. Dale Stephenson noted the Citizen's Committee took a vote on the idea of doing nothing. There was some support for this idea because it is believed that as older cars are replaced with newer, more efficient vehicles additional testing will not be necessary.

The Citizen's Committee has had three meetings so far, and has scheduled two more meetings on September 5 and September 27. Agenda items for discussion will include further discussions on emissions testing, vapor recovery at retail gas stations, uniform ordinances for local air quality problems, regional land use planning and zoning, implementation of *Communities in Motion* and *Blueprint for Good Growth*, regional air quality data and coordination control measures that need further study, adoption of LEVs, emission trading program, agriculture, and federal measures in progress. Mr. Shealey felt this was a huge amount of work to accomplish in the limited amount of time, but hoped to be able to report back to the Council with some valuable input for its process. He believed his challenge would be to keep the process open, on task, and develop useful recommendations that represent the citizens of both Canyon and Ada counties. He welcomed Council members to attend the Citizen's Committee meetings. He felt it helped provide a frame of reference and guidance in resolving road blocks.

Dr. Stephenson pointed out the 180-day public hearing period may provide some additional time for input from the Citizen's Committee. Mr. Shealey asked if it would be possible for the Citizen's Committee to schedule another meeting beyond the final date when its recommendations are due to the Council. Chairman O'Neill said he did not have any opposition to the Citizen's Committee scheduling additional meetings beyond the due date as long as the Council continues to receive timely reports from the Committee. He realized a lot of time had to be spent on organizational and procedural issues because the legislation was not specific regarding the structure or specifics about the responsibilities of the Citizen's Committee. He stated he would like to see more of the Committee members read the entire draft Air Quality Plan and hoped to see some recommendations regarding how the Plan should be implemented.

Dr. Stephenson commented the Committee seems to be making good progress. He believed the only concern people will have is if they feel they haven't had enough time to give constructive feedback because of the limited number of meetings.

John McCreedy said he realized emissions testing was the most talked about element of the draft Air Quality Plan, but his focus was on the land use planning element. He firmly believed the preservation of transportation corridors would do more to reduce emissions in the Treasure Valley than any other single action in the long term. The *Blueprint for Good Growth* and all the other plans being developed also seem to focus on this issue. Mr. McCreedy asked if Mr. Shealey could get the Citizen's Committee to spend some time on it and make this a priority. Mr. Shealey confirmed he could commit to making land use planning a priority. He believed it was very important to preserve the transportation corridors and to push for a local option tax to fund the process. The *Blueprint for Good Growth* and *Communities in Motion* are gaining public awareness and the circumstances of high fuel costs and air quality problems are combining to make this an ideal time to move these issues forward.

Mr. McCreedy thanked Mr. Shealey for his service and accepting the challenging position of Co-chairman of the Citizen's Committee. He invited the co-chairs to continue participating in the process to provide support as the Air Quality Plan is presented to the Legislature. He thought the Council might have underestimated how difficult that may be. Mr. Shealey said he was very committed and would be happy to participate in the process as far as it goes. He felt it would be very valuable to have representatives from both Ada County and Canyon County working together on this goal.

Chairman O'Neill encouraged members to be proactive in getting more people in Canyon County to join the Citizen's Committee to ensure a broad-based view of the population.

Council members discussed the challenges of getting support for a revised emissions testing program valley-wide. Mr. Shealey felt it would be possible. Most people feel it is fair once they understand the proposal. He believed it would be a huge benefit to have Mayor Nancolas' support for the program.

Matt Beebe suggested the Citizen's Committee hold one of its remaining meetings in Canyon County to improve attendance by Canyon County residents. Mr. Shealey agreed and asked for Commissioner Beebe's assistance in encouraging attendance by more local residents.

Chairman O'Neill reiterated the importance of having the Committee members read the entire Air Quality Plan. An executive summary is important, but should not be a replacement for reading the Plan. Mayor Tammy DeWeerd thought it was very important to have a non-technical explanation to educate the public about the Treasure Valley being one airshed. She stressed this should not be an Ada County versus Canyon County issue—it is an issue of how we can collectively be part of a solution. People need to understand it is a region-wide airshed and the emissions testing program will be improved so it is fair and equitable to everyone.

Mr. MrCreedy suggested the media materials emphasize the message that everyone who drives is part of the problem and needs to be part of the solution.

Chairman O'Neill reminded Council members he is looking for volunteers to create a subcommittee to work with him and Mike Journee to flesh out some suggestions on developing and implementing a public education effort. Mr. McCreedy volunteered to be on the subcommittee. Mike Journee encouraged Council members to seek audiences and spread the message through their contacts. Rick Stott and Mr. McCreedy volunteered to be speakers for educational presentations before organizations and public service groups using the public education materials created by Scott Peyron & Associates.

Commissioner Beebe expressed frustration with the lack of public attendance at important meetings. The Council needs to find a way to get the public's attention and interest.

Council Vacancy

Chairman O'Neill announced there would be a vacancy on the Council because William Eddie was moving to Portland, Oregon. He commended Mr. Eddie's commitment and contributions to the draft plan and the Council's mission. Mr. Eddie said it has been a terrific experience and expressed his appreciation for the opportunity to work with the Council and the drafting subcommittee. The Governor will need to make an appointment to represent the environmental community.

Mr. McCreedy and Beth Elroy expressed their appreciation to Mr. Eddie for his efforts on the drafting subcommittee, saying they were very balanced and focused.

Chairman O'Neill indicated one person who has been suggested is Justin Hayes from the Idaho Conservation League. He is highly recommended as a bright, articulate, and engaged individual. Mr. Eddie strongly supported Mr. Hayes' appointment to the Council. He believed his technical knowledge and involvement in air quality issues in Idaho made him one of very few people in Idaho qualified to fill the vacancy. Mr. Hayes is an Idaho native with a long career in air quality issues. Mr. Eddie believed the Council would have a bit of an empty seat if Mr. Hayes were not appointed because he is the strongest voice from the conservation community on the air quality issues in Idaho. He added Courtney Washburn of ICL is relatively new to the state, but is becoming very involved in air quality issues. Mr. Hayes and Ms. Washburn have worked extensively at the Idaho Legislature on environmental issues and have a good track record of gaining support for issues.

Chairman O'Neill noted it has been very valuable to have Mr. Eddie on the Council because of his extensive knowledge of air quality issues. It would be very beneficial to have someone with

Justin's knowledge as a replacement. Rick Stott commented the Council has been very successful in rising above political issues and special interests. He supported inviting a representative from ICL regardless of concerns about its involvement in lawsuits. He believed it was important to have all perspectives and opinions represented on the Council, and having a bright, intelligent person who understands the issues and will be able to step in and catch up is imperative. It would be unfair to bring in someone who was not educated on the issues, and would be a disservice to the Council. Mr. McCreedy said, "ditto."

There was consensus the Council should recommend Justin Hayes be appointed to the Council. Chairman O'Neill suggested he, Jon Sandoval, and Mike Journee work on preparing a letter of recommendation to the Governor.

Public Testimony

Chairman O'Neill stated he would like to add an agenda item at this time to accommodate a request from Mr. Charles Johnson to present testimony.

Charles Johnson, a Canyon County citizen and member of the Citizen's Committee, commented he has attended all of the Council meetings but has never testified. He has submitted a number of articles to the Idaho Statesman, but they failed to print two of them. He felt they did not want to hear a different view—his view that Ada County could have gotten rid of emission testing in 1988. He pointed out that peer-reviewed science was available but seven-year-old science was being used, and that EPA does not recognize the Treasure Valley as an airshed.

Mr. Johnson continued that he has nothing against the Council, but believes it is being used by bureaucrats of Ada County who are determined to extend emission testing to Canyon County. He offered to present information at the next Council meeting to provide a different viewpoint. The Council has not heard from the national EPA or the federal highway administration; just the local government. He urged the use of peer-reviewed science and reiterated his request for time at the next Council meeting to present some information the Council has not heard such as Grant Ipsen's letter.

Chairman O'Neill thanked Mr. Johnson for his comments. He stated while he does not agree with a conspiracy theory, he welcomed Mr. Johnson to provide a 15-20 minute presentation at a future Council meeting. He noted Mr. Johnson has submitted extensive information and materials to DEQ in the past. DEQ reviewed and considered the information along with the other data and information it reviewed to make its presentations and recommendations to the Council. He stressed the importance of hearing from all viewpoints and interests. Council members concurred that Mr. Johnson's request to be placed on a future agenda should be granted. They expressed interest in hearing from Mr. Johnson and asked that the information be summarized and presented in a format similar to the other presentations brought to the Council.

Leonard Herr agreed with the decision, stating Mr. Johnson has some legitimate issues and it would be beneficial for the Council to address his concerns. These are the issues the Council must be able to respond to in order to have a successful plan.

Mr. Johnson asked for an hour on the agenda. Chairman O'Neill said they could negotiate adequate time for the presentation and a question and answer period.

Coalition for Regional Public Transportation

Mr. Ray Stark, of the Coalition for Regional Public Transportation and member of Boise Metro Chamber of Commerce, provided a presentation on the Coalition's recommendations on local funding options for regional public transportation (Attachment 1). The recommendations will be presented to the Idaho Legislature in 2007. The Coalition was created in November 2005 of business and community leaders to review the need for public transportation in Ada and Canyon counties and develop a local funding source. In 1994, the Idaho Legislature authorized the formation of public transportation authorities in the state, but no funding was provided. Valley Regional Transit has developed a transportation plan for the future to reduce traffic congestion and help air quality. The Coalition will ask the 2007 Legislative session to allow a voter-approved local option sales tax in Ada and Canyon Counties. The vote would be in November 2008 with funding to begin in 2009.

The Coalition requested the support of the Treasure Valley Air Quality Council and asked that it lend its support by formally voting to support the Coalition's recommendations. Mr. Stark provided an overview of the proposed legislation to allow a local option sales tax, upon voter approval, for the purposes of financing, constructing, operating and maintaining public transportation systems where there is an adopted public transportation plan. A major expense will be purchasing the Union-Pacific Railroad right-of-way from the Boise Depot west to Nampa.

Mr. McCreedy suggested the Coalition review the Council's draft Air Quality Plan and provide input to the Council on including a recommendation on the Coalition's initiative. Rick Stott agreed the Plan was the most appropriate forum for the Council to communicate its support for the Coalition's efforts.

Rick Stott pointed out there have been failures in other parts of the country in developing public transportation alternatives and preserving transportation corridors, as well as some successes. He asked if the Coalition had studied these efforts to learn the best options. Mr. Stark confirmed they had studied the public transportation systems in like-sized areas including Spokane, Reno, Colorado Springs, Albuquerque; and larger cities such as Salt Lake City, Phoenix, and Denver. The light rail with the coordinated bus system in Salt Lake City has proven successful beyond their dreams, with ridership twice their most optimistic projections. This system was funded with a lot of federal funds due to the Olympics, but also uses a local option sales tax. The Salt Lake Chamber of Commerce is looking at expanding the system for economic development purposes and has asked to increase the sales tax authority to complete the light rail plan developed for 2030 in 2015. The cities of Phoenix and Denver recently approved local option sales tax to fund light rail systems. Mr. Stark believed the trend in the West is different now and there is more public support for public transportation.

Chairman O'Neill believed traffic congestion and air quality were tied together and thought the Council would want to support the Coalition's efforts, but stressed there needed to be a way to ensure the system would be successful. Mr. Stark said getting approval in the legislature was the first battle, and gaining public support the second. The people must be able to see the plan and it must be a system they want to ride. He explained the sales tax would start at no more than ½ penny, with future limits of no more than ¾ penny.

Mayor DeWeerd discussed the importance of integrating all the planning efforts on these regional issues together to create a more powerful force. The *Communities in Motion* 25-year plan estimates there will be over 800,000 people added to the current 600,000 population base. That is a conservative estimate of a 2.2% growth rate. The more realistic rate is about 4%, which is what the growth rate has been for the past six years, for an additional 1.5 million people. Action is needed now to plan for this future growth.

Chairman O'Neill asked if the Coalition would be willing to help the Council in its effort to unite the leadership of the various groups and planning efforts so they can act collectively to increase their effectiveness and coordinate the message.

John McCreedy noted the Council had already voted in its draft plan to encourage transit oriented developments and get more funding to implement both transit and roadway improvements. He expressed strong support for preserving transportation corridors, and voiced his support for the Coalition's effort. He asked whether the Council wanted to add a recommendation to Page 72 of the draft Air Quality Plan, or simply add its name to the list of supporters of the Coalition's recommendations. Beth Elroy stated she wanted to review the draft legislation and the package of information just distributed before the Council takes formal action. Chairman O'Neill agreed and asked Council members to review the information and be prepared to take formal action at a future meeting.

Update on Council Funding

Chairman O'Neill reported the Council has raised \$15,000 so far, and the state will match that for a total of \$30,000. Year-to-date expenditures total \$2,500 for production of the draft plan, plus about \$5,600 per month for Scott Peyron & Associates. Clearly, the Council cannot achieve its mission without additional fundraising. Michael Gifford reported he recently received an email from Graye Wolfe asking for a list of businesses in the construction industry that could be approached for donations. So, it appears he is still working on developing fundraising letters for distribution. Chairman O'Neill will follow up with Mr. Wolfe on his fundraising efforts.

Chairman O'Neill will work on developing a fundraising letter than can be distributed to a broad range of entities. Dr. Stephenson suggested it might be more effective if Senator Langhorst co-signed the letter.

Mayor DeWeerd will follow up on a \$5,000 donation that will bring the total up to \$40,000.

Set Agenda for the Next Meeting

The Council scheduled the following meetings:

- September 12 at 1:30 pm – 5:30 pm at the Canyon County Courthouse
- October 10 at 1:30 pm – 5:30 pm at the COMPASS office in Meridian (Dr. Stephenson will chair the meeting in Chairman O'Neill's absence)
- November 7 at 8:30 am – 12:00 pm at the DEQ state office in Boise
- December 5 at 1:30 pm – 5:30 pm at the Meridian Police Department

The agenda for the September 12 meeting will include a discussion on the structure of the public hearings and where and when they will be held. The Council will also discuss milestones and the timetable.

Chairman O'Neill suggested future meetings look at adding the mechanics of how the Plan will be implemented.

Review of Diesel Initiatives

Leonard Herr distributed information reviewing the issues involved in diesel fuel standards, diesel retrofit programs, requiring off-road diesel fuel to meet on-road standards, and truck stop electrification (Attachment 2). He asked for the Council's input on how it would like to approach these measures in the Plan. Does the Council want specific recommendations, or more of a general recommendation?

Council members discussed the issue and asked for more information on what programs exist, what they do, what they cost, and what the open issues are. Mr. Herr will revise the information and submit a new draft to the Council.

Mr. McCreedy asked if the Council wanted the Drafting Subcommittee to continue to exist and have a role in revising future drafts for the Council's consideration. Chairman O'Neill thought DEQ staff could work on refining the individual issues, the Council could then decide if they want to incorporate it in the Plan, and the Drafting Subcommittee could take over at that point.

Discussion on Cost Issues

Mr. Herr distributed a discussion paper on cost issues related to vehicle emissions testing programs in other states (Attachment 3). He asked for input from the Council on the kind of information it wanted to see related to costs for control measures.

John McCreedy emphasized that one of the benefits of the emissions testing program that cannot be defined in dollars is that it may be required by EPA if the Treasure Valley is designated as a nonattainment area. It does not make sense to disband a program if there is a good chance it will be needed in the future.

Council members discussed the issue and concurred DEQ will continue to investigate what other areas have spent on different control measures and attempt to determine tonnage reductions and develop a cost/benefit analysis. Staff will focus on the control measures listed in Chapter 7 of the Plan and start with the measures they know will be an issue. Mr. Herr will continue to look for the best methods to evaluate the different control measures.

Council members discussed the importance of having a broad range of input in the Citizen's Committee from all interests, and having support from Canyon County for the Plan.

Discussion on Air Quality District

Mr. Herr distributed a discussion paper on Air Quality Management Districts that discusses how inspection and maintenance programs are operated in other parts of the country (Attachment 4).

Apparently, the Air Quality Board in Idaho is unique as a special district operating an inspection and maintenance program. Most other states have a government entity such as the state, county, or city running the program. DEQ staff will continue to investigate the issue and try to find a template for designing a district, but Idaho may be the first to have a dual-county agency operating such a program.

The meeting adjourned at 12:30 p.m.

/s/

Pete O'Neill, Chairman

/s/

Debra L. Cline, Management Assistant
and Recorder