



TAMI RITTER, CHAIR  
*Supervisor, District #3*

ADDISON WINSLOW, VICE CHAIR  
*Councilmember, Chico*

BILL CONNELLY  
*Supervisor, District #1*

PETER DURFEE  
*Supervisor, District #2*

TOD KIMMELSHUE  
*Supervisor, District #4*

DOUG TEETER  
*Supervisor, District #5*

CHUCK NUCHOLS  
*Vice Mayor, Biggs*

ANGEL CALDERON  
*Councilmember, Gridley*

ERIC SMITH  
*Vice Mayor, Oroville*

ROSE TRYON  
*Councilmember, Paradise*

STEPHEN ERTL  
*Air Pollution Control Officer*

PATRICK LUCEY  
*Assistant Air Pollution Control Officer*

## ***Final Minutes of the Butte County Air Quality Management District Governing Board of Directors Meeting of September 26, 2024***

### Members Present:

Bill Connelly	Supervisor District 1
Tami Ritter	Supervisor, District 3
Tod Kimmelshue	Supervisor, District 4
Doug Teeter	Supervisor, District 5
Addison Winslow	Councilmember, Chico
Angel Calderon	Councilmember, Gridley
Chuck Nuchols	Vice Mayor, Biggs

### Members Absent:

Rose Tryon	Councilmember, Town of Paradise
Eric Smith	Vice Mayor, City of Oroville
Peter Durfee	Supervisor, District 2

### Staff Present:

Stephen Ertle	Air Pollution Control Officer (APCO)
Kelly Towne	Clerk of the Board
Patrick Lucey	Assistant Air Pollution Control Officer

### Remote Staff:

Aleah Ing	Administrative Services Officer
David Campbell	Air Quality Compliance Specialist II
Jason Mandly	Senior Air Quality Planner
Sam Nassie	Air Quality Compliance Specialist II

### Others Remote:

Greg Einhorn	District Counsel
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### **1. Call to Order and Roll Call.**

Chair Ritter called the meeting to order at 10:04 a.m. at the BCAG Board Room, 326 Huss Drive, Suite 100, Chico, California.

### **2. Additions and Deletions to the Consent or Regular Agenda.**

No additions or deletions.

**3. Consent Agenda.**

- 3.1** Minutes of the June 27, 2024 Meeting of the Board of Directors.
- 3.2** Activity Report on Butte County Air Quality Management District Activities.
- 3.3** Financial Status Report Fiscal Year 2023-2024.
- 3.4** Status Report on Calendar of Events.
- 3.5** Status Report on Communications.
- 3.5** Health Disclosure Statement.

**ACTION REQUESTED: Approve Consent Agenda Items.**

Board comments: None.

Public comments: None.

A motion was made by Supervisor Kimmelshue and seconded by Vice Mayor Nuchols to approve the Consent Agenda Items.

**Motion carries by the following vote:**

AYES: Supervisor Ritter, Councilmember Winslow, Supervisor Connelly, Supervisor Kimmelshue (motion), Supervisor Teeter, Vice Mayor Nuchols (second), and Councilmember Calderon.

NOES: None.

ABSTAIN: None.

ABSENT: Supervisor Durfee, Vice Mayor Smith, and Councilmember Tryon.

**ITEMS FOR ACTION**

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

No items removed from the Consent Agenda.

**5. Fiscal Year 23/24 4<sup>th</sup> Quarter Grant Revenue Report.**

**ACTION REQUESTED:** Accept and file report.

The FY 23/24 4<sup>th</sup> Quarter Grant Revenue Report was presented by Aleah Ing, Administrative Services Officer.

Board Discussion: Board discussion ensued.

Public comments: None.

A motion was made by Supervisor Connelly and seconded by Supervisor Teeter to accept and file the FY 23/24 4<sup>th</sup> Quarter Grant Revenue Report.

**Motion carries by the following vote:**

AYES: Supervisor Ritter, Councilmember Winslow, Supervisor Connelly (motion), Supervisor Kimmelshue, Supervisor Teeter (second), Vice Mayor Nuchols, and Councilmember Calderon.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Supervisor Durfee, Vice Mayor Smith, and Councilmember Tryon.

**6. Fiscal Year 23/24 Final Budget Amendments.**

**ACTION REQUESTED:** Approve budget transfers and amendments for both FY 2023-24 and FY 2024-25.  
The item was tabled to a future meeting date.

Board discussion: None.  
Public comments: None.

**7. 2024-2027 BCAQMD Management Association Memorandum of Understanding Adoption.**

**ACTION REQUESTED:** Adopt Resolution 2024-10 approving the 3-Year Memorandum of Understanding with the District MA and authorize the Chair to sign.  
The 2024-2027 BCAQMD Management Association Memorandum of Understanding report was presented by Stephen Ertle, Air Pollution Control Officer.

Board discussion: None.  
Public comments: None.

A motion was made by Councilmember Calderon and seconded by Supervisor Kimmelshue to Adopt Resolution 2024-10 approving the 3-Year Memorandum of Understanding with the District MA and authorize the Chair to sign.

**Motion carries by the following vote:**

AYES: Supervisor Ritter, Councilmember Winslow, Supervisor Connelly, Supervisor Kimmelshue (second), Supervisor Teeter, Vice Mayor Nuchols, and Councilmember Calderon (motion).  
NOES: None.  
ABSTAIN: None.  
ABSENT: Supervisor Durfee, Vice Mayor Smith, and Councilmember Tryon.

**8. PERS Classic & Pepra Valuation Report, PERS CEPPT Trust Summary.**

**ACTION REQUESTED:** Receive report and approve CalPERS Annual Valuation reports for CLASSIC and PEPRA ending 6/30/2023 and the CalPERS CEPPT Account Summary Report as of 6/30/2023.  
The PERS Classic & Pepra Valuation report, PERS CEPPT Trues Summary was presented by Aleah Ing, Administrative Services Officer.

Board discussion: None.  
Public comments: None.

A motion was made by Councilmember Winslow and seconded by Supervisor Kimmelshue to receive and approve the CalPERS Annual Valuation reports for CLASSIC and PEPRA ending 6/30/2023 and the CalPERS CEPPT Account Summary Report as of 6/30/2023.

**Motion carries by the following vote:**

AYES: Supervisor Ritter, Councilmember Winslow (motion), Supervisor Connelly, Supervisor Kimmelshue (second), Supervisor Teeter, Vice Mayor Nuchols, and Councilmember Calderon.

NOES: None.

ABSTAIN: None.

ABSENT: Supervisor Durfee, Vice Mayor Smith, and Councilmember Tryon.

**ITEMS FOR INFORMATION**

**9. Other Business.**

**APCO Report.**

This item was left off the regular Agenda and was presented by APCO, Stephen Ertle.

See Addendum to the minutes for the report.

Board Discussion: Board Discussion ensued.

Public Comment: None.

**10. Public Comment Period.** Any person may address the Board of Directors on any matter within the jurisdiction of the Board that is not on the agenda for this meeting. Any person may address the Board on an agenda item when that time is called. The Chair requests that each person addressing the Board limits their presentation to five (5) minutes.

**11. Adjourn to Closed Session.**

- The meeting adjourned to closed session at 10:26 a.m.

**12. Report From Closed Session.**

- No report from closed session.

**13. The meeting adjourned at 10:46 a.m. The next Board of Directors Meeting is scheduled for October 24, 2024 at 10:00 a.m. at the Butte County Association of Governments Board Room, 326 Huss Drive, Suite 100, Chico, California.**



Stephen Ertle, Air Pollution Control Officer  
Butte County Air Quality Management District

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 September 26, 2024.

*Kelly Towne*

ATTEST: \_\_\_\_\_  
Kelly Towne, Clerk of the Governing Board

## **Attachment 1**

### **APCO Report**

## September APCO Update

### Federal Update

- **Congressman Troy E. Nehls (R-TX-22)** introduced the *Stop California from Advancing Regulatory Burden Act*, or the *Stop CARB Act*. **Senator Mike Lee (R-UT)** is leading the Senate companion to this legislation (September 12). This legislation would repeal Section 177 of the CAA, which allows other states across the nation to adopt the California emissions standards and would nullify any active or pending waivers, and clean up references to the waiver in other statute.

### State Update/Legislative Update

- **AB 1465 (Wicks) Penalty ceiling increase. BAAQMD Sponsored. CAPCOA and South Coast Supported.** Triples the ceiling on civil penalties for Title V sources of air pollution that violate air pollution control rules, regulations, or permit conditions.
- **SB 1158 (Archuleta) Moyer Liquidation deadlines. South Coast Sponsored. CAPCOA Supported.** This bill extends the time air districts have to disburse Carl Moyer Program funds from four to six years.
- **AB 2561 (McKinnor) Local Public Agency Vacancies. CAPCOA and South Coast Opposed Unless Amended on previous versions.** Neutral on the last two versions. This labor sponsored bill requires local public agencies to present the status of vacancies and recruitment and retention efforts at a public hearing at least once per fiscal year, and would entitle the recognized employee organization to present at the hearing. If the number of job vacancies within a single bargaining unit meets or exceeds 20% of the total number of authorized full-time positions, the bill would require the public agency, upon request of the recognized employee organization, to include specified information during the public hearing.
- **AB617 Funding: CARB OCAP** proposing increase from 1% to 2% for their administration of the program (use incentives funds to support admin?). CARB exploring admin increase for Districts as well (currently 6.25% large, 12.5% others).
- **FARMER program** was funded at \$2 million. No indications of how that will be allocated across the State.
- **Satellite methane plume study with public data-** Data will start releasing in the Spring.

### Local Update

- **Awarded Grant for "Mobile & Portable Air Monitoring Enhancements"** to build a mobile monitoring platform that can respond throughout Butte to screen for impacts from criteria air pollutants (\$139,939.00 total: \$112,110.55/\$27,828.45).
  - respond to wildfire smoke episodes,
  - evaluate impacts from open burning,
  - conduct community air quality studies,
  - supplement monitoring in communities impacted by power outages due to wildfire damage or Public Safety Power Shutoff events,
  - Refined measurements will allow the District to adjust messaging in air quality advisories and notifications to the public, and
  - Additional data may also help support future exceptional events demonstrations.
- **New Website:** State requirements for websites go into effect in January-In response we developed a new website designed to work on mobile platforms and includes the ability for agricultural burning notifications to be made through the website (increases options for burners and reduces data entry time for staff).

### CAPCOA Leg Retreat and Board Meeting

- **CHIRP Allocations (Climate Heat Impact Response Program)** for 2022 year (Butte to receive >\$100,000 for pollution mitigation)