

Action Summary Minutes
San Joaquin Valley Unified Air Pollution Control District

CITIZENS ADVISORY COMMITTEE

Central Region Office, Governing Board Room
1990 E. Gettysburg Avenue, Fresno, CA

May 7, 2013
10:00 a.m.

The Citizens Advisory Committee Meeting was held via video teleconference (VTC): Central Region Office, Governing Board Room, 1990 E. Gettysburg Avenue, Fresno, the Southern Region Office, VTC Room, 2700 M Street, Bakersfield and the Northern Region Office, VTC Room, 4800 Enterprise Way, Modesto. The CAC Meeting was webcast.

1. Call to Order – The Vice Chair, Dennis Tristao, called the meeting to order at 10:01 a.m.
2. Roll Call – was taken and a quorum was present

<u>County</u>	<u>Member Name/Interest Group</u>	<u>Location</u>
Fresno	Manuel Cunha/IAIG (P)	Central
	Ryan Jacobsen/IAIG (A)	Central
	Sarah Sharpe/EIG (P)	Central
Kern	Les Clark/IAIG (P)	South
	Brent Green/CIG (P)	South
Kings	Dennis Tristao/CIG (P)	Central
	Riley E. Jones/IAIG (P)	Central
	Alene Taylor/EIG (A)	Central
Madera	Lee Smith/EIG (P)	North
	Donald Horal/IAIG (P)	Central
Merced	Tim Durham/IAIG (P)	Central
San Joaquin	Wade Broughton/CIG (P)	North
	Roger Hoffdahl/IAIG (P)	North
Stanislaus	Richard Gibson/EIG (P)	North
	Chris Savage/IAIG (P)	North
	David Geer/CIG (A)	North
Tulare	Derek Williams/IAIG (P)	Central
	Christine Foster/EIG (P)	South

(P)=Primary, (A)=Alternate, IAIG=Industry/Ag Interest Group, EIG=Environmental Interest Group, CIG-City Interest Group

Staff Present in Central Region Office (Fresno) – Rick McVaigh, Deputy APCO; Cathy Blevins, Network Systems Analyst; Michelle Franco; Deputy Clerk of the Boards; Samir Sheikh, Director of Strategies and Incentives; Anna Myers, Senior Air Quality Specialist; David Lighthall, Health Science Advisor; Heather Heinks, Supervising Education Representative, Jessi Fierro, Supervising Air Quality Specialist

Staff Present in the Northern Region Office (Modesto) – Theresa Haywood, Senior Office Assistant

Staff Present in the Southern Region Office (Bakersfield) – Nannette Diaz, Senior Office Assistant

3. Approve Minutes of April 2, 2013 –Mr. Tristao made the motion to approve the minutes.

Public Comment: None

Moved: Tristao

Seconded: Cunha

Ayes: Cunha, Clark, Jones, Horal, Durham, Hoffdahl, Savage, Williams, Sharpe, Taylor, Smith, Green, Tristao, Broughton, Geer

Nays: None

Abstentions: Gibson, Foster

Motion carried to approve minutes of April 2, 2013

4. Public Comments – None
5. Chair Comments – Ms. Sharpe requested agenda item number 11 be taken out of order due to her early departure. Mr. Tristao stated agenda item 11 would be discussed after agenda item 6.
6. Executive Director/APCO Comments – Rick McVaigh, Deputy APCO reported the Study Session was held on May 2nd and 3rd. He noted the Board decided to change the description of the first core value to: *The District shall continue to strive to protect the health of Valley residents through efforts to meet health-based state and federal air quality standards based on science on prioritized where possible using health-risk reduction strategies.* Mr. McVaigh reported the Board approved the re-naming of the previously known Risk-Based Strategy to *Health Risk Reduction Strategy*. He added the Board approved a proposal for a two-phased public air quality survey focusing on wood burning activities in the winter and lawn care activities in the spring. Mr. McVaigh reported the Board also approved a new site

selection policy for air monitoring stations and a proposal for a review of the District's organizational structure and business practices. He added the Board received presentations regarding hydraulic fracturing and formed based zoning. Mr. McVaigh reported the Board approved a proposal to spend up to \$10,000 on education efforts to promote the use of air friendly approaches in land use planning. He added the Board also approved a proposal to continue to expand the use of web-based information technology called Microsoft SharePoint which will allow staff to share data internally and externally and possibly develop online portals for permit and grant applicants.

Mr. McVaigh reported the Northern Region Hearing Board has several vacancies. He noted the vacancies include Primary and Alternate Medical, Alternate Engineer and two Alternate Public members. He stated all interested parties should contact Michelle Franco, Deputy Clerk of the Boards.

Mr. Cunha acknowledged the Board and staffs' efforts in attaining the goal of reducing health impacts in the Valley.

Public Comments: None

Out of order at the Vice Chair's prerogative

11. Environmental Justice Advisory Group (EJAG) Business –

- a. *Verbal Report on EJAG Activities for April* – Sarah Sharpe, Fresno County CAC - Environmental Alternate Representative briefly reviewed the highlights of the EJAG meeting. She reported there was public comment in appreciation of the District's support and success of the Tune-In, Tune-Up program. She added there were presentations on Rule and Plan Update and the monitoring network and planned changes. Ms. Sharpe stated the Grant Committee's incentive funding recommendations for 2013-14 were unanimously accepted. She reported Robert Smith, Kern County At Large Representative, was elected Vice Chair.
- b. *Proposed CAC/EJAG Collaboration Workshop Dates* – Ms. Sharpe reported a date in May or June is currently being discussed. Michelle Franco, Deputy Clerk of the Boards updated CAC members there was a Doodle poll emailed to EJAG members and there will be poll sent to CAC members forthcoming.
- c. *Approve Recommendations from EJAG Grants Committee* – Derek Williams, Tulare County At-Large Representative, briefly reviewed recommendations for grant funding in Valley

environmental justice areas. He noted recommended targets for funding include school bus replacement, replacement and retrofit of privately owned refuse collection vehicles, heavy-duty engine replacement, and bicycle/non-motorized vehicle components under the District's REMOVE program.

Mr. Savage recommended the information be distributed to EJAG and CAC members regarding the amount of funding of previous grant programs and the air quality benefits sustained from each program. Mr. McVaigh explained last year, under AB 2522, the District was required to take input from an environmental justice group on \$10 million of grant funding in environmental justice areas. He noted this year has no legislative mandate but the process worked well last year so the decision was to continue to receive recommendations from EJAG and CAC. Mr. Williams added EJAG gave feedback on where they would like the money spent and what kinds of programs they would like to see. He noted the Grants Subcommittee was not tasked with making dollar recommendations. Mr. McVaigh acknowledged the work of the Grants Subcommittee.

Mr. Smith asked if the incentives would be part of the Rule 9610 (State Implementation Plan Credit for Emission Reductions Generated Through Incentive Programs). Mr. McVaigh responded affirmatively.

Mr. Clark requested information on how the funding would be distributed amongst the programs. Mr. McVaigh explained staff is developing a spending plan proposal to present to the Governing Board that will identify the specific amounts for each project. Mr. Clark asked where does the money originate. Mr. McVaigh explained there are a variety of grant funds including AB2522, Carl Moyer and other state, federal and local sources.

Ms. Taylor asked if the recommendations are prioritized. Mr. Williams stated the list is not prioritized.

Mr. Jones asked if the list of recommendations are the same as last year and currently have programs in place. Mr. McVaigh explained the new recommendation is the bicycle/non-combustion motorized vehicle initiative. Todd DeYoung, Strategies and Incentives Program Manager, added there were several meetings to determine the list of recommendations. He noted there were discussions of cost effectiveness. Mr. McVaigh

added there are provisions within the programs to ensure cost effective reductions.

Mr. Cunha recommended reevaluating the amount given to families to convert wood-burning fireplaces.

Mr. Williams asked if an incentive for replacing wood burning fire places could be included in one of recommendations. Mr. McVaigh responded affirmatively. He suggested the Grants Committee review the item for replacing wood burning fire places. Mr. Williams responded affirmatively.

Public Comment: None

Moved: Cunha
Seconded: Foster
Ayes: Cunha, Clark, Jones, Horal, Durham, Hoffdahl, Savage, Williams, Taylor, Smith, Gibson, Foster, Green, Tristao, Broughton, Geer
Nays: None
Abstentions: None

Motion unanimously carried to approve recommendations from EJAG Grants Committee.

Ms. Sharpe left at 10:45 a.m.

7. Rule Updates – Jessi Fierro, Supervising Air Quality Specialist, explained there will be an extensive presentation on New Rule 9610 (SIP-Creditability of Incentives) later in the meeting. She reported a scoping meeting will be held during the second quarter of 2013 for Rules 4621 and 4622 (Gasoline Dispensing Facilities). She added public workshops will be held at a later date for Rule 4308 (Boilers, Steam Generators, and Process Heaters 0.075 to <2 MMBtue/hr), Rule 4901 (Wood Burning Fire Places and Wood Burning Heaters) and Rule 4692 (Charbroiling). Ms. Fierro reported the proposed plan for the 2013 1-hour Ozone Plan is being prepared for a June hearing.

Public Comment: None

8. Verbal Report from California Air Resources Board (ARB)
 - a. ARB Board Meeting Summary –Patricia Velasco, ARB representative, reviewed the Air Resources Board Update including a summary of the April 19 and 25, 2013 ARB Board meetings. Ms. Velasco reported the Board approved

amendments to the California Cap-and-Trade regulation and was updated on refinery emergency preparedness. She added the Board conducted a public hearing required by legislation on the State's Draft Three-Year Investment Plan for the greenhouse gas cap-and-trade auction proceeds. Ms. Velasco reported the Board will undertake a rule-making process to make potential amendments to the Cap-and-Trade Regulation. She noted the ARB website has additional information on the upcoming workshops. Ms. Velasco reported ESW CleanTech Incorporated (ESW CleanTech), a manufacturer of verified on-road and off-road diesel emissions control strategies, acquired the assets and product line of Cleaire Advanced Emissions Controls LLC (Cleaire). She added that ARB has been working with the owners, installers and distributors of Cleaire products as well as ESW CleanTech to ensure continued support for the systems.

Mr. Cunha expressed concern regarding the acquisition information of Cleaire not being distributed to all the customers of the products.

Public Comment: *The following persons provided testimony on this item:*

- Colby Morrow, Southern California Gas Co.

9. Consider Recommendation on Proposed District Rule 9610 (State Implementation Plan Credit for Emission Reductions Generated Through Incentive Programs) – Samir Sheikh, Director of Strategies and Incentives, and Anna Myers, Senior Air Quality Specialist gave the presentation on this item. Mr. Sheikh explained the incentive programs accelerate adoption of cleaner technologies. He added the role of District incentive programs includes implementing the most stringent prohibitory regulations. He noted incentive-based reductions have historically not been granted State Implementation Plan (SIP) credit. He explained SIPs contain measures to reduce emissions and satisfy various Clean Air Act requirements. He added the measures could include regulatory and non-regulatory strategies. Mr. Sheikh noted incentive-based reductions would not be a substitute for ongoing regulatory emission reductions efforts. He explained a general framework was established in 2010 for ensuring that reductions from incentive programs receive SIP credit.

Ms. Myers explained Rule 9610 (State Implementation Plan Credit for Emission reductions Generated Through Incentive Programs) is an administrative mechanism for the District to receive credit towards SIP requirements for emission reductions achieved in Valley through incentive programs administered by the District, Natural Resources Conservation

Service (NRCS) and the Air Resources Board. She noted the Rule established criteria for incentive reductions to qualify for federal SIP credit, the reporting, public, review and approval processes. Ms. Myers explained an emission reduction must be surplus, quantifiable, permanent and enforceable to meet the EPA integrity criteria and be eligible for SIP credit. She reviewed the incentive program guidelines and the programs that are recognized in the Rule as SIP-creditable programs.

Ms. Myers explained the Annual Demonstration Report serves as a reporting mechanism to claim SIP credit for incentive-based emission reductions. She noted a draft of the Report will be released to the public and presented to the Governing Board prior to submittal to ARB and EPA. Ms. Myers reported the contents of the Report are robust and thorough and briefly reviewed some of the items. She added there will also be an online component which will provide incentive program information and records kept as required by applicable incentive program guidelines.

Mr. Sheikh reported a public workshop had been held and the District received public comment. He added the proposed rule and supporting documentation is scheduled to be posted on May 21, 2013. He stated there is a public hearing scheduled for June 20, 2013.

Mr. Geer expressed concern regarding possible over-regulation to Valley businesses. Mr. Tristao noted this Rule addresses a concern of industry including the agricultural industry where businesses have participated in incentive programs but the federal EPA has not allowed the use of reductions from the incentives to go towards the SIP attainment goal.

Mr. Clark expressed concern regarding required contingencies. Mr. McVaigh explained that during the process of developing an attainment plan to address air quality issues in the Valley, all feasible measures are included. He noted the reductions achieved through incentive programs may address the contingency requirement. Mr. Clark asked if the Rule follows the SIP process including the presentation from ARB to EPA. Mr. McVaigh responded affirmatively. Mr. Clark asked if EPA in support of this Rule. Mr. McVaigh stated the District expects EPA to approve the new Rule.

Mr. Cunha expressed appreciation for staff's efforts on the development of the new Rule. Mr. Cunha made the motion to support adoption of proposed District Rule 9610 (State Implementation Plan Credit for Emission Reductions Generated Through Incentive Programs) to the District Governing Board public hearing. Ms. Foster seconded the motion.

Mr. Savage expressed concern regarding not having the actual Rule. Mr. Tristao requested a motion to table this item until the next CAC meeting. Mr.

Cunha amended his motion to table this item until the next CAC meeting. Ms. Foster seconded the motion. Mr. Tristao requested the Rule be distributed to all CAC members for review.

Public Comment: None

Moved: Cunha
Seconded: Foster
Ayes: Cunha, Clark, Jones, Horal, Hoffdahl, Savage, Williams, Taylor, Smith, Gibson, Foster, Green, Tristao, Broughton, Geer
Nays: None
Abstentions: None

Motion unanimously carried to table the Consideration on the Recommendation on Proposed District Rule 9610 (State Implementation Plan Credit for Emission Reductions Generated Through Incentive Programs)

Mr. Durham left at 11:35 a.m.

Mr. Cunha left at 11:49 a.m.

Mr. Horal left at 11:51 a.m.

Mr. Savage left at 11:55 a.m.

10. District Options for Addressing Valley Fever Update – David Lighthall, Ph.D., Health Science Advisor, gave the presentation on this item. He explained Valley Fever is caused by an airborne fungus that grows in soils, often on open un-irrigated land. He added due to the fungus occurring naturally on open land and spread by winds; it would be extremely difficult to control sources or the spread of the spores. Dr. Lighthall reviewed the Valley Fever Vaccine Project, which was launched with grant funding from the California Healthcare Foundation, the state of California and several other private and public sources.

Mr. Geer asked the time period that spores will be found after land has been irrigated or tilled. Dr. Lighthall explained it is very difficult to put a time table on when spores will be found after land has been irrigated or tilled. He added that conceivably, if the conditions are right, the spores will propagate the following dry period.

Mr. Green commented the information presented today should be disbursed to the public by the District as a public health agency. He added a study of spikes in case diagnosis may be useful. Dr. Lighthall noted research indicates it is difficult to develop a statistical model for temporal correlation between dust events and infection rates for the California species.

Ms. Taylor asked if a person can be infected more than once. Ms. Foster explained a person that has fully recovered and has had enough of a reaction may become immune. She reviewed her research on Valley Fever including the young, elderly and more sensitive persons are vulnerable to becoming infected.

Mr. Williams requested the presentation be made at the next EJAG meeting.

Mr. Geer requested the presentation include symptoms of the condition.

Public Comments: None

12. Outreach and Communications Report – Heather Heinks, Supervising Education Representative, reported May is Bike Month which includes activities such as the Mall to Mall ride. She encouraged persons to visit healthyairliving.com that includes a video press release on cycling activities.

Public Comment: None

13. CAC Member Comments; CAC Member Suggestions To Be Included In The Presentation Of The CAC Report During The Governing Board Meeting on May 16, 2013 – Ms. Foster commented the tabling of Rule 9610 (State Implementation Plan Credit for Emission reductions Generated Through Incentive Programs) and the presentation on Valley Fever be included in the Report.
14. Volunteer to Present Report During Governing Board Meeting – Mr. Tristao volunteered to present he report during the Governing Board meeting.

Meeting adjourned at 12:19 p.m.

Next Meeting – The next meeting is scheduled on June 4, 2013. The meeting will be held via video teleconference (VTC), with the Central Region Office (Fresno), the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating.