

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 6, 2014
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, 34946 Flyover Court, Bakersfield and teleconference in the Northern Region Office, VTC Room, 4800 Enterprise Way, Modesto. The CAC Meeting was webcast.

1. Call to Order – The Chair, Lee Smith, called the meeting to order at 10:05 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	Sarah Sharpe/EIG (P)	Central
	Amarpreet Dhaliwal/CIG (P)	Central
Kern	Les Clark/IAIG (P)*	South
	Brent Green/CIG (P)	South
Kings	Dennis Tristao/CIG (P)	Central
	Alene Taylor/EIG (A)	Central
Madera	Lee Smith/EIG (P)	Central
	Donald Horal/IAIG (P)	Central
Merced	Jack Lemen/CIG (P)	Central
San Joaquin	Wade Broughton/CIG (P)	North
	Roger Hoffdahl/IAIG (P)	North
Stanislaus	Chris Savage/IAIG (P)	North
Tulare	Michael Brown/EIG (P)**	South
	Derek Williams/IAIG (P)	Central

*Mr. Clark arrived at 10:20 a.m.

**Mr. Brown arrived at 10:20 a.m.

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

Staff Present in Central Region Office (Fresno) –Dave Warner, Permits Services Director; Samir Sheikh, Director of Strategies and Incentives; Jessi

Fierro, Program Manager/Legal Specialist; Heather Heinks, Supervising Air Quality Education Representative; Anna Myers, Senior Air Quality Specialist; Alex Krivobok, Network Systems Analyst; Michelle Franco, Deputy Clerk of the Boards

Staff Present in the Northern Region Office (Modesto) – Ann Marie Collins, Office Services Manager

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

3. Approve Minutes of March 4, 2014 and April 1, 2014 – CAC minutes for March 4, 2014 and April 1, 2014 were approved, with no changes.
4. Public Comments – None
5. Chair Comments – None
6. Executive Director/APCO Comments – Samir Sheikh, Deputy APCO, reported at the April Governing Board meeting, the Board, in recognition of the potential air quality issues due to the extreme drought conditions, took action on some emergency measures to assist with relief. He stated there would be a presentation later in the meeting regarding this action item. He added the Board heard a report on the Wood Burning Rule and the curtailment efforts done as part of the Check Before You Burn program. He noted curtailments increased due to the extreme weather conditions but evidence showed the Wood Burning Rule was still very effective in reducing emissions. Mr. Sheikh reported the Board also approved a research study to continue analyzing and evaluating transboundary ozone.

Mr. Sheikh invited CAC members to attend the Governing Board Study Session on May 7 and 8, 2014, at Bass Lake, CA.

Mr. Smith asked what enforcement is in place for the Wood Burning Rule. Mr. Sheikh explained District staff issue Notices of Violations to persons burning their fireplace on curtailment days. He added neighbors and other residents are able to call in and file a report, and District Inspectors have increased evening patrols. Mr. Smith asked for the amount of the fine. Mr. Sheikh explained the process is progressive noting the first-time violator has an option to participate in training in lieu of paying a fine. He added repeat offenders will see a fine increase.

Public Comment: None

7. Rule Updates – Anna Myers, Senior Air Quality Specialist, updated CAC members on upcoming rule projects. She noted staff will be submitting a brief technical addendum to EPA demonstrating how relevant parts of the adopted 2012 PM2.5 Plan satisfy all subpart 4 requirements. Ms. Myers reviewed the upcoming rule projects and public workshops.

Mr. Tristao requested clarification on Rule 2020 (Exemptions). Dave Warner, Deputy APCO, explained there has been a need for facilities to operate utilizing portable equipment due to unforeseen interruptions of electrical power. He added the source review permitting regulations require combustibles engines be recognized as a stationary source and that introduces complex and cumbersome new source review requirements. Mr. Warner explained the state Portable Equipment Registration Program (PERP) allows the use of certain registered portable equipment. He stated the District's Permit Exemption Rule has to be modified so permits are not required for the equipment. Mr. Tristao asked if emergency generators used during maintenance procedures are considered under PERP. Mr. Warner stated registered emergency generators will be allowed.

Public Comment: None

8. Verbal Report from California Air Resources Board (ARB)
 - a. ARB Board Meeting Summary – Patricia Velasco, ARB representative, reported the Board met on April 24 and 25, 2014 and staff presented an update on Health Effects of Air Pollution Exposure. Ms. Velasco stated the Board adopted amendments to the Truck and Bus Regulation that will provide new flexible compliance options to owners of aging diesel fleets and recognize fleet owners that have made investments to comply, while also protecting air quality. She added the Board also approved amendments to the state's greenhouse gas Cap-and-Trade program. She added the Board also voted to adopt a new protocol that would generate compliance-grade carbon offsets for mine methane. She said the Board voted to immediately expand the funding and current waiting list for the Assembly Bill 118 Air Quality Improvement Program Clean Vehicle Rebate Project. Ms. Velasco also reviewed upcoming workshops and training courses.

Mr. Dhaliwal asked about the status of a health strategy or plan that was submitted to EPA. Mr. Sheikh explained the Health Risk Reduction Strategy recognizes different types of pollutants have different health impacts and provides the foundation for understanding the various types of effects. He noted the

Strategy was incorporated in the latest PM Plan and staff continues to work with EPA on this issue.

Public Comment: None

9. Verbal Update on Development of the SIP for the 2008 8-Hour Ozone Standard – Sheraz Gill, Strategies and Incentives Director, noted the 8-hour Ozone Standard is very tough and significant emissions reductions will be needed for the Valley to reach attainment. Mr. Gill discussed the measures required for the attainment plan are due in July, 2016. He noted EPA proposed an implementation rule in June, 2013 and incorporated a number of District suggestions based on the Health-Risk Reduction Strategy. Mr. Gill explained that the Emissions Inventory is the foundation of the plan and reviewed the components. He noted the District participates in interagency inventory development meetings, proactively reviews components as available and provides data to ARB.

Jessi Fierro, Program Manager/Legal Specialist, explained another component of the 2008 8-hour Ozone Standard is Reasonably Available Control Technology (RACT). She stated this includes the District's most stringent control strategy in the nation through numerous attainment plans and over 500 regulatory actions. She noted the plan does build upon extensive analyses conducted for the 2009 RACT SIP. Ms. Fierro added the RACT SIP for this Ozone Standard will evaluate District NO_x rules for a wide variety of stationary source emissions by comparing each rule to any new federal, state and local regulation since previous RACT determinations already ensure that each rule meets or exceeds RACT levels of control.

Ms. Fierro noted the proposed implementation rule includes the provision that analysis of VOC rules will not be required if VOC emission reductions do not advance attainment. She added modeling and extensive technical analyses through recent plans have demonstrated that additional VOC reductions will not advance the Valley's ozone attainment.

Ms. Fierro said a public workshop is tentatively scheduled for May 23, 2014. She explained the RACT SIP will be posted for public review during the middle of May, 2014 and will go to the Governing Board for adoption in June, 2014, as it is due to EPA in July, 2014. She added the Emissions Inventory for the base year of 2012 is due to EPA by July, 2014, and the EMFAC emissions database information (for on-road mobile sources) will be available this fall. Ms. Fierro reported modeling and other analyses of future year concentrations will begin this month.

Mr. Brown asked where the RACT SIP is available to the public. Ms. Fierro explained the information will be posted on the District website. She added

members of the public can choose to subscribe to an email list to receive information on the RACT SIP.

Mr. Tristao asked for clarification on how the conformity of the regional transportation agencies' SIP plans will work into this plan. Mr. Sheikh explained counties must meet transportation conformity and mobile source emissions budget targets under federal attainment plans. He added several studies have been performed to update the regional transportation plans and create models of the emissions at the county level. He noted the Emissions Inventory is now being updated through Emission Factors (EMFAC) and other tools that ARB uses. Mr. Sheikh stated the final Emissions Inventories will reflect the latest information and that we would be in close communication the Valley's Metropolitan Planning Organizations (MPOs) to ensure that transportation conformity is not an issue moving forward.

Ms. Fierro added ARB has held meetings and workshops on EMFAC with representatives from the entire Valley's MPOs participating. She explained the established on-road mobile source emissions inventory into the future years are broken down by county which helps create the conformity budgets that each city and county must meet in any project they complete. She stated that from those plans the city and county transportation and general plans must conform to the District's attainment plan. She added the District works closely with the MPOs to ensure consistency and good technical basis for each of those layers.

Mr. Tristao asked if any of the MPOs has contacted the District to assist in modeling for their conformity demonstration. Mr. Sheikh explained that the District has played an active role in supporting the development of new models, and communicating with MPOs about how their projections relate to attainment plans. He noted transportation conformity is a big component of the plan currently under development. Mr. Sheikh reported the District has provided funding for consultants to assist MPOs build their models.

Mr. Dhaliwal commented the Fresno Council of Governments is considered to be a leader in putting a new model together.

Public Comment: None

10. Emergency Measures to Assist with Drought Relief Actions by Water Districts and Farmers – Mr. Warner gave the presentation on this item. He explained the strong and persistent high pressure ridge over California allowed for essentially no rain in the Valley from November 2013 through January 2014. Mr. Warner reported the Governor made a drought emergency proclamation and directed state agencies to conserve water, fund major water supply projects and suspended CEQA for certain drought

relief efforts. Mr. Warner stated without effective drought relief measures, the Valley could experience significant increases in emissions in the coming months. He added drought conditions are expected to have dire impacts on the Valley's economy. He reviewed the drought's impacts on water systems and air quality including unprecedented lack of surface water deliveries, lack of water for dust control and the need to drill new and deeper wells. Mr. Warner reported staff has developed expedited permitting of temporary equipment and expedited portable equipment registration processes. He added multiple drought relief projects may cause cumulative air quality impact positively.

He reported the Governing Board approved authorization for the APCO to execute Voluntary Emissions Reduction Agreements (VERA) upon signature by the Board Chair to help mitigate air quality impact. He also reported the Board authorized the Chair to send a letter to the Governor supporting waivers of CEQA requirements if emissions increases are mitigated with VERAs and projects comply with applicable District regulations. He noted District staff is working with the agriculture community and the Natural Resources Conservation Service (NRCS) to develop alternatives to Conservation Management Practices (CMPs) and Confined Animal Feeding Operations (CAFO) rule requirements. He noted staff is looking for opportunities to provide help navigating through complex regulatory requirements by creating Compliance Assistance Bulletins and having meetings and training in coordination with Farm Bureaus and other agriculture organizations.

Mr. Warner explained there is a potential to amend Rule 2280 (Portable Equipment Registration) to better address emergencies or need for timely response to drought conditions. Mr. Warner reported the Board directed the APCO to investigate any necessary changes and expedite administrative rule adoption processes. He added there will be routine periodic reports regarding the number and types of emergency projects taking advantage of the streamlined provisions.

Mr. Dhaliwal commended District staff for taking a proactive approach to the drought emergency.

Mr. Smith asked if staff will be able to use the Governor's most recent communication to waive CEQA requirements. Mr. Warner explained before the Chair could send the letter to him, the Governor approved waiving of CEQA requirements. Mr. Smith asked if VERAs can still be completed. Mr. Warner responded affirmatively.

Public Comment: None

11. Rule 4901 (Wood Burning Fireplace and Wood Burning Heaters) Rule Development – Ms. Fierro explained the importance of Rule 4901 (Wood Burning Fireplace and Wood Burning Heaters). She noted wood burning is one of the largest sources of directly-emitted PM2.5. She said one of the most cost-effective measures are curtailment days which are based on current and forecasted air quality. She stated the rule is health protective and important for attaining federal PM2.5 standards. Ms. Fierro explained the strategy to reduce emissions is to increase curtailment days for non-clean burning devices and encourage the transition to clean burning devices. She presented a chart illustrating the portion of residents with a wood burning fireplace, wood stove or pellet stove. She presented another chart illustrating that an uncertified fireplace emits as many emissions per hour as about 20 clean burning devices. Ms. Fierro reported the public opinion survey determined residents would prefer a tiered curtailment schedule and increased incentives. She presented a table showing a draft of increased burn days for non-clean burning devices. She reviewed changes under consideration to the Burn Cleaner Incentive Program including increasing funding levels and accessibility. She stated the next public workshop is in June, 2014.

Mr. Lemen asked the feasibility of having more nighttime inspections. Mr. Sheikh explained the number of evening inspections has increased year after year. He added the need for more enforcement will be reviewed as part of the enhanced strategy.

Public Comment: None

Mr. Dhaliwal left at 11:28 a.m.

Mr. Hoffdahl left at 11:30 a.m.

12. Consider Recommendations by CAC Subcommittee for Hearing Board Appointments – Michelle Franco, Deputy Clerk of the Boards, explained the process for appointments to the Regional Hearing Boards and announced the applicants who were recommended for appointment to the Regional Hearing Boards. She thanked the CAC Subcommittee for Hearing Board Appointments for their assistance with the interview process.

Public Comment: None

Ms. Taylor made a motion to approve the recommendations for the new Hearing Board Member appointments.

Moved: Taylor

Seconded: Horal

Ayes: Clark, Horal, Hoffdahl, Savage, Williams, Sharpe, Taylor

Smith, Brown, Green, Tristao, Lemen, Broughton
Nays: None.

Motion carried unanimously to support recommendations by CAC Subcommittee for new Hearing Board Appointments.

Ms. Sharpe left at 11:30 a.m.
Ms. Taylor left at 11:37 a.m.

13. Environmental Justice Advisory Group (EJAG) Business

- a. Verbal Report on EJAG Activities for April – Derek Williams, Tulare County At-Large Representative, reported a quorum was not present and no actions were taken. He stated staff presented updates on bicycle infrastructure incentive funding and AB 32 Cap and Trade Funding for Valley EJ communities. He noted EJAG reached a consensus to submit a letter recommending that the State allocate Cap and Trade revenues as listed on the Highlights folio.
- b. Appoint CAC City Interest Group Representative to EJAG – Mr. Williams reported Mr. Lemen volunteered to be the CAC City Interest Group Representative to EJAG.

Public Comment: None

Mr. Williams made a motion to appoint Mr. Lemen as the CAC City Interest Group Representative to EJAG.

Moved: Williams
Seconded: Tristao
Ayes: Clark, Horal, Savage, Williams, Taylor, Smith, Brown, Green, Tristao, Broughton
Abstentions: Lemen
Nays: None

Motion carried to appoint Mr. Lemen as the CAC City Interest Group Representative to EJAG.

14. Outreach and Communications Report

- a. Annual Report - Heather Heinks, Supervising Air Quality Education Representative, reported the Annual Report is ready for distribution. She also reported May is Bike to Work Month and reviewed upcoming events throughout the Valley. She

added staff is gearing up for the summer events including Healthy Air Living outreach campaigns.

Mr. Clark suggested adding a brief overview of the CAC to the Annual Report. Mr. Savage acknowledged the staff's efforts in preparing the Annual Report. Mr. Williams asked if the Annual Report was available online. Ms. Heinks responded affirmatively.

- b. Ag Tractor Incentive Grant Program Video – Ms. Heinks reported this item would be tabled until a later date.

- 15. CAC Member Comments; CAC Member Suggestions To Be Included In The Presentation Of The CAC Report During The Governing Board Meeting on May 15, 2014 – Mr. Sheikh noted the next regular Governing Board meeting is on June 19, 2014. Mr. Tristao commended the District's efforts in the emergency measure to assist with drought relief actions by water districts and farmers, stating they are exemplary.
- 16. Volunteer to Present Report During Governing Board Meeting – Mr. Smith volunteered to present the report during the Governing Board meeting.

Meeting adjourned at 11:45 a.m.

Next Meeting –The next meeting is scheduled on June 3, 2014. 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.