

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

February 3, 2015
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 10:04 a.m.
2. ROLL CALL – was taken and a quorum was present to hold a meeting.

County	Member Name/Interest Group	Location
Fresno	Manuel Cunha/IAIG (P)	Central
	Kevin Hamilton/EIG (A)	Central
Kern	Les Clark/IAIG (P)	South
	Brent Green/CIG (P)	South
Kings	Kelly Deming/EIG (P)	Central
	Dennis Tristao/CIG (P)	Central
Madera	Don Horal/IAIG (P)	Central
	Lee Smith/EIG (P)	Central
Merced	Jack Lemen/CIG (P)	Central
San Joaquin	Roger Hoffdahl/IAIG (P)	North
	Katelyn Roedner/EIG (P)	North
	Wade Broughton/CIG (P)	North
Stanislaus	Chris Savage/IAIG (P)	North
Tulare	Derek Williams/IAIG (P)	Central

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

Staff Present in Central Region Office (Fresno) – Seyed Sadredin, Executive Director/APCO; Dave Warner, Deputy APCO; Samir Sheikh, Deputy APCO; Morgan Lambert, Deputy APCO; Jaime Holt, Chief Communications Officer; Mehri Barati, Director of Administrative Services; Sheraz Gill, Director of Strategies and Incentives; Errol Villegas, Strategies and Incentives Program Manager; Jim Swaney, Permit Services Manager; Todd DeYoung, Strategies

and Incentives Program Manager; Anna Myers, Senior Air Quality Specialist; Tom Jordan, Senior Policy Advisor; Brandon Swedblom, 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 FOR JANUARY 6, 2015 – The Chair asked if there were any member or public comments regarding the CAC Minutes for January 6, 2015. Hearing no comments, the Chair declared the Minutes approved as submitted.
4. PUBLIC COMMENTS – None
5. CHAIR COMMENTS – None
6. EXECUTIVE DIRECTOR/APCO COMMENTS – Seyed Sadredin, Executive Director/APCO, provided an update on current PM2.5 planning efforts. The District has a short timeframe to develop and submit a new plan for the 1997 PM2.5 Standard. He noted the District was on the verge of attaining the standard in 2012; however, the severe drought conditions experienced by the Valley caused major spikes in PM2.5 during the winter of 2013/14 and pushed the Valley out of attainment. In addition, he reported there was a recent court case that declared EPA made a mistake in applying Subpart 1 of the Clean Air Act to the PM2.5 plans submitted by the District and South Coast. The court held that EPA should have used Subpart 4 of the Act, which is a little more stringent in some areas. Mr. Sadredin stated that the combination of these circumstances required the District to bump up to a Serious Nonattainment designation for the 1997 PM2.5 Standard.

Mr. Sadredin shared that the District must now submit a plan to EPA that takes into account the new Subpart 4 requirements. EPA must approve this new plan by the end of 2015 or major sanctions and impossible requirements will result. He said the District has been working diligently on this plan and there will be opportunities to review the plan and participate in a public workshop in early March prior to the Governing Board hearing scheduled for April 2015. Mr. Sadredin encouraged CAC members and their constituencies to participate in the process of finalizing the plan. Mr. Sadredin noted there are not a lot of changes proposed in the new plan because the District's initial plan for the 1997 PM2.5 Standard was already meeting the tougher Subpart 4 requirements.

Mr. Sadredin also advised the CAC that proposed changes to the District's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI) will go to the Governing Board for adoption at the Board's next meeting. The GAMAQI establishes the District's policies and recommendations to land use agencies as to how to apply CEQA with respect to air quality. Mr. Sadredin noted the GAMAQI was adopted in 1998 and last revised in 2002. The District has been working on new revisions for the last year. He outlined some of the proposed key changes including adding a section to reference the greenhouse gas policy as adopted by the Board and providing clarification to a number of areas that reflect evolving CEQA case law. He said a few procedures will be streamlined with added screening tools for some projects, along with introducing the concept of VERAs (Voluntary Emission Reduction Agreements) as a feasible measure that should be considered when looking at various development projects. Mr. Sadredin reported the final document also addresses comments received with respect to cumulative impact.

Mr. Sadredin reported the District takes pride in having the lowest permit fees of any air district in California. He said the District has been able to achieve this by having the lowest administrative overhead, the most efficient program in many areas as documented by a number of oversight agencies and groups, providing a great deal of customer service to regulated entities and also having the most effective and strongest enforcement program in the state. He noted for the last several years the Board has expressed concern with the ever increasing workload without corresponding increases in staffing. He said the District is working on proposed fee adjustments, including correcting a few areas where programs are not covering their own costs and are being subsidized by other industries. He reported the general proposal that will be considered by the Board calls for a general fee increase of 4.8% in July of 2015 and 4.4% in July of 2016. He noted even with these modest increases, the District would still have the lowest permit fees in the world. Mr. Sadredin noted a public workshop would be held in February of 2015.

Mr. Sadredin shared that the new neighborhood-by-neighborhood Web-Based Archived Air Quality (WAAQ) System was introduced at the January Governing Board meeting. He noted this system simulates having an air monitor in every neighborhood. He said the WAAQ System provides historical air quality information at the neighborhood-by-neighborhood level and noted the third phase of the project will be to convert the RAAN system to a neighborhood-by-neighborhood system. Mr. Sadredin reported that beta testing with the public would begin on March 1, 2015. Lastly, he informed the CAC that the District's legislative delegation will be travelling to Washington, DC in early March to begin a dialogue with legislators and agencies about the Clean Air Act and proposed common sense amendments that the District believes should be adopted.

Public Comments - None

7. RULE UPDATES – Anna Myers, Senior Air Quality Specialist, reported that the Governing Board approved amendments to Rule 4905 (Natural Gas-Fired, Fan-Type Residential Central Furnaces) at their January 22, 2015, meeting. She said the amendments lowered the NOx emission limits for units subject to the rule and expanded applicability to include units installed in commercial buildings and manufactured homes, and provided an emission fee option for manufacturers for the sale of non-certified units during the initial phases of implementation.

Regarding the District's PM2.5 plans, Ms. Myers reported EPA is now requiring the District to address the standard under Subpart 4 of the Clean Air Act, noting Mr. Sadredin had previously discussed the 2008 plan for the 1997 standard. She indicated the plan to address the 2006 PM2.5 standard was adopted in 2012, and staff is working on a new plan for the Board's consideration in 2016. Regarding the 2008 8-Hour Ozone Standard, she said the District has demonstrated that all reasonably available control technologies are in place in the Valley, and staff continues research and study efforts to identify potential opportunities to further reduce emissions by building on the extensive analyses that have been conducted for other recently adopted plans. She noted the first workshop for that plan was held in May of 2014 and additional workshops will be held later this year. She noted staff anticipates presenting the plan for Board consideration in 2016.

Ms. Myers reported that proposed amendments to Rule 4692 (Charbroiling) are scheduled to be presented to the Board in 2016. Rule 4692 achieves significant emissions reductions from chain-driven charbroilers and amendments will extend the applicability of the rule to under-fired units in an effort to achieve further PM2.5 reductions that would provide for localized health benefits and assist in attaining federal PM2.5 standards.

8. ENVIRONMENTAL JUSTICE ADVISORY GROUP (EJAG) REPORTING STRUCTURE – Mr. Sadredin advised the CAC that this item was placed on the agenda to solicit their input before the proposal on changes to the EJAG reporting structure is presented to the Governing Board for consideration at the Governing Board Study Session in May. He provided a brief overview of the EJAG membership, functions and work to date. Mr. Sadredin reported currently all EJAG communications, including reports and recommendations, to members of the District Governing Board are routed through the CAC unless directed otherwise by the Governing Board. For administrative matters, the EJAG may provide reports or advice directly to the APCO upon request by the APCO. The CAC is copied on any communication between the District Governing Board, the EJAG and the APCO that is not routed through the CAC.

Given the EJAG accomplishments to date and the their demonstrated ability to work effectively with the CAC and District staff, a case can be made that EJAG has matured and has proven an understanding of its role to provide value to the District's air quality management efforts in environmental justice communities. Therefore, in the next few months after considering any concerns or suggestions from the CAC, he reported he is planning to discuss this matter with the Governing Board with a recommendation to enable the EJAG to report directly to the Board. He noted the EJAG will still continue to present reports to the CAC and seek their input and advice as they formulate their recommendations.

Ms. Roedner stated she supports this proposal and the strengthening of the EJAG. She said the District has shown leadership in supporting the cultivation of this group and this is a great way to continue showing leadership and support of a strong voice for environmental justice communities. She noted now is a critical time to bring EJ voices together and give them a strong platform, with AB32 and available funds for EJ communities through SB535.

Mr. Clark commented he had concerns regarding the proposal to change the reporting structure and said he would like to see the current protocol of CAC oversight continue.

Mr. Cunha thanked Mr. Sadredin for the presentation. He commented on the reasons for the formation of CAC and the importance of balancing all three interest groups to have fair and equal input and voting privileges. He said he respects EJAG, which has worked hard to support various issues including trucks and Carl Moyer funding. He voiced concern that messaging from EJAG could be completely different from that of CAC members, giving the Board conflicting messages. He said there needs to be a carefully monitored system of checks and balances, and expressed concern that these proposed changes could open the door for other groups to circumvent CAC and EJAG authority.

Mr. Hamilton commended Mr. Sadredin for this suggestion, noting EJAG has evolved over the past 8 years and is channeling information and resources to the people who need it most. Mr. Williams noted he is an EJAG member who is a strong supporter of the District. He noted the current system is working well right now and expressed concern about the proposed changes, especially if membership changes. He suggested forming a subcommittee comprised of CAC and EJAG members to work with the APCO and staff to further develop this concept. Mr. Smith suggested developing further guidelines to match existing CAC reporting policy with the proposed changes. Mr. Lemen suggested continuing with the current reporting structure.

Mr. Sadredin responded the District is a big believer in continuous improvement. He noted the District is at a major juncture in regards to what needs to be accomplished to improve air quality in the Valley. He said many in the current legislature in Sacramento have a keen interest in ensuring EJ communities are properly taken care of in terms of resources and attention. He stated the District has the only active EJAG group in the state and that the good work of EJAG needs to be leveraged. He said group membership cannot be micro-managed and the best solution is to have proper safeguards in place. He noted community voices are very important to enable public health issues to be addressed. He commented that the EJAG has matured in its role and has become an effective arm of the District within the scope of its prescribed duties. Mr. Sadredin said the Board would ultimately decide what, if any, changes will be made to the current reporting structure but said he was interested in pursuing this as a pilot program. He noted the current structure limits EJAG activities to their goals and objectives that are set every year and require APCO approval. He said open communication and reporting are critical to this process and suggested EJAG could be asked to present regular reports to CAC. Mr. Sadredin said he would present the proposed changes to the EJAG reporting structure at an upcoming meeting for CAC input.

Public Comment – *The following persons commented on this item:*

- Dolores Weller, CVAQ

Moved: Cunha

Seconded: Tristao

Ayes: Cunha, Clark, Horal, Hoffdahl, Savage, Williams, Hamilton, Deming, Smith, Roedner, Green, Tristao, Lemen, Broughton

Nays: None

Motion unanimously carried to request APCO to present proposed changes to EJAG reporting structure to the CAC at a future meeting.

9. VERBAL REPORT FROM CALIFORNIA AIR RESOURCES BOARD (ARB)

- a. *ARB Board Meeting Summary* – Ms. Elizabeth Melgoza, ARB Representative, provided a summary on items that were discussed at the ARB Board meeting held on January 29, 2015. Ms. Melgoza shared that the ARB Executive Officer provided a report on ARB's program priorities for 2015, which include the development of new Ozone and PM2.5 State Implementation Plans, the development of the Short-lived Climate Pollutant Plan, updating the AB-32 Scoping and Cap-and-Trade Investment Plans, and developing the Sustainable Freight Strategy.

10. OVERVIEW OF DISTRICT'S 2015 LEGISLATIVE PLATFORM – Tom Jordan, Senior Policy Advisor, presented the District's 2015 Legislative Platform highlighting the District's legislative priorities as follows:

- Seek legislative common sense improvements to the Federal Clean Air Act. In addition to our legislative proposals, the District has worked with EPA to advance administrative changes that can address certain issues with the Clean Air Act. These efforts have been productive, as EPA included many of the District's suggestions in their proposed implementation rule for the latest 8-hour Ozone Standard.
- The District receives State Subvention Funding to offset the costs of state mandated air quality programs. Despite significant increases in responsibilities and the impact of inflation, the funding level has not been adjusted for over 20 years. The District currently receives \$900,000 per year which is less than 2% of the District's operating budget. The District supports an increase in State Subvention Funding.
- As the state develops updated policies/guidelines for the Carl Moyer program, the District will pursue policies that continue to focus the program on public health, maintain formulas that take air quality challenges into consideration, and that utilize cost-effectiveness surplus emission reductions as the primary eligibility criteria.
- The compliance regiment under the state's Cap and Trade program may lead to increases in criteria and toxic emissions or missed opportunities to reduce such emissions in certain areas. Therefore, the District will advocate for policies that target a portion of Cap and Trade revenues to regions that are already overly impacted by criteria pollutant emissions with a greater focus on environmental justice communities.
- The District will oppose greenhouse gas measures that are detrimental to public health due to increases in criteria pollutant or toxic emissions, and support greenhouse gas measures that achieve criteria pollutant and toxic emissions reductions.

- When assessing state/federal policies concerning disadvantaged communities, the District considers poverty as a key factor contributing to diminished public health. The District will oppose efforts that lead to “redlining” these communities and inhibit economic growth. The District will support measures that improve quality of life and economic welfare by providing new state and federal resources. The District will oppose measures that dilute local control by diverting local revenues or the authority over the expenditure of local resources to the state or federal government.
- Seek funding and other support from the State Air Resources Board and federal Environmental Protection Agency (EPA) to install and operate additional air quality monitoring instruments throughout San Joaquin Valley.
- Support efforts that provide for cost-effective alternatives to agricultural open burning, level the playing field and provide fair competition between biomass plants and other renewable sources of power, and additional research and development of alternatives to agricultural open burning.
- Support state and federal funding of technology advancement projects to help develop technologies to meet federal air quality standards. Potential areas for funding include zero and near-zero emission mobile source projects, renewable energy projects, and projects to eliminate emissions associated with waste disposal.
- Support adequate resources and policies to reduce the impact of wildfires and their attendant public health impact.

Public Comment - None

11. ENVIRONMENTAL JUSTICE ADVISORY GROUP (EJAG) BUSINESS

- a. Verbal Report on EJAG Activities for January – Mr. Williams provided the highlights from the January 29, 2015, EJAG meeting. EJAG members received an update on AB 32 Cap and Trade funding for Valley EJ communities, considered their EJAG 2015 Goals and Objectives Action Plan, conducted their annual review of the EJAG Bylaws, and discussed EJAG representation at

the District's upcoming Transboundary Ozone Conference.

- b. Consultation on EJAG Action Items – Mr. Sadredin noted the EJAG Goals and Objectives were finalized in consultation with CAC members. He noted previous input and comments have been incorporated in this version that will ultimately be approved by the APCO. The Chair deemed this item approved by lack of member comments.
12. OUTREACH AND COMMUNICATIONS REPORT – Jaime Holt, Chief Communications Officer, provided the Outreach and Communications Report. She reported the Transboundary Ozone Conference is scheduled for March 31 – April 2, 2015 at Tenaya Lodge. She noted the District will be participating in the Tulare International Ag Show and that the 2015 Kids Calendars are still available. Regarding the Check Before You Burn Program, she noted staff is working on updating the registration process for the next burn season, including establishing a network of qualified hearth certified professionals that are able to inspect and certify wood burning devices for the next season. She said Earth Day is right around the corner and the District will be participating in events around the Valley. Lastly, she said the District is looking forward to making sure there is a plan in place to get the word out about public-focused grants programs, such as the Clean Green Yard Machine and Tune In Tune Up programs.
13. CAC MEMBER COMMENTS; CAC MEMBER SUGGESTIONS TO BE INCLUDED IN THE PRESENTATION OF THE CAC REPORT DURING THE GOVERNING BOARD MEETING ON FEBRUARY 19, 2015 – None
14. VOLUNTEER TO PRESENT REPORT DURING GOVERNING BOARD MEETING – Mr. Cunha volunteered to present the report at the next Governing Board meeting.

Meeting adjourned at 11:58 a.m.

Next Meeting –The next meeting is scheduled on March 3, 2015. 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.