

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

August 4, 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 Acting Chair, Dennis Tristao, called the meeting to order at 10:01 a.m.
2. ROLL CALL – was taken and a quorum was present to hold a meeting.

<u>County</u>	<u>Member Name/Interest Group</u>	<u>Location</u>
Fresno	Chris McGlothlin/IAIG (A)	Central
	Amarpreet Dhaliwal/CIG(P)	Central
Kern	Les Clark/IAIG (P)	South
	Jenifer Pitcher/IAIG (A)	South
Kings	Kelly Deming/EIG (A)	Central
	Diane Friend/IAIG (P)*	Central
	Dennis Tristao/CIG (P)	Central
Madera	Donald Horal/IAIG (P)	Central
	Waseem Ahmed/CIG (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

*arrived at 10:21 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) – Seyed Sadredin, Executive Director/APCO; Samir Sheikh, Deputy APCO; Dave Warner, Deputy APCO; Morgan Lambert, Deputy APCO; Tom Jordan, Senior Policy Advisor; Jaime Holt, Chief Communications Officer; Sheraz Gill, Director of Strategies and Incentives; Todd DeYoung, Program Manager; Errol Villegas, Program Manager; Anna

Myers, Senior Air Quality Specialist; Cathy Blevins, Network Systems Analyst II; Michelle Franco, Deputy Clerk of the Boards; Cristina Padilla, Operations and Program Support Supervisor

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 JUNE, 2015 – The acting Chair asked if there were any member or public comments regarding the draft CAC Minutes for June 2, 2015. Seeing none, he deemed the Minutes approved.
4. PUBLIC COMMENTS – None
5. CHAIR COMMENTS – None
6. EXECUTIVE DIRECTOR/APCO COMMENTS – Seyed Sadredin, Executive Director/APCO provided detailed updates to the CAC on the following:
 - Record breaking clean summer and end of summer public outreach strategy for call to action to maintain the Valley's clean air trend
 - Drought relief measures and use of enforcement discretion to avoid excessive use of water for dust control at construction sites and agricultural operations
 - The status of the District's 2015 PM2.5 Plan and the possibility that the District may pursue actions to have EPA take over planning and enforcement of PM2.5 regulations if EPA without justification disapproves the District's Plan
 - District's extensive advocacy effort to secure Valley's fair share of Cap and Trade funds

Mr. Sadredin asked for feedback from CAC members regarding funding levels for the District's Burn Cleaner program. The Board will consider potential changes to incentive amounts at their September meeting. In addition, referring to questions raised by newer CAC members, Mr. Sadredin asked if the CAC would be interested holding a discussion regarding the role of CAC members, expectations for participation in the rule development process and relationships with District staff, at a future meeting. Both Ms. Pitcher and Mr. Dhaliwal voiced support for placing this item on a future agenda. The Acting Chair, Mr. Tristao agreed. Regarding past CAC rule development subcommittees, Mr. Savage said that participation levels were high early in the process but eventually began to drop off. He said he is supportive of revisiting CAC participation in a similar subcommittee provided there is adequate participation.

Mr. Dhaliwal also mentioned the Central Valley Power Connect project from PG&E and suggested it be added to a future CAC agenda. Mr. Tristao agreed and asked staff to add this item to the next agenda. Mr. Williams recommended an annual review of CAC Bylaws and scope of work. Mr. Sadredin said this could be incorporated into the discussion of the role of CAC at the next meeting.

Mr. Clark voiced his support for possible actions by the District if EPA disapproves the District's 2015 PM2.5 Plan. He also mentioned concerns with the lack of available water due to drought conditions to use for dust control purposes. Mr. Hamilton complimented the District on the Tune In Tune Up program and its accessibility to disadvantaged Valley residents.

Public Comment: None

7. UPDATES ON ATTAINMENT PLANS AND RULES – Anna Myers, Senior Air Quality Specialist reviewed several of the District's current and upcoming attainment plans. Ms. Myers advised the committee that the 2012 PM2.5 Plan supplemental document (August 2014) demonstrated that the 2012 PM2.5 Plan satisfies all Subpart 4 requirements and that attainment by 2015 "Moderate" area deadline is not practicable, and requested reclassification to "Serious". EPA has proposed to approve the District's 2012 PM2.5 Plan as a Moderate area plan under Subpart 4 and proposed to reclassify the Valley as a Serious nonattainment area. The District will need to adopt a new plan demonstrating attainment as a Serious nonattainment area within 18 months of EPA finalizing the proposed reclassification to Serious under Subpart 4.

She reported the 2012 PM2.5 standard is the most recent national standard for PM2.5. EPA has classified the Valley as a Moderate nonattainment area effective April 15, 2015. The District is required to adopt and submit to EPA a Moderate nonattainment area plan no later than October 2016. As a Moderate nonattainment area, the Valley has until December 31, 2021 to attain this standard. She also reviewed the 2008 8-hour ozone standard, which is the most recent national standard for ozone. She said the District hosted a public workshop to present concepts for and receive public comments on May 23, 2014. Additional public workshops and opportunities for public input will be provided during the plan preparation process, including the Public Advisory Workgroup.

Ms. Myers also gave an update on the status of Rule 9510 (Indirect Source Review, Rule 2201 (New and Modified Stationary Source Review Rule), and Rule 4692 (Charbroiling).

Public Comment: None

8. VERBAL REPORT FROM CALIFORNIA AIR RESOURCES BOARD (ARB)-

a. *ARB Board Meeting Summary* – Elizabeth Melgoza, ARB Representative, discussed the following highlights from the Air Resources Board meeting held on June 25, 2015:

- The Board accepted the Stanislaus Council of Governments' determination that implementing its 2014 Sustainable Communities Strategy will achieve the region's 2020 and 2035 per capita greenhouse gas emissions reduction targets established by ARB.
- The Board approved updates to the Program Guidelines that outline the eligible equipment and project funding levels for the next installment of Prop. 1B funds. Funding priorities include: zero- and near-zero emission technologies, continued support for small heavy-duty diesel truck fleets, and Tier 4 locomotive projects.
- The Board presented the 2014 Haagen-Smit Clean Air Awards to Dr. Donald R. Blake, Dr. Kirk R. Smith, and Mr. John C. Walsh.
- The Board approved the Proposed Fiscal Year 2015-16 Funding Plan for allocating Low Carbon Transportation Investments and Air Quality Improvement Program (AQIP) funding in the Governor's proposed budget.
- The Board adopted amendments to the Cap and Trade Regulation to include a new protocol that will allow rice farmers to receive credit for using best practices for rice cultivation.
- Staff presented an update to the Board on the numerous health benefits of physical activity.

In addition, she discussed the following highlights from the Board meeting held on July 23, 2015:

- The Board approved the Transportation Conformity Budgets for the San Joaquin Valley PM2.5 SIP Plan Supplement.
- The Board approved of the Waiver/Authorization List of all applicable waiver and authorization measures for submission to EPA for inclusion into the California SIP.
- The Board selected and appointed Sandra Berg to be a Vice-Chair in the absence of the Chairman.
- The Board accepted the Kern Council of Governments' determination that its 2014 Sustainable Communities Strategy, if implemented, would achieve the region's per capita greenhouse gas emissions reductions targets for 2020 and 2035.

- The Board approved a joint guidance document developed by the Air Resources Board staff and the California Air Pollution Control Officers Association on risk management policy.
- Staff updated the Board on the US EPA and NHTSA proposed Phase 2 Greenhouse Gas Standards for Medium- and Heavy-Duty Engines and Vehicles.

Mr. Clark asked how disadvantaged communities are identified. Mr. Sadredin responded the CalEnviroScreen tool is used to identify disadvantaged communities. He reported currently 22 of the top 30 disadvantaged communities in California are located in the Valley. Regarding Cap and Trade trading ratios, Mr. Clark asked if they were 1 to 1. Mr. Sadredin responded affirmatively. Noting the rice industry is currently receiving credits under Cap and Trade, Ms. Friend asked if any other industry would be receiving credits. Mr. Sadredin responded dairy digesters are also receiving credits and there may be an opportunity to find opportunities to dispose of wood waste to not only reduce open burning but find credits along those lines.

9. VERBAL UPDATE: PUBLIC ADVISORY WORKGROUP FOR THE 2016 OZONE PLAN – Sheraz Gill, Director of Strategies and Incentives, provided an update regarding the new public engagement initiative for development of the 2016 Ozone Plan. This initiative was approved by the District's Governing Board at the May 2015 Study Session. Designed to be in addition to the legally required and extensive attainment plan public meetings and workshops, this new public engagement process will help ensure that the 2016 Ozone Plan benefits fully from the input and suggestions of all stakeholders, and from subject matter experts, through the creation of the new Public Advisory Workgroup by the Executive Director/APCO. The new workgroup includes representatives from regulated entities, community advocates, federal EPA and state ARB, including three members from each CAC interest group and three EJAG members. Outside subject matter experts will also be invited to participate on an as-needed basis. District staff will chair the workgroup to ensure the process does not impede the District's ability to meet legally mandated plan preparation deadlines. The District will also provide regular updates at Governing Board, CAC, and EJAG meetings.

Mr. Gill discussed the next steps for the Public Advisory Workgroup, including the agenda for the inaugural meeting of the workgroup scheduled for August 25, 2015. The purpose of the first meeting will be to discuss the goals of the workgroup and timeframes/deadlines for adoption of the 2016 Ozone Plan, develop a tentative meeting schedule, discuss participation by outside subject matter experts, and identify key policy issues that will be discussed in future meetings.

Public Comments: None

10. IMPLEMENTATION OF NEW RESIDENTIAL WOODBURNING RULE

AMENDMENTS: SEASON 2 – Ryan Hayashi, Director of Compliance, provided an update on the implementation of the new residential wood burning Rule 4901 amendments approved by the District Governing Board in September 2014. The amendments to the rule make it the most stringent residential wood burning rule in the nation, and lowered the no burn threshold from 30 to 20 $\mu\text{g}/\text{m}^3$ for dirty units responsible for 95% of wintertime emissions. The amendments additionally allowed more burn days for Valley residents who invested in clean burning devices, which emit 70% less particulate pollution than older devices. This results in greater PM2.5 emissions reductions throughout the season, even on burn days.

In exchange for more burn days for clean burning devices, the Governing Board required a SMOG check-like program that requires registration and inspection of devices to provide and justify the expected emission reductions to the public and EPA. During the first season of implementation, the District instituted a free interim self-registration process that was only good for the 2014 wood burning season. For the upcoming 2015 and future winter seasons, the District has developed a new online registration program that provides for fast track registration for residents that have installed a clean burning device within the last 12 months (no inspection required). All other registrations require a Registered Wood Burning Heater Professional (RWBHP) to perform an inspection of the Device. A clean burning device registration costs \$12.50 and is valid for three wood burning seasons.

Mr. Hayashi explained the process for Valley residents to access RBWHPs through a list to be published on the District's website. RBWHPs will be responsible for inspecting and verifying that a device is EPA Phase II certified or an EPA exempt pellet stove, that the device is in good working condition and maintained pursuant to manufacturer specifications, and that the applicant knows how to properly operate the equipment so there is no visible smoke. RBWHPs will conduct all elements of inspection and registration in one visit using the District's online portal, including issuing and printing the registration, and collecting the required registration fee. The District has conducted several RBWHP training courses and is now entering into contracts with RBWHPs. The online Registration Portal for clean burning devices is planned for launch in early August and the District will continue outreach efforts to Valley residents regarding the new registration process.

Public Comment: None

11. LEGISLATIVE UPDATE: AIR QUALITY RELATED LEGISLATION AT THE STATE LEVEL – Tom Jordan, Senior Policy Advisor updated the committee on the following air quality related bills:

SB 350 (DeLeon)-Assembly Appropriations Committee

SUMMARY: Enacts the "Clean Energy and Pollution Reduction Act of 2015," which establishes targets to reduce petroleum use in motor vehicles by 50% by 2030, double the energy efficiency of buildings by 2030, and increase retail sales of renewable electricity to 50% by 2030.

SB 32(Pavley)-Assembly Appropriation Committee

SUMMARY: Requires the Air Resources Board (ARB) to approve statewide greenhouse gas (GHG) emissions limits equivalent to 40% below the 1990 level by 2030 and 80% below the 1990 level by 2050.

AB 1288 (Atkins)-Senate Appropriations Committee

SUMMARY: This bill eliminates the December 31, 2020 limit on applicability of a market-based mechanism to reduce GHG emissions that may be adopted by ARB.

SB 513 (Beall)-Assembly Appropriations Committee

SUMMARY: Updates the Carl Moyer Air Quality Standards Attainment Program (Moyer Program) and local incentive programs (AB 923 Program).

AB 21 (Perea)-Senate Floor

SUMMARY: Requires ARB to also consult with relevant state agencies, including the PUC and CEC, in developing all elements of its Scoping Plan that pertain to energy efficiency, and the facilitation of the electrification of the transportation sector.

AB 156 (Perea)-Senate Appropriations Committee

SUMMARY: Allocates GGRF moneys to the ARB to establish and implement a technical assistance program for eligible applicants assisting disadvantaged communities that ARB determines require assistance in accessing GGRF moneys. Eligible applicants include, but are not limited to, regional agencies and nonprofit organizations coordinating with local governments.

AB 857 (Perea)-Senate Appropriations Committee

SUMMARY: Appropriates 50% or \$100 million annually, whichever is greater, of GGRF funds allocated to the California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program for medium and heavy-duty trucks, to support the commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology that meets or exceeds ARB's optional low

oxides of nitrogen (NOx) standard, between January 1, 2018 and January 2, 2023.

AB 904 (Perea)-Senate Appropriations Committee

SUMMARY: Requires ARB to establish a Clean Reused Vehicle Rebate Project (CRVRP) by July 1, 2017.

AB 1176 (Perea)-Senate Appropriations Committee

SUMMARY: Establishes the Advanced Low-Carbon Diesel Fuels Access Program under CEC, in consultation with ARB with preference to establishing fueling stations in disadvantaged communities.

AB 23 (Patterson)-Assembly Natural Resources (2 Year Bill)

SUMMARY: Limits the compliance obligation under cap-and-trade to those entities covered since January 1, 2013, thereby excluding transportation fuels and any other sources of GHG emissions that may be added in the future.

SB 5 (Vidak)-Senate Committee on Environmental Quality (2 year bill)

SUMMARY: exempts fuel suppliers from ARB's cap-and-trade program.

AB 335 (Patterson)-Assembly Natural Resources (2 Year Bill)

SUMMARY: Requires the Air Resources Board (ARB) and each local air district to establish a "minor violation" program, where ARB and the air districts must issue a "notice to comply" for minor violations, as defined, and violators have a right to cure the violation in lieu of facing a penalty or other further enforcement. This bill reestablishes a law that had been in effect from 1997-2006.

AB 649 (Patterson)-Senate Appropriations Committee

SUMMARY: Allows law enforcement agencies to use approved prescription drug incinerators up to four times per year to treat and dispose of medical waste as specified.

AB 590 (Dahle/Salas)-Senate Appropriations Committee

SUMMARY: Authorizes the use of GGRF moneys, upon appropriation, to the State Energy Resources Conservation and Development Commission (CEC) for monthly incentive payments to maintain the current level of biomass power generation and geothermal energy generation in the state and to revitalize currently idle facilities in certain regions.

AB 1336 (Salas)-Assembly Natural Resources (2 year Bill)

SUMMARY: Requires that 40% of the available moneys in the GGRF be allocated to projects that provide benefits to disadvantaged communities.

AB 1071 (Atkins)-Senate Committee on Environmental Quality

SUMMARY: Requires each board, department, and office within the California Environmental Protection Agency (CalEPA) to establish a policy on SEPs that benefits EJ communities. Requires that the SEP policy include, at minimum:

- a) A public solicitation process for potential SEPs from EJ communities.
- b) An allowance that the SEP may be up to 50% of an enforcement action.
- c) A list of SEPs that may be selected from to settle a portion of the enforcement action.

Public Comments: None

12. VERBAL UPDATE: AWARD-WINNING TUNE IN TUNE UP PROGRAM – This item was tabled until the next meeting.

13. ENVIRONMENTAL JUSTICE ADVISORY GROUP (EJAG) BUSINESS

- a. Verbal Report on the EJAG Activities for June – Mr. Williams reported on highlights from the EJAG meeting of June 25, 2015, including: Appointment of Chair, Esperanza Vielma (San Joaquin County At-Large) and Vice Chair, Mr. Williams (Tulare County At-Large). EJAG members supported Valley efforts to secure Cap and Trade funds and several members expressed interest in participating in the San Joaquin Valley Cap and Trade Coalition. Lastly, EJAG members received a summary of the incentive grant programs available for bicycle infrastructure from Mehri Barati, Director of Incentives and Administrative Services.

Public Comments: None

14. OUTREACH AND COMMUNICATIONS REPORT- Jaime Holt, Chief Communications Officer, reported the District's website contains current wildfire information including links to agencies and air quality information. In addition the website contains information on Rule 4901 (Wood Burning Fireplaces and Wood burning Heaters), including information on how to become a Registered Wood Burning Heating Professional. She said this is the time of year with the potential to call an Air Alert because of high ozone readings. In addition, the District's current back to school campaign "Turn the Key, Be Idle Free" encourages drivers to not idle vehicles, especially when picking kids up from schools. The District has been working on new partnerships with the Central California Asthma

Collaborative to get even more schools on board for the Healthy Air Living Schools program. Lastly, the District is actively soliciting entries for the 2016 Kid's Calendar and actively advertising the District's Burn Cleaner woodstove change out program to encourage residents to take advantage now before the fall rush.

Mr. Sadredin gave kudos to Mr. Hamilton for working with the District and local schools on a new partnership.

15. CAC MEMBER COMMENTS: CAC MEMBER SUGGESTIONS TO BE INCLUDED IN THE PRESENTATION OF THE CAC REPORT DURING THE GOVERNING BOARD MEETING ON AUGUST 20, 2015 – Mr. Hamilton asked that Mr. Sadredin ensure the Board understands the importance of CalEnviroScreen and the way this tool potentially can bring money to the Valley. Mr. Sadredin said a link to this tool would be added to the District's website.
16. VOLUNTEER TO PRESENT REPORT DURING GOVERNING BOARD MEETING – Mr. McGlothlin volunteered to present the report at the Governing Board meeting.

Meeting adjourned at 12:09 p.m.

Next Meeting –The next meeting is scheduled on September 1, 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.