

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 2, 2016
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.

<u>County</u>	<u>Member Name/Interest Group</u>	<u>Location</u>
Fresno	Manuel Cunha/IAIG (P)	Central
	Chris McGlothlin/IAIG (A)	Central
	Kevin Hamilton/EIG (A)	Central
	Stephen Hill/CIG (P)	Central
Kern	Les Clark/IAIG (P)	South
	Carolyn Temple/EIG (P)	South
Kings	Dustin Ference/IAIG (P)	Central
	Kelly Deming/EIG (A)	Central
	Dennis Tristao/CIG (P)	Central
Madera	Donald Horal/IAIG (P)	Central
	Lee Smith/EIG (P)	Central
Merced	Tim Durham/IAIG (P)	North
	Jack Lemen/CIG (P)	Central
San Joaquin	Roger Hoffdahl/IAIG (P)	North
	David Phippen/IAIG (A)	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; Samir Sheikh, Deputy APCO; Dave Warner, Deputy APCO; Jaime Holt, Chief Communications Officer; Sheraz Gill, Director of Strategies and

Incentives; Mehri Barati, Director of Incentives and Administrative Services; Chay Thao, Program Manager, Todd DeYoung, Program Manager; Brandon Swedblom, Network Systems Analyst II; 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) – Christal Martinez, Office Services Manager

3. APPROVE MINUTES FOR OCTOBER 6, 2015 – The Chair asked if there were any comments regarding the draft Minutes. Hearing none, the Chair deemed the Minutes as approved.
4. PUBLIC COMMENTS – None
5. CHAIR COMMENTS – None
6. EXECUTIVE DIRECTOR/APCO COMMENTS – Seyed Sadredin, Executive Director/APCO, wished the members a Happy New Year and provided detailed updates to the CAC on the following:
 - Valley experiencing the cleanest ozone season on record in 2015
 - Valley experiencing record low PM2.5 levels so far this this year, and back on track to meeting federal air quality standards
 - Upcoming Governing Board Study Session scheduled for May 4-5, 2016
 - District efforts to secure the Valley's fair share of state Cap and Trade funding
 - EPA's recently proposed approval of the District's attainment plan to address the 1997 PM2.5 Standard
 - Recent updates to District's Charge Up! electric vehicle charging incentive program to allow funding of solar chargers and standardize funding criteria for Level 3 chargers
 - Changes to the Air Quality Index to incorporate the 75 ppb 8-hour ozone standard
 - Upcoming focus groups to identify potential enhancements to the Healthy Air Living Partner program to increase participation by Valley businesses and municipalities
 - Upcoming meeting on Friday, February 12th at 10:00 a.m. to discuss the District's offset equivalency program.

Ms. Deming asked how to get more information on the updates to the District's Charge Up! electric vehicle incentive program. Mr. Sadredin responded members may contact Samir Sheikh, Deputy APCO or Todd DeYoung, Program Manager.

Public Comment: None

7. UPDATES ON ATTAINMENT PLANS AND RULES – Chay Thao, Program Manager, provided updates on upcoming plans and rules. He reported the District is in the process of developing the plan for the 2008 8-hour Ozone Standard (75 ppb) including working with ARB to further refine the emissions inventory and performing modeling runs to determine the amount of emission reductions necessary to demonstrate attainment of the standard.

Regarding the 2006 PM_{2.5} Standard (24-hour: 35 μ /m³), he reported the District's 2012 PM_{2.5} Plan satisfied all applicable Clean Air Act Subpart 1 and Subpart 4 requirements and demonstrated that attainment by 2015 is not practicable and included a request for reclassification to Serious nonattainment. On January 20, 2016, EPA concurred with the District's request and reclassified the Valley as Serious nonattainment area for this standard, effective February 19, 2016.

For the 2012 PM_{2.5} Standard, which is the most recent national standard for PM_{2.5}, EPA has classified the Valley as a Moderate nonattainment area effective April 15, 2015. The District is in the initial stages of addressing this standard and will schedule public workshops sometime in 2016.

In rule development news, Mr. Thao reported that modifications to Rule 9510 (Indirect Source Review) will be proposed to ensure uniform applicability of the rule requirements throughout the Valley.. Currently, rule applicability may vary across Valley jurisdictions because it is currently triggered by discretionary approvals and not all jurisdictions consider the approvals of the same types of development projects as discretionary. A public workshop will be scheduled at a later date to present the proposed changes and solicit comments from stakeholders. For Rule 2201 (New and Modified Stationary Source Review Rule), the current rule contains a major stationary source applicability threshold for PM_{2.5} emissions consistent with a Moderate nonattainment area status for the 1997 PM_{2.5} national ambient air quality standard. With the Valley's reclassification as a Serious nonattainment area in April 2015, the District is required to modified its new source review rule to lower the PM_{2.5} major stationary source threshold to 70 tons per year within 12 months of the effective date of the reclassification and also must address PM_{2.5} precursors. Based on late concerns raised by US EPA, the District is presenting additional amendments for the Board's consideration, which is scheduled for adoption at their February 18, 2016 meeting. Lastly, Rule 4307 (Boilers, Steam Generators, and Process Heaters 2.0 MMBtu/hr to 5.0 MMBtu/hr) currently requires that tree nut

pasteurizers be fired exclusively on PUC quality natural gas. Proposed modifications to the rule will allow tree nut pasteurizers to be fired on LPG. He reported the public hearing is currently expected on March 17, 2016.

Mr. Cunha asked if the District has received feedback from restaurants regarding the charbroiler program. Mr. Sadredin said this has been a difficult issue as the District tries to meet obligations in its federal attainment plans, and this is a very small source category of emissions. He said the District already has controls on chain-driven devices but this program addresses under-fired charbroilers. The District needs a few hundred tons of reductions in emissions to meet the new standards and this program would achieve less than 0.2 tons per day at best. He said the Board has had several meaningful conversations regarding this issue. Should efforts to develop the necessary emission reduction technology fail, Mr. Sadredin said he feels the Board is ready to approach EPA and look at other options. He said two Valley facilities are currently taking advantage of this program – the Habit in Stockton and Pardini's in Fresno.

Regarding the proposed amendments to Rule 2201, Mr. Tristao asked what effects the changes to the requirements for a replacement emission unit will have on what were previously considered Routine Replacements at major sources. Mr. Sadredin said staff believes this change does not affect how the District has always applied the application shield requirements, as major sources must already comply with this requirement.

Public Comment: None

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

- a. *ARB Board Meeting Summary* – Elizabeth Melgoza, ARB Representative, gave a summary of items discussed at the ARB Board meeting held on January 21-22 in Sacramento including: Executive Officer Richard Corey provided the Board with an overview of anticipated ARB priorities including dramatically increasing electric vehicle infrastructure and numbers and reducing nitrogen oxide (NOx) emissions from heavy duty trucks through regulatory and incentive-based measures; a update on immediate steps and potential actions identified in the *Sustainable Freight: Pathways to Zero and Near-Zero Emissions Discussion Document*, in addition to activities underway to develop the California Sustainable Freight Action Plan; a preview of State Implementation Plan requirements for ozone and PM2.5 and the air quality challenges in the Valley; and an overview of ARB's research related to near-roadway air pollution exposure.

Mr. Cunha commented on numerous issues with the ARB's Truck and Bus Rule, including website and program difficulties, that are plaguing Valley

residents and requested Mr. Corey to assign an ARB staff member to give a presentation on this program at the next CAC meeting. Mr. Sadredin responded he would discuss this issue with Mr. Corey at the next California Air Pollution Control Officers Association (CAPCOA) meeting. Mr. Tristao responded members of the Kings County Farm Bureau are experiencing the same issues without a response from ARB and thanked the District for addressing these issues with ARB on behalf of Valley residents. Mr. Hill asked if there was a way to expedite a solution from ARB. Ms. Melgoza recommended submitting a formal letter to Mr. Corey.

9. ELECT CITIZENS ADVISORY COMMITTEE CHAIR FOR A PERIOD OF TWO YEARS – Mr. Smith explained that a member from the Industry/ Ag Interest Group is next in the rotation to serve as Chair of the CAC. Mr. Tristao nominated Mr. Cunha as Chair of the Citizens Advisory Committee for a two year period. Mr. Williams seconded the nomination.

Public Comments: None

Moved: Tristao
Seconded: Williams
Ayes: Cunha, Clark, Ference, Horal, Durham, Hoffdahl, Savage, Williams, Hamilton, Temple, Deming, Smith, Hill, Tristao, Lemen, Broughton
Nays: None

Motion unanimously carried to elect Manuel Cunha as the Citizens Advisory Chair for a period of two years

Following the vote, Mr. Cunha took over as Chair of the meeting. Mr. Sadredin presented a plaque to Mr. Smith to thank him for his outstanding leadership as Chair of the CAC for 2014-15. Mr. Cunha asked who would serve as Vice-Chair of the CAC. Michelle Franco, Deputy Clerk of the Boards, responded that according to the CAC Bylaws, the Chair of the Industry/Ag Interest Group would serve as Vice Chair of the CAC during Mr. Cunha's term. Mr. Savage acknowledged as Chair of the Industry/Ag Interest Group, said he would serve as Vice Chair for the CAC.

David Phippen left at 11:10 a.m.

10. DISCUSS AND PROVIDE INPUT TO THE AIR POLLUTION CONTROL OFFICER CONCERNING THE DISTRICT'S CLEAN AIR ACT MODERNIZATION LEGISLATIVE PROPOSAL – Mr. Sadredin reviewed information regarding the District's efforts to modernize the Clean Air Act. On January 21, 2016, the

Governing Board adopted the District's 2016 Legislative Platform and a strategy to guide the District's efforts to modernize the Federal Clean Air Act. As a part of that action, the District is seeking broad-based support of its Clean Air Act Modernization proposal from all stakeholders.

Emphasizing that the District has the toughest air regulations in the nation, Mr. Sadredin said Valley businesses have spent \$40 billion since 1980 to comply with these regulations. In addition, the District has spent over \$1 billion of public and private investment in incentive-based measures. Although emissions have been reduced by over 80%, Mr. Sadredin acknowledged the Valley would need another 90% in reductions to meet the new standards.

Mr. Sadredin explained that last year, in pursuit of the above legislation, the Governing Board chose not to support other pending legislative proposals that would severely restrict EPA's ability to promulgate and enforce new standards. Subsequent to the above action by the Governing Board, District staff, District's legislative advocate, Governing Board members, and a large group representing sources regulated by the District reached out to the Valley's congressional representatives hoping for a bipartisan introduction of the common sense legislation proposed by the District. Through these efforts, the District's legislative proposal received bipartisan support on the substance of the proposal as being a realistic attempt in modernizing the Act without hindering or rolling back the core elements in the Act that serve to protect public health. Unfortunately, however, as election year approached, other considerations surpassed interests in advancing effective public policies and we were unable to secure bipartisan introduction of the District's proposed legislation.

In order to further the goal of gaining broad-based support from all stakeholders, District staff is engaging in dialogue with the Citizen's Advisory Committee and the Environmental Justice Advisory Group (EJAG) to garner support for the District's Clean Air Act Modernization Proposal, and Mr. Sadredin requested input from CAC members on the manner by which the District may reach this goal.

Mr. Clark stated he was concerned about potential business impacts if this effort is unsuccessful. He expressed appreciation for Mr. Sadredin's efforts and approach to the issues. He said Congress must take action to ensure the Valley does not experience further sanctions as a result of these new standards. Mr. Savage echoed Mr. Clark's comments and said from his perspective, CAC members were fully supportive of the District's efforts. He said he was happy to find a way to throw as much support behind them as possible and asked about the best possibilities to carry forth the proposed legislation on a bipartisan level. He suggested holding a meeting with key stakeholders and environmental community members and said he would be happy to help with this effort in any way possible. Mr. Sadredin articulated that this is a complex issue that requires a

lot of education and understanding of the issues. He said staff and the Board hope to use this effort as a vehicle to educate congress and the public on the issues at hand, and to see where the process takes them. He said he would define success as getting this bill introduced and conducting workshops to educate various parties.

Mr. Hamilton said on the face of it, he could not support this effort. He agreed it was a great idea to hold a meeting with key stakeholders and environmental community members, including EJAG members, to raise awareness and address concerns with this effort. Mr. Tristao asked for clarification on what is needed from CAC members to help this effort. Mr. Sadredin responded that the ultimate success from the District's perspective would be to gain a broader range of support for this legislation that includes some progressive members to be supportive of the proposal. He reiterated that it is important to use this as an opportunity to educate stakeholders and environmental community members as to the extreme challenges facing the Valley from the upcoming standards. Mr. Cunha confirmed that CAC expressed support for this effort at a previous meeting. Mr. Jordan confirmed this effort was part of the District's Legislative Platform previously presented to the CAC and approved by the Governing Board. Mr. Cunha suggested including this effort in the proposed legislation to avoid losing more businesses and jobs in the Valley, such as those lost in rural and farming communities. He suggested moving forward while continuing the dialogue with stakeholders and members of the environmental community.

Mr. Sadredin clarified the Board directed staff to pursue efforts to move this legislation forward, while continuing to engage stakeholders and environmental community members. Mr. Smith commented that this is a complicated issue and recommended engaging CAC members in ongoing dialogue to improve their understanding. Ms. Deming recommended members email their questions to District staff and asked for further guidance on actions members should take moving forward. Mr. Sadredin asked members to engage their constituents, community and business organizations, to educate them on these issues and the District's efforts. He asked if members would prefer holding a future workshop on this issue, holding a joint meeting with CAC and EJAG members, or simply email their questions to staff. Ms. Deming responded her group would want a list of specific issues and proposed solutions, with language easy for those without an air quality background to understand, in order to take action to support this effort. Mr. Hill voiced support for the District's synopsis of proposed changes to the Clean Air Act, which he said were very clear and easy to understand. He said this was a great start to an attempt to find a balance. Mr. Cunha requested to convene a joint meeting of CAC and EJAG members for a presentation by staff on this effort. He also recommended those who were unable to attend could work directly with staff to get the information they need to garner support from their communities. Mr. Williams said he fully supported the District's efforts, and asked

for a copy of the District's presentation on this effort to be made available on a DVD for members to share with other community groups they are involved in. Mr. Sadredin responded updates would be provided at future CAC meetings.

Public Comment – None

Les Clark left at 11:55 p.m.

11. ASSIGNING FEDERAL REDUCTIONS TO THE ENVIRONMENTAL PROTECTION AGENCY IN UPCOMING ATTAINMENT PLANS – This item was tabled until the next meeting

12. UPDATE ON DISTRICT ACTIONS TO ADDRESS THE DIRE SITUATION FACED BY VALLEY AGRICULTURE IN LIGHT OF THE COLLAPSING BIOMASS POWER PLANT INDUSTRY – This item was tabled until the next meeting

Kelly Deming left at 12:14 p.m.

13. ENVIRONMENTAL JUSTICE ADVISORY GROUP (EJAG) BUSINESS
- a. Verbal Report on EJAG Activities for October and December – This item was tabled until the next meeting
 - b. Appoint CAC Industry/Ag Representative to the District's Environmental Justice Advisory Group – Mr. Cunha nominated Dustin Ference to represent the CAC Industry/Ag Interest Group on the District's Environmental Justice Advisory Group.

Public Comments: None

<i>Moved:</i>	Cunha
<i>Seconded:</i>	Hamilton
<i>Ayes:</i>	Cunha, Ference, Horal, Durham, Hoffdahl, Savage, Williams, Hamilton, Temple, Smith, Hill, Tristao, Lemen, Broughton
<i>Nays:</i>	None

Motion unanimously carried to appoint Dustin Ference as the CAC Industry/Ag Representative to the District's Environmental Justice Advisory Group

14. OUTREACH AND COMMUNICATIONS REPORT – This item was tabled until the next meeting
15. CAC MEMBER COMMENTS; CAC MEMBER SUGGESTIONS TO BE INCLUDED IN THE PRESENTATION OF THE CAC REPORT DURING THE GOVERNING BOARD MEETING ON FEBRUARY 18, 2016 – Mr. Savage clarified the date for the upcoming Offset Equivalency meeting. Mr. Sadredin responded it would be held on Friday, February 12th at 10:00 a.m. Mr. Cunha thanked members for electing him as the new CAC Chair and thanked members, including Mr. Smith, for their hard work and efforts over the past couple of years.
16. VOLUNTEER TO PRESENT REPORT DURING GOVERNING BOARD MEETING – Mr. Cunha volunteered to present at the February 18th Governing Board meeting.

Meeting adjourned at 12:17 p.m.

Next Meeting – The next meeting is scheduled on March 1, 2016. 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.