

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

March 1, 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, Manuel Cunha, 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
	Sarah Sharpe/EIG (P)	Central
	Stephen Hill/CIG (P)	Central
Kern	Jenifer Pitcher/IAIG (A)	South
	Carolyn Temple/EIG (P)	South
Kings	Kelly Deming/EIG (A)	Central
	Dennis Tristao/CIG (P)	Central
Madera	Donald Horal/IAIG (P)	Central
Merced	Jack Lemen/CIG (P)	Central
San Joaquin	Roger Hoffdahl/IAIG (P)	North
	David Phippen/IAIG (A)	North
	Katelyn Roedner/EIG (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; Morgan Lambert, 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; Cathy Blevins, 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 FEBRUARY 2, 2016 – The Chair asked if there were any comments regarding the draft Minutes for February 2nd. Hearing none, the Chair 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:
 - Legislative efforts to modernize the federal Clean Air Act, including an upcoming trip to Washington D.C. to host a Congressional Briefing
 - A meeting with Richard Corey, Executive Officer of the California Air Resources Board, to discuss concerns raised by CAC members regarding 2016 compliance deadlines and reporting under the State Truck and Bus Regulation
 - A Voluntary Emission Reduction Agreement with Tejon Ranch, which will be presented to the District Governing Board at an upcoming public hearing

Mr. Cunha thanked Mr. Sadredin for meeting with Mr. Corey regarding the State Truck and Bus Regulation. He said the upcoming Congressional Briefing is very important and a testament to the hard work done on behalf of the Valley's residents. He thanked District staff and the Governing Board for their efforts to modernize the Clean Air Act.

Public Comment: None

7. UPDATES ON ATTAINMENT PLANS AND RULES – Chay Thao, Program Manager, provided updates on upcoming plans and rules including recently adopted amendments to Rule 2201 (New and Modified Stationary Source Review Rule) at the February 18th Governing Board meeting.

In addition, regarding the 2008 8-hour Ozone Standard (75 ppb), he said the District is in the process of identifying and reviewing potential opportunities for regulatory and incentive based emissions reductions building on the extensive analyses conducted for several recently adopted air quality attainment plans and

the Public Advisory Workgroup continues to meet for additional public engagement during the plan preparation process. For the 2006 PM2.5 Standard, he said the District is in the process of identifying and reviewing potential opportunities to reduce emissions and public workshops will be scheduled at a future date. In regards to the 2012 PM2.5 Standard, he reported the District is in the initial stages of addressing this standard and will schedule potential public workshops sometime in 2016.

He reported proposed amendments to Rule 4307 (Boilers, Steam Generators, and Process Heaters 2.0 MMBtu/hr to 5.0 MMBtu/hr) will be published for public review and comment for 30 days prior to the planned April 21, 2016, public hearing date.

Regarding Rule 4307, Mr. Phippen commented that there is a rule by the Food and Drug Administration (FDA) that requires almonds sold in the United States to be pasteurized. He said there is an increased need for steam for this process and asked if there were emergency measures in place that would allow processors to use propane pasteurizers in the interim. Mr. Sheikh responded not as the rule currently stands but the proposed amendments to the rule, if approved, would address the issue by allowing propane-fired nut pasteurizers.

Public Comment: None

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

- a. *ARB Board Meeting Summary* – Patricia Velasco, ARB Representative, introduced Beth White, ARB Manager over the Truck and Bus Regulation section, who gave an overview of the meeting between Mr. Sadredin and Mr. Corey. Ms. White said she made sure Mr. Corey had information on the concerns raised by members regarding this regulation. She said every year ARB staff makes sure that TRUCRS (Truck Regulation Upload, Compliance and Reporting System) lines are kept open until January 31st, and beyond if there is a backlog and they have not been able to respond to all who have contacted them. She said this year, due to the ag clean up in the TRUCRS database, the lines were kept open until February 29th. She suggested that Mr. Cunha or anyone that continues to have issues with the regulation to send over fleets to her and assured members that she has as many staff as possible assigned to the program.

Mr. Tristao thanked Ms. White for the update and said he was aware of a fleet owner who received a response from ARB after waiting for a month regarding errors in his reporting and they did not offer to reopen the database. Ms. White said ARB staff are able to correct errors such as this individually without reopening the entire database. Mr. Cunha indicated he

would speak to Mr. Sadredin, Mr. Corey and Ms. White regarding strongly worded emails from ARB staff to fleet owners that threatened them with criminal charges. He expressed concerns regarding ARB's outsourcing of outreach to truckers and the information they are giving out. Ms. White responded the diesel hotline and other program contacts are manned by ARB staff. Mr. Cunha thanked Ms. White for her efforts to address these issues.

Mr. Sadredin asked Ms. White for advice for the numerous fleet owners who contact the District because they are unable to maneuver through ARB's website or reach ARB staff. Ms. White responded there is no backlog at ARB to contact fleet owners except for a very specific ag issue from those who contacted them in mid to late-February.

Ms. Velasco also gave a quick overview of the information she included in the ARB Board Meeting Summary that was included in the agenda packet. Regarding Senator Florez' appointment to the ARB Board, Mr. Sadredin said he sent a congratulatory letter to him on behalf of the District and said he believed his appointment would be a positive thing for the Valley as Mr. Florez indicated the Valley's air quality issues are a priority for him.

Public Comments: *The following persons commented on this item:*

- Colby Morrow, So Cal Gas

9. ASSIGNING FEDERAL REDUCTIONS TO THE ENVIRONMENTAL PROTECTION AGENCY IN UPCOMING ATTAINMENT PLANS –

Mr. Sadredin asked CAC members to provide input regarding implementation of the Board's direction to assign emissions reduction responsibilities to the federal government in upcoming attainment plans. He gave an overview of the enormity of the challenge faced by the Valley in meeting the new federal ambient air quality standards, which are unmatched by any other region in the nation. The new plan will require transformative measures and a full evaluation of all sources in order to attain these more stringent standards. He said the bulk of emissions and opportunities to make meaningful reductions in emissions rest with sources that are outside the District's regulatory authority.

On August 20, 2015, the District Governing Board discussed three options for compelling the federal government to do its part in bringing the Valley into attainment through the control of sources under their regulatory authority, including:

- Option 1: Assign a specific quantity of emissions reductions to EPA as a legally binding measure listed in the attainment plan.
- Option 2: Identify a specific tailpipe standard to be applied to a class of vehicles or equipment under EPA jurisdiction and as a legally binding measure assigned to EPA in the attainment plan.
- Option 3: Identify a specific quantity of emissions or specific tailpipe standards from sources under federal authority and through advocacy beg for EPA's action to achieve those reductions with regulatory or incentive-based measures.

After discussion and weighing of various considerations, Mr. Sadredin reported the Governing Board directed staff to pursue Option 2 to identify a specific tailpipe standard as a legally binding measure assigned to EPA in the upcoming attainment plans. For instance, one example under this option might be a nationwide tailpipe standard of 0.02 grams per horsepower-hour of NOx for heavy duty trucks.

He said there are tangential issues that must be considered in exploring the feasibility of assigning federal responsibility for reductions. Pursuing aggressive nationwide control measures may shed a greater light on the propriety of related federal mandates and bring additional allies from other regions throughout the nation. However, it is important to note that such measures, even though imposed by the federal government, can have significant socio-economic impacts on Valley businesses and residents, and ceding local control to EPA may not serve the Valley well.

Mr. Williams asked if it would be advantageous to get the state to sign on with this before taking it to EPA. Mr. Sadredin said he has been in discussions with both ARB and South Coast AQMD and they are receptive to the concept. Mr. Sadredin asked CAC members to help get the information out to their communities.

Public Comments: None

10. UPDATE ON DISTRICT ACTIONS TO ADDRESS THE DIRE SITUATION FACED BY VALLEY AGRICULTURE IN LIGHT OF THE COLLAPSING BIOMASS POWER PLANT INDUSTRY – Tom Jordan, Senior Policy Advisor, gave a presentation on actions taken by the Governing Board at their November 19, 2015 meeting, aimed at addressing the immediate need of numerous farmers while also advancing alternatives to open burning and traditional biomass power plants. Mr. Jordan asked for CAC member input and suggestions as District staff moves forward with implementation of the Board's directives which included:

1. Allowing agricultural open burning for certain crop categories through a class action stipulated order of abatement as an intermediate response to the current lack of feasible alternatives to dispose of agricultural wood waste.
2. Sending a written request to the California Public Utilities Commission to extend Power Purchase Agreements with existing biomass facilities at current pricing levels similar to what is called for by the Governor's State of Emergency proclamation on the State's tree mortality epidemic for existing forest bioenergy facilities receiving feedstock from high hazard zones.
3. Convening a workgroup with agricultural representatives to explore and advance waste disposal techniques as alternatives to open burning and traditional biomass power plants
4. Reviewing the current state of the Valley's biomass power industry and available feasible waste disposal alternatives, and assessing the need and feasibility for potential actions by the District to roll back current agricultural open burning restrictions for certain crops until technologically achievable

Mr. Phippen said he has been hearing a lot about this topic from others in his community. He congratulated staff for this comprehensive study and noted time is of the essence for those farmers who must get rid of their agricultural waste. Mr. Tristao voiced appreciation for the work that went into this comprehensive report. He commented that he agreed that time is of the essence. Ms. Sharpe asked about the viability of chipping the waste and providing long-term storage. Mr. Sadredin responded that he was discussing this issue with legislators in the Governor's office the day before the meeting and there is a sentiment that perhaps it might be viable to disc the material back into the soil. He said education is needed, as the District has reduced agricultural burning by 85 percent over the past 10 years through implementation of various District regulations and state mandates. He said there has been a huge increase in agricultural waste due to the effects of the drought.

Mayor Hill commended staff for the excellent report. In response to comments made earlier regarding penalizing farmers for burning their agricultural waste, he said he would support moving forward with any action by the Board, but said he feels it would be inappropriate to penalize those who must burn because there is no other alternative. Mr. Sadredin responded the District took a number of long and short-term actions, including this short-term remedy requiring growers to come to a public meeting to request an abatement order. He said the Board directed all proceeds from the abatement orders to go back into funding to research potential alternatives to open burning and traditional biomass power

plants. Mr. Williams expressed concern about the disposal of dead trees due to the beetle infestation in the state forests. He suggested perhaps incentivizing chippers to run on propane or LPG and then perhaps incentivizing operators to use the chipping waste as a dust control measure. Mr. Sadredin responded this is a very complicated issue and solutions are not so easy to come by, as District staff has exhaustively looked at every option. Mr. Jordan said the Board recognizes the need to review the various solutions by meeting with members of the agricultural community.

In responding to comments regarding chipping and storing the waste, Mr. Cunha said there are real concerns about spontaneous combustion as well as the potential for harboring rodents and insects. He acknowledged the Board and District staff for understanding the complexity of the issues at hand. He also said National Resources Conservation Service (NRCS) has also been working closely with the District and growers.

Public Comment – *The following persons provided comment on this item:*

- Dolores Weller, CVAQ

Ms. Pitcher left at 11:41 a.m.

11. ENVIRONMENTAL JUSTICE ADVISORY GROUP (EJAG) BUSINESS

- a. Report on District Environmental Justice Advisory Group Activities – In the interest of time, Mr. Williams quickly reviewed the highlights from EJAG meetings held on October 22, 2015 and December 3, 2015 as included in the agenda packet.
- b. Review Draft 2016 EJAG Goals and Objectives and Provide Input to Air Pollution Control Officer – Mr. Sadredin reviewed the draft 2016 EJAG Goals and Objectives with CAC members prior to his approval of the goals and objectives. He said during the October 22, 2015 EJAG meeting, EJAG members discussed and approved the goals and objectives outlined in this item. He asked for advice or comment from CAC members on this document. By consensus, CAC members in attendance supported the draft 2016 EJAG Goals and Objectives as presented. Mr. Tristao commented that he appreciates the direction that EJAG is going as far as getting the Valley's fair share of Cap and Trade funds. He said in his opinion the funding for assistance with disadvantaged communities was probably one of the more important aspects.

Public Comments: None

Mayor Hill left at 11:53 a.m.

12. OUTREACH AND COMMUNICATIONS REPORT – Ms. Holt reported the Board reviewed the District's draft 2015-16 Annual Report to the Community at their February meeting, which would be printed and available for distribution sometime in March. She said staff continued outreach efforts for the Healthy Air Living partners program at a school event in Los Banos. She announced the District's Check Before You Burn season ended on February 29th and said staff received great response from the public regarding this program. She said the District will continue to encourage residents to register their devices so they will be ready to use their clean burning devices for the next burn season. Mr. Cunha commented that Ms. Holt's team has done an amazing job with outreach to Valley communities, by encompassing different cultures in Valley.

Public Comments: None

13. CAC MEMBER COMMENTS; CAC MEMBER SUGGESTIONS TO BE INCLUDED IN THE PRESENTATION OF THE CAC REPORT DURING THE GOVERNING BOARD MEETING ON MARCH 17, 2016 – Mr. Cunha asked members to observe a moment of silence in honor of Dr. Brock Faulkner who recently passed away. Dr. Faulkner helped guide the important work conducted by the USDA Task Force.
14. VOLUNTEER TO PRESENT REPORT DURING GOVERNING BOARD MEETING – Mr. Cunha volunteered to present the report to the Board on March 17, 2016.

Meeting adjourned at 12:01 p.m.

Next Meeting – The next meeting is scheduled on April 5, 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.