

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 7, 2017
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 10:08 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
	Rey Leon/CIG (P)	Central
Kern	Jenifer Pitcher/IAIG (A)	South
	Brent Green/CIG (P)	South
	Carolyn Temple/EIG (P)	South
Kings	Kelly Deming/EIG (P)	Central
	Dennis Tristao/CIG (A)	Central
Madera	Don Horal/IAIG (P)	Central
San Joaquin	Katelyn Roedner/EIG (P)	North
	David Phippen/IAIG (A)	North
Tulare	Derek Williams/IAIG (P)	Central
	Greg Gomez/CIG (A)	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; Dave Warner, Deputy APCO; Jaime Holt, Chief Communications Officer; Sheraz Gill, Director of Strategies and Incentives; Chay Thao, Program Manager, Todd DeYoung, Program

Manager; Alex Krivobok, 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 7, 2017 – The Chair asked for comments and corrections regarding the February 7, 2017 Minutes. Hearing none, the Chair deemed the Minutes approved.

Public Comment: None

4. PUBLIC COMMENTS – None

5. CHAIR COMMENTS – None

6. EXECUTIVE DIRECTOR/APCO COMMENTS – Seyed Sadredin, Executive Director/APCO, provided detailed updates on the following:

- \$2.5 million in District incentive funding was approved by Governing Board at the February meeting to replace two passenger locomotives for the Altamont Corridor Express (ACE) transit service in the Northern Region in partnership with the Bay Area Air Quality Management District and San Joaquin Regional Rail Commission (\$15 million total project).
- Upcoming Governing Board item in March to provide visual demonstration of prototype Real-Time Electronic Air-Quality Display (READ) and consider approval of pilot project to recruit up to 20 schools throughout the Valley to help with final design and deployment issues
- Upcoming Governing Board item in March to review and reaffirm the District's existing position that draconian measures that impose no driving days and severe restrictions on commerce are not feasible
- Upcoming Governing Board item in March to discuss the District's preliminary cost and incentive funding estimates to achieve the enormous emissions reductions required to demonstrate attainment with federal mandates under the new PM2.5 and associated costs

Regarding the infeasibility of draconian measures, Mr. Phippen commented that if there were no farming or food delivery days from heavy duty trucks imposed, there would be corresponding fasting days for the lack of availability of food. Ms. Pitcher commented that members of the Western States Petroleum Association were concerned about the ARB inventory and emissions calculations. She said she believes that economic impact

analyses should be conducted by the Economic Development Organizations in each county and should be conducted strictly on measures that the District is looking at implementing. He said it is not only the quantity of emissions that must be carefully considered, but also ARB must be careful where it places sources of emissions in the inventory. He said ARB mistakenly reported certain locations of farming operations in urban areas in Bakersfield, which impacts where the emissions are and the reductions would need to be, but were very responsive when approached by the District and are in the process of correcting those errors.

Mr. Horal commented that there would be huge repercussions if any of the draconian measures were to be implemented. Mr. Sadredin said at the staff level, we are certainly not going to recommend considering these draconian measures but noted that people have come forward and seriously asked the District and Board to consider them. Mr. Hamilton commented that it was his understanding that in Alternative State Implementation Plan presented during the 2008 Ozone Plan process the concept of the “no drive day” was not for the District to implement such, but to ask the public to take one day per year and volunteer to not to drive their vehicle if possible and to ask the District to communicate this message as part of their air quality measures. He said the District has launched a preamble to this with their “No Idling” campaign, which asked parents not to idle at the school curb when picking up their children, and has been hugely successful. He said there would be no way to get such draconian measures passed into law. He said there are very few farming activities that are voluntary, but there are ways to adjust and schedule certain industrial processes as to have some control when they happen and it could be possible to work with those industries to reschedule those processes on days when the air quality is bad. He suggested that ARB’s biggest concern is having particulate filters out there that are full of black carbon, which is coming from forest fires during the summer, but this time of year is coming mostly from residential and agricultural burning. He said ARB does not currently have a plan to deal with this issue and wondered what the District proposed to do about it.

Mr. Sadredin responded that he was happy to hear Mr. Hamilton’s sentiments which were pragmatic and practical. He said he was happy to see that perhaps there has been an evolution to the thinking on this matter, and clarified that the measures as stated in the Alternative State Implementation Plan were not voluntarily and were considered strict, episodic controls. He said the more recent discussion has been to take another look at these measures either as regular or contingency measures in the PM 2.5 plan. He noted if a strong environmental advocate, such as Mr. Hamilton, says he cannot support these draconian measures then that is a good indication of how the general public might react. In terms of the particulate speciation on ARB filters, he said the District has the strongest wood burning rules in the nation and has replaced 12,000 fireplaces through incentive programs.

Mr. Williams commented as a proponent of personal freedoms and private property rights he would see any of these measures as too extreme. He said it is important to

know who is suggesting these draconian measures so as to properly explain why their ideas are not appropriate for the Valley.

Mr. Leon said he was happy to attend his first meeting as a new member of the CAC and asked for clarification on who is suggesting these draconian measures. Mr. Sadredin responded more recently, these suggestions have come from some of the District's Board members and some members of the public. He said their statements have basically said that the District cannot claim to "leave no stone unturned" without considering draconian measures such as these. Mr. Leon said it was concerning to residents to hear talk about "no drive or farm days". He said the Valley has come a long way toward improved air quality but there was still more work to do. He said the District's Environmental Justice Advisory Group (EJAG) was a great idea and one that other air districts have adopted. As a heavy industrial and agricultural region, he said there is still more work to do. He said as Mayor of Huron, he has spoken to many parents of school age children who are both concerned about the amount of idling vehicle traffic outside of schools but are also afraid to let their children ride their bikes to school due to the lack of bike lane infrastructure. He said he appreciates that the District has some funding to support bike lane infrastructure and will be able to help communities such as Huron. He said he supports communication about air quality issues to be from a solution-based perspective instead of problem-based.

Mr. Tristao said he believes that in the 1960s, South Coast AQMD tried to implement a "no driving regulation" under a mandate from EPA based on license plate number and that effort fell flat. He asked for a short white paper or other written document that he could use to explain the nuance between a 25% reduction in directly-emitted PM2.5 emissions and the relationship to ambient concentrations.

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

- Dolores Weller, Central Valley Air Quality Coalition (CVAQ)
- Colby Morrow, So Cal Gas

Mr. Cunha thanked Mr. Sadredin for the informative presentation. He said it is clear that mobile sources are not within the District's jurisdiction and voiced concern that both ARB and EPA do not seem to be addressing the issue. He voiced hope that they would have a proposal or incentive funds available to reduce emissions at a future meeting. He noted agricultural harvesting equipment is very costly and the technology needs to be driven by the manufacturers to build that equipment. He said some major companies are moving out of California because they cannot meet the standards. He said the agricultural industry is having severe problems with tier 4 finals breaking down and today farmers are being told that if they touch their tractors at all, it will void their warranty.

7. UPDATES ON ATTAINMENT PLANS AND RULES – Chay Thao, Program Manager, gave an update on the following District planning and rule development efforts:

- The District is in the process of preparing the *2017 PM2.5 Plan* to address multiple PM2.5 standards (1997, 2006, and 2012 standards) under the federal Clean Air Act. The development of this plan will undergo an extensive public outreach process which has already begun as follows:
 - December 1, 2016: ARB workshop in Fresno
 - December 7, 2016: District scoping workshop
 - January 11, 2017: Public Advisory Workgroup (PAW) meeting to discuss air quality modeling
 - January 25, 2017: PAW meeting to discuss ARB Mobile Source Measures
 - February 9, 2017: PAW meeting to discuss District Measures

The next public workshop is scheduled for March 9, 2017. In the coming months, the District will conduct additional workshops and PAW meetings

- The District will hold a public workshop for the *2017 PM10 Maintenance Plan* in early 2017
- The originally proposed September 2016 adoption date for Rule 9510 (Indirect Source Review) was postponed to address comments received. The District's proposed responses and revised rule language were presented at a public workshop on January 17, 2017, and another public workshop will be held in March or April.
- The District hosted a public workshop on the proposed amendments to Rule 2201 (New and Modified Stationary Source Review) on July 26, 2016. District staff had planned on presenting the rule to the Governing Board for adoption in September of 2016. However, in August of 2016, EPA released long-overdue regulations on implementing the PM2.5 standards in NSR rules that require an assessment of the significance of precursor pollutant emissions using a specific type of air quality modeling. EPA will not be able to approve an NSR rule that does not address EPA's implementation regulation, so adoption has been delayed until such modeling can be completed.
- Despite the District's efforts in promoting available funding under the Restaurant Charbroiler Technology Partnership (RCTP) program, the District has faced difficulty in finding restaurants willing to demonstrate new technologies. To date, the District has initiated one demonstration project and recently entered into a contract with an additional restaurant. Due to the limited availability of demonstrated control technologies, the District will address the SIP commitment in the upcoming *2017 PM2.5 Plan*.

Mr. Tristao asked if there was a specific date planned for the public hearing on proposed amendments to Rule 2201. Dave Warner, Deputy APCO, responded the modeling exercise that is now required by EPA through their Implementation Rule is being done in conjunction with the modeling for the PM2.5 planning effort and both will be wrapped up together. He said the public hearing is planned for the month of August or earlier. Mr. Hamilton commented that the ARB's Proposed 2016 State Strategy for the State Implementation Plan (State SIP Strategy) was just published, and he congratulated the District as according to the State SIP Strategy the Valley will attain the 2008 8-hour Ozone Standard by the 2031 deadline.

Public Comment: None

8. VERBAL REPORT FROM CALIFORNIA AIR RESOURCES BOARD (ARB) – Elizabeth Melgoza, ARB representative, provided the following summary of the items before ARB at their February 16, 2017, meeting:

- The Board approved the research proposal "The Optimal Route for a Clean Heavy Duty Sector in California", University of California, Irvine, Proposal No. 2804-286
- The Board approved the Northern Sierra Air Quality Management District State Implementation Plan for the City of Portola and surrounding areas of Plumas County that addresses the federal 12µg/m³ annual PM2.5 standard.
- The Board heard a report on the 2016 enhancements to the California Air Resources Board's Ombudsman's Office and Small Business program, and plans for increased engagement of California's small business stakeholders in CARB policy and regulatory processes.
- The Board heard an informational report on the proposed AB 32 Scoping Plan as part of the second of three meetings to provide opportunities for public discussion.

Public Comments: None

9. CONSIDER PROVIDING RECOMMENDATIONS TO THE AIR RESOURCES BOARD IN RELATION TO THEIR PROPOSED MOBILE SOURCE STRATEGY –

Mr. Sadredin provided an update on development of ARB's Mobile Source Strategy and its relationship to the ongoing planning process to address multiple PM2.5 standards. Meeting the federal health-based standards for PM2.5 requires local measures to reduce directly emitted particulate matter as well as state and federal measures to reduce mobile source emissions. The District has already identified a long list of potential local measures to reduce directly emitted PM2.5 and NOx emissions. The District is currently conducting a comprehensive public process including Public Advisory Workgroup meetings, workshops and public hearings which will ultimately define the achievable reductions from these measures. Nonetheless, preliminary modeling assuming best-case, aggressive projections for reductions in directly emitted

PM2.5 and NOx emissions from local measures show that enormous NOx reductions from mobile sources are necessary to attain the federal PM2.5 standards.

Mobile sources are the largest contributors to the formation of PM2.5 and ozone in the San Joaquin Valley, contributing over 85% of the total NOx emissions in the Valley. Therefore, it is critical for the ARB Mobile Source Strategy to contain clean air measures that assist the San Joaquin Valley in meeting federal health based standards within the timeframes prescribed under the federal Clean Air Act. Although the San Joaquin Valley's deadlines for attaining the federal standards for PM2.5 are between 2019 and 2025, the proposed Mobile Source Strategy is primarily designed for reductions in the 2030 to 2050 timeframe which reflects the ARB's climate change objectives.

At the October 2016 ARB meeting in Fresno, the Air Resources Board in a unanimous vote directed ARB staff to revisit the Mobile Source Strategy and prioritize Valley attainment needs. As included in the latest draft made available by ARB on March 7th, the proposed update to the Mobile Source Strategy at the March 2017 ARB hearing will not add any new measures aimed at providing the added reductions needed in the Valley. However, ARB has indicated that at the March meeting they will adopt a commitment to return in the fall with added measures for the Valley as warranted by the District's PM2.5 Plan.

CAC members discussed several options for providing comment on ARB's Mobile Source Strategy ahead of their March 2017 adoption hearing. Option 1 was to ask that ARB table action on the Strategy until the fall after the District's PM2.5 attainment strategy is laid out in the State Implementation Plan and at that time adopt the Strategy with all of the necessary emission reduction commitments. Option 2 was to ask ARB to add initial commitments for NOx reductions with specific regulatory and/or incentive-based measures with an update in the fall after the District's PM2.5 attainment strategy is fully defined. Option 3 was to rely on ARB's existing commitment to include additional Valley-specific commitments as necessary for the District's PM2.5 attainment strategy in an update to the Strategy after their March adoption. CAC members across all three interest groups (City, Industry, and Environmental) expressed unanimous concern with ARB adopting the strategy in March without including the necessary emissions reductions for the Valley and requested that a letter from the CAC be sent requesting that action on the Mobile Source Strategy be tabled until sufficient Valley-specific measures are included. CAC members requested that their joint letter be signed by representatives from each of the 3 interest groups, including Kevin Hamilton (Environmental), Manual Cunha (Industry), and Rey Leon (City).

Public Comment: None

Mr. Hamilton made a motion to direct staff to send a letter to ARB to request action on the Mobile Source Strategy be tabled until sufficient Valley-specific measures are included.

Moved: Hamilton
Seconded: Leon
Ayes: Cunha, Pitcher, Horal, Phippen, Williams, Hamilton, Temple, Deming, Roedner, Leon, Green, Tristao, Gomez
Nays: None
Abstain: None

Motion unanimously carried to direct staff to send a letter to ARB to request action on the Mobile Source Strategy be tabled until sufficient Valley-specific measures are included.

Mr. Gomez left at 11:47 a.m.

10. ENVIRONMENTAL JUSTICE ADVISORY GROUP (EJAG) BUSINESS

- a. *Reappoint CAC Environmental Interest Group Primary Member and Appoint CAC Environmental Interest Group Alternate member* – Mr. Leon made a motion to reappoint Kevin Hamilton as Environmental Interest Group Primary Member, and appoint Sarah Sharpe as Environmental Interest Group Alternate Member.

Public Comment: None

Moved: Leon
Seconded: Williams
Ayes: Cunha, Pitcher, Horal, Phippen, Williams, Hamilton, Temple, Deming, Roedner, Leon, Green, Tristao,
Nays: None
Abstain: None

Motion unanimously carried to reappoint Kevin Hamilton as Environmental Interest Group Primary member and Sarah Sharpe as Environmental Interest Group Alternate member to EJAG

This item was taken out of turn

12. APPOINT 2 MEMBERS FROM EACH INTEREST GROUP TO CAC AD HOC SUBCOMMITTEE FOR HEARING BOARD APPOINTMENTS – Mr. Cunha appointed two volunteers from each Interest Group to serve on the CAC Ad Hoc Subcommittee for Hearing Board Appointments: Mr. Tristao and Mr. Leon volunteered to represent the City Interest Group; Mr. Hamilton and Ms. Deming to represent the Environmental Interest Group; and Mr. Cunha and Mr. Williams will represent the Industry/Ag Interest Group.

10. ENVIRONMENTAL JUSTICE ADVISORY GROUP (EJAG) BUSINESS (revisited)

- b. *Assess and Provide Guidance to the Executive Director/APCO Concerning the Effectiveness of the Environmental Justice Advisory Group Under the Current Trial Reporting Structure* – From the time of its approval by the Governing Board in 2007 until late 2015, the EJAG reported to the Governing Board through the Citizens Advisory Committee. During that period, the EJAG demonstrated the ability to work effectively and cooperatively with the CAC and the District. In addition, EJAG had become uniquely positioned to assist the District and other stakeholders to advocate for the Valley’s fair share of Cap and Trade funding. In May of 2015, the District Governing Board, in recognition of EJAG’s growing maturity and potential future role in advocating for funding to come to the Valley, voted unanimously to approve a direct-reporting relationship with the Board, while also requiring that EJAG continue to present reports to CAC detailing their activities and actions.

The Executive Director/APCO was directed to present an evaluation report after a one-year trial period, to both the CAC and the Governing Board, assessing the effectiveness of EJAG under the new reporting structure and the appropriateness of continuing with the new structure. In February, the CAC began the process for providing input as the Executive Director/APCO completes the directive from the Governing Board to assess the new reporting structure. As directed by the Governing Board, the final evaluation and recommendation will be presented to the CAC before submittal to the Governing Board. To assist in providing input to the Executive Director/APCO as this evaluation moves forward, Mr. Cunha, CAC Chair, established a CAC subcommittee consisting of two members from each interest group as follows: Dennis Tristao and Jack Lemen (City); Kevin Hamilton and Lee Smith (Environmental); and Chris Savage and Les Clark (Industry). After subcommittee discussion, all feedback will be brought back to the CAC for full committee discussion.

Public Comment - None

11. REVIEW THE ROLES AND REPSONSIBILITIES OF THE CITIZENS ADVISORY COMMITTEE AND ASSESS IF ANY CHANGES ARE NECESSARY – This item was tabled until the next meeting.
12. OUTREACH AND COMMUNICATIONS REPORT – Jaime Holt, Chief Communications Officer, reported on the end of another successful Wood Burning Season which ended on February 28th. She said the Valley enjoyed another record clean year.

13. CAC MEMBER COMMENTS; CAC MEMBER SUGGESTIONS TO BE INCLUDED IN THE PRESENTATION OF THE CAC REPORT DURING THE GOVERNING BOARD MEETING ON MARCH 16, 2017 – None
14. VOLUNTEER TO PRESENT REPORT DURING GOVERNING BOARD MEETING – Mr. Cunha volunteered to present the report at the March 16, 2017 Board meeting.

Meeting adjourned at 12:01 p.m.

Next Meeting – The next meeting is scheduled on April 4, 2017. 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.