

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

April 2, 2019
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, Jack Lemen, called the meeting to order at 10:03 a.m.
2. ROLL CALL – was taken and a quorum was present to hold the meeting and to take action.

County	Member Name/Interest Group	Location
Fresno	Manuel Cunha/IAIG (P)	Central
	Gary Yep/CIG (P)	Central
	Rey Leon/CIG (A)	Central
Kern	Les Clark/IAIG (P)*	South
	Christine Zimmerman/IAIG (A)	Central
	Carolyn Temple/EIG (P)	South
	Wayne Clausen/CIG (P)	South
Kings	Dustin Ference/IAIG (P)	Central
	Alvaro Preciado/CIG (A)**	Central
Madera	Don Horal/IAIG (P)	Central
	Lee Smith/EIG (P)	Central
Merced	Kevin Abernathy/EIG (P)	North
San Joaquin	Roger Hoffdahl/IAIG (P)	North
	Ned Leiba/EIG (P)	North
	Suzanne Bauer/IAIG (A)	North
Stanislaus	Richard O'Brien/CIG (P)**	North
Tulare	Derek Williams/IAIG (P)	Central
	Greg Gomez/CIG (P)	Central

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

**Arrived at 10:15 a.m.*

***Arrived at 10:18 a.m.*

****Arrived at 10:24 a.m.*

3. APPROVE MINUTES FOR MARCH 5, 2019 – Mr. Lemen asked for member comments or corrections to the Minutes. Mr. Leiba asked for the Minutes to reflect his question to Ms. Carr and her promise for a response during item 8 – *VERBAL REPORT FROM*

CALIFORNIA AIR RESOURCES BOARD. Samir Sheikh, Executive Director/APCO, said staff would revisit the Minutes and correct them to appropriately capture Mr. Leiba's question and the ARB response. Hearing no other member requests for changes, Mr. Lemen declared the Minutes approved with Mr. Leiba's requested changes.

Public Comment: None

4. PUBLIC COMMENTS – *The following persons provided comment during this item:*

- Jonathan Janzen, Fresno Resident

5. CHAIR COMMENTS – None

6. EXECUTIVE DIRECTOR/APCO COMMENTS – Samir Sheikh, Executive Director/APCO provided CAC members with a summary of the following items:

- The Governing Board adopted enhancements to the District's Clean Green Yard Machine Incentive Program to add a rebate option for residents to purchase new electric lawn and garden equipment while not requiring a corresponding destruction of a similar piece of combustion equipment.
- The Governing Board adopted a resolution authorizing the District to apply for Year 2 FARMER program funding. The District's tentative allocation for this program approved by CARB is \$104,304,000, or 80% of the available statewide funding in this program.
- Consistent with the Governing Board's legislative platform and the advocacy efforts of the CAC, the District was successful in working with the Valley's Legislative delegation, along with other key legislators, to get a joint letter that recognized the significant role that incentive funding plays in improving air quality and advocates for increased FARMER and community incentive funding.

Public Comment: None

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

Public Comment - None

8. VERBAL REPORT FROM CALIFORNIA AIR RESOURCES BOARD – Elizabeth Melgoza, CARB representative, provided a summary of select items before the California Air Resources Board at their meeting held on February 21, 2019.

Mr. Leiba asked Ms. Melgoza to relay his request for a response to Ms. Carr and Ms. Turner regarding his emails and questions from the February 5th and March 5th CAC meetings about the basis of the premature death claims presented in ARB's press release for their adoption of the Valley's 2018 PM2.5 Plan.

Mr. Cunha asked Ms. Melgoza to pass along to Mr. Corey and Ms. Nichols the continued support of CAC members to increase funding for the FARMER program through Cap and Trade in the May revised budget. He also expressed appreciation on behalf of CAC members for their efforts to convince the legislators to ensure the Valley gets these funds, which are very important to the District's State Implementation Plan.

Public Comment - None

9. CARB PRESENTATION ON REVIEW OF DISTRICT'S EMISSION REDUCTION CREDITS PROGRAM – Todd Sax, Chief of CARB's Enforcement Division, informed the CAC that CARB is undertaking a review of the District's Emission Reduction Credit (ERC) program in response to a request from environmental advocates to ensure that it conforms to state and federal law. Mr. Sax assured CAC members that CARB will conduct an unbiased review in an open and transparent manner including input from key environmental and industry stakeholders. CARB is entering this endeavor without any preconceptions, and the review will be informed by previous reviews of the District's ERC program, which have found the program meets state and federal requirements.

Mr. Savage thanked Mr. Sax for his presentation and said he is well aware of the concerns over the review that is underway at CARB. He said he appreciates what CARB is trying to do, but has a lot of concerns about the approach, the methodology and the communications of ultimately what their findings. He added he was curious as to why CARB chose to hold their first meeting in Bakersfield. Mr. Sax responded it was their understanding that the genesis for these concerns came from community groups in the southern San Joaquin Valley and CARB wanted to ensure they were responsive to their concerns. Mr. Savage strongly recommended that CARB did not cater specifically to that area, adding if CARB was going to hold this meeting they need to make sure it is open and available to the entire Valley and all of the stakeholders that have an interest in the ERC Program review. He suggested the meetings should be held at a District office and video teleconferenced to the other District regional offices. He added this issue is not uniquely related to issues in the southern San Joaquin Valley.

Mr. Savage also requested a list of the industry representatives contacted by CARB regarding the ERC review and added that he would like to volunteer his time and effort to be a part of the process. Mr. Savage asked for CARB to publish a schedule of their plans for the review, as well as update the CAC on an ongoing basis. Mr. Sax responded CARB would be talking about their plan at their public meeting in late-April. He offered to report back to CAC members on their progress at future meetings.

Mr. Abernathy, seconded Mr. Savage's recommendations to Mr. Sax to hold the meetings in all 3 District office via video teleconference, due to his belief that the majority of the affected entities are located north of Kern County. Mr. O'Brien voiced agreement with Mr. Savage's and Mr. Abernathy's recommendations, and asked if there was a website for interested parties who wished to participate, but could not attend the meetings in person. Mr. Sax said a website would be established, and the information would be sent to CAC members.

Mr. Clark said CARB has been involved in the ERC program since inception. He said they should not start from the present and work their way back in time, but should begin their review in the beginning of the program so they would see the sacrifices and monies spent by industry to ensure there were future growth opportunities. He added it was more complicated than to simply state that CARB was going to take a look at the ERC program. He said he planned to participate in the review as well.

Mr. Leon said he has been working on air quality and environmental justice for at least 15 years. He said he felt the ERC program was conducted in a way that reduced pollution in certain areas and zip codes that were not low income, and the credits gained were then concentrated to develop industries such power plants, that would spew hundreds of tons of pollution into zip codes that are low-income and housed mainly farmworkers. He said he understood the concerns raised but added he was looking forward to the conversation.

Mr. Cunha thanked Mr. Sax for his report and said Mr. Clark was correct in his characterization of the program, and added that many businesses reduced emissions in rural communities by spending a lot of money in those areas. He voiced agreement with the requests to hold these meetings in all 3 District office via video teleconference in fairness to all Valley stakeholders. He added he looked forward to additional presentations from CARB on their progress and findings at future meetings.

Mr. Savage clarified his motion that CAC members recommend to CARB that all meetings that take place on this topic would be conducted via video teleconference, in all three District regions. He added at no point should a meeting take place in one region and be isolated from the other two regions. Ms. Zimmerman thanked Mr. Sax for his presentation and the District for working on this process. She said the ERC program is valuable and has been audited several times in the past and requested the previous audit findings to be included in the process.

Public Comment: None

Moved: Savage

Seconded: Abernathy

Ayes: Cunha, Clark, Ference, Horal, Hoffdahl, Savage, Temple, Smith, Abernathy, Leiba, Yep, Clausen, Preciado, Lemen, Davis, O'Brien,

Nays: Gomez
None

Motion unanimously carried for CAC to recommend to CARB staff that all public meetings conducted in regards to the ERC evaluation be held in all three District offices via video teleconference, to facilitate broad stakeholder participation in the process

Mr. Sheikh thanked Mr. Sax for attending the meeting and providing information to CAC members on the ERC review. He said it was a valuable part of the process to obtain CAC member input. He added there is a long history to the ERC program, not just in the way it was developed and evolved over time, but also how it really fits into a larger regulatory effort in regards to stationary sources. One of the big goals the District has as CARB conducts its review is to make sure there is good education and information provided as to how this component of a larger program really fits into that overall effort. He said the many factors are complicated – permitting, ERCs, Best Available Control Technology (BACT), Air Toxics Risk Assessments, and all of the things that go into a SIP and if you don't understand that background it is hard to see how ERCs fit into that picture. He said all concerns brought up from different perspectives need to be recognized and taken into account. Lastly, he said he supports the efforts to make sure there is a good public engagement process and said the District is committed to helping in every way possible.

Mr. Savage recommended adding this as a standing agenda item at future CAC meetings.

10. AB 617 IMPLEMENTATION UPDATES –

- a. Dave Warner, Deputy APCO, provided an update on the District's activities related to AB 617 implementation. In September 2018, CARB finalized their selection of 10 communities statewide, including the communities of South Central Fresno and the City of Shafter in the Valley, for first year implementation of AB 617 community emission reduction and monitoring programs. Consistent with the requirements of AB 617, the District has appointed steering committees for the two selected communities, and the committees have been meeting over the past several months. Working with the steering committees, the District must implement community air monitoring plans by July 1, 2019, and adopt community emission reduction programs by October 1, 2019. More information is available at www.valleyair.org/community.
- b. Karen Magliano, Chief of the CARB Office of Community Air Protection, provided an update on the state's efforts to implement the requirements of AB 617. In September of 2018, CARB adopted the Community Air Protection Blueprint, which outlines the process for identifying impacted communities, statewide

strategies to reduce emissions of criteria air pollutants and toxic air contaminants, as well as proposed criteria for development of community emissions reduction programs and community air monitoring plans. CARB also finalized their selection of the 10 communities statewide for first year implementation of AB 617. Ms. Magliano focused on the resources CARB is providing through their Online Resource Center and CARB development of mobile source strategies for inclusion in Community Emissions Reduction Programs. She also discussed CARB administration of grants, both for incentive funding being passed to air districts to achieve significant emission reductions and community air grants to support community based organizations as they participate in AB 617. CARB must also consider and select communities for second year implementation of AB 617. Ms. Magliano discussed the process to be used in this second year community selection process and the need to consider resource levels in evaluating future communities.

Mr. Smith left at 11:20 a.m.

Mr. Savage left at 11:23 p.m.

Mr. Leiba thanked Ms. Magliano for her presentation. He said he was pleased that under AB 617 community-based emission inventories would be developed and community-level air monitoring would be expanded in the selected communities. He asked if the monitoring would be able to measure PM_{0.1} and cited a passage that said PM_{0.1} is a critical health risk factor that often does not correspond to ambient PM_{2.5} concentrations at local monitors. He added researchers have identified organic carbon and elemental carbon as potentially toxic constituents and asked if this enhanced monitoring would monitor these elements. Mr. Sheikh said that the District is working to understand the potential sources of concern in selected communities and will come up with a tailored air monitoring plan that would look at things like specific fractions and species of particulate matter. He added that the final monitoring plans for each of the selected communities is still being developed with input from the Community Steering Committees and will vary depending the relevant emission sources within the communities.

Mr. Leiba asked if changes in mortality or morbidity over time would be tracked under AB 617 in response to the emission reduction programs implemented in the selected communities. Ms. Magliano responded that the AB 617 legislation focuses on reducing emissions and tracking subsequent air quality improvements through the development of community emission reduction programs and associated community air monitoring plans.

Mr. Clark said he was concerned about the expanded community boundaries in Shafter. Mr. Warner clarified that the boundary in Shafter was not expanded, but the blueprint provided by CARB recommended looking outside the community boundaries for sources that might actually impact the community and the Shafter Community Steering

Committee recommended that this be done within a 7 mile radius around the City of Shafter.

Public Comment – None

11. OUTREACH AND COMMUNICATIONS REPORT – Maricela Velasquez, Senior Air Quality Representative, gave an update on current District outreach activities, including:

- Working on the District's 2018-19 Annual Report to the Community, which provides residents and stakeholders a detailed account of the District's operations in the preceding year and will highlight the Valley's progress towards achieving clean air. She said the Annual Report would be ready in mid-April.
- Conducting additional outreach for the District's Clean Green Yard Machine Program expansion.
- Participating in many community activities related to Earth Day on April 22nd.

Mr. Leon said there was an Environmental Health Informational Fair in Huron on April 20th and invited District staff to participate.

Public Comment - None

12. CAC MEMBER COMMENTS – None

13. VOLUNTEER TO PRESENT REPORT DURING GOVERNING BOARD MEETING – Mr. Cunha volunteered to present the report at the April 18, 2019 meeting.

Meeting adjourned at 11:46 a.m.

Next Meeting – The next CAC meeting is scheduled on May 7, 2019. 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.