

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

December 3, 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 Deputy Clerk of the Boards, Michelle Franco, called the meeting to order at 10:04 a.m.
2. **ROLL CALL** – was taken and a quorum was present to hold the meeting and to take action. The Chair, Jack Lemen, arrived at 10:06 a.m.

| County | Member Name/Interest Group | Location |
|---------------|-----------------------------------|-----------------|
| Fresno | Manuel Cunha / IAIG (P) | Central |
| | Gary Yep / CIG (P) | Central |
| Kern | Carolyn Temple / EIG (P) | South |
| | Wayne Clausen / CIG (P) | South |
| Kings | Tim Parcel / IAIG (A) | Central |
| | Kelly Deming / EIG (P) | Central |
| Madera | Don Horal / IAIG (P) | Central |
| | Brittany Dyer / EIG (P) | Central |
| Merced | Jack Lemen / IAIG (P)* | Central |
| | Kevin Abernathy / EIG (P) | North |
| San Joaquin | Roger Hoffdahl / IAIG (P) | North |
| | Ned Leiba / EIG (P) | North |
| | Eleassia Davis / CIG (A) | North |
| Stanislaus | Chris Savage / IAIG (P) | North |
| | Richard O'Brien / CIG (P) | North |
| Tulare | Derek Williams / IAIG (P) | Central |

*arrived at 10:06 a.m.

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

3. APPROVE MINUTES FOR OCTOBER 1, 2019 – Chairman Lemen asked for member comments or corrections on the Minutes for October 1, 2019. Hearing none, he declared the Minutes as approved.

Public Comment: None

4. PUBLIC COMMENTS – None

5. CHAIR COMMENTS – None

6. EXECUTIVE DIRECTOR/APCO COMMENTS – Samir Sheikh, Executive Director/APCO, provided the members with a preview of the items on the December 19, 2019, Governing Board meeting including the annual Indirect Source Review rule report, which demonstrates once again that the program has been very effective at reducing emissions from new development in the Valley. Mr. Sheikh also discussed two recent exceptional windblown dust events that resulted in elevated PM10 concentrations in the Valley, and the efforts undertaken by the District to reach out to the public to make sure they had the information necessary to take the appropriate steps to protect themselves during these events. Lastly, Mr. Sheikh advised the members that the Check Before You Burn Season went into effect November 1st. This is the first year implementing the new requirements and lower curtailment thresholds that were adopted in June 2019. New incentive levels are available in the areas affected by the lower curtailment thresholds.

Public Comment: None

7. UPDATES ON ATTAINMENT PLANS AND RULES – Jessica Coria, Program Manager in the District's Air Quality Science and Planning Department, provided an update on the District's planning and rule development efforts.

Regarding proposed amendments to Rule 4306 (Boilers, Steam Generators, and Process Heaters Greater than 5.0 MMbtu/Hr – Phase 3) and Rule 4320 (Advanced Emissions Reduction Option for Boilers, Steam Generators, and Process Heaters Greater than 5.0 MMbtu/Hr), Mr. Savage asked if there was a specific commitment in the District's 2018 PM2.5 Plan for this source category. Mr. Sheikh responded affirmatively. He said this information would be presented at the upcoming public workshop scheduled for December 5, 2019, and the staff would send this information out to members. He added that the December 5, 2019, workshop will be the first meeting in what will be a robust public process and there are no proposed limits at this time.

Regarding proposed amendments to Rule 4702 (Internal Combustion Engines), Mr. Cunha asked if portable engines were included in the discussion of internal combustion engines. Mr. Sheikh responded only to the extent that the engine is a transportable unit that operates as part of a stationary source. He said generally, portable equipment that does not operate as part of a stationary source is subject to other rules and not Rule 4702.

Public Comment – None

8. VERBAL REPORT FROM CALIFORNIA AIR RESOURCES BOARD – Laura Carr, CARB representative, gave a brief summary of the Board meeting held on November 21, 2019.

Mr. Leiba commented on the potential new AB 617 area near the Port of Stockton and asked if there would be advanced monitors located in that area that would be able to distinguish different sizes of particulate, as well as the toxic components. He also asked if they would have specific health studies in the area, specifically focused on trying to determine why there is an uptick in cases of childhood asthma. Mr. Sheikh responded that when CARB selects AB 617 communities, part of the process is an air monitoring component which is implemented by the District at the local level in partnership with CARB. He said assuming Stockton is picked, and there were resources available to support a monitoring effort, the plan would be to do the kind of monitoring that Mr. Leiba mentioned, including source apportionment.

Public Comment – None

9. CARB UPDATE ON REVIEW OF DISTRICT'S EMISSION REDUCTION CREDITS PROGRAM – Todd Sax, CARB Enforcement Division Chief, provided an update on CARB's review of the District's Emission Reduction Credit (ERC) program. Mr. Sax advised the members that CARB plans to meet with the District to discuss preliminary findings and recommendations in early 1st Quarter of 2020. ARB will also be scheduling a public workshop in February or early March of 2020 ahead of the report to the Board, which is scheduled for March 2020.

Mr. Savage expressed concerns about singling out particular facilities as a part of this review process. He asked for clarification on the parameters of the review. Mr. Sax responded CARB is trying to balance two competing requests. One was from community groups that wanted CARB to include specific facilities of interest, and the other was from groups not wanting CARB to single out individual facilities. He said CARB staff have tried to take an approach focusing on individual Authority to Construct (ATC) applications for information on specific projects, not looking at the outcome of those projects, or emissions or controls at any particular facility as part of the review. Mr. Sax said the results of their analysis are focused on the District's applications of their programs and policies to these projects. He said CARB selected a group of ATCs

from facilities that the community groups were interested in, as well as from another random group of facilities. He said he does not expect to see any difference in the application of the District's programs and policies to either of those two sets of ATCs and said they would be evaluating them differently to be able to show that. Mr. Sax added CARB was trying to be responsive to community concerns while maintaining an unbiased review.

Mr. Savage asked if CARB planned to separate the results from the facilities that the community groups were interested as opposed to those in general representation. Mr. Sax said he did not expect to see a difference in the results from either group, but if there were it would be noted.

Mr. Sheikh said based on Mr. Sax' last response, and the District's full expectation that there is no difference in the application of the New Source Review (NSR) Rule among a variety of ATC projects, he was not concerned with the scope of the review. He added he would be concerned if there was to be energy placed into trying to analyze, in support of that false allegation, differences between one group of ATCs versus another group of ATCs. He said he was comfortable with Mr. Sax' clarification that this would be a consistent review across all of these ATCs.

Mr. Savage asked District staff, if there was any hint that the report from CARB was not agnostic and does not just look at how NSR is applied, to push back on the report before it is released to the public. Mr. Sheikh said his understanding is that this would be an objective review, and anything non-objective would be of concern to District staff.

Public Comment: None

10. RECEIVE REPORT ON 2019 OZONE AIR QUALITY - Jessica Olsen, Program Manager in the District's Air Quality Science and Planning Department, provide the members with a report on the record setting 2019 ozone season, which saw the fewest number of Valley exceedances of all three federal ozone standards. Improving ozone design values continues to build confidence that the air quality strategies will bring the Valley into attainment of the 84 ppb 8-hour ozone standard by the 2023 attainment target, and the 75 ppb standard by 2031.

Mr. Cunha congratulated District staff for a job well done. He asked about the causes for the exceedances that occurred in the Valley. Mr. Sheikh responded that emissions from wildfires were big contributors to the peak values seen in the Valley. Although wildfires are considered exceptional events that would be corrected against attainment demonstrations, Mr. Sheikh said the progress that Ms. Olsen outlined is uncorrected for the wildfire impacts.

Mr. Cunha said the District's Conservation Management Practices program (CMPs) and the FARMER program, which encourages farmers to move from older, diesel tractors to

newer, cleaner equipment have had a tremendous benefit to the District's clean air strategy. He also thanked CARB staff for their cooperation and collaboration with the District on these important programs.

Public Comment: None

11. REVIEW PROPOSED RULE 4460 (PETROLEUM REFINERY FENCE-LINE MONITORING) - Jessica Coria provided the members with an overview of proposed Rule 4460, which will be considered for adoption by the Governing Board at the December 2019 meeting. In response to safety and public health concerns surrounding petroleum refineries, the Governor signed AB 1647 (Muratsuchi) to require that refineries develop, install, operate, and maintain fence-line air monitoring system in accordance with guidance developed by the District and CARB. Proposed Rule 4460 implements the requirements of AB 1647 for Valley refineries. The proposed rule takes into account similar requirements in other jurisdictions while recognizing the uniqueness of Valley petroleum refineries. The proposed rule also provides for public engagement and transparency in the approval of the monitoring plans by the District.

Mr. Williams suggested it may be fairer to set the fee for community monitoring on a per barrel basis. Mr. Sheikh responded that staff designed the fee structure based on hardware that would be put into place for that community air monitoring system and the costs is a direct function of that hardware. Mr. Williams said it was important to note that these fees were not a revenue stream for the District but merely to cover its costs, and said it was a fair way to do this.

Public Comment: None

12. 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 year. Working with the steering committees, the District began implementing community air monitoring plans in July 2019. Mr. Warner reported that on September 19, 2019, the District's Governing Board approved the Community Emission Reduction Programs (CERPs) for the AB 617 communities of South Central Fresno and Shafter. District staff worked closely with Community Steering Committees and the public in both communities to develop the CERPs over the past year. Mr. Warner said District staff is working with Community

Steering Committees to prioritize and begin implementation of the measures of the CERP.

In September 2019, Mr. Warner said the Board also took action to recommend that CARB considered Southwest Stockton as a second year AB 617 community. In addition, should more funding become available that would allow CARB's selection of more communities without diluting the necessary resources for implementation of AB 617 programs in existing communities, the Board recommended strong consideration for Arvin/Lamont as an additional second year AB 617 community. More information is available at

www.valleyair.org/community.

- b. Karen Magliano, CARB Chief of Office of Community Air Protection, provided an update on efforts underway by CARB to implement AB 617. Ms. Magliano provided an overview of the efforts CARB is undertaking to support the CERP development and the state measures CARB is including in the CERPs. She also reported that their Board will consider the CERPs for the Year 1 communities between December 2019 and March 2020. The Board will be meeting in the respective communities to consider the CERPs now that they have been adopted by the local air district boards. CARB plans to consider the CERPs for South Central Fresno and Shafter on February 13, 2020, at a hearing in Shafter, CA. Leading up to the Board meeting, CARB plans to hold community meetings in Shafter and South Central Fresno, in November 2019. Ms. Magliano said CARB Board members are also planning to tour the Shafter and South Central Fresno AB 617 communities so they can learn first-hand about the challenges they experience.

Consistent with AB 617, the CARB board must consider new communities each year for implementation of Community Emission Reduction Programs (CERPs). Ms. Magliano said CARB received 12 nominations for individual for combined communities for Year 2 implementation of AB 617. CARB is recommending 3 new communities (Southwest Stockton, South East LA, and Eastern Coachella) and 1 existing monitoring community transition to a community emissions reduction program (Portside Environmental Justice Communities in San Diego). She said the community recommendations will be considered at the CARB Board meeting on December 13, 2019.

Mr. Leiba said he was gratified by the comments about the emphasis on health studies, and said it is so important to not forget there is a significant increase in childhood asthma in the Valley despite dramatic drops in these criteria pollutants and said at the end of the day we should see improvement in these areas.

Mr. Savage asked where the incentive funding would be coming from. Ms. Magliano responded the money would come from the Greenhouse Gas

Reduction Fund and is part of the Governor's annual process of coming up with allocation across many different programs. She said in the past three years, there has been nearly \$250 million each year that has been allocated for the AB 617 program.

Public Comment – None

12. OUTREACH AND COMMUNICATIONS REPORT – Jaime Holt, Chief Communications Officer, reported on outreach activities at the District including: continued outreach on the District's Check Before You Burn program, including visits to local venues such as Christmas Tree Lane to remind residents that all outdoor wood burning is subject to the Rule 4901 restrictions. She added staff is continuing outreach to AB 617 communities and are ramping up the HAL Schools Program while getting the Healthy Air Living Kids Calendar ready for distribution in early 2020. She asked members to let her know of any community events that they would like District outreach staff to participate in.
13. CAC MEMBER COMMENTS – Mr. Williams mentioned the recent dust events and asked if any District programs are monitoring the increase in the number of Valley Fever cases. Mr. Sheikh responded that while there may be a connection between dust and Valley Fever, research conducted has shown there are many factors that contribute to Valley Fever. He said this past year there has been an infusion of resources that the District is keeping an eye on to create better understanding of the Valley Fever issue.

Ms. Dyer said she was looking forward to working with CAC members and District staff as the new Madera County Environmental Interest Group Primary representative.
14. VOLUNTEER TO PRESENT REPORT DURING GOVERNING BOARD MEETING – Mr. Cunha volunteered to present the report at the December 19, 2019 meeting.

Meeting adjourned at 11:53 a.m.

Next Meeting – The next CAC meeting is scheduled on January 7, 2020. 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.