

Action Summary Minutes
San Joaquin Valley Unified Air Pollution Control District

ENVIRONMENTAL JUSTICE ADVISORY GROUP (EJAG)

Central Region Office, Governing Board Room
1990 E. Gettysburg Avenue, Fresno, CA

Thursday, October 22, 2015
5:30 p.m.

*The Environmental Justice Advisory Group 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*

1. Call to Order – The Chair, Esperanza Vielma, called the meeting to order at 5:32 p.m.
2. Roll Call – was taken and a quorum was not present

<u>County</u>	<u>Member Name/Interest Group</u>	<u>Location</u>
Fresno	Kevin Hamilton, CAC-Environmental (Primary)	Central
Fresno	Cesar Campos, At-Large Rep*	Central
Kern	Marvin Dean, Ethnic-Small Business Owner**	Central
Kern	Robert Smith, At-Large Rep	South
Madera	Michelle Garcia, At Large Rep	Central
San Joaquin	Esperanza Vielma, At-Large Rep	North
Stanislaus	Thomas Helme, At-Large Rep	North
Tulare	Derek Williams, At-Large Rep	Central

*Mr. Campos arrived at 5:35 p.m.

**Mr. Marvin Dean arrived at 5:40 p.m.

Staff Present in Central Region Office (Fresno) –Jaime Holt, Chief Communications Officer; Errol Villegas, Permit Services Manager; Sheraz Gill, Director of Strategy & Incentives; Mehri Barati, Director of Administrative Services; Chay Thao, Program Manager for Strategies and Incentives Department; Todd DeYoung, Strategies and Incentives Program Manager; Anton Simanov, Outreach and Communications Rep; Cassandra Melching, Outreach and Communications Rep

Staff Present in the Northern Region Office (Modesto) – Anthony Presto, Outreach and Communications Rep

Staff Present in the Southern Region Office (Bakersfield) – Mike Oldershaw, Air Quality Compliance Manager

Members of the public present – Pamela Jones, WebenizeNews.com; John James, Dragado Flatiron joint venture for the High Speed Rail (HSR)

This item was taken out of order at the Chair's prerogative

4. Public Comments – Pamela Jones, WebenizeNews.com, expressed concern regarding contrails and requested EJAG members to research them.

Mr. Dean introduced John James, contractor for the HSR. Mr. James, Small Business Officer for the Dragado Flatiron joint venture, explained they are building a portion of the HSR. He added he is also part of the Public Involvement Program which has an Environmental Justice Plan. He reported Outreach meetings are scheduled in the next few weeks. These meetings are to provide information regarding HSR and also to receive feedback from the community.

Mr. Dean asked if there were any handouts available. Mr. James explained the information will be on the website and flyers will be sent out to all households and home owners within a half mile of the alignment.

3. Approve Minutes of August 27, 2015 – The Chair asked if there were any comments regarding the Minutes for August 27, 2015. Having decided the Minutes were accurate, on motion of Mr. Dean and seconded by Mr. Hamilton, unanimously passed, the Minutes were approved with no changes.
5. Chair Comments – Ms. Vielma presented the Outgoing Chair Derek Williams with a gavel with appreciation. Mr. Williams thanked everyone for the opportunity to serve.
6. APCO/Deputy APCO Comments – Jaime Holt, Chief Communications Officer, reported Mr. Sheikh and Mr. Sadredin were in Washington D.C. where Mr. Sadredin testified at the Science, Technology and Space Subcommittee for Congress on the Clean Air Act modernization item.

Ms. Holt reported an item that will be discussed at the November Governing Board Meeting is the overview of the impact of wildfires this past summer season.

She added that the District will augment its highly successful grant program with an additional nearly \$6 million in US EPA funding to replace old agricultural tractors and dirty residential wood burning devices. Approximately \$10 million was available nationwide under the competitive Targeted Air Shed Grant Program. The District submitted four proposals and

two are being funded, which represents half of the funds available nationwide. Grant funds such as these recognize the hard work and sacrifice being made by Valley farmers, businesses and residents to expedite emission reductions in the San Joaquin Valley, and with these funds the EPA is acknowledging the unique challenges of the Valley and providing much needed financial assistance. Ms. Holt said a sad item will be announced at the Board meeting, the passing of David Lighthall, Health Science Advisory.

7. Updates on Attainment Plans and Rules – Errol Villegas, Permit Services Manager, introduced Chay Thao, Program Manager for Strategies and Incentives Department. Mr. Villegas presented the updates.

Mr. Campos requested clarification of reducing PM2.5 emissions by 30 tons per year. Mr. Villegas explained it's the change in the major source threshold applicability from 100 tons to 70 tons per year of PM2.5 associated with the classification of serious non-attainment. Mr. Villegas said a facility that used to emit 80 tons per year would be classified as a major stationary source under this new modification. Mr. Campos asked if the facilities have a limit of emitting 70 tons per year. Mr. Villegas explained a facility that emits PM2.5 emissions between 70 and 100 tons per year will now be subject to Title V permitting requirements.

Mr. Campos asked if there would be an incentive grant for businesses affected by Rule 4692 (Charbroiling). Mr. Villegas explained the Governing Board has set upon the District as a foundational requirement to use sound science when going through plans and rule processes. Currently there is not enough scientific information that provides confidence in controlling under-fire charbroiling emissions. The Board approved the Restaurant Charbroiler Technology Partnership (RCTP) with restaurants and vendors to help make a demonstration. The results of the RCTP program will be used to assess feasibility of these technologies and potential requirements during upcoming amendments to Rule 4692.

Mr. Dean asked if the 2006 and 2012 PM2.5 Standards have any effect on the assessed Federal penalty. Mr. Villegas explained the strategies used to address ozone will also help to address PM2.5. Mr. Villegas clarified the Federal penalty is associated to the 1-hour ozone non-attainment. Mr. Dean asked if these plans will be discussed in the any of the Public Advisory Workgroup (PAW) meetings. Mr. Villegas said the meetings have focused on the 8-hour ozone plan which is due to EPA first and then incorporating all of the work into the PM2.5 plans. Mr. Dean asked if there is a possibility of another fine due to non-attainment. Mr. Villegas responded affirmatively and added there may consequences for the District's inability to attain.

Public Comment: None

Ms. Vielma left at 6:30p.m.

Mr. Williams presided over the rest of the meeting.

8. Recap of Transboundary Ozone Pollution Conference – Mr. Hamilton said the conference was a fascinating event as a whole, a great success bringing together scientists from all over the country. He stated he walked away feeling very good about the state of the science moving forward. He said it was demonstrated that we don't have the evidence to prove that transboundary ozone is traveling down into the Valley. There was a unanimous acknowledgment that this is an issue that needs to be researched further. Mr. Hamilton thanked the District for sponsoring his attendance to the conference.

Mr. Dean said attending the conference was a very educational experience. He commended Mr. Sadredin for having the vision to sponsor this event. He said all scientists agreed people are contributing to the green-house effect.

Mr. Campos said he found the focus on the Valley very encouraging.

Public Comment: None

9. Check Before You Burn & Burn Cleaner Overview – Ms. Holt provided a presentation on the Check Before You Burn program. Todd DeYoung, Strategies and Incentives Program Manager, provided an overview of the Burn Cleaner Grant Program.

Ms. Holt explained that it is vital that all residents understand air quality issues in the Valley, as air pollution affects us all, and everyone's cooperation is necessary to reach the tough standards established by the federal EPA and the Valley's clean-air goals.

She went on to state that the District's Check Before You Burn residential wood-burning rule (4901), the toughest regulation of its type in the nation, minimizes the build-up of dangerous fine particulates (PM2.5) and improves air quality during the winter months. She stated that wood smoke is a serious wintertime health threat that increases the risk of lung disease, respiratory illness, heart attacks and stroke. Residential wood burning can contribute up to two-thirds of total winter-time PM2.5 emissions, and that reducing emissions from wood smoke is crucial.

She described Check Before You Burn, which begins Nov. 1 and runs through February, reduces 5.1 tons per day of fine particulates and includes three possible daily curtailment levels. "No Restrictions, Burning Discouraged" means that air quality is good and anyone can use their wood burning device. "No Burning Unless Registered" means that only individuals

with a clean burning wood insert or stove, who have registered that device with the Valley Air District, are allowed to burn. Finally, "No Burning For All" means that air quality is very poor and use of ALL residential wood burning devices is prohibited.

Mr. Smith asked why residents are required to register again. Ms. Holt explained registration with the inspection will ensure the device is being maintained properly. Mr. Smith asked what kind of maintenance the devices require. Ms. Holt explained some devices require a certain type and level of cleaning to prevent the device from smoking excessively and to ensure it is burning as efficiently as possible. Mr. Smith asked what the consequence is if a resident does not register their wood burning device. Ms. Holt explained if a resident does not register and they burn when they are not allowed then they have the potential of receiving a Notice of Violation including a fine. Mr. Smith asked what kind of outreach was done for residents to re-register. Ms. Holt explained letters went to residents that registered last year.

Mr. Helme asked what kind of enforcement is available. Ms. Holt explained residents will call to complain about another resident and their burning behaviors and also inspectors have assigned areas where inspections are performed. Mr. Helme asked if it's possible the air quality will not improve with more cleaner burning devices being used. Ms. Holt explained that 5.1 tons of PM2.5 is reduced per day under the rule and that this includes a slower buildup of pollution on the days when burning is allowed. Mr. Helme asked if it is visibly different between older and newer cleaner devices. Ms. Holt responded affirmatively.

Ms. Holt stated outdoor chimeneas and fire pits are subject to this rule.

Mr. DeYoung thanked the EJAG for their involvement and work to strengthen the Burn Cleaner grant program and ensure the effectiveness of the low-income component. He described the program survey and evaluation which was conducted this past summer with both Valley residents who participated in the grant program and Burn Cleaner retailer, and how the research indicated that the current funding levels were appropriate. He explained how Valley residents wanting to switch out older wood-burning devices for a cleaner model can take advantage of the grant program which provide \$1,000 for certified wood, pellet inserts, freestanding stoves or natural gas inserts or \$2,500 for eligible low-income applicants for all devices. An additional \$500 is available to all applicants for the installation costs on a natural gas device. For more information on this program visit www.valleyair.org/burncleaner.

Mr. Hamilton requested clarification on renters. Mr. DeYoung explained renters are eligible to participate in the Burn Cleaner Program.

Mr. Campos asked the current amount of funding for the Burn Cleaner Program. Mr. DeYoung explained from traditional sources in the spending plan when the Governing Board approved funding of \$5.2 million plus the remainder of the previous year's program. Mr. Campos asked if incentive funding will be available to low income residents to assist with maintenance costs. Ms. Holt explained District staff is looking into a program to perform service on the devices in low income communities.

Mr. Williams asked if there were any objections to the consensus of providing cost assistance to low income households in some form, hearing none EJAG provided a consensus for this recommendation.

10. Overview of the Charge-Up! Grant Program – this item was tabled at the Vice Chair's prerogative.
11. Preview of Upcoming Goals Setting – Mr. Williams requested adding assisting District staff on an as needed basis to assist in obtaining funding to the District under the Action Item *Utilizing State's CalEnviroScreen EJ tool* as a Deliverable item. Ms. Holt responded affirmatively.

Mr. Hamilton mad a motion to approve the EJAG 2016 Goals.

Moved: Hamilton
Seconded: Dean
Ayes: Campos, Smith, Garcia, Helme, Williams, Dean, Hamilton

Motion passes to approve EJAG 2016 Goals and forward them to the Executive Director / APCO for review and approval.

12. Upcoming EJAG Meeting Agenda Items
 - Overview of the Charge-Up! Grant Program
 - Diesel Truck Voucher Program Review
 - Drayage Truck Update
13. Public Comments (Second Opportunity) – None
14. EJAG Member Comments – Mr. Helme reported on aa Valley Improvement project which includes research to determine trash incineration is not a replacement for recycling or composting.
15. Volunteer to Present Report During CAC Meeting on Tuesday, December 1, 2015 at 10 a.m. – Mr. Williams volunteered to provide the report.

16. Volunteer to Present Report During Governing Board Meeting on Thursday, November 19, 2015 at 9 a.m. – Mr. Hamilton volunteered to provide the report.

Meeting adjourned at 7:45 p.m.

Next Meeting –The next EJAG meeting is scheduled for Thursday, December 3, 2015, at 5:30 p.m. 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.