

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, August 24, 2017
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 5:35 p.m.
2. ROLL CALL – was taken and a quorum was present

| <u>County</u> | <u>Member Name/Interest Group</u> | <u>Location</u> |
|---------------|--|-----------------|
| Stanislaus | Thomas Helme, At-Large Rep | North |
| Kern | Marvin Dean, Ethnic-Small Business Owner | South |
| San Joaquin | Esperanza Vielma, At-Large Rep | North |
| Tulare | Derek Williams, At-Large Rep | Central |
| Kern | Robert (Bob) Smith, At-Large Rep | South |
| Fresno | LeRoy Candler, Jr., Ethnic-Small Business Owner | Central |
| Fresno | Kevin Hamilton, CAC-Environmental- Primary | Central |
| Kings | Dustin Ference, CAC-Industry/Ag-Primary | Central |

Kevin Hamilton arrived at 5:49pm

Staff Present in Central Region Office (Fresno) – Samir Sheikh, Deputy APCO; Jaime Holt, Chief Communications Officer; Jon Klassen, Program Manager; Chay Thao, Program Manager; Todd DeYoung, Program Manager; Mehri Barati, Director of Administrative Services and Anton Simanov, Air Quality Education Web Specialist II

Staff Present in the Northern Region Office (Modesto) – Anthony Presto, Air Quality Education Rep II

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

Members of the public present – None

3. APPROVE MINUTES FOR June 22, 2017 and April 2017 – The Chair asked if there were any comments regarding the Minutes for June 22, 2017 and April 2017. Hearing none, Mr. Hamilton made a motion to approve the Minutes.

Public Comments: None

Moved: Hamilton
Seconded: Williams
Ayes: Smith, Vielma, Williams, Dean, Candler, Ference
Nays: None
Abstentions: None

Motion unanimously carried to approve the EJAG Minutes for June 22, 2017 and April 2017

4. PUBLIC COMMENTS – No public comments
5. CHAIR COMMENTS – The Chair, Ms. Vielma commented about the possibility of having alternates for the primary members when they are unavailable to attend a meeting in order to meet quorum and take action on the items necessary.
6. APCO/DEPUTY APCO COMMENTS – Samir Sheikh, Deputy APCO, gave the following updates to members:
 - At the August 17, 2017 Governing Board meeting, the District awarded \$1.8 million to replace high-polluting locomotives operating within Valley disadvantaged communities, with an additional \$3 million from a variety of partners to help pay for this project.
 - At the August 17, 2017 Governing Board meeting, the District secured \$2.4 million from EPA under their Diesel Emission Reduction Act funding. The District submitted three proposals of which, two were selected. The monies will be used to replace heavy-duty trucks and mobile agricultural equipment.
 - The District is in attainment of the 65 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) PM2.5 standard. The District provided a detailed update to the Board during the August 17, 2017 Governing Board meeting regarding the PM2.5 attainment strategy.
 - The Governing Board Study Session will be held at Bass Lake on Wednesday, September 20 starting at 11:00 a.m. and ending at approximately 2:00 p.m. on Thursday, September 21, 2017. A variety of subjects will be covered. Jaime Holt, Chief Communications Officer, added that the District would cover mileage, room and board for those who wish to attend. The agenda for the Governing Board Study Session is

available for review and proposed agenda items can be found on the August 2017 Governing Board agenda.

Mr. Dean asked to be placed on the list of attendees for the September 2017 Study Session. He also asked for an update on the recently held Cap and Trade meeting hosted by the State. Mr. Sheikh said he attended the Cap and Trade meeting in Downtown Fresno, and ARB representatives were also present. In response to advocacy efforts, it appears that ARB is looking for ways to enhance their funding guidelines to help make the Cap and Trade monies be responsive to the needs of the community. Mr. Sheikh also informed members about the \$70 million allocated to Fresno from Cap and Trade funds and said this money can be for a variety of projects. Mr. Hamilton offered to send a copy of the Cap and Trade meetings schedule to EJAG members. Mr. Dean thanked Mr. Hamilton for the information and recommended the Board to provide feedback because the money has not been allocated or spent. Ms. Vielma responded and she said she would like to get more information if possible in order to share with others. In order to stay informed, Ms. Vielma asked that any information received to be shared among EJAG members in order to communicate and share with others. Mr. Sheikh suggested that the information could also be sent to staff who could then distribute as needed. Ms. Vielma agreed.

Public Comments: None

7. REVIEW OF 2017-2018 GOALS AND OBJECTIVES – Samir Sheikh, Deputy APCO commented that if there were any questions or comments, they would be reported to the Air Pollution Control Officer for review and finalize.

Public Comments: None

Moved: Hamilton
Seconded: Williams?
Ayes: Smith, Vielma, Williams, Dean, Candler, Hamilton, Ference
Nays: None
Abstentions: None

Motion unanimously carried to approve the 2017-2018 EJAG Goals and Objectives

8. UPDATES ON ATTAINMENT PLANS AND RULES – Chay Thao, Manager of the Planning Department, provided an update on the plan rules, including: the 2017 PM2.5 Plan, 2017 PM10 Maintenance Plan, Rule 9510 (Indirect Source Review), Rule 2201 (New and Modified Stationary Source Review), Rule 3110 (Air Toxics Fees), Rule 4311 (Flares) and Rule 4692 (Charbroiling).

Mr. Hamilton asked if the 75 ppb 8-hour ozone standard would be met. Mr. Thao responded that the District has adopted that plan. Mr. Hamilton commended the District for the achievement. Mr. Hamilton asked for an update about the workshop held on August 23, 2017 regarding for Rule 4311 (Flares). Mr. Thao said that it was a scoping meeting and that it went well, the next step will be to start having focus meetings.

Mr. Hamilton referred to air toxic fees and said that under AB 617, districts will be responsible for air toxics monitoring among other criteria pollutions, and he feels that it is going to be costly and suggested that the District might want to re-examine the local toxics fees. Mr. Hamilton also commented on charbroiling and said that one of the emissions from charbroiling has to be black carbon, he feels there might be a pathway to get greenhouse gas reduction funding to reduce black carbon. Mr. Sheikh stated that AB 617 implementation is currently in the formative stage of discussion with ARB and that District staff will provide updates as they learn more.

Mr. Dean asked if there was a solution for charbroilers. Mr. Thao replied that there are multiple technologies that appear to function in certain situations and applications, including filters, electro static precipitators and wet scrubbing technologies. Mr. Sheikh noted that the biggest challenge has been for the existing restaurants, particularly the older restaurants with high infrastructure costs. Most of the installations completed have been for those who are relatively new and because of that planning, was able to take place as these restaurants were being built.

Mr. Dean referred to the air toxic fee reductions and asked about the original fee amount and to what level the District was looking to reducing it. Mr. Sheikh responded that there are many different categories under that fee rule. Some fees will be lowered and some will remain the same.

Mr. Dean asked about Emission Reduction Credits (ERC) and asked if this program is in place. Mr. Sheikh said that the District's ERC process is in place and that he is happy to provide additional information if needed.

Public Comments: None

9. APPOINT EJAG CHAIR (2-YEAR TERM) AND EJAG VICE CHAIR (1-YEAR TERM) – Mr. Dean nominated Mr. Williams for Chair and Ms. Vielma for Vice Chair. Mr. Hamilton, nominated himself. Mr. Hamilton and Mr. Williams both provided a brief summary of their qualifications to serve as Chair. Mr. Hamilton withdrew his nomination. Ms. Vielma confirmed that Mr. Hamilton was withdrawing his nomination. Mr. Hamilton responded affirmatively.

Public Comments: None

Moved: Dean
Seconded: Hamilton
Ayes: Smith, Vielma, Williams, Dean, Candler, Hamilton, Ference
Nays: None
Abstentions: None

Motion unanimously carried to appoint Derek Williams as EJAG Chair for a 2-Year Term

Public Comments: None

Moved: Smith
Seconded: Dean
Ayes: Smith, Vielma, Williams, Dean, Candler, Hamilton
Nays: Ference
Abstentions: None

Motion carried 6 to 1 to appoint Esperanza Vielma as EJAG Vice Chair for a 1-Year Term

10. UPDATE OF PM2.5 PLANNING PROCESS – Chay Thao and Jon Klassen provided the following updates.

- Mr. Thao presented on the three standards, first being the 1997 Standard 24-hr ($65 \mu\text{g}/\text{m}^3$) and annual ($15 \mu\text{g}/\text{m}^3$). The current attainment deadline was December 31, 2015. There is a 5% Plan due December 31, 2016 (for annual standard).
- Regarding the 2006 Standard 24-hr ($35 \mu\text{g}/\text{m}^3$). The current attainment deadline is in 2019. The plan was due August 2017. ARB has gone on record that attainment by 2019 not possible and the District will need an extension
- For the 2012 Standard annual ($12 \mu\text{g}/\text{m}^3$). The Current Attainment Deadline is 2021. This plan was due October 2016 (ARB tabled plan submitted by District) ARB has gone on record that attainment by 2021 is not possible.
- Despite continuation of stagnant conditions, drought, and wildfires The Valley now meets 1997 24-hour PM2.5 standard and the Valley attained 1-hour ozone standard in 2014, 2015 and in 2016.
- The public process provided multiple opportunities for public and stakeholders to offer comments for refining strategy. The District has provided monthly

updates at the Governing Board, Citizens Advisory Committee, & Environmental Justice Advisory Group meetings to refine the strategy. In addition, 6 public workshops were held & 4 public advisory workgroup meetings were also held.

- The District will leave no stone unturned to reduce emissions from sources under District's legal jurisdiction.
- Through the Districts work with ARB & modeling they found that reductions from residential wood-burning, commercial charbroiling, mobile ag equipment, and heavy-duty diesel trucks are most effective at reducing PM2.5 concentrations at peak Valley locations.
- The District will pursue integrated PM2.5/ozone strategy that prioritizes measures that advance attainment of both ozone and PM2.5.
- The objectives for this attainment strategy is to submit single document addressing all pending federal requirements for PM2.5 standards. This includes the 5% reduction in NOx annually until the Valley attains 1997 annual PM2.5 standard, which was due December 2016. Another objective is to Attain 2006 24-hour PM2.5 standard, which is due December 31, 2024. A 5-year extension to 2024 is needed. In order to get the 5-year extension to 2024, the District must demonstrate Most Stringent Measures and expeditious attainment in proposed attainment strategy. An additional objective is to Attain 2012 annual PM2.5 standard, which is due by December 31, 2025.
- There are local emission reduction measures under consideration such as: enhance conservation management practices; install particulate matter control technology on under-fired charbroilers; replace older high-emitting wood-burning devices with cleaner devices; replace almond harvesters with low-emitting technologies; lower NOx limit for container glass melting furnaces, boilers, steam generators etc; and reduce emissions from on-road and off-road sources through incentive-based programs utilizing available local funds.
- Regulatory measures alone cannot achieve enormous emissions reductions necessary to attain in timely fashion. Significant investment in incentive-based measures is imperative to expedite and maximize public health benefits.
- ARB has committed to reduce an additional 30 tons per day of NOx emissions through various new measures. Although the District continues to identify more emission reductions in directly emitted PM and NOx from stationary sources, ARB commitment has remained constant at 30 tons per day NOx. ARB 30 tons per day commitment includes approximately 11 tons

per day NOx reductions from the District/NRCS agricultural equipment incentive program.

Mr. Klassen provided updates on the air quality modeling system. With the District's investment in the new Air Quality Modeling Center, the District now has significant capabilities allowing closer collaboration with ARB to improve model inputs and to ensure appropriate characterization of both programs. Although the District's capability has greatly expanded, certain modeling-related tasks continued to be performed by ARB. He said air quality modeling is complex and has its uncertainties. Inputs and assumptions entered into the models can introduce biases that can lead in one direction or another. Variables that can introduce modeling biases without making changes to emissions are; spatial distribution of emissions, temporal distribution of emissions, modeled boundary conditions, meteorology, and pollutant speciation profiles. Lastly, Mr. Klassen discussed a number of areas the District is working closely with ARB on to ensure the District is doing their best to be accurate in the assumptions.

Mr. Sheikh continued with the presentation and added that there is another 70 tons/day of NOx reductions required based on latest modeling to achieve the annual standard. The District must find a legal path to compel state/federal government to further reduce emissions under their jurisdiction. EPA's position is locals cannot impose assignments on the Federal Government. The District may have an easier path to legal assignments to ARB for mobile source reductions. The District will work with ARB and EPA to incorporate appropriate framework for including commitments from them for reducing mobile source emissions in District's attainment plan. Mr. Sheikh presented a slide containing the potential areas for the incentive-based emission reduction efforts.

Mr. Sheikh concluded his presentation the next steps to completing the modeling and design the strategies that will be in this plan:

- Complete residential wood burning survey,
- Complete the under-fired charbroiling technology assessment,
- Hot spot targeted strategies development,
- Finalize the strategy and modeling,
- Working to bring a final plan to the Governing Board by December 2017 with ARB considering and taking action on the plan as soon as possible.

Public Comments: None

Mr. Dean referred to slide number 14 and asked for clarification on the dollar amounts listed under the incentive-based emission reduction efforts. Mr. Sheikh replied and said that the dollar amounts listed are the District's total needs and reflect the incentive estimate, not the total cost of implementing the projects.

Mrs. Vielma referred to slide number 6, in particular about the 5-year extension needed to 2024 and referred to the reclassification to Serious non-attainment, she asked if the District will be reclassified or if there is an application needed to be reclassified. Mr. Sheikh explained that the District would have to request and then be approved for reclassification. In regards to the 2012 standard, this new plan will include that request and EPA would then have to approve it. The District has already been reclassified as Serious for the 2006 standard.

11. UPCOMING ENHANCED FLEET MODERNIZATION PROGRAM (EFMP) AND EJAG SUGGESTIONS FOR OUTREACH IN EJAG COMMUNITIES – Todd DeYoung, Program Manager provided the following updates:

- The Tune In Tune UP program was launched in 2011. It has a heavy focus on low income, disadvantaged communities. 114 weekend events have been held, more than 22,500 vehicles have been repaired. Mr. DeYoung reviewed the Tune In Tune Up process in detail with the EJAG Members.
- Vehicle Replacement Option was put in place in 2015 because vehicles were identified as needing replacement beyond repairs. This program took place based on the successful District-funded pilot program in 2014, because of that, ARB developed the “Enhanced Fleet Modernization Program and Plus-Up” programs.
- The District has administered \$8.8 million dollars in EFMP & EFMP Plus-Up funding to date, provided by AB118 and Cap and Trade funding. The program provides up to \$9,500 for purchase of replacement vehicles. 926 vehicles have been replaced to date, 95% of vehicles replaced have been in disadvantaged communities.
- Mr. DeYoung explained the hands on support available for participants. If participants are eligible and willing to participate, residents are assisted through the entire process.
- Based on the program’s success, the District will receive a significant increase in state funding for vehicle replacement program. \$18.7 million was awarded for Fiscal Year 2017-2018.
- The District is developing a multi-faceted strategy for expanding the program throughout the Valley. The District is proposing that residents will now be allowed to participate in the program without attending weekend events and the success of the program will rely on a new outreach strategy and community involvement. The District feels EJAG will be critical in the success of this effort.
- The District is working on a new online application that will allow residents to apply directly to the program. This will provide flexibility for residents.

- Jaime Holt provided an outreach update. She mentioned to date, very little outreach has been done for the program because the District is picking individuals who are already participating in the Tune In Tune Up event. The new expanded program requires more outreach & more public education.
 - Mrs. Holt presented a series of 6 questions to the EJAG members about the program. Due to the lack of time, Mrs. Holt suggested that the question can be reviewed by each member on their own time and she suggested a subcommittee of 3-4 people. Mr. Williams appointment Mrs. Vielma as the Chairman of the new subcommittee. Mr. Dean, Mr. Candler and Mr. Hamilton all volunteered to be part of the subcommittee.
12. UPCOMING EJAG MEETING AGENDA ITEMS – Update on the 617. Subcommittee & Staff update. Detailed reporting on where grants have been spent to date.
 13. PUBLIC COMMENTS (Second Opportunity) – None
 14. EJAG MEMBER COMMENTS –
Mr. Dean thanked Mr. Hamilton for keeping the members unified. Mr. Ference reminded the committee that they are a committee not a Board, they are charged with making suggestions and recommendations to the Governing Board and he wanted to remind everyone that they are subject to the Brown Act, asked for training refresher on the Brown Act and Roberts Rules of Order. Mr. Williams offered to present a report at the upcoming CAC meeting. Mr. Williams thanked Mrs. Vielma for her time and dedication.
 15. VOLUNTEER TO PRESENT REPORT DURING CAC MEETING ON TUESDAY, SEPTEMBER 5, 2017 (TENTATIVE) AT 10 A.M. – Mr. Williams volunteered to give a report if needed.
 16. VOLUNTEER TO PRESENT REPORT DURING GOVERNING BOARD MEETING ON OCTOBER 19, 2017 (TENTATIVE) AT 9 A.M. – No action taken.

Meeting adjourned at 7:45 p.m.

Next Meeting –The next EJAG meeting is scheduled for Thursday, October 26, 2017, 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.