

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, June 22, 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 5:30 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>
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

Staff Present in Central Region Office (Fresno) – Morgan Lambert, Deputy APCO; Chay Thao, Program Manager of the Strategy & Incentives Department; and Maricela Velasquez, Senior Air Quality Education Rep.

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 April 27, 2017 – This item was tabled as there was no quorum present.

4. PUBLIC COMMENTS –Linda Urata, representing Kern Council of Governments and also the Clean Cities Coordinator for the San Joaquin Valley informed EJAG members that the Volkswagen settlement was being handled in California by Electrify America. It was brought to her attention that the Air Resources Board was proposing to add the City of Fresno as one of the metro areas for investment under their zero-emission vehicle investment plan in response to comments from the Valley Air District, Clean Cities Coalition, Coalition for Clean Air and several others. Ms. Urata added that they are planning to add multilingual outreach and education, which is expected to be available next week. She notified members that Volkswagen plans to meet with state Environmental Justice Committee members in Sacramento on Monday and Tuesday and said she would send a list of contacts to members who were interested in participating. Ms. Vielma thanked Ms. Urata for her comments.

5. CHAIR COMMENTS – The Chair, Ms. Vielma said she attended the Special Report on California Climate and Energy Issues that was sponsored by Univision along with the Los Angeles Chamber of Commerce. She reported on a poll presented at the event that was conducted throughout the state of California with Hispanics. She said one interesting notion was regarding wood burning stoves and fireplaces, as the usage numbers for the Los Angeles region were greater than those in the Valley. She said it was a rather small sample considering the size of the Hispanic population in the state, and especially in both regions. Ms. Vielma offered to forward this information to members along with the contact information for the staff members from Univision who conducted the poll.

Ms. Vielma added that the mayor of Huron, Rey Leon, was interviewed by the New York Times on the Green Raiteros program. Ms. Vielma suggested that Mr. Leon could give an update on his program which is an unofficial rideshare with retired farm workers in small rural areas like Huron. The purpose of the program is to take the retired farmworkers into the city for their appointments, and now Mr. Leon is going to be able to use electric vans and have a way to not only charge them but also repair them. Mr. Leon received a grant of over \$500,000 for this program. Ms. Vielma offered to forward the article to members.

6. APCO/DEPUTY APCO COMMENTS – Morgan Lambert, Deputy APCO, gave the following updates to members:

- On May 25, 2017, the Air Resources Board (ARB) heard a report from their staff on the progress that has been made to date on the Valley's PM2.5 attainment efforts.
- At the April 20, 2017 Governing Board meeting, representatives of numerous school districts throughout the Valley presented the challenges that they are currently facing in turning over their older diesel buses and complying with both local and state regulations for bus replacements. The

District will continue their efforts with schools to identify and secure additional new funding to help them in their efforts.

- On June 15, 2017, the District's Governing Board authorized a new multilingual scientific survey to assess residential wood burning in the Valley. This survey will build on the 2014 survey that the District conducted regarding the Check Before You Burn and Burn Cleaner programs.
- Also at their June 15, 2017 meeting, the Board took additional action on the District's Agricultural Tractor Trade Up Program. He said further reductions from agricultural equipment remains a top priority of the District in pursuing its strategies to attain the federal PM2.5 standards. The District, in partnership with USDA, NRCS and Valley growers, developed and administered a first of its kind, tractor trade up program in 2016.

Ms. Vielma thanked Mr. Lambert for this information. Mr. Dean said the Tractor Trade Up Program sounded great and suggested expanding the program to other types of agricultural equipment. Ms. Vielma asked if this information was available on the website. Mr. Lambert responded that information was included as part of the June 15 Governing Board Agenda packet. Ms. Vielma thanked Mr. Lambert for his informative presentation.

Public Comments: None

7. REVIEW OF 2017-2018 GOALS AND OBJECTIVES – Mr. Lambert explained that this was an action item and the group was unable to continue without a quorum at the meeting.
8. UPDATES ON ATTAINMENT PLANS AND RULES – Chay Thao, Manager of Strategies and Incentives, provided an update on the plan rules, including:
  - Rule 9510 (Indirect Source Review) amendments that were originally proposed for adoption in September 2016 have been 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 was held on May 18, 2017.
  - 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 to present the rule to the Board for adoption in September 2016. However, in August 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.

- District staff are putting the final touches on amendments to Rule 3110 (Air Toxic Fees), which will reduce fees for facilities subject to the AB2588 Air Toxics Program. There was a public workshop held in May and staff is looking to take these amendments to the Governing Board at their August 17, 2017 meeting.
- For Rule 4692 (Commercial Charbroiling) he reported that despite the District's efforts in promoting additional funding allocated for the Restaurant Charbroiler Technology Partnership, it has been difficult to find restaurants that are willing to participate. He said one restaurant has started operation with controlled technology and one is currently under contract. In addition, the District has identified several restaurants that have installed under-fired charbroiler controlled devices outside of the program, which the District is in process of evaluating. Due to the limited availability of the demonstrated controlled technologies, the District will address this particular commitment in the upcoming 2017 PM2.5 Plans.

Mr. Dean commended District staff for their role in the Rule 3110 (Air Toxics Fees) amendments. He said any time the District can reduce some of the costs of compliance and pass it on to industry is commendable. He continued to say the Board issued a letter to EPA some time ago, in regards to some of the conditions that we are under in terms of the pollutants in this Valley. He mentioned drive-through trucks and some of the fleets that come through here and that this is a bigger problem that the District cannot resolve. He asked what ever came of that letter. Mr. Lambert asked if he was referring to the petition that the District adopted to ask EPA to create a national truck standard as well as a new national standard for locomotives. Mr. Dean responded affirmatively. Mr. Lambert said given the change in administration at the federal level, that it is unlikely that they will be moving forward with any new truck or locomotive standards. What is more likely is a commitment at the state level to do a statewide regulation from the Air Resources Board. He continued to say that they will likely have to get a waiver from the federal government to be able to do that. It is a little unclear at this point if the federal EPA under the new administration will continue to grant waivers to the State of California.

Mr. Helme said he wanted to make sure he was clear on Rule 3110 (Air Toxics Fees) and asked for clarification on his interpretation of the rule which is that AB2588 regulated air toxics and initiated fees. He questioned is the District was able to bring the budget down on enforcing the rule and the District passed the savings on basically by lowering the fees. Mr. Lambert responded the fee reduction will in no way affect District enforcement of the rules or how they handle the program. He continued to explain the District can only lawfully charge fees to cover the costs to administer the program. In no way does it change or remove funding that would be used to have an active and effective enforcement program. The District is now able to perform the work in a more effective and

efficient manner due to technology advancements, streamlining measures and economies of scale.

Ms. Vielma referred to Rule 4692 (Commercial Charbroiling) and asked if the District is working with specific companies or organizations that work on the technology side and was there a bid or process in place. Mr. Thao responded the District is contacting everybody that has these control technologies starting with the ones that were tested at UC Riverside. He added that the District is also contacting restaurants and working with the restaurant associations to identify who is willing to participate. Mr. Thao added that it has been a difficult process because, understandably, their main concern is running their daily businesses. Ms. Vielma asked if there is some kind of research and development program in the Valley or in the state for those type of technologies to be worked on to minimize disruption of the business. Mr. Thao explained the main point of the District's grant program was to test in a real world environment for at least a year or so. Mr. Lambert continued by saying that the key point is that from a technology perspective these technologies have, for the most part, been proven in laboratory settings, but need to be tested in real world applications at Valley restaurants. Ms. Vielma asked what costs would be covered under the incentive program. Mr. Thao responded it covers the cost of the equipment, installation and maintenance.

Public Comments: None

9. UPDATE OF PM2.5 PLANNING PROCESS – Chay Thao, Program Manager, said the District is addressing three different standards in the current PM planning process, including the 1997 standard which has a 24-hour standard of 65 micrograms, and an annual standard of 51 micrograms. With the 2006 standard, the 24-hour standard was reduced from 65 micrograms to 35 micrograms. In the 2012 standard, the 15 microgram annual standard drops down to 12 micrograms. He said the District has had a very robust and effective public process over the last seven months, beginning in December 2016. He said so far there have been a total of ten meetings, including four Public Advisory Workgroup (PAW) meetings, four public workshops along with two ARB workshops. Mr. Thao voiced appreciation for the EJAG members who have participated in this process, specifically Mr. Helme, Ms. Vielma, Mr. Dean and Mr. Hamilton. Mr. Thao added that through this process, the District identified a long list of measures to reduce direct PM2.5 and NOx and worked closely with ARB to model these aggressive measures. He provided a quick overview of some of the items the District has looked at, including enhancing residential wood combustion, retrofitting restaurants with controls for under-fired charbroiling, replacing almond harvesters with cleaner technology, enhancing the Conservation Management Plans with more measures, reducing NOx from stationary sources such as electrifying Ag engines, lowering the NOx limit for IC engines, lowering the NOx limit for CM generators, boilers, process heaters, lower NOx for flares and lowering the NOx and SOx for glass plants. ARB is

looking to reduce emissions from mobile sources including incentives to reduce emissions by turning over heavy-duty trucks, buses, and agricultural tractors and off-road equipment more quickly. Based on all of those measures, the District has worked with ARB and conducted modeling to see what type of impact that would make. The conclusion from the latest modeling of these aggressive measures, assuming that they are feasible, and that is still in question at this point, the Valley would be at the 37.1 micrograms in 2025 for the 24-hour standard and 13 micrograms in 2025 for the annual standard. Although these numbers may appear close to the standards, significant additional emissions reductions are necessary to close the gap. The District is continuing to work with ARB to finalize the modeling and is committed to continue to search for, and evaluate, additional measures because more is needed to reach attainment even with the extended deadlines of 2024 and 2025. As a result of this, the District will be looking at the next workshop to discuss controlled measures with greater specificity and in more detail. The District really encourages everyone to attend and provide their input in this process and within the PAW and workshops.

Ms. Vielma thanked Mr. Thao for the information. Mr. Dean asked for an estimated time frame for the next PAW meeting. Mr. Thao responded that staff is planning to hold a workshop to examine the control measures and possibly a PAW meeting as well but the date is unknown at this point. Mr. Dean said he is looking forward to the next workshop.

Mr. Helme suggested scheduling the public workshop in the evening so that more members of the public might be able to attend. He said he would try and get community members to attend and provide input if they can attend after work.

Public Comments: None

10. REPORT ON PUBLIC ADVISORY WORKGROUP (PAW) – This item was tabled as there was no quorum present.
11. APPOINT EJAG CHAIR (2-YEAR TERM) AND EJAG VICE CHAIR (1-YEAR TERM) – This item was tabled as there was no quorum present.
12. UPCOMING EJAG MEETING AGENDA ITEMS – Ms. Vielma asked for all tabled items on today's agenda to be placed on the next meeting agenda, along with a report on expenditures by city and county.
13. PUBLIC COMMENTS (Second Opportunity) – None
14. EJAG MEMBER COMMENTS – Mr. Williams asked members to keep Mr. Lemen in their thoughts and prayers as he was unable to attend tonight's meeting due to an injury.

15. VOLUNTEER TO PRESENT REPORT DURING CAC MEETING ON TUESDAY, AUGUST 1, 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 THURSDAY, AUGUST 17, 2017 (TENTATIVE) AT 9 A.M. – Mr. Lambert explained that because there was no action taken at this meeting there would be no need for a Governing Board Presentation in August. Ms. Vielma agreed.

Meeting adjourned at 6:39 p.m.

Next Meeting –The next EJAG meeting is scheduled for Thursday, August 24, 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.