

FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT  
MEMORANDUM  
04/08/2019

TO: FRAQMD BOARD OF DIRECTORS

FROM: Christopher D. Brown, AICP, APCO

SUBJECT: Approve Resolution #2019-03 approving Grant Agreement G18-CAPP-9 for \$90,634 with the California Air Resources Board to implement the Community Air Protection Program, and authorize the APCO to execute related documents.

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RECOMMENDATION:

Approve Resolution #2019-03 approving Grant Agreement G18-CAPP-9 for \$90,634 with the California Air Resources Board to implement the Community Air Protection Program, and authorize the APCO to execute related documents.

ALTERNATIVES:

Not approve Resolution #2019-03.

BACKGROUND:

The State of California adopted Assembly Bill (AB) 617 (Chapter 136, Statutes of 2017) with the intent to identify and reduce exposure in communities most impacted by air pollution. The bill mandated several things:

1. That the California Air Resources Board (CARB) to develop a uniform statewide system of annual reporting of emissions of criteria air pollutants and toxic air contaminants (TAC) for use by certain categories of stationary sources. The bill required those stationary sources to report their emissions annually.
2. By October 1, 2018, CARB must prepare a monitoring plan for monitoring criteria pollutants and TACs and the need for any additional community monitoring systems. The plan would identify the highest priority locations for deployment of community monitoring systems, which would need to be deployed by July 1, 2019 by the air district. Fence line monitoring at stationary sources can also be required in the communities by

the air districts. The CARB must annually update the plan. The data collected by the monitoring systems must be published on CARB's website.

3. The CARB must develop a statewide strategy to reduce emissions of TACs and criteria pollutants in communities affected by a high cumulative exposure burden. The CARB must offer grants to those communities for technical assistance and to support community participation. For air districts containing a selected location, within one year of CARB's selection they must adopt a community emissions reduction program.
4. Air districts that are nonattainment for one or more air pollutants must adopt an expedited schedule for the implementation of best available retrofit control technology (BARCT) for each industrial source that, as of January 1, 2017, was subject to a specified market-based compliance mechanism, and give highest priority to those permitted units that have not modified emissions-related permit conditions for the greatest period of time.
5. The CARB must establish and maintain a statewide clearinghouse that identifies the best available control technology, best available retrofit control technology for criteria air pollutants, and related technologies for the control to TACs.
6. The maximum generally applicable criminal and civil penalties for violations of air pollution laws from non-vehicular sources was increased to \$5,000, which will now annually adjust based on California Consumer Price Index.

The District has taken the following actions to implement the Community Air Protection Program in Yuba and Sutter counties since AB 617 was adopted:

- On December 4, 2017, the District Board of Directors adopted Resolution #2017-11 to amend Policy 3.3.1 – Mutual Settlement Policy to incorporate the changes to the maximum generally applicable criminal and civil penalties in regards to the mandates of AB 617.
- The District established a webpage providing information on the Community Air Protection Program <https://www.fraqmd.org/community-air-protection-program> and a staff contact.
- The District staff participated in working groups with CARB on the emissions reporting regulation and expedited BARCT schedule.
- The District staff held workshops for local agency staff on AB 617 and other air quality related topics.
- The District reviewed communities for first year recommendations.
- The District issued a Request for Proposals (RFP) for CAP Grants (FRAQMD Board Resolution # 2018-09, August 6, 2018). The RFP was mailed to local agencies, school districts, and posted to the FRAQMD website.
- On September 29, 2018, the District accepted community input on the CAP Grants at the Yuba County Safety and Wellness Fair. The District also sought community input through its website.
- The District entered into contract with Sonoma Technology Inc for enhanced particulate matter forecasting from November 1, 2018, to February 28, 2019.
- The District posted an Expedited BARCT schedule January 1, 2019. The schedule will amend Rule 3.22 Stationary Internal Combustion Engines during calendar year 2020.
- The District posted the projects received and under consideration for the CAP Grants on March 28, 2019.

The District Board approved Resolution #2018-05 accepting \$28,961 through grant agreement with CARB to implement the mandates of AB 617 at the April 2, 2018 meeting. The funding was used to offset the costs of AB 617 implementation through January of 2019.

**DISCUSSION:**

The Community Air Protection Program grant would provide funding for continued implementation of AB 617. The funding can be used by the District for staff support, developing rules, collecting data, reporting, and continuing the enhanced forecasting contract.

Acceptance of the grant award would require additional reporting to CARB every year after grant execution until the funds are fully expended.

**FISCAL IMPACT:**

The Resolution would authorize the APCO to accept \$90,634.00 from CARB to offset the cost to implement the mandates of AB 617.

**ATTACHMENTS:**

Resolution #2019-03

ATTACHMENT  
Resolution #2019-03

**RESOLUTION #2019-03 OF THE BOARD OF DIRECTORS AUTHORIZING THE  
ACCEPTANCE OF THE GRANT AGREEMENT TO IMPLEMENT THE COMMUNITY  
AIR PROTECTION PROGRAM**

**WHEREAS**, the State of California adopted Assembly Bill 617 (Chapter 136, Statutes of 2017) with the intent to identify and reduce exposure in communities most impacted by air pollution; and

**WHEREAS**, the California Air Resources Board (CARB) established the Community Air Protection Program to implement the goals of Assembly Bill 617; and

**WHEREAS**, the State of California has authorized through Senate Bill 856 (Committee on Budget and Fiscal Review, Chapter 30, Budget Act of 2018) grant funding to FRAQMD for related expenses necessary for implementation of Assembly Bill 617; and

**WHEREAS**, the CARB has proposed Grant Agreement G18-CAPP-9 to provide FRAQMD with \$90,634.00 to implement Assembly Bill 617; and

**WHEREAS**, the FRAQMD may use the funds offered in the Grant Agreement G18-CAPP-9 to identify and reduce the exposure to communities within the FRAQMD.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Board of the FRAQMD authorizes the Air Pollution Control Officer (APCO) to accept the Grant Award G18-CAPP-9 in the amount of \$90,634.00 for expenses necessary for implementation of Assembly Bill 617; and

**BE IT FURTHER RESOLVED THAT** the APCO shall carry out the terms of the Grant Agreement, including the submittal of Annual and Final Reports to CARB on the FRAQMD's work to implement the Community Air Protection Program.

**PASSED AND ADOPTED** by the Feather River Air Quality Management District on April 8, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Chairman

ATTEST:

APPROVED FOR LEGAL FORM:  
  
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