

FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT  
MEMORANDUM  
04/02/2018

TO: FRAQMD BOARD OF DIRECTORS

FROM: Christopher D. Brown, AICP, APCO

SUBJECT: Approve Resolution #2018-05 approving Grant Agreement G17-CAPP-9 for \$28,961 with the California Air Resources Board to implement the Community Air Protection Program for Fiscal Year 2017-2018, and authorize the APCO to execute related documents.

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RECOMMENDATION:

Approve Resolution #2018-05 approving Grant Agreement G17-CAPP-9 for \$28,961 with the California Air Resources Board to implement the Community Air Protection Program for Fiscal Year 2017-2018, and authorize the APCO to execute related documents.

ALTERNATIVES:

Not approve Resolution #2018-05.

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. By October 1, 2018, and at least every 5 years after, 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 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 technology 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.

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.

#### DISCUSSION:

The District has been allocated \$28,961 through grant agreement G17-CAPP-9 to implement the mandates of AB 617, which has become the Community Air Protection Program.

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 \$28,961 from CARB to offset the cost to implement the mandates of AB 617.

#### ATTACHMENTS:

Resolution #2018-05

ATTACHMENT  
Resolution #2018-05

**RESOLUTION #2018-05 OF THE BOARD OF DIRECTORS AUTHORIZING THE  
ACCEPTANCE OF THE GRANT AGREEMENT TO IMPLEMENT THE COMMUNITY  
AIR PROTECTION PROGRAM FOR FISCAL YEAR 2017-2018**

**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 Assembly Bill 109 (Ting, Chapter 249, Budget Act of 2017) grant funding to FRAQMD for related expenses necessary for implementation of Assembly Bill 617; and

**WHEREAS**, the CARB has proposed Grant Agreement G17-CAPP-9 to provide FRAQMD with \$28,961.00 to implement Assembly Bill 617; and

**WHEREAS**, the FRAQMD may use the funds offered in the Grant Agreement G17-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 G17-CAPP-9 in the amount of \$28,961.00 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 2, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Chairman

ATTEST:

APPROVED FOR LEGAL FORM:

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