

***WRAP Board Meeting Minutes
Portland, Oregon
April 2-3, 2003***

WRAP Board Representatives Present

Gov. Fred Vallo, Sr.	Co-Chair, Pueblo of Acoma
Dianne Nielson	Co-Chair, State of Utah
Stanley Paytiamo	Pueblo of Acoma
Lloyd Irvine	Confederated Tribes of Salish & Kootenai
Richard Long	U.S. Environmental Protection Agency, Region 8
Doug Lempke	State of Colorado
Stu Clark	State of Washington
Calvert Curley	Navajo Nation
Francis Chin	Maniilaq Association
John Twiss	USDA Forest Service
Steve Owens	Arizona Department of Environmental Quality
John Corra	Wyoming Department of Environmental Quality
Jim Norton	New Mexico Environment Department
Bob Habeck	Montana Department of Environmental Quality
Chris Shaver	National Park Service
Adrian Seeman	Shoshone-Bannock Tribes
Tom Chapple	State of Alaska
Andy Ginsburg	State of Oregon
Bill Grantham	Co-Director, NTEC
Patrick Cummins	Co-Director, WGA

Other Attendees

Rick Sprott	Utah Division of Air Quality
Carl Bowman	National Park Service - Grand Canyon
Shawn Kendall	The Kendall Group, Inc.
Don Arkell	WESTAR
Rich Fisher	USDA Forest Service
Mark Komp	U.S. Environmental Protection Agency, Region 8
Julie Simpson	Nez Perce Tribe
Bob Neufeld	Wyoming Refining
Brian Finneran	Oregon Department of Environmental Quality
Rosanne Sanchez	New Mexico Environment Department
Ira Domskey	Arizona Department of Environmental Quality
Darla Potter	Wyoming Department of Environmental Quality
Tom Webb	U.S. Environmental Protection Agency, Region 9
Dan Clark	Wyoming Department of Environmental Quality
Bob Gruenig	National Tribal Environmental Council

Andrew Mingst,	USEPA
Pat Murdo	WRAP
Lee Gribovicz	Wyoming Department of Environmental Quality
Colleen McKaughan	U.S. Environmental Protection Agency, Region IX
Tom Moore	WGA
Lee Alter	WGA
Karen Deike	WGA
Richard Halvey	WGA
Jeff Burks	State of Utah
Lewis McLeod	Confederated Salish and Kootenai Tribes
Pete Lahm	US Forest Service
Sandra Ely	New Mexico Environment Department
Tom Acker	NAU
Farshid Farsi	Shoshone-Bannock Tribes
Bob Saunders	State of Washington
Dan Olson	State of Wyoming
Al Zemsky	EPA, Region 9
Dave Robertson	PG&E
Chris Hockett	USFS
Reuben Plantico	Pacificorp
Colleen Delaney	State of Utah
Cyra Cain	State of Montana
Mike Ziolkko	OR Dept of Forestry
Lisa Riener	Quinault Nation
Mike Tunnell	WHI / ATA
Gordon Hansen	BLM
Dolly Potter	Solvay Minerals
Naomi Royle	
Kathy Van Dame	Wasatch Clean Air Coalition
Terry Ross	CEED
Paul Seby	CEED

Wednesday, April 2

1. Governor Fred S. Vallo of the Acoma Pueblo called the meeting to order at 1:10 p.m.
2. Andy Ginsburg offered a welcome to Portland and gave a short presentation on Oregon's Class I areas.
3. Adrian Seeman gave the invocation.

4. Governor Vallo presented Andy Ginsburg with a piece of pottery from the Acoma Pueblo and Dianne Nielson with a piece of turquoise.
5. The agenda was approved as written.
6. Andy Ginsburg moved, Dianne Nielson seconded approval of the minutes from the November 2002 Board Meeting. The minutes were approved unanimously.
7. Stanley Paytiamo welcomed Francis Chin from the native village of Shungak, Alaska to the WRAP board.
8. Bill Grantham noted that Joshua Epel and Michael Mueller were appointed as new members of the IOC. Bill also presented the financial status of the past and current grant awards to support the tribal activities of the WRAP. Pat Cummins gave a status report on the WRAP grant that has gone to the Western Governors' Association for the last four years. He noted that EPA has recently approved an award for this fiscal year of \$4.2 million. Pat also indicated that there was funding proposed at continuation levels in the federal budget currently under consideration, so the expectation is for ongoing support to the WRAP.

Pat also briefed the WRAP on the letter from Assistant EPA Administrator Jeff Holmstead on non-road diesel emissions standards. Finally, Pat discussed the letter from Region IX Air Director Jack Broadbent on coordinating SIP reviews across the various regions. Bill Grantham noted that NTEC was working with EPA to develop a review protocol applicable to tribes. Andy Ginsburg asked if anyone from the IOC or the forums had reviewed the letter from Jack Broadbent to determine if there were issues that required Board response. Pat Cummins indicated that the IOC and TOC will be reviewing the letter and discussing it at a later date.

Pat Cummins briefed the Board on the status of the WRAP Annex. He indicated that the Annex had cleared OMB review and would be published for incorporation into the regional haze rule in three to four weeks. Barbara Roberts discussed the schedule of the EPA re-proposal of the sections on the Regional Haze Rule that were remanded by the D.C. Court of Appeals. She stated that the process would occur over the next year and a new proposal was slated for April 2004. Pat Cummins noted that the natural background, enhanced smoke management, and annual emissions goals prepared by the Fire Emissions Joint Forum were now posted on the WRAP web site.

9. Bob Saunders and Lee Alter presented the 2003-2008 WRAP Strategic Plan. The Strategic Plan describes the framework for WRAP activities for the next five years to support the Section 308 and Section 309 plan revisions for the other Class I areas. The Strategic Plan will also provide the foundation for the WRAP's annual work plan and

budget to be presented to the Board in the fall of 2003. A slide presentation is available on the WRAP web site. Dianne Nielson noted that in order to implement some of the changes recommended by the Strategic Plan Work Group, changes to the WRAP charter would have to occur. Bob Saunders said that specific charter amendments had not been prepared but would be done based on the Board comments. Doug Lempke asked whether all the comments submitted by Colorado had been incorporated into the document. Lee Alter said that as far as he knew, any comments from Colorado were incorporated. Doug said that there were written comments prepared, but may not have been formally transmitted. Bob Saunders said that the work group was still soliciting comments and that the Colorado comments could be incorporated into the final draft. Pat Cummins said that if the Colorado comments needed to come back to the Board, that could be done. Lee Gribovicz said that he thought that any new stationary sources forum should be a joint forum. Chris Shaver said that if the WRAP's International Projects Forum was deleted, the WRAP should still have a way of coordinating with Mexico and Canada. Pat Cummins noted that the WGA was leading projects for emissions inventory in Mexico and that WRAP forums were participating in these projects. Calvert Curley suggested that all tribes in the region should be listed. Andy Ginsburg asked if strategies for 309 states could be analyzed to determine impacts on other states and Class I areas. Bob Saunders responded that the intent was to examine this in context of apportionment issues.

Dianne Nielson asked if the EPA timelines for completing the revised BART rules would impact the timelines in the strategic plan. She suggested that the work group should report to the Board on any potential conflict or impact. Barbara Roberts said that EPA recommended that the dates for the PM and Regional Haze SIPS be harmonized. She said that EPA has prepared such language in the current Draft Highway Reauthorization Bill which is scheduled to be considered by Congress this year. Lewis McLeod said that EPA has not adequately addressed the needs that tribes will have with meeting any new BART provisions. He said the Board should make more of an effort to prompt EPA to be more proactive on tribal issues. He also said that it was important to include all tribes to determine the impact on tribal preparedness. Andy Ginsburg asked if the strategic plan could highlight the link between EPA and tribal responsibilities. Lewis indicated that this was clearly a necessity. Bill Grantham pointed out that there was a map in the strategic plan showing current tribal nonmandatory Class I areas, and that tribes needed time to determine if there were other potential areas that needed to be incorporated. Andy Ginsburg asked how much advantage could be taken of the work already completed for the Section 309 SIPS, for example, the natural background work done by the Fire Emissions Joint Forum. Bob Saunders said that even after the Section 309 work was completed, there was still a list of technical improvements that were recognized and that it was the improvements that would be incorporated into the strategic work plan. Andy urged that the work group look at the previously approved documents to determine if they

were still applicable. He suggested that a substantial amount of work could be saved if previous work was recycled for the Section 308 SIPs.

Stanley Paytiamo said that it was important to get comments on the strategic plan from all the affected tribes, including Alaska. Calvert Curley said that tribes were still working on air quality programs that may designate areas as Class I and that this should be mentioned in the strategic plan. Bob Saunders agreed that this could be taken into account. Bob Saunders asked if the Board wanted to take any action on the 2007 deadline. Barbara Roberts responded that EPA has already made a recommendation to harmonize SIP submission dates in the proposed Transportation Efficiency bill. She said that the WRAP could write a letter, but that ultimately the issue would be decided in the Congress. Andy Ginsburg said that it needed to be determined if there was consensus on the harmonization issue by all the WRAP states and tribes. He said any letter should go to the chairman of the Transportation Committee and that before any letter is sent, it should be vetted through all the states and tribes. Doug Lempke asked about timing for sending any letter. Barbara Roberts said that it is likely that the chairman's mark-up for the bill could come by the middle of May. Andy Ginsburg asked if the IOC could draft a letter to be circulated to the states and tribes. The Board indicated a consensus for that approach. Dianne Nielson asked for Board consensus to direct the Strategic Plan work group to incorporate the comments from the discussion and report back to the Board at the next meeting.

10. Jeff Burks presented the WRAP Policy on Renewable Energy and Energy Efficiency as Pollution Prevention strategies for Regional Haze. A slide presentation is available at the WRAP web site. Jeff asked the Board to approve the new annotated policy document so that they could begin implementation of the management directive. Lewis McLeod asked if the policy would be applicable to the Section 308 SIPs. Jeff indicated that the policy provided a good foundation and that the Forum would continue to provide technical support to all states and tribes. Andy Ginsburg praised the work of the AP2 Forum and asked if there would be sufficient time to fully develop the strategies so that they could be included in the SIPs. Jeff acknowledged that energy strategies can take years to develop and that it should be clear in the SIPs which programs were in place and which ones would be implemented in the future, but that the mandatory requirement was reporting on meeting the energy efficiency and renewable requirements. Lloyd Irvine asked if the public comment period would be a continuing process. Dianne Nielson responded that this report was specific to the preparation of the Section 309 SIPs, but that the report would be continuously revised as new comments and programs were identified. Bill Grantham noted that there were some items that CERT had commented on and that these would be forwarded to the AP2 Forum. Rick Sprott said that the goals listed in the report were important and that every effort would be made to show how they would be achieved in the SIPs. Chris Shaver asked what the role of the AP2 Forum would be in providing technical assistance. Jeff Burks said that the Forum would continue to provide the

assistance wherever possible. Lewis McLeod said that insufficient time was provided to ensure a wide range of public comments, especially given the resource constraints of the tribes. He suggested that review times need to be elongated. Jeff Burks said that the background work of the Forum did go through a longer review process and that additional tribal input was welcome at any time. Dianne Nielson asked if the Board concurred with the use of the policy document for the preparation of the 309 SIPs, with the understanding that improvements could be made in the future. The Board concurred.

11. Bob Neufeld and Pat Cummins presented recommendations regarding mobile source significance for Section 309 plans. A slide presentation is available on the WRAP web site. Calvert Curley asked why SO₂ emissions would go up in 2018. Pat Cummins said that even if the vehicles were controlled to the maximum level, the increase in motor vehicles and miles travelled would eventually cause the emissions to rise. Pat presented the options, including objections that were raised, for SO₂ reduction. Andy Ginsburg asked if the WRAP found that SO₂ emissions were not continuously declining over some defined period of time, that at that time the WRAP could do a significance determination and decide if additional strategies were warranted. Pat indicated that the demonstration of continuous reduction had to be made in the initial SIP submittal. Bob Neufeld indicated that the WRAP would still be required to define significance and that was a problem. Pat Cummins also pointed out that states could not do SIPs based on anticipated EPA actions.

Dianne Nielson said that there was a consideration by the GCVTC that significance should be concerned with relative increases. In other words, the future rate of increase would be much smaller than the original rate of increase suggested in the GCVTC report and as a result workable strategies already exist. Pat Cummins reiterated that the problem was specifically related to SO₂ from non-road sources in the absence of a new non-road standard. Dianne Nielson asked what the implementation timeframe would be for new non-road fuel standards. Pat Cummins said that there would be a two step process taking SO₂ to 500 ppm in 2008 and 15 ppm in 2012, meaning that the maximum reductions would occur well prior to 2018. Andy Ginsburg suggested that for any pollutant for which we would not show continuous reductions, a budget be set for 2018 based on the projected low point for emissions and current control regulations. Mike Tunnell said that it would be important to have a single national fuel standard and not set up a situation where individual states would be tempted to adopt their own standards.

Steve Owens said that the option in which 2018 emissions were no higher than for 2003 would be a preference for Arizona. Chris Shaver asked if it would be acceptable for the 2003 SIPs to indicate that 2003 levels would be used unless EPA took an action to adopt new fuel standards. Dianne asked that EPA consider if that would be acceptable. Chris Shaver clarified that if EPA adopted new standards they would be incorporated into the SIPs. Andy Ginsburg asked if a graphic could be developed showing what the combined impact on SO₂ emissions would be for both on-road and non-road sources. Barbara

Roberts urged that the WRAP work closely with the EPA to draft any regulatory language. Dianne Nielson asked if the Board concurred with the suggestion that the option be restated for presentation to the Board on Thursday. The Board concurred.

12. The meeting was adjourned for the day at 6:00.

Thursday April 3

13. Dick Long discussed the Regional Transport Rule. A slide presentation is available on the WRAP web site. He said that it is still a work in progress and that EPA would be accepting input during the process. He said much of the focus now is on the East, and assessments would be made to determine national applicability. He said that proposal of the Transport Rule would be done quickly, but in a complementary way to the Clear Skies initiative. Proposal should be out by the end of this year or early next year, with a final rule by early 2005. Lewis McLeod asked how involved EPA has been with the Eastern tribes. Dick Long said that he was not sure, but that he would research the issue and report back. Bob Neufeld asked how the trading elements would interact with existing control technologies. Dick Long indicated that it was likely states would take a similar approach to what had been done in similar situations in the past. Pat Cummins added that the WRAP has provided feedback to EPA that the preference would be to allow the WRAP to deal with regional haze issues and to not have the transport rule be applicable in the West, but that EPA is looking at the analyses being done to determine the appropriate extent of applicability.
14. Andrew Mingst discussed the Clear Skies initiative. A slide presentation is available on the WRAP web site. Legislation has been introduced in the Congress, and hearings have been scheduled. Clear Skies is designed to support the WRAP process and ensure environmental integrity, in addition to a national constraint on SO₂, the bill provides a backstop to the WRAP's voluntary emissions reduction goals in nine states. Bill Grantham asked about allocations. Andrew responded that for SO₂ the bill focuses on allocations to sources, but generally ignores state boundaries. Calvert Curley asked how planned but unconstructed powerplants are factored into program. Andrew said there are no specific provisions to grant allowances to new facilities; instead they would have to buy emissions credits through an auctioning system. He said that no coal plants are forecasted to retire and that industry will be able to finance the required investment for pollution controls. Financial impacts are limited because of the phased-in nature of the program, the continued regulation of many coal plants, and the price setting by gas-fired generation under deregulation. Increased power production costs are about \$300 million annually in 2020 and vary widely among the Western states. The two main benefits to the West are annual health benefits of approximately \$1 billion in 2020 and visibility benefits in Yellowstone, Glacier and Grand Canyon totaled in the hundreds of millions of dollars (based on increased visitation). Pat Cummins asked how the potential rise in natural gas

prices would effect the economic analyses. Andrew responded that the modeling would have to be examined to determine how realistic the assumptions are with respect to natural gas prices. Andy Ginsburg asked how the WRAP cap comes into play. He asked if there would be three levels of trading if five states opted into Section 309, while the original nine states were covered by one aspect of Clear Skies, and the rest of the Western states were covered by another aspect of Clear Skies. Pat Cummins said that the goal essentially was to have one national trading program while not triggering the levels that would invoke the contingency trading program in the West.

Rich Fisher asked if renewable energy and energy efficiency were factored into the Clear Skies initiative. Andrew responded that renewables and efficiency were not specifically noted in the initiative. Chris Shaver said that the Park Service was working with EPA to look at site specific activity in the vicinity of Class I areas. Chris asked if western states have the option of requiring more stringent controls on new or existing sources. Andrew responded that nothing in the bill limits a state's ability to reduce emissions. Andy Ginsburg said that it was important to have a mechanism in the initiative to better evaluate localized impacts. Andrew said that the advantage of cap and trade was its ability to create an efficient market, but that it was not effective in looking at individual source impacts.

Dianne asked where the Board wanted to go in terms of future interactions with EPA on the initiative. Lewis McLeod said that removal of the NSR requirements could have major impacts on tribal lands and the ability of tribes to meet Class I requirements. He also expressed concern about new generating facilities moving to reservations because the tribes do not have as much regulatory clout as the states. Andrew said that this was an issue that would be applicable to both states and tribes. Stanley Paytiamo said it was important for EPA to consider the comments provided by the tribes and to understand the balance between nature, cultural issues and development. Andy Ginsburg said that he thought there was consensus on the need to preserve the WRAP work on the Section 309 SIPs and that the best next step would be to track the progress of the bill and make sure that the Board was aware of any impacts on WRAP programs. Dianne added that the Forum co-chairs and the IOC could be primarily responsible for tracking issues. The Board concurred with this approach. Jim Norton suggested that there were other legislative proposals that affected the WRAP and these should be tracked and reported to the Board as well. Dianne said that this would be part of the charge to the IOC. Andy Ginsburg asked if the WRAP had ever taken a position on multi-pollutant legislation. Dianne indicated that the WRAP had adopted principles on incorporating the Annex that should help guide the development of legislation. Andy said that the IOC should be given authority to quickly provide comments based on the adopted principles. Dianne also said that Bill Grantham and Pat Cummins should also track the legislation and make sure the WRAP is aware of when specific involvement is needed.

15. Brian Finneran provided an update on the STIP-II Work Group. A slide presentation is available on the WRAP web site. Brian indicated that the draft for the model state implementation plan is presently out for comment. The draft model tribal implementation plan will be available in May. Andy Ginsburg asked how the pollution prevention recommendations are incorporated in the model SIPs and TIPs. Brian responded that states would be required to work with their own state energy organizations to evaluate the strategies that are listed in the model documents. Jeff Burks added that the AP2 Forum would be holding workshops to help states and tribes to incorporate energy efficiency and renewable energy programs into the SIPs and TIPs. Rosanne Sanchez provided additional information on the progress of the model Tribal Implementation Plan. She said that the template was generally based on the SIP model, with additional sections to account for specific tribal concerns. Tom Moore presented next steps on the Regional Technical Support Document. This includes finishing modeling for the SIP/TIP preparation with regard to Fire and Enhanced Smoke Management Programs. The document is scheduled to be published by July 1, 2003. Dianne asked if any states or tribes wanted to comment on progress of their 309 S/TIPs. Rick Sprott said that Utah is on schedule to submit the SIP on time. Andy Ginsburg said that Oregon has held initial stakeholder meetings, and that the feedback on the Section 309 option to this point has been positive. Ira Domsy said that there is a substantial amount of activity occurring and that Arizona is on track. Jim Norton said that New Mexico is undecided on whether to use the Section 308 or 309 option, and that the Governor would likely decide in the summer. Dan Olson indicated that Wyoming has had stakeholder meetings that resulted in consensus on retaining the option to go with Section 308 or 309. Lewis McLeod said that it was important to ensure that cultural elements were accounted for in the TIP and that a work group could be formed to make recommendations. Bill Grantham said that the Nez Perce was looking at the development of an enhanced smoke management plan. Bill Grantham agreed to coordinate with tribal members to ensure the issue of cultural considerations in S/TIPs is accommodated. Doug Lempke indicated that Colorado had chosen to develop a plan under Section 308 and that the state was not too far along in plan development.
16. Following up on the previous day's discussion, Pat Cummins restated a proposed recommendation for the Board to consider regarding the mobile source provisions of Section 309. The recommendation is for the WRAP to request that EPA revise the mobile source provisions of Section 309 to require a demonstration of continuous decline in mobile source emissions of VOC, NO_x, PM_{2.5}, elemental carbon, and organic carbon, evaluated separately. For SO₂, the recommendation is to require a plan revision by no later than December 31, 2008 including any long-term strategies necessary to reduce emissions of SO₂ from non-road mobile sources, considering any reductions that may be achieved through the adoption of new federal rules. Dianne Nielson asked if there was consensus for this approach. Andy Ginsburg stated that he thought this approach was the

best option available. The Board concurred with the recommendation and directed staff to prepare a letter to EPA making this request for signature by the Co-Chairs..

17. Colleen Delaney and Ira Domsy provided an update on the Annex implementation issues. A slide presentation is available on the WRAP web site. Ira indicated that the three main outstanding issues are: allocations, reasonably attributable visibility impairment, and 2018 milestone compliance. He also mentioned that monitoring protocols for non-acid rain sources, legal authority to implement the program and some minor provisions and edits needed to be addressed. Dianne Nielson asked if the proposal in the strategic plan to establish an Annex implementation work group would provide the kind of coordination necessary. Colleen Delaney said that it was an option that could be explored. Ira added that the Annex work group might be more technically oriented, but that some of the outstanding issues would require higher level policy actions.
18. Rick Sprott provided an update IOC activities. A slide presentation is available on the WRAP web site. Rick specifically mentioned the economic analysis framework, completing emissions inventory work in and near Class I areas, and stationary source NOx and PM work.
19. Lee Gribovicz and Lewis McLeod provided an update on the TOC activities. A slide presentation is available on the WRAP web site. Lee specifically mentioned the estimates of reasonable progress to achieve natural visibility conditions in certain Class I areas, 309 control strategy modeling results, current activities of the regional modeling center, current activities of the Ambient Monitoring and Reporting Forum, current activities of the emission forum, current activities of the Tribal Data Development Group, and the current activities of the Dust and Fire Forums.
20. The next WRAP meeting was set for October 14-15 in a central location, likely Salt Lake City.
21. Stanley Paytiamo gave the benediction.
22. The meeting was adjourned at 1:55.