

Minutes

79th Meeting of the Joint Advisory Committee for the Improvement of Air Quality in the Ciudad Juárez, Chihuahua / El Paso, Texas / Doña Ana County, New Mexico Air Basin

Virtual Meeting: February 11, 2021	
JAC Members Attending (*Alternate ** Not Present)	
U.S.	México
Guy Donaldson, US EPA	Daniel López, SEMARNAT
Lorinda Gardner, TCEQ	**Lili González, PROFEPA
Armando Paz, NMED	**COESPRIS
Jacob Kidd, City of Las Cruces	Dr. Felipe Siqueiros, SDUE de Chihuahua
Karl Rimkus, City of El Paso	**Gibrán Solís, CANACINTRA Juárez
John Quinn, Freeport-McMoRan Copper and Gold	Dra. Margarita Peña, Dirección de Ecología de Ciudad Juárez
Larry Olsen, Ph.D., Citizen	*Ing. Alberto Nicolas López, IMIP
**Alberto Correa, Capítulo Paso del Norte	Pilar Leal, Franco y Asociados
David Dubois, NMSU	Dra. Alba Yadira Corral, UACJ
Wen-Whai Li, Ph.D., P.E., UTEP	Mario Vázquez, NADB
Claudia Valles, El Paso MPO	
Carlos A Rincón, US EPA - Liaison	Biól. Gerardo Tarín, SEMARNAT- Liaison
Eugenia (Gina) Posada, TCEQ - Liaison	

Welcoming remarks from Copresidents

Daniel López, SEMARNAT-México welcomed everyone to the meeting. He wished the participants that they would be fine under the circumstances of the pandemic. He mentioned having an important agenda with activities. He gave the floor to his counterpart.

Guy Donaldson, USEPA-Dallas thanked everyone for joining the virtual meeting. He mentioned the challenging times and wished everyone good health and continued safety. He mentioned having a full agenda and resolutions to consider. He recognized Commissioner Janecka of TCEQ who participated in one of the agenda items along with Deputy Secretary Pruett of NMED. He thanked all of the attendees for their interest in air quality matters.

Copresident López gave the floor to Mayor Armando Cabada of Ciudad Juárez.

Welcoming remarks by Mayor Armando Cabada

He greeted all the participants and thanked the committee for giving him the time to participate in such an important meeting. He thanked TCEQ for coordinating this meeting that is so important to the municipal government. He mentioned Dr. Margarita Peña - Director of Municipal Ecology and the work in the progress that has been presented not only in regulation but also in supervision of the environment of our basin. The linkage that is directly with the municipal public safety secretary through road safety to have better controls on pollutant generators at the border. He reported the pandemic limited hosting this meeting and regrets not being able to do so. Finally, he reiterated the commitment of the shared environment between the three states and the two nations. He wished an excellent session and that the agreements reached are always for the benefit of the three cities. He wished all a very good day and thanked all the attendees.

Approval of Agenda and Previous Minutes:

Copresident López agreed that he was soon expecting to be in face-to-face meetings. He moved on to the adoption of the agenda. The necessary votes were obtained for the approval of the minutes

Ms. Gina Posada mentioned that only the votes for NMED and SEDUE were missing.

Ms. Gina Posada mentioned Francisco Licón and Michael Baca have approved the minutes through the chat.

The agenda was approved.

Paso del Norte [Air Quality Report](#) by Carlos Rincón, USEPA

Comments by the public:

Cemellí de Aztlán, member of Familias del Chamizal reported working on pollution challenges in the neighborhood. She had a question in regard to the Marathon Petroleum permit. She requested guidance on the public comment process for the extension of the 10-year permit. She announced a community concerned with the support of State Senator Cesar Blanco on the accountability of data analysis and reporting from Marathon Petroleum.

Dr. Rincón directed Ms. Aztlán to TCEQ who approves permits and follows the protocols for public comment period.

Cemellí de Aztlán also raised her concern with the ozone levels. She asked if there could be an initiative with the schools as they reopen their doors and educate children and teachers on air quality with the aim to protect children when the peak ozone levels are high. The community has managed to push out some of the polluters, but it still faces some challenges. She suggested to investigate the pollutions levels of truck traffic in the area.

Dr. Rincón mentioned the Chamizal monitors are close to Zavala school.

Eddie Moderow mentioned the TCEQ website where it forecasts ozone days.

[Low-Cost Sensor Project](#) Update by Dr. Mayra Chávez, UTEP and Dr. Adrián Vázquez, UACJ

Comments by the public:

Ms. Monserratt Hernandez from UACJ asked if considerable variations in the data records have been observed with these sensors during the thermal inversion that is occurs in the winter. Jasmin replied that the installation of the equipment practically started in February; so currently there is no evidence of such a situation, she hoped that once the data is obtain the question can be answered.

Chat questions:

Why are there only five monitoring stations in Juárez? And if the number of stations will increase in Juárez?

Dr. Chavez answered that those were the only ones selected for now, but there will be a total of 14 sites that UACJ will be responsible for.

Karl Rimkus asked what is AADT. Melanie Scruggs answered in the chat: annual average daily tracker

Dr. Li mentioned that data can be viewed in real time on the purple air page.

Comments by the public:

Copresident López thanked the presenters and mentioned it is also important to note that the conclusions will go a long way towards determining at what level the low-cost sensors can be used because there are many discussions as to whether or not this supplements traditional monitoring. He mentioned studies like this help a great deal to inform governments that monitoring complements but does not supplant air monitoring.

Maria Sisneros asked where is the best place to place the sensors.

Dr. Chavez answered that due to budget limitations they had to pick a few schools. The sensors were placed in low and high trafficked areas to do a comparison.

Jazmin mentioned that for Ciudad Juárez they relied on IMIP's vehicle flow data. IMIP has already classified certain roads according to the annual average of vehicles circulating, so with this in mind, the selection of the sites was made and whether or not there was a maquiladora close to it.

Copresident López stated all the presentations can be found in the JAC webpage.

Copresident Donaldson agreed with Copresident López on the importance of the research of low-cost sensors. He mentioned it was a very exciting area but it is one that needs to bring understanding on how the data from low cost sensors can be used.

[Analysis of Mesoscale and Synoptic Scale Meteorological Influences on Ozone Concentrations](#) by Dr. Rosa Fitzgerald, UTEP

Comments by the public:

Copresident Donaldson appreciated the presentation and commented on the models.

[Binational Air Quality Fund Resolution](#)

Bobby Janecka, Commissioner, Texas Commission on Environmental Quality

Dr. Luis Siqueiros, Secretary of Urban Development and Ecology

Jennifer Pruett, Deputy Secretary, New Mexico Environmental Department

Copresident López mentioned the importance of the binational fund which was presented at an earlier meeting with the participation of state leaders.

Commissioner Janecka gave greetings to the Copresidents, members of the JAC and the public. He thanked everyone for joining virtually. He mentioned having the honor and feeling proud to share the day with everyone. He mentioned this would have been traditionally a meeting in Ciudad Juárez. He stated the resolution culminates decades of work and effort by the JAC to measure and improve air quality. He stated air monitoring in the region has always been a team effort shared by the United States and México; the three states, the city of El Paso, Las Cruces, universities, and last but certainly not least the Ecology Department in Ciudad Juárez. He recognized the work Ciudad Juárez has done to operate the air monitoring stations currently under development. Ever since TCEQ rejoined the binational workgroup to support the Juárez network six years ago, together with SEMARNAT, SEDUE, TCEQ could have not asked for better partners, then Director Margarita Peña and lead engineer Mr. Ricardo Aragón. He mentioned the binational fund was the next natural step to strengthen these partners. He mentioned the TCEQ air monitoring network has been developing since the 1970's, and always been a product of collaboration. He mentioned TCEQ success in Texas was built on working with Cities, universities, private industry, the EPA and other partners. Continuous data generation and quality control was no small task and at the end of the day it required a local and collaborative approach. He stated it was only natural that in the Paso del Norte, a region that encompasses three states, three nations and three metro areas, would benefit from relying on each other to achieve reliable data. He mentioned the fund will be the vehicle to work together as the group had for decades, just better. He recognized data for the air basin as a whole will enable all policy makers to make the right decisions and protect public health, and invest in a brighter future in our respective states. He stated good data will empower the residents we serve to make their own health choices. He mentioned these breakthroughs could help unleash data sharing, air modeling, synchronized emissions inventories, and better air quality forecasts. He observed that together and based on good science, shared binational strategies can be developed to improve air quality. He mentioned the data justifies investments in cleaner engines, and more efficient ports of entry to lower those emissions, and it will pave the way to sustainable economic development. He recognized that in nearly 40 years since the La Paz agreement, each learning experience brought the group to this day. He declared this as a huge step forward to harmonized air monitoring in the border region. He recognized the support of the Border Office in region and the SEMARNAT office in Juárez. He praised and thanked Dr. Carlos Rincón and Biologist Gerardo Tarín for their dedication and leadership in protecting the environment and the health of this region. He was grateful for the constructive relationship with EPA Region 6 with respect to air monitoring and research. He acknowledged the outstanding leadership from SEMARNAT and SEDUE that has made a real difference. He supported the proposed resolution to create these technical commissions, that will oversee the binational air monitoring fund. He commented having good neighbors and more than that we are members of a single community. He observed all breathe the same air. He invited the JAC voting members to join him in supporting the resolution to enable the binational air monitoring fund. He thanked everyone.

Secretary Siqueiros greeted everyone. He stated having the pleasure of participating in the meeting and working on the challenges that are common throughout the region. He appreciated the efforts that have been carried out in the area over the years. He recognized many voting members have devoted a great deal of time to these issues and have maintained leadership and concern to maintain the quality of life of the border. He acknowledged the importance this region has and the dynamic it plays. He mentioned it was a region so loved by many in the audience. He mentioned SEDUE has been analyzing the initiative with great interest regarding the binational fund for air quality monitoring of the Paso del Norte basin. He mentioned SEDUE believes that it can be a good opportunity to be able to support the monitoring efforts. He acknowledged the need to know the real situation by having air quality data from the region. He confirmed the possibilities of giving resources to the fund with some alternatives. He informed that it is difficult to do so directly with state funds because the state has a legislation that limits some transfers, but there is an option. He mentioned the possibility of funds through the environmental fund, an initiative under the ecological law of the state of Chihuahua. He explained the fund is generated by all the fines that are applied throughout the state. These fines are then returned by the Secretary of Finance through the technical committee of that fund to define projects of environmental interest. He mentioned this can be an outlet, the use of this environmental fund that already operates in Chihuahua and that in the last two or three years has grown exponentially. He stated the fund has grown a lot because it has been put in order and tasks have been organized. He mentioned the section works with of all the polluting companies in the state. He reported that one action is the management of compensation to companies through actions of environmental interest that compensate directly with the improvement of the fine that was applied to them or higher. He mentioned one option may be for part of that fine to be considered and transferred to a fund, provided that that fund submits specific projects and to justify such application of the resources. He mentioned SEDUE is interested in air quality monitoring in Ciudad Juárez. The federal government has an official SERMANAT website. SEDUE has another page more accessible to the public and with a very simple traffic light where it measures the most critical component, for example yesterday it showed in green and today it is in yellow. He informed this system already operates in Chihuahua, SEDUE would like to open it to Ciudad Juárez, once Ciudad Juárez manages to get its system up and running and export data to both SINAICA and the state. He greatly appreciated the space and good wishes to all JAC participants and members.

Deputy Secretary of the New Mexico Environmental Department, Jennifer Pruett thanked everyone and announced being there on behalf of Governor Lujan Grisham, and Secretary James Kenny. She mentioned being glad to collaborate in this tri state binational effort on air quality in the Paso del Norte. She stated this was a critical time to address air quality at the border. She mentioned the increasing effects of climate change and how it affects the region. She recognized border air quality is getting a great deal of attention, regionally and nationally, and there is willingness to act. NMED has several bills in the legislative session on climate change and air quality. NMED was pleased seeing the Ysleta del Sur Pueblo as an active participant and that tribal partners were included in this effort. For NMED the implementation of this long-standing initiative on air quality hits on all the agency pillars action, science, because it is the foundation for the assessment and reliance on air quality data. Better data benefits all involved. Innovation, because this proposal is for a fund that has no precedent. She acknowledged the JAC announcing the creation of this endeavor for the shared Paso del Norte airshed is first of its kind. She declared this collaborative effort is from three states agencies, the NADB as the fiduciary agent, and donations from public and private entities. She mentioned this design to communicate information that influences policy of the three governments to reduce air pollutants, and noncompliance with air quality standards is important. She mentioned on behalf

of NMED, committing air quality staff to support the resolution and further all the JAC work, and seek financial support from within the state of New Mexico, businesses, academic institutions, the municipalities, counties, local communities, all to aid in the success of the resolution. As our other speakers noted, this is a culmination of a long history of many entities working together for the long-term success and adaptability of the JAC's efforts. NMED was excited to be part of this effort and will work for its continued success. She encouraged all JAC members to support this resolution. She thanked everyone.

Copresident López thanked NMED and agreed with the words. He mentioned the resolution was an important and innovative issue for the region. He acknowledged being a fund that will be operating at the binational level. He appreciated everyone's effort to make this possible. He went to the vote on the Part of Mexico and reported the following:

1. PROFEPA - by phone and email received and reported by Gina Posada, Lily Gonzalez voted in favor of the resolution.
2. SEDUE - Dr. Siqueiros voted in favor of the resolution.
3. Ecology Department of Ciudad Juárez – Director Dr. Margarita Peña voted in favor of the resolution.
4. IMIP - Nicolas López via chat voted in favor of the resolution.
5. Private Sector - representing René Franco and Associates, Pilar Leal voted in favor of the resolution.
6. UACJ - Dr. Alba Corral via chat voted in favor of the resolution.
7. CANACINTRA - Gibrán Solís was not present at the meeting.
8. COESPRIS- was not present at the meeting.
9. NADB- Mario Vázquez stated that he supports the initiative, however since the Bank will oversee the financial operations of the binational trust he abstained from voting.

Copresident López mentioned that Mr. Solís participated in the extraordinary meeting focused specifically on the resolution, then he gave Copresident Donaldson the floor to lead the U.S. voting.

Copresident Donaldson commented that action seemed appropriate.

1. TCEQ - Copresident Donaldson asked Lorinda Gardner representing TCEQ for her vote. Due to technical difficulties Commissioner Janecka voted in favor of the resolution.
2. NMED - Michael Baca voted in favor of the resolution.
3. City of El Paso - Karl Rimkus voted in favor of the resolution.
4. Private sector - John Quinn had to leave the virtual meeting, but sent an email via Gina Posada voting in favor of the resolution.
5. Private citizen - Dr. Larry Olsen voted in favor of the resolution.
6. NMSU - Dr. David DuBois voted in favor of the resolution.
7. UTEP - Dr. Wen Whai Li via chat voted in favor of the resolution.
8. City of Las Cruces - Jacob Kidd voted in favor of the resolution.
9. El Paso MPO - Claudia Valles voted in favor of the resolution.
10. Dr. Correa provided comments and his vote via email through Gina Posada.

Dr. Rincón shared with the group the next steps for the resolution, that the JAC Copresidents will sign the approved resolution following Appendix I of the La Paz Agreement and send to their respective Co-Chairs of the Air Policy Forum.

Copresident Donaldson thanked all the JAC committee members for reviewing the resolution, and for the provided edits and comments. He recognized leadership of all three states that brought the resolution forward and all the efforts were much appreciated. He acknowledged this as the first step and the need to look for funds for the resolution.

Copresident López thanked TCEQ, NMED, Ecología Municipal de Juárez and SEDUE very much for the enormous work that was done to make this possible. He also thanked the JAC voting members for their efforts and approval. He looked forward to signing the resolution and sending to the Co-Charis of the Air Policy Forum. He closed the morning session.

One-hour break

Copresident López welcomed everyone back after the break.

[Ecología Municipal de Juárez: AQ Monitoring Stations](#) Update by Dr. Felipe Adrián Vázquez and [Dr. Margarita Peña](#)

Dr. Peña greeted every one and introduced Dr. Vázquez to present.

Questions in the chat:

Laura Rocío Rodríguez asked what number of stations is needed to have a correct measurement and follow-up for the air quality of Ciudad Juárez.

Ricardo Aragón replied that for now there are three monitoring stations, and twelve of particulate matter. He informed the population has grown and he would recommend about ten well distributed continuous air monitoring stations collecting data for at least ozone and carbon monoxide to better understand regional air quality.

Stefanie Saenz asked if there was planning to relapse fines for the part of the inspection sticker. What was the increased cost and if the system is already operating.

Ricardo Aragón answered that there are two types. The O6 sticker that has not been tested. Depending on the test result and apart from the fine they can retain the vehicle. The program is operational. According to the **la Unidad de Medida y Actualización (UMA, Spanish acronym)** cost increased 8 MX pesos compared to last year's price, which was \$278 pesos per year and one of the lowest in cost in the nation.

Copresident López commented that the fee in Mexico City is \$450 pesos a semester.

Francisco Gómez Licón of SEDUE asked for the total number of inspected vehicles, what percentage was approved. Ricardo Aragon replied that thirty percent have been verified during this pandemic.

Copresident López thanked Ecología Municipal in Ciudad Juárez for the efforts to advance the monitoring and betterment of air quality with these measures.

City of El Paso Levee Road Collaboration by Karl Rimkus, City of El Paso Environmental Services Dept.

Mr. Rimkus thanked everybody for the opportunity to discuss the challenge with the members of the JAC. He showed the levee road location with dust issues. The map provided a visual of the area near the international boundary along the river channel. The elevated road is called the Levee Road which is unpaved and the source of very small particulate matter or dust. It is approximately 2.5 miles long, or 3.7 kms. It is located between the Chamizal area and the Ascarate golf course. The issue is that border patrol vehicles (SUV's) frequently are driving at high rates of speed. He proposed to approach his issue with best management practices concept to stabilize the soil that is along this roadway. He asked the committee direction to have the workgroup contact the federal authorities on the US side to start a discussion on soil stabilization. He reported city had used this concept on the landfill and it was used on many industrial roadway facilities. The additive is a mixture of water and earth minerals that can be sprayed on the surface. This forms a crust like material which with repeated applications builds a strong foundation. It is not considered paving, which helps the restrictions of paving in this area. This does not violate those requirements and it is cost effective. This approach should be a win win on both sides of the border with a common airshed. He requested a formal motion to focus on this challenge.

Carlos Rincón stated that the air quality monitoring technical committee can follow.

Copresident Daniel López seconded the motion in support.

Copresident Donaldson asked if there were any one opposing the motion. No one opposed the motion. He suggested for the JAC liaisons to email the group and record their votes.

Upcoming 179B Demonstration for the Sunland Park Ozone Nonattainment Area by Armando Paz, NMED

Comments by the public:

Copresident López thanked NMED for the information that he will look into to have more discussion and perhaps actions on the Mexican side to reduce the emissions.

Copresident Donaldson mentioned that this analysis is important to the state of New Mexico and EPA is looking forward to receiving this information for the Sunland Park area.

Comments in the chat:

Francisco Gómez Licón noted that in 2013-16 NO_x and VOCs emissions declined.

Reports from Subcommittees:

Dr. Alba Y. Corral from UACJ reported that for 22 years she has worked with the brick kilns which are precursors of particles, but there are also high concentrations of nitrogen oxide and these can contribute to the formation of ozone. She deemed important to continue working on this topic. UACJ's natural resources academic body is working on a proposal and funding is needed. The proposal is to work with the brick kilns workers and to look for solutions that come from them.

Dr. Carlos Rincón recommended working with the technical group and looking for different sources of funding.

Dr. Alba Y. Corral mentioned that they had funds with NADB but because of the COVID-19 situation it has not been done. She reported the desire to change the variants of the project and get closer to the brick kiln workers.

Highlights and Consensus Items

Copresident López thanked everyone for connecting to this virtual session and that despite the pandemic the committee continues its course. He reported the participation has been of 80 connected people and that speaks to the importance on both sides. He highlighted the approval of the binational fund as the seed to grow funds and to continue to make progress in measures to improve air quality in the region.

Copresident Donaldson expressed gratitude and appreciation for the participation in spite of the challenges of the pandemic. This effort is an example of getting things done. In particular he congratulated the Ciudad Juárez Ecology Department for the advances in air monitoring with the vehicle inspection program and the monitoring network updates; the science behind low cost sensors and the meteorology modeling studies are adding to our understanding. Looking forward to the solutions for the Levee work and improve the situation. He reported this being a big day for the JAC in bringing the air quality fund to this next step. He thanked everyone involved. He thanked the interpreter for all the arduous work. He appreciated the work of Carlos, Eddie, Gina and Sergio in making this virtual meeting happen as smoothly as possible.

May 7th is the anniversary of the Appendix I of the La Paz Agreement signing and for this reason the meeting will take place on Friday, May 7, 2021.

Establish Next Meeting Date and Adjourn: next meeting Friday, May 7, 2021