

Action Summary Minutes  
**San Joaquin Valley Unified Air Pollution Control District**

**CITIZENS ADVISORY COMMITTEE**

Central Region Office, Governing Board Room  
1990 E. Gettysburg Avenue, Fresno, CA

**April 6, 2021**  
**10:00 a.m.**

*Meeting held via video teleconferencing with the Central Region Office (Fresno). This meeting was also webcast. Given the international COVID-19 pandemic, and consistent with the California Department of Public Health's recommendations and Governor Newsom's Executive Order N-29-20, no physical location was provided for public attendance.*

1. CALL TO ORDER – The Chair, Kevin Abernathy, called the meeting to order at 10:01 a.m. He announced the District was responding to the COVID-19 pandemic by holding this meeting in a manner consistent with Governor Newsom's Executive Order N-33-20 and California Department of Public Health's recommendations for social distancing. He quickly summarized that the meeting was being held via video teleconference and webcast with no physical location for public attendance. However, he said members of the public who wished to address the Citizens Advisory Committee (CAC) members would be provided the opportunity to do so during the appropriate commenting periods. He thanked the CAC members and the public for their patience as we continue with the Zoom meeting format in response to the COVID-19 pandemic.
2. ROLL CALL – was taken and a quorum was present to hold the meeting and to take action.

<u>County</u>	<u>Member Name/Interest Group</u>	<u>Location</u>
Fresno	Manuel Cunha / IAIG (P)*	VTC
	Kacey Auston-Tibbetts / EIG (A)	VTC
Kern	Les Clark / IAIG (P)	VTC
	Carolyn Temple / EIG (P)	VTC
	Wayne Clausen / CIG (P)	VTC
Kings	Laura Brown / IAIG (P)	VTC
	Kelly Deming / EIG (P)	VTC
	Dennis Tristao / CIG (P)***	VTC
Madera	Don Horal / IAIG (P)**	VTC
	Brittany Dyer / EIG (P)	VTC
Merced	Kevin Abernathy / IAIG (P)	VTC
San Joaquin	Roger Hoffdahl / IAIG (P)	VTC
	Ned Leiba / EIG (P)	VTC

Stanislaus	Chris Savage / IAIG (P)	VTC
	Richard O'Brien / CIG (P)	VTC
	Shivaugn Alves / EIG (P)*	VTC
Tulare	Derek Williams / IAIG (P)	VTC

\*arrived at 10:12 a.m.

\*\*arrived at 10:36 a.m.

\*\*\*arrived at 10:49 a.m.

\* (P) = Primary, (A) = Alternate, IAIG = Industry/Ag Interest Group, EIG = Environmental Interest Group, CIG = City Interest Group

3. APPROVE MINUTES FOR MARCH 2, 2021 – Chairman Abernathy asked for member comments on the minutes. Mr. Leiba stated that the comment attributed to him in the last paragraph on page 6 was from a previous meeting. Chairman Abernathy asked for that statement to be removed. Hearing no other comments or corrections, he deemed the minutes approved as amended.
4. PUBLIC COMMENTS – None
5. CHAIR COMMENTS – None
6. EXECUTIVE DIRECTOR/APCO COMMENTS – Samir Sheikh, Executive Director/APCO, provided the CAC members an update on the following items:
  - In March 2021, the Governing Board approved the District to continue to enter into agreements with San Joaquin Valley Chambers of Commerce to implement “Green Team” programs designed to reduce operating costs by promoting recycling, energy efficiency, and air-quality education for Valley businesses and public agencies.
  - The District recently published the Annual Air Toxics Report for the Year 2020 which details the ongoing success in reducing air toxic emissions in the Valley under the District’s integrated air toxics program.
  - In April 2021, District staff will be taking an item to the Governing Board that recommends adding additional funding to the District’s Alternatives to Open Burning Incentive Program. This program supports local growers that pursue alternatives to open burning as a means to dispose of agricultural materials.

Mr. O'Brien commented on the increasing cost of doing business throughout the Valley and state. He said there was a bill that would double or triple the cost of waste management within cities and counties, in addition to other unfunded mandates that keep adding up. He added that it seemed that the state is not concerned about small business or small farming operations.

Mr. Sheikh agreed with the general frustrations expressed by Mr. O'Brien. He said the District's Governing Board is very sensitive to the impacts on small business and said that they try to take an innovative approach to everything they do. For example, he said the District's Alternatives to Open Burning incentive program has specific carve outs for smaller growers. He added that the District evaluates economic feasibility when considering new District's measures so that when the Board makes decisions regarding a rule or strategy they understand the impacts of the action. He said he hoped other agencies also use best practices when considering new measures.

Mr. Leiba echoed Mr. O'Brien's concern and said it is important to have as soft a landing as possible for the burdens that are placed upon small businesses. He said having some cost analysis information is so important, as was requested by the AB 617 Steering Committee, to help them figure out what measures deserve more emphasis. He said one thing we can do at the local level is to quantify to some extent how much pollution is being reduced by various measures, what the cost is, and what are the health benefits. He said this would lead to rational public policy as well as help address some of the concerns stated.

Mr. Sheikh voiced agreement for Mr. Leiba's comments and said the agricultural burn issue is an example of where those exact steps have been taken. He said the District's report quantifies the emissions from open burning, the reductions from alternatives, and the costs to implement those alternatives. He added the District uses economic consultants and established models to evaluate the socioeconomic impacts of potential measures.

Mr. Williams commented on having unfunded mandates for these different programs and said the District does work with legislators to help craft and have input of some of these things before they ever become law. He asked why they could not take the position of encouraging them to include in these regulations or mandates, automatic suspension or freezes of the mandate if at any time funding ceases to be available. He said that would accomplish two things, to incentivize legislators to make sure that the funding continued every year so that they don't create short term funding and then run out of money, which puts the burden on small businesses or farmers.

Mr. Cunha voiced appreciation for staff's efforts with the Board in April, to provide additional funding for alternatives to open agricultural burning to help farmers. He said the small farmers of California are disappearing because of the state legislature crafting regulations that hurt the small farmer. He said one rule that will destroy the small farmers in the Valley and the state is Sustainable Groundwater Management Act (SGMA), which will be heavily implemented next year. He added two weeks ago the State Water Board and federal government removed the 5% allocation that we had for the west side of the San Joaquin Valley. He voiced agreement with the comments made by Mr. O'Brien and Mr. Leiba and agreed with their concern for small businesses and

farmers. He thanked staff and the Board for helping and believing in small businesses and farmers.

Ms. Brown asked if there was information on the lack of available biomass facilities in the Valley and the resulting increase in agricultural burning due to lack of alternatives. Mr. Abernathy responded that the District has been working very hard on this issue and suggested the District can share information regarding this issue. Mr. Sheikh responded the information is included in the District's 2020 Report on Agricultural Burning, and can be shared with CAC members as well as information on CARB's action taken at their February Board meeting.

Public Comment: None

7. UPDATES ON ATTAINMENT PLANS AND RULES – Jessica Coria, Program Manager, provided an update on the District's planning and rule development efforts.

Public Comment: None

8. VERBAL REPORT FROM CALIFORNIA AIR RESOURCES BOARD – Laura Carr, CARB representative, gave a brief update on the actions taken by CARB at their meeting held on March 25, 2021.

Mr. Cunha expressed concern regarding a recent notice sent out by CARB to all businesses that have trucks with a gross vehicle weight over 8,500 pounds. The notice advised businesses that the requirements have dropped down from 14,500 pounds and that businesses must now report emissions and other information on these lighter trucks. He said we do not have enough independent truckers in the state and now they are going after three-quarter ton trucks. He asked Ms. Carr to bring more information from the appropriate CARB staff regarding this issue at the next CAC meeting.

*Mr. Tristao arrived at 10:49 a.m.*

Public Comment: *The following persons commented on this item:*

- Colby Morrow, So Cal Gas

9. REAPPOINT INDUSTRY/AGRICULTURE, ENVIRONMENTAL, CITY INTEREST GROUP REPRESENTATIVES TO THE ENVIRONMENTAL JUSTICE ADVISORY GROUP (EJAG) – Morgan Lambert, Deputy APCO, said that pursuant to the District's Environmental Justice Strategy (Strategy), the District has an Environmental Justice Advisory Group to assist the District with the implementation of the Strategy. The Strategy set the membership of EJAG at 13 Governing Board appointed members that served fixed terms. Eight of these members, one from each county within San Joaquin Valley, must have experience and interest in representing ethnic and/or low income

communities. Two of the members shall be ethnic, small-business owners. The additional three members shall be CAC members, one representing each of the three CAC interest groups. The Governing Board may also appoint alternates for the above-designated members. In appointing the CAC representatives on EJAG, the Board has directed the CAC to forward the Committees recommendations on potential members for the Board's consideration.

Mr. Lambert said Kevin Hamilton (Environmental Interest Group Primary member), Tim Parcel (Industry/Agriculture Primary member), Manuel Cunha (Industry/Agriculture Alternate member), and Greg Gomez (City Interest Group Alternate member) all expressed interest in being reappointed to continue to serve on EJAG. Mr. Jack Lemen (City Interest Group Primary member) did not express interest in being reappointed to his position on EJAG.

Mr. O'Brien volunteered to serve as the CAC City Interest Group Primary member, and Mr. Leiba volunteered to serve as the CAC Environmental Interest Group Alternate member.

Mr. Cunha made a motion to recommend that the Governing Board appoint the following CAC members to serve a 2-year term representing their respective CAC Interest Groups on the Environmental Justice Advisory Group:

- Environmental – Kevin Hamilton (Primary) & Ned Leiba (Alternate)
- Industry/Agriculture – Tim Parcel (Primary) & Manuel Cunha (Alternate)
- City – Mayor Richard O'Brien (Primary) & Councilmember Greg Gomez (Alternate)

Public Comment: None

*Moved:* Cunha

*Second:* Williams

*Ayes:* Cunha, Clark, Brown, Horal, Hoffdahl, Williams, Auston-Tibbetts, Deming, Dyer, Abernathy, Leiba, Clausen, Tristao, O'Brien

*Nays:* None

***Motion unanimously carried to recommend that the Governing Board appoint/reappoint the following CAC members to EJAG. Environmental – Kevin Hamilton (Primary) & Ned Leiba (Alternate); Industry/Agriculture – Tim Parcel (Primary) & Manuel Cunha (Alternate); City – Mayor Richard O'Brien (Primary) & Councilmember Greg Gomez (Alternate)***

10. STUDY EVALUATING FEASIBILITY OF INLAND PORT SYSTEM – Tom Jordan, Senior Policy Advisor, provided an update to the CAC on a current effort underway to study the feasibility of developing new transportation infrastructure to shift shipping containers from trucks to rail via an inland port system.

Mr. Clausen said the city of Shafter owns an existing railroad multi-modal facility and has been pursuing creating that into a multimodal facility for almost 15 years. He said it has been a difficult process and should be a part of this study. Mr. Jordan responded that during phase one of the study, the folks running the study toured the Shafter facility along with warehousing facilities nearby. He said they are also aware of a private effort in Fresno to do similar things as well and that will be part of the study.

Mr. Cunha suggested the shipping companies also need to be a part of this discussion, especially the longshoremens who load and unload these ships and make the containers available for the trucks.

Mr. Sheikh responded that this was not an initiative that the District, by itself would be able to pull together as this project is much larger than the District as an entity. He said the transportation agencies, cities and counties are leading this process and communication is key so that everyone who needs to be involved is involved.

Public comment: None

11. AB 617 IMPLEMENTATION UPDATES –

- a. Ryan Hayashi, Deputy APCO, provided an update on the District's ongoing activities related to AB 617 implementation. Since the onset of the COVID-19 pandemic, the District has been working with the Community Steering Committees to re-envision the process and community engagement in light of stay-at-home orders and social distancing recommendations. The Community Steering Committees are continuing to have meetings utilizing online meeting tools. The South Central Fresno and Shafter communities are continuing to work on implementing the Community Emission Reduction Programs (CERPs) approved earlier this year. Mr. Hayashi reported that Annual Progress Reports for the South Central and Shafter communities were submitted to CARB as required by AB 617.

Mr. Hayashi also reported that the District has submitted 10 project plans to CARB for the use of Community Air Protection incentive funds to implement measures contained in the South Central and Shafter CERPs. To date, 5 plans have been approved by CARB and 5 plans are still pending review and approval.

On March 18, 2021, the District Governing Board adopted the CERP for the Stockton community. The CERP was developed through an extensive process

involving the Community Steering Committee, CARB, and other community stakeholders. The CERP received unanimous support from the Community Steering Committee. The approved CERP has been submitted to CARB for their consideration in the coming months.

During their meeting on February 25, 2021, Mr. Hayashi reported that CARB selected Arvin/Lamont as a Year 3 AB 617 community. The District held a virtual kick-off meeting on March 24, 2021, and is currently accepting applications for the Community Steering Committee. The first Community Steering Committee is scheduled for April 28, 2021.

- b. Vernon Hughes, CARB Office of Community Air Protection, provided an update on efforts underway by CARB to implement AB 617. Moving forward, CARB will be partnering with the districts on CERP implementation, working on updates to the AB 617 Blueprint based on lessons learned during Year 1, compiling and sharing resources on strategies, and continuing the development of tools to support the program (AQ View Data Portal, Emissions Inventory, and Technology Clearinghouse).

In addition, each year CARB considers the selection of new communities for the program. On February 25, 2021, CARB selected two new communities (Arvin/Lamont and South Los Angeles) for air monitoring and emissions reduction programs and one community (San Pablo-Richmond) to transition from a monitoring only community to an emissions reduction program.

In the coming months, CARB will be considering the CERPs for the second year communities of Stockton, South East Los Angeles, Portside (San Diego), and Eastern Coachella Valley.

Mr. Clausen said District staff has done an incredible job for the Shafter community and the work has been truly phenomenal. He said the local air monitoring effort results will be incredible for this community.

Ms. Zimmerman said she had the opportunity to observe the first Shafter meeting and the first Arvin/Lamont meeting and said it was neat to see how far along the staff and facilitation have come and the openness and skill with which these meetings are facilitated.

Public Comment: None

13. OUTREACH AND COMMUNICATIONS REPORT – Jaime Holt, Chief Communications Officer, provided an update on District outreach activities. She said the District has been doing a lot of advertising in niche publications with regards to its grants programs. She added they have been working to get the Arvin/Lamont AB 617 community up and

running and have wrapped up wood burning season. Lastly, she said staff is beginning to plan for a handful of Earth Day events that are back in place this year and looking forward to the District's summer outreach campaign which is all about encouraging the public to take those voluntary steps to reduce their emissions.

Public Comment: None

14. CAC MEMBER COMMENTS – Mr. Cunha thanked the Chair and staff for their professionalism in running these meetings, and CAC members for their respectful commentary during these important public meetings.
15. VOLUNTEER TO PRESENT REPORT DURING GOVERNING BOARD MEETING – Mr. Abernathy volunteered to present the report during the April 15, 2021 Governing Board meeting.

Meeting adjourned at 12:00 p.m.

Next Meeting –The next CAC meeting is scheduled on May 4, 2021. The meeting will be held via video teleconference (VTC).