

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

October 1, 2019
10:00 a.m.

The Citizens Advisory Committee Meeting was held via video teleconference (VTC): Central Region Office, Governing Board Room, 1990 E. Gettysburg Avenue, Fresno, the Southern Region Office, VTC Room, 34946 Flyover Court, Bakersfield, and teleconference in the Northern Region Office, VTC Room, 4800 Enterprise Way, Modesto. The CAC Meeting was webcast.

1. CALL TO ORDER – The Chair, Jack Lemen, called the meeting to order at 10:02 a.m.
2. ROLL CALL – was taken and a quorum was present to hold the meeting and to take action.

County	Member Name/Interest Group	Location
Fresno	Manuel Cunha / IAIG (P)	Central
	Kevin Hamilton / EIG (P)*	Central
	Gary Yep / CIG (P)	Central
Kern	Les Clark / IAIG (P)	South
	Carolyn Temple / EIG (P)	South
	Wayne Clausen / CIG (P)	South
Kings	Dustin Ference / IAIG (P)	Central
	Kelly Deming / EIG (P)	Central
Madera	Don Horal / IAIG (P)	Central
Merced	Jack Lemen / IAIG (P)	Central
	Kevin Abernathy / EIG (P)	North
San Joaquin	Ned Leiba / EIG (P)	North
Stanislaus	Suzanne Bauer / IAIG (A)**	North
Tulare	Derek Williams / IAIG (P)	Central

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

*Arrived at 10:11 a.m.

**Arrived at 10:17 a.m.

3. APPROVE MINUTES FOR AUGUST 6 AND SEPTEMBER 3, 2019 – Chairman Lemen asked for member comments or corrections on the Minutes for August 6 and September 3, 2019. Hearing none, he declared the Minutes as approved.

Public Comment: None

4. PUBLIC COMMENTS – None

5. CHAIR COMMENTS – None

6. EXECUTIVE DIRECTOR/APCO COMMENTS – Samir Sheikh, Executive Director/APCO, gave members a comprehensive overview of agenda items for the upcoming Governing Board Study Session, scheduled for October 16 and 17, 2019, at Bass Lake. He said the Study Session provides the Board with an opportunity to discuss critical issues affecting Valley residents and provide policy direction to staff. He encouraged CAC members to attend this meeting. In addition, Mr. Sheikh said the Valley continues to see improved air quality levels this year with respect to prior years. He said staff would provide an up-to-date report on the Valley's air quality at the next meeting.

Public Comment: None

7. UPDATES ON ATTAINMENT PLANS AND RULES – Jon Klassen, Director of Air Quality Science and Planning, provided an update on the District's planning and rule development efforts.

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

- Christine Zimmerman, Western States Petroleum Association (WSPA)

Mr. Clark arrived at 10:11 a.m.

Ms. Bauer arrived at 10:17 a.m.

8. VERBAL REPORT FROM CALIFORNIA AIR RESOURCES BOARD – Laura Carr, CARB representative, gave a brief summary of the Board meeting held on September 19, 2019.

Public Comment – None

9. CONSIDER RECOMMENDATION BY CAC SUBCOMMITTEE FOR HEARING BOARD APPOINTMENTS – Mr. Sheikh said there is currently a vacancy on the District's Southern Region Hearing Board, and one of the steps that is important to the Governing

Board's consideration of that appointment is having CAC members weigh in on the recommendation of the Hearing Board applicants. Towards that end, at the September 3, 2019, CAC meeting, the Chair appointed Mr. Williams, Mr. Cunha, Ms. Deming, Mr. Hamilton, and Mr. Clausen to the CAC Subcommittee for Hearing Board Appointments. The Subcommittee members conducted telephone interviews with Chang R. Na, M.D., and unanimously recommend that CAC members approve their recommendation and forward to the Governing Board for final consideration and appointment to the Southern Region Hearing Board as Medical Primary member.

Mr. Williams said after speaking with Dr. Na, he highly recommended her for appointment to the Southern Region Hearing Board and said her background is incredible and she is well qualified for the position. He encouraged members to approve the Subcommittee's recommendation. Mr. Hamilton shared that Dr. Na's medical background was impressive, she was enthusiastic and she was very involved in her local community especially around areas related to health care access. Mr. Cunha made a motion to approve the recommendation of Dr. Na, and said she was well educated, well qualified and understands the needs of businesses.

Public Comment: None

Moved: Cunha

Seconded: Hamilton

Ayes: Cunha, Clark, Ference, Horal, Bauer, Williams, Hamilton,
Temple, Deming, Abernathy, Leiba, Yep, Clausen, Lemen

Nays: None

10. CARB UPDATE ON REVIEW OF DISTRICT'S EMISSION REDUCTION CREDITS PROGRAM – Todd Sax, CARB Enforcement Division Chief, provided an update on CARB's review of the District's Emission Reduction Credit (ERC) program. He said CARB staff held a meeting on September 5, 2019, at all 3 District offices, to give a current status on the review. Detailed information on the ERC review, along with current updates, is located on the CARB website at <https://ww2.arb.ca.gov/our-work/programs/san-joaquin-valley-emission-reduction-credit-program-review>.

Mr. Cunha thanked CARB staff for all of the work they are doing on the ERC review. He expressed that it was never the intent of the review to single out any particular business, but the primary focus was to review the District's ERC process. He also voiced appreciation for District staff working on the review. Mr. Hamilton commented that CARB staff have been very professional while completing their review.

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

- Christine Zimmerman, WSPA

11. AB 617 IMPLEMENTATION UPDATES –

- a. Dave Warner, Deputy APCO, provided an update on the District's activities related to AB 617 implementation. In September 2018, CARB finalized their selection of 10 communities statewide, including the communities of South Central Fresno and the City of Shafter in the Valley, for first year implementation of AB 617 community emission reduction and monitoring programs. Consistent with the requirements of AB 617, the District has appointed steering committees for the two selected communities, and the committees have been meeting over the past several months. Working with the steering committees, the District began implementing community air monitoring plans in July 2019. Mr. Warner reported that on September 19, 2019, the District's Governing Board approved the Community Emission Reduction Programs (CERPs) for the AB 617 communities of South Central Fresno and Shafter. District staff worked closely with Community Steering Committees and the public in both communities to develop the CERPs over the past year. Mr. Warner said District staff would immediately begin working with Community Steering Committees to prioritize and then begin implementation of the measures of the CERP.

In addition, Mr. Warner said the Board recommended that CARB considered Southwest Stockton as a second year AB 617 community. In addition, should more funding become available that would allow CARB's selection of more communities without diluting the necessary resources for implementation of AB 617 programs in existing communities, the Board recommended strong consideration for Arvin/Lamont as an additional second year AB 617 community. More information is available at www.valleyair.org/community.

- b. Karen Magliano, CARB Chief of Office of Community Air Protection, provided an update on efforts underway by CARB to implement AB 617. Ms. Magliano provided an overview of the efforts CARB is undertaking to support the CERP development and the state measures CARB is including in the CERPs. She said CARB plans to hold community meetings in Shafter and South Central Fresno, in November 2019. CARB plans to consider the CERPs for South Central Fresno and Shafter on February 13, 2020, at their Board meeting which is scheduled to be held in Shafter, CA. Ms. Magliano said CARB Board members are planning to tour the Shafter and South Central Fresno AB 617 communities so they can learn first-hand about the challenges they experience.

Ms. Magliano said CARB staff is planning to hold a webinar at the end of October where they will discuss preliminary recommendations for year-two AB 617 community selections on a statewide basis. She said the community selections process will be held at the CARB Board meeting on December 12 or 13, 2019.

Ms. Magliano that CARB has convened a multi-stakeholder consultation group to provide feedback and serve as a forum to bring everybody together to talk about lessons learned and best practices from year 1 of the AB617 process. She said CARB has a contract with UC Davis to conduct an external evaluation of the AB 617 process.

Mr. Hamilton thanked Mr. Sheikh, staff and CARB for their hard work on this amazing process. He said he is especially impressed at the progress made by the District in evolving to become an entity that could communicate with and create the conditions for success in this situation, which was challenging. Mr. Williams said it was important to ensure this program did not become a draconian type system of regulations that would cause problems for businesses and residents in these communities.

Mr. Cunha thanked Mr. Warner and the AB 617 team for working and communicating with community and Steering Committee members and going outside of the box to find viable solutions that would benefit residents while not hurting the businesses located in these communities. He thanked Ms. Magliano and CARB staff for their hard work on this process.

Mr. Cunha expressed concern that many CARB Board meetings are scheduled on the same day as District Governing Board meetings, which does not allow Dr. Sherriffs, who is a member of both District and CARB Governing Boards, staff and stakeholders the opportunity to participate in these meetings. He asked CARB staff to coordinate future meeting dates with District staff to ensure that there were no date conflicts.

Mr. Sheikh thanked CAC members for their valuable input, and noted this has been a standing item on their agenda for the past year. The concerns voiced by members, along with their recommendations have been very helpful to staff throughout the AB 617 process. He also thanked Mr. Hamilton and Mr. Clausen for their help, participation and guidance they provided on the AB 617 Steering Committees in South Central Fresno and Shafter. He also thanked Ms. Magliano and CARB staff for participating in every AB 617 meeting across the state, along with everyone who helped develop the CERPs, which provide a framework for reducing emissions in the AB 617 communities. He said staff would continue to provide future updates to members and encouraged all to review the CERPs on the District's website.

Public Comment – None

12. UPCOMING LAUNCH OF STATE-WIDE PROGRAM TO FUND THE REPLACEMENT OF SHUTTLE, TRANSIT, AND SCHOOL BUSES - Todd DeYoung, Director of Grants and Incentives, provided an overview of the first Volkswagen (VW) Environmental Mitigation Trust funding program launched for projects throughout California and administered by the District. The Zero-Emission Transit, School, and Shuttle Bus program provides \$130 million to replace internal combustion engine transit, school, and shuttle buses with zero-emission vehicles and helps early adoption of new technologies in heavy-duty applications that reduce NOx, diesel particulate matter, and other harmful emissions affecting children, the elderly, and other priority populations.

Ms. Bauer asked if outside costs were considered as some project costs were very high, and said low-NOx diesel is necessary in rural areas to transport students over longer distances. Mr. DeYoung responded in terms of the outside costs, the grant amount for school buses is up to \$400,000, which in many cases will cover 95-100% of costs. He said in some cases there will need to be charging infrastructure that needs to be installed, but because the incentive amount provided for buses is high, the infrastructure would become the school districts' cost share amount. He added that electric school buses could be charged using a level 2 charging station, which has a lower cost to install. With regard to low-NOx diesel, he said this program was specific to zero-emission vehicles.

Mr. Cunha said he appreciated that the program was open to both public and private schools. He expressed concern that equipment dealers participating in District Incentives programs appear to raise the prices on their equipment when incentive dollar awards are increased. Ms. Bauer said in her role as Transportation Director for the Waterford School District, she sees a huge price difference among different school bus vendors, as much as \$20 thousand for the exact base model. Mr. Sheikh said staff would monitor equipment costs for the duration of the program.

Mr. Hamilton gave kudos to Mr. DeYoung and his staff for having the type of operation that allowed the District to take on this program for the entire state.

Public Comment: None

13. VERBAL UPDATE ON DISTRICT'S ALTERNATIVE TO AGRICULTURAL OPEN BURNING INCENTIVE PILOT PROGRAM – Morgan Lambert, Deputy APCO, said in November 2018, the Governing Board authorized \$1,000,000 in funding for the Alternatives to Open Burning of Agricultural Burn Materials Pilot Program. The purpose of this pilot program was to demonstrate the feasibility of utilizing chipped agricultural material for soil incorporation or as a surface application as an alternative to open burning. Since opening the program in December 2018, the level of interest from the agricultural community has been very strong. To meet the demand in the program, the Board authorized an additional \$1,000,000 in April 2019, and then another \$1,500,000 as part of the Incentive Spending Plan adopted as part of the District's FY 2019-20

Budget. Since opening the program, the District has received eligible applications requesting up to \$3.47 million in incentive funding representing nearly 6,700 acres of orchard and vineyard removals. Mr. Lambert said the Governing Board unanimously increased funding for this pilot program by an additional \$1,500,000, at their meeting on September 19, 2019, in order to respond to the level of interest for the program.

Mr. Leiba thanked Mr. Lambert for his presentation, and said he would like to see staff conduct an analysis to better understand the differences in emissions from alternative disposal practices as well as the cost benefits. Mr. Ference said he would be happy to help with outreach for this program in Kings County.

Mr. Cunha expressed concern about the Sustainable Groundwater Management Act (SGMA) and how it would affect the agricultural community. He suggested staff meet with USDA-NRCS staff to identify a solution for the potential issues.

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

- Johnnie Siliznoff

14. OUTREACH AND COMMUNICATIONS REPORT – Jaime Holt, Chief Communications Officer, said the District's Burn Cleaner program recently had a soft relaunch. She said residents in the Hot Spots counties of Kern, Fresno and Madera, can receive a higher incentive amount for a gas device as shared with members at a previous meeting. She reminded members that the Check Before You Burn season begins on November 1, 2019 and they can expect to see fewer days where residents will be allowed to burn wood.

Public Comment - None

15. CAC MEMBER COMMENTS – None
16. VOLUNTEER TO PRESENT REPORT DURING GOVERNING BOARD MEETING – Mr. Cunha volunteered to present the report at the December 19, 2019 meeting.

Meeting adjourned at 12:08 p.m.

Next Meeting – NO MEETING IN NOVEMBER. The next CAC meeting is scheduled on December 3, 2019. The meeting will be held via video teleconference (VTC), with the Central Region Office (Fresno), the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating.