

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

December 1, 2020
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 10:03 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 implement this new meeting format in response to the COVID-19 pandemic.
2. ROLL CALL – was taken and a quorum was present to hold the meeting but not to take action.

<u>County</u>	<u>Member Name/Interest Group</u>	<u>Location</u>
Fresno	Manuel Cunha / IAIG (P)	VTC
Kern	Les Clark / IAIG (P)	VTC
	Wayne Clausen / CIG (P)	VTC
Kings	Kelly Deming / EIG (P)	VTC
	Tim Parcel / IAIG (A)	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

Tulare	Derek Williams / IAIG (P)	VTC
	Greg Gomez / CIG (P)	VTC

*arrived at 10:11 a.m.

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

3. APPROVE MINUTES FOR SEPTEMBER 1, 2020 AND OCTOBER 6, 2020 – This item was tabled because there was not a quorum present to take action.
4. PUBLIC COMMENTS – None
5. CHAIR COMMENTS – Mr. Abernathy suggested sending a letter from CAC members to outgoing Governing Board member, Mayor Chris Vierra, City of Ceres, for his many years of service on the District’s Governing Board.
6. EXECUTIVE DIRECTOR/APCO COMMENTS – Samir Sheikh, Executive Director/APCO, provided the CAC members an update on a few key items:
 - On November 19, 2020, the Governing Board approved the Low-Dust Nut Harvester Incentive Program to deploy low-dust harvesting equipment in the Valley and allocated \$12.9 million in state and federal funding. Consistent with the Board-adopted Community Emission Reduction Program, \$2.5 million in dedicated state incentive funding is available for the deployment of equipment operating within the Shafter AB 617 Community. In addition the Board, accepted additional state funds to expand the Ecosystem of Shared Mobility in the San Joaquin Valley pilot project, and approved \$4 million in additional funding for continued implementation of the Tune In Tune Up vehicle repair program.
 - The District received the Government Finance Officers’ Association of the United States and Canada Certificate of Achievement for Excellence in Financial Reporting for the District’s 2018-19 Comprehensive Annual Financial Report.
 - The District’s 2019-20 Annual Report to the Community is now available in Spanish and is posted on the District’s website.
 - The annual Residential Check Before You Burn and Burn Cleaner season began November 1st. This is the second year implementing the new requirements and lower curtailment thresholds that were adopted in June 2019. New incentive levels are available in the areas affected by the lower curtailment thresholds.

Public Comment: None

7. UPDATES ON ATTAINMENT PLANS AND RULES – Jessica Coria, Program Manager Air Quality Science and Planning, 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, provided a brief summary of the Board meetings held on October 22, 2020 and November 19, 2020.

Mr. Cunha commented on the Governor's recent veto of a bill that would eliminate treated stakes from being disposed in certain landfills and said this action would remove one of the alternatives in place to avoid the burning of stakes.

Mr. Abernathy said that it seems like we are seeing unintended consequences in already disadvantaged communities by continuing to increase the burden of cost of a lot of California's air quality rules on the communities that the state says they are trying to help.

Mr. Clark said he has concerns with CARB and the Governor's involvement with environmental justice and working against business owners who are trying to make a living.

Public Comment: None

9. UPDATE ON DISTRICT'S RESPONSE TO CALIFORNIA AIR RESOURCES BOARD'S REVIEW OF DISTRICT EMISSION REDUCTION CREDIT SYSTEM – Morgan Lambert, Deputy APCO, provided an update on the District's actions in response to CARB's review of the emission reduction credit (ERC) system. Specifically, an overview of the results and implications of the 2020 Annual Offset Equivalency Report was provided. The report was finalized and submitted to EPA on November 20, 2020, as required by District Rule 2201.

Mr. Savage said we all understand the dramatic implications we are facing as a result of the offset system no longer being able to demonstrate equivalency. He said while he did not have a strong recommendation on what to do, he said he wanted to make sure the District was working with the right group of people on the ERC Public Advisory Workgroup (PAW). He also said he wanted to make sure the District's Governing Board fully understands the implications of the offset equivalency outcomes.

Mr. Lambert said there are 9 individuals on the ERC PAW who bring different perspectives to the discussion, with most having extensive experience in permitting and ERC related issues. Mr. Lambert said the Board has been receiving ongoing updates from staff regarding the District's response to CARB's review of the ERC program.

Mr. Savage said he appreciated that staff has probably done a good job of informing the Board of possible implications, but said it would also be useful for them to hear directly

from CAC members as to the dramatic impact this is going to have long term on all permit holders and on what the future of the District and this area looks like.

Mr. Sheikh recognized Mr. Savage's concerns and said while there was no quorum for action at today's meeting, if there was general support from members present, then his suggestions could be communicated to the Board as part of the report on CAC activities. He reiterated the importance of finding ways to communicate that concern to the Board and said he would also do so personally. Mr. Abernathy agreed and said as part of his delivery of the CAC report to Board members he has certainly let them know there are concerns from CAC members regarding the ERC program. He added the most important aspect would be to have CAC members make public comments on the Board agenda item.

Mr. Cunha thanked Mr. Savage for his comments and thanked Mr. Lambert for all of the hard work that he and the ERC PAW members are doing on these very difficult issues. He said he absolutely supported the idea of Mr. Sheikh bringing forward CAC members' concerns at the December 17, 2020, Board meeting.

Mr. Williams voiced support for Mr. Cunha's suggestion. Mr. Clark said he also agreed and as a member of the ERC PAW, he is very concerned about the issues mentioned. He said he has been involved with the ERC and New Source Review rules since the late 1970s and said they have worked very hard throughout this timespan to make sure that EPA, CARB, and the District were involved and everything was done according to the rules and regulations.

Mr. Savage voiced appreciation for other member comments and said although the CAC could not take action at this meeting due to lack of a quorum, he supported Mr. Sheikh in relaying the high importance of this issue to the Board at their next meeting. He reiterated the importance of following a process that is open, transparent, and timely in terms of when information is available so that proper feedback can be given to those participants. He added that CAC members have a role to play to ensure that happens.

Public Comment: None

10. DISCUSSION OF UPCOMING PROPOSED REGULATORY ACTIONS – Jessica Coria, Program Manager in the District's Air Quality Science and Planning Department, presented an update on regulatory measures that will be presented to the Governing Board for consideration over the next few months, which include: Rule 4311 (Flares), Rule 4306 and 4320 (Boilers, Steam Generators and Process Heaters), Rule 4702 (IC Engines), and the 2020 Ag Burning Evaluation and Report. An update was also provided on CARB regulatory measures called for in the 2018 PM2.5 Plan. The CAC voiced consensus support for the proposed regulatory measures and the inclusive public process utilized by the District to develop the measures, especially in light of the challenges being faced by those that are being impacted.

Mr. Cunha expressed concern that neither EPA nor CARB have acknowledged how much destruction that COVID-19 has caused to industry, especially agriculture and the restaurant industry. He voiced appreciation for staff's approach to working with the restaurant industry on the charbroiler rule, and thanked them for their efforts to maintain the continuity of businesses during this difficult time.

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. The Stockton community is working to develop a Community Air Monitoring Plan and CERP for consideration by the District and CARB. 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 5 project plans to CARB for the use of Community Air Protection incentive funds to implement measures contained in the South Central and Shafter CERPs. These projects have to be approved by CARB prior to using these funds. To date, 3 project plans have been approved by CARB and 2 are still under review as follows:

- Truck re-route study in Fresno [APPROVED]
- Commercial lawn and garden (\$45K Shafter, \$75k Fresno) [APPROVED]
- Residential lawn and garden (\$100k Shafter, \$200k Fresno) [APPROVED]
- Alternatives to agricultural burning (\$1 mil Shafter, \$375k Fresno)
- Low-dust nut harvester (\$2.5 million Shafter)

- 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 November 20, 2020, CARB released draft recommendations for Year 3 communities, which included Arvin/Lamont, South Los Angeles, and Richmond. The Board will considered the selection of new communities in February 2021.

Public Comment: None

12. OUTREACH AND COMMUNICATIONS REPORT – Jaime Holt, Chief Communications Officer, provided an update on District outreach activities. She reminded members that it is winter residential wood burning season, and reminded members about the harmful effects of wood burning on the Valley’s air quality and residents’ health.

Public Comment: None

13. CAC MEMBER COMMENTS – Mr. Leiba expressed his agreement with comments made by CAC members regarding the ERC program and encouraged members to bring those concerns to the Governing Board.

14. VOLUNTEER TO PRESENT REPORT DURING GOVERNING BOARD MEETING – Mr. Abernathy volunteered to present the report during the December 17, 2020 Governing Board meeting.

Meeting adjourned at 12:12 p.m.

Next Meeting –The next CAC meeting is scheduled on January 5, 2021. The meeting will be held via video teleconference (VTC).