

Action Summary Minutes

San Joaquin Valley Unified Air Pollution Control District

GOVERNING BOARD MEETING

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

Thursday, November 15, 2018

9:00 a.m.

Meeting held via teleconferencing with the Central Region Office (Fresno), the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield).

This meeting was webcast.

1. CALL MEETING TO ORDER – The Chair, Supervisor Mendes, called the meeting to order at 9:02 a.m.
2. ROLL CALL – was taken and a quorum was present.

Present:

David Ayers, Mayor	City of Hanford
Drew M. Bessinger, Councilmember	City of Clovis
Bob Elliott, Supervisor**	San Joaquin County
Christina Fugazi, Councilmember***	City of Stockton
Buddy Mendes, Supervisor, Chair	Fresno County
Lloyd Pareira, Supervisor	Merced County
Craig Pedersen, Supervisor	Kings County
Monte Reyes, Councilmember	City of Porterville
Dr. Alexander Sherriffs	Appointed by Governor
Chris Vierra, Mayor**	City of Ceres
Tom Wheeler, Supervisor****	Madera County
J. Steven Worthley, Supervisor, Vice Chair	Tulare County

Absent:

John Capitman, Ph.D	Appointed by Governor
David Couch, Supervisor	Kern County
Kristin Olsen, Supervisor	Stanislaus County

**attended in Southern Region Office*

***attended in Northern Region Office*

****attended in Northern Region Office and arrived at 9:05 a.m.*

*****arrived at 9:42 a.m.*

3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF CONSENT CALENDAR – Item Numbers (14 – 19): *These matters are routine in nature and are usually approved by a single vote. Prior to any action by the board, the public was given the opportunity to comment on any consent item.*
 14. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD MEETING OF THURSDAY, OCTOBER 18, 2018
 15. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2018
 16. RECEIVE AND FILE OPERATIONS STATISTICS SUMMARIES FOR OCTOBER 2018
 17. RECEIVE AND FILE BUDGET STATUS REPORTS AS OF OCTOBER 31, 2018
 18. RECEIVE AND FILE LISTING OF REFUNDS FOR FISCAL YEAR 2017-18
 19. AMEND 2018-19 NON-OPERATING BUDGET TO ADJUST ESTIMATED AMOUNTS TO ACTUAL AMOUNTS AS OF JUNE 30, 2018

Public Comment: None

**Supervisor Elliott said he would abstain from approving the October 18, 2018, Governing Board Minutes as he was not present at the meeting.*

Moved: Pedersen
Seconded: Worthley
Ayes: Ayers, Bessinger, Elliott, Fugazi, Pareira, Pedersen,
Reyes, Sherriffs, Vierra, Wheeler, Worthley, Mendes
Nays: None

Motion unanimously carried to approve Consent Calendar Item Numbers 14 – 19

Councilmember Fugazi arrived at 9:05 a.m.

5. PUBLIC COMMENT – *The following persons provided comment during this item:*

- Genevieve Gale, Central Valley Air Quality Coalition (CVAQ)
- Connie Young, Citizens Climate Lobby
- Manuel Cunha, Nisei Farmers League

6. REPORT ON DISTRICT CITIZENS ADVISORY COMMITTEE ACTIVITIES – Manuel Cunha, Industry/Agriculture Primary member from Fresno County, reported on the highlights from the CAC meeting held on November 6, 2018.

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

- Ned Leiba

7. APPROVE PILOT INCENTIVE PROGRAM TO DEPLOY AND EVALUATE LOW-DUST NUT HARVESTING EQUIPMENT IN THE SAN JOAQUIN VALLEY –

Samir Sheikh, Executive Director/APCO, said this was the first of three incentive programs on the agenda today that are related to the issues that have been discussed through the very extensive public engagement process for the PM2.5 Plan. He introduced, Todd DeYoung, Program Manager, who presented this item. Mr. DeYoung said that consistent with the Board's long-standing track record of pursuing effective emission reduction strategies in partnership with the Valley agricultural community, the District was proposing to develop and implement a pilot incentive program to deploy and further evaluate low-dust harvesting technology on a broader scale in the San Joaquin Valley. In this proposed program, the District would help deploy low-dust harvesting equipment in a variety of applications throughout the Valley and monitor its effectiveness in reducing particulate matter. He said the results of this pilot program would be used to further inform research in this area, determine if this model can be used to cost-effectively reduce localized PM emissions in and around Valley communities, and assist the USDA-NRCS with potential refinements to their management practice program.

Mr. Sheikh recognized the agricultural community for really stepping up in recent years and putting together some compelling technology options that are out in the market today. In combination with better practices, this shows that the industry is willing to look at different ways of conducting the almond harvest and trying to address some of the questions that come up with harvest emissions.

Supervisor Worthley asked where future funding for this program might come from. Mr. Sheikh said there are some eligible funding sources available in the District's Spending Plan over the next few years, which would be dependent on the value of the program and how it helps with the Valley's attainment challenges, as well as localized impacts. He said there could also be opportunities with the additional state funding, which would have to be balanced with other needs in the agricultural industry.

Dr. Sherriffs said this is a great program and he was pleased to see the advances happening in technology. He suggested looking at the cost differentials of the old and new equipment in terms of the dollars going further in the future. Mr. Sheikh said with new technology often it is not as simple as incremental costs, as other things need to be taken into account including equipment that still has life left and the cost of taking it out of a fleet. He said staff would take all of that information under consideration, and hoped to leverage the funding as much as possible and come back to the Board ultimately with an ongoing program. Dr. Sherriffs asked the radius of localized effects. Mr. Sheikh responded through the work of the San Joaquin Valleywide Air Pollution Study Agency and the modeling of the PM2.5 Plan, staff have seen repeatedly that while the emissions resulting from almond harvest are very visible, they do not travel very far and are not a major issue for peak PM2.5. Dr. Sherriffs asked if there was enough staffing and support available to do a good analysis of this program. Mr. Sheikh responded affirmatively and said the agricultural community will be a big part of that effort as they are very interested in seeing how this program works out in their communities.

Supervisor Pedersen asked how equipment would be rated in terms of emissions reductions and productivity. Mr. Sheikh responded that the proposed program is designed to be flexible and consider both the emissions reductions and productivity of the equipment. He said staff has developed an efficiency cutoff that recognizes the research done with different types of equipment. He added there is specific criteria for looking at practicable, commercially-available equipment that has value to the agricultural community.

Supervisor Elliott said he was glad to hear that efficiency of the machinery would be considered along with emissions. He asked how the District could best promote widespread use of this equipment across the Valley, considering costs and the amount of funding available. He also asked if growers would be able to participate in the District's Tier 3 Tractor upgrade program in addition to this program. Mr. Sheikh responded that growers could participate in both incentive programs simultaneously and at the Board's direction, staff will make the effort to ensure strong Valleywide distribution of funding. Supervisor Pareira suggested that moving forward, staff could hold discussions with the equipment manufacturers and make incentive funding available to them. He also suggested ranking applicants by equipment usage and acres operated on, and then on a first come, first served basis. Chairman Mendes said he has had the pleasure of working with staff on some of the District's pilot programs in the past and said he was amazed at the diligence and hard work of District staff on these programs.

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

- Manuel Cunha, Nisei Farmers League
- Janet Dietz-Kamei, Fresno Resident
- Bill Lyons, Almond Alliance of CA
- Jesse Roseman, Almond Board of CA

Supervisor Worthley made a motion to adopt staff recommendations and said he agreed with the suggestion of geographic diversity when awarding funds. He suggested taking opportunities to be more specific on where the funds are allocated, including disadvantaged communities which could also provide additional sources of revenue. He also suggested targeting funding along major highways and heavily traveled roads.

Moved: Worthley

Seconded: Pedersen

Ayes: Ayers, Bessinger, Elliott, Fugazi, Pareira, Pedersen,
Reyes, Sherriffs, Vierra, Wheeler, Worthley, Mendes

Nays: None

Motion unanimously carried to approve pilot incentive program to deploy and evaluate low-dust nut harvesting equipment in the San Joaquin Valley

8. APPROVE PILOT INCENTIVE PROGRAM TO SUPPORT ON-FIELD ALTERNATIVES TO THE OPEN BURNING OF AGRICULTURAL MATERIALS –

Mr. Sheikh said similar to the last item, the recommendations for this incentive program highlights the District's partnership with the agriculture industry in continuing to do research and find new practices that are being developed within agriculture. He introduced Morgan Lambert, Deputy APCO, who said the San Joaquin Valley, in adherence with applicable state laws instituted under SB705 (2003 Florez), has the toughest regulations on agricultural burning in the state. While modeling conducted for the District's new PM2.5 Plan indicates that reducing emissions from the open burning of agricultural materials does not significantly impact the Valley's peak urban PM2.5 locations that drive the Valley's federal attainment mandates, the Board's direction has been to identify additional measures for reducing particulate emissions, including development of new strategies to reduce emissions from the open burning of agricultural waste materials. Building off the lessons learned at the District's Central Valley Summit on Alternatives to Open Burning of Agricultural Waste, he said the purpose of this item was to seek the Board's adoption of a pilot incentive program to help fund the implementation of on-field practices, such as soil incorporation, that may provide alternatives to open burning of agricultural material from orchard removals.

Councilmember Bessinger asked if on-farm mulching would assist with dust abatement in the future. Mr. Lambert said that may be a potential benefit from such practices, but additional work and research is needed to better understand the potential benefits and costs. He added that most of these processes involve the use of heavy equipment to reincorporate the mulch back into the soil which does create additional dust emissions.

Dr. Sherriffs said this is a very important problem and the District's engagement is critical. He voiced appreciation for the hard work by staff in this area. He acknowledged the complexity of the problem and said it was important to

monetize the benefits to the grower of incorporation of the organic material and how it may be affecting crop yields and water usage.

Supervisor Mendes pointed out that agricultural burning is only allowed under good air quality conditions, such as during rain events and the alternatives to open burning are allowed under any air quality conditions. Mr. Sheikh said the reality is that as the burn windows get smaller and the material loading is large, often there is a lot of pressure on the agricultural community. He said there is a natural desire to look for feasible alternatives that do not have tight constraints, and they will become a huge priority in the agricultural community.

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

- Chris McGlothlin, Western Agricultural Processors and California Cotton Ginners Association
- Dolores Weller-Barajas, CVAQ
- Janet Dietz-Kamei, Resident
- Manuel Cunha, Nisei Farmers League
- Jesse Roseman, Almond Board of CA

Moved: Wheeler

Seconded: Pareira

Ayes: Ayers, Bessinger, Elliott, Fugazi, Pareira, Pedersen, Reyes, Sherriffs, Vierra, Wheeler, Worthley, Mendes

Nays: None

Motion unanimously carried to approve pilot incentive program to support on-field alternatives to the open burning of agricultural materials

9. APPROVE NEW INCENTIVE PROGRAM TO SUPPORT THE DEPLOYMENT OF ZERO-EMISSION COMMERCIAL LANDSCAPE MAINTENANCE EQUIPMENT – Brian Dodds, Program Manager, said that since 2001 the District has operated the highly successful Clean Green Yard Machines program, which provides Valley residents incentives to replace their old, high-polluting gas powered lawn mowers with electric, zero-emission options. The Board's direction has been to identify additional cost-effective measures for reducing particulate emissions, including development of new strategies to reduce localized community impacts. In the District's new PM2.5 Plan, staff have developed a multifaceted strategy for reducing emissions from lawn and garden-related activities that focuses on promoting best practices, conducting public education and outreach, and providing incentives for the deployment of cleaner technologies. He stated the purpose of this item was to seek Board members' approval to allocate up to \$500,000 in existing District incentive funding to develop and administer a new incentive program to deploy and further evaluate zero-emission commercial landscape maintenance equipment throughout the Valley.

Mr. Sheikh added that this program is another reflection of the Board's work over the years in putting very innovative, cutting edge programs into place. He said in this initial phase staff plans to take the already commercially available products and put them in the hands of landscapers to help them become more comfortable with the function and battery life of the technology.

Councilmember Fugazi said she was excited about this program and asked if staff thought about approaching smaller scale landscape companies to participate in the pilot program and help to get the word out. Mr. Dodds responded affirmatively, and said staff have already reached out to participants in the original demonstration program who are still using this type of equipment but may be ready to upgrade. Mr. Sheikh said there is a growing list of landscape service provider leads that staff is following up on and invited Board members to share any leads or ideas they may have.

Dr. Sherriffs said he appreciated the District's leadership on this program and this was a great direction to go in. He suggested the District may want to think about certifying commercial landscaping businesses as "green". He also suggested that the District-hired landscapers should no longer use internal combustion equipment on District properties. Mr. Sheikh responded that the District's landscapers do not use internal combustion equipment. He also said staff have been looking for ways to continue to add value in the Healthy Air Living Business Partners Program, which might include the dimension to highlight and provide such a certification. Dr. Sherriffs said this serves as an important example to all Board members and asked them to consider following the same practices in their jurisdictions.

Councilmember Bessinger said the City of Clovis has their own Parks Department who maintains park areas, in addition to contracting work to commercial landscapers. He said he would speak with City staff and ask them to encourage their contractors to participate in this program. Mr. Sheikh responded that the District has complimentary programs for public agencies under the Public Benefits Grants Program, where they can try the new equipment. Supervisor Pedersen said there is some concern in his county about the lack of widespread, proven technology in this area. Mayor Ayers said this program appears to be economically feasible and said he will meet with City of Hanford staff about the possibility of city landscaping contractors participating in this program.

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

- Janet Dietz-Kamei, Resident
- Genevieve Gale, CVAQ
- Nyamin Martinez, Central CA Environmental Justice Network
- Michael Benjamin, CARB

Moved: Sherriffs
Seconded: Bessinger
Ayes: Ayers, Bessinger, Elliott, Fugazi, Pareira, Pedersen,
Reyes, Sherriffs, Vierra, Wheeler, Worthley, Mendes
Nays: None

Motion unanimously carried to approve new incentive program to support the deployment of zero-emission commercial landscape maintenance equipment

10. ADOPT 2018 PLAN FOR THE 1997, 2006, AND 2012 PM2.5 STANDARDS – Mr. Sheikh said the proposed 2018 PM2.5 Plan has been a major initiative at the District for the last two years and was the latest effort in the District’s ongoing mission to improve the San Joaquin Valley’s air quality and protect the health of Valley residents. This plan utilizes extensive science, research, state of the art air quality modeling, and the best available information in developing a strategy for bringing the Valley into attainment with the 1997, 2006, and 2012 federal health-based standards for fine particulate matter (PM2.5) as expeditiously as practicable by the respective deadlines of 2020, 2024, and 2025. This Plan was developed in adherence with the Board’s direction and the District’s Mission, Vision, and Core Values. The proposed attainment strategy includes a combination of new and innovative regulatory and non-regulatory measures for both stationary and mobile sources that build upon stringent air quality measures already in place from District attainment plans and measures adopted by your Board.

Mr. Sheikh said despite all of the progress, we continue to see increasingly difficult challenges in terms of meeting the air quality standards established by EPA that are revised, updated, and made more stringent over time. He said the plan was developed through a very extensive public engagement process, with multiple workshops and a Public Advisory Workgroup that have informed District staff as they have moved forward with developing the strategy. He expressed his appreciation for the many stakeholders, community groups, residents, small businesses, and others who have taken the time to attend these meetings and provide input. He added the proposed Plan demonstrates attainment by respective Clean Air Act deadlines and staff worked with CARB and EPA to address any issues or challenges.

Mr. Sheikh introduced Sheraz Gill, Deputy APCO, and Jon Klassen, Strategies and Incentives Director, who reviewed the proposed PM2.5 Plan, including new regulatory measures and incentive-based measures to accelerate the deployment of new clean vehicles, equipment, and technologies across a variety of sectors that will require \$5 billion in new incentive funding investment. In closing, Mr. Sheikh thanked the Board for their ongoing guidance, as the Plan and associated measures have been extensively reviewed by the Board. He added that all measures in the Plan are subject to a requisite and subsequent public process for developing the actual regulations or incentive components in

addition to the District's extensive socioeconomic process and then will return to the Board for final approval. He clarified any funding allocations would be made during the budgeting process. Lastly, he said the funding need is significant and that the District would move forward with a strong commitment from the state and funding already included in the District's budget due to the hard work of Valley stakeholders to bring state funding into the Valley.

Mayor Ayers left at 11:46 a.m.

Councilmember Bessinger said clearly if the District can reduce residential wood burning the Valley can get a long way towards attainment. He asked about the Statement of Compliance for Wood Burning Devices requirement for most older, dirtier wood stoves and inserts to be removed or destroyed before selling a house and whether it could be an additional opportunity to discourage wood burning. Mr. Sheikh responded that the process is limited to homes with wood burning heaters or stoves. He said the potential opportunity is to integrate the document into the entire escrow package for all property transfers. Councilmember Bessinger suggested finding a way for realtors to comply with less paperwork.

Supervisor Pedersen thanked staff for their hard work on this Plan, saying they put their hearts and souls into the process. He expressed frustration that the District has spent millions of dollars to prepare this Plan twice, and those funds could have been put to better use to help clean the Valley's air. He said there is a level of skepticism but he is hoping for the best, noting that CARB has come to the table this time with significant funding and recognized their responsibility to help the Valley meet the Clean Air Act requirements. He said he was happy to see recognition of the challenge that every business in the District has faced, the billions of dollars spent for an 85% reduction in emissions, and the billions of dollars spent while not recognizing that 80% of emissions come from something other than stationary sources. Lastly, he said the worst possible outcome after spending so much time and money preparing this Plan would be for CARB and EPA not to approve this Plan.

Supervisor Wheeler asked if cities and counties must adopt ordinances to reflect the District's residential wood burning hot spots strategy. Mr. Sheikh said there have been ordinances adopted by local agencies regarding residential wood burning devices in the past, but there is no requirement for them to adopt ordinances. He added on the issues that relate to city and county building codes, and density requirements, the District is working on simplifying the process to make it easier for cities and counties. District Counsel, Annette Ballatore-Williamson, said the District has sufficient jurisdictional authority to adopt the rules it is proposing in the Plan without any further actions required by cities and counties.

Supervisor Elliott congratulated staff on the excellent and detailed Plan, continuing with the District's tradition of leaving no stone unturned in efforts to

meet these various requirements that come down. He said he was very happy to see the emphasis placed on incentives programs in the Plan as that is where the District sees more bang for the buck, and more buy in from stakeholders and achieves quality reductions. He clarified that the proposed measures would enhance existing programs and not replace them. Mr. Sheikh responded affirmatively. He commended the San Joaquin Valleywide Study Agency for sponsoring the research that has gone into the Plan as there must be sound science underlying the policies implemented by the District. He said he was happy to see fuel reduction efforts in forests as part of the Plan, due to the significant impact of wildfires on the Valley's air quality. Lastly, he said it was important to ensure that any measures that the District adopts allow agriculture and other industries, as well as individual businesses, to be able to continue to survive and prosper.

Supervisor Worthley asked if staff has calculated the amount of additional reductions they hope to achieve as a result of the Plan's measures, in addition to the 85% already achieved. Mr. Sheikh said it would be a significant amount of the remaining 15% of emissions after decades of implementing emission reduction measures, depending on the final design of the measures. He added the big development with respect to the proposed Plan is that two years ago the District was asking for more time to reach attainment whereas this Plan demonstrates attainment by the applicable deadlines. He said for those who say the District's wood burning measures have not gone far enough, he said he could remember when it was a voluntary measure. He said the District has come a long, long way from voluntary to the restrictions today. He said he has advocated for the hot spots approach as he feels the District needs to concentrate its efforts on those areas with the biggest problem. He said it was a stroke of genius that the District came up with a strategic contingency plan that is valuable and realistic. He commended staff for all of the time and effort they put into developing such a great plan. He added this was a monumental achievement for the District with the cooperation of CARB and EPA.

Dr. Sherriffs voiced appreciation for Board members' comments. He said he was excited that the District has a workable Plan that can absolutely work. He commended staff for their two years of hard work and Mr. Sheikh for his leadership and the tone he set in working on the Plan and the optimism the staff brought in putting this Plan together in a new level of collaboration with community groups, stakeholders, residents, CARB and EPA. He said as a public health agency, the focus on fireplaces and charbroiling is extremely important as directly-emitted PM2.5 is also the most dangerous. He said collaboration at the state and federal level is important and the District needs to be working for federal action for ultra-low NOx truck and locomotive standard, which would make a big difference.

Mr. Sheikh introduced Michael Benjamin, Chief, Air Quality Planning and Science Division at CARB, and Meredith Kurpias, Associate Director, Air Division at EPA, who addressed the Board on aspects of the Plan.

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

- Colby Wells, So Cal Gas
- Genevieve Gale, CVAQ
- Janet Dietz Kamei, Resident
- Noelle Kramers, CA Farm Bureau Federation
- Thomas Menz, Resident
- Claire Statham, Resident
- Chris McGlothlin, WAPA and CCGGA
- Manuel Cunha, Nisei Farmers League
- Dolores Barajas Weller, CVAQ
- Nyamin Martinez, CCEJN
- John Haley, AERA Energy

Chairman Mendes said he appreciated CARB's position and their position on funding. He said funding is the key to achieving attainment of these standards and CARB's assistance is needed to get there.

Moved: Worthley

Seconded: Wheeler

Ayes: Bessinger, Elliott, Fugazi, Pareira, Pedersen, Reyes, Sherriffs, Vierra, Wheeler, Worthley, Mendes

Nays: None

Motion unanimously carried to adopt 2018 Plan for the 1997, 2006, and 2012 PM2.5 Standards

11. VERBAL REPORT ON AIR RESOURCES BOARD ACTIVITIES - Dr. Sherriffs referred members to the highlights in their agenda packets from the Air Resources Board meeting of October 25, 2018.
12. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sheikh acknowledged the District's Planning team and other District staff for their hard work on the Plan. He acknowledged and recognized the loss of life and sacrifice by many with the tragic wildfire situation in California. He said the smoke is impacting the entire Valley and the District is taking steps to let the public know about the impacts, and is always open to suggestions about additional ways to enhance communications.
13. GOVERNING BOARD MEMBER COMMENTS – Chairman Mendes announced this was Mayor Ayers' last meeting as a Governing Board member and said he had to leave early due to a family emergency. He thanked Mayor Ayers for his service and said he was a fine Board member. Mr. Sheikh said at the Board's direction, Mayor Ayers will be invited to the December Board meeting to be recognized for his service on the Board. Chairman Mendes responded affirmatively. Supervisor Pareira said he has lived in the same home since he was 6 years old, and as a boy he always enjoyed a view of Half Dome in

Yosemite. He said through the years, it became less visible but now, thanks to the District's efforts, he can enjoy this view again on most days. He said the wildfires have highlighted what the air quality would be like without the efforts of the District's Governing Board and staff. He expressed appreciation for all of their efforts to improve the Valley's air quality. He also acknowledged retired Executive Director/APCO, Seyed Sadredin, and Mr. Sheikh for their leadership in these efforts.

ADJOURN

The Chair adjourned the meeting at 12:56 p.m.

The next scheduled meeting of the Governing Board is: December 20, 2018 at 9:00 a.m. The meeting starts at 9:00 a.m., in the Central Region Office, Governing Board Room, 1990 E. Gettysburg Avenue, Fresno. The meeting will be held via videoteleconference (VTC) with the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating via VTC.