

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, December 19, 2019**  
**9:00 a.m.**

**Meeting held via video 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:*

Drew M. Bessinger, Mayor	City of Clovis
David Couch, Supervisor**	Kern County
Kuyler Crocker, Supervisor	Tulare County
Bob Elliott, Supervisor*	San Joaquin County
Buddy Mendes, Supervisor, <b>Chair</b>	Fresno County
Lloyd Pareira, Supervisor*	Merced County
Craig Pedersen, Supervisor, <b>Vice Chair</b>	Kings County
Alvaro Preciado, Councilmember	City of Avenal
Monte Reyes, Councilmember	City of Porterville
Dr. Alexander Sherriffs	Appointed by Governor
Chris Vierra, Mayor*	City of Ceres
Tom Wheeler, Supervisor	Madera County

*Absent:*

Christina Fugazi, Councilmember	City of Stockton
Kristin Olsen, Supervisor	Stanislaus County

*\*Attended in Northern Region Office*

*\*\*Attended in Southern Region Office*

3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF CONSENT CALENDAR – Item Numbers (17 – 28): *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.

17. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD MEETING OF THURSDAY, SEPTEMBER 19, 2019
18. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD STUDY SESSION OF OCTOBER 16 AND 17, 2019
19. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2020
20. RECEIVE AND FILE OPERATIONS STATISTICS SUMMARY FOR SEPTEMBER, OCTOBER AND NOVEMBER 2019
21. RECEIVE AND FILE BUDGET STATUS REPORTS AS OF NOVEMBER 30, 2019
22. ADOPT RESOLUTION AMENDING DISTRICT'S 457 DEFERRED COMPENSATION PLAN TO ALLOW FOR ROTH ROLLOVERS AND DEFERRALS
23. APPOINT SOUTHERN REGION HEARING BOARD MEDICAL PRIMARY MEMBER
24. REAPPOINTMENTS TO THE DISTRICT'S ENVIRONMENTAL JUSTICE ADVISORY GROUP
25. APPROVE VOLUNTARY EMISSION REDUCTION AGREEMENT WITH DPIF CA 6 FRESNO, LLC, TO MITIGATE AIR QUALITY IMPACTS
26. RECEIVE AND FILE THE 2019 ANNUAL REPORT ON THE DISTRICT'S INDIRECT SOURCE REVIEW PROGRAM
27. RECEIVE AND FILE LISTING OF REFUNDS FOR FISCAL YEAR 2018-19
28. AMEND 2019-20 NON-OPERATING BUDGET TO ADJUST ESTIMATED AMOUNTS TO ACTUAL AMOUNTS AS OF JUNE 30, 2019

Public Comment: None

Moved: Wheeler  
Seconded: Pedersen  
Ayes: Bessinger, Couch, Crocker, Elliott, Pareira, Pedersen, Preciado, Reyes, Sherriffs, Vierra, Wheeler, Mendes

Nays: None

***Motion unanimously carried to approve Consent Calendar Item Numbers 17 – 28***

5. **PUBLIC COMMENT** – *The following persons provided public comment at this meeting:*

- J. Steven Worthley, Dinuba Resident
- Connie Young, Citizens Climate Lobby
- Janet Dietz Kamei, Fresno Resident
- Thomas Menz, Fresno Resident

6. **S.T.A.R. RECOGNITION (Service, Teamwork, Attitude, Respect)** – Chenecua Dixon, Personnel Director, recognized the following individuals who reached a service milestone during the third quarter of 2019:

**Five Years of Service**

Oshri Feldman, Senior Accountant  
Yolanda Sanchez, Accounting Assistant

**Ten Years of Service**

Johnathan Yoshimura, Senior Air Quality Engineer  
William Jones, Air Quality Engineer  
David Lopez, Senior Air Quality Specialist

**Fifteen Years of Service**

Matthew Cegielski, Air Quality Specialist  
Clay Bishop, Supervising Air Quality Specialist  
Guadalupe Reyes, Staff Technician  
Jose Aguayo, Air Quality Specialist

**Twenty Years of Service**

Brad Schwegel, Supervising Programmer Analyst

**Twenty-Five Years of Service**

Brian Johnson, Senior Programmer Analyst

7. **REPORT ON DISTRICT CITIZENS ADVISORY COMMITTEE ACTIVITIES** – Manuel Cunha, Fresno County Industry/Agriculture member, gave a report on highlights from the Citizens Advisory Committee meetings held October 1 and December 3, 2019.

8. PROGRESS REPORT ON DISTRICT'S DRIVE CLEAN IN THE SAN JOAQUIN INCENTIVE PROGRAM – Brian Dodds, Program Manager in the District's Grants and Incentives Department, presented an update on the District's Drive Clean in the San Joaquin Incentive Program.

Mayor Bessinger clarified staff's recommendation that vehicles that are 1999 or older do not have to fail emissions to be eligible for replacement. Mr. Dodds responded affirmatively. Mayor Bessinger asked if these vehicles have a higher permitted emissions levels than newer vehicles. Mr. Dodds responded those vehicles are much higher emitting as the emission standards for newer vehicles are much more stringent. Mayor Bessinger said the Drive Clean in the San Joaquin program is one of the best incentive programs that the District operates because it has a direct financial impact on the most vulnerable population of residents who cannot afford a new vehicle and are driving higher polluting vehicles. He said he has attended several program events and seeing the relieved faces of residents who are able to get their vehicles repaired or replaced through the program and now are able to get to work or get their children to school without worry is very gratifying. He said the more residents who have access to this program, the better the results for the Valley and its air quality.

Supervisor Wheeler said he loved this program and he liked the idea of raising the vehicle eligibility to vehicles manufactured in 2006. He said this change would help more Valley residents and asked how the program changes would be implemented. Mr. Dodds said there was a lot of grassroots advertising and outreach that goes into these weekend events and said as these events take place across the Valley, program staff would get the word out to residents.

Samir Sheikh, Executive Director/APCO, clarified what often happens at these events is that several hundred residents attend with their vehicles, and a high percentage of the 1999 vehicles fail emissions testing at the events. He said residents who own the vehicles that pass emissions testing at the events are also looking for opportunities to participate in the program and this will provide a potential additional option for them to do so. Mr. Sheikh added this program change would be rolled out in a controlled environment at each future event, to allow staff to get the feedback needed to provide an additional report to the Governing Board to identify any changes that might be needed before rolling this out on a larger scale, including through the District's online portal. He said staff could also increase the level of information made available during community outreach events in each area and ascertain how the vehicle profiles change. He added it really comes down to where the Board wants to focus the funding, do they want to open this option up wider as there is limited funding. He added that he believed with a higher demand, the District could go to the state, which has \$100 million goal in their budgeting discussions, and advocate for more funding.

Dr. Sherriffs said the Board loves hearing about the success of this program. He said it was a great idea the continues to get better and better and is a model for

meeting state goals in terms of utilization of Cap and Trade funding and returning money to communities, especially disadvantaged ones. He added the District program has been recognized as the model statewide. He said he loved the tweak to include 1999 vehicles that do not fail emissions because even if they are well maintained, they clearly are much higher polluting than a vehicle that was made 20 years later. He said any way we can continue to target those older vehicles, including expanding program guidelines, is a wonderful win for the Valley and its residents. He gave a big shout out to Mr. Knox of Valley CAN, and his staff who run the program events and are always looking for ways that this program can be improved.

Chairman Mendes said this is a great program and encouraged Board members to attend events in their areas, including the events that take place in smaller communities to begin the paperwork for residents. Mr. Sheikh recognized Mr. Knox, who was in attendance at the meeting, and said Valley CAN has been a great program partner with the District.

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

- Connie Young, CCL
- Janet Dietz-Kamei, Fresno Resident

*Supervisor Couch left the meeting briefly at 9:42 a.m.*

Moved: Sherriffs  
Seconded: Bessinger  
Ayes: Bessinger, Crocker, Elliott, Pareira, Pedersen,  
Preciado, Reyes, Sherriffs, Vierra, Wheeler, Mendes  
Nays: None

***Motion unanimously carried to approve staff recommendations for enhancements to the District's Drive Clean in the San Joaquin incentive program.***

9. RECEIVE AND FILE DISTRICT'S FINAL ANNUAL OFFSET EQUIVALENCY REPORT TO THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY – Dave Warner, Deputy APCO, presented the District's Final Annual Offset Equivalency Report for the 12-month period from August 20, 2018, through August 19, 2019, to the Governing Board.

Mayor Bessinger asked if the Best Available Control Technology (BACT) is in place, does the District have the ability to require even better available technology. Mr. Warner responded it is all a part of the same analysis as the minimum the District will require under a BACT evaluation is the best that is out there on a similar piece of equipment. He added, if staff can identify other technologies that have not been used on this type of equipment that do a better job of controlling emissions and are cost effective, then the District will require

that. Mayor Bessinger voiced his concern that someone may purchase equipment with the BACT in place, and the District then tells them they need to upgrade to better control technology and it is not economically feasible in their own opinion. He asked how the determination was made. Mr. Warner said that is exactly why staff recommends stakeholders speak to them about permitting requirements before purchasing a piece of equipment.

*Supervisor Couch returned to the meeting at 9:52 a.m.*

Mr. Sheikh clarified that the District addresses this type of concern up front by publishing BACT Guidelines. He added the District prides itself on having specific application forms, and a Small Business Assistance (SBA) office that is very active in answering these types of questions about permitting and tries to be very proactive on that front by providing that service early and upfront. He added staff works closely with cities and counties always to let them know that they should work with the District to schedule pre-application meetings for any project in their jurisdiction that might have air quality impacts. He added there are a lot of case by case projects in the Valley, ones that have never been done before and that is why it is important for the District to get involved earlier in the conversation because the other distinction for the District's air quality permitting is they are pre-construction permits and someone is not allowed to commence construction on a project without obtaining a permit from the District first. He said the District has a very efficient and very customer-oriented permitting process and the regulated community will vouch for the fact that permitting is an area where there is clarity and they feel good that the District is able to work with them early on. Mayor Bessinger asked if someone has a project approved, then new technology comes out, if they upgraded their equipment would they get additional Emission Reduction Credits (ERCs). Mr. Sheikh responded conceptually, yes, as long as the reductions are surplus of all of the rules, the person would be eligible for emission reduction credits.

Supervisor Pedersen commented that coming from the agricultural industry and understanding the impacts of regulations on that industry, he has come to learn that the ability of industry to operate in this region would be very different if CARB or EPA was running this organization. He added he has always been very proud that the District's Governing Board makes common sense decisions that improve public health while also finding a way to keep industry in the Valley. He said from a health standpoint, jobs are almost as important as air quality in residents' lives.

Dr. Sherriffs commented said he agreed that the best policies and regulations are promoting technologic development and promoting cleaner technologies. He said he believes this program does that and asked for specific examples. Mr. Warner said over the years that he has been involved in permitting in the Valley, he has seen this many times. He said there was a whole evolution of NOx controls on boilers that had some value associated with the ERC program and a good bit of that was companies taking innovative steps to learn the best ways of generating reductions and benefitting from that by getting ERCs. He said more

recently, a major glass plant in the Valley installed two controls to control the emissions from the stack that act in series. He said that was done, in his understanding, partially because there were ERCs available at that time. He added the emissions levels achieved by those technologies have now become regulations.

Supervisor Crocker asked if the ERCs have an expiration date. Mr. Warner responded they do not. Supervisor Crocker asked how a business would utilize them. Mr. Warner said ERCs become a part of a market that is independent of the District, and is handled by holders of credits that are willing to sell those credits. He added there are brokers out there who maintain lists of people who are willing to sell and it is common for someone who needs to offset an emission increase to approach one of these brokers and look for the best price they can get on the available credit market. Supervisor Crocker asked why we say the District's program is not "market-based". Mr. Warner replied that the District's ERC program is not a "market-based" system because of all of those initial steps that must be done to control emissions as best as you can to not create a violation of an air quality standard and to not create a significant health risk. He added all of those things must happen first and someone cannot escape those requirements through purchasing ERCs.

Supervisor Crocker asked if federal rules changed to require any control devices or pieces of equipment, would the ERCs be grandfathered or do they become null and void at that point. Mr. Warner responded under the District's ERC Program, the ERCs maintain their current value. He said under a strictly applied federal program, they would be reduced, not at the time a new rule was written, but at the time that credit was used to offset an emissions increase. Supervisor Crocker clarified his question to ask if the plan that allows for accumulating credits would be cancelled at the point where there was a new regulation that would make that control the standard. Mr. Warner responded not necessarily, and added a specific federal rule could be written to add that effect if that was the intent of the federal regulation, but currently the District's equivalency system that our system operates under is not affected by federal rules that require reductions in pollution. Supervisor Crocker clarified that businesses would be able to utilize the credits that have already been accumulated and they would continue to create ongoing credits moving forward even though the rules have changed. Mr. Warner clarified the District ERCs are only generated once, which is a major difference between the District's program and the Cap and Trade program that allocates allowances each year.

Supervisor Elliott commented on the market value of ERCs and asked if a business was going to sell its credits, can they only sell them to a business that is outside the Valley. Mr. Warner responded it was the opposite, these credits are only available for use by other businesses within the Valley. He said the permitting program in general is only about regulating growth in the Valley Air Basin and ERCs, with some very minor exceptions, must be used within the air basin where they are created. Supervisor Elliott said that gives the impression

that this is a sort of “pay to pollute” program, if someone can reduce the amount of emissions they have to compensate for by buying credits that counters the argument that we are using these credits to improve air quality. Mr. Sheikh responded the major distinction was there are a number of other things that a business must do first to mitigate emissions. In comparison to other programs the District has BACT and rules that established federal Reasonably Available Control Technology (RACT) requirements, state Best Available Retrofit Control Technology (BARCT) requirements, and every one of these industries and source categories is regulated by a number of different measures that this Board consistently and constantly reviews through air quality plans. He added there are other programs that exist where the offsetting system is used as a mechanism to avoid the implementation of these various levels of requirements. In those programs, businesses can buy ERCs and not have to do BARCT and the other requirements, but in the Valley this program in no way is used to avoid the implementation of all of these various state and federal requirements. It only deals with those offsetting requirements that are still in place after a business has complied with the other requirements. Mr. Warner clarified it was useful to think of these things in two different buckets, all of the BARCT and emission reductions rules that the Board adopts to limit and reduce emissions from specific types of equipment in the Valley are the package that is intended to bring the Valley into attainment with its air quality goals. He said the permitting regulations, of which the ERC program is a part, are designed to allow industrial growth in a carefully regulated way that does not impact our path towards attainment. He said it was not intended to be a mechanism to achieve attainment.

Chairman Mendes commented on Mr. Warner’s presentation and said he did a good job of explaining a very complicated issue.

*Mayor Vierra left the meeting at 10:30 a.m.*

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

- Manuel Cunha, Nisei Farmers League
- Janet Dietz Kamei, Fresno Resident
- Joy Madison, Manufacturers Council of Central Valley

10. ADOPT PROPOSED RULE 4460 (PETROLEUM REFINERY FENCE-LINE AIR MONITORING) AND PROPOSED RULE 3200 (PETROLEUM REFINERY COMMUNITY AIR MONITORING FEES) - Mr. Sheikh introduced Jon Klassen, Director of Air Quality Science and Planning, and Jessica Coria, Program Manager in the District’s Air Quality Science and Planning Department, who presented proposed Rule 4460 (*Petroleum Refinery Fence-line Air Monitoring*) and proposed Rule 3200 (*Petroleum Refinery Community Air Monitoring Fees*) to the Board.

Mayor Bessinger asked if the Valley refineries that are not currently operating are



seasonal operations or have they not been refining for a while. Mr. Sheikh responded the two refineries have not been refining for an extended period of time and staff is not aware of plans to resume refinery operations. He said it was important to recognize that the state law ultimately requiring this monitoring was focused on refining-related emissions in response to large accidents that happened at coastal refineries. So while facilities are not generating refining-related emissions, he said the District has discretion under the state law to accommodate those scenarios in our rule.

Supervisor Crocker clarified the community monitoring would be District monitors located in communities near refinery sites and the fees being discussed are to recover the District's costs necessary to install and operate those monitors. He asked if the fence-line monitoring would be District operated monitors as well. Mr. Klassen responded the refinery is responsible for fence-line monitoring equipment that is required by AB 1647. He also affirmed Supervisor Crocker's understanding that the community air monitors will be District owned and operated, and the fees set forth in Rule 3200 will recover the District's costs in doing the community air monitoring. Supervisor Crocker clarified there were no District fees associated with the fence-line monitoring. Mr. Klassen responded affirmatively.

Dr. Sherriffs said transparency throughout this process will be very important in reassuring members of the public who might want to see more monitoring being required by this rule. In fact, he said the public will have real time access to both from the fence-line and the community air monitoring data. He suggested it would be prudent to revisit this program in six months to a year to see what has been learned overall.

Supervisor Elliott asked how many community air monitoring systems will be installed. Mr. Klassen responded that staff proposed funding to establish one community air monitoring system per refinery. Supervisor Elliott asked if staff expects the readings at the community air monitoring systems to be significantly different than what is monitored by the refineries along their fence-lines. Mr. Sheikh responded there are a couple of different scenarios covered by the legislation, including the ongoing and regular operational emissions and emissions associated with upset conditions at the refineries. He said under the first scenario, looking at these facilities' emissions he does not anticipate that there will be a surprise that would come out of community air monitoring as these are highly regulated industries where the District has a firm understanding of their emission inventories. He added in the event of an upset of the process, which is the other intended purpose, there could be differences in characteristics of what happens in a fence-line monitor versus what actually ends up being deposited into a community.

Supervisor Elliott said given that the industry is already heavily regulated, and the District will require additional fence-line monitors to be placed, when the Board revisits this down the road would it be feasible to say that the additional

community monitoring systems are no longer needed because there are sufficient monitors in place. He said it seems as if the District is charging the facilities twice to monitor their emissions. Mr. Sheikh responded that Dr. Sherriffs had a good idea in terms of there being some ongoing evaluation of this program and whether in the future any adjustments would need to be made. He said one possibility in the future as the program is implemented and we have more data and experience, there may be a situation where staff makes adjustments as necessary based on that experience. He said at the Board's direction, staff can return to the Board with a report and perhaps pursue potential enhancements in the future.

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

- Janet Dietz-Kamei, Fresno Resident
- Oscar Espino-Padron, Earthjustice
- Jesus Alonzo, Clean Water Action
- Byron Chan, Earthjustice
- Zenn Q. Monzion, Hilltop Church
- Jeff Beecher, San Joaquin Refining
- Melinda Hicks, Kern Oil and Refining Company

Supervisor Couch thanked everyone for their public comments and said he believed this was a good step forward, not that it is the final step and could possibly be improved upon in the future. He made a motion to approve staff's recommendations.

*Moved:* Couch

*Seconded:* Bessinger

*Ayes:* Bessinger, Couch, Crocker, Elliott, Pareira, Pedersen,  
Preciado, Reyes, Sherriffs, Wheeler, Mendes

*Nays:* None

***Motion unanimously carried to adopt proposed Rule 4460 (Petroleum Refinery Fence-Line Air Monitoring) and proposed Rule 3200 (Petroleum Refinery Community Air Monitoring Fees)***

11. RECEIVE REPORT ON 2019 SUMMER OZONE SEASON – Jessica Olsen, Program Manager, presented a report on air quality in the San Joaquin Valley during the 2019 summer ozone season, including continued significant progress made with respect to meeting federal health-based ozone air quality standards.

Mr. Sheikh said in 2019, the latest year of the three-year average design value, the Valley actually met the 84 ppb standard. He said the challenge over the next couple of years is making sure we stay at or below the 84 ppb standard. He said at the time the 2007 Ozone Plan was adopted there was a massive amount of emissions reductions that no one knew how we would be able to achieve, which was the “black box” included in the Plan. He said CARB recently demonstrated

that the Valley reached a significant milestone and was able to fill that black box with the reductions that were needed. Mr. Sheikh also thanked staff for always delivering good information to the Board and the public in terms of the progress being made per the Board's ongoing core value to report out on where the Valley is with respect to air quality.

Mayor Bessinger asked if the District was able to quantify the effect of wildfires with a number to ascertain where the Valley would be if they were removed from the equation. Mr. Sheikh responded the short answer was technically yes, and said it was a great point. He added over the next couple of years for ozone and PM2.5, one of the big challenges that Ms. Olsen is working on with CARB and EPA is doing exactly that. He said it is really important for both ozone and PM2.5 that the District does a good job in articulating those exceptional events and those values from those official metrics. He said for ozone, the great news is we are meeting the standard despite the wildfires. He added that due to the complexity of ozone formation, it is much more difficult to be able to tease out that specific number.

Mayor Bessinger commented that he attended the Fresno County Council of Government's (COG) One Voice tour and one of the speakers discussed the opportunities for vocational training for people to fell trees and remove a lot of the fuel from the forests. He suggested staff could get more information on the possibility of bringing this program to the Valley in the future. Mr. Sheikh said the District has continued to aggressively advocate for fuel reduction programs. Supervisor Crocker emphasized that the spikes seen in 2017 were probably wildfire related and continued to echo the efforts that it is very important to focus on forest health as a Board to continue to help the District to meet all of its goals.

Public Comment: None

12. APPOINT AD-HOC GOVERNING BOARD SUBCOMMITTEE TO NOMINATE CANDIDATES FOR THE 2020 GOVERNING BOARD CHAIR AND VICE CHAIR – Mr. Sheikh said it was time for the Board to go through the process of establishing a new Chair and Vice Chair for the coming year. He reviewed the Board-adopted policy for this process and said appointing the Ad-Hoc Subcommittee is the first step. Chairman Mendes appointed himself, Supervisor Couch, Supervisor Olsen, Mayor Vierra, Councilmember Reyes, and Dr. Sherriffs to serve on the Ad-Hoc Governing Board Subcommittee to nominate candidates for the 2020 Governing Board Chair and Vice Chair.
13. VERBAL REPORT ON CALIFORNIA AIR RESOURCES BOARD ACTIVITIES – Dr. Sherriffs reported on highlights of the California Air Resources Board meetings of September 19, October 24, and November 21, 2019.
14. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sheikh announced the promotion of Ryan Hayashi to Deputy APCO, ahead of Mr. Warner's planned retirement in March 2020. He said the agency was very lucky to have such a

talented team to draw from even with such a major change. He thanked the Governing Board for all of their support to ensure that the District has a talented team from which to draw from in filling important positions such as that of Mr. Warner.

15. GOVERNING BOARD MEMBER COMMENTS – Councilmember Preciado commended Mr. Sheikh and staff for their hard work in 2019 and said he knew they would continue in 2020. He wished all happy holidays and a happy new year.
16. CLOSED SESSION – Ms. Ballatore announced the Board would adjourn to Closed Session to discuss the following:
  1. Public Employee Performance Evaluation pursuant to Government Code Sections 54957 and 54957.6 for the following:
    - a) Executive Director/APCO
    - b) District Counsel
  2. South Coast Air Quality Mgmt. Dist., Bay Area Air Quality Mgmt. Dist., Sacramento Metropolitan Air Quality Mgmt. Dist. v. U.S. E.P.A., et. al., U.S. Ct. of Appeal, D.C. Cir. Case No. 19-1241; State of California, et. al. v. Wheeler, et. al., U.S. Ct. of Appeal, D.C. Cir. Case No. 19-1239, pending litigation

Public Comment: None

*The Board adjourned to Closed Session at 11:59 a.m.  
The Board adjourned from Closed Session at 12:51 p.m.*

At the end of Closed Session, Ms. Ballatore reported in the matter of South Coast Air Quality Mgmt. Dist., Bay Area Air Quality Mgmt. Dist., Sacramento Metropolitan Air Quality Mgmt. Dist. v. U.S. E.P.A., et. al., U.S. Ct. of Appeal, D.C. Cir. Case No. 19-1241; State of California, et. al. v. Wheeler, et. al., U.S. Ct. of Appeal, D.C. Cir. Case No. 19-1239, pending litigation, after discussion, the Board took no action on that item, followed by adjournment.

## **ADJOURN**

*The next scheduled meeting of the Governing Board is: Thursday, January 16, 2020 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.*