

## 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, March 21, 2019**

**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 9:05 a.m.
2. ROLL CALL – was taken and a quorum was present.

*Present:*

Drew M. Bessinger, Councilmember	City of Clovis
David Couch, Supervisor*	Kern County
Bob Elliott, Supervisor**	San Joaquin County
Christina Fugazi, Councilmember**	City of Stockton
Buddy Mendes, Supervisor, <b>Chair</b>	Fresno County
Lloyd Pareira, Supervisor	Merced County
Craig Pedersen, Supervisor	Kings County
Monte Reyes, Councilmember	City of Porterville
Tom Wheeler, Supervisor	Madera County

*Absent:*

John Capitman, Ph.D	Appointed by Governor
Kuylar Crocker, Supervisor	Tulare County
Kristin Olsen, Supervisor	Stanislaus County
Dr. Alexander Sherriffs	Appointed by Governor
Chris Vierra, Mayor	City of Ceres

*\*attended in Southern Region Office*

*\*\*attended in Northern Region Office*

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF CONSENT CALENDAR – Item Numbers (14 – 18): *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, FEBRUARY 21, 2019
15. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2019
16. RECEIVE AND FILE OPERATIONS STATISTICS SUMMARIES FOR FEBRUARY 2019
17. RECEIVE AND FILE BUDGET STATUS REPORTS AS OF FEBRUARY 28, 2019
18. APPROVE BUDGET RESOLUTION AND AGREEMENT WITH PACIFIC PLUMBING TO CONNECT FRESNO OFFICE SOUTHEAST RESTROOMS TO MAIN CITY SEWER LINES

Regarding Item 14. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD MEETING OF THURSDAY, FEBRUARY 21, 2019, Supervisor Elliott requested the Minutes be adjusted to reflect his full statement for Item 7, APPROVE FUNDING FOR STUDY ON FEASIBILITY OF NEW INLAND PORT SYSTEM IN SAN JOAQUIN VALLEY, which was that the scope of the project be broaden to include the Port of Stockton and the I-580 corridor as well. Samir Sheikh, Executive Director/APCO, said staff would adjust the Minutes to reflect Supervisor Elliott's full statement.

Public Comment: None

Moved: Pareira  
Seconded: Wheeler  
Ayes: Bessinger, Couch, Elliott, Fugazi, Pareira, Reyes,  
Wheeler, Mendes  
Nays: None  
Abstain: Pedersen

**Motion unanimously carried to approve Consent Calendar Item Numbers 14 – 18**

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

- Sandra Connery, UCSF Fresno
- Roger Isom, CA Cotton Ginners and Growers Association, Western Agricultural Producers Association
- Brenda Markham
- Connie Young, Citizens Climate Lobby

6. REPORT ON DISTRICT CITIZENS ADVISORY COMMITTEE ACTIVITIES – Manuel Cunha, Fresno County Industry/Agricultural member, reported on highlights from the Citizens Advisory Committee meeting of March 5, 2019.

7. CONSIDER ENHANCEMENTS TO THE DISTRICT'S CLEAN GREEN YARD MACHINE – Brian Dodds, Program Manager, said the District's recently adopted PM2.5 Plan addressed emissions from the lawn and garden sector and discussed a strategy to address emissions from this source category. Mr. Dodds said the District's strategy to reduce emissions from the lawn and garden sector has included providing financial incentives to encourage Valley residents to voluntarily replace their existing gas powered equipment with zero emission, electric technology. The District's Clean Green Yard Machine program provides Valley residents rebates following the purchase of their new lawn mower and the submittal of a complete application. Currently the program provides funding for the replacement of an existing gas powered lawn mower with an electric model. Incentive levels are tiered based on the purchase price of the new unit with available rebates available ranging from \$100 up to \$250. Under the current program, the old lawn mower is required to be delivered to a participating dismantling facility where it is permanently destroyed. This program model has been effective in replacing thousands of high emitting lawn mowers throughout the Valley.

Feedback provided by residents has indicated a strong desire for additional incentive options for residents who do not own an older lawn mower to scrap. In addition, as electric powered lawn and garden equipment has become more widely available there has been interest in promoting the adoption of these zero emission technologies through the District's rebate process.

Mr. Dodds said the purpose of this item was to propose enhancing the residential Clean Green Yard Machines program by adding a rebate option for the purchase of electric lawn mowers, edgers, trimmers, chain saws, and pole saws while not requiring a corresponding destruction of a similar piece of equipment. This additional option would not affect the traditional replacement process but would serve as a complimentary approach to further encourage the adoption of zero emission lawn and garden equipment.

Councilmember Fugazi asked about the application process. Mr. Dodds responded that it would be a simple application requiring proof of purchase. Mr. Sheikh added the District is developing an online application for this program to

simplify the process for residents to apply for this program. Although the incentive levels are lower for this component, staff feels this may encourage participation from those on the fence about electric equipment, while the higher incentive would be available for those with equipment to be turned in.

Supervisor Wheeler suggested the District could conduct outreach at Earth Day events, such as the one planned in Oakhurst, and post signs at retail locations. Mr. Sheikh responded that District staff planned to participate in Earth Day events throughout the Valley. Supervisor Elliott said he supports this expansion of the program. He asked if “eligible entities” included organizations and government entities, such as public works departments. Mr. Sheikh responded the District is about to launch the Commercial Lawn and Garden Zero Emission incentive program, which was recently approved by the Board, which will be targeted at school districts, public agencies, public works, and private contractors. He said he would make sure the Board is notified as soon as the program is opened, so they can reach out to their constituents.

Supervisor Pedersen said he was excited about this program and expanding the District’s efforts to reduce emissions in this area. He added this will bring in an entirely new sector of participants. Councilmember Reyes suggested informing residents of locations for electric battery recycling to close the loop for those who may be interested in the program but have already converted to electric equipment.

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

- Janet Dietz Kamei,
- Thomas Menz,
- Robert Kittridge

*Moved:* Fugazi

*Seconded:* Wheeler

*Ayes:* Bessinger, Couch, Elliott, Fugazi, Pareira, Pedersen,  
Reyes, Wheeler, Mendes

*Nays:* None

***Motion unanimously carried to approve enhancements to the District’s Clean Green Yard Machine Program***

8. AUTHORIZE DISTRICT TO APPLY FOR YEAR 2 FARMER PROGRAM FUNDING WITH TENTATIVE ALLOCATION OF \$104,304,000 – Todd DeYoung, Program Manager, said as a direct result of the District’s advocacy efforts working closely with Valley stakeholders, the State’s 2018-19 Budget included significant new funding for the Valley that will greatly assist in achieving the enormous emissions reductions necessary for our State Implementation Plans aimed at attaining the federal health-based standards.

In 2017, the state legislature appropriated \$135 million in funding statewide to reduce emissions from the agricultural sector through the FARMER Program. The San Joaquin Valley received \$108,000,000 (80%) of the total funding based on the agricultural equipment inventory as well as the need for further reductions in emissions to meet federal air quality standards, including a commitment for large reductions in emissions included in the new PM2.5 Plan adopted by the District and CARB. Since receiving the funding in August of 2018, the District has made substantial progress in administering this funding throughout the Valley in a variety of project categories.

For Fiscal Year 2019-20, the State Legislature allocated \$132,000,000 in FARMER Program funding. The tentative allocations for each air district are based again on the agricultural equipment inventory and emissions data and each district's air quality attainment status. Of this amount, CARB is withholding \$1,620,000 for CARB program administration, leaving \$130,380,000 available for distribution to California air districts. Mr. De Young said the District's tentative allocation of Year 2 FARMER Program funding is \$104,304,000 representing 80% of the total available funding, and asked the Board to approve a Resolution authorizing the District to apply for Year 2 FARMER Program funding.

Mr. Sheikh added the District is actively in the process of working with the legislature to increase the amount of funding for the FARMER program. He said the District has received 80% of the funding for the first two years of the program and is currently asking for \$250 million in total FARMER funding in future years. He said the Citizens Advisory Committee has voted to support this process, and other air districts through the California Air Pollution Control Officers' Association (CAPCOA) are also making the same request. He said staff is getting positive indications back from the legislature and it has been really important to be able to point to response from the agricultural community and real projects on the ground to be able to make that request. The District's new PM2.5 Plan calls for over \$1 billion over the next several years in this sector and state resources are necessary. He added this Resolution continues that initiative to keep pushing for that money and then bringing it to the Valley for these types of projects.

Supervisor Wheeler asked if it was possible for yard tractors to be included in this program. He said he wished more residents were aware of all of the District's efforts to bring additional funding to the Valley to reduce emissions, and voiced frustration at incomplete reporting that places the District in a negative light. He added despite extensive outreach efforts by the District, the public feels that the District is not doing enough. Mr. Sheikh responded the District is continually looking for ways to bring in cost-effective opportunities into the program. He said right now the big focus is on the off-road mobile agriculture equipment that is the focus of the District's State Implementation Plan, although staff has worked on other areas as well. He added they have continued to expand opportunities under the program as they materialize, such as the one mentioned by Supervisor Wheeler. He said the District must follow state guidelines for the program and is funding the equipment that is currently eligible. Supervisor Wheeler reiterated it

is important to keep our eyes open to see what else we can do.

Councilmember Reyes asked if forklifts were included or there was a possibility to do so in the future. He said he was recently approached by a local company who expressed that forklifts are used both indoors and outdoors and those which run on diesel engines could create pollution which could be harmful to employee's health. Mr. DeYoung responded there are different forklifts used in different operations, some are on field and some are used in warehouses and distribution facilities. He said he would be happy to contact the local company and explore funding opportunities. He added some of the on-field, off-road forklifts would likely be eligible under this program.

*Supervisor Pereira left the room at 10:00 a.m.*

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

- Janet Dietz Kamei
- Manuel Cunha, Nisei Farmers League
- Connie Young, Citizens Climate Lobby

*Moved:* Wheeler

*Seconded:* Bessinger

*Ayes:* Bessinger, Couch, Elliott, Fugazi, Pedersen,  
Reyes, Wheeler, Mendes

*Nays:* None

***Motion unanimously carried to authorize District to apply for year 2 FARMER program funding with tentative allocation of \$104,304,000***

*Supervisor Pereira returned at 10:10 a.m.*

9. REVIEW AND PROVIDE COMMENT ON THE DRAFT "2018-19 ANNUAL REPORT TO THE COMMUNITY" – Mr. Sheikh said one of the critical core values of the District is to provide for accountability and transparency in our activities. He said the purpose of the Annual Report to the Community is to provide Valley residents with a detailed account of the District's operations in the preceding year. In contrast to the many detailed, highly scientific and technical reports regularly published by the District, this report outlines the District's goals, objectives, legal obligations, and actions in a more concise and easy-to-follow format for the general public. He said staff hopes this report provides Valley residents with accurate information for objective assessment of our work and progress toward achieving cleaner air.

Mr. Sheikh walked Board members through the draft 2018-19 Annual Report to the Community, and asked for their suggestions and comments. Topics covered in the Annual Report include:

- Air Quality Trends
- District Adopts New Clean Air Plan for Valley
- Responding to Unprecedented Wildfire Air Quality Impacts
- District Launches AB 617 Community Engagement and Protection Program
- Enhancing Air Quality Monitoring in the Valley
- Research Supports Bakersfield Air Quality Monitoring Efforts
- Healthy Air Living Schools Program Serves as Model for the State
- Real-time Electronic Air-Quality Display (READ)
- District Selected to Operate New Statewide Grant Program for Electric Buses
- District Succeeds in Bringing Significant Funding and Resources to the Valley
- Public/Private Investment in Incentive-based Emission-Reduction Projects Exceeds \$2 Billion
- Clean Air Technology Advancements
- New Technologies Better Serve Public
- Sharing the STAR (Service, Teamwork, Attitude and Respect) Culture
- Independent Authority Commends the District for Fiscal Transparency
- District Operations

Supervisor Pedersen said the report was very detailed in trying to tell the story of what the District is about. He suggested adding stories highlighting the sacrifice and effort of businesses and individuals to reduce emissions. Mr. Sheikh thanked Supervisor Pedersen for his great suggestion and said perhaps agricultural stakeholders could assist in an article to be included as part of the FARMER item, as well as an additional article highlighting the vehicle programs that serve our community. He said as a principle, staff would continue to look for these opportunities in the future. Supervisor Pedersen agreed and said these stories would create goodwill for the District.

Supervisor Wheeler voiced agreement with Supervisor Pedersen's idea. He thanked District staff for the great report.

Supervisor Elliott commented on the great ideas of Supervisor Pedersen and suggested in addition to highlighting things that businesses have done to help the District to achieve these goals, it is very important to continue to highlight the efforts that the District has taken to ensure the information that we put out and provides the basis for the actions taken by the Board is accurate. He voiced appreciation for the sections on the District's efforts to ensure our modeling is the best that it can be, and also the section on research that was conducted at the Bakersfield Planz site to ensure that whatever actions taken by the Board is based on information that is scientifically accurate. Supervisor Mendes concurred with Supervisor Elliott's comments.

Supervisor Couch asked, assuming the Board agreed to move forward with this report, if the 2018-19 Annual Report to the Community would be available by April 6<sup>th</sup> for the 4<sup>th</sup> Annual Air Pollution and Climate Change Symposium. Ms. Holt said while the final version may not be ready by then, staff plans to participate in that event and would make a version of the report available.

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

- Connie Young, Citizens Climate Lobby
- Irvin Ruhl
- Janet Dietz Kamei

10. RECEIVE AND FILE DISTRICT'S ANNUAL AIR TOXICS REPORT FOR THE YEAR 2018 – Dave Warner, Deputy APCO, said the California Health and Safety code requires the District to prepare and distribute an annual report describing the implementation of the state Air Toxic Hot Spots Information and Assessment Act of 1987. He said the state Hot Spots Act, is only one part of the District's comprehensive program to regulate air toxics. To achieve maximum efficiency and effectiveness, the District operates an integrated air toxics program that harmonizes local, state, and federal mandates wherever possible.

Mr. Warner presented the District's Annual Air Toxics Report which detailed the District's efforts and progress in the District's integrated air toxics program aimed at reducing Valley residents' exposure to toxic air contaminants.

Supervisor Wheeler asked what percentage of the \$2 billion in public and private investment that reduced 147 thousand tons of emissions would be agriculture-related. Mr. Warner responded it is a significant percentage.

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

- Janet Dietz Kamei

11. VERBAL REPORT ON AIR RESOURCES BOARD ACTIVITIES – Mr. Sheikh referred members to the written item in their Board agenda packets, as Dr. Sherriffs was attending the CARB Board meeting.
12. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sheikh said after surveying Board members, staff have scheduled the Governing Board Study Session at the Pines Resort, Bass Lake on October 16-17, 2019. He added once again this would be another interesting meeting with a number of key strategic items on the agenda. He said staff would bring an item to the Board at a future meeting with planned Study Session agenda items.

In addition, he mentioned that staff was asked to testify this week in Sacramento at an Assembly Natural Resources Committee to discuss implementation of AB 617. Mr. Sheikh joined other air district colleagues who have AB 617



communities in this first year on quite a lengthy session which lasted about 5 hours. He said every regional air district representative testified on their implementation efforts, followed by regional community advocates speaking. He said the District had good representation on the progress made and issues related to AB 617. Lastly, he mentioned there are a few copies of the District's Annual Kids Calendar left and invited members to take as many as they need.

13. GOVERNING BOARD MEMBER COMMENTS – Supervisor Wheeler thanked staff for their great presentations at today's meeting, and said it was evident they take pride in what they do. He asked if the District had jurisdiction on tribal land, as there was a huge excavation project taking place at a location in Oakhurst. Mr. Sheikh responded that as tribal areas are sovereign land, the District does not have jurisdiction over activities on these lands. Mr. Sheikh added while the District does not have jurisdiction over tribal land, the federal EPA works with tribes to ensure that environmental safeguards are implemented which are at least as stringent as federal law. He said that staff will provide Supervisor Wheeler with a contact at Region 9 EPA.

Regarding forest health and climate change, Supervisor Wheeler said he has lived in the mountains since 1958. He noted that the forest is one of the most renewable resources that we have, and if we don't take care of it, just like farmers who have crops, then negative results such as disease and dying trees will occur as they are now.

Councilmember Bessinger said he attended an outreach event for the District's Tune In Tune Up program this week in Clovis, with great testimonials from program participants about how the assistance they received made a difference for them.

Councilmember Reyes said he has been contacted by the Tule River-Yokuts tribe near Porterville, with interest in trying to improve air quality, trying to mitigate pollution and questions on how that collaboration could happen knowing that currently there is not a mechanism in place to do so. He said a lot of tribes purchase land that is off-reservation, and wondered if there would be a potential to mitigate some of those emissions via voluntary efforts where regulation has not reached. He said he thinks there is an attempt to join the efforts to reduce pollution and improve air quality, especially where it has not been touched by regulations yet. Mr. Sheikh said staff has had quite a bit of engagement with different tribes in the past who wanted to learn about District programs, and he was excited to hear about these opportunities. He said he would have staff follow up with Councilmember Reyes.

## **ADJOURN**

*The Chair adjourned the meeting at 11:29 a.m.*

*The next scheduled meeting of the Governing Board is: April 18, 2019 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.*