

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 17, 2022
9:00 a.m.

Given the international COVID-19 pandemic, and consistent with public health recommendations and Assembly Bill 361, this meeting was held via Zoom Webinar and video teleconferencing with the Central Region Office (Fresno). This meeting was also webcast.

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

Present:

Drew M. Bessinger, Councilmember	City of Clovis
Vito Chiesa, Supervisor, Vice Chair	Stanislaus County
David Couch, Supervisor	Kern County
Christina Fugazi, Vice Mayor	City of Stockton
Deborah Lewis, Councilmember*	City of Los Banos
Buddy Mendes, Supervisor	Fresno County
Tania Pacheco-Werner, Ph.D.	Appointed by Governor
Craig Pedersen, Supervisor	Kings County
Lloyd Pereira, Supervisor	Merced County
Alvaro Preciado, Mayor	City of Avenal
Monte Reyes, Councilmember, Chair	City of Porterville
Robert Rickman, Supervisor***	San Joaquin County
Alexander Sherriffs, M.D.	Appointed by Governor
Amy Shuklian, Supervisor**	Tulare County

Absent:

Tom Wheeler, Supervisor	Madera County
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*arrived at 9:08 a.m.

** arrived at 9:19 a.m.

***arrived at 10:21 a.m.

3. PLEDGE OF ALLEGIANCE

The Governing Board meeting was interrupted at 9:08 a.m. due to technical difficulties.

The Governing Board meeting resumed at 9:13 a.m.

4. APPROVAL OF CONSENT CALENDAR – Item Numbers (14 - 20): *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. ASSEMBLY BILL 361 AND DISTRICT REMOTE TELECONFERENCING UPDATE
15. APPOINTMENTS TO THE DISTRICT'S ENVIRONMENTAL JUSTICE ADVISORY GROUP
16. REAPPOINTMENTS TO THE DISTRICT'S ENVIRONMENTAL JUSTICE ADVISORY GROUP
17. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD MEETING OF THURSDAY, FEBRUARY 17, 2022
18. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2021
19. RECEIVE AND FILE OPERATIONS STATISTICS SUMMARY FOR FEBRUARY 2022
20. RECEIVE AND FILE BUDGET STATUS REPORTS AS FEBRUARY 28, 2022

Public Comment: None

Moved: Bessinger
Seconded: Mendes
Ayes: Bessinger, Chiesa, Couch, Fugazi, Lewis, Mendes, Pacheco-Werner, Pareira, Pedersen, Sherriffs, Shuklian, Reyes
Nays: None

Motion unanimously carried to approve Consent Calendar (Items 14-20)

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

- Connie Young, Citizens Climate Lobby (CCL)
- Anthony Molina, Fresno County Bicycle Coalition

- Thomas Menz, Fresno Resident

6. REPORT ON DISTRICT CITIZENS ADVISORY COMMITTEE ACTIVITIES, Manuel Cunha, Citizens Advisory Chair, reported on highlights from the CAC meeting held on March 1, 2022.
7. WELCOME MARTHA GUZMAN, EPA REGION 9 ADMINISTRATOR – Chairman Reyes welcomed Martha Guzman, recently appointed the EPA Region 9 Administrator. Samir Sheikh, Executive Director/APCO, also welcomed Administrator Guzman and said it was an honor to have her in the Valley and in attendance at the Board meeting.

Administrator Guzman shared her own personal commitment to the Valley and thanked the Board and staff for their commitment to their communities. She remarked on the air quality progress in the Valley, and noted the air quality challenge has been made even more difficult due to climate changes and the impacts of wildfires and droughts. She also shared her excitement to partner with the District on some of the innovative approaches they will be taking, including electrification strategies and goods movement.

Supervisor Chiesa voiced appreciation for Administrator Guzman's visit. He highlighted the particular challenges that the Valley faces, including the need for truck rules due to the impacts of goods movement on air quality. He said the Board and District staff look forward to working closely with Administrator Guzman and her team.

8. RECEIVE UPDATE ON ATTAINMENT PLANNING EFFORTS FOR FEDERAL PARTICULATE AND OZONE STANDARDS – Jessi Fierro, Director of Planning, provided Board members with an update on the status and next steps regarding attainment plans for particulates and ozone.

Supervisor Mendes expressed concerns about railroads and the amount of pollution they generate. Mr. Sheikh responded that locomotives last a very long time and their emissions are very large and projected to become relatively larger because other sources decline over time. He reminded the Board that the District submitted a petition for stronger locomotive standards. He said the state is looking at options to work with railroads to get further reductions, and it is important that there is strong engagement from CARB and EPA. He added while the District offers incentives they must continue to look for ways to reduce locomotive emissions in the future.

Dr. Sherriffs said this was a complicated issue but staff is doing a good job of providing clarity to these layers that we struggle with but also understanding better how attaining one standard helps attain the others and the work we do today pays off in the future. He commented on the public health impacts of air pollution and wildfires, adding public education deserves more emphasis in terms of helping the public do the right thing for the things they have control over. He

said the graphs illustrate the importance of the things that the federal government has control over and the District needs to continue to advocate for federal action.

Dr. Pacheco-Werner highlighted the importance of continuing to look for opportunities to advocate for control measures in the rail yards. She agreed with Dr. Sherriffs comments about the public health impact of wildfires and emphasized the importance of public health while looking at attainment. She also agreed with the public suggestion to incentive electric bikes and said striking the right balance as an air district in terms of incentivizing and regulatory action is important because of the unique challenges faced by the Valley. She thanked District staff for working so hard on the implementation of all of these measures that have reduced our pollution and getting us closer to attainment.

Supervisor Pedersen commented on the Sustainable Groundwater Management Act (SGMA) that could potentially lead to 1-2 million acres going out of production on the west side of the Valley under threat of lack of water. He said the District needs to be involved in the discussions about water because of the productive nature of agriculture, which also acts as a net scrubber of environmental pollutants. He added thousands of acres are transitioning to solar production in the Valley, which also means that land will no longer be used for agriculture.

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

- Manuel Cunha, Nisei Farmers League
- Jasmin Martinez, Central Valley Air Quality Coalition (CVAQ)
- Thomas Menz, Fresno Resident
- Cynthia Pinto-Cabrera, CVAQ
- Pedro Hernandez, CVAQ
- Connie Young, CCL

9. ACCEPT \$168,425,600 IN STATE FARMER PROGRAM FUNDS FOR USE IN THE DISTRICT'S AGRICULTURAL EQUIPMENT REPLACEMENT PROGRAM

- Todd DeYoung, Director of Grants and Incentives, presented this item which asked the Board to accept \$168,425,600 from the state FARMER program to fund the replacement of agricultural equipment in the Valley. Mr. DeYoung also recommended adjustments to the incentive levels in the District's Agricultural Equipment Replacement Program to bring incentive levels back to Board-approved funding targets, and to provide enhanced opportunities for small agricultural operations.

Mr. DeYoung introduced Erin Uchida, Air Pollution Specialist at CARB, who provided supportive comments about the District's continued participation in this program.

Councilmember Bessinger said he liked that the program allowed small agricultural operators to get used equipment. He said this could help the small

family operations in the Valley's disadvantaged communities who are suffering because of the drought.

Supervisor Pareira said in today's world a 300 or 400 acre farm is also considered a small operation. He suggested creating another category for 101 to 501 acres at 70%. Mr. Sheikh responded at the Board's direction, the guidelines could allow for Supervisor Pareira's suggestion.

Dr. Sherriffs said it makes sense that the Board consistently define small operations across District programs. He agreed there are many issues for small farmers and the District needs to be cognizant and consider the environmental justice issues that are deeply tied up in that as well. He added that there are a lot more tractor options than there were years ago and he wants to be sure that District funding is helping support people who are thinking of the newer technology as it would help push technology towards more zero emission equipment. He thanked staff for their great work on this program.

Supervisor Rickman voiced support for Supervisor Pareira's recommendation. Supervisor Mendes concurred, and added it is very important that the used equipment is checked out by the dealer to ensure it is in good working order before it is given to the other party.

Chairman Reyes thanked everyone for highlighting the complexities of this issue because it shows the effort for a transparent response to the circumstances and helps build trust within industry to further support the District's mission as a public health agency with long-term investments to improve air quality.

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

- Manuel Cunha, Nisei Farmers League
- Will Scott, African American Farmers of CA
- Jimmy Perry, Fresno Equipment
- Joseph Ayerza, Fresno Equipment
- John Yergat, JFS Enterprises
- Chris McGlothlin, Western Ag Processors Association; CA Cotton Ginners and Growers Association
- Kevin Abernathy, Milk Producers Council; Dairy Cares

Dr. Sherriffs proposed an amendment to provide an additional incentive amount for fully electric equipment. Mr. Sheikh responded the District's goal is to further the latest advanced technologies and is will integrate CARB's guidelines amendments for including this equipment into the program. He said staff are currently in discussions with manufacturers to support deploying projects in the Valley with fully electric equipment, given the additional costs and infrastructure involved. He suggested that staff could come back to the Board with more information and recommendations, once they fully understand how to further promote the technology. Dr. Sherriffs thanked Mr. Sheikh for the clarification.

Supervisor Pedersen said farmers are fully supportive of pushing newer technology when feasible. He said it was important to ensure there is efficient and effective equipment available.

Dr. Pacheco-Werner voiced agreement for Dr. Sherriffs' suggestion and she is very interested in newer technology now, because there is so much coming in terms of regulations and electrification guidelines. She added it was important to take a global approach and really learn from wherever the technology was being used, not just from a startup perspective, but from the whole life cycle of a tractor to really understand the cost and how to advocate from a state and federal level for incentive dollars.

Mr. Sheikh responded affirmatively that staff is prioritizing electric tractor research and pilot projects to gather better data to bring back to the Board. He reiterated that this program is cutting edge and far beyond what any other area in the world is doing right now.

Supervisor Pareira made a motion to approve staff recommendations, with the addition of a third category for operations of 101-500 acres at 70% incentive.

Moved: Pareira
Seconded: Rickman
Ayes: Bessinger, Chiesa, Fugazi, Lewis, Mendes, Pacheco-Werner, Pareira, Pedersen, Rickman, Sherriffs, Shuklian, Reyes
Nays: None

Motion unanimously carried to (1) accept \$168,425,600 in state FARMER program funds from the California Air Resources Board to fund the replacement of agricultural equipment in the San Joaquin Valley and authorize the District to administer this funding in accordance with current and future FARMER Program guidelines; (2) approve adjustments to the incentive levels in the District's Agricultural Equipment Replacement Program to maintain Board-approved program funding targets; (3) approve increased incentive levels in the District's Agricultural Equipment Replacement Program for small agricultural operations of less than 100 acres in size; (4) approve increased incentive levels in the District's Agricultural Equipment Replacement Program for agricultural operations of 101 to 500 acres; and (5) authorize the Executive Director/APCO to make administrative changes to the program, including approving ongoing incentive level adjustments, as necessary to ensure successful program implementation.

10. RECEIVE AND FILE DISTRICT'S ANNUAL AIR TOXICS REPORT FOR 2021 – Brian Clements, Director of Permit Services, presented the District's Annual Air Toxics Report for the Year 2021.

Public Comment: None

11. VERBAL REPORT ON CALIFORNIA AIR RESOURCES BOARD ACTIVITIES – Dr. Pacheco-Werner reported on highlights from the CARB Board meetings held on February 10, 2022 and February 24-25, 2022.
12. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sheikh congratulated Dr. Pacheco-Werner on being named Woman of the Year for Assembly Member Arambula’s District, and thanked her for her ongoing diligence and hard work in representing the Valley on the CARB and District Governing Boards. He announced staff would be participating on the CARB workshop on methane, dairies, livestock, and renewable natural gas in California. He said the District would also be supporting the process along with other agencies. Mr. Sheikh also said staff are planning to host a Governing Board Study Session, potentially in October 2022, and hoping for the best as we continue to emerge from the COVID-19 pandemic.

Mr. Sheikh also announced the District and CARB are planning to hold a summit related to the Alternatives to Open Burning that is scheduled for May 17-18, 2022. Lastly, he announced that AB 2550 is a spot bill that was recently introduced and has to do with oversight with respect to air quality. He said staff have reached out to Assembly Member Arambula, the bill’s author, to get more clarification and help with issues that they are trying to address with this bill.

13. GOVERNING BOARD MEMBER COMMENTS – Vice Mayor Fugazi recognized Administrator Guzman for attending today’s meeting and also for taking the time to come to Stockton and meet with more than a half dozen of their community groups. Regarding the recent Tune in Tune Up event held in Stockton on March 5, 2022, she said approximately 400 cars participated with more than 150 lined up before 6:30 a.m. She added there was great interest in the electric lawnmowers at the event and suggested that e-bikes should also be present for demonstration at these events. She also advocated for more funding and outreach for this program.

Vice Chair Chiesa thanked Dr. Pacheco-Werner for doing a great job representing the Valley on the CARB Board. He said he recently went on a tour of an air monitoring station which was very educational, and he invited Mr. Sheikh to present at a future Stanislaus County Board of Supervisors meeting.

Supervisor Rickman complimented staff on the Tune In Tune Up event held in Stockton, saying it was a great event that was popular and well run.

Councilmember Lewis said it was good to hear about the high level of participation at the Stockton event and suggested ramping up these events especially due to the high cost of gasoline these days. Regarding Item 9, she voiced appreciation for staff work to keep the Board apprised at what is available for the future. She said it was important to remember that today’s action was

focused on more incentives for small farmers and it was important to do the research before jumping in to new technology.

Mr. Sheikh announced the District was celebrating its 30th Anniversary this year and said valuable information on the history and accomplishments at the District would be shared at the June Governing Board meeting. He thanked the Board for all of the hard work they do.

Chairman Reyes thanked staff for all of their hard work and due diligence in providing the Board with the information they need. He thanked the Board for their thoughtful comments and deliberations today and especially the public for engaging in the process.

ADJOURN

Councilmember Reyes adjourned the meeting at 12:12 p.m.

The next scheduled meeting of the Governing Board is: Thursday, April 21, 2022. 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 Zoom audio and video teleconference (VTC).