

Action Summary Minutes

San Joaquin Valley Unified Air Pollution Control District

GOVERNING BOARD MEETING

Thursday, April 20, 2023

9:00 a.m.

Meeting was held via video teleconference (VTC): Central Region Office, Governing Board Room, 1990 E. Gettysburg Avenue, Fresno, the Southern Region Office, VTC Room, 34946 Flyover Court, Bakersfield, and teleconference in the Northern Region Office, VTC Room, 4800 Enterprise Way, Modesto. Members of the public were allowed to participate in-person at any of the referenced locations or remotely via Zoom webinar. The meeting was also webcast.

1. CALL MEETING TO ORDER – The Vice Chair, Councilmember Deborah Lewis, called the meeting to order at 9:06 a.m.
2. ROLL CALL – was taken and a quorum was present.

Present:

Deborah Lewis, Councilmember, Vice Chair	City of Los Banos
Drew Bessinger, Councilmember	City of Clovis
David Couch, Supervisor	Kern County
Lloyd Pareira, Supervisor ¹	Merced County
Robert Rickman, Supervisor ²	San Joaquin County
Alexander Sherriffs, M.D.	Appointed by Governor
Amy Shuklian, Supervisor	Tulare County
Buddy Mendes, Supervisor	Fresno County
Tania Pacheco-Werner PhD	Appointed by Governor
Rusty Robinson	Madera County

Absent:

Supervisor Macaulay, Supervisor Chiesa, Mayor Preciado

3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF CONSENT CALENDAR – ITEM NUMBERS (18-26)
 18. REAPPOINT AT-LARGE MEMBER TO THE DISTRICT'S ENVIRONMENTAL JUSTICE ADVISORY GROUP

¹ Arrived at 9:20 a.m.

² Arrived at 9:20 a.m.

19. REAPPOINT CITIZENS ADVISORY COMMITTEE MEMBER TO THE DISTRICT'S ENVIRONMENTAL JUSTICE ADVISORY GROUP
20. RECEIVE AND FILE QUARTERLY UPDATE TO THE BEST AVAILABLE CONTROL TECHNOLOGY (BACT) CLEARINGHOUSE
21. APPROVE CONTRACT WITH ENTHALPY ANALYTICAL, LLC TO PROVIDE LABORATORY ANALYSIS OF CARBONYL COMPOUNDS FOR A TOTAL OF \$46,773
22. APPROVE CONTRACT WITH ENTHALPY ANALYTICAL, LLC TO PROVIDE LABORATORY ANALYSIS OF NON-METHANE ORGANIC COMPOUNDS FOR A TOTAL OF \$113,960
23. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED GOVERNING BOARD MEETING OF THURSDAY MARCH 16, 2023
24. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2023
25. RECEIVE AND FILE OPERATIONS STATISTICS SUMMARY FOR MARCH 2023
26. RECEIVE AND FILE BUDGET STATUS REPORTS AS OF MARCH 31, 2023

Public Comment: None

Moved: Shuklian
Seconded: Bessinger
Ayes: Couch, Bessinger, Lewis, Mendes, Pacheco-Werner, Shuklian, Robinson, Sherriffs
Nays: None

Motion carried to approve Consent Calendar (Items 18-26).

5. PUBLIC COMMENT – The following individual provided public comment at this meeting:
 - Connie Young, Citizens Climate Lobby (CCL)
6. STAR RECOGNITION (Service, Teamwork, Attitude, Respect) – Chenecua Dixon, Director of Personnel, recognized the following staff members for reaching a service milestone during the first quarter of 2023:

Five Years of Service
Dio Carrillo, Senior Accountant

Fifteen Years of Service

Jeff Riding, Senior Air Quality Specialist

Nathan Trevino, Supervising Air Quality Instrument Technician

7. REPORT ON DISTRICT CITIZENS ADVISORY COMMITTEE ACTIVITIES– Manuel Cunha, Citizens Advisory Committee Chair, reported on highlights from the meeting held on April 4, 2023.

8. RECEIVE AND FILE CALIFORNIA AIR RESOURCES BOARD PROGRAM REVIEW OF DISTRICT ADMINISTRATION OF STATE AIR POLLUTION REDUCTION INCENTIVE PROGRAMS –Todd DeYoung, Director of Grants and Incentives, presented the results of the CARB program review of the District administration of state emission reduction incentive programs. This review was the largest incentive program review ever conducted by CARB and covered eleven fiscal years, nine distinct incentive programs, approximately 13,500 individual projects, and more than \$623 million in funding. The review concluded that the District incentive programs reviewed are achieving their emissions reduction and program objectives in an effective and efficient manner and revealed no negative findings. Tess Sicat, Chief of the Incentives and Technology Advancement Branch for CARB, joined the presentation to highlight the results of the review and confirmed that SJVAPCD and CARB have partnered to significantly contribute to air quality improvements with these programs.

Mr. Bessinger commended the District on the successful results of such a large scale audit.

Dr. Sherriffs congratulated the District on great work and validation that the work is being done efficiently.

Mr. Robinson echoed the previous comments on a job well done and encouraged the District to continue the great work.

Public Comment: *The following individual(s) commented on this item:*

- Chris McGlothlin, Western Ag Processors Association & California Cotton Ginners and Growers Association

9. REPORT ON 2022-2023 WINTER RESIDENTIAL WOODSMOKE REDUCTION STRATEGY – Jon Klassen, Director of Air Quality Science and Planning, and Jaime Holt, Chief Communications Officer, presented the District’s report on implementation of the residential woodsmoke reduction strategy for the 2022-2023 winter season.

Dr. Sherriffs commended the staff on extraordinary work that has been cost effective and has great value in terms on health benefits for Valley residents.

Mr. Bessinger appreciated being able to see the residents who are using the programs share their experiences in the commercials.

Dr. Pacheco-Werner remarked that she shares all of the same sentiments as the other board members. Additionally, she offered to assist with any work on qualitative research such as a focus group to find out baseline knowledge on the heat pumps.

Mr. Samir Sheikh, Executive Director/APCO, thanked Dr. Pacheco-Werner for assisting in enhancements to the outreach for these efforts.

10. APPROVE NEW VALLEY-WIDE CLEAN AIR ROOMS RESIDENTIAL AIR FILTRATION PROGRAM FOR VALLEY COMMUNITY – Brian Dodds, Program Manager for the District’s Grants and Incentives Department, presented on the successful implementation of the Clean Air Rooms pilot program and recommended the Board approve a new Valley-wide Clean Air Rooms incentive program with funding of up to \$1,000,000 for the program.

Dr. Sherriffs commended the program and asked how this program will be promoted. Mr. Sheikh responded that this program will be promoted as part of the District’s wildfire response outreach efforts and the District will also continue the collaboration with local organizations as was done during the pilot program implementation.

Dr. Pacheco-Werner thanked the residents for coming and sharing their perspectives.

Mr. Bessinger inquired about this program’s availability to communities outside of the AB617, to which Mr. Sheikh explained this program would be available to residents valley wide.

Public Comment: *The following individual(s) commented on this item:*

- Andrea Uribe, Leadership Counsel for Justice & Accountability
- Rosa Casillas-Gutierrez, Resident
- Sylvia Moreno, Resident
- Bertha Garcia, Resident
- Ascension Aguayo, Resident

Moved: Shuklian

Seconded: Mendes

Ayes: Bessinger, Couch, Lewis, Mendes, Pacheco-Werner, Pareira, Rickman, Robinson, Sherriffs, Shuklian

Nays: None

Motion unanimously carried to (1) approve new Valley-wide Clean Air Rooms incentive program to provide residential air filtration units to

residents residing in Disadvantaged Communities throughout the San Joaquin Valley and approve up to \$1,000,000 in funding for this program; and (2) authorize the Executive Director/APCO to enter into any necessary agreements with equipment vendors, retail partners and/or subcontractors and to make administrative changes to the program as necessary to ensure successful implementation of the program.

11. APPROVE PROJECT PLAN FOR IMPLEMENTATION OF CAR SHARE PROGRAM WITHIN THE SHAFTER AB 617 COMMUNITY – Todd DeYoung, Director of Grants and Incentives, presented the project plan for a new car share program within the Shafter AB 617 community. Consistent with the approved Community Emissions Reduction Program for the Shafter AB 617 community, the District has worked with the Shafter Community Steering Committee, the City of Shafter, and Kern County to develop the new car share program that will enable residents to obtain affordable access to zero-emission vehicles without the burden of ownership.

Mr. Bessigner inquired about the types of companies that have operated these types of programs and could it be utilized as an employer ride share service. Mr. DeYoung explained that there are several ride share agencies that are operating in California and the Valley that would be potential applicants for this opportunity. Mr. DeYoung also explained that this program will not be designed as a ride share to a regular route like an employer location, but offer more flexibility for the users that have a specific need.

Dr. Pacheco-Werner recommended that the scoring criteria contain an element for experience within rural communities. Mr. DeYoung said that the scoring criteria is not finalized, so this recommendation could be included with Board direction.

Mr. Mendes asked if someone would need to be an experienced ride share company to partner with the District on this project. Mr. DeYoung responded that this would be included in the scoring criteria.

Dr. Sherriffs shared his appreciation for the District developing projects like these that have terrific benefits to the community and air quality. He also inquired about the sustainability of a project like this when the funding runs out. Mr. DeYoung responded that he envisions ongoing discussions with the city and other community stakeholders to evaluate the performance and cost-effectiveness of this program in order to assess the sustainability of the program.

Mr. Robinson asked if this program would involve commuters. Mr. DeYoung explained that the vision for this program is focused on the residents of Shafter who do not have access to transit so they may be able to attend to errands, appointments, etc.

Ms. Lewis inquired as to how the residents would get to the locations that the vehicles are stored. Mr. DeYoung explained the District is envisioning this to operate under a few scenarios: one being the vehicles are located at a central, walkable location, and the other being a service that picks up and drops off residents.

Public Comment: *The following individual(s) commented on this item:*

- *None*

Moved: Pacheco- Werner

Seconded: Shuklian

Ayes: Bessinger, Couch, Lewis, Mendes, Pacheco-Werner, Pareira, Rickman, Robinson, Sherriffs, Shuklian

Nays: None

Motion unanimously carried to (1) approve the Project Plan for implementation of a Car Share Program within the Shafter AB 617 community, consistent with District Board and CARB-approved Community Emissions Reduction Program; (2) authorize the Board Chair, with Executive Director/APCO recommendation, to execute agreements necessary for successful implementation of the program; and (3) authorize the Executive Director/APCO to make administrative changes to the program as necessary to ensure successful implementation of the program.

12. VERBAL REPORT ON ATTAINMENT PLANNING EFFORTS FOR FEDERAL PM2.5 STANDARDS– Emily Kneeland, Program Manager for the District’s Planning Department, presented an update regarding the District’s ongoing work and analysis to satisfy PM2.5 planning requirements, including contingency requirements for the PM2.5 standards.

Mr. Rickman asked about any updates regarding adding an exemption for firebreaks to Rule 8051 (*Open Areas*). Mr. Sheikh responded this concept is being considered as the rule is being evaluated.

Mr. Rickman asked if there are any updates after recent EPA hearings in Congress. Mr. Sheikh responded that there is significant concern among Valley legislators and there has been conversations at the federal level regarding the work that needs to be done in order to make sure our region doesn’t end up facing sanctions. Mr. Sheikh added that there are a variety of different stakeholders interested in finding a solution. The District is working closely with EPA region nine to provide the information necessary to have an approvable proposal within the required timeframe.

Dr. Pacheco-Werner thanked the District for the amount of time and effort that has gone into working with EPA on this issue. She asked for clarification about the contingency analysis. Mr. Sheikh confirmed that even after accounting for the

District's proposed measures, additional reduction are still needed to meet the contingency targets.

13. ADOPT PROPOSED AMMENDMENTS TO DISTRICT RULES 1020, 2201, AND 2301 – Morgan Lambert, Deputy APCO, presented proposed amendments to District Rule 2201 (*New and Modified Stationary Source Review*), 2301 (*Emission Reduction Credit Banking*), and Rule 1020 (*Definitions*) for consideration by the Board. The proposed amendments represent the latest in a series of actions taken by the Board aimed at enhancing transparency, rigor, and public engagement surrounding the District's permitting and emission reduction credit programs in response to federal offset equivalency remedies contained within Rule 2201, District commitments to the CARB review of the District's offset program, and EPA's proposed limited approval/limited disapproval of the 2019 version of Rule 2201 in July 2201.

Dr. Sherriffs requested clarification regarding the valuation of offsets at time of use versus time of issuance. Mr. Lambert clarified that federal offsetting regulations require offsets to be valued at the time of use in a permitting project. The District has historically met this requirement through a programmatic equivalency system. As this is no longer feasible for projects requiring federal NOx and VOC offsets, the District no longer operates an equivalency system for these pollutants and has required project proponents to supply sufficient offsets valued at the time of use since September of 2020. Given the fact that the District's program for PM and SOx remains more stringent than the federal regulations, the District proposed to satisfy federal offsetting requirements for those pollutants through a modified, programmatic equivalency system consistent with state and federal guidance.

Public Comment: *The following individual(s) commented on this item:*

- Cynthia Pinto-Cabrera, Central Valley Air Quality Coalition (CVAQ)
- Christine Zimmerman, Western States Petroleum Association (WSPA)

Moved: Bessinger

Seconded: Mendes

Ayes: Bessinger, Couch, Lewis, Mendes, Pacheco-Werner, Pareira, Rickman, Robinson, Sherriffs, Shuklian

Nays: None

Motion unanimously carried to (1) adopt the proposed amendments to Rule 2201 (New and Modified Stationary Source Review), Rule 2301 (Emission Reduction Credit Banking), and Rule 1020 (Definitions); and (2) authorize the Board Chair to sign the Resolution for this action.

14. VERBAL REPORT ON CALIFORNIA AIR RESOURCES BOARD ACTIVITIES – Dr. Pacheco-Werner provided updates on CARB activities including potential amendments to the Advanced Clean Fleets Regulation and the development of an In-Use Locomotive Regulation.

15. EXECUTIVE DIRECTOR/ APCO COMMENTS – Mr. Sheikh provided the following comments:

- There are several bills in the current legislative session that would impact the Valley and the District and there are key policy committee hearing scheduled in the coming week for those bills.
- The District continues to advocate along with other Valley stakeholders to funding in the state budget.
- The Special City Selection Committee will be holding a meeting on April 20, 2023, to consider appointing members to serve in the two vacant Governing Board seats.
- Congratulations to Dr. Pacheco-Werner on her recent appointment as the Executive Director of the Central Valley Health Policy Institute.
- The District is engaging with and supporting various Valley stakeholders to ensure the Valley is able to access new federal funding opportunities under the Inflation Reduction Act and the Bipartisan Infrastructure Law.
- A recent report from the American Lung Association highlighted significant improvements being made in the Valley, especially given the significant impacts of the wildfires over the past few years.
- The District will be participating in multiple Earth Day events throughout the Valley.

16. GOVERNING BOARD MEMBER COMMENTS – Vice Chair Lewis thanked the Board for their participation in today's meeting.

Vice Chair Lewis moved the meeting into Closed Session.

17. CLOSED SESSION – Annette Ballatore, District Counsel, held a Closed Session with no reportable action taken, on pending litigation pursuant to the Ralph M. Brown Act Government Code Section 54956.9(d)(2), as follows:

1. Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation (1 potential case)

ADJOURN

Vice Chair Lewis adjourned the meeting at 12:45 p.m.