

Action Summary Minutes

San Joaquin Valley Unified Air Pollution Control District

GOVERNING BOARD MEETING

Thursday, October 19, 2023

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, and 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 Chair, Supervisor Vito Chiesa, called the meeting to order at 9:03 a.m.
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL – was taken and a quorum was present.

Present:

Vito Chiesa, Supervisor, Chair	Stanislaus County
Deborah Lewis, Councilmember, Vice Chair	City of Los Banos
David Couch, Supervisor	Kern County
Rosa Escutia-Braaton, Councilmember	City of Modesto
Robert Macaulay, Supervisor	Madera County
Buddy Mendes, Supervisor	Fresno County
Tania Pacheco-Werner, PhD	Appointed by Governor
Lloyd Pareira, Supervisor ¹	Merced County
Alvaro Preciado, Mayor	City of Avenal
Gilberto Reyna, Councilmember ²	City of Wasco
Robert Rickman, Supervisor ³	San Joaquin County
Rusty Robinson, Supervisor	Kings County
Alexander Sherriffs, M.D.	Appointed by Governor

Absent:

Councilmember Bessinger, Supervisor Shuklian

¹ Left at 11:58 a.m.

² Arrived at 9:12 a.m.

³ Left at 11:36 a.m.

4. APPROVAL OF CONSENT CALENDAR – ITEM NUMBERS (16-26)
16. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED GOVERNING BOARD MEETING OF THURSDAY, SEPTEMBER 21, 2023
 17. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2023
 18. RECEIVE AND FILE SUMMARY OF RULES AND PLANS
 19. RECEIVE AND FILE OPERATIONS STATISTICS SUMMARY FOR SEPTEMBER 2023
 20. RECEIVE AND FILE BUDGET STATUS REPORTS AS OF SEPTEMBER 30, 2023
 21. ADOPT PROPOSED DISTRICT RULE 3171
 22. AMEND 2023-24 NON-OPERATING BUDGET TO ADJUST ESTIMATED AMOUNTS TO ACTUAL AMOUNTS AS OF JUNE 30, 2023
 23. RECEIVE AND FILE LISTING OF REFUNDS FOR FISCAL YEAR 2022-23
 24. RECEIVE AND FILE QUARTERLY UPDATE TO THE BEST AVAILABLE CONTROL TECHNOLOGY (BACT) CLEARINGHOUSE
 25. APPOINTMENTS TO THE DISTRICT'S ENVIRONMENTAL JUSTICE ADVISORY GROUP
 26. APPOINT REGIONAL HEARING BOARD MEMBERS AS RECOMMENDED BY THE CITIZENS ADVISORY COMMITTEE

Public Comment: None

Moved: Sherriffs
Seconded: Rickman
Ayes: Couch, Escutia-Braaton, Lewis, Macaulay, Mendes, Pacheco-Werner, Pareira, Preciado, Rickman, Robinson, Sherriffs, Chiesa
Nays: None

Motion carried to approve Consent Calendar (Items 16-26).

5. PUBLIC COMMENT – The following individuals commented under this item:
- Ed Ward, Valley Pacific Petroleum Services

- Connie Young, Citizens Climate Lobby (CCL)
- Janet Dietzkamei, Resident

6. STAR RECOGNITION (Service, Teamwork, Attitude, Respect) – Chenecua Dixon, Director of Personnel, recognized the following staff members for reaching a service milestone during the third quarter of 2023:

Five Years of Service

Eriverto Arredondo, Air Quality Inspector
Aimalefoa Maga, Air Quality Assistant
Vishal Patel, Air Quality Inspector
Margarita Rodriquez, Air Quality Assistant

Ten Years of Service

Anton Simanov, Senior Web Specialist
Julie Rey, Personnel Administrator

Fifteen Years of Service

Nai Saelee, Senior Accountant
Jennifer Schmall, Air Quality Specialist
Steven Miller, Senior Air Quality Inspector
Michael Hamaguchi, Supervising Air Quality Inspector
Leonard Contreras, Maintenance Worker

Twenty-five Years of Service

David Nunes, Senior Air Quality Specialist
Errol Villegas, Permit Services Manager
Nick Peirce, Permit Services Manager
Patrick Houlihan, Supervising Air Quality Specialist

7. REPORT ON DISTRICT CITIZENS ADVISORY COMMITTEE ACTIVITIES– Manuel Cunha, Citizens Advisory Committee Chair, reported on highlights from the meeting held on October 3, 2023.

8. AUTHORIZE INCENTIVE PROGRAM FOR NON-COMBUSTION ALTERNATIVES TO OPEN BURNING OF RAISIN TRAYS – Aaron Tarango, Program Manager for the District’s Grants and Incentives Department, presented on the proposed incentive program to assist growers in transitioning to costlier non-combustion alternatives (e.g., recycling, landfilling) prior to the January 1, 2024, phase-out deadline for the open burning of raisin trays.

Supervisor Macaulay inquired about the rollover funds that were not expended last year, and if there were issues identified and resolved in getting the funds distributed. Mr. Samir Sheikh, Executive Director/ACPO, responded that there were only a small amount of rollover funds and explained that it was primarily a timing issue from the program starting late in the season. Mr. Sheikh further explained that some changes have been made in the program to allow larger growers to participate along with working closely with the raisin sector to assist in the ability for them to avoid burning.

Supervisor Robinson asked about the apparent decline in the use of the alternatives to agricultural open burning incentive program to process woody agricultural waste in 2023. Mr. Sheikh explained that since the year is not done yet, there will be increased amounts of applications with the harvest season ending.

Mayor Preciado asked about the challenges faced when using recycling as an alternative. Mr. Tarango responded that the main challenge encountered is getting the materials to a recycling facility, it can be cumbersome and may require a third party to haul. Mr. Sheikh added that another factor that may make recycling a challenge is the residue and juices left behind on the paper make the papers incompatible with recycling.

Councilmember Lewis asked for an explanation regarding the reduction in burned raisin tray acreage. Mr. Sheikh responded that the reduction reflects an overall reduction in acreage of raisins. Additionally, Mr. Sheikh explained the practice of burning raisin trays has steadily reduced over the last decade as growers have transitioned newer planted acreage to more sustainable harvesting alternatives.

Supervisor Mendes thanked the District for the presentation and the good explanations of the processes that are taking place, he also expressed the need for getting the program information out to the public.

Public Comment: The following individuals commented on this item:

- Manuel Cunha, Nisei Farmers League (NFL)

Moved: Mendes

Seconded: Pacheco-Werner

Ayes: Couch, Escutia-Braaton, Lewis, Macaulay, Mendes, Pacheco-Werner, Pareira, Preciado, Reyna, Rickman, Robinson, Sherriffs, Chiesa

Nays: None

Motion unanimously carried to authorize the Executive Director/Air Pollution Control Officer to provide funding through the enhanced program

to assist in transitioning to non-combustion alternatives (e.g., recycling, landfilling) prior to the January 1, 2024 phase-out deadline for the open burning of raisin trays.

9. APPROVE ZERO-EMISSION HEAVY-DUTY TRUCK DEMONSTRATION PROJECT WITH OK PRODUCE – Todd DeYoung, Director of Grants and Incentives, presented this item and requested approval of the zero-emission heavy-duty truck demonstration project with OK Produce with funding appropriation previously approved by the Governing Board for this project.

Chair Chiesa thanked Mr. DeYoung for his presentation, and applauded the District's ability to pivot and make sure grant funding was not lost.

Supervisor Robinson inquired about the battery life, torque, and fast charging abilities of these heavy-duty trucks. Mr. DeYoung responded that the range is approximately 300 miles, dependent on conditions, the fast charging is up to 80% of charge under an hour, and the torque is comparable to a conventional diesel truck.

Supervisor Mendes stated that OK Produce is a perfect fit for a program like this, with the solar project they have already installed at their facility.

Dr. Pacheco-Werner thanked OK Produce and the District for the vision and collaboration on this project. Dr. Pacheco-Werner inquired about partnering projects like these with a micro grid. Mr. Sheikh responded that there is strong interest in coupling solar in order to integrate electric or other technology. The District is being more deliberate in recognizing the potential with micro grids and the benefits and flexibility they provide.

Dr. Sherriffs thanked the District staff for a great presentation and congratulated the team for the pivot in partnering with a local business. He also thanked OK Produce for the vision and partnership.

Councilmember Escutia-Braaton also praised the pivot made in this project. She inquired about any timelines to utilize funding since the project shifted from a prior partner to OK Produce. Mr. DeYoung explained that the timeframe will be manageable and both funding agencies are supportive of the time needed to fully deploy vehicles and collect data that is necessary for the grant.

Ms. Escutia-Braaton also asked if the shift in the project to OK Produce was comparable in the miles traveled, and would any difference factor into the success of the program. Mr. DeYoung explained that there is potential for even more benefits since the OK Produce facility is in Central Fresno, therefore more miles will be traveled in the Valley.

Public Comment: The following individuals commented on this item:

- Manuel Cunha, NFL
- Janet Dietzkamei, Resident
- Connie Young, CCL

Moved: Escutia-Braaton

Seconded: Pareira

Ayes: Couch, Escutia-Braaton, Lewis, Macaulay, Mendes, Pacheco-Werner, Pareira, Preciado, Reyna, Rickman, Robinson, Sherriffs, Chiesa

Nays: None

Motion unanimously carried to (1) approve zero-emission heavy-duty truck demonstration project with OK Produce under funding appropriation previously approved by the Governing Board for this project; (2) authorize the Executive Director/Air Pollution Control Officer (APCO), on behalf of your Board, to negotiate and enter into any agreements with California Air Resources Board (CARB) and California Energy Commission (CEC) to accept and administer this funding; and (3) authorize the Board Chair, with Executive Director/APCO recommendation, to negotiate and execute any agreements with project proponents and subcontractors, as necessary, to administer this funding.

10. ADOPT EMISSIONS INVENTORY, PRECURSOR DEMONSTRATION, AND BACM ANALYSIS FOR 2012 ANNUAL PM2.5 STANDARD – Jon Klassen, Director of Air Quality Science and Planning, presented this item and recommended the Board adopt the proposed Initial State Implementation Plan (SIP) Requirements for the 2012 Annual PM2.5 Standard, consisting of the emissions inventory, precursor demonstration, and Best Available Control Measure (BACM) analysis.

Supervisor Rickman asked about meeting federal guidelines with the inability to regulate mobile emissions from trucks coming in from other states. Mr. Sheikh responded that it is a challenging standard to meet and the District has been very communicative on the need for federal government assistance in meeting this goal.

Dr. Sherriffs thanked the staff for the presentation and asked what can be done to leverage the points on off road mobile source challenges. Mr. Sheikh explained that the off-road mobile source is a broad range of equipment and there are several measures in place depending on the category of the equipment; agriculture, construction, locomotive.

Dr. Pacheco-Werner asked about the public's response in this process and what types of comments and questions were received and how were they reflected in the proposal that was seen today. Mr. Klassen shared that there was a request

for focus on building electrification, and that will be considered in the development of this plan. Mr. Klassen also shared that the public's input was used in providing analysis to show that requirements are being met.

Dr. Pacheco-Werner also inquired about the possibility of including CARB and EPA in future public workshops. Mr. Sheikh responded that has been done in the past and would be done in the future as it is a joint plan that requires open interaction between all agencies.

Councilmember Lewis asked how the District is rating in comparison to other air districts statewide. Mr. Sheikh shared that the Valley is the most stringent in regulatory measures, and also faces challenges that are geographically and meteorologically unique and more difficult.

Public Comment: The following individuals commented on this item:

- Brandon Craig, Penny Newman Grain
- Janet Dietzkamei, Resident
- Connie Young, CCL
- Samuel Delk, UCLA Student
- Perry Elerts, Leadership Council for Justice and Accountability
- James Enstrom, UCLA Professor
- Thomas Menz, Resident
- Cynthia Pinto-Cabrera, Central Valley Air Quality Coalition

Moved: Sherriffs

Seconded: Chiesa

Ayes: Couch, Escutia-Braaton, Lewis, Macaulay, Mendes, Pacheco-Werner, Pareira, Preciado, Reyna, Rickman, Robinson, Sherriffs, Chiesa

Nays: None

Motion unanimously carried to (1) adopt the proposed Initial SIP Requirements for the 2012 Annual PM2.5 Standard, consisting of the emissions inventory, precursor demonstration, and Best Available Control Measure analysis; (2) authorize the Chair to sign the attached Resolution adopting the proposed Initial SIP Requirements for the 2012 Annual PM2.5 Standard; and (3) direct staff to forward the adopted Initial SIP Requirements for the 2012 Annual PM2.5 Standard and attached Resolution to the California Air Resources Board for approval and submittal to the U.S. Environmental Protection Agency.

11. REVIEW RECEIVE AND FILE THE 2023 ANNUAL REPORT ON THE DISTRICT'S INDIRECT SOURCE REVIEW PROGRAM – Mark Montelongo, Permits Department Manager presented the 2023 Annual Report on the District's Indirect Source Review Program and provide updates on ongoing review of additional emission reduction opportunities under the District's Indirect Source

Review program.

Dr. Sherriffs commended the District on the innovative ISR program and asked if there are ways to increase effectiveness. Mr. Sheikh responded that the program is continually evolving with cleaner fleets and development of new measures.

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

- Nancy Richardson, Resident
- Connie Young, CCL

12. APPOINT AD HOC GOVERNING BOARD SUBCOMMITTEE TO NOMINATE CANDIDATES FOR THE 2024 GOVERNING BOARD CHAIR AND VICE CHAIR – Mr. Sheikh recommended the appointment of an Ad Hoc Governing Board Nomination Subcommittee to nominate candidates for the 2024 Governing Board Chair and Vice Chair.

Chair Chiesa appointed Supervisor Couch, Councilmember Lewis, Supervisor Mendes, Dr. Pacheco-Werner, Supervisor Pareira, and Councilmember Reyna to the Ad Hoc Subcommittee.

13. VERBAL REPORT ON CALIFORNIA AIR RESOURCES BOARD ACTIVITIES – Dr. Pacheco-Werner shared about upcoming areas that would be beneficial to have input and participation from the Valley. The first being the CARB Executive Officer hearing regarding the Vehicle Omnibus Regulation and the second being a public workshop on Tuesday, October 24th relating to Mobile Source reductions.

14. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sheikh shared updates on concerns being raised on the small truck fleet issues and expressed that the District is aware of the situation, is communicating the concerns with CARB, and is pursuing solutions with CARB and other state policy makers and officials to express the concern. Mr. Sheikh also reminded the Board members of the upcoming November Study Session that will be held in Modesto and will include a clean agricultural equipment showcase. Mr. Sheikh shared that the District has relaunched the Drive Clean in the San Joaquin vehicle replacement program and there is ongoing outreach to share program details with residents. Mr. Sheikh stated that the residential wood smoke reduction program begins on November 1st. This is the period of the year when the fireplace curtailments are called and there will be outreach on grants and education around the curtailments.

15. GOVERNING BOARD MEMBER COMMENTS – Councilmember Escutia-Braaton shared that she was invited to visit with the Manufacturer's Council of Central Valley who collectively represented hundreds of businesses. Ms. Escutia-Braaton also said that she will be attending an upcoming City of Modesto School District electric bus event.

Supervisor Mendes shared that Nisei Farmers League will be providing public outreach regarding the alternatives to raisin tray burning funding that was approved earlier in the meeting.

Mayor Preciado spoke about his attendance at the October 7th Tune In Tune Up event and was impressed by the efficiency and speed of the process.

Supervisor Robinson spoke about the current concern with the upcoming truck regulations that will take 16,000 trucks out of use.

Dr. Pacheco-Werner discussed Senate Bill 610 that is aimed at addressing electrification infrastructure.

ADJOURN – Chair Chiesa adjourned the meeting at 12:17 p.m.