

VIDEOCONFERENCE MEETING

STATE OF CALIFORNIA

AIR RESOURCES BOARD

ZOOM PLATFORM

THURSDAY, SEPTEMBER 23, 2021

9:02 A.M.

JAMES F. PETERS, CSR
CERTIFIED SHORTHAND REPORTER
LICENSE NUMBER 10063

APPEARANCES

BOARD MEMBERS:

Liane Randolph, Chair

Sandra Berg, Vice Chair

John Balmes, MD

Hector De La Torre

John Eisenhut

Supervisor Nathan Fletcher

Senator Dean Florez

Davina Hurt

Gideon Kracov

Senator Connie Leyva

Tania Pacheco-Werner, PhD

Barbara Riordan

Supervisor Phil Serna

Professor Daniel Sperling, PhD

Diane Takvorian

STAFF:

Richard Corey, Executive Officer

Edie Chang, Deputy Executive Officer, Planning, Freight,
and Toxics

Chanell Fletcher, Deputy Executive Officer, Environmental
Justice

Annette Hebert, Deputy Executive Officer, Southern
California Headquarters and Mobile Source Compliance

APPEARANCES CONTINUED

STAFF:

Edna Murphy, Deputy Executive Officer, Internal Operations

Rajinder Sahota, Deputy Executive Officer, Climate Change and Research

Craig Segall, Deputy Executive Officer, Mobile Sources and Incentives

Ellen Peter, Chief Counsel

Alicia Adams, Manager, Central Valley Air Quality Planning Section, Air Quality Planning and Science Division(AQPSD)

Cari Anderson, Chief, Freight Transport Branch, Transportation and Toxics Division(TTD)

Heather Arias, Division Chief, TTD

Michael Benjamin, Division Chief, AQPSD

Analisa Bevan, Zero-Emission Infrastructure Specialist, Mobile Source Control Division(MSCD)

Richard Boyd, Assistant Division Chief, TTD

Laura Carr, Air Pollution Specialist, Central Valley Air Quality Planning Section, AQPSD

Matthew Christen, Senior Attorney, Legal Office

Rhead Enion, Senior Attorney, Legal Office

Walter Ham, Branch Chief, Diesel Programs Enforcement Branch, Enforcement Division(ED)

Melissa Niedereiter, Manager, Freight Operations Section, TTD

Cory Parmer, Manager, Off-Road Diesel Analysis Section, AQPSD

Heather Quiros, Assistant Division Chief, ED

APPEARANCES CONTINUED

STAFF:

Trideep Ghosh, Air Pollution Specialist, Freight Incentives Section, TTD

Sylvia Vanderspek, Branch Chief, Air Quality Planning Branch, AQPSD

Daniel Whitney, Senior Attorney, Legal Office

Lea Yamashita, Staff Air Pollution Specialist, Freight Operations Section, Freight Transport Branch, TTD

ALSO PRESENT:

Yasmine Agelidis, Earthjustice

Shayda Azamian, Leadership Counsel for Justice and Accountability

William Barrett, American Lung Association

Kristine Cai, Fresno Council of Governments

Nick Chiappe, California Trucking Association

Kristian Corby, California Electric Transportation Coalition

Paul Cort, Earthjustice

Manuel Cunha, Jr., Nisei Farmers League

Janet Dietzkamei

Catherine Garoupa White, PhD, Central Valley Air Quality Coalition

Anna Gonzalez, Center for Community Action and Environmental Justice

Elliot Gonzalez

Ahron Hakimi, Kern Council of Governments

Kevin Hamilton, Central California Asthma Collaborative

APPEARANCES CONTINUED

ALSO PRESENT:

Thomas Helme, Valley Improvement Projects

Matt Holmes, Little Manila Rising

Ryan Jacobsen, Fresno County Farm Bureau

Yassamin Kavezade, Sierra Club

Thomas Keller, Clean Cold Power

Meredith Kurpius, United States Environmental Protection Agency

John Larrea, California League of Food Processors

Bill Magavern, Coalition for Clean Air

Jasmin Martinez, Central Valley Air Quality Coalition

Chris McGlothlin, California Cotton Ginners and Growers Association, Western Agricultural Processors Association

Thomas Menz

Diane Nguyen, San Joaquin Valley Council of Governments

Natalie Ospina, Natural Resources Defense Council

Jessie Parks

Cynthia Pinto-Cabrera, Central Valley Air Quality Coalition

Juliana Rodriguez, Penske Trucking

Mark Rose, National Parks Conservation Association

Mariela Ruacho, American Lung Association

Joseph Sullivan, International Brotherhood of Electrical Workers Local 11, National Electrical Contractors Association

Jack Symington, Los Angeles Cleantech Incubator

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PROCEEDINGS

CHAIR RANDOLPH: Good morning. The September 23rd public meeting of the California Air Resources Board will come to order.

Board Clerk Estabrook, please call the roll.

BOARD CLERK ESTABROOK: Dr. Balmes?

BOARD MEMBER BALMES: Here.

BOARD CLERK ESTABROOK: Mr. De La Torre?

Mr. Eisenhut?

BOARD MEMBER EISENHUT: Here.

BOARD CLERK ESTABROOK: Supervisor Fletcher?

BOARD MEMBER FLETCHER: Fletcher here.

BOARD CLERK ESTABROOK: Senator Florez?

BOARD MEMBER FLOREZ: Florez here.

BOARD CLERK ESTABROOK: Assemblymember Garcia?

Ms. Hurt?

BOARD MEMBER HURT: Present.

BOARD CLERK ESTABROOK: Mr. Kracov?

BOARD MEMBER KRACOV: Here.

BOARD CLERK ESTABROOK: Senator Leyva?

BOARD MEMBER LEYVA: Here.

BOARD CLERK ESTABROOK: Dr. Pacheco-Werner?

BOARD MEMBER PACHECO-WERNER: Here.

BOARD CLERK ESTABROOK: Mrs. Riordan?

BOARD MEMBER RIORDAN: Here.

1 BOARD CLERK ESTABROOK: Supervisor Serna?

2 BOARD MEMBER SERNA: Here.

3 BOARD CLERK ESTABROOK: Professor Sperling?

4 BOARD MEMBER SPERLING: Here.

5 BOARD CLERK ESTABROOK: Mrs. Takvorian?

6 BOARD MEMBER TAKVORIAN: Here.

7 BOARD CLERK ESTABROOK: Vice Chair Berg?

8 VICE CHAIR BERG: Here.

9 BOARD CLERK ESTABROOK: Chair Randolph?

10 CHAIR RANDOLPH: Here.

11 BOARD CLERK ESTABROOK: Madam Chair, we have a
12 quorum.

13 CHAIR RANDOLPH: Thank you so much. It's great
14 to be here with everyone today. In accordance with
15 Executive Order N-08-21, we are conducting today's meeting
16 remotely with Zoom. We've organize the proceedings to
17 mirror our normal Board meeting as closely as possible,
18 but understandably there will be some difference and we
19 request your patience and understanding with any technical
20 problems.

21 A closed caption feature is available for those
22 of you joining us in the Zoom environment. In order to
23 turn on subtitles, please look for a button labeled CC at
24 the bottom of the Zoom window, as shown in the example on
25 the screen now.

1 I would like to take this opportunity to remind
2 everyone to speak clearly and from a quiet location
3 whether you are joining us in Zoom or calling in by phone.
4 Interpretation services will be provided today in Spanish.
5 If you are joining us using Zoom, there's a button labeled
6 "Interpretation" on the Zoom screen. Click on that
7 interpretation button and select Spanish to hear the
8 meeting in Spanish.

9 (Interpreter translated in Spanish)

10 CHAIR RANDOLPH: I will now ask the Board Clerk
11 to provide more details on today's procedures.

12 BOARD CLERK ESTABROOK: Thank you, Chair.

13 Good morning, everyone. My name is Katie
14 Estabrook and I am one of the Board clerks. I will
15 provide some information on how public participation will
16 be organized for today's meeting. If you wish to make a
17 verbal comment on one of the Board items or if you want to
18 make a comment during the open comment period at the end
19 of today's meeting, you must be calling in using the Zoom
20 Webinar or calling in by telephone. If you are currently
21 watching the webcast on CAL-SPAN, but you do wish to
22 comment, please register for the Zoom webinar or call in.
23 Information for both can be found on the public agenda.

24 To make a verbal comment, we will be using the
25 raise hand feature on Zoom. If you wish to speak on a

1 Board item, please virtually raise your hand as soon as
2 the item has begun and let us know that you wish to speak.
3 To do this, if you are using a computer or tablet, there
4 is a raise-hand button. If you are calling in on the
5 phone, there is a -- you can dial star nine to raise your
6 hand. And even if you've previously registered at -- and
7 indicated which item you would like to peak on, please
8 make sure to raise your hand at the beginning of the item.
9 And if you don't raise your hand, the chance to speak
10 could be skipped.

11 If you are giving your verbal comment in Spanish,
12 please indicate so at the beginning of your testimony and
13 our translator will assist you. During your comment,
14 please pause after each sentence to allow for the
15 interpreter to translate your comment into English. When
16 the comment period starts, the order of commenters will be
17 determined by who raises their hand first. I will call on
18 each commenter by name and then activate each commenter
19 when it is their turn to speak. For those calling in, I
20 will identify you by the last three digits of your phone
21 number.

22 We will not show a list of commenters. However,
23 I will be announcing the next three or so commenters in
24 the queue, so you are ready to testify and know who is
25 coming up next. Please note that you will not appear via

1 video during your testimony.

2 I would also like to remind everyone, commenters,
3 Board members, and CARB staff, please state your name for
4 the record before you speak. This is important in this
5 remote meeting setting and it is especially important for
6 those calling in by phone to testify.

7 I will have -- we will have a time limit for each
8 commenter. The normal time limit is three minutes, though
9 this could change based on the Chair's discretion. During
10 public testimony, you will see a timer on the screen. For
11 those calling in by phone, we will run the timer and let
12 you know when you have 30 seconds left and when your time
13 is up. If you require Spanish translation, your time will
14 be doubled.

15 If you wish to submit written comments today,
16 please visit CARB's send-us-your-comments page or look at
17 the public agenda on our webpage for links to send
18 comments to these documents electronically. Comments will
19 be accepted on each item until the chair closes the record
20 for that item.

21 I would like to give a friendly reminder to our
22 Board members and staff to please mute yourself when you
23 are not speaking to avoid any background noise. Also,
24 when you do speak, please speak from a quiet location. If
25 you experience any technical difficulties, please call

1 (805)772-2715 so an IT person can assist you. This number
2 is also notated on the public agenda.

3 Thank you. I'll turn it back to Chair Randolph
4 now.

5 CHAIR RANDOLPH: Thank you.

6 The first item on the agenda is Item number
7 21-9-1 Coso Junction PM10 maintenance plan State
8 Implementation Plan submittal.

9 If you wish to comment on this item, please click
10 the raise-hand button or dial star nine now. We will call
11 on you when we get to the public comment portion of this
12 item.

13 Mr. Corey, would you please summarize the item?

14 EXECUTIVE OFFICER COREY: Yes. Thanks, Chair.

15 Coso Junction was designated nonattainment for
16 the 150 microgram per cubic meter 24-hour PM10 standard in
17 1990 as part of Searles Valley nonattainment area.
18 Searles Valley nonattainment area was separated into three
19 planning areas in 2002, based on the Air District
20 boundaries. The Great Basin Unified Air Pollution Control
21 District developed an attainment plan for Coso Junction in
22 2004. Attainment of the PM10 standard was achieved
23 through reductions in windblown PM2.5 emissions from Owens
24 Lake and through controls within the Coso Junction.

25 In 2010, U.S. EPA designated Coso Junction

1 attainment. And they approved the first PM10 maintenance
2 plan. The district has adopted a second 10-year PM10
3 maintenance plan to comply with clean air requirements for
4 demonstrating maintenance for a total of 20 years. The
5 second PM10 maintenance plan has been found by CARB staff
6 to meet the requirements in the Clean Air Act.

7 CARB staff recommend the Board approve the plan
8 and direct staff to submit the Coso Junction planning area
9 second 10-year PM10 maintenance plan to U.S. EPA as a
10 revision to the California SIP.

11 And with that, that ends my remarks, Chair.

12 CHAIR RANDOLPH: Thank you.

13 We will now hear from the public who raised their
14 hand to speak on this item. Will the Board Clerk please
15 call the commenters?

16 BOARD CLERK ESTABROOK: Thanks, Chair.

17 We currently have no one with their hand raised
18 to comment on this item.

19 CHAIR RANDOLPH: Thank you. I will now close the
20 record on this item. The Board has before them Resolution
21 number 21-19. Do I have a motion and a second?

22 BOARD MEMBER HURT: I move approval

23 BOARD MEMBER DE LA TORRE: Second.

24 CHAIR RANDOLPH: Clerk, will you please call the
25 roll.

1 BOARD CLERK ESTABROOK: Dr. Balmes?

2 BOARD MEMBER BALMES: Yes.

3 BOARD CLERK ESTABROOK: Mr. De La Torre?

4 BOARD MEMBER DE LA TORRE: Yes.

5 BOARD CLERK ESTABROOK: Mr. Eisenhut?

6 BOARD MEMBER EISENHUT: Yes.

7 BOARD CLERK ESTABROOK: Supervisor Fletcher?

8 BOARD MEMBER FLETCHER: Fletcher, aye.

9 BOARD CLERK ESTABROOK: Senator Florez?

10 BOARD MEMBER FLOREZ: Aye.

11 BOARD CLERK ESTABROOK: Ms. Hurt?

12 BOARD MEMBER HURT: Aye.

13 BOARD CLERK ESTABROOK: Mr. Kracov?

14 BOARD MEMBER KRACOV: Yes.

15 BOARD CLERK ESTABROOK: Dr. Pacheco-Werner?

16 BOARD MEMBER PACHECO-WERNER: Yes.

17 BOARD CLERK ESTABROOK: Mrs. Riordan?

18 BOARD MEMBER RIORDAN: Aye.

19 BOARD CLERK ESTABROOK: Supervisor Serna?

20 BOARD MEMBER SERNA: Aye.

21 BOARD CLERK ESTABROOK: Professor Sperling?

22 BOARD MEMBER SPERLING: Aye.

23 BOARD CLERK ESTABROOK: Ms. Takvorian?

24 BOARD MEMBER TAKVORIAN: Aye.

25 BOARD CLERK ESTABROOK: Vice Chair Berg?

1 Chair Randolph?

2 CHAIR RANDOLPH: Yes.

3 BOARD CLERK ESTABROOK: Madam Chair, the motion
4 passes.

5 CHAIR RANDOLPH: Thank you.

6 The next item on the agenda is item number
7 21-9-2, Sacramento County PM10 maintenance plan State
8 Implementation Plan submittal.

9 If you wish to comment on this item, please click
10 the raise-hand button or dial star nine now. We will call
11 on you when we get to the public comment portion of this
12 item.

13 Mr. Corey, would you please summarize the item?

14 EXECUTIVE OFFICER COREY: Yes. Thanks, Chair.

15 Sacramento County was designated non-attainment
16 for the 150 microgram per cubic meter 24-hour PM2.5 -- or
17 rather PM10 standard in 1994. The county attained the
18 standard in 1998 as a result of increased enforcement of
19 fugitive dust rules and implementation of an aggressive
20 control program for emissions from residential wood
21 combustion by the Sacramento Metropolitan Air Quality
22 Management District.

23 The first 10-year PM10 maintenance plan for
24 Sacramento County was approved by U.S. EPA in 2013. The
25 second 10-year plan has been adopted by the District to

1 satisfy Clean Air Act requirements for its continued
2 maintenance for 20 years. This plan has been found by
3 CARB staff to be complete and this satisfies State
4 Implementation Plan requirements, along with the
5 supplemental information provided in the CARB staff
6 report.

7 CARB staff recommend the Board approve the second
8 10-year PM10 maintenance plan for Sacramento County and
9 the supplemental information, and direct staff to submit
10 them to U.S. EPA as a revision to the California State
11 Implementation Plan.

12 And with that, I'll return it to you, Chair

13 CHAIR RANDOLPH: Thank you.

14 We will now hear from the public who raised their
15 hand to speak on this Item.

16 Board Clerk, are there any commenters?

17 BOARD CLERK ESTABROOK: There are no commenters
18 for this item.

19 CHAIR RANDOLPH: Thank you.

20 I will now close the record on this agenda item.
21 The Board has before it Resolution number 21-19. Do I
22 have a motion and a second?

23 BOARD MEMBER SERNA: So moved.

24 BOARD MEMBER EISENHUT: Second.

25 CHAIR RANDOLPH: All right. We have a motion and

1 a second. Clerk, would you please call the roll?

2 BOARD CLERK ESTABROOK: Yes.

3 Dr. Balmes?

4 BOARD MEMBER BALMES: Yes.

5 BOARD CLERK ESTABROOK: Mr. De La Torre?

6 BOARD MEMBER DE LA TORRE: Yes.

7 BOARD CLERK ESTABROOK: Mr. Eisenhut?

8 BOARD MEMBER EISENHUT: Yes.

9 BOARD CLERK ESTABROOK: Supervisor Fletcher?

10 BOARD MEMBER FLETCHER: Fletcher, aye.

11 BOARD CLERK ESTABROOK: Senator Florez?

12 BOARD MEMBER FLOREZ: Florez, aye.

13 BOARD CLERK ESTABROOK: Ms. Hurt?

14 BOARD MEMBER HURT: Aye.

15 BOARD CLERK ESTABROOK: Mr. Kracov?

16 BOARD MEMBER KRACOV: Yes.

17 BOARD CLERK ESTABROOK: Dr. Pacheco-Werner?

18 BOARD MEMBER PACHECO-WERNER: Yes.

19 BOARD CLERK ESTABROOK: Mrs. Riordan?

20 BOARD MEMBER RIORDAN: Aye.

21 BOARD CLERK ESTABROOK: Supervisor Serna?

22 BOARD MEMBER SERNA: Aye.

23 BOARD CLERK ESTABROOK: Professor Sperling?

24 BOARD MEMBER SPERLING: Aye.

25 BOARD CLERK ESTABROOK: Ms. Takvorian?

1 BOARD MEMBER TAKVORIAN: Aye.

2 BOARD CLERK ESTABROOK: Vice Chair Berg?
3 Chair Randolph?

4 CHAIR RANDOLPH: Yes.

5 BOARD CLERK ESTABROOK: Madam Chair, Resolution
6 21-20 passes.

7 CHAIR RANDOLPH: All right. Thank you.

8 The next item on the agenda is Item number
9 21-9-3, public meeting to hear an update on the 2018 PM2.5
10 State Implementation Plan for the San Joaquin Valley and
11 to consider a State Implementation Plan revision for the
12 15 microgram per cubic meter annual PM2.5 standard.

13 If you wish to comment on this item, please click
14 the raise-hand button or dial star nine now. We will call
15 on you when we get to the public comment portion of this
16 item.

17 Every year, staff provides an update on progress
18 implementing the comprehensive 2018 PM2.5 plan for the San
19 Joaquin Valley. This is the third annual implementation
20 update. Today's plan will provide a status report on
21 progress being made towards meeting the fine particulate
22 matter standard and will summarize the status of measure
23 development and implementation, including the valley's
24 agricultural burning phaseout, which the Board approved in
25 February. The report will also describe the proposed

1 State Implementation Plan revision for the 15 microgram
2 annual PM2.5 standard.

3 Mr. Corey, would you please introduce the item.

4 EXECUTIVE OFFICER COREY: Yes. Thank you, Chair.

5 The comprehensive 2018 PM2.5 plan, or SIP, for
6 the San Joaquin Valley was developed jointly by CARB and
7 the Valley Air District to establish the strategy for
8 attaining four federal PM2.5 air quality standards. In
9 the nearly three years since the SIP was adopted, we've
10 seen that strategy succeed in achieving emission
11 reductions that have the valley on the pathway to
12 attaining all four of these particulate matter standards
13 within the next few years. Along the way, we've had to
14 adapt creating new control measures to achieve additional
15 reductions where some originally conceived measures have
16 fallen short.

17 In staff's presentation, you'll hear about our
18 progress toward meeting the standards and the status of
19 measures needed to get to attainment. We'll focus on the
20 measures that are providing early, near-term emission
21 reductions for the valley, like the agricultural burning
22 phaseout that you mentioned among others.

23 Staff will also describe the proposed SIP
24 revision for the 15 microgram per cubic meter annual PM2.5
25 standard, which had an attainment date of 2020 in the 2018

1 PM2.5 plan.

2 The SIP revision is needed to respond to U.S.
3 EPA's recent proposed partial disapproval of the 15
4 microgram portions of the 2018 PM2.5 SIP related to
5 attainment in 2020. The SIP revision demonstrates that
6 the valley can meet the standard by 2023 and provides a
7 new commitment from CARB that quantifies emission
8 reductions in 2023 from our Heavy-Duty Inspection and
9 Maintenance Program, another of the key measures providing
10 near-term reductions.

11 I'll now ask Laura Carr of the Air Quality
12 Planning and Science Division to give the staff
13 presentation.

14 Laura.

15 (Thereupon a slide presentation.)

16 AQPSD AIR POLLUTION SPECIALIST CARR: Thank you,
17 Mr. Corey.

18 Good morning, Chair Randolph and Board members.
19 I'll be presenting the San Joaquin Valley PM2.5
20 implementation update and SIP amendment.

21 --o0o--

22 AQPSD AIR POLLUTION SPECIALIST CARR: Today's
23 item contains two related pieces, a Board action component
24 and an informational update on the PM2.5 State
25 Implementation Plan, or SIP, for the San Joaquin Valley.

1 The Board will consider acting on a proposed SIP revision
2 for the 15 microgram per cubic meter annual fine
3 particulate matter, or PM2.5, standard. The SIP revision
4 discussion leads into an update on progress towards
5 meeting the 12 microgram annual PM2.5 standard in the
6 valley.

7 I'll describe the CARB and San Joaquin Valley Air
8 Pollution Control District attainment strategy and the
9 measures being developed and implemented to achieve the
10 emissions reductions needed.

11 --o0o--

12 AQPSD AIR POLLUTION SPECIALIST CARR: First, a
13 quick review of the Valley's PM2.5 SIP. The 2018 PM2.5
14 plan is the first ever comprehensive strategy to address
15 all four air quality standards for PM2.5 in the valley.
16 The strategy was developed jointly by CARB and the
17 district and our agencies have been working together to
18 implement since the Board adopted the plan in January
19 2019. The plan contains CARB and District commitments for
20 emissions reductions in the attainment years of 2024 and
21 2025.

22 --o0o--

23 AQPSD AIR POLLUTION SPECIALIST CARR: The four
24 standards addressed in the SIP and their respective
25 attainment dates are summarized here. U.S EPA recently

1 proposed approval of the portions of the SIP pertaining to
2 the 65 microgram 24-hour standard. The Valley was able to
3 demonstrate it met the standard in the attainment year of
4 2020.

5 Last year, EPA approved the 35 microgram 24-hour
6 standard portions of the plan with an attainment date of
7 2024.

8 The Valley narrowly missed attaining the 15
9 microgram annual standard by its 2020 attainment date,
10 leading EPA to recently propose to disapprove these
11 portions of the SIP and to the SIP revision being
12 considered today.

13 And for the more stringent 12 microgram annual
14 standard, EPA recently approved the moderate area SIP and
15 a reclassification to serious with an attainment date of
16 2025. Today's proposed SIP revision for the 15 microgram
17 standard would move the attainment date to 2023.

18 --o0o--

19 AQPSD AIR POLLUTION SPECIALIST CARR: The Valley
20 has made significant progress towards meeting the four
21 PM2.5 standards. These maps clearly show the improvement
22 in daily air quality over the past 20 years from virtually
23 the entire valley exceeding the 65 microgram standard in
24 2001, the area in red, to the entire valley meeting the
25 standard in 2020 with eight sites already below the 35

1 microgram 24-hour standard, shown in the green area.

2 The design value site, or the site with the
3 highest value, was in Bakersfield with a design value of
4 48 micrograms per cubic meter. The 2020 map does not
5 include data impacted by wildfires.

6 --o0o--

7 AQPSD AIR POLLUTION SPECIALIST CARR: Turning to
8 the annual standards, the progress is also clear. Large
9 portions of the valley were over 18 micrograms in 2001
10 shown in red. However, by 2020, all sites, except
11 Bakersfield-Planz, attained the 15 microgram standard.
12 Two of the three sites in Bakersfield met the standard
13 with values of 14.6 and 14.1 micrograms and
14 Bakersfield-Planz was not over by much, exceeding by only
15 0.4 micrograms. Valley-wide, nine sites are already below
16 the 12 microgram standard shown in green.

17 --o0o--

18 AQPSD AIR POLLUTION SPECIALIST CARR: This slide
19 takes a closer look at progress towards attainment on a
20 site-level basis. We can see that all 18 sites met the 65
21 microgram 24-hour standard in 2020. Also in 2020, eight
22 sites were below 35 micrograms while 10 sites were above.
23 By the 2024 attainment date however, all sites will meet
24 the standard.

25 In 2020, only Bakersfield-Planz exceeded the 15

1 microgram annual standard, and as shown in the proposed
2 SIP revision, all sites will attain by 2023.

3 Finally, half the sites met the 12 microgram
4 standard in 2020, and by 2025 all sites will attain.

5 --o0o--

6 AQPSD AIR POLLUTION SPECIALIST CARR: CARB and
7 the District are actively working to implement key
8 measures and develop new ones to achieve reductions of
9 emissions of oxides of nitrogen, or NOx, and PM2.5 to
10 continue on the pathway to attaining the remaining PM2.5
11 standards in the valley.

12 The following slides identify a few key actions
13 underway, which have near-term emissions benefits. These
14 measures all reduce emissions in 2025 for the 12 microgram
15 standard, and also provide reductions in 2023, which will
16 help towards attaining the 15 microgram standard.

17 --o0o--

18 AQPSD AIR POLLUTION SPECIALIST CARR: The
19 turnover of agricultural equipment using incentive funding
20 has been and continues to be an effective measure for
21 achieving ongoing and near-term reductions of both NOx and
22 PM2.5. To date, 14,000 tractors and other agricultural
23 equipment have been replaced by the District in
24 partnership with valley agricultural stakeholders through
25 District and NRCS incentive programs. Significant funding

1 has gone into the District's incentive program, and the
2 State 2021-22 budget provided a further \$212.6 million
3 statewide for the FARMER Program. The measure is on track
4 to achieve all the emissions reductions ascribed to it in
5 the SIP commitment. By 2025, the measure will achieve 11
6 tons per day of NOx reductions and 0.8 tons per day of
7 PM2.5 reductions fulfilling the commitment.

8 --o0o--

9 AQPSD AIR POLLUTION SPECIALIST CARR: Similarly,
10 the District's residential wood burning strategy provides
11 ongoing reductions of direct PM2.5. Amendments to
12 District Rule 4901 in 2019 strengthened the rule. In
13 addition, the District's Burn Cleaner Incentive Program
14 has replaced 24,000 wood burning devices in the valley.
15 This measure is also on track to fulfill the SIP
16 commitment of 0.42 tons per day of direct PM2.5.

17 --o0o--

18 AQPSD AIR POLLUTION SPECIALIST CARR: In
19 February, the Board directed the near-complete phase-out
20 of agricultural burning in the valley by January 1st,
21 2025. This strategy, developed alongside the District and
22 which relies on District Rule 4103, achieves
23 cost-effective, near-term reductions that will improve
24 local and regional air quality.

25 The District's pilot program to incentivize

1 alternatives to open agricultural burning, such as
2 chipping and soil incorporation of agricultural material,
3 has already addressed 49,000 acres, or 1.3 million tons of
4 material.

5 Although Rule 4103 is in the 2018 PM2.5 SIP, the
6 plan did not include an emissions reductions commitment
7 from this measure. The District currently estimates that
8 the phase-out will reduce 1.41 tons per day of NOx and
9 2.01 tons per day of PM2.5.

10 --o0o--

11 AQPSD AIR POLLUTION SPECIALIST CARR: In this
12 year's budget, the State Legislature provided \$180 million
13 for CARB to grant to the District to incentivize
14 alternatives to open burning. CARB and the District
15 executed a new grant for the District's enhanced incentive
16 program, which launched September 1st, and is already
17 seeing increased demand.

18 The District is conducting extensive and targeted
19 outreach to ensure that valley agricultural operators are
20 aware of and can take advantage of the program.

21 --o0o--

22 AQPSD AIR POLLUTION SPECIALIST CARR: Heavy-duty
23 trucks are a significant source of NOx and PM2.5, and the
24 2018 PM2.5 SIP included multiple strategies, both
25 incentive-based and regulatory, to address this emissions

1 source. Incentives are funding significant truck turnover
2 in the valley. However, many of these real reductions do
3 not meet stringent EPA SIP credit factors and will not be
4 creditable against the SIP commitment of eight tons per
5 day of NOx.

6 The NOx reductions from this measure are to be
7 determined and will depend on additional incentive funds
8 or changes to incentive funding programs. The Heavy-Duty
9 Inspection and Maintenance Program Regulation, or HD I&M
10 will be considered by the Board this December. Senate
11 Bill 210, sponsored by Senator and Board Member Leyva was
12 signed into law by Governor Newsom on September 20th, 2019
13 and directs CARB to develop and implement a comprehensive
14 heavy-duty vehicle inspection and maintenance program in
15 consultation with the Department of Motor Vehicles and the
16 Bureau of Automotive Repair.

17 Reductions from HD I&M will begin in the valley
18 in 2023 through early deployment of periodic roadside
19 testing of trucks via CARB's Portable Emissions
20 Acquisition System, or PEAQS, which detects high-emitting
21 vehicles and requires additional testing and repair to
22 ensure emissions control components are operating
23 properly. At least four units will be deployed in the
24 valley. HD I&M is expected to overperform compared to the
25 SIP commitment, delivering 14.7 tons per day of NOx

1 reductions, well over the 6.8 ton per day commitment.

2 --o0o--

3 AQPSD AIR POLLUTION SPECIALIST CARR: This slide
4 illustrates the reductions coming from these truck
5 measures. The 2018 PM2.5 plan had a commitment for eight
6 tons from the truck incentive measure and 6.8 tons from HD
7 I&M and our updated expected emissions reductions now have
8 14.7 tons coming from HD I&M and an amount to be
9 determined coming from incentives. In aggregate, we are
10 achieving approximately the amount of reductions from
11 trucks committed to in the SIP.

12 --o0o--

13 AQPSD AIR POLLUTION SPECIALIST CARR: CARB is
14 also pursuing a new measure, which will achieve new
15 near-term emission reductions from locomotives. This
16 measure would involve replacing old diesel locomotives
17 with cleaner ones to reduce criteria, toxics, and
18 greenhouse gas emissions, and an in-use measure to limit
19 locomotive idling.

20 The 2018 PM2.5 SIP did not contain a commitment
21 for emissions reductions from a State locomotive measure
22 and it is expected to achieve 1.14 tons per day of NOx
23 reductions in 2025. CARB is developing this measure in
24 part because the federal government has not addressed
25 locomotive emissions.

--o0o--

AQPSD AIR POLLUTION SPECIALIST CARR: Beyond these measures, CARB continues to pursue additional reductions. The 2022 State SIP strategy currently under development may provide additional benefits with new mobile source measures providing near-term reductions for the valley. This planning effort will build on the 2020 Mobile Source Strategy, which the Board will consider later this year.

Together, the measures identified provide for attainment of the 15 microgram standard as soon as possible and are the only feasible measures we can implement in the near term.

--o0o--

AQPSD AIR POLLUTION SPECIALIST CARR: The next few slides provide more detail on the proposed SIP revision for the 15 microgram standard.

--o0o--

AQPSD AIR POLLUTION SPECIALIST CARR: Since the valley did not meet the 15 microgram standard by 2020, EPA could not approve a 2020 attainment date and so proposed a partial disapproval for the standard in July. CARB and the District worked together with EPA to develop the SIP revision to provide a path for attainment with the District holding a public workshop with CARB staff

1 participation. The District Board held a public hearing
2 to solicit feedback on the proposed revision and adopted
3 the revised plan last month.

4 As we saw earlier, the valley has made
5 considerable progress towards meeting this standard, with
6 only one of 18 sites exceeding the standard. Modeling
7 shows that with the new commitments, the valley will meet
8 the standard by the end of 2023. The SIP revision,
9 together with CARB staff report, addresses all Clean Air
10 Act requirements, including an updated attainment
11 demonstration for 2023, except for contingency measures,
12 which we will address at a later date.

13 The modeling includes a new CARB emission
14 reduction commitment for 2023, which I'll discuss on the
15 following slide. It's important to provide this SIP
16 revision to EPA as soon as possible to avoid consequences,
17 which I'll also cover shortly.

18 --o0o--

19 AQPSD AIR POLLUTION SPECIALIST CARR: This SIP
20 revision includes a new CARB commitment in 2023 for the HD
21 I&M measure. Of the key measures discussed earlier, all
22 of which achieve emissions reductions in 2023 and beyond,
23 only HD I&M has not yet been adopted by the Board with
24 CARB considering it this December. This means that CARB
25 needs to make a formal commitment for these reductions to

1 take credit for them in the SIP. This commitment is for 3
2 tons per day of NOx and 0.04 tons per day of PM2.5 in
3 2023, coming from early deployment of PEAQS as part of the
4 HD I&M Program. In addition to reductions from all the
5 other SIP measures, this commitment will complete the
6 attainment demonstration.

7 --o0o--

8 AQPSD AIR POLLUTION SPECIALIST CARR: We need to
9 provide this new commitment, along with the full SIP
10 revision, to EPA quickly. EPA's final disapproval,
11 expected later this year, will trigger an immediate
12 transportation conformity freeze. This means that valley
13 Metropolitan Planning Organizations cannot amend their
14 transportation improvement programs or update regional
15 transportation plans which are due next summer. MPOs
16 could also lose federal statewide transportation
17 improvement program funds.

18 Prompt SIP submittal and an EPA adequacy
19 determination for the transportation conformity budgets in
20 the SIP revision will resolve the conformity freeze. The
21 SIP revision, which reflects emissions reductions from
22 adopted and upcoming measures, provides a clear path for
23 attainment of the 15 microgram standard.

24 --o0o--

25 AQPSD AIR POLLUTION SPECIALIST CARR: This

1 timeline explains more fully how the SIP revision was
2 developed and why it's important to provide to EPA soon.
3 At the beginning of 2021, the District, CARB, and EPA
4 worked together to evaluate whether the valley had met the
5 15 microgram standard in 2020 and determined that it had
6 not. EPA indicated it intended to disapprove the 15
7 microgram portions of the SIP.

8 We then began developing the SIP revision. In
9 the third quarter of the year, EPA published the proposal
10 to disapprove and the District held its public workshop
11 and hearing and adopted the revision. EPA's final
12 disapproval is anticipated later this year.

13 Early next year, triggered by the disapproval,
14 the transportation conformity freeze will occur. EPA
15 needs the submitted SIP revision, with the updated
16 transportation conformity budgets, in order to consider
17 whether the budgets are adequate for conformity purposes.

18 In the latter part of 2022, the Valley MPOs need
19 to adopt or update Regional Transportation Plans and
20 Transportation Improvement Programs and make their
21 conformity determination, then submit those documents to
22 the Federal Highway Administration, Federal Transit
23 Administration for approval of the conformity
24 determination.

25 To enable that process to take place and to avoid

1 the MPOs missing out on federal highway funds, it is
2 important that we provide the SIP revision for EPA's
3 consideration as soon as possible.

4 --o0o--

5 AQPSD AIR POLLUTION SPECIALIST CARR: The
6 measures described earlier will not only help us attain
7 the 15 microgram standard in 2023, but also make progress
8 toward attainment of the 12 microgram standard in 2025.

9 --o0o--

10 AQPSD AIR POLLUTION SPECIALIST CARR: The
11 commitments made by CARB and the District are for
12 aggregate emissions reductions. The 2018 PM2.5 SIP
13 included estimates of reductions from each of the
14 individual measures, but final measures, as proposed by
15 staff to the Board or adopted by the Board, may provide
16 more or less than the initial estimates.

17 The overall commitment is to achieve the total
18 reductions necessary to attain the federal air quality
19 standards, while reflecting the combined reductions from
20 the existing control strategy and to new measures.
21 Therefore, if a particular measure does not get its
22 expected reductions, the State is still committed to
23 achieving the total aggregate emission reductions.

24 The fact that measures will evolve during the
25 rulemaking process and the fact that some measures are now

1 expected to achieve fewer reductions than originally
2 outlined in the 2018 PM2.5 SIP, while others achieve more,
3 are normal parts of the SIP implementation process. The
4 aggregate emissions reduction commitment structure
5 provides the flexibility to meet the overall commitment
6 while modifying individual measures as needed.

7 --o0o--

8 AQPSD AIR POLLUTION SPECIALIST CARR: I'm not
9 going to present the details in these tables, but I want
10 to use them to illustrate the status of CARB and District
11 measures in the SIP. Measures in orange are anticipated
12 to achieve fewer reductions than originally estimated in
13 the SIP. Measures in green are achieving more reductions
14 than originally estimated. Remaining measures are
15 achieving reductions on par with their SIP commitment.

16 While as we can see some measures are under the
17 SIP commitment and others are over, in total, we will meet
18 the aggregate emissions reduction commitment in 2025.

19 --o0o--

20 AQPSD AIR POLLUTION SPECIALIST CARR: This slide
21 shows the emissions reductions associated with the
22 measures in the previous slide. These bars represent
23 reductions of NOx and PM2.5 committed to in the SIP for
24 2025. CARB reductions are in green, District reductions
25 in yellow, and reductions from federal measures in blue.

1 Our current expected reductions for 2025 are
2 shown in these two bars. CARB NOx reductions are lower,
3 while the District's are higher. We also assume zero NOx
4 reductions from the federal measures, which were for a
5 national low-NOx engine standard and locomotive emissions
6 standards. CARB and the District sent petitions to the
7 federal government to develop these measures, but we do
8 not expect reductions from trucks by 2025 and no action
9 has been taken on locomotives.

10 On the PM side, the District is achieving extra
11 reductions largely from the agricultural burning phase-out
12 strategy. 1.56 tons per day of PM are above and beyond
13 the SIP commitment. Those tons of PM2.5 are equivalent in
14 terms of air quality impact to approximately 9.36 tons per
15 day of NOx, which is a PM precursor.

16 The additional direct PM2.5 reductions are
17 sufficient not only to meet and exceed the PM commitment,
18 but also to more than make up for the lower NOx
19 reductions. However, we have until 2025 to meet this
20 aggregate commitment and we will continue pursuing
21 additional measures to achieve the NOx reductions
22 committed to in the SIP without needing to rely on PM
23 reductions to cover any deficit.

24 --o0o--

25 AQPSD AIR POLLUTION SPECIALIST CARR: Based on

1 what we expect to achieve from adopted and upcoming
2 measures, the strategy to attain the remaining PM2.5
3 standards in the valley is now less reliant on incentive
4 measures, instead getting additional reductions from rules
5 and regulations. It also does not rely on any reductions
6 coming from federal measures.

7 In particular, fewer incentives are relied upon
8 for reductions from trucks. The 2018 SIP estimated \$3
9 billion would be needed to turn over enough trucks to meet
10 our emission reduction commitment. Since HD I&M is
11 overperforming on reductions, we can dramatically lower
12 the amount of estimated incentive funds needed for truck
13 turnover. However, truck incentive funds are still needed
14 and will achieve reductions benefiting regional air
15 quality and decreasing community exposure.

16 --o0o--

17 AQPSD AIR POLLUTION SPECIALIST CARR: Earlier
18 this month, CARB received a letter from the Central Valley
19 Air Quality Coalition, or CVAQ, which expressed some
20 concerns about the SIP. These included a request to delay
21 the proposed SIP revision to consider updating the
22 modeling in the SIP adding contingency measures required
23 by the Clean Air Act, doing a more extensive precursor
24 analysis relating to ammonia and evaluating stationary
25 sources.

--o0o--

AQPSD AIR POLLUTION SPECIALIST CARR: CARB worked closely with EPA and the District in developing this SIP amendment, including the technical foundations, the modeling, and inventory. The modeling and the base inventory in the SIP are sound. Updating the modeling would take at least a year, and, as noted earlier, this would have a significant impact on the transportation agencies in the valley. In addition, it could delay the development of the ozone SIP for the valley. Instead, we should focus on implementing the SIP by adopting regulations to reduce emissions.

CARB and the District agree that contingency measures are needed as they are a Clean Air Act requirement. There is currently considerable uncertainty about what an approvable contingency measure is under the Clean Air Act. A court recently ruled on EPA's approval of contingency measures and EPA is in the process of internally determining its approach on the court opinion. CARB and the District will be working with EPA on developing approvable contingency measures as that uncertainty resolves.

With respect to ammonia, CARB staff continues to assess it as a precursor to control to improve PM2.5 air quality. We updated the Board on the science of ammonia

1 as a precursor in November 2017, engaged with stakeholders
2 throughout the SIP development and implementation process
3 to discuss concerns, and have provided multiple rounds of
4 technical documentation to EPA in support of the Valley
5 PM2.5 SIP.

6 Multiple field studies in the valley, including
7 the most recent in 2017, have confirmed that NOx is the
8 limiting precursor to formation of ammonium nitrate, which
9 is a part of PM2.5, and that there is a far greater amount
10 of ammonia in the valley air than is necessary to
11 participate in the chemistry that leads to ammonium
12 nitrate.

13 This means that controls on NOx, rather than
14 ammonia, are the more effective way to reduce overall
15 PM2.5. Thus, the SIP and CARB measures focus on
16 controlling NOx to improve PM2.5 air quality. And air
17 monitoring has shown that as NOx in the air goes down over
18 time, ammonium nitrate levels also go down.

19 CVAQ has also expressed concerns about stationary
20 sources in the valley, which I will discuss on the next
21 slide.

22 --o0o--

23 AQPSD AIR POLLUTION SPECIALIST CARR: CARB is
24 pursuing a number of activities related to stationary
25 sources. First, we are developing an online Q&A document

1 to enhance clarity on best available retrofit control
2 technologies statewide. This will highlight opportunities
3 to update district rules, policies, and procedures to
4 promote consistency and ensure deployment of the cleanest
5 technology.

6 In addition, CARB will convene a meeting of the
7 California Air Pollution Control Officers Association, or
8 CAPCOA, and other stakeholders to assess new source
9 review, or NSR, implementation as called for in Resolution
10 20-11. This will be a collaborative statewide approach to
11 improve the overall process.

12 CARB will also increase its inspections and
13 evaluations of stationary sources statewide in
14 collaboration with air districts to better address
15 community concerns about compliance and permitting and to
16 better address complaints.

17 --o0o--

18 AQPSD AIR POLLUTION SPECIALIST CARR: In
19 conclusion, staff recommends the Board adopt the proposed
20 SIP revision for the 15 microgram annual standard and
21 direct the Executive Officer to submit to EPA for
22 inclusion in the California SIP.

23 As important next steps for SIP implementation,
24 we need to maximize the near-term reductions from CARB's
25 current regulatory calendar and continue to implement the

1 agricultural burning phase-out.

2 We will also work with districts and stakeholders
3 statewide to evaluate stationary source programs and we
4 will continue providing regular reports back to the Board
5 on the status of implementation.

6 That concludes the staff presentation. And now
7 I'd like to ask Jon Klassen, Director of Air Quality
8 Science and Planning at the San Joaquin Valley Air
9 Pollution Control District to provide a few comments.

10 JON KLASSEN: Thank you, Laura. Appreciate that.

11 Good morning, Chair Randolph and members of the
12 Board. I'm Jon Klassen, Director of Air Quality Science
13 and Planning with the San Joaquin Valley Air Pollution
14 Control District. Thank you for the opportunity to speak
15 on this item, along with the great presentation from your
16 staff.

17 We appreciate the collaboration and hard work of
18 Mr. Corey, Ms. Chang, Dr. Benjamin, and the rest of the
19 CARB team on this item. The San Joaquin Valley has long
20 worked hard to develop and implement a variety of air
21 quality improvement plans over the last 30 years, which
22 has led to ongoing air quality improvements across the
23 region. Air quality improvements have been achieved
24 through a combination of regulatory and incentive based
25 approaches and has only been possible through the support

1 of CARB, valley residents, businesses, agriculture,
2 cities, counties and community-based organizations.

3 The San Joaquin Valley has seen steady and
4 significant clean air improvements during ozone and PM2.5
5 seasons in recent years due to the implementation of
6 mobile and stationary source emission reduction
7 strategies. For ozone, the valley has attained the 1-hour
8 ozone standard and is the first and only area classified
9 and designated as extreme non-attainment to meet the
10 standard. In addition, the valley days exceeding the 1997
11 8-hour ozone standard have been reduced by over 90
12 percent, and the region is on the cusp of attaining this
13 standard.

14 As highlighted in the CARB staff presentation,
15 the valley has significantly improved PM2.5
16 concentrations, where 20 years ago almost the entire
17 valley was not attaining the 1997 PM2.5 standard. And now
18 we've attained the 24-hour portion of the standard with
19 only one site not attaining the annual portion, primarily
20 due to data collection issues at the site.

21 The valley is also making great progress towards
22 meeting the 2006 and 2012 PM2.5 standards, where after
23 removing wildfire exceptional events, many areas have
24 already attained these standards.

25 However, the San Joaquin Valley has some of the

1 nation's biggest challenges with air quality due to a
2 unique combination of topography and meteorology, goods
3 movement activity, increasing population and vehicle
4 activity, the emissions transport from neighboring regions
5 and countries, increasingly severe wildfires, along with,
6 as you know, the reality of our region being home to many
7 of our state's most disadvantaged and impacted
8 communities.

9 These challenges highlight both the difficulty
10 and importance of our collective work to reduce air
11 pollution and improve public health. But despite the
12 progress that's been made, it is clear that we need
13 extensive emissions reductions to meet federal
14 health-based standards, given our unique regional
15 challenges and have gone and must continue going well
16 beyond what other areas of the state and nation need to
17 achieve the air quality standards.

18 In order to meet this goal, it will require work
19 at the local, State, and federal level. And after years
20 of robust public engagement, the District and CARB jointly
21 adopted the 2018 PM2.5 plan to address the latest federal
22 health-based PM2.5 standards. This plan includes a number
23 of strategies to reduce air pollution from stationary
24 sources, area sources, and mobile sources through binding
25 commitments at the local, State, and federal level.

1 Since its adoption in late 2018, the District has
2 been taking a number of actions to implement the measures
3 included in the 2018 PM2.5 plan, including the adoption of
4 our new residential wood burning reduction strategy in
5 2019, which we have implemented over the last two winter
6 seasons. And we're about to begin its third
7 implementation in this next winter season beginning in
8 about one month. And this established a more stringent
9 rule to curtail wood burning coupled with strong public
10 outreach and incentives to eliminate old wood burning
11 devices.

12 We've also recently amended stationary source
13 rules furthering reducing emissions from industrial
14 flares, boilers, steam generators, and process heaters,
15 agricultural and industrial internal combustion engines
16 and other equipment. We've adopted our commercial
17 charbroiling emissions reduction technology advancement
18 strategy as the next step in continuing to evaluate this
19 measure.

20 We've recently adopted the only of its kind
21 regulation phasing out remaining agricultural burning in
22 the valley with a near complete phase-out deadline of
23 January 1st, 2025, providing significant direct PM2.5
24 emissions reductions.

25 We also have ongoing local implementation of our

1 highly recognized and effective incentive programs that
2 have been critical in achieving the state's mobile source
3 emissions reduction goals, including the massive
4 transition to new agricultural equipment, and more
5 recently, low-dust nut harvesters in strong partnership
6 with the agricultural community, zero-emission commercial
7 lawn and garden maintenance equipment, wood stove
8 changeouts and new zero and near-zero emissions heavy-duty
9 trucks to name a few.

10 The majority of these local programs are
11 implemented in strong partnership with CARB staff and we
12 appreciate their ongoing support through these efforts.
13 We are also continuing to work on other measures that were
14 commitments from this plan, including new SIP regulations
15 concerning glass melting furnaces, solid fuel-fired
16 boilers, steam generators and process heaters, quantifying
17 SIP credit for our wood stove changeout -- changeouts
18 through our burn cleaner incentive program and
19 conservation management practices.

20 This is just some of the recent work being done
21 at the local level in addition to all of the ongoing work
22 of operating the most stringent stationary source
23 regulatory and enforcement program that has reduced NOx
24 emissions from stationary sources by over 90 percent. As
25 you heard, the District anticipates that the emissions

1 reductions from these measures will fulfill and exceed the
2 District's aggregate commitment from the 2018 PM2.5 plan.

3 Now, regarding the proposed SIP revision for the
4 1997 annual PM2.5 standard, it's important to put this
5 into context, starting first with the progress that's been
6 made with respect to this standard.

7 Just last week, EPA proposed to find the valley
8 in attainment of the 65 microgram per meter cubed
9 standard. And all sites in the valley now meet the annual
10 portion of the standard but for one CARB-operated site
11 located at a municipal airport and helicopter landing pad
12 in Bakersfield.

13 I'd like to highlight that if it were not for
14 data collection issues at this CARB site, the valley would
15 have likely attained this annual average standard by 2020.
16 Due to these challenges and technicalities, a SIP revision
17 is needed to provide the necessary time to address federal
18 planning requirements and ensure that the valley is not
19 penalized under the Clean Air Act.

20 Through the ongoing progress between the District
21 and CARB to reduce emissions from stationary, area, and
22 mobile sources, the proposed SIP revision projects that we
23 will attain the standard in the coming years and no later
24 than the 2023 target.

25 The District requests that CARB Board support

1 this needed revision under the Clean Air Act where we
2 continue to implement measures and address the PM2.5
3 standards under the District and CARB's adopted 2018 PM2.5
4 plan in the coming few years.

5 Now, looking ahead, we would like to flag some
6 issues critical to the San Joaquin Valley. First as you
7 saw outlined in CARB staff's presentation, in addition to
8 local efforts, ongoing and significant near-term mobile
9 source reductions are vital to meeting our federal
10 attainment and community level air quality and toxics
11 emissions reduction goals. It will be critical that the
12 Valley and State continue to allocate clean air incentive
13 funding to the valley to support the transformational
14 changes needed to transition to zero and near-zero
15 emissions technologies and support the continued
16 implementation of key incentive programs, including for
17 agricultural equipment, trucks, buses, locomotives, clean
18 plug-in electric and hybrid passenger vehicles, and
19 off-road equipment.

20 This is particularly important for our
21 disadvantaged communities that bear the brunt of the toxic
22 diesel particulate matter exposure from mobile sources.
23 The two regions in the country facing the most difficult
24 air quality challenges happen to be in California, the San
25 Joaquin Valley, and South Coast, when we collectively face

1 a number of upcoming deadlines to attain the federal air
2 quality standards in the 2023, 2024, and 2025 time frame
3 for the ozone and PM2.5 standards.

4 It's also critical that the State's Mobile Source
5 Strategy address the valley's near-term public health and
6 attainment needs to support these attainment deadlines and
7 fulfilling these near-term commitments is essential to
8 attainment in protection of public health. With respect
9 to heavy-duty trucks that make up the single largest
10 pollution source in our region in our impacted
11 communities, it will be critical that an all-in approach
12 to pursuing every available zero and near-zero emissions
13 technology be utilized to achieve the emissions reductions
14 needed to meet our air quality and public health goals in
15 the San Joaquin Valley.

16 The District looks forward to working with CARB
17 to ensure a strong focus continues to be placed on
18 assisting our communities to meet these near-term goals as
19 you work through the 2020 mobile source strategy this year
20 and the State Mobile SIP next year.

21 In addition, consistent with our federal
22 petitions and advocacy positions regarding heavy-duty
23 trucks and locomotives, we look forward to strengthening
24 our -- strengthening our partnership with CARB to jointly
25 advocate for stronger federal action on mobile sources at

1 the national level to ensure that we see the needed
2 transitions in mobile source fleets and technologies.

3 So as we continue to work through all of these
4 strategies, ongoing robust public engagement will be key
5 as the District and CARB continue to develop their
6 respective measures from the 2018 PM2.5 plan commitments.
7 The San Joaquin Valley's next ozone attainment plan for
8 the 2015 ozone standard is current being -- currently
9 being developed through a public process. And ongoing
10 engagement will be critical as this work continues into
11 next year and ongoing mobile source emissions reductions
12 will be foundational for this plan.

13 Public engagement will also be critical as CARB
14 continues to develop updates to the Mobile Source State
15 SIP Strategy, which will affect long-term strategies to
16 continue reducing emissions from mobile sources across the
17 state. In addition, public engagement for the development
18 of a new contingency measure package for the ozone and
19 PM2.5 attainment plans will also be critical as the Valley
20 and CARB develop a joint approach to meet new EPA
21 requirements.

22 The District appreciates the close collaboration
23 with CARB in implementing this critical attainment plan
24 for the valley. We look forward to working through strong
25 public engagement with our communities, local businesses,

1 and our agency partners, CARB and EPA and continuing to
2 work to reduce emissions and improve public health for the
3 residents of the San Joaquin Valley.

4 Thank you for the opportunity to speak on this
5 item.

6 EXECUTIVE OFFICER COREY: Those are the staff
7 remarks

8 CHAIR RANDOLPH: All right. Thank you. We will
9 now hear from the public who raised their hand to speak on
10 this item. Will the Board Clerk please call the first few
11 commenters?

12 BOARD CLERK ESTABROOK: Yes. Thank you.

13 We currently have nine commenters with their
14 hands raised to speak at this time. If you wish to
15 verbally comment on this Board item, please raise your
16 hand or dial star nine in Zoom now. I apologize in
17 advance if I mispronounce any names.

18 The first three speakers will be Kristine Cai,
19 Diane Nguyen, and Ahron Hakimi.

20 Kristine, I have activated your microphone. You
21 can unmute yourself and begin your comment.

22 KRISTINE CAI: Good morning. My name is Kristine
23 Cai. I am the Deputy Director of Fresno Council of
24 Governments. Thank you so much for the opportunity to
25 speak this morning. As your staff mentioned, in July, EPA

1 proposed disapproval of portions of the 1997 annual PM2.5
2 SIP for the San Joaquin Valley. Final action on that
3 disapproval is expected in December with an effective date
4 in January 2020. The impacts associated with this include
5 SIP disapproval starts conformity freeze, if SIP issues
6 are not resolved. During a conformity freeze, no new RTP,
7 TIP, or amendments can be found to conform until SIP
8 issues are resolved.

9 Valley MPOs are currently preparing RTP and TIP
10 updates, which require conformity determination. We are
11 scheduled to adopt our new RTP and TIP in the summer of
12 2022. As such, it is critical that the effect of any
13 conformity freeze is mitigated immediately and that the
14 CARB Board does not delay its approval of this SIP
15 revision. In fact, in an effort to address this issue,
16 CARB staff and Air District staff have worked tirelessly
17 to develop a SIP revision that will bring the valley into
18 attainment by 2023.

19 Now, I understand that the CARB Board has
20 received requests to delay approval of the SIP revision to
21 allow for continued comments and adjustment, which will
22 have severe impact to the valley's planned option. Valley
23 MPO staff is well versed with the process associated with
24 SIP development, revision, and delivery of plans that
25 achieve SIP goals. We participate in the process, provide

1 technical assistance, and test results of draft SIP
2 adjustments through region-wide model testing. Based on
3 our technical staff's experience, we know that making
4 additional edits to SIP revisions requires significant
5 amount of retesting to be done. We know that even the
6 edit length of comments and edit to SIP revision can
7 introduce as much as six to 12 months of additional
8 scheduled to additional model testing.

9 This directly conflicts with the adoption
10 schedule for the Valley MPO's RTP and TIP update. We
11 cannot bump our schedule to accommodate additional changes
12 to the SIP revisions, as RTP and TIP updates are federally
13 mandated with specific deadlines. Any added delay will
14 leave the valley in the extended conformity freeze and put
15 the entire San Joaquin Valley MPOs at risk of missed
16 project delivery deadlines, loss of transportation funds,
17 and an ability to deliver GHG reductions called for under
18 SB 375.

19 I urge the ARB Board to approve the SIP revision
20 today without any delay. Again, thank you for the
21 opportunity to speak.

22 BOARD CLERK ESTABROOK: Thank you. Diane Nguyen,
23 I've activated your microphone. You can unmute yourself
24 and begin.

25 STAFF AIR POLLUTION SPECIALIST NGUYEN:

1 DIANE NGUYEN: Hello. I'm Diane Nguyen. I am
2 currently serving as Vice Chair of the San Joaquin Valley
3 Directors Committee, as well as I am the current Executive
4 Director for the San Joaquin Council of Governments. I'd
5 like to take this opportunity to support CARB staff's
6 recommendation on the SIP and offer a few comments from
7 the Metropolitan Planning Organization's perspective.
8 Some of my comments will be similar to my sister agency
9 Fresno COG already mentioned.

10 The SIP is critical in the valley. And we do
11 need it to demonstrate conformity. It is an essential
12 piece for us moving forward on the 2020 Regional
13 Transportation Plan, Sustainable Communities Strategy, and
14 2023 Federal Transportation Improvement Program. We
15 cannot adopt those plans without conformity determination.

16 Specifically, in the valley, we're talking about
17 2.5 billion in regional significant projects that are held
18 up in a conformity freeze, and many of these, about half,
19 are in various stages of planning and construction over
20 the next seven years. These projects not only increase
21 mobility, but they also provide critical safety
22 improvements. And further the -- furthermore, they
23 improve economic conditions in arguably the most
24 economically depressed areas of the state of California.

25 These projects have gone through many, many years

1 of collaboration, and consensus building to develop
2 something that works best for stakeholders in the region
3 and they cannot be delayed.

4 Also, without a conforming TIP and RTP, the MPOs
5 cannot approve our Sustainable Communities Strategy.
6 Without a Sustainable Communities Strategy, we will be in
7 jeopardy of moving forward on State funds. An example is
8 the SB 1 funds. These funds cannot be authorized without
9 an approved SCS. There's a new cycle of SB 1 funds that
10 will be advantageous for investment in disadvantaged
11 communities. And we do not want to lose a day in being
12 able to invest those dollars in these critically needed
13 communities.

14 We also want to ensure that there's no jeopardy
15 in our ability to participate in the regional planning
16 process and have the public participate as well. Any
17 uncertainty in the SIP means things are subject to change
18 and that's not ideal when we are investing many months and
19 resources in public outreach.

20 Thank you for this opportunity.

21 BOARD CLERK ESTABROOK: Thank you.

22 Ahron Hakimi, I've activated your microphone.
23 You can unmute yourself and begin.

24 AHRON HAKIMI: Good morning, Madam Chair and
25 Board members. I'm Ahron Hakimi. I'm the Executive

1 Director of Kern Council of Governments. And this year, I
2 serve as the Chairman of the San Joaquin Valley COG
3 Directors, so I'm speaking on behalf of all eight counties
4 and specifically Kern County.

5 Any delays to the SIP revisions and 2023
6 conformity budgets would put all eight San Joaquin Valley
7 MPOs and counties at risk of missed project delivery
8 deadlines. That means losing transportation funds and an
9 inability to deliver greenhouse gas reductions called for
10 in SB 375, especially in our region's disadvantaged
11 communities. CARB's mission is to promote and protect
12 public health, welfare, and ecological resources through
13 effective reductions of air pollutants while recognizing
14 and considering effects on the economy.

15 Please consider the negative effects on the
16 economy to our disadvantaged communities caused by the
17 potential delay realized -- by the delay realizing the
18 economic health and safety benefits of the projects in our
19 local sustainable community plans.

20 We urge CARB to adopt SIP revisions without any
21 delay and are committed to continue to work with you to
22 meet our region's air quality goals. To be crystal clear,
23 we support staff's recommendation. Let me direct your
24 attention to one specific project. On State Route 46, in
25 the vicinity of the disadvantaged community of Lost Hills,

1 I've personally worked on this project for over 20 years.
2 This project is about to be completed in July of 2022.
3 Failure to approve this item will delay that project.
4 Over 60 people have died on this stretch of highway in the
5 last 20 years.

6 I beg you do not delay this urgently needed
7 project that has taken over 20 years to deliver.

8 Thank you.

9 BOARD CLERK ESTABROOK: Thank you.

10 Our next three speakers will be Cynthia
11 Pinto-Cabrera, Manuel Cunha, and Janet Dietzkamei.

12 Cynthia, I've activated your microphone. You can
13 unmute yourself and begin.

14 CYNTHIA PINTO-CABRERA: Hi. Good morning, Chair
15 Randolph and members of the Board. I am Cynthia
16 Pinto-Cabrera, Policy Assistant with the Central Valley
17 Air Quality Coalition, or CVAQ.

18 The San Joaquin Valley has yet to meet the 1997
19 particulate matter standard and continues to be the most
20 polluted air basin in the nation. The failure to meet
21 this standard means that I have lived my whole life in an
22 air basin that has been out of attainment for a deadly
23 pollutant. That is simply unacceptable.

24 As we look toward the proposed revision for the
25 15 microgram annual PM2.5 standard and meeting the

1 upcoming 2006 (inaudible). The proposed amendments and
2 the rest of the 2018 combined PM2.5 plan continue to be
3 weak uplifting incentives as opposed to enforceable
4 emissions reductions. A plan that merely delays the
5 deadline without enforced emissions reductions is not
6 health protective.

7 We ask that CARB staff not rush the process and
8 extend the consider -- extend the consideration of the
9 revision for at least 30 days in order to give a
10 meaningful thought -- meaningful thought on how best to
11 move forward after the failure to meet the 1997 standard.
12 Within those 30 days, CARB should also give attention to a
13 significant public process. When asking CARB staff if
14 they are going to be hosting an opportunity for the public
15 to express their thoughts and provide input on this
16 process, we were met with a no.

17 The 2018 plan has real life health implications
18 for millions of people. We reserve the right to provide
19 input in this process. Additionally, CARB must use its
20 authority to apply strong regulations and stringent
21 enforcement in the San Joaquin Valley, if we are not -- if
22 we are to meet these clean air goals. CARB must provide
23 timelines for mobile source regulations in an accelerated
24 manner to align with deadlines for emission reductions in
25 the valley. CARB must adopt more ambitious fleet rules

1 that require a hundred percent of new truck sales to be
2 zero emissions by 2035, as well as adopt Indirect Source
3 Rules that are enforceable and address impacts from magnet
4 sources like warehouses and distribution centers, which
5 have -- which continue to expand in most of -- in some of
6 the most impacted neighborhoods throughout the valley.

7 Again, we ask for a 30-day extension to give time
8 for development of enforceable next steps and give time
9 for meaningful public process.

10 Thank you for the opportunity to comment.

11 BOARD CLERK ESTABROOK: Thank you.

12 Manuel Cunha, I have activated your microphone.
13 You can unmute yourself and begin.

14 MANUEL CUNHA, JR.: Okay. Can you hear me okay?

15 BOARD CLERK ESTABROOK: Yes, I can.

16 MANUEL CUNHA, JR.: Great. Thank you. First,
17 Manuel Cunha, President of Nisei Farmer League in San
18 Joaquin Valley.

19 I want to first thank, Madam Chair, those Board
20 members and staff, especially Richard Corey, Michael
21 Benjamin and others for helping to develop and get the
22 funds that were needed for the FARMER's Program to help do
23 one of the most outstanding thing of reductions of a
24 voluntary program that has reduced over 14,000 tractors.
25 And that program has really proved to be very successful.

1 And the commitment of agriculture saying it was going to
2 do it, has done it, and it is ready to help finish by the
3 next two years. Even with all the things that have hit
4 our -- hit agriculture from the COVID to the parts,
5 electronic parts not coming into the United States for
6 building of tractors, we still moved forward, and we're
7 still working very hard to get those extra -- those other
8 two or three thousand tractors needed. But again, if it
9 wasn't for the funds and your staff, we would not be
10 there. And so thank you for all that hard work.

11 Number two is the agricultural worked so hard in
12 developing with Richard Corey, and staff, and everybody at
13 ARB, and the San Joaquin Valley Air District, especially
14 Samir and his team, on the agricultural burning. We did
15 come up with a plan. We will be out of burning except for
16 diseased plants because of the issues. But agriculture
17 came up with a plan with the District, with ARB, and we
18 are achieving that again.

19 And I want to thank you, Madam Chair, and those
20 folks, even -- even Jared Blumenfeld over at EPA -- CalEPA
21 for their efforts to help ensure that we had those funds
22 to help with the agricultural reduction burning. And we
23 are achieving those things. We are now absolutely going
24 forward where farmers are planning how they get their
25 fields, how they pile them and everything in coordination

1 with the chipping program, and the funds now that are able
2 to purchase the equipment that is necessary for us to
3 achieve this in three years, which is tremendous.

4 And again, my organization, as well as the
5 African American Farmers, Will Scott, highly support the
6 staff's recommendation. But again, Madam Chair, I want to
7 thank Richard Corey and his entire ARB team, Lucina over
8 in that department with Michelle and Evan, and the San
9 Joaquin Valley Air District for working with agriculture
10 and coming up with solutions, especially for even the
11 things that we're working on today, even with all the
12 diversity of no water, shortages of water, labor, also the
13 fire.

14 So we thank you and we ask that the Board move
15 forward and approve what the staff's recommendation is.
16 Thank you for your time and appreciate it very much.

17 BOARD CLERK ESTABROOK: Thank you.

18 Next, we will have Janet Dietzkamei. After Janet
19 will be Bill Magavern, Chris McGlothlin, and Mark Rose.

20 Janet, I have activated your microphone. You can
21 unmute yourself and begin.

22 JANET DIETZKAMEI: Thank you and good morning.

23 Many hours were put to the 2018 PM2.5 plan with
24 expectation of a 2020 15 microgram per cubic meter
25 reduction. PM2.5 is of immediate concern to those of us

1 with asthma and other respiratory diseases.

2 When I first learned I have asthma, I ended in
3 the emergency room. I was exposed to particulates, which
4 resulted in me becoming sick with Rhinitis, sinusitis,
5 bronchitis, and by the time I was in ER first stage
6 pneumonia. I was very sick and I was very sick in a
7 matter of a week.

8 Due to climate change, we are in a very different
9 environment than we were when the 2018 PM2.5 plan was
10 introduced. Presently, our air is hotter, our forests
11 drier from lack of rain, and some forest trees are dying
12 from beetle infestation due to their dehydration. Now, we
13 will annually be plagued with wildfires, since our forests
14 are no longer healthy.

15 We will be annually plagued with PM2.5 in the
16 form of black carbon in the summer and fall. I will say
17 that again. In addition to black carbon from forest
18 wildfires -- I will say again, wildfires -- in addition to
19 the already present PM2.5 caused by San Joaquin Valley
20 pollutants already in existence. Wildfires must be
21 included in modeling. I will say it again, wildfires must
22 be included in modeling, because they are with us now,
23 they are a new norm, and it happens annually.

24 PM2.5 from wildfires is placing a further burden
25 on the San Joaquin Valley. We all suffer from the effects

1 of the particulates, especially those residents who cannot
2 escape them. Residents who have no air conditioning have
3 windows open in the hot summers that we now endure. This
4 population ends up in the emergency room.

5 For us current, real time, daily, safe air
6 quality is critical for our good health. Please think of
7 the suffering people here. Please do the right thing to
8 give us what many living in the coastal regions enjoy.
9 Clean air is harmless to breathe on the coastal regions.
10 We are depending upon you. You have our health and even
11 our lives in your care.

12 Reducing PM2.5 immediately is critical to us now.
13 We need to work together. I support Cynthia's comments.
14 Please do what we need, all of us, and especially those
15 with respiratory diseases.

16 Thank you.

17 BOARD CLERK ESTABROOK: Thank you.

18 Bill Magavern, I have activated your microphone.
19 You can unmute yourself and begin.

20 BILL MAGAVERN: Thank you. This is Bill Magavern
21 with the Coalition for Clean Air. As you well know, the
22 San Joaquin Valley has the worst particle pollution in the
23 entire country and the adverse impacts of that pollution
24 fall disproportionately on sensitive groups, as you heard
25 from Janet, and also on our low income communities of

1 color.

2 We also know that the current federal standards
3 are not sufficiently protective of our health, because the
4 Trump administration rejected the science and refused to
5 tighten the PM2.5 standards, you know, as was indicated by
6 the science.

7 We also see that every year we're getting more
8 and more research showing that the effects of fine
9 particle pollution are even worse for our health than
10 previously believed. So we appreciate all of the progress
11 that has been made and the many actions that have been
12 taken as detailed in the staff report, but it's clear that
13 we need more action. We need more action from the federal
14 government, from the State, and from the District. And I
15 will just point to a few measures that we think are
16 essential.

17 One is the adoption this year of a strong
18 inspection and maintenance rule for heavy-duty vehicles as
19 required by SB 210, which was authored by Senator Leyva
20 and sponsored by us. The -- your staff report points out
21 the great benefits expected from that rule, but of course
22 they're all in the future. First, you need to adopt and
23 implement a strong rule.

24 Secondly, you need to adopt a measure that will
25 actually require the retirement of heavy-duty diesel

1 trucks at the end of their useful lives. The generation
2 of truck -- trucks that started with the engine standard
3 of 2010 are getting older and many of them are polluting
4 well in excess of the standards they were certified to.
5 They can have a long useful life as defined by law. And
6 at the end of that law, they should no longer -- at the end
7 of that life, they should no longer be allowed to operate
8 in the State of California.

9 We also need to look to stationary sources and to
10 have an effective implementation of best available
11 retrofit control technology requirements, as required by
12 AB 617. And the District should adopt an Indirect Source
13 Rule for warehouses similar to the one adopted earlier
14 this year by the South Coast Air Quality Management
15 District. Thank you very much for listening to my
16 comments.

17 CHAIR RANDOLPH: I just -- this is Chair
18 Randolph. I just wanted to note that those of you who are
19 listening in thinking about commenting, you should raise
20 your hands in the next three to four minutes to make sure
21 that you have the opportunity to speak.

22 BOARD CLERK ESTABROOK: Thank you.

23 Chris McGlothlin, I have activated your
24 microphone. You can unmute yourself and begin.

25 CHRIS MCGLOTHLIN: Thank you. Good morning,

1 Chair Randolph, Board members and staff. My name is Chris
2 McGlothlin. I represent both the California Cotton
3 Ginners and Growers Association, as well as the Western
4 Agricultural Processors Association representing tree nut
5 hullers and processors throughout the state.

6 We wish to support the staff's recommendation to
7 adopt the SIP without delay. I would like to echo the
8 sentiments made by my colleague Manuel Cunha, as well as
9 the first couple commenters from the COG. We must not
10 delay implementation of these measures. As stated in
11 staff's presentation, the incentive programs specific to
12 the agricultural industry for the turnover of agricultural
13 equipment have been extremely successful. And the recent
14 commitment by the State of over \$200 million specific to
15 equipment replacement programs, both FARMER and Carl
16 Moyer, will help relieve the backlog of equipment turnover
17 applications that currently sit at the District. And
18 we're extremely appreciative of both CARB's commitment,
19 whether it be through the scoping plan measures,
20 identifying incentive measures being the most effective
21 way to target the replacement of this equipment.

22 And we'd also like to appreciate the Air District
23 for all of their hard work on both the incentive side,
24 management side, and in trusting the process and seeing
25 these programs through, and how successful they can be

1 with our help and with their help as well.

2 Partnered with that, similar to Manuel's
3 statements previously, the ongoing incentive programs for
4 the phaseout of open burn have been extremely successful
5 in their infancy. And as this influx of cash through the
6 incentive programs to turnover and buy new equipment for
7 the chipping and grinding and incorporation into the
8 soils, these programs continue to gain more popularity
9 amongst growers and we will see those practical benefits
10 to those changes in field in the long run. And so we're
11 appreciative of those commitments made by CARB and by the
12 air district as well.

13 And so with those, you know, we do have our
14 concerns in terms of the heavy-duty side, the truck side
15 of it, and their implementation towards seasonal
16 agricultural operations, but we know that in working with
17 CARB through the process, you know, we're -- they're
18 hearing our concerns specific to that, but we know that
19 with the -- the end of truck and bus coming with the
20 end -- in the next year, you know, we're going to see a
21 lot of these older trucks phased out converting over to
22 new or electric trucks, as they're made available. And so
23 we ask that the staff support the -- or staff -- we
24 support the recommendation for the SIP measures and
25 approve it without delay.

1 And so with that, I thank you for your time.

2 BOARD CLERK ESTABROOK: Thank you.

3 Our next speaker will be Mark Rose. After Mark,
4 we will have Jasmin Martinez, Shayda Azamian, and Paul
5 Cort.

6 Mark, I have activated your microphone. You can
7 unmute yourself and begin.

8 MARK ROSE: Good morning. Mark Rose with
9 National Parks Conservation Association. I thank you for
10 this opportunity to comment. It has been almost three
11 years since the CARB Board voted to approve the 2018 SIP.
12 At the time of that vote, I warned this Board that what
13 they had in front of them was less of plan and more of an
14 IOU to valley residents.

15 Sadly, this ongoing debt has still yet to be
16 paid. So here we stand nearly a quarter century after EPA
17 first promul -- promulgated standards for fine
18 particulates. And the valley remains the only region in
19 the nation still failing to attain the least protective
20 standard on the books, 24 years, three separate attainment
21 failures.

22 This is one of the most egregious ongoing clean
23 air and environmental justice catastrophes in modern
24 America. It should be a wake-up call for everyone who has
25 been involved in this plan over the years.

1 Instead, once again, regulators at State agencies
2 have rushed through an inadequate plan with little public
3 process, treating this more as an administrative paper
4 pushing exercise than a real opportunity to finally
5 improve public health in the valley.

6 Agencies are more concerned with highway funds
7 than improving the air valley residents breathe. Let's be
8 clear, this revised plan includes no new commitments
9 beyond what's already on the books. It's quite literally
10 the exact same plan as the one put forth in 2018, with a
11 few line item edits that merely moves the goal posts once
12 again, pushing attainment back to 2023.

13 At the very least, we urge this Board to delay a
14 vote on this item until the public and Board members are
15 provided with an adequate opportunity to engage in this
16 overly rushed process. Since this plan offers nothing
17 new. Any additional delay would have no real-world
18 repercussions when it comes to the valley air residents
19 breathe.

20 Instead, a short delay would give this Board an
21 opportunity to fully analyze and remedy the significant
22 legal and policy deficiencies in this plan, including the
23 out-of-date emissions inventory, the complete lack of
24 viable contingency measures, insufficient precursor
25 analysis, and the complete and total failure to analyze

1 and include any new control measures in this plan.

2 While we are pleased to see that CARB and the
3 District are moving forward with a handful of new
4 commitments covering sources such as locomotives and ag
5 burning, these commitments were not include -- included in
6 this revised SIP, meaning that we are missing the
7 opportunities to make these federally enforceable.

8 Moreover, there are a number of other control
9 measures this plan fails to analyze, such as an updated
10 Indirect Source Review, which was adopted by the South
11 Coast or lowering burn thresholds for wood burning
12 devices. You have a clear choice here. It's one in which
13 you are being asked to chose between an inadequate
14 strategy that has failed already on numerous occasions, as
15 a result of putting special interests above those of
16 public health.

17 It is a choice of whether overblown fears of
18 limited sanctions are more important than finally doing
19 what is needed to to achieve clean air for valley
20 residents. Given this failure and the hundreds of
21 millions, if not billions of dollars, in unfunded
22 incentives that are outstanding, it is clear that we are
23 no where near on track to reach the 30 plus ton per day
24 commitment needed to reach not only this standard, but the
25 2006 and 2012 standards.

1 We need strong action now. This plan is not good
2 enough. Please make the right choice.

3 BOARD CLERK ESTABROOK: Thank you.

4 Jasmin Martinez, I have activated your
5 microphone. You can unmute yourself and begin.

6 JASMIN MARTINEZ: Good morning, members of the
7 Air Board. My name is Jasmin Martinez and I am country
8 resident coordinator with the Central Valley Air Quality
9 Coalition.

10 BOARD CLERK ESTABROOK: Jasmin.

11 JASMIN MARTINEZ: Yes.

12 BOARD CLERK ESTABROOK: I believe there's some
13 feedback, so we're hearing you twice. Are you possibly
14 joined from two devices?

15 JASMIN MARTINEZ: No. Does this --

16 CHAIR RANDOLPH: Okay. It sounds better now. Go
17 ahead.

18 JASMIN MARTINEZ: Okay. CARB and District staff
19 have been saying that it is only one monitoring site in
20 Bakersfield that has not met the standard. However, EPA
21 has not approved the wildfire impact information used and
22 clearly stated we failed at eight monitors. The United
23 States Environmental Protection Agency document and the
24 Federal Register states that data show that the annual
25 design value for the 2018 through 2020 period ranged from

1 19 -- 9.5 to 17.6 micrograms across the area at monitors
2 with valid design values, and that the valid design values
3 exceeded 15 micrograms at eight of the monitoring sites,
4 indicating that the area did not meet the 1997 annual
5 PM2.5 national ambient air quality standards by the
6 projected December 31st, 2020 attainment date.

7 Throughout this short process, there has been a
8 lack of transparency with the public and within the
9 agencies that should be sharing this information. Even if
10 it were one monitor, me and my community in Kern should
11 not be treated as a technicality. That one monitor
12 represents hundreds of thousands of people breathing
13 unhealthy air by a standard older than me.

14 I and my younger siblings have never known a day
15 of PM2.5 attainment. And if I didn't do this work, I
16 wouldn't have known that there was a plan to change the
17 reality that everything from my early lung development to
18 life expectancy has been put at risk.

19 This and other standards are arbitrary baselines,
20 because our goal should be to genuinely do everything we
21 can to collectively clean the air in the valley. Anything
22 less than that is a deliberate compromise to the lives of
23 San Joaquin Valley communities. It's time to explore all
24 of our options and to hold industrialized agriculture, the
25 oil industry, and other pollution sources accountable.

1 At any point throughout this process, there
2 should not be more staff capacity going toward excluding
3 something in the plan rather than in amending and
4 executing it. Community organizations and impacted
5 residents have provided lists of ideas that have not been
6 included in the plan to date. Why is that the case?

7 Today, I ask for CARB to make a commitment to
8 public health and equity by refusing to rush this
9 important process and to listen to those most impacted by
10 this failure.

11 Thank you.

12 BOARD CLERK ESTABROOK: Thank you.

13 Shayda Azamian, I've activated your microphone.
14 You can unmute yourself and begin.

15 SHAYDA AZAMIAN: Thank you. Thank you, Chair
16 Randolph and members of the Board for considering this
17 item and to the District staff for your work on the plan
18 so far. My name is Shayda Azamian from the Leadership
19 Counsel for Justice and Accountability, a community-based
20 organization working across the valley.

21 And I need to be frank that we remain concerned
22 grievously concerned with the state of this plan before
23 you today. We don't believe this plan has identified the
24 necessary measures to bring PM2.5 levels in the valley
25 under control. I don't believe this plan commits the

1 level of emissions reductions needed across industries,
2 particularly within heavy industry and the dairy industry,
3 to clean up the truly unconscionable air in our region.

4 Ammonia and polluting emissions from dairies
5 remain largely unregulated. And the measures of the plan
6 do not scratch the surface of these reductions needed for
7 massive dairies, most of which are concentrated near
8 disadvantaged communities.

9 This is just one of the ways clear paths to
10 reducing PM2.5 and its precursors have already been laid
11 out for the Valley Air District and for CARB in the past,
12 but have not been determined necessary to include in this
13 plan. Let me be clear, for a region with decades of
14 challenge to meet air quality targets and lift the region
15 into safer conditions, everyone needs to do their part and
16 all measures are necessary.

17 The apparent delays and unachieved benchmarks
18 that we so often see in the valley begs the question, is
19 this plan before us significantly improved than previous
20 plans to meet required air quality targets? Does it use
21 the most accurate and up-to-date data? Does it make all
22 the commitments necessary to not just reduce PM2.5 but to
23 make our air safe to breathe again?

24 After decades of lethal air quality and a lack of
25 actions addressing root causes of pollution in the valley,

1 the plan before you today is not sufficient. The plan
2 should be considered unapprovable for proposing to meet
3 attainment once again by a later benchmark and falling
4 short of delivering cleaner air to the people of the
5 valley. We ask that there will be a true public process
6 for agencies to learn from residents themselves what it
7 will take for this plan to lead to meaningful improvements
8 in their air.

9 It is justly frustrating to see another plan that
10 is meant to clean up our air and protect public health
11 fall short of responsibly doing either. The plan strategy
12 hasn't changed. The plan relies on old data and modeling,
13 does not reflect all actions available to the Valley Air
14 District right now.

15 Moreover, we don't believe this plan in its
16 current form can feasibly be the basis of PM2.5 regulation
17 in the valley.

18 I'd like to end with just one question for each
19 of us to continue reflecting on, which is after how many
20 years of non-attainment will the state of our air finally
21 be seen as unlivable to our agencies as well.

22 Thank you very much for the time to speak. I
23 implore you to shift the status quo of allowable pollution
24 in the valley and direct that this plan be improved
25 through a robust public process.

1 Thank you.

2 BOARD CLERK ESTABROOK: Thank you.

3 Our next speaker will be Paul Cort. After Paul,
4 we will have Kevin Hamilton, William Barrett and Catherine
5 Garoupa White.

6 Paul, I have activated your microphone. You can
7 unmute yourself and begin.

8 PAUL CORT: Okay. Good morning. My name is Paul
9 Cort. I am an attorney with Earthjustice and have been
10 fighting for clean air in the valley for over 15 years.
11 In that time, this Board has approved a 2008 plan claiming
12 the valley would attain the '97 annual standard by 2015.
13 By the way, if you look at the plan before you, you will
14 note that the design value, at that time, was more or less
15 where it is today.

16 Then a 2015 plan claiming the valley would coast
17 to attainment by 2020. EPA actually rejected this plan.
18 Then a 2018 plan claiming the same. This last time, it
19 was so clear that the plan would fail that the Board
20 actually told staff to go and look for additional control
21 measures, but approve the plan anyway.

22 For as long as I have been working in this field,
23 plans have been seen as a bureaucratic nuisance, rather
24 than what they are supposed to be, science-based
25 strategies with enforceable mandates to ensure public

1 health will be protected. These are serious obligations
2 that have never been taken seriously. The results speak
3 for themselves. California is the only state with regions
4 violating the '97 annual PM2.5 standard, the only state
5 violating the 2012 annual standard.

6 And neither of these standards, as Bill Magavern
7 mentioned, is actually health protective. So the back
8 patting for progress on these standards seems undeserved.
9 California is also the only state with regions violating
10 five or more national standards. And California has had
11 more of its plans rejected by federal courts than any
12 other state.

13 At some point, you would think someone would
14 question whether we are doing something wrong, but this
15 plan before you is more of the same. There is no updated
16 inventory, even though the agency knows the old inventory
17 is built with models that are outdated and have since been
18 replaced twice. The excuse that updated modeling would
19 take a year begs the question of why staff did not start
20 updating the modeling a year ago when it was clear that
21 the area would fail?

22 There's no new analysis of feasible controls,
23 even though the agency knows new measures and technologies
24 have been developed since 2018. I find it supremely
25 ironic that everyone is taking credit for the new ag

1 burning controls that valley advocates have been pushing
2 this agency and others to adopt for over 10 years.
3 Imagine if those measures had been adopted then. This is
4 what can happen if we take planning seriously.

5 Rushing through and rubber stamping a flawed plan
6 that actually does nothing sends the message the Board
7 does not -- also does not take this exercise seriously. I
8 urge you to pause this approval and outline a resolution
9 for developing a real plan.

10 Thank you.

11 BOARD CLERK ESTABROOK: Thank you.

12 Kevin Hamilton, I have activated your microphone.
13 You may unmute yourself and begin.

14 KEVIN HAMILTON: Thank you and good morning.
15 This is Kevin Hamilton from the Central California Asthma
16 Collaborative. I want to support and agree with the
17 comments of my colleagues from CVAQ and -- including Bill
18 Magavern and his comments regarding freight and the
19 critical nature of that.

20 I am concerned, and I want to state clearly that
21 I believe that a delay is in order here. I've watched
22 these plans come and go for the last 20 years, and here we
23 are still not in attainment. And I'm not convinced that
24 we'll get there with this plan? Why? Because the due
25 diligence hasn't been completed.

1 Today, I heard really something coming out of
2 left field that I haven't heard in this conversation forum
3 before is that discussion on conformity from my colleagues
4 in the transportation world. They couch this term and its
5 threat as risk. And I think that was appropriate, because
6 there is a risk and it's pretty small. So we've had a lot
7 of bad plans happen here. There's been a lot of threats
8 to highway funds. It never has happened. There is rules
9 under NEPA for exceptions to conformity. They certainly
10 have those pathways and it just requires that you state
11 how this project will reduce air pollution, which adding a
12 freeway lane does, and reduce congestion, and improve
13 highway safety. But enough on that.

14 You know, the idea that there's no endgame here
15 I've heard before as well. We did say at least 30 days in
16 our letter, and that's because we feel more work needs to
17 be done. It may take 90 days. However long it takes to
18 run the current EMFAC, address the contingency failings
19 through opportunities presented in the precursor analysis,
20 and add in some of the regs proposed in the next two plans
21 that could be moved up a couple of years and come into
22 play a little sooner to get us to clean air just that much
23 more quickly.

24 So, you know, if it takes two to three months to
25 get there, well, you know, we've been on this pathway for

1 23 years now, 24 years without getting to clean air. I'm
2 willing to accept that.

3 You know, that said, I don't disagree. There's
4 been a lot of work done here. Let's finish it. You know,
5 the worst risk that you have right now is this plan goes
6 to EPA without contingency measures, without consideration
7 of the new rules that could potentially guarantee us that
8 we get to clean air, and EPA turns around and sends it
9 back again. So let's avoid that risk. I'm pretty risk
10 averse myself. If all it takes is a delay of a few
11 months -- this Board once delayed a plan for almost two
12 years to get it done right. I can't imagine or see what
13 the problem is in doing that yet again here. Let's just
14 get it right.

15 Thank you very much.

16 BOARD CLERK ESTABROOK: Thank you.

17 William Barrett.

18 WILL BARRETT: Hi. Good morning. This is Will
19 Barrett with the American Lung Association. Thank you for
20 the opportunity to speak today. So the San Joaquin Valley
21 continues to have the most difficult particle pollution
22 challenges in the nation, according to our annual State of
23 the Air Report. Despite progress made over time by
24 District, and State, and federal actions, communities
25 throughout the valley continue to dominate our list of the

1 most particle polluted in the United States.

2 As noted previously, the current particle
3 standards that aren't being met in the valley are not even
4 adequately protective of human health. It's important to
5 note that our report includes all unhealthy air data,
6 including pollution caused by local stationary and
7 transportation sources, as well as exceptional events. We
8 know that climate change, increasing wildfires, drought,
9 and heat conditions are adding layers of health risk to
10 the already unhealthy pollution base line.

11 Ultimately, more must be done more quickly to
12 reduce pollution burdens on the residents of the San
13 Joaquin Valley. Breathing particle pollution contributes
14 to a wide range of health impacts ranging from asthma,
15 heart attacks and strokes to lung cancer and thousands of
16 premature deaths annually in California.

17 Ultimately, every resident of the valley and
18 specially in our most disadvantaged communities would
19 benefit from more aggressive direct measures coming online
20 sooner. So we appreciate the comments made by our
21 colleagues in the Central Valley Air Quality Coalition
22 seeking to provide more input and wanting to see
23 additional measures added. We're concerned also that the
24 proposal appears to push the dates without adding
25 significant new measures.

1 So moving forward, we encourage the District and
2 CARB to take more additional actions to support reductions
3 beyond those discussed today. For example, this was
4 mentioned earlier by several speakers, but the Lung
5 Association also supported the South Coast Air District's
6 ISR for warehouses. We believe this is a good model for
7 consideration in the valley to reduce the impacts of the
8 growing logistics industry.

9 The Lung Association and a growing number of our
10 health partners are also calling on CARB to establish a
11 policy for the retirement of legacy diesel trucks. This
12 measure, the truck retirement, is partially proposed in
13 the Advanced Clean Fleets Rule, but only for drayage
14 trucks operating at ports. We really feel strongly that
15 this should be expanded to all trucks meeting full useful
16 life provisions, so that the oldest dirtiest trucks on
17 California's roads are retired when they hit the full
18 useful life requirements. We believe this is critical and
19 complementary to the Heavy-Duty Inspection and Maintenance
20 Program and other programs being developed now.

21 As a co-sponsor of Senator Leyva's SB 210 with
22 the Coalition for Clean Air, I'll take a minute and just
23 echo Bill Magavern's comment, that that HD -- the HD I&M
24 Program isn't on the books yet and really must be a high
25 priority for CARB to approve and get those benefits moving

1 quickly. And we feel this is especially important in the
2 valley.

3 In closing, really appreciate the District, CARB
4 and EPA are working closely on this important program, but
5 really ask that additional measures and input be included
6 going forward.

7 Thank you very much.

8 BOARD CLERK ESTABROOK: Thank you.

9 Our next speaker will be Catherine Garoupa White.
10 After Catherine, Matt Holmes, Kurpius Meredith, and Thomas
11 Helme.

12 Catherine, I have activated your microphone. You
13 may unmute yourself and begin.

14 DR. CATHERINE GAROUPA WHITE: Good morning. This
15 is Catherine Garoupa White with the Central Valley Air
16 Quality Coalition, or CVAQ. We work in unceded Miwok and
17 Yokuts land to restore clean air to the San Joaquin
18 Valley, a once abundant landscape that is in severe crisis
19 from human-caused impacts to our air, water, and soil.
20 Clean is a fundamental human right and at CVAQ our role is
21 to protect that right.

22 California is the fifth largest economy in the
23 world, yet we can't distribute our resources to benefit
24 the vast majority of our population with the highest
25 poverty rate in the U.S. and the San Joaquin Valley as one

1 of its poorest regions in the United States. These
2 disparities show that corporate profits consistently have
3 more value than people's lives. California leaders tout
4 our role as environmental champions, yet we have some of
5 the worst environmental injustices in the United States
6 today. The San Joaquin Valley being the most polluted for
7 PM2.5 is certainly at the top of my list.

8 We have failed to meet the standard for the third
9 time and risk continuing to fail not just the 1997 annual
10 standard, but the 2006 and 2012 standards as well. How
11 many failures will it take to recognize that modeling
12 predictions, future commitments, and technical
13 disqualifications of quote unquote exceptional events that
14 are becoming all too common do not match the lived reality
15 of people in the valley.

16 CVAQ and 12 partners submitted a letter
17 requesting an extension of this item for at least 30 days
18 for your staff to hold at least one public workshop and to
19 work collaboratively with stakeholders to develop a plan
20 on how numerous outstanding issues will be addressed. All
21 of the issues named in our letter certainly will take
22 additional time and diligent attention to achieve, like
23 updated data and modeling, development of control and
24 contingency measures, and an improved precursor analysis.

25 To be clear, we are not asking for an endless

1 extension while all these things are done. We are asking
2 for a plan with a timeline on when and how those things
3 will be done.

4 Transportation plans due in 2022 are not under
5 threat from taking an additional month or two in 2021.
6 Projects that improve air quality are not subject to
7 sanctions. No one wants to delay investments in the
8 valley. There is plenty of time. The public process has
9 been rushed and this plan warrants additional attention
10 and accountability. What about the \$6 billion in health
11 costs to our region due to air pollution?

12 Please be clear that a yes vote today perpetuates
13 a pattern of papering over a crisis of public health and
14 inequity in the San Joaquin Valley. I saw a headline
15 recently that said something like the extreme weather
16 event we never talk about, unhealthy air days.
17 Accelerating climate impacts like wildfires have brought
18 wider attention to a reality that valley communities,
19 young and old, predominantly people of color and people
20 who are low income have lived for decades, sheltering
21 inside for days to not get sick or having to go outside to
22 work, not having the luxury of filtered air and health
23 suffering measurably because of it, lifespans shortened.

24 How long will we ask breathers of the San Joaquin
25 Valley to wait or have decision makers just accepted the

1 region as a sacrifice zone and assume that our people will
2 evacuate on their own.

3 That concludes my comments.

4 BOARD CLERK ESTABROOK: Thank you.

5 Matt Holmes, I have activated your microphone.
6 You may unmute yourself and begin.

7 MATT HOLMES: Hi. Yeah. Thanks for this
8 opportunity to speak. And thank you to the staff who have
9 contributed sincere work to this plan. I really do
10 appreciate it.

11 I also need to just call out how impressed I am
12 by the quantity of work that' staff have committed to
13 coordinating with, you know, the folks that have pushed to
14 advocate for the rushed approval here. I wish that amount
15 of energy went into working with us to understand how the
16 plan could have been improved.

17 You know, I promise I wish I was somewhere else,
18 but I have to be here, because frankly the approval
19 process for these plans has just condemned us to this
20 watchdog life, where we have to ask the State to value our
21 lives as well as the profits or the plans of public
22 agencies.

23 So I'll try not to reiterate what my colleagues
24 have clearly demonstrated. The plan glides over key human
25 elements, which we have control over. You know, I think

1 the -- if we took the chance to pause and think about
2 this, we'd be able to get a better plan that would deliver
3 the public health outcomes that we're here to advocate
4 for. You know, I think, you know, the -- we really need
5 to appreciate the risk that taking 30 to 90 days is not as
6 bad as spending a bunch of time in litigation. And it's
7 definitely -- you know, I don't want to pause either. I'm
8 the one choking on this. My daughters are filling their
9 lungs and their cardiac and brain tissue with this
10 pollution. So there's more that can be done with this
11 plan and I think we can add more scientific rigor. And I
12 think, you know, the folks at American Lung Association
13 CVAQ, Central California Asthma Collaborative, and NPCA
14 have laid that out perfectly.

15 I just want to turn my comments to the Board to
16 help evaluate some of the impact that you -- the input
17 that you've gotten here today, specifically around the
18 approval advocates that we've heard from today. You know,
19 you heard rush to approval advocacy from vested interests
20 in agriculture who absolutely profit from externalizing
21 their costs. I have to recall my Upton Sinclair who
22 reminded us that it's difficult to get a man to understand
23 something when his salary depends on his not understanding
24 it. I shouldn't have to say it, but our state has a habit
25 of putting profits before public health, so it makes it

1 necessary for me to remind you all.

2 I'll remind this body once again that, you know,
3 they got Al Capone on keeping two sets of books. As
4 Catherine just told us, you know, if we actually factored
5 in the public health cost, the missed school, the missed
6 work, this would be a no-brainer. It would be so much
7 easier and cheaper for us to provide a healthier
8 environment in the Central Valley. So, you know, please
9 grade their comments accordingly.

10 And I also want to flag some of the public sector
11 folks. I understand how difficult it is to have a project
12 approval be delayed by environmental quality regulations,
13 but that's the name of the game. And God forbid a capital
14 improvements project gets delayed or doesn't get
15 implemented. We're dealing with a chronic, a
16 multi-generational pollution crisis here.

17 You heard from folks today who have never lived
18 in a healthy air shed. Their entire lives have been
19 degraded by being here. So while I hear you that dozens
20 of people have died on a stretch of road, we carry coffins
21 by the thousands, so please don't bring a knife to a gun
22 fight when you want to talk about impacted communities.

23 I'll just thank the Board for this time and I'll
24 thank my fellow advocates for their careful comments. And
25 I know that there's time to pause and consider science and

1 more community inclusion.

2 Thank you.

3 BOARD CLERK ESTABROOK: Thank you.

4 Kurpius Meredith, I have activated your
5 microphone. You may unmute yourself and begin.

6 MEREDITH KURPIUS: Great. Thank you so much. My
7 name is Meredith Kurpius. I'm an Assistant Director at
8 the U.S. Environmental Protection Agency in the Pacific
9 South West Regional Office. Good morning, Chair Randolph
10 and Board members.

11 First of all, I want to thank you for your
12 commitment to the air quality improvements in San Joaquin
13 valley. This has been years of hard work and I just want
14 to acknowledge your commitment there.

15 I'm here today to provide a Clean Air Act
16 perspective on some of the concerns that have been shared.
17 They're all really important concerns, so I just want to
18 let you know where they land with respect to Federal Clean
19 Air Act regulations.

20 I'm not here to make a suggestion, just to
21 provide some information for your consideration. So the
22 first thing I want to mention is that the type of plan for
23 the 1997 annual PM2.5 standard, so the one you're
24 considering this morning, it's referred to as a five
25 percent plan, which is Clean Air Act section 189(d),

1 inherent in this plan is at least five percent emission
2 reductions each year until attainment. So emission
3 reductions are built into this plan. The move from a 2020
4 to a 2023 attainment date comes with a required minimum of
5 15 percent additional emission reductions over that time.

6 So I just want to be clear about that, that
7 emission reductions are required as part of this plan and
8 are included. So as you heard, the valley, as of the end
9 of 2020, was sitting right at the 15 microgram standard,
10 once the impact of wildfires is accounted for. We've
11 worked closely with CARB and District staff on this. Even
12 though we haven't concurred on exceptional events, we do
13 agree that that design value is much closer to 15.

14 So based on discussions with the State and
15 District, it doesn't look like the plan is -- it needs to
16 have additional measures beyond what's already in that
17 plan and comes with reductions -- emission reductions.
18 Okay. So I just want to be clear about that.

19 The other thing I just want to note is that --
20 and emphasize, is that EPA is fully supportive of ongoing
21 emission reductions. The rulemaking at the State level
22 and at the District level is extremely aggressive. There
23 have been five measures from the district and seven from
24 the State between 2018 and 2021. There is the ag burn
25 phase-out. And then there are three more measures, each

1 from the State and district scheduled before the end of
2 this year.

3 So I just want to make sure, or just I want to
4 encourage the continued focus on that rulemaking, because
5 it's those measures and their implementation that really,
6 at the end of the day, make people's lungs feel better.

7 Additional measures are up for you to consider.
8 A public process, of course, that's your call. I also
9 want to let you know though that from Clean Air Act
10 perspective, a 30-day public notice and opportunity for
11 public hearing meets our requirements, so we don't see any
12 issues with the process for this particular plan in front
13 of us.

14 We've also looked at modeling. We've looked at
15 the precursor analyses, and all of those have gone through
16 regional and headquarters review and meet our
17 requirements, and we believe that those are robust as
18 well.

19 Okay. With that, I will close my comments and
20 thank you for your time.

21 BOARD CLERK ESTABROOK: Thank you.

22 Thomas Helme will be our next speaker. After
23 Thomas, our final speaker is John Larrea.

24 Thomas, I have activated your microphone. You
25 may unmute yourself and begin.

1 THOMAS HELME: Hello. Thank you. Tom Helme,
2 co-founder of Valley Improvement Projects, a social and
3 environmental justice group in Stanislaus County, member
4 of CVAQ, and we signed on to the letter that has been
5 discussed. We're also supporting many comments that you
6 heard from the CVAQ members and other partners in
7 environmental justice and air quality work. And I don't
8 want to repeat a lot of the things that were already said.
9 There was a lot of great comments from partners at CVAQ
10 and other groups, Bill Magavern, Kevin Hamilton, Matt
11 Holmes who just spoke. So please make sure that you take
12 those comments to heart.

13 But I don't want to repeat them. I'm just going
14 to give a ground view of where I'm at in Stanislaus
15 County, because we can, you know, have the best experts
16 explain this stuff over and over again. And it gets very
17 complex and complicated, and I understand that. And, you
18 know, when we're talking to someone on the ground, just a
19 regular community member and explaining why, you know,
20 this standard falls under this, and this agency oversees
21 this, they just want to know what's going on to clean up
22 air pollution in their neighborhood.

23 And so just to put it in perspective, over the
24 last couple years, we have the airport neighborhood in
25 South Modesto. It's in the 99th percentile of

1 CalEnviroScreen for its pollution and its population
2 burdens. And what have they seen in the last couple
3 years. There's Gallo Glass, which is one of the top, I
4 believe, three PM emitters in the county. It's literally
5 two, three blocks away from an elementary school in the
6 Airport District. And what have they seen over the last
7 couple years? They've seen Gallo expand their operations.
8 More trucks coming in and out driving by their schools and
9 neighborhoods. They've seen their -- the houses in their
10 neighborhood being bought up by Gallo, so they can expand
11 even more.

12 So now where they had the industry right next
13 door, right -- literally right next door, now they have a
14 torn down house with piles of dirt and construction
15 materials all around them. Just down the street, on the
16 major truck corridor, they've had a mega gas station just
17 built for diesel trucks to be able to stop in their
18 neighborhood and fill up.

19 If you live over on the west side of the county,
20 in the last couple years, you've seen a growing number of
21 warehouses being built with more and more diesel trucks
22 coming in and out. So we can explain to them about, you
23 know, standards that go all the way back to 1997, and who
24 is overseeing what, and how we have to wait for this and
25 that, but this is their reality that they're living on the

1 ground.

2 One of the top PM polluters, the Walnut Energy,
3 just outside of Turlock, what do people living around that
4 area see? They just saw a brand new Amazon warehouse be
5 approved and started construction on that. I think Amazon
6 has plenty of money to be required to use clean trucks to
7 come in and out of their warehouses if they're going to
8 continue to build them in one of the places with the
9 highest PM pollution in the entire country.

10 So please think about that and the people on the
11 ground. And maybe in that 30 days could be used for some
12 public outreach to explain why they see these things being
13 built in their neighborhoods. But, you know, it's all
14 part of a plan going back to 1997 and it's being worked
15 on.

16 So thank you. I know I'm over time. Thank you
17 for allowing me to comment today.

18 BOARD CLERK ESTABROOK: Thank you.

19 Our final speaker is John Larrea. John, I have
20 activated your microphone. You can unmute yourself and
21 begin.

22 JOHN LARREA: Yes. Thank you. John Larrea with
23 the California League of Food Producers representing the
24 large industrial food processors in the San Joaquin
25 Valley.

1 You know, the Air District, just to show you -- I
2 mean, I'm hearing a lot here and I hadn't planned to speak
3 this morning. But after hearing this, I think we need to.
4 You know, the District and CARB is both capable of getting
5 to attainment in some way or another, but we have to take
6 that step. You know, we -- generally, working with the
7 District over the years, I found them to be quite
8 competent in moving forward.

9 Just recently, we passed the boiler rule, which
10 is going to result in significant NOx reductions over the
11 next few years for the valley itself, so we can accomplish
12 these things.

13 You know, in terms of this, we support the
14 statement of both Chris McGlothlin and Manuel Cunha in
15 urging the Board to adopt the staff recommendation. Food
16 processors these days, and I know you've seen it in the
17 paper, are plagued with uncertainty. We have water, heat,
18 labor, transport, and energy shortages. We really don't
19 need more certain -- uncertainty associated with the plan
20 to move towards attainment. We need the certainty and
21 adoption of the staff recommendation to put the valley
22 solidly on the path towards attainment.

23 I thought Kevin Hamilton's comments were
24 illuminating, a 30-day delay may become a 60-day delay, or
25 a 360-day delay, or a two-year delay. You know, that

1 just pushes more uncertainty into this. You know, is the
2 plan perfect? Probably not, but what plan is. Don't let
3 the perfect be the enemy of the good in this situation,
4 adopt the staff recommendation, and put the valley
5 squarely on the path towards attainment.

6 Thank you.

7 BOARD CLERK ESTABROOK: Thank you.

8 We have two more people with their hands raised
9 and that will be the end of public comment. Thomas Menz
10 and then Ryan Jacobsen.

11 Thomas, I have activated your microphone. You
12 can unmute yourself and begin.

13 THOMAS MENZ: Good morning, ladies and gentlemen.
14 Thomas Menz. I'm a resident of Fresno County. And I have
15 a 23-year old nephew entering adulthood now with all the
16 lung tissue he'll ever develop, and that's less than he
17 ought to have.

18 His FEV, his forced expiratory volume is about 95
19 percent of what it ought to be, but that's typical of
20 anyone who grew up here in the valley during this long,
21 long spand of a failure to meet the 1997 PM2.5 standard.

22 This latest 2018 plan was inadequate from the day
23 you approved it. And I wasn't alone that day in noting
24 that the plan lacked contingency measures to the dirtiest
25 most polluted counties, the so-called hot spots, Madera,

1 Fresno, and Kern should they fail to meet attainment. So
2 Kern now has failed attainment, and EPA has put you on
3 notice about that failure to adopt contingency measures in
4 the plan.

5 And I see your haste here to approve a new
6 attainment deadline. You know, what about additional
7 emission reduction measures that you can provide to hasten
8 attainment by that new deadline by which time my nephew
9 will be 25 years old.

10 And you probably noticed the World Health
11 Organization came out yesterday with new health guidelines
12 for PM2.5 yesterday. And this 23-year old U.S. standard
13 that we struggle to meet, an annual average density of 15
14 micrograms per cubic meter. It's three times what the
15 folks at WHO say should be the minimum threshold for
16 average PM2.5 exposures throughout the year.

17 Now, you folks aren't stupid. Most of you know
18 that already. And you saw what happened at EPA with the
19 quinquennial review, the administrator refused to look at
20 the epidemiology and the recommendations of their health
21 advisory panel and left the annual standard at 12
22 Micrograms per cubic meter. There is no safe level for
23 exposure of PM2.5.

24 So what about some contingency measures?
25 Additional contingencies reduce emissions in Kern. They

1 ought to be in place right now. There are plenty of
2 measures the Valley could adopt. Measures other air
3 districts and other states have adopted are achieved in
4 practice. By banning the thousands of old highly-polluted
5 uncertified wood stoves the Valley Air District reckons to
6 be in use, or banning residential wood burning at a more
7 stringent threshold, or better, banning all non-essential
8 residential wood burning entirely, except for those who
9 truly have no other source of heat, to be banned
10 throughout the State in the dense urban areas. We're
11 breathing enough toxic wood smoke as there is.

12 Thank you.

13 BOARD CLERK ESTABROOK: Thank you.

14 Ryan Jacobsen, I've activated your microphone.
15 You may unmute yourself and begin.

16 RYAN JACOBSEN: Thank you. Good afternoon. My
17 name is Ryan Jacobsen, CEO of Fresno County Farm Bureau,
18 as well as a small farmer here in the Fresno area, as well
19 as a lifelong resident of Fresno County. I'm here today
20 to ask to support the staff recommendation. This is
21 something we as the ag industry are extraordinary proud of
22 the progress we've made on air quality here in the San
23 Joaquin Valley. It's been extraordinary expensive,
24 extraordinarily difficult, and a lot of time and effort
25 put forward, but we have demonstrated probably one of the

1 most successful public-private partnerships that the state
2 has ever seen as far as what we've been able to do as far
3 a getting towards cleaner air.

4 We know there's still time and progress to go.
5 Like many in this valley right now, you know, we don't --
6 we don't like the wildfires that are going on and the
7 unfortunate nature of what it does here. But as far as
8 what our farms have contributed, what we as residents have
9 put up, as far as substantial dollars to make this
10 progress, it's something that we -- we're very -- we're
11 excited about that we've seen visible, and as well as
12 statistical data that shows that we're making progress.

13 We definitely are supportive of the partnership
14 we've had with the San Joaquin Valley Air Pollution
15 Control District, and what they've done to work with us to
16 get to where we are. And so we're here today to simply
17 support where the plan in front of you is today and hope
18 you will approve the staff recommendation.

19 Thank you.

20 BOARD CLERK ESTABROOK: Thank you.

21 Chair, that concludes the list Of commenters.

22 CHAIR RANDOLPH: Okay. Thank you. And unless
23 staff wants to raise any issues, I'm going to go ahead and
24 close the record on this agenda item.

25 For Board members, if any of you have a question

1 or a comment, please click the raise hand symbol and those
2 of you in the room, I'll try to -- I'll try to catch you.

3 As we start our discussion this morning, I just
4 wanted to just, you know, say a few words on this issue.
5 It was -- it's a lot of work. It's a very challenging
6 issue. I think the sort of conversations with advocates
7 have been really illuminating and informative.

8 I will say that I do think we should move forward
9 with approving this plan and I am supportive of that. I
10 do want to note, you know, I have obviously reservations
11 and concerns. It's frustrating that we sort of had to do
12 a quick process, given the decision to disapprove the
13 plan.

14 But that decision was the correct decision. It
15 really forced us to look at ways to make the plan
16 stronger. I appreciate that we were required to not take
17 credit for measures that didn't reflect real reductions,
18 like incentives where it was unclear whether those
19 incentives would materialize.

20 And so I appreciate that there's additional
21 measures, or additional tons from measures that were
22 identified in the plan, in particular, the ag burning
23 phase-out that this Board mandated and the District
24 implemented. And importantly, the \$180 million of funding
25 behind that measure that the State budget provided, thanks

1 to the tireless efforts of, you know, Senator -- you know
2 our colleague Senator Florez who put a ton of work into
3 it, and a lot of other folks who made that -- those funds
4 happen.

5 It reflects the dollars in the budget that
6 continue to support the FARMER Program. It reflects
7 additional reductions from the truck maintenance I&M rule
8 that we are on track to get adopted. And, you know,
9 Senator Leyva sponsored that bill and she's been
10 diligently keeping an eye on us in making sure we get that
11 rule in place and we absolutely will. So I do think
12 that this revision is -- does make it stronger.

13 I also recognize that there are not contingency
14 measures and that there's some uncertainty around that.
15 And so I think it's a really important opportunity to have
16 a robust public discussion around what the appropriate
17 contingency measures should be. We all have the
18 responsibility to improve lives in the San Joaquin Valley
19 and implement both stationary source and mobile source
20 strategies collectively that move the needle.

21 And I understand the concern about moving the
22 attainment date to 2023, but the reality is, as Meredith
23 from EPA noted, there are several measures already adopted
24 that will be showing reductions in that 2023 time frame
25 and it's frankly right around the corner, so it's hard to

1 imagine new measures that will be fully developed and in
2 place between now and then.

3 But, of course, to the extent that we can
4 identify those, I think the contingency measure process
5 would provide us an opportunity to do that and have those
6 discussions.

7 And the last thing I know -- I'll note before I
8 turn it over to my colleagues is I think the issue of
9 extraordinary events is a really critical one that we as a
10 State need to consider along with our federal partners.
11 As the frequency and severity of wildfires increase, we
12 are seeing that issue come up both in the air quality
13 context and in the greenhouse gas emission context. And
14 for developing lungs, we recognize that it doesn't matter
15 whether it came from a wildfire or an anthropogenic
16 source. So we need to be thinking about how we can build
17 our strategies to improve the reductions that we're seeing
18 in things that we can control to make up for issues like
19 wildfires that are less under our control.

20 And hopefully as we tackle climate change and we
21 tackle those impacts, hopefully we can mitigate those
22 going forward. But I think we collectively need to think
23 about how we can better address that.

24 So those were just kind of some initial thoughts
25 I had and I'm very interested to hear my colleagues'

1 thoughts. So I will turn to my screen here and Dr.
2 Pacheco-Werner has her hand up.

3 BOARD MEMBER PACHECO-WERNER: Thank you, Chair.

4 And I want to thank everyone who has been part of
5 the process of getting to this place, advocates who have
6 pushed for stronger reductions in the valley, SJV and CARB
7 staff for their willingness to have a public process to
8 this point. I also want to thank all of the stakeholders
9 implicated by these additional rules for your commitment
10 to healthier communities in the San Joaquin Valley.

11 I want to be clear that in our vision for
12 reductions, we are not playing a numbers game. We should
13 be visioning together a State plan that seeks to account
14 for wildfires as not just an extraordinary event for PM
15 reduction goals, but as a warning of the need for more
16 aggressive measures to improve public health in the
17 valley, including our most challenging reductions, which
18 are mobile source emissions.

19 I am glad other stakeholders were present on the
20 matter of this plan, because their actions also largely
21 influence how emissions continue to affect our
22 communities, such as the continual building of suburban
23 single family home communities that necessitate more car
24 use, investments in regional public transportation, and
25 economic development plans that add emissions of

1 disproportionately impacted communities.

2 I would like there to be a commitment from our
3 CARB and SJV staff to have a robust public process in the
4 development of the upcoming contingency measures. I do
5 not want us to end up where we are now in a year with
6 community members feeling like they did not have a public
7 process to be involved in.

8 I would like us to continue to look for real
9 emissions in ammonia in impacted communities, if not
10 through a PM2.5 plan process, then as an independent
11 process that addresses the real air quality and public
12 health concerns.

13 My strong suggestion for the CARB and SJV staff
14 is that before the contingency measure decision comes that
15 we have a public workshop on an update overall of the 2018
16 plan. The purpose of this workshop should be so that the
17 public may know and understand what our plan is for PM2.5,
18 but also to provide input on actions that we should be
19 considering that go above and beyond to respond to the
20 situation that we could not have anticipated we would be
21 in five years ago.

22 I would like for staff and maybe SJV staff if
23 appropriate to clarify our public -- to our public today
24 what their roadmap is for future public engagement and
25 opportunities for input on more aggressive measures over

1 the coming years that not only meet our PM2.5 commitments,
2 but exceed them. Thank you to all for meeting this
3 moment.

4 CHAIR RANDOLPH: Thank you.

5 Dr. Balmes.

6 BOARD MEMBER BALMES: Thank you, Chair and thank
7 you, Dr. Pacheco-Werner, for those comments, with which I
8 agree.

9 So, you know, I've been working in the San
10 Joaquin Valley with regard to air pollution and children's
11 health for over two decades. And I, in that process, have
12 learned to respect CVAQ. They actually supported my
13 initial nomination in 2007 to the Board, colleagues Kevin
14 Hamilton and Matt Holmes with whom I work on research.
15 And I also respect and understand Paul Cort's concerns,
16 the frustration that has accumulated over years of
17 non-attainment of an old PM2.5 standard 15 micrograms per
18 meter cubed that is no longer health protective.

19 I'm actually happy that the WHO came out with new
20 guidelines for PM2.5. And I'm a member of the new Clean
21 Air Scientific Advisory Committee Review Panel for PM2.5
22 national ambient air quality standard, you know, that's
23 currently 12 as an annual standard. I can guarantee you
24 that there will be a careful review of the epidemiology.
25 And it's likely based on that, that we would -- that

1 the -- that CASAC panel will recommend a stricter
2 standard.

3 So 12 is the current standard. You know, we
4 don't have to meet that yet by the Clean Air Act rules, so
5 we're still working on 15, but we need to move much more
6 aggressively to clean up the air for PM2.5. And I really
7 agree with Dr. Pacheco-Werner about wildfire smoke and the
8 Chair. And the Chair mentioned that it doesn't matter to
9 developing lungs whether it's from wildfire or
10 non-wildfire sources. Well, actually, there's some
11 evidence coming out that suggests that with regard to
12 children's respiratory health, that wildfire smoke, PM2.5
13 is more toxic than other sources.

14 So, yeah, we do definitely have to grapple with
15 the health impacts of wildfire smoke in terms of our PM2.5
16 approach. You know, exceptional events, you know, I
17 consider that total BS right now. Sorry for -- to be so
18 blunt. You know, I realize it's the -- it's part of the
19 Clean Air Act and the bureaucracy, but we have to move
20 away from that, because it's -- the current wildfire smoke
21 air quality impacts are huge. They're huge. And just to
22 say they're exceptional events, you know, doesn't cut it
23 with me. But I'm not here to argue that point any
24 stronger today.

25 So I understand the heartfelt concerns about the

1 health effects of particulate pollution in the San Joaquin
2 Valley and I appreciate comments from Bill Magavern, Will
3 Barrett, and especially Thomas Helme about a warehouse
4 ISR, like the South Coast has managed to do. I know that
5 warehousing is moving big time into the Fresno area for
6 sure, probably other parts of the San Joaquin Valley. So
7 I think a warehouse ISR is like mandatory that we -- that
8 the District -- and work with CARB to put that into our
9 public process that Dr. Pacheco-Werner called for, which I
10 strongly support, and to be number one on my list in terms
11 of contingency measures.

12 But I would go forward not just a contingency
13 measure. It should just happen as far as I'm concerned.
14 And I think the Board will adopt the Heavy-Duty Inspection
15 and Maintenance Program that several folks called for in
16 December, but that's also absolutely necessary.

17 So, you know, while I'm a hundred percent
18 supportive of the calls for more aggressive action to
19 reduce PM2.5 in the San Joaquin Valley, I also will
20 support going forward with the resolution to adopt the
21 amendment to the 2018 SIP. You know, I realize there have
22 been sort of pushing the goalpost, you know, farther in
23 the future year after year. I understand the public's
24 frustration about that, but I don't think that not
25 adopting that amendment today is the problem.

1 I think we just have to double down and work at
2 all levels, federal, State and local, to find other ways
3 to reduce PM2.5 in the San Joaquin Valley. And again, the
4 third time I'll support Dr. Pacheco-Werner's call for a
5 very robust public process going forward. But I will
6 support this -- the resolution.

7 Thank you.

8 CHAIR RANDOLPH: Thank you.

9 Board Member Hurt.

10 BOARD MEMBER HURT: Thank you, Chair. I'd like
11 to thank the staff and the Air District for the
12 presentation and thank the community for continuing to
13 work with us in this framework to get this right for clean
14 air attainment. It's clear that there have been
15 reductions and significant progress. And I applaud the
16 work that's gotten us here. I'm excited for the phase-out
17 plans and I really look forward to a robust mobile source
18 strategy and incentive program. It's going to be
19 essential.

20 But we all know we still have a ways to go, and
21 this is expressed in our nonattainment. And as was
22 suggested or said earlier, this proposed partial
23 disapproval by EPA and a call for deeper measures that
24 really make a difference.

25 I'll just say straight away I'm inclined to

1 approve the SIP revision here, so as not to lose funding
2 and stall clean transportation projects, and just start
3 getting health benefits more rapidly with our transition
4 to zero emission.

5 I think it does not help anyone to pause. I
6 think we can all agree that 30 days is not going to solve
7 any of the deficiencies or perceived deficiencies as
8 expressed by some, but can, in fact, cause other big
9 failures. And even that additional 90 days, it just -- a
10 delay of that magnitude is not persuasive to me that we
11 will really achieve the solutions that the community would
12 like to see. And I just don't see the work that's needed
13 and requested getting done in that time period.

14 So I propose, however, and at the same time, I
15 think, that we need to show a community a stronger and
16 solid commitment, and not lose the urgency that is needed
17 to reach clean air attainment and to move forward. I
18 believe some of the requests by the public can still be
19 worked upon with passing this plan, but I propose that we
20 need to be more accountable and transparent, and that we
21 should create contingency measures by a designated date.

22 And this goes a little bit to what was discussed
23 earlier about the timeline piece. Currently, the
24 resolution does not give the community clarity or
25 expectation around back-up plans, if our assumptions do

1 not pan out. It just states, and I quote, "later date".
2 And so I see how the frustration is present from some of
3 the environmental justice advocates that this is business
4 as usual and that we're faltering on a commitment.

5 I also understand that there's much at flux and
6 it's complex. And I believe everyone, the staff at the
7 Air District and here at CARB, they're all working on all
8 cylinders, but I think we have to dig deeper and show a
9 deeper commitment by placing some sort of robust timeline.

10 And for me, I really think we should try to think
11 about or at least put forward implementation of this plan,
12 but put forward a designated date that contingency
13 measures are determined. And I think that date should be
14 in a year from now, so that we can really bring the
15 community along as best as possible. We talk a lot about
16 our strong commitment to equity, about achieving clean
17 air, but the community has question marks. And so to
18 bring everybody along, a stronger timeline to when we're
19 going to have contingency measures, a stronger timeline to
20 when they can participate in a robust community engagement
21 to get those community -- contingency measures I think is
22 in order.

23 But again, I'm going to move forward with
24 approval of this plan, but I think we should ask for at
25 least a year that they come back and bring contingency

1 measure plans. We need to be more exact about that space
2 and more accountable.

3 Thank you.

4 CHAIR RANDOLPH: Thank you.

5 Board Member De La Torre.

6 BOARD MEMBER DE LA TORRE: Thank you.

7 I also am supportive of moving ahead today. I
8 think the thing that was most telling with regard to the
9 SIP is those comments that you pointed out from Meredith
10 from U.S. EPA. I really appreciated that input. And I
11 think it's an indication of where we stand vis-à-vis the
12 U.S. EPA.

13 So I think we move ahead I think as many of my
14 colleagues have said. At the same time, you can do this,
15 and at the same time, you can keep moving forward beyond
16 what's here. And I think that's our commitment that
17 you're hearing from all of our colleagues.

18 I want to focus on one thing and Bill Magavern
19 touched on it in his comments, but I more and more am
20 convinced that it's a path we need to go down. So with
21 regard to trucks, they're the largest single source of air
22 pollution from vehicles. More than 95 percent of the
23 toxic diesel particulate matter comes from trucks.

24 Over 80 percent of our NOx emissions comes from
25 NOx -- from trucks -- from diesel trucks. And as I've

1 said, you know, in the context of Southern California,
2 it's over -- in Southern California, over 70 percent,
3 statewide it's over 60 percent, of all of the toxic risk
4 of air pollution comes from diesel. Over 60 percent
5 statewide. I imagine in the valley, it might be closer to
6 those Southern California 70 percent. I'm not sure about
7 that. And it's about six to eight percent of our
8 greenhouse gases comes from diesel.

9 So we have to keep on this. We have the Advanced
10 Clean Fleet Rule that's coming up. I'm not proposing to
11 change that in any way. That's underway. It's been
12 underway. I want to get to the finish line there and move
13 forward on that front. So this is where Bill's comment
14 comes in.

15 So in 2031 over half of the trucks will be 2010
16 or older technology and that's just unacceptable. And we
17 can't replace these trucks with other diesel trucks that
18 will start running the clock and being out there for over
19 a decade each, 13 to 18 years. That just isn't -- you
20 know, we can't sustain that. And knowing today, 2021,
21 that these trucks are going to be coming on line and being
22 out there for over a decade, while we have these issues in
23 the San Joaquin Valley, while we have these issues in
24 South Coast, it is just shortsighted.

25 So I would like to ask that staff start looking

1 into some kind of required turnover regulation that scraps
2 the combustion engine vehicle. It would still meet the SB
3 1 useful life, I want to be clear. I'm not proposing to
4 change that. And it may require some legislation, but we
5 can get -- our staff can start looking at this to figure
6 out how we go about doing it and it may require
7 legislation. And so I've already had conversations along
8 these lines for the last couple of years, since SB 1
9 passed actually, with some legislators.

10 And so I gave them a heads-up there may come a
11 time, and that time is now, because it is not good enough
12 to replace these vehicles with newer dirty diesel trucks.
13 It's -- really, we have to get to zero. And thankfully
14 the technology is here. We have about three manufact --
15 major manufacturers who are selling those Class 8
16 zero-emission trucks today. And then next year, we're
17 going to have another three or four manufacturers coming
18 online.

19 So we couldn't say that three years ago, but we
20 can say it now. We couldn't say it when SB 1 was being
21 voted on. We can say it now. And so to, you know, look
22 on this as a next step, you know, parallel for now with
23 advanced clean fleets, but it will follow up either
24 through us, or through legislation, or some combination,
25 but I very much would like to see staff doing that.

1 And then related to that is our budget. We had a
2 very good budget year this year, 2.3 billion for all kinds
3 of zero-emission vehicle equipment and charging
4 infrastructure. So we should start planning now for a
5 very aggressive push with the administration, with the
6 Legislature to get as much as we can out of them for this
7 very important transition that we have to do in the state
8 of California.

9 So those are my comments. Thank you.

10 CHAIR RANDOLPH: Thank you.

11 Board Member Takvorian.

12 BOARD MEMBER TAKVORIAN: Thank you, Chair.

13 I want to agree with almost everything that's
14 been said by my colleagues and especially your comments,
15 Chair, in regards to the concerns that you shared and
16 those that Dr. Pacheco-Werner expressed in terms of a
17 robust public process, and Dr. Balmes's suggestions
18 related to the Indirect Source Rule that we think could
19 come forward. So I'm not going to spend time talking
20 about all of that, but I do want to say explicitly that I
21 support the proposal by Ms. Hurt and would like to see if
22 we can add that to resolution. I think it's really
23 important that we are accountable as a response to the two
24 decades or more of community concerns being raised and
25 community activism with very specific solutions being

1 proposed.

2 So I'd like to see if we could add the goal of
3 getting the contingency measures done by September of
4 2022. And I think that also supports the proposal by Dr.
5 Pacheco-Werner for a robust public process that would
6 enable us to get those contingency measures done by that
7 date, because I do agree with community commenters that
8 the response to the EPA disapproval has been very rapid,
9 and we understand in part some of the reasons for that.
10 And it could have benefited from additional time.

11 But I do think that they are asking for very
12 reasonably just a commitment to getting some of these
13 measures done, not to get them done in 30 to 90 days. So
14 I think that is something that this Board can do. And I
15 would say that it's very important for us to include it in
16 this resolution.

17 And I see that it was really helpful, and I want
18 to appreciate CARB staff, for indicating in the
19 presentation how measures outside the SIP would impact
20 emission reductions. And I think it could be helpful to
21 include those in the resolution. Some of them are
22 referenced in the resolution, but this could be added --
23 this resolution -- this proposal to actually add a
24 specific date by which the contingency measures would be
25 done. So I'd like to request that that be -- be added.

1 Thank you.

2 CHAIR RANDOLPH: Thank you.

3 Board Member Kracov.

4 BOARD MEMBER KRACOV: Yes. I would like to -- I
5 strained my neck, Chair, so I barely can look at the
6 camera, so bear with me.

7 Thanks, everyone, and Mr. Corey, Ms. Vanderspek,
8 Dr. Benjamin, Ms. Carr, Mr. Sheikh who spent 30 minutes on
9 the phone with me last night, Chair Pedersen, Mr. Klassen
10 from Valley Air, and, of course, Board Member Dr.
11 Pacheco-Werner who's so dedicated, so smart, so great to
12 work with, and to the advocates whose lawsuits and
13 advocacy put us and EPA on these deadlines and got us
14 thinking about how to improve these plans. Colleagues,
15 let's be honest, the advocates and CVAQ have been correct
16 about a lot of things when it comes to the SIPs for valley
17 air and other things too. And we wouldn't be them --
18 wouldn't be here today without them.

19 And it really does seem like we're on a better
20 trajectory here in the valley. Progress has been made.
21 The graphs and visuals on the presentation show this.
22 These are the facts when it comes to SIP compliance. But
23 it's also a fact that Fresno reached 93 micrograms of
24 PM2.5 last night related to forest fires.

25 I'm also aware of the clocks that we and EPA have

1 for plan action and sanctions, and appreciate the MPO's
2 testimony on this today, and that this plan is stronger
3 than before. The incentive commitments are better funded.
4 The credit bank investigation is bearing fruit, as will
5 the ag burn deal we just reached. So the measures are
6 more concrete and attainment of this standard probably --
7 and the 12 microgram standard are more in reach than
8 before.

9 I'm excited about the new in-use locomotive
10 measure. And thank you, Senator Leyva, Board Member
11 Leyva, because this plan would have major holes without
12 your SB 210, and these are the facts.

13 If I can, Chair, just an observation. The South
14 Coast Air Basin that I represent, of course, has
15 attainment issues of our own for 2.5 and ozone. We just
16 spent last week's AQMD CARB Board retreat talking about
17 the near term; how important attainment is; how we can't
18 wait for new measures, and we need them now; how we don't
19 want to keep pushing attainment dates out further and
20 further.

21 I know, colleagues, that many other air
22 districts, including Valley Air, feel the same. And I
23 want to thank, by the way, our CARB staff, Mr. Corey, Ms.
24 Chang for attending and all the Board members who were
25 there last week, and EPA showed up too.

1 Colleagues, I'm going to be getting on my soap
2 box here with you about the primacy of these same
3 attainment challenges in 2023 and 2031, when it comes to
4 things like the Mobile Source Strategy next month and the
5 statewide and AQMP SIPs next year. So I want to be sure
6 that I'm speaking with credibility, consistency, and
7 competency on these SIP issues. And that's the lens that
8 I'm looking at this item today. This is the first SIP
9 I've seen here with you with an EPA disapproval, and of
10 course that requires more scrutiny. And I am struggling.
11 I, like Chair Randolph, have reservations.

12 I tried to read the various EPA actions, the
13 draft disapproval, the staff reports, the Ninth Circuit
14 opinions including one that we all lost just two weeks
15 ago. I tried to watch Valley Air's Board deliberation of
16 this plan from August, but discovered that Valley Air's
17 Board meetings are not archived and posted online. That
18 is not a best practice in 2021, the 21st century. And I
19 think Mr. Sheikh agrees to fix that moving forward by
20 posting Valley Air's recorded Board meetings in an online
21 archive.

22 I'll finish soon, Chair. But all this so that I
23 can act credibly as a decision maker on these very
24 complicated issues, both legal and databased, precursors,
25 consistency measures, exceptional events and wildfires,

1 and the modeling for the aggregate strategies, especially
2 the efficacy, or the lack thereof frankly, of CARB's truck
3 retirement measure mentioned I think on slide 12, which is
4 the very thing I will be emphasizing to you for the South
5 Coast, because we cannot get to attainment without getting
6 these diesel trucks off the road. This is a fact and
7 probably the number one priority for any AQMD rep to this
8 Board.

9 So thank you, Member De La Torre, and several of
10 the commenters for raising the importance of the
11 post-useful life retirement proposal. Maybe you're
12 listening too, Senator Leyva. You know, all this, while
13 being aware of the old adage, watch what you ask for,
14 Kracov, because South Coast attainment plans are coming
15 before us pretty soon too, colleagues.

16 So I really appreciated the deliberation today,
17 and the public comment, and for giving me as the South
18 Coast rep, the opportunity, Chair, to express and explain
19 my perspective on how I'm going to be approaching these
20 SIP and attainment issues as a Board member.

21 CHAIR RANDOLPH: Thank you.

22 Senator Leyva.

23 BOARD MEMBER LEYVA: Thank you, Madam Chair.

24 Good morning, everyone. I just want to thank everyone for
25 their hard work on this issue. As a non-voting member of

1 this Board, I hope that the Board votes to adopt this
2 plan, but then I hope that we also double down and make
3 sure that we're doing even more. Because not only is the
4 San Joaquin Valley full of pollutants, so is my -- where
5 I'm sitting right now in the City of Chino in the Inland
6 Empire. We have all of those same problems.

7 I think we've come a long way in the reports that
8 I've read, but we have a long way to go and we need to do
9 it in a faster time frame.

10 I have a bill sitting on the Governor's desk
11 right now, SB 372, which if he signs it, it will help
12 small- and medium-duty trucks to become clean -- be run by
13 clean energy. We know that Amazon can run these clean
14 trucks and electric trucks, because they have more money
15 than God, but how do we help small businesses, so that
16 they can do the right things for our communities as well.
17 So we'll see if that gets signed by the Governor.

18 Board Member De La Torre, I am -- come talk to
19 Team Leyva. You are talking about stuff that is in our
20 wheelhouse and we would be more than happy to introduce
21 legislation that will help get us to where we need to be.
22 We're the leaders here in California. We have to continue
23 to lead.

24 So thank you, everybody, for your hard work and
25 just know that you can count on Team Leyva for whatever is

1 needed. Thank you, Madam Chair.

2 CHAIR RANDOLPH: Thank you. Okay. So those are
3 all the Board members I see wanting to speak.

4 So we did have a request from Board Member
5 Takvorian to add a -- language to the resolution that
6 would say the contingency measure planning should be done
7 in no less than a year from now. So is there a motion to
8 approve the resolution with that requested change?

9 BOARD MEMBER DE LA TORRE: So moved. De La
10 Torre.

11 BOARD MEMBER HURT: Second.

12 CHAIR RANDOLPH: All right. We have a motion and
13 a second. Clerk, would you please call the roll.

14 BOARD CLERK ESTABROOK: Dr. Balmes?

15 BOARD MEMBER BALMES: Yes

16 BOARD CLERK ESTABROOK: Mr. De La Torre?

17 BOARD MEMBER DE LA TORRE: Yes.

18 BOARD CLERK ESTABROOK: Mr. Eisenhut?

19 BOARD MEMBER EISENHUT: Yes.

20 BOARD CLERK ESTABROOK: Supervisor Fletcher?

21 BOARD MEMBER FLETCHER: Fletcher, aye

22 BOARD CLERK ESTABROOK: Senator Florez?

23 Assembly -- oh, sorry.

24 Ms. Hurt?

25 BOARD MEMBER HURT: Aye.

1 BOARD CLERK ESTABROOK: Mr. Kracov?

2 BOARD MEMBER KRACOV: Abstain.

3 BOARD CLERK ESTABROOK: Dr. Pacheco-Werner?

4 BOARD MEMBER PACHECO-WERNER: Yes.

5 BOARD CLERK ESTABROOK: Ms. Riordan?

6 BOARD MEMBER RIORDAN: Aye.

7 BOARD CLERK ESTABROOK: Supervisor Serna?

8 BOARD MEMBER SERNA: Aye.

9 BOARD CLERK ESTABROOK: Professor Sperling?

10 BOARD MEMBER SPERLING: Aye.

11 BOARD CLERK ESTABROOK: Ms. Takvorian?

12 BOARD MEMBER TAKVORIAN: Aye.

13 BOARD CLERK ESTABROOK: Vice Chair Berg?

14 VICE CHAIR BERG: Aye.

15 BOARD CLERK ESTABROOK: Chair Randolph?

16 CHAIR RANDOLPH: Yes.

17 BOARD CLERK ESTABROOK: Madam Chair, the motion
18 passes.

19 CHAIR RANDOLPH: All right. Thank you very much.

20 Okay. The last item on the agenda is Item number
21 21-9-5, proposed amendments to the Airborne Toxic Control
22 Measure for in-use diesel-fueled transport refrigeration
23 units, or TRUs, TRU generator sets, and facilities where
24 TRUs operate.

25 If you wish to comment on this item, please click

1 the raise-hand button or dial star nine now. We will call
2 on you when we get to the public comment portion of this
3 item.

4 CARB's current programs, coupled with efforts at
5 the local and federal level, have achieved success in
6 reducing emissions and have resulted in cleaner vehicles
7 and equipment in operation now. Nonetheless, meeting all
8 of California's public health, air quality, and climate
9 goals requires large reductions beyond those occurring
10 under current programs, as we just discussed under our
11 last item.

12 The Governor's Executive Order, N-79-20, set a
13 goal for 100 percent zero-emission off-road vehicles and
14 equipment in the State by 2035 where feasible.

15 Today, the Board will hear staff's proposal to
16 achieve additional emissions reductions from
17 diesel-powered TRUs and transition the sector to
18 zero-emission technology, which is needed to further
19 protect communities from near-source pollution impacts, as
20 well as help meet the current health based ambient air
21 quality standards across California and achieve the
22 State's climate goals.

23 Mr. Corey, would you please introduce the item?

24 EXECUTIVE OFFICER COREY: Yes. Thank you, Chair.

25 In 2004, the Board approved the Airborne Toxic

1 Control Measure for diesel-fueled TRUs, which established
2 in-use performance standards to reduce diesel particulate
3 matter emissions from existing TRUs. Staff's proposed
4 amendments expand on the current regulation to achieve
5 additional emission reductions by requiring the transition
6 of diesel-powered truck TRUs to zero-emission technology,
7 imposing a particulate matter emissions standard for newly
8 manufactured non-truck TRUs, and requiring the use of
9 lower global warming potential refrigerants. The proposed
10 amendments also aim to improve compliance and
11 enforceability of the regulation by adding new
12 requirements for owners and operators of facilities where
13 TRUs operate, expanded TRU reporting for all TRUs that
14 operate in California, including out of state-based TRUs,
15 and compliance labels.

16 The proposed amendments are designed to achieve
17 added public health, air quality, and climate benefits, as
18 well as increase the use of zero-emission technology.

19 With that, I'll ask Lea Yamashita of the
20 Transportation and Toxics Division to give the staff
21 presentation.

22 Lea.

23 (Thereupon a slide presentation.)

24 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

25 Thank you, Mr. Corey and good afternoon, Chair --

1 or actually, good morning, Chair Randolph and members of
2 the Board.

3 Today, I'll be going over staff's proposed
4 amendments to the Airborne Toxic Control Measure for
5 Transport Refrigeration Units. We have identified
6 potential impacts in the environmental analysis prepared
7 for this rulemaking, so this is the first of two Board
8 hearings on this item. And we plan to return with a final
9 proposal for Board consideration early next year.

10 --o0o--

11 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

12 Transport Refrigeration Units, or TRUs, are
13 refrigeration systems powered by integral diesel engines
14 and are used to control the environment of
15 temperature-sensitive products transported in trucks,
16 trailers, shipping containers, or railcars. TRU generator
17 sets are diesel-powered generators that provide power to
18 electrically-driven refrigeration units of any kind. TRU
19 engines are separate from the engine that drives the
20 vehicle. Even though they're small, these engines
21 typically emit more diesel PM than a heavy-duty diesel
22 truck emits at idle.

23 --o0o--

24 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

25 Here, we have the population of TRUs operating in

1 California. And as you can see, trailer TRUs have the
2 largest population followed by TRU generator sets and
3 truck TRUs. And then domestic shipping container and
4 railcar TRUs have the smallest population.

5 --o0o--

6 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

7 CARB adopted the current rule in 2004 and amended
8 it in 2010 and 2011. It requires all California-based
9 TRUs to be registered with CARB and focuses on in-use or
10 existing units by requiring all that operate in California
11 to meet in-use performance standards based on the age of
12 the equipment. Once a TRU engine turns seven years old,
13 it must meet the ultra-low-emission TRU in-use performance
14 standard and reduce PM emissions by 85 percent.

15 Today, PM emissions and resulting near-source
16 health risk are almost 80 percent lower due to a
17 combination of the current rule and federal emission
18 standards for off-road engines.

19 --o0o--

20 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

21 We've made progress, but there's more work to do.
22 As you know, the State of California and CARB have several
23 air quality standards, targets, and goals to meet over the
24 next 30 years. We also have Executive Order N-79-20,
25 signed by the Governor last year, which set a goal for all

1 off-road equipment in the state to be zero emission by
2 2035, where feasible.

3 --o0o--

4 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

5 One of the main drivers for further TRU
6 reductions is to better protect the many near-source,
7 low-income, and disadvantaged communities that experience
8 disproportionately high levels of air pollution and the
9 resulting detrimental impacts to their health. TRUs are
10 of concern because they have relatively high diesel PM
11 emissions and often operate at facilities in large numbers
12 for extended periods of time. In fact, many of the
13 highest potential cancer risks in communities are driven
14 by TRUs.

15 Cumulative health effects occur when there are
16 clusters of multiple facilities in close proximity to each
17 other and to residential areas, as shown here in Salinas,
18 California.

19 The near-source cancer risk for these clusters
20 can be over 1,000 chances per million, which is greater
21 than the cancer risk to communities around California's
22 ports and marine terminals from vessel activity.

23 --o0o--

24 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

25 The proposed amendments are also needed to

1 address the emergence and growth in the population of less
2 than 25 horsepower non-truck TRUs.

3 The California and federal off-road PM emissions
4 standard for these engines is 15 times higher than the
5 standard for engines greater than 25 horsepower. If
6 you'll recall, once a TRU engine turns seven years old, it
7 must meet the in-use performance standard and reduce PM
8 emissions by 85 percent. The only compliance option for
9 these smaller horsepower units is to install a filter when
10 it turns seven years old. But instead of doing that,
11 we're seeing owners replace their TRUs, so the PM
12 emissions from those units are never controlled.

13 --o0o--

14 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA: As
15 you can see in this graph, the emissions from less than 25
16 horsepower trailer TRUs, which are shown in the green and
17 white checkered pattern, have the greatest impact in
18 future years, and that's because their growth is projected
19 to increase and they have greater emissions.

20 --o0o--

21 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

22 It's clear that in order to meet the State's
23 multiple health risk reduction, air quality, and climate
24 goals, a large transformation to zero-emission is needed,
25 and this includes TRUs. Today's staff proposal is part

1 one of a two-part rulemaking to do just that.

2 Part one includes requirements for zero-emission
3 truck TRUs, a PM emissions standard for newly manufactured
4 non-truck TRUs, and the use of lower global warming
5 potential refrigerants.

6 Part two will focus on zero-emission requirements
7 for the remaining TRU types. By requiring zero-emission
8 truck TRUs first, we're providing a strong signal for the
9 development of zero-emission technologies, which we think
10 will result in improvements needed to expand into extended
11 range applications and support the development of part
12 two. It also allows us to complete a technology
13 assessment to inform the development of zero-emission
14 requirements for all TRUs that are technologically
15 feasible and cost effective. We're already working on the
16 technology assessment, and as committed to in today's
17 resolution, we plan to come back to the Board with the
18 part two rulemaking in 2024.

19 --o0o--

20 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

21 Staff developed the proposed amendments in an
22 open public process that included several outreach
23 activities. The team held workshops and work group
24 meetings to solicit feedback and discuss regulatory
25 concepts, the emission inventory and health risk analysis,

1 infrastructure, and enforcement issues.

2 We participated in informal meetings and calls
3 with a broad group of stakeholders, including TRU owners
4 and operators, trade associations, TRU manufacturers, and
5 utilities. We also conducted targeted outreach to
6 facilities, including the mailing of postcards and site
7 visits to cold storage warehouses, port terminals, and
8 railyards to learn more about their operations.

9 And we've also heard from community members
10 during evening listening sessions and at CARB's Freight
11 Days, and have included updates on CARB's Environmental
12 Justice Blog.

13 --o0o--

14 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

15 Okay. Now, I'd like to go over today's staff
16 proposal. First, we are proposing an annual 15 percent
17 zero-emission truck TRU requirement beginning December 31,
18 2023. One hundred percent of the truck TRU fleet will be
19 zero emission by 2030, which is ahead of the Governor's
20 2035 goal. Small scale manufacturers already have
21 commercially available zero-emission truck TRUs, while the
22 two major manufacturers, Carrier and Thermo King, plan to
23 have products available in time for the proposed
24 requirement.

25 Based on the operational characteristics of truck

1 TRUs and the operating range of zero-emission
2 technologies, truck TRUs would generally not require
3 fueling or charging infrastructure outside their home base
4 facility. Owners will need to install infrastructure to
5 support required zero-emission truck TRUs, but the
6 proposed amendments don't include any facility
7 infrastructure requirements.

8 Although we don't expect significant
9 infrastructure related delays, there are situations that
10 may prevent it from being installed in a timely manner.
11 For that reason, we're including provisions for a
12 compliance extension that may be granted to owners due to
13 circumstances outside of their control related to
14 infrastructure delays.

15 We'll continue to work with the electric
16 utilities, as well as our sister energy agencies to
17 determine the increased electricity demand from
18 zero-emission truck TRUs and to ensure the State's
19 electrical grid can handle this increased demand in the
20 coming years.

21 --o0o--

22 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

23 Earlier, we talked about the growth in PM
24 emissions from less than 25 horsepower non-truck TRUs.
25 Staff are proposing to address the emissions from these

1 smaller units by requiring all newly manufactured
2 non-truck TRUs to meet the U.S. EPA Tier 4 final PM
3 standard for engines greater than 25 horsepower,
4 regardless of horsepower.

5 Both of the two major manufacturers have or plan
6 to have units that meet the PM standard commercially
7 available in time to meet the proposed requirement.

8 --o0o--

9 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA: We
10 are also requiring newly manufactured TRUs to use lower
11 global warming potential, or GWP, refrigerant beginning on
12 December 31, 2022. TRUs produce hydrofluorocarbon
13 emissions, which is a powerful greenhouse gas when
14 refrigerant leaks from the unit due to normal wear and
15 fatigue of refrigerant fittings.

16 There are currently no California restrictions on
17 the use of high-GWP refrigerants in TRUs, but lower-GWP
18 alternatives are technically feasible and commercially
19 available. Both of two major manufacturers currently
20 offer units with lower-GWP refrigerant that would meet the
21 proposed requirement, and there also cryogenic TRUs that
22 use no refrigerant at all.

23 --o0o--

24 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

25 Next, we are including additional requirements to

1 help improve compliance and support enforcement of the
2 regulation, which we have identified from our experience
3 of implementing the current rule.

4 The first is a requirement that owners report all
5 TRUs operating in California to CARB, including
6 out-of-state based units. Under the current rule, this
7 reporting requirement only applies to California-based
8 units. Reporting all TRUs is needed to help monitor and
9 support enforcement of all units operating in California
10 and help level the playing field between those based
11 in-state and out of state.

12 Owners will also be required to pay operating
13 fees and affix CARB-issued labels to their TRU every three
14 years. We expect compliance monitoring and enforcement
15 activities related to zero-emission TRUs will be less
16 staff -- will require less staff resources, so they have a
17 lower operating fee. The operating fees will be used to
18 offset the costs to CARB as allowed by section 43019.1 of
19 the Health and Safety Code, which authorizes CARB to adopt
20 a schedule of fees to cover all or part of its reasonable
21 costs associated with certification, audit, and compliance
22 of off-road engines and equipment in the state.

23 Labels will be an integral part of monitoring
24 compliance. Non-compliant units will not be issued a new
25 label, which help to ensure that are brought into

1 compliance in a timely manner.

2 --o0o--

3 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA: We
4 are also proposing new requirements for owners and
5 operators of applicable facilities, including registration
6 and fees to be paid every three years. Applicable
7 facilities will also be required to ensure that only
8 compliant TRUs operate on their properties. This should
9 incentivize TRU owners to comply with the regulation and
10 help to achieve immediate emission reductions in nearby
11 communities.

12 As an alternative, facilities may chose to report
13 all TRU activity to CARB, which will help staff better
14 identify non-compliant TRUs and bring them into
15 compliance. Ports and railyards are already subject to
16 similar requirements for trucks under CARB's drayage truck
17 regulation. In addition, we've worked with facility
18 owners to help ensure the reporting requirements consider
19 the unique operations of different facility types.

20 --o0o--

21 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

22 This slide shows the proposed applicable facility
23 types and their size thresholds. For reference, Trader
24 Joe's is on average less than 15,000 square feet and
25 therefore would not be an applicable facility. We

1 developed the size thresholds based on the estimated
2 amount of TRU activity and associated health risk relative
3 to facility size.

4 We're not proposing size thresholds for seaport
5 facilities or intermodal railyards. Because activity is
6 not based on facility size and TRUs operate for longer
7 periods of time due to large traffic volumes compared to
8 refrigerator -- refrigerated warehouses or grocery stores.
9 We estimate there are over 6,000 applicable facilities and
10 approximately 40 percent of those are located in
11 disadvantaged communities. And as a reminder, the
12 proposed amendments don't include any facility
13 infrastructure installation requirements.

14 --o0o-- cram

15 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

16 The last amendments we're proposing to help
17 improve compliance are vehicle owner and driver
18 requirements. Under the current rule, drivers are
19 required to check for TRU compliance. And we're proposing
20 to extend this responsibility to vehicle owners as well as
21 require drivers to allow CARB enforcement staff to conduct
22 a visual inspection of TRUs. We believe additional
23 responsibilities for all key parties playing a role in the
24 operation of TRUs will help to minimize unfair competition
25 and improve compliance.

--o0o--

TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

Staff estimate the total net cost of the proposed amendments will be 1.04 billion compared to health cost savings of approximately 1.75 billion, which are due to fewer adverse health outcomes from NOx and PM reductions.

The health cost savings outweigh the costs by nearly 70 percent. We would also like to address the current economic situation and the ability for industry to absorb compliance costs. While some transport sectors were impacted significantly by the recent economic downturn, based on industry data, the refrigerated goods transport sector was not hit as hard. In general, spending on food away from home decreased, but expenditures on food from grocery stores and takeout increased.

The first regulatory compliance date is December 31, 2022. And we think that provides adequate time for affected industry to revert to normal economic conditions, if necessary.

--o0o--

TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA: In addition, there are several federal, State, and local incentive funding programs that may be available to offset some of the capital costs for zero-emission TRUs, as well

1 as supporting the infrastructure. This slide shows a
2 screenshot of our webpage with more information and direct
3 links to those programs.

4 --o0o--

5 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

6 The proposed amendments are expected to further
7 reduce PM2.5 NOx and GHG emissions from TRUs. To
8 highlight the PM2.5 emission reductions, the first graph
9 shows that emissions from truck TRUs will go to zero as
10 they transition to zero-emission technology.

11 On the second graph, PM2.5 emissions from
12 non-truck TRUs will also be reduced from the proposed PM
13 standard.

14 --o0o--

15 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

16 The resulting PM emission reductions will lower
17 the cancer risk to individuals nearby facilities where
18 TRUs operate. We conducted a health risk analysis to
19 evaluate the baseline cancer risk resulting from direct
20 exposure to diesel TRUs operating at a generic cold
21 storage warehouse and grocery store, as well as the impact
22 of the proposed amendments.

23 As shown in these graphs, the proposed amendments
24 are expected to achieve significant cancer risk reductions
25 in both scenarios.

--o0o--

TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA: In accordance with the California Environmental Quality Act, or CEQA, guidelines, staff prepared a Draft Supplemental Environmental Analysis for the proposed amendments and released it for public comment. We will present the Final Supplemental Environmental Analysis and written response to comments received to the Board at a second Board hearing planned for the first quarter of 2022.

--o0o--

TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

Staff released the notice package for a 45-day public comment period, which closed on September 13th. We received seven public comment letters and three of them were supportive of the proposed amendments. Of the remaining letters, we received a comment related to CARB's authority to collect fees from TRU and facility owners. As mentioned earlier, the proposed fees will offset the cost to CARB allowed by section 43019.1 of the Health and Safety Code.

We also received a comment to allow an alternative labeling option and clarification of lessor/lessee, and facility reporting requirements.

We have learned from our experience enforcing the current rule and are including label and facility

1 requirements to help ensure industry-wide compliance,
2 maximize emission reductions and level the playing field.
3 With that being said, we are taking another look at the
4 regulatory language to see if changes are necessary to
5 ensure requirements are clear.

6 And last, we received a comment related to the
7 Environmental Analysis, in that it failed to analyze the
8 potential impacts of the facility reporting requirements.
9 We are looking into it and again we'll present the final
10 Environmental Analysis and written response to comments
11 received to the Board at the second hearing.

12 --o0o--

13 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

14 Since the release of the staff proposal, we have
15 identified some potential 15-day changes unrelated to the
16 public comments. These include revisiting our assumptions
17 on turnover and new sales populations, as we think we were
18 too conservative on the estimated number of new TRUs that
19 would be purchased under the proposed amendments compared
20 to the baseline. We're also going to look at updating
21 fees to remove costs to CARB related to indirect labor and
22 reflect any changes to new sales populations.

23 As a result, the fees which are already less than
24 \$20 a year will be even lower. And we're going to look at
25 adding assurances to ensure that the zero-emission truck

1 TRU market produces reliable and quality products that
2 meet the needs of owners and operators. Any modifications
3 to the proposed amendments will be released to the public
4 for a 15-day comment period.

5 --o0o--

6 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

7 Staff recommend that the Board adopt the proposed
8 resolution directing staff to return with a final proposal
9 early next year and the part two rulemaking in 2024.

10 --o0o--

11 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

12 This slide shows our next steps. For part one,
13 we will continue to work on potential 15-day changes and
14 again we plan to return to the Board for the second
15 hearing in early 2022.

16 For part two, we will continue work on the
17 technology assessment before beginning rule development in
18 2022. And we plan to return to the Board with a part two
19 rulemaking in 2024. Thank you for your time today. This
20 concludes my presentation.

21 CHAIR RANDOLPH: All right. Thank you very much.
22 We actually need to give our court reporter a break. And
23 given that it's just about noon, I think we're going to go
24 ahead and take a 30-minute break and then we will hear
25 public comment for those who have raised their hand to

1 speak on this item.

2 So for those of you just go ahead and stay logged
3 in. And in -- we will be back in 30 minutes, so at just
4 about 12:25.

5 Thank you.

6 (Off record: 11:55 a.m.)

7 (Thereupon a lunch break was taken.)

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AFTERNOON SESSION

(On record: 12:25 p.m.)

CHAIR RANDOLPH: We are now returning from our lunch break and it is time for public comment. And we have several public commenters on this item.

Board Clerk, could you please begin to call the commenters?

BOARD CLERK ESTABROOK: Thank you. Yes, there are currently 16 people with their hands raised to comment on this item. If you would like to speak, please raise your hand in Zoom or dial star nine. The first three commenters are Joseph Sullivan, Elliot Gonzalez, and Jack Symington. Joseph, I have activated your microphone. You can unmute yourself and begin.

JOSEPH SULLIVAN: Thank you.

Good afternoon, Chair Randolph, Board staff. I appreciate you bringing forward this item and the opportunity to comment. I work for the International Brotherhood of Electrical Workers Local 11, as well as the National Electrical Contractors Association of greater Los Angeles. This represents about 10,000 union electricians work for approximately 350 electrical contractors.

And we are very concerned about the toxic impacts of this equipment as shown by the Air Resources Board's own analysis. The impact -- these impact communities

1 where our workers live. We would like to see the industry
2 cleaned up now, because of the immense harm it has on
3 communities.

4 And we support the commitment to move truck TRU
5 to zero emissions by 2029. This will be California's
6 first ever zero-emission related Fleet Rule. And this
7 technology is readily available. This rule will not only
8 have urgent environmental impacts. These will ultimately
9 have lower cost of ownership and create good jobs in
10 environmentally impacted communities.

11 Lastly, we'd like to see a timeline come back to
12 the Board on zero-emission requirements for the other TRU
13 categories.

14 Thank you. I appreciate it.

15 BOARD CLERK ESTABROOK: Thank you.

16 Elliot Gonzalez, I've activated your microphone.
17 You can unmute yourself and begin.

18 ELLIOT GONZALEZ: Thank you. You know, I think a
19 lot of -- a lot of my colleagues on the call will make a
20 lot of the points that I'd like to make. So I'm really
21 going to save most of my comments for the public comment
22 towards the end. But I did want to just speak in support
23 of this item. I think that it's -- I think it's honestly
24 far past due. And I would like to encourage this
25 Commission to set very high standards to really go bold.

1 I just want to note that there was a retreat with
2 the AQMD, in which CARB sent representation. And what
3 federal authorities had warned us was that the
4 nonattainment was so severe that it's literally off the
5 charts. And so, you know, this refrigeration unit, this
6 really should have been done in the 90s and 80s. It's
7 really such a disappointment to be talking about this type
8 of, you know, actively working on it now. You know, it's
9 been causing an issue this whole time.

10 So, you know, the heat that we're feeling is
11 because of that delay. So I just think that this
12 Commission can really go bold, set targets of at least 50
13 percent by 2025, 2023. And that's really -- that's really
14 what this Commission is set out to do.

15 Thank you.

16 BOARD CLERK ESTABROOK: Thank you.

17 Our next speaker will be Jack Symington. After
18 Jack will be Nick Chiappe, Thomas Keller, and Mariela
19 Ruacho.

20 Jack, I have activated your microphone. You can
21 unmute yourself and begin.

22 JACK SYMINGTON: Hi. Can you hear me?

23 BOARD CLERK ESTABROOK: Yes, we can.

24 JACK SYMINGTON: Great. My name is Jack
25 Symington. I'm Program Manager for Transportation at the

1 Los Angeles Cleantech Incubator, where our mission is to
2 build an inclusive green economy. And I'm coming to you
3 today in support of the proposed amendments sent forward
4 by staff. I would urge that the Board accept them.

5 This will not only clean the air, but provide a
6 lasting economic benefit to these operators through lower
7 operating costs. And in addition, it will further cement
8 kind of California's leadership in zero-emission
9 industries. This will play well off of the
10 electrification of trucks. So we're excited to see this
11 passed and encourage that it is done so.

12 Thank you.

13 BOARD CLERK ESTABROOK: Thank you.

14 Nick Chiappe, I've activated your microphone.
15 You can unmute yourself and begin.

16 NICK CHIAPPE: Good afternoon, Chair Randolph and
17 Board members. My name is Nick Chiappe and I'm here on
18 behalf of the California Trucking Association. Thank you
19 for the opportunity to speak today. In working with our
20 members to obtain feedback, we have two primary issues to
21 share and hope to work with staff to resolve.

22 First, our members are requesting staff consider
23 additional options to the compliance verification. The
24 current proposal only allows for physically affixing two
25 labels to the TRU housing. This will prove to be

1 difficult for fleets that have thousands of TRU units
2 spread throughout the country, especially not knowing
3 which unit will enter California or when the unit will
4 enter. Affixing compliance labels will be a cumbersome
5 process.

6 We'd ask that staff consider adding fleet-wide
7 electronic verification from CARB that a carrier is
8 compliant, which can be provided to the applicable
9 facility operator as proof of compliance at the fleet
10 level, and the ability to contractually verify --
11 contractually verify compliance with the TRU Regulation
12 with their shipper customers on an annual basis.

13 Second, CARB lacks authority to impose the
14 proposed fee on operators of TRUs and facilities. Health
15 and Safety Code section 43019.1 applies to imposing fees
16 on entities such as manufacturers seeking certification by
17 CARB. Therefore, CARB may not charge a fee, because TRU
18 owners and applicable facility operators are not entities
19 seeking to certify engines for sale, but rather operate
20 engines already certified under these sections. We
21 provided more detail in our submitted written comments and
22 are happy to have further discussions about resources
23 needed to ensure compliant operators experience a level
24 playing field.

25 Again, thank you for the opportunity to address

1 the Board. We look forward to working with the Board and
2 staff as this process moves forward.

3 Thank you.

4 BOARD CLERK ESTABROOK: Thank you.

5 Thomas Keller, you may unmute yourself and begin.

6 THOMAS KELLER: Hello, Chair Randolph, and Board
7 members, and staff. Thank you very much for the
8 opportunity to provide comments today. My name is Tom
9 Keller. And I am the CEO of Clean Cold Power or CCP
10 U.S.A.

11 CCP is deploying cost-effective and
12 easy-to-install zero-emission transport refrigeration
13 units, or TRUs. Our nitrogen-based cooling system provide
14 efficient cooling in the transport of food, medicine, and
15 other cold-chain dependent goods. We provide a cleaner
16 and more sustainable alternative to conventional
17 diesel-powered refrigeration units.

18 Our TRUs are powered by sustainable nitrogen
19 derived from ambient air and our system avoids any
20 combustion and the pollution generated by conventional
21 diesel-powered refrigeration systems. Every CCP TRU that
22 replaces a diesel one has the same benefit to clean air as
23 taking 80 cars off the road forever.

24 In addition, CCP TRUs are quieter, reach cold
25 temperatures faster, and have more precise cooling control

1 than conventional systems. CCP strongly supports the
2 proposed amendments for the Airborne Toxic Control Measure
3 for in-use diesel-fueled TRUs and supports for
4 zero-emission truck TRUs.

5 Further, CCP respectfully requests that ARB
6 extend the proposed amendments for zero-emission trailer
7 TRUs as quickly as possible to realize the environmental
8 air quality and other health benefits. Thank you again
9 for the opportunity to provide our support.

10 BOARD CLERK ESTABROOK: Thank you.

11 Our next commenter will be Mariela Ruacho. After
12 Mariela will be Cynthia Pinto-Cabrera, Yasmine Agelidis,
13 and Juliana Rodriguez.

14 Mariela, I have activated your microphone. You
15 can unmute yourself and begin.

16 MARIELA RUACHO: Hi, Chair and Board members. I
17 am Mariela Ruacho from the American Lung Association. We
18 appreciate the work CARB has done in finalizing the TRU
19 rule. This is an -- this is an important public health
20 measure, given the local proximity between communities and
21 truck TRUs powered by diesel and other combustion engines.

22 This will be CARB's first rulemaking to advance
23 zero emissions for truck TRUs by 2029. We will continue
24 to closely follow CARB's other rulemakings to advance
25 zero-emission trucks, such as the Advanced Clean Fleets.

1 We support the transition to zero-emission TRU engines
2 because they will reduce GHGs causing climate change,
3 including requiring more climate friendly refrigerants,
4 reduce air pollutants in local communities such as
5 particular matter NOx that cause major respiratory and
6 cardiovascular complications, including asthma, heart
7 attacks, strokes, cancer as noted in the staff
8 presentation, and premature death to vulnerable
9 populations.

10 The transition to zero-emission TRUs will help
11 address climate change concerns, but most importantly
12 protect the health of Californians. As today's proposal
13 is just one part of the overall TRU rule, today's decision
14 is on track -- box truck versus other TRU classes. We urge
15 the Board to direct staff to return by fall 2023 with
16 zero-emission requirements for all additional TRU classes.

17 We agree with the staff recommendation that
18 facility owners and operators should take responsibility
19 for TRU activities at their facilities to ensure TRUs
20 comply with these regulations and should be accountable
21 to -- for helping reduce air pollution. We urge the Board
22 to approve this rule and once again thank you for -- thank
23 you to the staff and the Board for all your work.

24 BOARD CLERK ESTABROOK: Thank you.

25 Cynthia Pinto-Cabrera, you may unmute yourself

1 and begin.

2 CYNTHIA PINTO-CABRERA: Good afternoon, Chair
3 Randolph and Board members. Cynthia Pinto-Cabrera with
4 the Central Valley Air Quality Coalition. CARB has
5 identified the San Joaquin Valley as one of the areas with
6 most critical near-term air quality challenges in the
7 nation.

8 CARB will play a key role in supporting the San
9 Joaquin Valley in meeting clean air goals. We need strong
10 regulations and stringent enforcement of mobile sources
11 from CARB to support the fast approaching 2024 and 2025
12 deadlines for PM2.5 attainment, and support the adoption
13 of the TRU regulation proposed today.

14 Refrigerated storage facilities impose immense
15 health risks on communities closest to these facilities.
16 The passage of the transportation refrigeration unit
17 regulation offers an opportunity to provide immediate
18 relief to those who are most vulnerable to exposure you --
19 of air toxic -- of toxic air contaminant emissions,
20 criteria pollutant emissions, and greenhouse gas
21 emissions.

22 Passage of this regulation also offers an
23 opportunity to meet State commitments of achieving 32 tons
24 per day of NOx, and 0.9 tons per day of PM2.5 emissions
25 reductions. In the San Joaquin Valley, commitments that

1 have been made in the 2018 PM2.5 plan and San Joaquin
2 Valley supplement of the 2016 State Implementation Plan
3 strategy.

4 This regulation will be most effective with
5 stringent enforcement. Therefore, we support CARB's
6 additional enforcement proposal to ensure that the
7 industry is complying with this regulation.

8 However, given the adoption -- the delay in the
9 adoption of this rule -- of this regulation, we encourage
10 staff to return to the Board in 2023 with additional
11 zero-emission requirements for all TRU truck classes.

12 Thank you.

13 BOARD CLERK ESTABROOK: Thank you.

14 Next, we have Yasmine. It looks you're joined
15 from a couple devices. I'm going to give you a prompt to
16 unmute and you should be able to unmute and begin.

17 YASMINE AGELIDIS: Hi. Thank you.

18 Good afternoon, Chair Randolph and members of the
19 Board. My name is Yasmine Agelidis and I'm here on behalf
20 of Earthjustice. I want to voice strong support for
21 CARB's Transportation Refrigeration Unit Rule, and in
22 particular the commitment to move all refrigerated trucks
23 to zero emissions by 2029.

24 And I also want to highlight the 3,400 public
25 comment messages submitted to the record earlier today

1 asking for CARB to clean up TRUs. As we're all aware,
2 many Californians breathe the worst air quality in the
3 nation and rely on CARB to advance regulations like this
4 one to reduce harmful air pollution in their communities.

5 Because of the way that refrigerated trucks
6 operate and the cargo that they move, they have a
7 concentrated impact in communities. Refrigerated trucks
8 like ice cream trucks, grocery trucks, and beverage trucks
9 drive, idle, and pollute near grocery stores and people's
10 homes.

11 So we really appreciate that CARB listened to the
12 input that our organizations gave earlier in the
13 rulemaking process and shifted to making this a
14 zero-emissions rule. If the Board adopts this rule in
15 February or March next year, as we hope that it does, this
16 will be the first ever zero-emission Truck Fleet Rule in
17 California, and by that nature in the country, and it will
18 have immense health benefits to show for it.

19 Over 170 lives will be saved over the next decade
20 from this portion of the rule alone, and it will have
21 \$1.75 billion in estimated health benefits to
22 Californians.

23 Now, we need to set a timeline for staff to come
24 back to the Board with zero-emission requirements for the
25 other categories of refrigerated units, including

1 tractor-trailers, railcars, and domestic shipping
2 containers. Communities also need this pollution cleaned
3 up quickly, so we'd like to see staff come back to the
4 Board with these zero-emission requirements not in 2024,
5 but by the end of 2023.

6 And I just want to say thank you again to staff
7 and the Board for pursuing this life-saving regulation
8 that's going to clean up a polluting industry, advance the
9 needed zero-emissions future, and save lives.

10 Thank you.

11 BOARD CLERK ESTABROOK: Thank you.

12 Yasmine, can I just ask if there a couple other
13 folks who are joined with this same account? Is that the
14 case and I can maybe rename them so I can call on them? I
15 want to make sure I call on everyone.

16 No.

17 Are you there?

18 YASMINE AGELIDIS: Yeah, I'm sorry. I wasn't
19 aware that I was logged in with multiple accounts.

20 BOARD CLERK ESTABROOK: Okay. I wanted to make
21 sure there weren't any other of the signatories on your
22 letter that were also using your account. So I -- okay.
23 Thank you.

24 Okay. So next we have

25 YASMINE AGELIDIS: Oh, is that --

1 BOARD CLERK ESTABROOK: Oh, go ahead.

2 YASMINE AGELIDIS: Sorry. That may be possible
3 actually. I'm now realizing.

4 BOARD CLERK ESTABROOK: Okay. If they -- if you
5 can send them a note to rename themselves in Zoom and I
6 can call on them, that would be great.

7 Juliana Rodriguez, I have activated your
8 microphone. You can unmute yourself and begin you
9 comment.

10 JULIANA RODRIGUEZ: Good afternoon, Madam Chair,
11 and members of the Board. I work with GNA and I'm a
12 consultant with them. And I'm here to comment today on
13 behalf of Penske Trucking.

14 Thank you so much for the opportunity to comment
15 today. We are here to ask for edits on section 2477.12,
16 the requirements for lessors and lessees to delegate owner
17 requirements to lessees when applicable. We ask for
18 consistency across CARB rules with definitions that affect
19 businesses that are regularly engaged in the trade or a
20 business of renting or leasing motor vehicles without
21 drivers.

22 The following statements from the Advanced Clean
23 Fleet Rule should be implemented in the Airborne Toxic
24 Control Measure for in-use diesel fuel transport
25 refrigeration units.

1 The ACT rule stipulates the following. For
2 vehicles that are rented or leased from a business that is
3 regularly engaged in the trade or business of renting or
4 leasing motor vehicles to a driver, the owners shall be
5 presumed to be the rental or leasing entity for the
6 purpose of compliance if the rental or lessee agreement
7 for the vehicle is for a period of less than one year or
8 the rental or lessee agreement for the vehicle is for a
9 period of one year or longer, unless the terms of the
10 rental, or lessee agreement, or other equally reliable
11 evidence identifies the party responsible for compliance
12 with State laws for the vehicle to be the renting operator
13 or the lessee of the vehicle.

14 And the reason why this matters is that there are
15 immense challenges on the control of these hand-rented
16 vehicles outside of California. If a vehicle that
17 generally doesn't operate in California, but has one or
18 two trips, it would be affected and there would be little
19 control over this entrance, unless that liability is
20 passed on.

21 Penske would have to change all their contracts
22 nationwide to stipulate that entering California is
23 prohibited, but that it might still -- but that still
24 might not stop them from entering the state. If there was
25 consistency across the rules and the terms of the rental

1 or lease agreement, or other equally reliable evidence
2 identifies the party responsible for compliance with State
3 laws for the vehicle to be either renting, operator, or
4 lessee of the vehicle, it would be beneficial to all and
5 encourage compliance.

6 Regulations that are not based on vehicle
7 registration, such as this one, instead it focuses on
8 operation in the state, are much harder to implement. And
9 for this reason, we ask CARB to think how they can support
10 fleets that have these challenges.

11 Thank you so much.

12 BOARD CLERK ESTABROOK: Thank you.

13 Our next three speakers will be Bill Magavern,
14 Yassamin Kavezade, and John Larrea.

15 Bill, I have activated your microphone. You may
16 begin.

17 BILL MAGAVERN: Thank you. Big Magavern with the
18 Coalition for Clean Air in support of the proposal that's
19 in front of you today. This is exactly what we want to
20 see in the freight sector moving from diesel to zero
21 emissions. And it's also important to reduce the global
22 warming potential of the refrigerants that are used,
23 because the -- they are powerful short-lived climate
24 pollutants.

25 And the rule would also close the existing

1 loophole for the small horsepower engines. We know that
2 these TRUs are a significant source of cancer risk for the
3 communities that are most affected by them. And these
4 often are low-income communities of color.

5 We've seen from the staff report that the
6 benefits of the rule far outweigh the costs, so we urge
7 you to adopt it today, but also to move as soon as
8 possible to part two, which will cover the majority of the
9 TRUs that are used in the state.

10 Thank you very much.

11 BOARD CLERK ESTABROOK: Thank you.

12 Yassamin, I have activated your microphone. You
13 may unmute yourself and begin.

14 YASSAMIN KAVEZADE: Good morning. This is Yassi
15 Kavezade and I am a Senior Campaign Representative with
16 Sierra Club National. I work on improving -- excuse me,
17 sorry. I work on improving air emissions from ports,
18 warehouses, railyards, and other aspects of heavy-duty
19 supply chain goods movement. I'm also a resident of the
20 Inland Empire. And as many of you know, the Inland Empire
21 is home to multi-national corporations storing and moving
22 goods at thousands of mega warehouses and the BNSF
23 railyard in San Bernardino.

24 It's normal to see TRU trucks idling for hours in
25 our communities especially lined up near Jurupa and San

1 Bernardino. These health effects float on over to our
2 most vulnerable, our children and the elderly, especially
3 in goods movement corridors near warehouses, railyards,
4 and the ports.

5 We can get to 100 percent zero-emissions and TRU
6 conversion aware from diesel and gas is needed now. It's
7 viable, it's feasible, and economical. And I applaud CARB
8 staff's recommendation to move trucks TRUs to zero
9 emissions by 2029. We appreciate the ARB listening to our
10 input during rulemaking processes and accelerating this
11 transition. I attended workshops in Fontana in the South
12 Coast Air District, where we advocated for this timeline.

13 This will be California's first zero-emission's
14 truck-related fleet rule, a big deal. And we support
15 advancing this technology that is readily available. I'd
16 like to also add just some of -- like some of our
17 colleagues here that we must set a timeline to come back
18 to the Board on zero-emission requirements for other TRU
19 categories, like trailer TRUs and railcar TRUs, and any
20 others. I urge staff to come to the Board with these
21 zero-emission requirements by the end of 2023.

22 And thank you so much for your time and I hope
23 everyone stays healthy.

24 BOARD CLERK ESTABROOK: Thank you.

25 Next will be John Larrea. After John, will be

1 Janet Dietzkamei and Daniel Chandler, and Jessie Parks.

2 John, I have activated your microphone. You can
3 unmute and begin.

4 JOHN LARREA: Thank you. And, good afternoon,
5 Chair and Board members, and staff. I'm John Larrea with
6 the California League of Food Producers and I represent
7 the large industrial food processors here in the San
8 Joaquin Valley and in California.

9 CLFP has been working with the staff on the
10 development of this regulation for -- since its inception.
11 And I'm taking this opportunity to bring to the staff's
12 attention a new issue. And to be fair, I have not yet had
13 a chance to discuss this with CARB staff. It's the issue
14 of driver shortages and how it may impact this regulation
15 and our members who utilize TRUs.

16 Since late February, I've been working on the
17 driver shortage issue at the behest of both truck -- ag
18 trucking companies and our members. And I have been
19 working with the California State Transportation Agency to
20 see if there's ways to alleviate the problem associated
21 with driver shortages.

22 We've seen upwards - it started in December -
23 of -- getting reports of 30 percent short of drivers. And
24 we were very much worried that our harvest wouldn't go
25 through, unless we could obtain more drivers or some

1 relief from the State.

2 But the problem with this is that it -- the
3 driver shortages extends across all factors in the state,
4 not just ag. So the driver shortages problem is
5 anticipated to continue not only through next year but
6 through the next few years. And until we resolve this
7 problem, it's going to be an issue.

8 For us, many drivers -- many food processors
9 depend on TRUs to transport food products safely and
10 efficiently to and from warehouses. And many of these
11 facilities contract for TRU transport from companies based
12 out of state.

13 CARB's current intent to make California
14 facilities compliance enforcers leaves these facilities
15 with no choice but to no longer contract with out-of-state
16 companies and increase the reliance on California's
17 transport companies. The problem is is that the
18 California trans -- truck companies are facing a driver
19 shortage problem along with the additional pressures to
20 upgrade their fleets. This could seriously impact our
21 ability to be able to meet not only our demand, but to get
22 our products out.

23 So we need to take a look at the idea of making
24 us the enforcers and to -- and CARB staff needs to
25 incorporate this problem into its analysis, so that we can

1 understand how this is going to impact us.

2 I can tell you already, it's probably going to
3 impact us through increased food costs. And we've already
4 seen how various aspects in our infrastructure already
5 have driven up food costs. So looking at the 2023
6 deadline, it makes us somewhat nervous.

7 I look forward to working with CARB staff on this
8 in the future. And again, I apologize for having to bring
9 it up here, but it just seemed like a really good
10 opportunity, and I will be contacting you forthwith.

11 Thank you very much.

12 BOARD CLERK ESTABROOK: Thank you.

13 Janet Dietzkamei. I have activated your
14 microphone. You can unmute and begin.

15 JANET DIETZKAMEI: Thank you. This is Janet
16 Dietzkamei. And thank you Chair Reynolds for this
17 opportunity to speak. I, of course, in support of this
18 proposal. I understand the combination of refrigeration
19 and large trucks. They further contribute to the
20 greenhouse gas emissions including PM2.5. All efforts to
21 control health risks are critical to those of us who live
22 in the San Joaquin Valley. I am new to this part of
23 electrifying trucks. And I can see that this poses a
24 larger problem with the refrigeration figured into moving
25 whatever is being moved.

1 I'm going to expand this though to trucks,
2 because Fresno has become a warehouse magnet. And we are
3 having more and more businesses coming here that will be
4 using both refrigerated and unrefrigerated trucks.

5 Interestingly, in my neighborhood, we recently,
6 like 10 or 15 years ago, had a -- had zoning for a
7 business park. And warehouses and businesses using these
8 large trucks, including refrigerated ones, have been built
9 right next -- one being built right now, next to a newly
10 constructed housing area.

11 And that brings up the point that people living
12 near these trucks -- these businesses are being exposed to
13 the pollutants that can be controlled by electrification.

14 And, of course, we have populations that are
15 unfairly exposed to these pollutants, so I am in support
16 of this. Thank you very much for working on this project.

17 Thank you.

18 BOARD CLERK ESTABROOK: Thank you.

19 Next, we will have Jessie Parks. After Jessie
20 will be Kristian Corby, Kevin Hamilton, and Natalie
21 Ospina. Jessie, I have activated your microphone. You
22 may unmute and begin.

23 JESSIE PARKS: Hello. My name is Jessie Parks,
24 and I'm a member of the Inland Empire. I'm here to
25 encourage you to adopt this strong TRU rule. With our

1 region's alarming greenhouse gas emissions hindering the
2 health of community members. The discussed analysis shows
3 a significant reduction of health burdens, revolving
4 residents near facilities with TRU operations as they
5 shift to cleaner, in some instances zero-emission TRUs.
6 Without dedicated efforts to expand clean power TRUs, our
7 workers and community members will be breathing toxic
8 diesel fumes, which May lead to cancer, more smoggy
9 summers and enlarged air pollution.

10 The time in California to pass its first
11 zero-emissions clean truck related Fleet Rule is now and
12 not tomorrow. The advancement of TRU technology is
13 available and is imperative if a community would like to
14 see improvements to our air region of air quality. Please
15 adopt a strong TRU regulation for our loved ones.

16 Thank you and I yield the rest of my time.

17 BOARD CLERK ESTABROOK: Thank you.

18 Kristian Corby, I've activated your microphone.
19 You can unmute and begin.

20 KRISTIAN CORBY: Hello. My name is Kristian
21 Corby. And I'm the Deputy Executive Director of the
22 California Electric Transportation Coalition, known as
23 CalETC.

24 I'm here today to voice our support for part one
25 of the TRU rulemaking requiring the phase-in of

1 zero-emission truck TRUs. This proposal is an important
2 first step in electrifying California's medium- and
3 heavy-duty truck fleet and their auxiliary functions. And
4 we support staff's thoughtful proposal and the bifurcated
5 schedule for part one and part two. I'd like to thank the
6 CARB Board and the staff for taking action on this very
7 important issue.

8 Thank you.

9 BOARD CLERK ESTABROOK: Thank you.

10 Kevin Hamilton, you may unmute and begin.

11 KEVIN HAMILTON: Great. Thank you. Chair and
12 members of the Board, Kevin Hamilton, Cental California
13 Asthma Collaborative.

14 CCAC stands in support of adopting this TRU rule
15 as is. The valley relies on refrigeration to move more
16 than \$7 billion of ag products a year from field to table.

17 This critical economic driver of the valley
18 unfortunately also provides an incredible amount of diesel
19 emissions from idling TRUs every year during the harvest
20 season and they make up a significant amount of the local
21 PM and NOx emissions as well as climate emissions from
22 black carbon and HFCs.

23 This first phase is a solid down payment towards
24 a zero-emission TRU future with a zero carbon footprint
25 and we thank you for moving forward smartly in this

1 direction.

2 That's it. Thank you.

3 CHAIR RANDOLPH: This is -- this is Chair
4 Randolph. I just wanted to note that if there are any --
5 if anyone else wants to make a public comment but has not
6 yet raised your hand, we will give you five more minutes
7 to decide whether or not to raise your hand and then we're
8 going to close the queue for public comments.

9 All right. Thank you, Board Clerk.

10 BOARD CLERK ESTABROOK: Thank you.

11 So next we will have Natalie Ospina,
12 Natalie, I have activated your microphone. You
13 may unmute and begin.

14 NATALIE OSPINA: Thank you. Good afternoon. My
15 name is Natalie Ospina and I'm an attorney with NRDC and a
16 member of several coalitions that advocate for reductions
17 in freight-related emissions to frontline communities.

18 Among the communities that experience
19 disproportionate harms from freight are those in South
20 Oxnard, which is a majority low-income Latinx community
21 with neighborhoods adjacent to freight routes. The South
22 Oxnard communities are also predominantly farm workers and
23 immigrant households.

24 Some of these neighborhoods are amongst the most
25 polluted in the state, including those that are in the

1 98th percentile for pollution burden, in the 87th
2 percentile for diesel exposure, and the 42nd percentile
3 for PM2.5.

4 Furthermore, these community members are already
5 less likely to know the impacts of air contaminants and
6 less likely to have access to health care. The Port of
7 Hueneme is one source of the freight pollution that
8 overburdens the South Oxnard community. The port
9 considers refrigerated agricultural cargo as a major part
10 of its throughput and has planned expansions to
11 accommodate expected increases in refrigerated cargo.

12 Oxnard is also located in a major agricultural
13 area, which is an industry that heavily uses TRUs. TRUs
14 are responsible for high levels of NOx and PM2.5 and
15 disproportionately harm communities that have already
16 suffered for decades from toxic levels of air pollution.
17 Addressing the emissions in TRUs will provide important
18 health benefits, including saving lives over the next
19 decade and providing - excuse me - 1.7 billion in health
20 benefits. We support the commitment to move truck TRUs to
21 zero emissions by 2029.

22 We appreciate CARB listening to our input during
23 the rulemaking process and accelerating this transition.
24 We will be California's first -- this will be California's
25 first zero-emission truck-related fleet rule and we

1 support advancing this technology that's already readily
2 available. CARB needs to set a timeline to come back to
3 the Board on zero-emission requirements for the other TRU
4 categories, such as trailer TRUs, railcar TRUs, et cetera.
5 We ask that staff come back to the Board with these
6 zero-emission requirements by the end of 2023.

7 Thank you for your consideration.

8 BOARD CLERK ESTABROOK: Thank you. I have
9 someone raised -- with their hand raised. I believe you
10 might be using a link from Yasmine. I'm going to send you
11 a prompt to unmute and then hopefully you can do that and
12 let us know who you are.

13 ANNA GONZALEZ: Hi. Can you all hear me?

14 BOARD CLERK ESTABROOK: Yes.

15 ANNA GONZALEZ: Hi. Sorry. I don't how I got
16 Yasmine, but this is Anna Gonzalez.

17 BOARD CLERK ESTABROOK: Okay.

18 ANNA GONZALEZ: Can I speak now?

19 BOARD CLERK ESTABROOK: Yes, you may. Go ahead.

20 ANNA GONZALEZ: Okay. Sorry. Sorry about that.

21 So hi, everyone. Happy Thursday. My name is
22 Anna Gonzalez. I am the Interim ED for the Center for
23 Community Action and Environmental Justice, but I am first
24 and foremost a mother and a community member of the Inland
25 Valley region, specifically the City of Rialto. And we

1 are here in full support of the cleaning transportation
2 refrigeration units and ask that the Board adopt this TRU
3 rule -- or TRU rule.

4 We support the shift of the truck TRUs to
5 zero-emissions as it is way overdue, especially during a
6 time where many Californians, and most especially folks
7 from the Inland Valley Region are breathing the worst air
8 quality in the nation. Industry and corporations continue
9 to create diesel death zones in our most vulnerable
10 hard-working front-line BIPOC communities, like the
11 communities of the Inland Valley region.

12 There's a huge influx of truck traffic and
13 warehousing that is coming into our community, especially
14 near sensitive receptors and in the backyards of folks
15 homes. And so it is crucial that we pass this rule today
16 and that we move forward into holding more industry
17 accountable, so we protect the lungs of our communities
18 and our children most especially.

19 This rule will be a step in the right direction,
20 but still have a lot work to do. Our communities have the
21 highest rates of ER visits for asthma COPD and other
22 pulmonary illnesses linked to the air quality. My own son
23 is developing asthma due to the environmental impacts and
24 the air that he breathes on a daily basis.

25 This rule will help alleviate some of those

1 impacts. But like other folks have mentioned, we also
2 have to work to hold all other industries and negligent
3 leaders accountable. So we thank the staff for bringing
4 this forth and we hope that the Board pass this rule
5 today.

6 Thank you for your time.

7 BOARD CLERK ESTABROOK: Thank you.

8 Chair, that concludes the list of commenters for
9 the item.

10 CHAIR RANDOLPH: Thank you.

11 Unless staff has anything they want to add, I'm
12 going to go ahead and close the record?

13 EXECUTIVE OFFICER COREY: (Shakes head.)

14 CHAIR RANDOLPH: Okay. All right. So this is
15 the first of two Board hearings. So at this meeting, the
16 Board will consider a resolution to bring the final
17 proposed amendments back to the Board the first quarter of
18 2022. So we will be closing the record on this agenda
19 item. However, if it's determined that additional
20 conforming modifications are appropriate, the record will
21 be reopened and a 15-day Notice of Public Availability
22 will be issued. If the record is reopened for a 15-day
23 comment period, written or oral comments received after
24 this hearing date, but before the 15-day notice is issued
25 will not be accepted as part of the official record on

1 this agenda item. If the record is reopened for that
2 15-day comment period, the public may submit written
3 comments on the proposed changes, which will be considered
4 and responded to in the Final Statement of Reasons for the
5 regulation.

6 Okay. If any Board members have any questions or
7 comments on this item, please click the raise hand symbol
8 and we will begin our discussion.

9 I see Dr. Sperling's hand.

10 BOARD MEMBER SPERLING: Thank you, Chair
11 Randolph. You know, first, I want to say great job by
12 staff. You know, I know this took a lot of work and it's
13 actually just the beginning. The trailers are going to
14 be -- even be much more difficult, but these look like a
15 really good direction that we're going in. And this
16 really is, once again, you know, California leader --
17 showing leadership. And I think in an important way, it's
18 part of our electrification or, you know, converting to
19 zero-emission trucks and that's really good.

20 So I have two related questions. There was a
21 cost analysis that was done. And it said it would cost a
22 billion dollars over 12 years. And I was wondering if
23 that has been broken out in terms of how much of that is
24 for the zero-emission units and how much of it is for, you
25 know, the cleaner engines going forward and kind of if

1 that's available on a -- and how much is refriger -- you
2 know, the less potent refrigerants, and like if that's
3 available on a per truck basis?

4 And then I have a -- so let me -- so the
5 follow-up question is that I understand that about half of
6 these trucks are owner operated, which means I suspect
7 many of them are from low-income individuals, you know,
8 people of color, disadvantaged populations. And I don't
9 know that for sure, but I suspect that to be the case.

10 I was surprised that no one testified to this
11 extent. And I worry a little bit that means that maybe
12 they haven't been engaged, because, you know, we've had
13 some experiences in the past at CARB, you know, where we
14 adopt rules that affect a lot of these small businesses
15 and they don't really become (inaudible) stop trying to
16 engage and disseminate -- you know, engage with different
17 groups and disseminate.

18 So the question really is how much is this really
19 costing and actually the corollary to that is what about a
20 total cost of ownership analysis? Is -- if there's --
21 clearly, there's extra capital costs, but there's
22 presumably energy savings and maintenance savings. So I'm
23 just wondering what this looks like from a cost
24 perspective and then how that's going to affect some of
25 these owner/operators, and small businesses, and what the

1 plan is for this. I saw there's a page on incentives,
2 but, you know, it wasn't really targeted to -- necessarily
3 to this need.

4 Thanks.

5 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

6 Sure. I could talk about that a little bit and
7 then if Cari and Rich want to add on that's fine, or even
8 Deep who also did our -- work on our economic analysis is
9 here as well.

10 So we're looking at the zero-emission truck TRUs.
11 The capital cost difference is about 20 to 30 thousand
12 more compared to a diesel unit. And that's just the
13 capital cost. When we did our analysis on the total --
14 the total cost over the lifetime of the TRU, it was a
15 difference of about \$10,000. And that's taking into
16 account your diesel and your operating and maintenance
17 cost savings, as well as some LCFS credits that are
18 available. So that is, like I said, about 10,000 more and
19 that's over the lifetime of the TRU, which we assume is
20 like 10 years.

21 For the other pieces, the PM emissions standard,
22 the difference in cost for those units is around \$3,000.
23 And again that only applies to newly manufactured units.
24 So we're not requiring the owners to replace the units to
25 meet that standard. They're not going to be altering

1 their purchasing -- their purchasing schedule. So it's
2 just when they are ready to buy their new unit under their
3 current schedule, they would have to buy a unit that meets
4 that standard.

5 And again, a lot of those units already do meet
6 the standard. It's really just getting at those less than
7 25 horsepower units that are much dirtier. And then for
8 the refrigerant, that's an even smaller cost. The
9 refrigerant, the capital cost is less than a hundred and
10 then the maintenance is less than \$20 a year.

11 BOARD MEMBER SPERLING: Okay. So that's great.
12 So roughly for -- at least for most of these, we're
13 talking about a \$10,000 increase over the life of the
14 vehicle, so -- and, you know, the way costs have gone
15 down, I don't know how aggressive or adventurous your
16 analysis is, but I would presume there's a possibility it
17 could even be better than that. So what about --

18 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:
19 Yeah.

20 BOARD MEMBER SPERLING: And so what about the
21 impact of it on -- you know, because in terms of incentive
22 money that might be available --

23 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:
24 Yeah.

25 BOARD MEMBER SPERLING: -- you know, for -- at

1 least just for low -- for, you know, small businesses.

2 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA: So
3 you're right, we really haven't heard any comments about,
4 you know, the impacts to small business or how they can
5 absorb these costs. But I will say that the zero-emission
6 truck TRU requirement, it is phased in over time. And so
7 those fleets with just one unit, which actually makes up
8 50 percent of the truck TRU fleet, they are given more
9 time just because of that 15 percent phase-in. The
10 wouldn't have to transition to a new unit until the end of
11 2026. So that does give them more time to take advantage
12 of some of those incentive funding programs that are
13 available.

14 And then as far as outreach, making sure that
15 they're aware of the requirements. We did -- we had
16 numerous workshops and work group meetings, and they are
17 subject to rules under the current rule, so they're
18 already, you know, getting these notifications through our
19 listserv. They're already receiving various notices that
20 we're sending out, because it goes to that listserv for
21 all the current owners that are already regulated under
22 the rule.

23 BOARD MEMBER SPERLING: Okay. I would just urge
24 a little more focus looking at this just a little bit more
25 in terms of who they are and whether incentive money for

1 these small businesses, you know, should be more
2 aggressively pursued.

3 Thanks.

4 CHAIR RANDOLPH: Okay. Supervisor Serna.

5 BOARD MEMBER SERNA: Thank you, Chair.

6 And like Professor Sperling, I want to start by
7 thanking staff for what I think is one of the most -- or
8 one of the more detailed and thoughtful reports about this
9 item. I also want to thank all those that took time to
10 address the Board this afternoon, especially the public
11 health and respiratory health advocates that I think
12 oftentimes provides some of the most compelling testimony
13 when we're considering something like this that really has
14 multiple angles to it in terms of how it satisfies our
15 charge as an agency, first and foremost the public health
16 aspect of it.

17 But I do want to kind of point out the obvious
18 here as well, that there is a very glaringly obvious
19 environmental justice component to this as well. A number
20 of speakers pointed out the location of where these cold
21 storage facilities are located. Oftentimes, they're
22 located in communities of color, communities that are
23 economically disenfranchised, socially disenfranchised
24 obviously.

25 And I think this again is one of those instances

1 where that, combined with the fact that this begins to
2 acclimate the -- not just the trucking industry, but I'd
3 say industry as a whole to movement towards
4 zero-emission -- using zero-emission technologies, that
5 benefit as well. So this seems to have kind of a -- for
6 me, a very three-pronged benefit to it. And as a number
7 of speakers rightfully noted, you know, this is the
8 beginning of how we're going to be dealing with
9 zero-emission technologies affecting, especially the
10 trucking business for years and decades to come.

11 So I think this is -- I know we have another
12 hearing on this, but I think this is somewhat of a
13 momentous occasion that deserves to be acknowledged for
14 kind of meeting these three fundamental responsibilities
15 of CARB. And again, I want to thank staff for all their
16 hard work and certainly the advocates that have provided
17 valuable testimony today.

18 Thank you, Chair.

19 CHAIR RANDOLPH: Thank you.

20 Board Member Riordan.

21 BOARD MEMBER RIORDAN: Thank you, Madam Chair.

22 I couldn't agree more with my two colleagues. I
23 think this is a very progressive effort on our part and
24 really a significant help to those who live in communities
25 where these trucks operate.

1 I want to emphasize Professor Sperling's notion
2 of looking for incentives for the owner-owned truckers. I
3 think that is incumbent upon us. And staff does a
4 wonderful job of working with these people at some time
5 that they expend to reach out to them. And -- but I want
6 to encourage them to do every bit of reach-out to these
7 owner-operators.

8 Secondly, one of the things that I raised with
9 the staff when I heard the briefing was this labeling. I
10 believe very strongly in the labeling. And I recognize
11 that we need to look at maybe some different ways of doing
12 it, particularly for those trucks who might come into
13 California and, you know, operate here for a short time
14 and then leave.

15 But I think labeling is perhaps the very best
16 thing that we can do. It's -- you can identify things
17 very quickly, you know, whether they have a label or not.
18 And for those facilities that are going to be served by
19 some of these trucks, that's the easiest way for them to
20 know whether or not this truck meets the standard. So I
21 would encourage labeling, but recognize the fact that we
22 might have a few exceptions that we need to address.

23 Thank you.

24 CHAIR RANDOLPH: Thank you.

25 Board Member Takvorian.

1 BOARD MEMBER TAKVORIAN: Thank you, Chair.

2 I just wanted to add my appreciation to staff for
3 all of your work on this very complex and really impactful
4 rule for public health and for environmental justice. I
5 agree with Supervisor Serna that this -- this is one of
6 the most important measures I think that this Board is --
7 has taken. And I think it really carves the path for our
8 future. So I'm really excited about, and enthusiastically
9 support the proposal before us today and the anticipated
10 second phase especially for the benefit of environmental
11 justice communities who really need to experience
12 fundamental improvements in air quality to reverse these
13 long-standing transportation pollution burdens.

14 I do agree with Professor Sperling that we
15 need -- and Member Riordan as well, that we need to look
16 at targeting independent truckers that could use
17 additional assistance and perhaps we could hear more about
18 that from staff. But I wonder if there's a way that we
19 can direct those benefits more to them, so that, you know,
20 they don't run out before they get the opportunity to
21 apply for them.

22 So that would be my only question. But overall,
23 I'm very supportive of the amendments and would move
24 approval at the appropriate time.

25 Thank you.

1 CHAIR RANDOLPH: Thank you.

2 Dr. Pacheco-Werner.

3 BOARD MEMBER PACHECO-WERNER: Yes. Thank you. I
4 just -- I want to echo the recommendation around
5 incentives, and then also thank staff for this great work.
6 I can tell you that just on my drive to work, yesterday I
7 encountered more of these units than I could count. So I
8 know that personally I will be impacted by this and just
9 congratulate staff on this.

10 I do also want to point out that as we think
11 about those smaller operators, that we also consider the
12 language barriers that they may be facing, particularly
13 with our Punjabi and Spanish speaking population, and make
14 sure that they have the outreach necessary to access these
15 incentives.

16 Thank you.

17 CHAIR RANDOLPH: All right. Thank you.

18 Are there any other Board members who would like
19 to ask a question or make a comment?

20 Okay.

21 VICE CHAIR BERG: Chair, may I make a comment.

22 CHAIR RANDOLPH: Oh, sorry. Vice Chair Berg.

23 VICE CHAIR BERG: Thank you. I do want to add on
24 to my thanks, but also addressing the 50 percent. I'm a
25 little worried that when we talk about a zero-emission

1 truck, this is the refrigeration unit that's going to be
2 retrofitted onto a diesel truck, isn't that correct?

3 TTD STAFF AIR POLLUTION SPECIALIST YAMASHITA:

4 Yes, just the refrigeration unit.

5 VICE CHAIR BERG: Yes. So we're still driving a
6 diesel truck with an electric refrigeration unit, which is
7 very important. It is a good step. But 50 percent of
8 these owners are single-operator trucks. And then we go
9 back to Board Member De La Torre's comment about the
10 useful life of these trucks. So I would appreciate if
11 staff does take some time to make sure that we're not
12 setting up stranded assets for single-owner operators.

13 And also to believe that -- and a single-owner
14 operator is going to be able to take credit for LCFS
15 credit, it's disingenuous. First of all, getting a few
16 credits trading them on the open market, understanding
17 that whole process, it's not going to work that way.

18 So those credits are great for medium -- possibly
19 medium-sized companies, but definitely the larger
20 companies, which brings out another dis-benefit for the
21 single owner/operator.

22 So I really do appreciate my fellow Board members
23 that have brought this to kind of the forefront, and let's
24 try to work on with our District partners. We all know it
25 takes more time to do incentives on a one truck by one

1 truck basis. And we have been through this through the
2 Truck and Bus and other types of programs. And so maybe
3 we'll be able to come up with a good home run that will
4 allow them to continue in the businesses that they have
5 made very successful.

6 Thanks

7 CHAIR RANDOLPH: Okay. Thank you.

8 Okay. So the Board has before them Resolution
9 number 21-18. Board Member Takvorian, I believe you
10 wanted to make a motion.

11 BOARD MEMBER TAKVORIAN: So moved.

12 CHAIR RANDOLPH: Is there a second?

13 BOARD MEMBER SERNA: Second.

14 VICE CHAIR BERG: Second.

15 CHAIR RANDOLPH: All right. It's been moved and
16 seconded.

17 Clerk, would you please call the roll.

18 BOARD CLERK ESTABROOK: Dr. Balmes?

19 BOARD MEMBER BALMES: Yes.

20 BOARD CLERK ESTABROOK: Mr. De La Torre?

21 BOARD MEMBER DE LA TORRE: Yes.

22 BOARD CLERK ESTABROOK: Mr. Eisenhut?

23 BOARD MEMBER EISENHUT: Yes.

24 BOARD CLERK ESTABROOK: Supervisor Fletcher?

25 BOARD MEMBER FLETCHER: Fletcher, aye.

1 BOARD CLERK ESTABROOK: Senator Florez?

2 BOARD MEMBER FLOREZ: Florez, aye.

3 BOARD CLERK ESTABROOK: Ms. Hurt?

4 BOARD MEMBER HURT: Aye.

5 BOARD CLERK ESTABROOK: Mr. Kracov?

6 BOARD MEMBER KRACOV: Yes.

7 BOARD CLERK ESTABROOK: Dr. Pacheco-Werner?

8 BOARD MEMBER PACHECO-WERNER: Yes.

9 BOARD CLERK ESTABROOK: Mrs. Riordan?

10 BOARD MEMBER RIORDAN: Aye.

11 BOARD CLERK ESTABROOK: Supervisor Serna?

12 BOARD MEMBER SERNA: Aye.

13 BOARD CLERK ESTABROOK: Professor Sperling

14 BOARD MEMBER SPERLING: Aye.

15 BOARD CLERK ESTABROOK: Ms. Takvorian?

16 BOARD MEMBER TAKVORIAN: Aye.

17 BOARD CLERK ESTABROOK: Vice Chair Berg?

18 VICE CHAIR BERG: Aye.

19 BOARD CLERK ESTABROOK: Chair Randolph?

20 CHAIR RANDOLPH: Yes.

21 BOARD CLERK ESTABROOK: Madam Chair, the motion
22 passes.

23 CHAIR RANDOLPH: All right. Thank you.

24 We will move to open public comment. If you wish
25 to provide a comment regarding an item of interest with

1 the jurisdiction of the Board that is not on today's
2 agenda, please raise your hand in Zoom or dial star nine,
3 if you are on the phone.

4 Will the Board Clerk please call the first few
5 commenters?

6 BOARD CLERK ESTABROOK: Yes. Thank you

7 We currently have one person with their hand
8 raised to speak and that Janet Dietzkamei. I have
9 activated your microphone. You can unmute yourself and
10 begin your comments.

11 JANET DIETZKAMEI: Thank you.

12 I'd like to address climate change. I address
13 this with our District. I address it every month with the
14 San Joaquin Air Pollution Control District.

15 Our extreme weather events continue to occur,
16 historic flooding on the east coast, historic heat on the
17 west coast. The Caldor Fire became just the second fire
18 in state history to burn from one side of the Sierra to
19 the other. The first was the Dixie fire earlier this
20 year. The climate crisis is intensifying the hot dry
21 conditions that have made these fires so destructive. It
22 has never been more clear, California law makers and other
23 government agencies must do everything in their power to
24 act on climate today.

25 Wildfire contributes to the most dangerous PM2.5,

1 black carbon. We can no longer deny the climate is
2 changing. We are experiencing worsening climate extremes,
3 like the crippling heat waves, fires, and smoke we're
4 living through right now. We owe it to those who have
5 lost their homes, been forced to evacuate, face fossil
6 fuel pollution daily, and breathe unbreathable air. We
7 owe it to all of us to fight for the most ambitious
8 climate policies and actions on the table and in the power
9 of agencies like the San Joaquin Valley Air Pollution
10 Control District that oversees where I live, and
11 California Air Resources Board.

12 Climate change is happening with a vengeance.
13 The models failed predicting the events we are
14 experiencing this year. The models felt it would be
15 happening years from now. As I mentioned before, the air
16 is drier, trees are dehydrated, air temperatures are
17 hotter, and we have less rain. Our environment is
18 changing.

19 There are some in the District who do not embrace
20 climate change and I'm hoping that constantly reminding
21 them of climate change and others, including today, that
22 climate change will be in our minds constantly when we
23 make our decisions.

24 Thank you.

25 BOARD CLERK ESTABROOK: Thank you.

1 And we have one more hand raised Elliot Gonzalez.
2 Elliot, I have activated your microphone. You may unmute
3 and begin.

4 ELLIOT GONZALEZ: Sure. Thank you,
5 Commissioners -- our Board Members. I just wanted to --
6 to first of all, just thank you all. I really enjoy these
7 meetings. I feel that the people who are on this Board
8 understand the seriousness of these issues that we talk
9 about, that very heartfelt speech of the previous speaker.
10 You know, this is the earth. You know, this is -- what
11 you're hearing is somebody, you know, feeling what's going
12 on. It's getting hotter. The forest is on fire. People
13 are getting sick. Children get asthma. People get
14 cancer. You know, it is a catastrophe. So you know I
15 feel that you all take the urgency seriously, I would like
16 to believe that, that you are all here heeding the call
17 and understanding the great moral obligation before you,
18 when you serve on a public agency and you have the
19 important responsibility of serving the public.

20 I want to just bring to you all an issue that I
21 have within the AQMD. I know that there's a Board member
22 here who also serves on the South Coast AQMD, and that's
23 that there's inaccurate language being used. And I want
24 to ask that CARB not engage in this language. I'm not
25 hearing too much of it. I know that I hear a lot of it at

1 the AQMD and I want to make you all aware of it.

2 Inaccurate terms such as "near zero" misrepresents what
3 they actually are. They are methane gas sources. They
4 rely on some type of fuel source. And it is important
5 that they identify what that fuel source is.

6 There's a term called "renewable natural gas".
7 This is a term that public relations agents worked with
8 the natural gas industry to come up with. This is not a
9 scientifically accurate term. A more scientifically
10 accurate term, in my opinion -- I'm no scientist. You
11 know, I have a general idea of what's going on, like you
12 all. I would say term like "waste natural gas" or "waste
13 methane gas" might be a more appropriate term than
14 "renewable natural gas".

15 They use these terms to make it seem like these
16 are clean energy sources, as if they are equivalent to
17 truly renewable sources like the wind, like battery
18 technology, kinetic battery technology, like the ideas of
19 Nikola Tesla and other great thinkers who are truly trying
20 to do everything within their intelligence and within
21 their power to solve this crisis that is before us.

22 And I just want to make sure that accurate terms
23 are being used when we engage in public dialogue. I
24 believe that it is disrespectful to the public to engage
25 in terms that are advocated by the industry. We should be

1 speaking in a language that is familiar to the public and
2 in a language that is scientifically accurate.

3 Thank you.

4 BOARD CLERK ESTABROOK: Thank you.

5 Chair, that concludes the commenters.

6 CHAIR RANDOLPH: Okay. Thank you.

7 And the September 23rd Board meeting is now
8 adjourned. Thank you.

9 (Thereupon the Air Resources Board meeting
10 adjourned at 1:28 p.m.)
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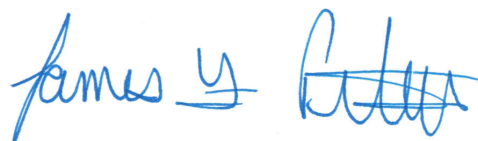
CERTIFICATE OF REPORTER

I, JAMES F. PETERS, a Certified Shorthand Reporter of the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing California Air Resources Board meeting was reported in shorthand by me, James F. Peters, a Certified Shorthand Reporter of the State of California, and was thereafter transcribed, under my direction, by computer-assisted transcription;

I further certify that I am not of counsel or attorney for any of the parties to said meeting nor in any way interested in the outcome of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of October, 2021.



JAMES F. PETERS, CSR
Certified Shorthand Reporter
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