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AIR RESOURCES BOARD

KERN COUNTY BOARD OF SUPERVISORS
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Mr. Hector De La Torre

Mr. Ronald Loveridge

Mrs. Barbara Riordan

Professor Daniel Sperling

Dr. Alex Sherriffs

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Mr. Richard Corey, Deputy Executive Officer

Ms. Lynn Terry, Deputy Executive Officer

Mr. Ajith Kaduwela, Manager, Regional Air Quality Modeling
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Ms. Lezlie Kimura, SIP and Local Government Strategies
Section, Planning and Technical Support Division

Ms. Sylvia Vanderspek, Manager, Air Quality Data Branch,
Particulate Matter Analysis Section

APPEARANCES CONTINUED

ALSO PRESENT

Mr. Gustavo Aguirre, CRPE

Mr. Will Barrett, American Lung Association

Mr. Keith Bergthold, City of Fresno

Ms. Autumn Bernstein, Climate Plan

Mr. Christopher Breedlove

Mr. Craig K. Breon, Sierra Nevada Alliance

Mr. Mana Elena Carrillo, LUCA

Mr. Jose Chavez

Mr. Manuel Cunha, Jr., Nisei Farmers League

Mr. Marvin Dean

Ms. Amanda Eaken, NRDC

Ms. Caroline Farrell, Center on Race, Poverty and the Environment

Mr. Gustavo Fernandez, Committee for Better Shafter

Ms. Eloisa Fernandez, Committee for Better Shafter

Mr. Dennis Fox

Ms. Maria Gonzalvez, CRPE

Ms. Valerie Gorospe, Center on Race, Poverty and the Environment

Mr. Kevin Hamilton, Clinica Sierra Vista

Mr. Curt Johansen, Council of Infill Builders

Ms. Elizabeth Jonasson, Coalition for Clean Air

APPEARANCES CONTINUED

ALSO PRESENT

Mr. Roy Kendall, Roy Kendall, Inc.

Mr. Gary Lasky, Sierra Club

Ms. Felicity Lyons, Housing California

Ms. Virginia Madueno

Ms. Colby Morrow, Southern California Gas Company

Mr. Brent Newell, Center on Race, Poverty, and the Environment

Mr. Brian Newton, TCCRG

Mr. Gordon Nipp, Sierr Club

Mr. Daniel O'Connell, American Farmland Trust

Mr. Gemo Perez, Greenfield Walking Group

Ms. Betsy Reifschneider, Arch Diocese of Stockton

Mr. Rodrigo Romo, Committee for Better Shafter

Mr. Seyed Sadredin

Ms. Byanka Santoyo

Ms. Sarah Sharpe, Fresno Metro Ministry

Mr. Mario Talavera

Ms. Patricia Taylor, San Joaquin Valley Regional Planning Agencies

Ms. Hope Valdez, LUCA

Mr. Refugio Valencia, CRPE

Ms. Teresa Vidales, LUCA

Mr. Mike Wells

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CHAIRPERSON NICHOLS: Good morning, ladies and gentlemen. Let's try to get started here. I'm going the call the January 24th, 2013, meeting of the Air Resources Board to order.

We'll begin with the Pledge of Allegiance. Please turn this way.

(Thereupon the Pledge of Allegiance was Recited in unison.)

CHAIRPERSON NICHOLS: We'll ask the Clerk to please call the roll.

BOARD CLERK JENSEN: Dr. Balmes?

BOARD MEMBER BALMES: Here.

BOARD CLERK JENSEN: Ms. Berg?
Ms. D'Adamo?

BOARD MEMBER D'ADAMO: Here.

BOARD CLERK JENSEN: Mr. De La Torre?
Mayor Loveridge?

BOARD MEMBER LOVERIDGE: Here.

BOARD CLERK JENSEN: Mrs. Riordan?

BOARD MEMBER RIORDAN: Here.

BOARD CLERK JENSEN: Supervisor Roberts?
Dr. Sherriffs?

BOARD MEMBER SHERRIFFS: Here.

BOARD CLERK JENSEN: Professor Sperling?

1 BOARD MEMBER SPERLING: Here.

2 BOARD CLERK JENSEN: Supervisor Yeager?

3 Chairman Nichols?

4 CHAIRPERSON NICHOLS: Here.

5 We've just been joined by Mr. De La Torre.

6 BOARD MEMBER DE LA TORRE: Here.

7 BOARD CLERK JENSEN: Chairman Nichols, we have a
8 quorum.

9 CHAIRPERSON NICHOLS: Thank you very much. A
10 couple of housekeeping items before we get started.

11 First of all, we need to thank the Kern County
12 Board of Supervisors for allowing us the use of their
13 beautiful room with great high tech communications.

14 Board members, each of you has a microphone.
15 There is a switch in the desktop. So when you want to
16 speak, you can just flip it so that the green light shows.
17 Otherwise, we won't be using their high-tech voting
18 machines today, I don't think. That's a little bit
19 farther than we can go. But this is really terrific.

20 Just a couple of quick announcements before we
21 get started. First of all, as people probably saw when
22 they walked into the room, interpretation services are
23 available in Spanish for anyone who would like it. There
24 are headsets available at the desk outside the hearing
25 room at the sign-up table.

1 Is the translator here to make these comments in
2 Spanish?

3 EXECUTIVE OFFICER GOLDSTENE: He's in the booth.

4 THE INTERPRETER: With the permission of the
5 parties, this is the interpreter, the official interpreter
6 that was asked to come here to provide services. We have
7 a team of two interpreters. And with your permission I
8 would like to speak in Spanish right now for the people
9 that are present.

10 CHAIRPERSON NICHOLS: All right. Fine. Please,
11 go ahead.

12 (Whereupon the announcement was translated from
13 English to Spanish.)

14 CHAIRPERSON NICHOLS: Thank you very much.

15 Anyone who wishes to testify and hasn't signed up
16 already online should fill out a request to speak card.
17 Those are also in the lobby outside the Board room. And
18 you're requested to turn it in to the Clerk as soon as
19 possible.

20 If you signed up online in advance to speak
21 today, you don't need to fill out a form. But you do need
22 to check in with the Clerk, just so she knows you're here,
23 or else your name won't be on the speakers list.

24 The Board does impose a three-minute limit on
25 speakers. We appreciate it if you state your name when

1 you come up to the podium and then summarize your
2 testimony, especially if you have written testimony, and
3 just go to your main points. Because if you have written
4 testimony, it will be in the record and the Board will
5 read it.

6 For safety reasons, I'm also supposed to notify
7 you that there are emergency exits that are in the rear of
8 the room, well lighted back there. In the event of an
9 emergency, we're required to evacuate this room
10 immediately and go outside the building until we hear an
11 all-clear signal and then we return to the room.

12 I think that's it in terms of official
13 announcements.

14 I did want to call on the Chairman of the Board
15 here, who was going to give us some opening remarks. Mr.
16 Scrivner, Supervisor Scrivner.

17 SUPERVISOR SCRIVNER: Good morning, Board
18 members. My name is Zack Scrivner. And I represent Kern
19 County's southeast region as Second District Supervisor.
20 And I'm also a member of the Kern Council of Governments.

21 I'm not Board Chairman this year. I just
22 concluded my term as Board Chairman in December. But it's
23 an honor and a privilege to represent the Kern County
24 Board of Supervisors before you today.

25 First of all, welcome to Bakersfield and Kern

1 County. We appreciate this opportunity to acquaint you
2 with our part of the state and to discuss our efforts to
3 improve the air.

4 Kern County is committed to meeting the state's
5 climate change goals, along with air quality standards in
6 the San Joaquin Valley air basin and the clean enjoyed in
7 the Mojave desert air basin which represents most of my
8 district.

9 Like other counties and cities in the Valley Kern
10 has been working to develop travel model and data
11 improvements, design transit and acu-transit facilities
12 and the discuss land use growth patterns that will achieve
13 this ambitious reduction.

14 This work is within the context of Kern's
15 strengths and challenges. As you know, our county is home
16 to two air basins, as I mentioned, and two air districts.
17 We have diverse land features, and we also have rich
18 natural resources.

19 Kern County makes up 33 percent of the land area
20 of the eight-county San Joaquin Valley with 20 percent of
21 that population residing in Kern County. We're also the
22 number one county for employment growth in the entire
23 nation.

24 Our industries include large and small scale
25 agriculture, manufacturing/distribution centers, chemical

1 plants, and oil and gas production, exploration and
2 refineries.

3 Our mountain areas are known for world-class
4 tourism for white water rafting on the Kern River and
5 hiking the wildlife preserves.

6 Our desert areas contain the largest wind energy
7 and solar photovoltaic complex in California and is home
8 to the Mojave air and space port with over 80 innovative
9 companies engaged in light industrial to highly advanced
10 aerospace design, flight test, and research.

11 In support of California's goals to reduce
12 greenhouse gases, Kern County over the last four years has
13 permitted over 7,567 megawatts of wind and solar PV with
14 full environmental impact reports with two-thirds in
15 operation or under construction currently. This is seven
16 times the number permitted by the next closest county,
17 which is Imperial County. When you plug in your Chevy
18 Volt, think of Kern County's wind and solar energy
19 renewable frontier. Kern County has been working with
20 Kern COG planners and transportation specific list from
21 all the cities property owners and other stakeholders to
22 meet our air quality targets, while ensuring economic
23 growth in the important sectors for California; energy,
24 oil and gas and renewable, agriculture, agriculture
25 support services, manufacturing and distribution,

1 aerospace research, and design.

2 We look forward to continuing our partnership
3 with the ARB staff, your Board, and with the other Valley
4 MPOs. New thinking and solutions to our air quality
5 problems and thoughtful land planning for the future of
6 economic growth and jobs we need desperately here in
7 California.

8 So in that vein, again, welcome to Kern County.
9 We're glad to have you here. And we hope that you stop by
10 more often. Thank you so much.

11 CHAIRPERSON NICHOLS: Thank you very much.
12 Appreciate the welcome. And the opportunity to be here.

13 Kern County has been in the news quite a bit
14 lately because of your growth rate and leadership on
15 renewable energy. So it's very timely that we're able to
16 have the meeting here today.

17 All right. Without further ado, then we'll jump
18 into the agenda.

19 BOARD MEMBER LOVERIDGE: I thought it's a good
20 and helpful opening statement.

21 CHAIRPERSON NICHOLS: Yes. Thank you. Agreed.

22 Okay. So our first item on the agenda is the
23 consideration of appointment of a new member to the
24 Research Screening Committee. This is a consent item,
25 unless anybody wants to take it off of consent. If not,

1 then it will be approved.

2 We then move to an overview of the science of
3 PM2.5 and research on PM2.5 and to a consideration of
4 approving the San Joaquin Valley's State Implementation
5 Plan for fine particles. And we'll go ahead and have the
6 staff presentation.

7 EXECUTIVE OFFICER GOLDSTENE: Thank you, Chairman
8 Nichols.

9 The San Joaquin Valley has some of the most
10 challenging PM2.5 air quality issues in the country. In
11 2008, the Board approved the San Joaquin Valley's plan for
12 meeting the annual standard for PM2.5.

13 Today, you'll hear the plan to address the daily
14 or 24-hour PM2.5 standard.

15 Implementation of ARB's regulations for diesel
16 trucks and engines is a key component of the Valley PM2.5
17 attainment strategy for both the annual and 24-hour
18 standards.

19 In the staff presentation, you'll hear about the
20 role these ARB regulations play and also about the
21 additional district actions that will be taken to meet the
22 24-hour standard.

23 Ajith Kaduwela will discuss the science behind
24 our understanding of PM2.5 in the valley, followed by
25 Sylvia Vanderspek with an overview of the plan.

1 (Thereupon an overhead presentation was
2 presented as follows.)

3 REGIONAL AIR QUALITY MODELING SECTION MANAGER

4 KADUWELA: Thank you, Mr. Goldstene.

5 Good morning, Chairman Nichols and members of the
6 Board.

7 My presentation today is the first of two-part
8 presentation. The focus is on the science supporting the
9 San Joaquin Valley's 24-hour PM2.5 plan and summarizes
10 information that was presented at two science workshops
11 conducted by ARB staff in the Valley during the plan
12 development.

13 --o0o--

14 REGIONAL AIR QUALITY MODELING SECTION MANAGER

15 KADUWELA: I will first present what we know about the
16 PM2.5 problem in the Valley, then move onto how we use
17 photochemical models to demonstrate attainment and
18 determine significant precursors. Significant precursors
19 are the pollutants which are most effective in reducing
20 PM2.5. Finally, I will finish with the description of
21 what we are doing to continue to improve the science.

22 --o0o--

23 REGIONAL AIR QUALITY MODELING SECTION MANAGER

24 KADUWELA: A strong scientific foundation is the key to an
25 effective State Implementation Plan. Scientific studies

1 also provide the much-needed research quality data to
2 understand the nature of the PM2.5 problem.

3 The same data also helps us improve the air
4 quality models that we use to simulate the pollutant
5 concentrations in the Valley. These models are the most
6 powerful tool we have to predict the future air quality
7 responses to emission controls.

8 --o0o--

9 REGIONAL AIR QUALITY MODELING SECTION MANAGER
10 KADUWELA: CRPAQS was a year-long air quality study
11 conducted in 2000 in the San Joaquin Valley. It remains
12 one of the most comprehensive scientific research studies
13 conducted in any area of the world.

14 Part of CRPAQS was an intensive summer ozone
15 study known as the Central California Ozone Study, or
16 CCOS. These two studies continue to be the foundation of
17 the ozone and PM State Implementation Plans prepared for
18 the Valley since 2000.

19 --o0o--

20 REGIONAL AIR QUALITY MODELING SECTION MANAGER
21 KADUWELA: Multiple years of measurement show that PM2.5
22 concentrations are higher during the winter months
23 compared to the summer. The main reason is the stagnation
24 of cold air masses in the Valley during the winter that
25 are conducive to both accumulation of directly-emitted

1 particles and formation of particles in the atmosphere due
2 to chemical reactions. These stagnation events can last
3 from days to weeks, sandwiched between weather fronts that
4 clean out the Valley.

5 --o0o--

6 REGIONAL AIR QUALITY MODELING SECTION MANAGER

7 KADUWELA: In addressing the PM2.5 challenge, one of the
8 first steps is to look at the chemical makeup of PM2.5 on
9 exceedance days. PM2.5 is made up of many constituents
10 that can be emitted directly or formed through chemical
11 reactions of precursor emissions, such as oxides of
12 nitrogen, oxides of sulfur, volatile organic compounds,
13 and ammonia.

14 Examining the chemical composition provide an
15 understanding of contributing sources, as well as being a
16 key input to the regulatory process.

17 Four sites in the Valley collect this
18 information. Two are funded by the EPA. ARB funds two
19 additional sites to provide better spacial coverage.

20 The pie charts show average composition for days
21 that exceed the standard in both Bakersfield and Fresno.
22 Ammonium nitrate is the largest contributor at both sites,
23 followed by organic carbon. Together, these two
24 constituents comprise 85 to 90 percent of the PM2.5 mass.

25 --o0o--

1 REGIONAL AIR QUALITY MODELING SECTION MANAGER

2 KADUWELA: Oxides of nitrogen, or NO_x, emitted from
3 combustion sources, such as automobiles and industrial
4 sources, undergo oxidation in the atmosphere to form
5 nitric acid. This nitric acid then reacts with ammonium
6 nitrate.

7 Due to its photochemical formation, ammonium
8 nitrate concentrations are regional in nature. A number
9 of scientific studies have confirmed that reducing NO_x is
10 the most effective way to reduce ammonium nitrate in the
11 Valley.

12 Since 2002, there has been a significant
13 reduction in NO_x emissions in the Valley. And as a
14 result, wintertime ammonium nitrate concentrations have
15 decreased by approximately 40 percent.

16 --o0o--

17 REGIONAL AIR QUALITY MODELING SECTION MANAGER

18 KADUWELA: Organic carbon can be either directly emitted,
19 which we call primary, or can be formed in the atmosphere
20 due to chemical reactions, which we call secondary.

21 Primary organic carbon is dominant in the winter,
22 with the highest concentrations in urban areas due to wood
23 burning, cooking, and mobile sources.

24 Secondary organic carbon formation is not
25 significant during winter months.

1 Since 2002, winter organic carbon concentrations
2 have decreased by approximately 50 percent due to ongoing
3 mobile source reductions, as well as wood burning
4 curtailments.

5 --o0o--

6 REGIONAL AIR QUALITY MODELING SECTION MANAGER

7 KADUWELA: To understand the complex interactions that
8 occur in the atmosphere, we use photochemical models.
9 California has an internationally recognized photochemical
10 modeling program, combining the expertise of the
11 University of California with ARB scientists and modelers.

12 The results we obtain by using
13 state-of-the-science models help us identify the most
14 effective mix of pollutants to control and to establish
15 attainment targets. These models are used to predict the
16 relative changes in PM2.5 concentrations. Then in
17 combination with measure data to develop
18 precursor-specific emission targets to achieve attainment.
19 The air quality and weather models used during the SIP
20 development processes are EPA approved.

21 --o0o--

22 REGIONAL AIR QUALITY MODELING SECTION MANAGER

23 KADUWELA: The figure on the left shows several modeling
24 regions, or domains, used by the ARB as part of the
25 regulatory process. Their spacial coverage range from

1 several states down to an area focused on the San Joaquin
2 Valley. We used the small black domain in the middle of
3 the figure for this plan.

4 The modeling domain consists of a large number of
5 grid cells arranged both horizontally and vertically. The
6 top of our modeling domains reach the stratosphere.

7 As I mentioned before, we use the
8 state-of-the-science weather model to predict weather
9 variables for every grid cell every few seconds for an
10 entire year. We also predict all components of PM2.5 for
11 every grid cell every few seconds for a year. We then
12 conduct a model performance evaluation to answer the
13 question: Does the model reasonably predict the observe
14 nature of the PM2.5 problem? The results of the model
15 performance evaluation for this SIP show that the model is
16 meeting EPA performance criteria.

17 --o0o--

18 REGIONAL AIR QUALITY MODELING SECTION MANAGER

19 KADUWELA: Once the model meets its performance goals, it
20 is the best tool available to assess the effectiveness of
21 controlling each precursor. We have conducted sensitivity
22 simulations the assess the effectiveness of all possible
23 PM2.5 precursors. This assessment includes not only
24 current work, but the knowledge gained through our
25 previous modeling studies. Thus, the emission control

1 approach presented in this plan is based upon a
2 comprehensive assessment of all the available science.

3 --o0o--

4 REGIONAL AIR QUALITY MODELING SECTION MANAGER

5 KADUWELA: This table summarizes the results of precursors
6 sensitivity modeling conducted as part of the 24-hour SIP
7 development. The table lists the precursors in the first
8 column, the amount of PM reduced as a result of the
9 modeled 25 percent reduction in each precursor in the
10 second column, and the reduction in PM2.5 per ton of
11 emission reductions in the third column.

12 Note in the second column that primary PM2.5 is
13 the most effective precursor to control, then NOx, and so
14 forth down the column.

15 Note in the third column that the per-ton
16 effectiveness in reducing PM2.5 can differ by orders of
17 magnitude for different precursors. Ammonia reductions on
18 a per-ton basis are 40 times less effective than primary
19 PM2.5 controls and ten times less effective than NOx
20 controls, while SOX controls have the same effectiveness
21 as NOx controls on a per ton basis, there's so little
22 ammonium sulfate at the Bakersfield site that it is only a
23 small contribution of the total PM2.5 mass. Control of
24 volatile organic compounds, or VOCs, can be slightly
25 disbeneficial.

1 --o0o--

2 REGIONAL AIR QUALITY MODELING SECTION MANAGER

3 KADUWELA: In summary, reductions indirect PM2.5 are the
4 most beneficial. NOx controls also provide large
5 benefits. Ammonia controls offer very small benefits, and
6 VOC controls produce very small disbenefits.

7 --o0o--

8 REGIONAL AIR QUALITY MODELING SECTION MANAGER

9 KADUWELA: This plan is based on the best science
10 available to us today. However, we continue to carry out
11 new research efforts which build upon the existing
12 knowledge base.

13 To improve the science, ARB funds several SIP
14 relevant research projects each year. In addition, the
15 agency funds three biennial international conferences at
16 the University of California at Davis. The foci of these
17 three conferences are: Atmospheric mechanisms,
18 methodologies to model particulate matter, and weather
19 modeling relevant to the complex terrain of California.

20 In addition, ARB participants in field studies to
21 improve modeling databases. Listed here are the recent
22 field studies we have participated in. The last one on
23 the list named Discover AQ is taking place as we speak.

24 --o0o--

25 REGIONAL AIR QUALITY MODELING SECTION MANAGER

1 KADUWELA: Discover AQ is a five-year effort funded by
2 NASA to improve the use of space-based atmospheric
3 measurements to augment ground-based measurement networks.
4 Discover AQ is being conducted in phases in different
5 parts of the U.S. and the current deployment is in the San
6 Joaquin Valley.

7 ARB and U.S. EPA, together with several
8 universities, are major collaborators with NASA in the
9 current campaign, which will be conducted using
10 satellites, instrumented airplanes, and ground monitoring
11 stations.

12 The finding of this study will continue to
13 enhance and provide additional tools for understanding
14 PM2.5 formation during the wintertime in the San Joaquin
15 Valley.

16 I will now turn the presentation over to Syliva
17 Vanderspek.

18 CHAIRPERSON NICHOLS: Excuse me. Before you do
19 that, because I think there is a logical break point here,
20 if I may. And I made a mistake at the beginning. I guess
21 I was so concerned about the fact we were starting a
22 little bit late that I failed to introduce the member of
23 the San Joaquin Valley Air District who sits on our Board,
24 Dr. Sherriffs, and to ask him if he wanted to make any
25 initial comments either about the science or about where

1 we are today, given the fact he's both a practicing
2 physician and does research in this part of the world.

3 So if you would care to add any additional
4 thoughts at this point in the proceeding, this would be a
5 good time to do it.

6 BOARD MEMBER SHERRIFFS: Thank you. What an
7 unexpected privilege.

8 CHAIRPERSON NICHOLS: Well, you can't get away
9 with

10 BOARD MEMBER SHERRIFFS: First, I'd like to thank
11 Mr. Scrivner for his presentation, because it is a very
12 important reminder. I think we often think of Kern County
13 and corner of Kern County as a big problem. And it's an
14 important reminder that Kern County is -- yes, there are
15 problems, but this is also very much part of the solution.
16 And really appreciate your overview of what goes on here.

17 I think I would just preface what's been said by
18 emphasizing the importance to health to our discussion
19 here. Because clearly, the PM2.5 is the biggest negative
20 health impact of what we're dealing with in terms of air
21 quality. So this is very important work. It's very
22 difficult work. But it's extremely important work.

23 And these are measured in real lives. You know,
24 we're talking order of magnitude 600 excess deaths every
25 year related to our current air quality, which is

1 considerably improved from the past. But we clearly have
2 a ways to go. It is millions of direct dollars in health
3 care costs. And if we think about the indirect costs,
4 losses to businesses in terms of lost work days and so on,
5 losses to school districts in terms of absences of
6 students so they're not getting funding for that, there
7 are a number of studies looking at it from different
8 angles that put the bill at one to two billion dollars
9 annually. So these are big and important numbers.

10 Thank you.

11 CHAIRPERSON NICHOLS: Thanks very much. I'm
12 sorry if that put you on the spot unexpectedly, but I
13 thought we could have backed up for just a second and done
14 a little bit more introductory work.

15 So I think it's fair to say that it is exciting
16 to be here to receive the kind of welcome and the kind of
17 perspective that we had this morning also from the
18 Supervisor. Because the last time that I attended an Air
19 Resources Board meeting -- official meeting in San
20 Bernardino was back when Jerry Brown was Governor the
21 first time. Sorry, the last time I attended a meeting in
22 Kern County. I don't know why I said San Bernardino. I
23 was thinking about where I was a couple days ago.

24 But in Kern County, we were dealing with air
25 impacts of steam injection in the oil fields. And it was

1 a very contentious time. I was very happy to see Less
2 Clark when I walked in here this morning. Because we live
3 in a different world now than we did back then. I think
4 in those days there was a lot of questioning about whether
5 there even was an air quality problem in this part of the
6 world. That issue in and of itself was seriously under
7 contention. So indeed, we have come a long way. Even
8 though the challenges are big and real, there has been a
9 huge amount of progress.

10 I'm sorry to interrupt the flow of your
11 presentation, but Sylvia, I'm sure you can pick up there.

12 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK:

13 Thank you, Chairman Nichols.

14 Now that you have heard about the science of PM.5
15 formation in the San Joaquin Valley, I will describe the
16 24-hour PM2.5 SIP that you have before you today.

17 --o0o--

18 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK: In
19 this portion of the presentation, I will discuss staff's
20 recommendations for Board action and further elaborate on
21 the nature of the Valley's PM2.5 problem.

22 Next, I will provide an overview of how the SIP
23 demonstrates attainment of the 24-hour standard.

24 Finally, I will highlight other upcoming SIPs and
25 ARB's coordinated planning process.

1 --o0o--

2 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK: The
3 San Joaquin Valley Air Pollution Control District adopted
4 the 2012 PM2.5 SIP at their hearing last month. ARB and
5 district staff worked for three years developing the
6 various SIP elements which address the 35 microgram per
7 meter cubed 24-hour PM2.5 standard. Much of the technical
8 work as described by Dr. Kaduwela was prepared by ARB
9 staff with input from Valley staff. ARB staff has
10 reviewed this plan and found that it meets Federal Clean
11 Air Act requirements. Therefore, we are recommending that
12 the Board approve this plan as a revision to the SIP.

13 --o0o--

14 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK:
15 Since the nature of episodic PM2.5 is complex,
16 understanding what causes high PM levels is essential to
17 evaluating the benefit of ongoing control programs, as
18 well as formulating future attainment strategies.

19 --o0o--

20 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK: As
21 you heard earlier, the air pollution problem in the San
22 Joaquin Valley is one of the most intensively studied in
23 the world. The mountains that surround three sides of the
24 Valley serve to trap air pollution. Thus, in the winter,
25 PM2.5 can build up over many days and in severe episodes

1 up to several weeks.

2 During these PM2.5 episodes, the air is stagnant,
3 the temperatures are cool, and humidity is high. PM2.5
4 levels can remain high until a storm disperses the
5 pollutants. The intensity of PM2.5 episodes can vary year
6 to year depending upon the frequency and duration of these
7 adverse weather conditions.

8 --o0o--

9 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK: To
10 illustrate the variability in episodes, the chart on this
11 slide depicts the number of days over the 24-hour standard
12 in each of the last twelve years at two key sites,
13 Bakersfield and Fresno.

14 Understanding long-term trends in PM2.5 levels
15 requires consideration of the interplay between emission
16 reductions, impacts from natural events, and yearly
17 variability in weather conditions.

18 --o0o--

19 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK: For
20 example, the large wildfires that occurred in 2008
21 affected the number of exceedance days in that year, with
22 11 exceedance days due to the impacts at Fresno and ten at
23 Bakersfield.

24 In addition, analysis of weather data shows that
25 in 2000, 2002, 2007, and 2011, there were periods that

1 were especially conducive to PM2.5 formation over
2 multi-day episodes. These four years all show an increase
3 in the number of exceedance days as compared to the prior
4 year. To ensure that the SIP is health protective, 2007,
5 a year with adverse weather conditions, was used in the
6 plan.

7 --o0o--

8 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK:

9 Comparing PM2.5 concentrations in years with similar
10 weather provides greater insight into the effectiveness of
11 the ongoing control program.

12 As noted in the last slide, four years, 2000,
13 2002, 2007, and 2011 stand out -- possibly should we go
14 back to the last slide so they can see it.

15 --o0o--

16 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK: --

17 stand out as having weather conditions that resulted in
18 long duration episodes.

19 Winter average PM2.5 concentrations for these
20 four years are shown in the slide you would have seen for
21 Bakersfield on the left and Fresno on the right. So at
22 both sites under similar weather conditions, there has
23 been a continuing decline in PM2.5 levels. This progress
24 tracks concurrent reductions in NOx emissions from ARB's
25 mobile source control program, as well as district control

1 efforts, especially the curtailment of residential
2 burning.

3 --o0o--

4 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK: The
5 magnitude of the ongoing NOx reductions that are
6 associated with the observed progress has been
7 substantial, as illustrated in this chart depicting Valley
8 NOx emission trends from 2000 to 2020.

9 Between 2000 and 2010, NOx emissions decreased
10 approximately 45 percent, with a further 45 percent
11 decline forecasted to occur by 2020.

12 In addition to district stationary source
13 controls, these emissions reductions are due to actions
14 this Board has taken related to diesel trucks, passenger
15 cars, and off-road engines.

16 --o0o--

17 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK: As
18 we have been discussing, weather can play a large role in
19 short-term trends. The weather in 2011 was very conducive
20 to producing high PM2.5 concentrations, especially in the
21 month of December. This extensive episode carried through
22 into the middle of the January of 2012.

23 The weather in the remaining part of 2012,
24 however, was more moderate. Preliminary data shows that
25 most PM2.5 design values will improve with the inclusion

1 of 2012 air quality data.

2 --o0o--

3 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK: The
4 next portion of the presentation will discuss how the SIP
5 demonstrates attainment of the 24-hour PM2.5 standard.

6 --o0o--

7 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK: The
8 2012 PM2.5 SIP was adopted by the Valley Board on December
9 20, 2012. The SIP addresses the 35 micrograms per meter
10 cubed 24-hour PM2.5 standard that EPA established in 2006.

11 The SIP shows that by 2017, approximately 90
12 percent of the Valley residents will be living in
13 communities meeting this air quality standard. The
14 remaining location, Bakersfield, is predicted to meet the
15 standard by 2019.

16 --o0o--

17 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK: The
18 Valley's attainment strategy is based on emission
19 reductions that will be achieved from continuing
20 implementation of ongoing control programs, as well as two
21 new district measures. This strategy reflects a focus on
22 two major components of PM2.5 during the winter, ammonium
23 nitrate and organic carbon.

24 ARB's mobile source emission control program
25 addresses NOx and diesel PM emissions, provides

1 significant benefits with a 50 percent reduction in NOx
2 emissions between 2007 and 2019. These programs, coupled
3 with further enhancement of the district wood burning
4 curtailment program, bring the entire Valley into
5 attainment, with the exception of one location in
6 Bakersfield.

7 Staff analysis of sources in the Bakersfield area
8 identified certain commercial cooking operations as a
9 significant uncontrolled source of directly emitted PM2.5.
10 Inclusion of a district rule to further reduce emissions
11 from commercial cooking provides the final increment of
12 reductions to address the remaining localized area of
13 non-attainment in Bakersfield.

14 Now I will briefly highlight the key elements of
15 the strategy for attaining the standard, starting with the
16 directly emitted PM2.5.

17 --o0o--

18 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK:

19 Ammonium nitrate is the largest component of PM2.5, and
20 ongoing NOx reductions have led to decreasing ammonium
21 nitrate levels valley-wide. However, directly emitted
22 organic carbon is also a significant contributor to winter
23 PM2.5 episodes. Therefore, a key aspect of the attainment
24 strategy addresses directly emitted PM2.5 sources. Major
25 sources include ongoing reductions from diesel engines and

1 passenger vehicles and new district measures to further
2 reduce residential burning and commercial cooking
3 emissions.

4 --o0o--

5 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK: The
6 district's first new measure addresses direct PM2.5 from
7 residential wood burning. Exposure to wood smoke is
8 harmful, with studies showing that exposure increases
9 hospitalization and emergency room visits for various
10 respiratory illnesses and cardiovascular disease.

11 Progressive amendments strengthening the
12 district's wood burning rule have provided significant
13 community health benefits.

14 The Valley is, therefore, proposing to amend
15 their current rule to further limit wood burning to
16 prevent the buildup of PM2.5 that could lead to levels
17 above the standard.

18 Strengthening this rule will also provide further
19 protection for children, asthmatics, and other sensitive
20 populations. In response to stakeholder concerns, the
21 district has moved adoption of this measure forward to
22 2014.

23 --o0o--

24 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK: The
25 final measure that brings the entire Valley into

1 attainment is reducing emissions from commercial cooking
2 operations. The district currently has a rule for
3 commercial cooking operations that addresses chain driven
4 commercial cooking devices. The district plans to amend
5 the rule to also address under-fired grill type devices.
6 The district has been partnering with the South Coast to
7 advance technologies for this type of device. Given this
8 need for additional technology development, rule adoption
9 is planned for 2016.

10 --o0o--

11 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK:

12 While many different precursors contribute to PM2.5
13 formation, EPA's PM2.5 implementation rule enables states
14 to focus on the most effective control strategies by
15 distinguishing among PM2.5 precursors on the basis of
16 significant contribution to attainment.

17 The rule also establishes a presumption that
18 PM2.5 NOx and SOX are significant precursors, while VOCs
19 and ammonia are not. As Dr. Kaduwela described earlier,
20 the latest science demonstrates that PM2.5 NOx and SOX are
21 the appropriate significant precursors for this SIP. The
22 annual PM2.5 SIP that EPA approved in 2011 also identified
23 these as the only significant precursors. While ammonia
24 has not been shown to be a significant precursor, the
25 district has included an ammonia feasibility study and has

1 committed to pursue any feasible and cost effective
2 measure identified through this process.

3 --o0o--

4 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK: In
5 addition to the attainment demonstration, the Clean Air
6 Act also requires the SIP elements shown in this slide.
7 This includes an accurate accounting of emissions in the
8 2007 base year, as well as forecasted emissions for future
9 years. The SIP must also provide for steady progress in
10 reducing emissions during the years leading to attainment.

11 Reasonably available control measures must also
12 be adopted. EPA has interpreted this as measures that are
13 technologically and economically feasible and, when
14 considered in aggregate, would advance attainment by at
15 least one year. While the district plan identified
16 several rules that could be improved, including those for
17 wood burning and cooking, no additional measures were
18 identified that could advance attainment by a year or
19 more.

20 Finally, contingency measures provide additional
21 emission reductions in the event an area fails to achieve
22 interim emission targets or attain the PM2.5 standard by
23 its attainment date.

24 Staff has reviewed the SIP and finds that it
25 meets these requirements.

1 --o0o--

2 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK:

3 While you are considering the 24-hour PM2.5 SIP for the
4 2006 standard today, there are many other SIP efforts
5 ongoing in the Valley.

6 --o0o--

7 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK: As
8 this time line shows, California has adopted a number of
9 SIPs for the San Joaquin Valley, with more to come as
10 federal standards continue to be strengthened.

11 In 2011, EPA approved both the annual PM2.5 plan
12 and the 8-hour ozone plan. On the horizon will be new
13 SIPs related to the revised 8-hour ozone standard and the
14 PM2.5 annual standard that EPA strengthened last month.

15 In addition, a new one-hour ozone SIP is
16 required. Although the one-hour ozone standard has been
17 revoked, EPA recently established a requirement that the
18 San Joaquin Valley submit a new one-hour ozone attainment
19 demonstration. This is intended to avoid backsliding on
20 previous SIP obligations.

21 --o0o--

22 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK: To
23 address these ongoing SIP needs, multi-pollutant planning
24 will be important as we move forward. While there are
25 multiple SIPs for ozone and PM2.5 with differing

1 attainment deadlines, common strategies are the core of
2 both attainment needs, with an ongoing focus on NOx
3 reductions for both pollutants. We will also need to
4 integrate our SIP planning efforts with the work being
5 done for AB 32 and the freight planning efforts.

6 Finally, EPA is required under the Clean Air Act
7 to conduct a periodic review of standards which typically
8 result in new standards as the health science progresses.
9 While this can be challenging from a planning perspective,
10 California has the opportunity to be strategic in our
11 efforts. ARB staff has committed to working with the San
12 Joaquin Valley District to streamline the process where we
13 can, while making the best use of the latest science.

14 --oOo--

15 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK: In
16 closing, ARB staff recommends that the Board approve the
17 San Joaquin Valley 2012 PM2.5 plan as a revision to the
18 California SIP and direct the Executive Officer to submit
19 this plan to EPA.

20 This concludes the presentation. And we would be
21 happy to answer any questions you may have.

22 CHAIRPERSON NICHOLS: Thank you very much. We
23 have a list of 13 witnesses who have signed up to speak on
24 this item. Before we go to the witnesses, do any Board
25 members have any questions?

1 Yes, Dr. Balmes.

2 BOARD MEMBER BALMES: So Ms. Vanderspek, if I go
3 to slide 21, which is the year to year variability in
4 PM2.5, in terms of number of days of exceedances, across
5 the years --

6 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK: Yes

7 BOARD MEMBER BALMES: -- from 1999 to 2011, as a
8 scientist, I have to look at data displays all the time.
9 And if I tried to publish a graph like this to say there
10 was a big effect across this time period, it would look
11 like the effect was in the early part of the 2000 decade,
12 because basically there hasn't been much change since 2003
13 on average in terms of number of exceedances.

14 I realize there is weather variability and forest
15 fire, wild land fire responsible for 2008, for example. I
16 don't know if that was the case for 2007 as well. But
17 just like your comment to me, there doesn't look like
18 there's been a lot of progress in terms of exceedances,
19 days of exceedance since 2003.

20 AIR QUALITY DATA BRANCH MANAGER VANDERSPEK:

21 Well, there has been a lot of progress in the early part.
22 The more recent progress, if you look at it, there are
23 many metrics to look at PM2.5. If you look at another
24 metric such as how high the values get, what we have seen
25 is a shift from higher values into lower values. And

1 still we do have a long ways -- we still have a long ways
2 to go. But we have seen progress in that aspect.

3 CHAIRPERSON NICHOLS: Do you have a slide or can
4 you give us a number in terms of the peak values? Because
5 I --

6 DEPUTY EXECUTIVE OFFICER TERRY: Actually, that
7 was the slide that didn't show up, the key slide.

8 CHAIRPERSON NICHOLS: Oh, I see.

9 DEPUTY EXECUTIVE OFFICER TERRY: So the point was
10 while there is this variability shown on exceedance days,
11 staff did a weather analysis and shows progress counting
12 for weather in terms of concentrations.

13 BOARD MEMBER BALMES: Of course, that's average.
14 We have the slide 22 that didn't display. So that's the
15 average PM2.5. And I'm fully aware that's gone down. And
16 I don't want to take away from the progress that's been
17 made in that San Joaquin Valley.

18 But days of exceedances are perhaps particularly
19 important in terms of health effects in terms of asthmatic
20 kids and adults, for that matter. So that's -- we
21 actually don't have a slide in the packet in terms of how
22 high the exceedance is.

23 CHAIRPERSON NICHOLS: Well, that is a good point.

24 And another thing that is missing again, not to
25 critique the presentation -- but I guess that's what I'm

1 going to do -- is it doesn't really map the progress
2 against measures that have actually been in place over
3 this period of time or that are coming into effect.

4 So to the extent that mobile source controls are
5 the most important aspect of this, which I believe they
6 are, you know, where are we in terms of achieving the
7 benefits of those measures that we've been adopting over
8 the years, some of which we had to delay because of
9 economic and other considerations that are only now coming
10 into effect that would give us more of a sense of security
11 that progress that we saw is going to pick up again. It
12 would be very helpful I guess if we had a little bit more
13 of that to look at as well.

14 AIR QUALITY DATA BRANCH CHIEF MAGLIANO: This is
15 Karen Magliano. I'm Chief of the Air Quality Data Branch.

16 One of the things we did look at was can we track
17 trends in those speciation elements of PM2.5 as compared
18 to declines in emissions. As you saw in the pie charts,
19 ammonium nitrate is one of the biggest pieces of PM2.5.

20 And so we have looked at trends over time in the
21 ammonium nitrate concentrations and how does that compare
22 to both ambient NOx concentrations as well as the NOx
23 emission inventory. And while we apologize we did not
24 have that in the presentation, we did put together what is
25 known as a weight of evidence document which looks at the

1 entirety of the air quality data. And as part of that, we
2 do see that there is a very strong correlation between
3 ammonium nitrate concentrations coming down, ambient NOx,
4 and NOx emissions as well.

5 BOARD MEMBER BALMES: Believe it or not, I read
6 that document. I think it does overall show the
7 tremendous progress that has been made with regard to
8 reducing precursors for PM2.5 in the Valley over this
9 period of time.

10 I was struck by slide 21 in terms of exceedances,
11 which I realize are in part due to forces we can't
12 control. But it's again --

13 CHAIRPERSON NICHOLS: People have to breathe on
14 those days, too.

15 BOARD MEMBER BALMES: Exactly.

16 AIR QUALITY DATA BRANCH CHIEF MAGLIANO: It
17 certainly highlights the challenge the Valley faces.

18 DEPUTY EXECUTIVE OFFICER TERRY: On that point,
19 Dr. Balmes, really the point of that slide was to say that
20 one of the decisions made in the planning process is to
21 pick the base year for the analysis. So we purposefully
22 selected 2007, which as you can see, is a year with a lot
23 of exceedances to address that very issue that we are not
24 assuming good weather in an attainment year. We are
25 assuming bad weather in the attainment year.

1 CHAIRPERSON NICHOLS: Okay. Well, with that,
2 unless there are other questions, we'll proceed to our
3 list of witnesses. And I'll read a few names in advance
4 just so people can be ready. Where do the speakers
5 actually come? Oh, right here.

6 Okay. Beginning with Emily Schrepf and then Will
7 Barrett and Gordon Nipp.

8 Is Emily Schrepf here? If not, then we'll go to
9 Will Barrett. Good morning.

10 MR. BARRETT: Good morning, Chairman Nichols and
11 members of the Board, staff.

12 I'm Will Barrett on behalf of the American Lung
13 Association of California.

14 The Lung Association views this plan as an
15 important opportunity to continue to address the difficult
16 air quality challenges in the Valley that are among the
17 most difficult in the nation. As we report each year in
18 our state of the air report, this is a top priority and
19 one that needs to be addressed quickly and efficiently.

20 We strongly supported the recent U.S. EPA efforts
21 to strengthen the annual PM standard. We do know that
22 work is being done and progress is being made, but there
23 is much more work to be done.

24 And also along with my colleague at the Fresno
25 Madera Medical Society, who is ill and not able to be here

1 today, we would like to say we encourage you to look for
2 any ways that could increase the near-term benefits of the
3 plan by, for example, we appreciate the more stringent
4 wood burning provision was moved up to earlier years to
5 provide more near-term health benefits. We believe all of
6 the measures should be evaluated for earlier
7 implementation to further strengthen the plan.

8 For example, the commercial charbroiling rule
9 could be developed earlier than proposed at this point to
10 just begin to accrue more near-term health benefits.

11 One key element of the plan I wanted to highlight
12 was the analysis of the health benefits that was included
13 in the appendices. And that illustrates for the public
14 the benefits in real terms of the plan and why we're
15 striving so hard to clean up the air.

16 Some of the highlights of that assessment were
17 avoiding the negative respiratory health impacts that
18 included 600 premature deaths, 700 pediatric asthma
19 emergency room visits, 115,000 asthma attacks, 125,000
20 lost work days that could be avoided if under attainment.
21 And I think that any efforts that could be made to move
22 forward quickly can really bring those to bear sooner.

23 So we do urge the Board to continue to evaluate
24 all the health benefits of the air quality standards and
25 new programs that are put in place to illustrate to the

1 public the importance of what we're doing to support
2 cleaner air in California, and especially here in the
3 Valley that provides more tangible benefits. It's an
4 important aspect of building community support. And we
5 want to see that continue.

6 We also do encourage the Board to continue to
7 work with the Valley Air District and communities on, as
8 noted in the presentation, multi-pollutant planning and
9 investment that's laid out in the air district's vision
10 document. That will ensure that ongoing attention as PM
11 plans and ozone plans and climate plans are going forward
12 that we can make sure we're hitting all our bases and
13 improving air quality for everybody as efficiently as
14 possible.

15 We do could support moving forward and we look
16 forward to continued progress to enact the strongest
17 near-term health benefits and emission reduction
18 strategies possible to advance California's clean air
19 leadership.

20 So with that, I thank you for your time.

21 CHAIRPERSON NICHOLS: Thank you very much.

22 Mr. Nipp from the Sierra Club.

23 MR. NIPP: Good morning. My name is Gordon Nipp.
24 I'm the Vice Chair of the local Sierra Club Chapter. The
25 Kern-Kaweah Chapter, with about 1400 members in mostly the

1 southern San Joaquin Valley.

2 We've long been involved in air quality issues,
3 particularly important for us since we have no choice but
4 to breathe the polluted air. I think that the PM2.5
5 attainment plan goes neither far enough, nor fast enough
6 towards cleaning our air. The plan could and should be
7 strengthened.

8 For example, the indirect source rule only
9 addresses about half of the air pollution associated with
10 large new development and for that matter doesn't address
11 greenhouse gas emissions at all. A number of developers
12 have signed agreements with the air district to offset all
13 of the air pollution associated with their project, all of
14 the criteria pollutants associated with their project.
15 And for that matter, some projects have signed private
16 agreements to offset some of the greenhouse gases
17 associated with their projects.

18 So it's feasible to strengthen ISR. And that's
19 one of a number of steps that could and should be taken to
20 speed up PM2.5 attainment.

21 The southern San Joaquin Valley fights it out
22 annually with Los Angeles for the dirtiest air in the
23 country. And for our health and our children's health, we
24 who live here would much prefer to lose that distinction.
25 I urge you to reject this plan in favor of swifter

1 compliance and stronger rules.

2 Thank you for your consideration.

3 CHAIRPERSON NICHOLS: Thank you.

4 We are going to be using the timer. We sort of
5 forgot for the first couple of witnesses. But
6 fortunately, you all were very succinct so I don't think
7 it's a problem.

8 We're going to next hear from Marvin Dean and
9 then Colby Morrow and Christopher Breedlove.

10 MR. DEAN: Okay. Thank you. My name is Marvin
11 Dean. I'm here representing two organizations, the Kern
12 Minority Contractor's Association, which is a small
13 minority construction trade association. And the other is
14 A. Philip Randolph, which is an environmental justice
15 community-based non-profit organization that deal with
16 clean air and healthy living issues.

17 Before I get into my remarks, I just want to give
18 a little background. When the air district was first
19 formed, as you know back in the Willie Brown days, that
20 was very contentious whether or not you should have a
21 nine-county Valley district, because every county wanted
22 to have its own air district. The creation of that
23 required a Hearing Board to be created in order to hear
24 these violations of pollutant laws. I was appointed to
25 serve on the first Hearing Board, and I served ten years.

1 I'm very familiar with this issue.

2 And I'm currently serving on the Environmental
3 Justice Task Force that the air district has created to
4 deal with environmental justice communities.

5 I want to start by saying I'm very thankful for
6 you guys to be here. That should be underscored. A lot
7 of people may or may not know that Kern County and the air
8 district is penalized by 29 million a year by the EPA
9 because of the air quality issues in the Valley. And this
10 2.5 plan, a lot of people are concerned about the costs to
11 implement and also what it's going to do for these
12 environmental justice community to have to come into
13 compliance. But we need to address the air issues. And
14 we all have to breathe this stuff.

15 But I'd just like to say a couple things. I'm
16 neutral on this plan. I think it's a good start. And I
17 think by having this conversation, we can build on it.

18 And then I would just suggest that because one of
19 the biggest problem is the diesel engines that pass
20 through here, trucks that don't stop up and down this
21 Valley. Some people laugh when I say this, but I'm one
22 that think if we could put a toll road on 99 -- when I go
23 in the Bay Area and these other cities, there's toll roads
24 we have to pay. But we get a lot of people making impacts
25 to the pollutants here not paying for the cost this Valley

1 has to pay for.

2 And the other thing I would say is high speed
3 rail. I just got back from Sacramento for the High Speed
4 Rail meeting. That's why we need it, to get the cars off
5 the road coming through the Valley.

6 The last thing I would say in closing is that
7 whatever we do here, there ought to be grant money and
8 incentives to help these environmental justice communities
9 and small businesses and residents going to have to come
10 in with the impact of cost that everybody is going to have
11 to share. That's what I want to close with.

12 And again, I want to thank you all for coming.
13 And I'll do what I can. I have to leave. I have to be in
14 L.A. and back for an environmental justice meeting at
15 5:00.

16 CHAIRPERSON NICHOLS: I hope you're driving a
17 clean vehicle. Thanks, Mr. Dean. Colby Morrow.

18 MS. MORROW: Good morning, Chair Nichols, Board
19 members.

20 My name is Colby Morrow. I'm with Southern
21 California Gas Company. Southern California Gas Company
22 is one of the four investor-owned public utilities. And
23 we provide natural gas service in portions of Kings --
24 Kern, Kings, Tulare, and Fresno County.

25 Attainment of air quality standards is very

1 important to So. Cal Gas for all of the communities in
2 which we provide service. We appreciate both the APCD
3 staff and your staff for the incredible impressive effort
4 that the plan is over 1100 pages. And I bet Dr. Balmes
5 read them all.

6 Regardless, So. Cal Gas does support the control
7 strategies in the plan.

8 While we're happy to see acknowledgement of
9 emission reductions from energy efficiency measures, we
10 note that natural gas is not acknowledged as a fuel option
11 for the mobile sector. So. Cal Gas believes that natural
12 gas is well positioned to be a major part of most paths
13 for near zero and zero emission transportation options.

14 We also agree with the statements regarding goods
15 movement made by San Joaquin Valley APCO Air Pollution
16 Control Officer to his Board during their plan adoption
17 hearing in December. These are: The San Joaquin Valley
18 has unique issues addressing goods movement considering
19 the long distances that goods need to be transported.
20 Zero emission technology and/or electrification cannot
21 meet all of the Valley's goods movement needs. And
22 compressed natural gas and liquid natural gas, CNG/LNG
23 have to be a bigger part of the solution in the Valley.
24 We agree wholeheartedly with all those statements.

25 So. Cal Gas is discussing advanced natural gas

1 technologies with the Air Pollution Control District, with
2 South Coast Air Quality Management District, and with your
3 staff.

4 Recent mobile source analysis, like the vision
5 for clean air, does not currently include available fuels
6 such as natural gas that we believe is part of the clean
7 energy solution.

8 So. Cal Gas is also studying how natural gas
9 technology will make greater contributions to reducing
10 both criteria and greenhouse gas emissions. As we move
11 toward the future, So. Cal Gas would like to see adoption
12 of regulations that do not mandate or prohibit energy
13 uses, but instead establish performance or emissions
14 standards that foster competition and fuel the investment
15 and innovations that result in newer and cleaner energy
16 technologies. Natural gas is a clean, abundant, low cost
17 form of energy in use and available today. And So. Cal
18 Gas wants to positively contribute to the solutions for
19 improved air quality in our state. And I thank you very
20 much for the opportunity.

21 CHAIRPERSON NICHOLS: Thank you. And you just
22 made your time limit.

23 Christopher Breedlove and then Sarah Sharpe and
24 Kevin Hamilton.

25 MR. BREEDLOVE: Hello. Thank you for your

1 attention on this important measure today. My name is
2 Christopher Breedlove. I'm a pastor in Fresno. I reside
3 in Fresno and represent a lot of families in my
4 congregation and association of congregations that I
5 associate with.

6 There is a concern with the measure here today
7 that it needs to be stronger and needs to happen on a
8 quicker timetable.

9 For example, it could be stronger in the sense
10 that the implementation of no burn days for agriculture
11 could occur on the same days as urban fireplaces. If I
12 could use an analogy, if we were a patient, if we were in
13 an emergency room and even though we've had improvements
14 over the years somewhat measured, we would still be in
15 critical care. The doctor would not release us from
16 critical care. The impact of pollution in our air, the
17 poor ambient air quality, adversely impacts the health of
18 family members, for example, my family -- the majority of
19 my family suffers from asthma. There is a financial
20 impact on that.

21 While I feel like I have good insurance and I'm
22 able to cover the medical treatment of my children, it's
23 still costly. Even more families, more and more families
24 do not have adequate health coverage and are adversely
25 financially impacted by the results of poor air quality

1 that that places on the human body.

2 So this measure needs to be strengthened. The
3 mitigation doesn't go far enough. It needs to be on a
4 quicker timetable. If we're in critical care, urgent
5 measures need to occur quicker and faster.

6 Sometimes there's adverse reaction towards
7 regulation. Sometimes there are reactions towards
8 regulations being over-reaching and concerns about jobs
9 and economy and finances.

10 What I think the concerted side of this argument
11 fails to recognize is that good sensible regulation,
12 strong regulation can actually spur innovation. And
13 improving the quality of our air could help families that
14 suffer financially because they're struggling to take care
15 and to save their lives from the adverse impacts of
16 negative air, poor ambient air quality.

17 Thank you for your time. And thank you for your
18 consideration.

19 CHAIRPERSON NICHOLS: Thank you.

20 Sarah Sharpe, the Fresno Metro Ministry.

21 MS. SHARPE: Good morning, Chair Nichols and
22 Board members. It's nice to see you in our area.

23 I'm Sarah Sharpe, the Environmental Health
24 Director for Fresno Metro Ministry. We are proud founding
25 members of the Central Valley Air Quality Coalition. I've

1 been a Steering Committee Chair of this coalition for the
2 past few years. It was founded in 2003. Our coalition is
3 a partnership -- we often call it CVAQC, just in case you
4 might hear it called that.

5 Our partnership was founded in 2003, and we are a
6 partnership of over 70 community, medical, public health,
7 environmental, and environmental justice organizations
8 that represent thousands of residents in the San Joaquin
9 Valley.

10 We are unified in our vision for a healthy, safe,
11 and economically prosperous San Joaquin Valley where a
12 chronic air pollution and epidemic sickness due to poor
13 air quality is eliminated.

14 We're committed to improving the health of
15 Californias by seeking full and vigorous enforcement of
16 the Federal Clean Air Act, strengthening state law and
17 district regulations relating to air quality and educating
18 the public about the serious health impacts of our air
19 pollution. And that is our mission statement. I just
20 wanted to make sure you're familiar with us.

21 There will be eight others speaking after me that
22 are part of this coalition. And actually, some of the
23 speakers previous were also members.

24 So the plan before you today will determine
25 health outcomes for more than six out of every ten Valley

1 residents. I just want to remind you that all of us
2 obviously, but especially the sensitive groups, we believe
3 that between 60 and 72 percent of our Valley residents fit
4 into the sensitive group from our understanding of the
5 definition for air pollution. Meaning, they are at risk
6 of harm every day that the air quality index is at the
7 orange level or higher.

8 And as you know, fine particulates, or PM2.5,
9 hang in our moist Valley air during the fall and winter.
10 This week is especially -- it smells like dairies in
11 Fresno -- in the city of Fresno, and everybody has been
12 asking me why. I tried to explain to them the moisture in
13 the air carries it.

14 These months are known by the Valley doctors as
15 the heart attack season, which is one of the many severe
16 outcomes caused by particulate pollution. But there are
17 many other acute impacts, including strokes and asthma
18 attacks. And we are now finding out from research that
19 there are long-term damage, including genetic mutations to
20 our DNA. I won't go into that too far.

21 As a coalition, we are primarily concerned with
22 public health outcomes in our valley. We've been involved
23 in rule making and plan development over the years,
24 including the 2007 ozone SIP and the 2008 PM2.5 plan.

25 So today, my comments will be very general and

1 the following people will speak more to the specifics.

2 But we are very pleased to have been working and involved
3 in the plan from the very beginning. We had facilitated
4 meetings with U.S. EPA, your staff, and the Valley Air
5 District staff. We were a little bit unhappy with some of
6 the process because the deadlines kept getting pushed back
7 and pushed back. It was hard to make comments in a timely
8 manner and have time to prepare, understand what was
9 happening. But in the long run -- and then there was also
10 some proposed community forums that were supposed to
11 happen by the Valley Air District that did not happen.

12 But aside from that, we thank you for coming here
13 to visit us in our most polluted region. We will be
14 asking you to reject the plan today and the people after
15 me will explain why. We believe it could be stronger and
16 a lot of the measures could be done sooner than they are
17 proposed in the plan. Thank you.

18 CHAIRPERSON NICHOLS: Thanks for the overview.

19 Next hear from Kevin Hamilton and then Brent
20 Newell.

21 MR. HAMILTON: I'm lucky I get the technical
22 piece today. I've never read testimony before so excuse
23 me.

24 Good morning, Madam Chair, members of the Board.
25 I'm Kevin Hamilton with Clinica Sierra Vista and Advocates

1 for Healthy Air. We are members of CVAQC.

2 My reason for testifying today is to ask the
3 Board to reject the plan the district has presented for
4 approval this day and return it for them to modification.
5 This is based on a recent DC circuit decision to reject
6 EPA's interpretation of the regulation holding PM2.5 plans
7 to the pre-1990 flexible state planning requirement known
8 as Subpart 1 and order compliance with the more strict
9 Subpart 4 standard. This makes the proposed plan
10 incomplete and noncompliant.

11 The essential differences are Subpart 1 did not
12 provide for different non-attainment classifications or
13 tiers of control, while Subpart 4 creates two
14 classifications, moderate or serious, and defined control
15 tiers.

16 Also, Subpart 1 allowed five years to meet the
17 standard with up to a ten-year extension available for
18 those who failed. Subpart 4 removes that extension and
19 creates a six-year limit with an automatic bunk to serious
20 non-attainment along with a much stricter compliance
21 requirement for proposed controls. BACM instead of RACM,
22 for instance, and serious non-attainment plans must
23 include all precursors to PM2.5, NOx, SOx, ammonia, VOCs,
24 unless EPA determines that sources of this particular
25 precursor do not contribute significantly to PM2.5 levels

1 that exceed the standard.

2 Under the old subpart, districts could assume
3 ammonia and VOC were not pollutants that need to be
4 included.

5 The argument seems to be there is nothing more
6 that can be done. So there's no need to consider earlier
7 attainment. All stones have been overturned. We've heard
8 this claim for many years. And yet, as Fresno County's
9 environmental rep to the Community Advisory Committee of
10 the Board, I can truthfully report that many meeting
11 agendas in the last year were filled with rules that EPA
12 had returned to the district for strengthening. In all
13 cases, the district was able to accomplish the task.

14 Staff made this claim in both the last ozone and
15 PM2.5 plans, and yet we are here with more rules built
16 into the strategy. Commentors have provided a list of new
17 stones, and our friends and our partners, to lift open
18 burning, flares, ag, IC controls, ammonium, solid fuel
19 burning, dah, dah, dah, charboiler controls, even though
20 we believe that is unfair to shift the burden to the
21 public to do the district's job in creating the new ideas.

22 Enough with the specious claims, "We have done
23 all that is possible." EPA tightened the annual particle
24 standard earlier this month and is certain to adopt
25 significant new protections for ozone in the next year or

1 so. It's time to move away from planning that starts from
2 the assumption that nothing more can be done.

3 In closing, I would like to remark it's been my
4 experience that strong successful organizations are led by
5 those whose initial positions on projects required by
6 statutes are that they can and will succeed. They do not
7 present -- 30 seconds -- ten seconds -- fantastical
8 scenarios asserting disastrous outcomes. Good planning
9 requires starting with the complete picture of what is
10 needed, a systematic review of strategies that might be
11 possible, and the realistic impact through the lens of
12 public health, and finally, a cohesive plan for
13 implementation that produces success as a result.

14 Thank you.

15 CHAIRPERSON NICHOLS: Thank you. Did you submit
16 written testimony? Did you submit it in writing?

17 MR. HAMILTON: I didn't submit this in writing
18 but I'm happy to?

19 CHAIRPERSON NICHOLS: Okay. Good. I want to
20 make sure our staff have looked at the legal arguments
21 there.

22 Brent Newell and then Caroline Farrell.

23 MR. NEWELL: Good morning, Madam Chair, members
24 of the Board.

25 My name is Brent Newell. I'm the Legal Director

1 on the Center on Race, Poverty, and the Environment.

2 The Center is also a founding member of the
3 Central Valley Air Quality Coalition. And I join my
4 colleagues and ask that you do your duty to make this plan
5 a lot better.

6 This plan is like a house that's built on a
7 foundation of sand. It's crumbling. And I say that based
8 on what Mr. Hamilton just said, that this plan was
9 designed to comply with Subpart 1 of Part D, Title 1 of
10 the Clean Air Act, when it should comply with Subpart 4,
11 which has much more stringent provisions.

12 Under California law, California Health and
13 Safety Code Section 41650, you have an obligation to adopt
14 this plan if you make a finding it complies with the Clean
15 Air Act. You also have authority the Legislature gave you
16 that if the plan does not comply with the Clean Air Act,
17 then you may directly make revisions to that plan.

18 Now, Mr. Hamilton said that, you know, directed
19 you to the recent decision from the DC Circuit Court of
20 Appeals in Natural Resources Defense Council versus EPA
21 number 08-1250 where the court unequivocally held that
22 EPA's implementation of rule on which this plan is based
23 was illegal.

24 EPA should have told jurisdictions like you to
25 adopt plans that meet Subpart 4 instead of Subpart 1. The

1 differences are the stringency of the rules, under Subpart
2 4, the rules are supposed to make BACM, best available
3 control measures. This plan meets RACM, reasonably
4 available control measures -- or I should say purports to
5 meet RACM.

6 There's different deadlines to attain. Under
7 Subpart 4, this plan should meet the PM2.5 standards in
8 five years. And you must make a demonstration that -- and
9 meet certain requirements to get an extension. That
10 hasn't been done.

11 The presumption on ammonium flips. Ammonia is
12 required to be addressed -- required -- unless a
13 demonstration is made that it does not contribute to PM2.5
14 levels.

15 So what I'm saying to you is based on this
16 decision from the DC Circuit Court of Appeals, you cannot
17 make the finding that you're required to make under
18 Section 41652. What I'm respectfully asking you to do is
19 instead exercise your authority to make revisions to the
20 plan directly or send it back to the Air District to get
21 it done right.

22 May I have a few moments to conclude?

23 CHAIRPERSON NICHOLS: Yeah.

24 MR. NEWELL: Thank you.

25 It's long past time that the Board take air

1 quality planning very seriously. One of the staff members
2 referenced the one-hour plans that needed to be done and
3 said EPA said you had to do them. The only reason EPA
4 said you had to do them is because we sued them in court
5 and made them tell you to redo the one-hour plans.

6 Given the health effects of PM 2.5, don't you
7 think that you should do it once and do it right? Thank
8 you.

9 CHAIRPERSON NICHOLS: Thank you.

10 Caroline Farrell and then Gary Lasky and Betsy
11 Reifsnider.

12 MS. FARRELL: Good morning, members of the Board.

13 My name is Caroline Farrell. I'm the Executive
14 Director of the Center on Race, Poverty, and the
15 Environment. I'm also a member of CVAQC.

16 I'm going to talk specifically about the flare
17 rule 4311 indicating how it can be strengthened and should
18 be strengthened. The rule is largely a reporting rule and
19 reports have been submitted as of June 2012. It should be
20 reviewed and an inventory should be updated given the
21 number of fracking projects in the southern Valley that
22 have emerged over the last few years. It's especially
23 important because the rule is based on the assumption that
24 flares are normally used to dispose of low volume
25 continuous emissions, but are also designed to handle sort

1 of a large quantities of waste associated with emergencies
2 that might occur.

3 Flare gas volumes can vary from a few cubic
4 meters per hour during regular operations up to several
5 thousand cubic meters per hour during major events. This
6 is from the Air District's Appendix D on the plan.

7 Current -- current permitting of some of the
8 fracking projects, particularly in north Shafter, indicate
9 some of these assumptions may not be actually playing out.
10 North Shafter oil field use a flare permit to burn up to
11 three million cubic feet of gas daily in July, August,
12 September, and October when a buyer stopped purchasing the
13 gas. Neighboring residence complained of roaring flares
14 over 20 feet high. That led to local air district
15 complaints and the eventual move and creation of a partial
16 barrier so you would obstruct the sound and view from the
17 residents.

18 In addition, the flare rule that the district has
19 adopted is not as stringent as other districts. In Santa
20 Barbara, Rule 359 has a substantive component. So there
21 is a target in the air district rule to minimize a flare
22 minimization. But there is no target. It's a feasibility
23 standard. So mitigate as feasible. In assignment a
24 Barbara, they have an actual target volume should not
25 exceed five percent of averaged monthly gas handled,

1 produced, treated at source.

2 So it seems like the rule could be strengthened
3 to add a substantive reduction target. And that could
4 accelerate attainment. That's particularly important in
5 the South Valley where fracking is increasing as well as
6 where we're going to come into attainment last in 2019.
7 So I would indicate that that be an area of inquiry and
8 strength limiting. Thank you.

9 CHAIRPERSON NICHOLS: Thank you.

10 Gary Lasky.

11 MR. LASKY: Good morning, members of the Board.
12 My name is Gary Lasky. I'm live in Fresno. I'm the Vice
13 Chair of the Sierra Club Tehipite Chapter. You've heard
14 today from the Kern-Kiweah chapter, our cousins to the
15 south. We're a four-county region from Fresno to Merced
16 with 1900 members. And statewide, the Sierra Club has
17 over a quarter million members.

18 We're here today -- I'm here today as a member of
19 CVAQC as well to talk about the open burning Rule 4103,
20 also known as agricultural burning. When I moved to this
21 valley four years ago, I learned about the agricultural
22 burning. Vineyards, for instance, grape vines which
23 causes enormous hardship for people with asthma during the
24 winter months. As the burning takes place early in the
25 morning, the haze is low to the ground. And people with

1 asthma, like my partner, have a tremendous problem with
2 that.

3 I was really delighted to hear about legislation
4 that would end this practice. Only, there are many
5 exemptions still being given. And my testimony today is
6 to identify where this could be tightened up, the rule
7 could be reviewed and tightened.

8 The exemptions and continued postponements of the
9 open burning prohibitions are for citrus orchard removal,
10 grape vineyard removal and operations of less than 20
11 acres. And these exemptions should be removed. For
12 citrus orchard removal, there is no longer the excuse that
13 biomass plants will turn away this material because
14 biomass plants will accept it. And hundreds of trucks
15 each day deliver biomass fuel to the valley from 150 miles
16 or more.

17 Second, vineyard material currently is -- we're
18 told that it's not economically feasible to send it to the
19 biomass plants. But what they do is remove all stakes and
20 wires before burning because it's profitable to recycle
21 these stakes and wires. And clean grapevines are being
22 burned today because the air district continues to justify
23 this practice based on false economic assumptions.

24 Open burnings of pruning from almond from fields
25 of 20 acres or less continues under the provably false

1 justification that the set-up charge by custom shredding
2 operators is prohibited for small acreage. This is no
3 longer true. Shredding businesses have proliferated and
4 there is little difference in the cost per acre, whether
5 they do five acres or 1,000 acres when they shred.

6 It's time to revisit this rule and enforce
7 100 percent of the prohibitions demanded by the California
8 Health and Safety Code.

9 Finally, the smoke management system used to
10 justify open burning needs to be better defined. There
11 should be a strengthening of open burning rules along with
12 any fireplace rule changes. This would be especially
13 important for those seasons when open agriculture burning
14 takes place and the fireplace rule is not applicable.

15 Thank you.

16 CHAIRPERSON NICHOLS: Thank you.

17 Ms. Reifsnider. And then Elizabeth Johansson and
18 Valerie Gorospe.

19 MS. REIFSNIDER: Good morning. My name is Betsy
20 Reifsnider. I'm the Environment Justice Director for
21 Catholic Charities and the Stockton Deices. And we
22 include the counties of San Joaquin, Stanislaus, Toulumne,
23 Calavaras, Alpine, and Mono. We also are a CVAQC member.

24 And I would just like to add to the comments that
25 Mr. Nipp made earlier on the need to strengthen the

1 indirect source rule as part of the PM2.5 plan.

2 The district is rightfully proud in this
3 ground-breaking and one-of-a-kind regulation. The ISR is
4 good, but it needs to be stronger.

5 As far back as December 2005 at a hearing of the
6 San Joaquin Air District Governing Board, Parish leaders
7 from the Stockton Deices spoke in favor of adopting the
8 ISR. And in our written testimony, Catholic Charities
9 said, "Although the proposed indirect source rule will
10 only reduce NOx emissions by 20 percent, the draft
11 establishes a valuable framework that could be enhanced
12 over time." So even eight years ago, we felt that the ISR
13 needed strengthening. And that time has come.

14 The San Joaquin Air District should strengthen
15 the ISR to improve the connection between ISR fees that
16 the district collects and the actual emission reductions
17 achieved by a developer. At present, the fee structure
18 does not offset emissions on a one-to-one basis and we
19 think they should.

20 The district could make sure that mitigation
21 measures actually take place. Development agreements,
22 CEQA documentation, and other agreements should be in
23 place before the air district actually approves the ISR
24 with a developer for a proposed project. And the district
25 could provide advanced consider options for projects that

1 go beyond minimum requirements.

2 And I'd just like to end by saying that one of
3 our parishes, St. Joachim in Lockford was subject to the
4 ISR when it built a new parish hall. And despite fears of
5 the pastor, it worked very well. And I commend the San
6 Joaquin district staff for helping the parishioners
7 through this process.

8 I believe it strengthened the ISR, can be an
9 effective tool in reducing PM2 pollution again if it's
10 strengthened. I thank you all.

11 CHAIRPERSON NICHOLS: Thank you.

12 Elizabeth Jonasson.

13 MS. JONASSON: Good morning. My name is
14 Elizabeth Jonasson. I'm the Valley representative for
15 Coalition for Clean Air. We're a statewide nonprofit
16 advocacy organization.

17 I share a lot of the concerns mentioned
18 previously. I'd like to focus my comments on another area
19 of opportunity that is being missed. I have brought this
20 up in forums and workshops and would really like to stress
21 the need for fleet rules. We have often heard that
22 pollution from mobile sources represents a big challenge
23 for the Valley to expeditiously meet attainment. It is
24 with much surprise there has been no effort to exercise
25 the authority the district has over these source.

1 Assuming a five-year extension to meeting the
2 standard is completely unwarranted, as there are multiple
3 reductions that have been left off the table, including a
4 suite of fleet rules.

5 So what do I mean by this? The Air District has
6 the authority under the California Health and Safety Code
7 Section 40919(a)(4) each district with serious air
8 pollution shall include the following measures in its
9 attainment plan: Measures to achieve the use of
10 significant number of low emission motor vehicles by
11 operators and motor vehicle fleets. I'm sure you're
12 aware. South Coast has successfully defended this
13 authority in court and is a perfectly viable legally
14 defensible way of achieving mobile source emission
15 reductions.

16 This authority applies to government owned,
17 licensed, or subcontracted vehicles. It is not exclusive
18 to refuse garbage trucks as has been mentioned before.
19 South Coast has approved rules for street sweepers light,
20 medium, and heavy-duty public vehicles, transit buses,
21 airport ground access vehicles, and school buses, as well
22 as refuse trucks. There are some examples, but others can
23 be explored as well.

24 Another related area of missed opportunity in
25 this plan is around alternative fueling infrastructure.

1 Both the vision for clean air and the South Coast SIP have
2 changed to include natural gas and renewable natural gas
3 as a fuel that will be part of the future. So the San
4 Joaquin Valley plan should do the same.

5 For various reasons, including the rising cost of
6 other fuel compared to alternative sources, businesses and
7 agencies are turning over their fleets. Not having the
8 alternative fueling infrastructure in the Valley hinders
9 the ability of these fleets to turn over to technology
10 that are much cleaner.

11 I know this is of concern to members of the
12 California Trucking Association, amongst others.

13 In sum, I respectfully ask this Board to send the
14 plan back or change it so it does not assume a five-year
15 deadline extension and can include some of the proposed
16 changes now including the addition of fleet rules and add
17 alternative infrastructure language in the plan. Thank
18 you.

19 CHAIRPERSON NICHOLS: Thanks.

20 Valerie Gorospe and Seyed Sadredin and Hope
21 Valdez.

22 MS. GOROSPE: Good morning. My name is Valerie
23 Gorospe. I work for the Center on Race, Poverty, and the
24 Environment.

25 CRPE is a member of the Central Valley Air

1 Quality Coalition. We represent many people and families
2 here in the San Joaquin Valley.

3 First and foremost, other than my advocacy for
4 environmental justice communities, I advocate for my
5 daughter who was diagnosed with valley fever a year and a
6 half ago and has had to take her medication daily for over
7 a year.

8 My daughter is now in the category of sensitive
9 group. Her valley fever specialist told us we needed to
10 pay attention and watch the particulate matter pollution,
11 especially while under her treatment.

12 I've subscribed to the air district's RAN system,
13 the notification system, and I have also got the air
14 quality ap on my phone. The notifications that I receive
15 via e-mail when I check this ap give me information from
16 the local air monitors, which by the way, at 10:30 I got a
17 notification if you're in a sensitive group, it's at a
18 level three now for Bakersfield.

19 So I must ask is our air district's air pollution
20 monitoring system really an effective warning system? The
21 monitors in the San Joaquin Valley are placed at fixed
22 sites. Pollution drifts with the air currents and
23 concentrates change depending on sources that day and how
24 far the monitor is from them. Not all monitors measure
25 everything. Less than half the monitoring system measures

1 PM2.5, which we know is the most deadly form of pollution.
2 The one-hour family checks for every morning before my
3 daughter goes to school, the type of pollution we plan for
4 or plan our activities around.

5 This early warning system is basing its
6 information on a spot that is ten, sometimes hundreds of
7 miles away. For example, we live in Delano. Should I be
8 looking at Bakersfield, Shafter or Visalia's air monitor?
9 Many monitors in the network are based on old technology
10 that require high maintenance. And I have seen that often
11 it's been broken or off line.

12 We are staking our lives -- I would also like to
13 address my work that I've done with the Bucket Brigade
14 with Global Community Monitoring in Arvin with air
15 sampling. And my thing is going off, but I have just have
16 two small paragraphs, if I can do that.

17 CHAIRPERSON NICHOLS: Okay.

18 MR. GOROSPE: I've been a part of the air
19 sampling for the Arvin Bucket Brigade. We collected
20 samples, while inhaling odors of rot eggs, sewage,
21 ammonia, rotting fruits, rotting trash, and rotting fish.
22 These are odors during the sampling.

23 There were 15 VOC and sulfur air quality samples.
24 The air samples detected up to six different chemicals,
25 including hydrogen sulfide.

1 Three more sentences.

2 Four of these were above at least one
3 health-based standard. So we're staking our lives and
4 health -- my daughter's health, my daughter's lungs, the
5 lives and the health of our children on this information.
6 The plan before you today is not an effective plan to
7 clean our air. I'm opposed to the plan before you, and
8 I'm asking for you to reject it. Thank you.

9 CHAIRPERSON NICHOLS: Okay. Thanks.

10 BOARD MEMBER D'ADAMO: Madam Chair, I'm right
11 here.

12 DeeDee.

13 CHAIRPERSON NICHOLS: Sorry.

14 BOARD MEMBER D'ADAMO: I just have a suggestion
15 to make. I think many of us are jotting down some of the
16 concerns that have been raised. And I'm thinking maybe if
17 the Air District could be speak at the end and be given a
18 fair amount of time to kind of go through one by one,
19 because I see there are quite a few others that are
20 opposed to the plan.

21 CHAIRPERSON NICHOLS: Would that work for you?

22 MR. SADREDIN: Would I get more than three
23 minutes?

24 CHAIRPERSON NICHOLS: Yeah. We're going to give
25 you more than three minutes. You're not a public witness.

1 You're a co-regulator, as they say. That's great.

2 Let's hear from Hope Valdez and then Teresa
3 Vidales and Mana Carrillo.

4 MS. VALDEZ: Good morning, Chairmember and other
5 members.

6 My English is not so good, so I apologize. So I
7 will speak to you in Spanglish.

8 CHAIRPERSON NICHOLS: You may speak to us in
9 Spanish. I don't see where the translator is, though.

10 Would you mind? Do you mind if our Board member
11 who speaks Spanish, Mr. De La Torre, translates for you?
12 All right. That's acceptable.

13 MS. VALDEZ: Good morning. My name is Hope
14 Valdez. I represent LUCA, CVAQC, La Firm. I'm here today
15 because I'm against how the plan is being carried out.

16 First of all, I have to thank you for allowing me
17 to be here today and allowing me to support my people.

18 I'm currently working with Summer Night Lights
19 for a Better Health. We have assumed a group of 150
20 people and we're exercising outdoors. And many of them
21 are complaining that they are not able to breathe
22 properly. I'm also representing LUCA, United Latin
23 Americans against Pollution. I would like you to please
24 and in favor of all the Latin Americans I'm representing
25 here today that you do a better job and make a bigger

1 effort for the health -- in favor of the health of those
2 who I represent.

3 The pain I feel is when I go out to offer my time
4 to kids and I see that they are not able to breathe, that
5 is not fair. It's not fair that some people are not doing
6 their part as they should. Thank you very much. Have a
7 great day.

8 CHAIRPERSON NICHOLS: Okay. Thank you.

9 Do you want to stay down here just in case? We
10 have a number of people coming up who may wish translation
11 services. Okay.

12 Next would be Teresa Vidales. Or there she is.
13 Great.

14 MS. CARRILLO: Hello. Good day. Good day to
15 everyone. My name is Mana Elena Carrillo. I represent a
16 group, LUCAS. I've come from Fresno, California. The
17 purpose I'm here today is I have a son. He has asthma,
18 and to ask you to please do something to clean up the air
19 as soon as possible so that my son can go out to play.
20 And for my health also, due to the situation I am now, I
21 would like to ask you to try to better the air and the
22 environment for our own health.

23 That's all. Thank you.

24 CHAIRPERSON NICHOLS: Thank you very much.

25 The next would be I believe it's Gemo Perez.

1 MS. PEREZ: Good morning, everyone. My name is
2 Gemo Perez. I represent Greenfield Walking Group. We're
3 also members of CVAQC in Greenfield, Bakersfield.

4 I have a daughter that now is 19-year-old. When
5 she was two months old, she was diagnosed with asthma in
6 Riverside County, where we used to reside before.

7 The pediatrician gave her treatment. And after
8 my daughter turned five years of age, she never had a
9 problem again with her lungs. And we even thought she was
10 completely healed up.

11 Ten years ago, we decided to move to Bakersfield,
12 and that was when her asthma returned more aggressively.
13 Since my daughter has had to be taken to the emergency
14 room at the hospital, now besides the asthma, I also fear
15 since my daughter's insurance has ended a year ago, last
16 time we took her to the hospital to the emergency room,
17 the cost for the services provided was around \$1700.
18 That's why every time my daughter has an asthma attack,
19 I'm very frightened seeing her so sick. And just the fact
20 thinking at the same time that having to call the
21 ambulance, the cost of the hospital, and not being able to
22 pay those bills, that is why I believe that this district
23 plan is not enough to clean our air, nor enough to do it
24 fast.

25 Thank you very much.

1 CHAIRPERSON NICHOLS: Thank you very much.

2 And thank you to our translator. You're doing a
3 terrific job. Really appreciate it.

4 Jose Chavez.

5 MR. CHAVEZ: Good morning. My name is Jose
6 Chavez. I live in Arvin City. I'm a member of the
7 Committee for a Better Arvin and one of the groups that is
8 part of CVAQC.

9 I would like to speak about three different
10 topics. The plan is not enough to clean our air, nor
11 enough to do it fast.

12 Number two, I'm concerned about the pollution,
13 the air pollution, because my family and relatives, the
14 consequences of this could be harsh. The illnesses that
15 I'm currently suffering in my lungs specifically, my
16 throat, I'm always sick. My cousin, a ten-year-old boy --
17 my nephew suffers from asthma. Therefore, he must always
18 be taking medication.

19 I and my family used to live in Los Angeles. And
20 it's a big difference in regards to pollution in Arvin,
21 being a smaller city compared to Los Angeles. We've been
22 gathering Bucket Brigade air samples in the community.
23 And we've collected 13 samples already, from which five of
24 those -- five of those samples contained risk of illness
25 of the cardiovascular type and the respiratory system. In

1 those five days, people are exposed to ending up at the
2 hospital for an indefinite time.

3 To conclude, I would respectfully request since
4 we are the ones living in the community, we suffer and we
5 suffer also the consequences. And we also need that you
6 try to improve and have cleaner air. Thank you.

7 CHAIRPERSON NICHOLS: Thank you very much, Mr.
8 Chavez.

9 Maria Gonzalez. If you want to come down ahead
10 of time, that would be head.

11 Next in line is Gustavo Aguirre and Mario
12 Talavera.

13 MS. GONZALVEZ: Good morning. My name is Mario
14 Talavera. I live in Arvin City.

15 Four years ago, I got the valley fever. And
16 since then, I've been taking medication to the point that
17 it has effected my liver.

18 Three doctors gave me the same opinion, which was
19 each illness was due to the medication. Besides that, I
20 got diabetes. So every day I go out for a walk and I walk
21 about quarter of a mile, and then I have to stop. The
22 thing is that the air to me feels very heavy. Therefore,
23 I have to turn back home due to the fact I'm not able to
24 breathe anymore.

25 So I respectfully request that when a decision is

1 done or is made on regards to the quality of the air, that
2 you also keep in mind all of us who suffer from this
3 illness. Thank you.

4 CHAIRPERSON NICHOLS: Thank you.

5 Mr. Aguirre.

6 MR. AGUIRRE: Good morning. My first comment
7 would be -- and I appreciate your efforts of helping us,
8 the Spanish-speaking language. But for us, the residents,
9 our opportunity when you come here to our valley and our
10 community is to share with you what we are -- what are the
11 realities in our life. And I see that -- I don't think
12 the translator -- but for us, I think it's very important
13 to hear directly from people giving their testimony.
14 That's not happen today. This is only the translator
15 basically. I don't know if you are listening to the
16 witness. Maybe next time just having an extra mike so we
17 can deliver what we want to share with you.

18 In terms of what you are considering today, I
19 only saw -- and I'm not an expert on these areas, but I
20 tried to speak as a resident mainly. I don't see a lot of
21 options consider in the plan. How about the industry? I
22 don't think we have -- like everything consider. Like, we
23 have a community recycling center, and the Board of
24 Supervisors made a decision to close down that operation
25 because it was regulation and many rules. And that is

1 still in operation. So you need to do something else with
2 industry.

3 It's good, the burning -- the wood burning and
4 all of that. But how the industry? We get polluters. My
5 nine-year-old daughter, she have asthma. And one time I
6 was driving and she started having an asthma attack and
7 she said, "Dad, I cannot breathe." What do I do? Do I
8 get a speed ticket to get to the medicine or the hospital?
9 Or what do you do?

10 And I was community organizer. I was visiting a
11 family. And I saw three pieces of asthma medicine each
12 one with a medicine, Deanna, Juan, Amberta. I asked the
13 family, "How many kids do you have?" They said three.

14 I don't know if you came yesterday by plane, but
15 if you came, I think you had opportunity to see how bad
16 the air we have here in our valley. And I think it was
17 mentioned already that we, the residence of the valley,
18 are pay for not complying with some of the plans.

19 So I suggest that -- I cannot trust what is being
20 done valley-wide to improve air, because we are paying for
21 it.

22 And I want -- expect -- my concern is, yes, we
23 are going to have big growth here in the valley, but how
24 can we assure that this Valley is a healthy valley, which
25 for the people that are living here we will be able to

1 have a healthy quality of life, as well as those coming to
2 our area.

3 So I think you need to consider all the
4 cumulative impact, not only one. What are the other
5 contaminants that we are facing here? So I ask you to
6 reject the proposed plan and consider it. And I know I'm
7 not an expert, but I know there are opportunities to
8 reduce the pollution because we are here and we see the
9 polluters. Thank you.

10 CHAIRPERSON NICHOLS: Thank you very much.

11 Mr. Talavera.

12 MR. TALAVERA: Good morning, Board of Directors.
13 My name is Mario Talavera. I'm the President of LUCA. I
14 live in the Fresno area.

15 I opposed to this plan of attainment, and this
16 Board should vote to reject it. The plan is going at a
17 pace as the one of a turtle. It does not go as far in
18 regards to cleanness of our air. It is also not going as
19 fast in regards to the demographic growth to the sources
20 of pollution that are stationary and the mobile ones.

21 Once again, the people that live in the San
22 Joaquin Valley are not being attended. The plan does not
23 have protection, support. It does not leave a margin for
24 error. The modeling of the air quality used in this plan
25 does not offer any alternatives or means to obtain a

1 cleaner air faster.

2 We, therefore, need actions with immediate
3 results for the short term support and/or accommodations
4 of other members of this coalition of air quality in the
5 Central Valley.

6 I have four children. All of them have asthma,
7 including myself. My home seems like a pharmacy from all
8 the fact we have so much medicine. And it seems like a
9 hospital, too. When it's not one who gets the asthma
10 attack, it's a different one. So we have to give them a
11 treatment. My 21-year-old son, when he was two years old,
12 had a stroke. He's nine years old. He's been in that
13 state for nine years. Who's not to say that because of
14 this PM2.5 that comes in through the veins, the ones that
15 are involved in such a thing know about it. Maybe that
16 could be the cause.

17 My children tell me that at school they can't
18 participate in recreational activities or in physical
19 education class due to their asthma. They get agitated.
20 And I'm saddened by it because I like sports a lot and I
21 would like them to participate in sports. But the asthma
22 prohibits them from doing so.

23 For this reason -- and not only for my family but
24 all the residents in this valley, I ask you that you take
25 action immediately because our San Joaquin Valley is

1 growing old, is getting sick. And if we do not do
2 something about it, it's going to die. Not the valley,
3 but did residents.

4 Thank you very much.

5 CHAIRPERSON NICHOLS: Next we have Eloisa
6 Fernandez.

7 MS. FERNANDEZ: Good morning to everyone in the
8 EPA. My name is Eloisa Fernandez. I live in Shafter,
9 community of Shafter. I would like to request
10 respectfully that you please make a good decision for the
11 air that is very polluted.

12 I have grandchildren who are sick with asthma.
13 My health is also not that well. I also suffer from
14 asthma. The doctor tells us that it's because of the
15 pollution in the air. I would like to ask you, you that
16 have the power and have a voice, to make the proper
17 decisions to see if the quality of the air can change. I
18 expect from you to take a good decision.

19 I used to live in San Jose, California. I've
20 moved down here due to the fact of the accessibility of
21 the house -- of the homes. They are cheaper here. But
22 the health of my family and I has gotten worse due to the
23 pollution in the air. The areas here are not that well.
24 They're really bad.

25 Thank you very much and I wish you all a great

1 day.

2 CHAIRPERSON NICHOLS: Okay. Mr. Fernandez.
3 Gustavo Fernandez.

4 MR. FERNANDEZ: Good morning, all, members of the
5 Committee.

6 Just a simple request. I've come from the
7 Shafter community. I see that everyone, the public and I,
8 are focused on the same thing, which is cleaning up the
9 pollution in the air.

10 I know that cleaning this is not -- cannot do
11 this from one day to another. With all the members from
12 the Board here, from the cabinet from Governor Brown and
13 request to them that each of them do their job due to the
14 needs of the entire Kern County. In order that in the
15 future we have a cleaner air for all our grandchildren,
16 the next generation, and for everyone. Thank you.

17 CHAIRPERSON NICHOLS: Thank you for coming.
18 Rodrigo Romo.

19 MR. ROMO: Good morning. I speak English, but
20 I'd rather do it in Spanish. My name is Rodrigo Romo,
21 member of the Community for a Better Shafter.

22 The reason why I'm here is very clear. Just like
23 all the people here gathered today, I believe that we
24 share the same purposes, the improvement of our
25 environment, and I address you that have the authority and

1 the power in hand.

2 I would like to ask you, how many of you have a
3 loved one or a child with asthma? Personally, I have two
4 who suffer from asthma. And I'm surprised to know that
5 each day the pollution increases in this valley. I
6 believe that everyone who has gathered here today is
7 fighting for the same cause, but we cannot do it alone.
8 We need your support and your help. We would like our
9 children to grow healthy and to not depend from an
10 apparatus to be able to breathe when they exercise or
11 practice a sport.

12 On my behalf, I still cannot thank you because I
13 do not know if you take into consideration what I say.
14 Because there is a difference between listening and paying
15 attention to the problem. Maybe a few days go by and you
16 forget. But I would like that when it comes time to make
17 a decision, you think back of -- you think in all the
18 communities that are gathered here today asking for your
19 help to save our valley.

20 Thank you for listening to me. Enjoy your stay
21 in the city. And before you go back to your homes that
22 you take a deep breath, take a deep breath of this
23 polluted air, and that you take with yourselves a little
24 bit of what our children breathe every day.

25 Thank you very much.

1 CHAIRPERSON NICHOLS: Mr. Valencia.

2 MR. VALENCIA: Good morning, everyone. Thank you
3 for giving me the opportunity to come here today and share
4 how we feel and to share our feeling that is caused by
5 this polluted air that we have here in this Valley.

6 My name is Refugio Valencia. I've lived in
7 Bakersfield for the last four years. I work for the
8 organization Center for Race, Poverty, and the
9 Environment. I work as a community organizer. And I
10 represent the Tulare community, Wasco, Shafter, Arvin, and
11 Greenfield here in Kern. What I've heard from all of them
12 are comments regarding asthma, the allergies that are
13 caused from the bad air.

14 And myself, just like them, after living in this
15 valley for two years, I have serious allergy problems.
16 And what aggravates my condition further is that my doctor
17 is not going to cure me. The only thing he does is to
18 suggest medication to minimize my illness.

19 Besides that, my wife also suffers from severe
20 allergy problems. One of my sister also suffers from
21 asthma. And I feel desperate when I see them having their
22 attacks, especially because she's my youngest sister.

23 But coming back to the PM2.5 topic, it's very sad
24 that each time that we have the opportunity to come and we
25 listen to thousands of people with the same testimonies

1 and as other partners of mine came to speak, I'm also
2 going to ask you if besides that plan that you may adopt
3 to improve the air quality that you also improve the many
4 other types of pollutants that exist in the air and that
5 they might be minimized. Because it's not just about the
6 residues from diesel and other particles that dairies are
7 producing and the wood burning, because we've known that
8 there's a law which prohibits wood burning.

9 And more of -- even there are more than three of
10 us who are here, we've seen, have right next to the 99
11 freeway. A lot of almond have been taken down and have
12 been burned. All around the city you notice when the
13 chimneys are on. And do we know why these people are
14 doing this? Or is it that they do not know that this law
15 exists?

16 So these little things that and some of the
17 report that we have, that's how we know that this plan
18 will not reduce the pollution. Therefore, I request that
19 you reject this plan and you revise and you check who
20 drafted this plan so that you can present to them a plan
21 that does guarantee that the air quality will improve,
22 despite that the ones that we are already ill from the
23 quality of the air will not get our health back.

24 Thank you.

25 CHAIRPERSON NICHOLS: Thank you.

1 Byanka Santoyo.

2 MS. SANTOYO: Good morning, members of the Board.
3 I'm here to get all your full attention.

4 My name is Byanka Santoyo. I'm a resident from
5 Arvin. I'm also a member of the Central Valley Air
6 Quality Coalition. I'm here to oppose this plan and the
7 Board should vote to reject it.

8 Residents of the San Joaquin Valley air are being
9 neglected of clean air. The Kern County and the Arvin
10 residents are being bombarded by chemical exposure on a
11 daily basis. Many of the violations of organic compounds,
12 diesel, ozone, and particulate matter is creating our
13 unhealthy air pollution for our vulnerable population like
14 children, pregnant women, seniors, and those with already
15 compromised immune systems.

16 I've been active with the Kern County and the
17 Arvin Bucket Brigade collecting air samples in our
18 community. The average levels of our sample particulate
19 matter have exceeded the World Health Organization
20 standards. Two of these samples have exceeded the EPA and
21 the world health organization in the 24-hour standard
22 period.

23 Monitoring the ozone during the summer, I
24 discover many days the Arvin monitor was shut down on
25 those days that would have red high levels. As you

1 recently heard, our Arvin monitor was relocated to the
2 Sunset school, and it's about a mile away from Arvin. But
3 we still are having the un-red monitor days.

4 Coordinating with the community global monitoring
5 and the CRPE and the CBA, we have an ozone monitor
6 installed within the city limits to compare the ozone
7 readings from the San Joaquin Valley air, and we're seeing
8 a great difference between both of them. Their readings
9 are way off. And we do have record of those.

10 Many years in Arvin have been ranked by the
11 American Lung Association as a top city of the nation with
12 highest concentration of a short-term fine particulate
13 matter pollution. Living in a high contaminated city has
14 affected my family and their health. My brother suffers
15 from chronic allergies and asthma and has days where he
16 cannot go outside and play his sports.

17 Being a resident, I ask of you to reject this
18 plan. Vote no. Direct your staff to come back with the
19 stronger rules and shorter timetables for putting these
20 rules in action.

21 And I also have a letter of one of the members
22 that couldn't make it, but he is all for it. Thank you.

23 CHAIRPERSON NICHOLS: Please give it to the
24 clerk. Thank you. The lady over here.

25 Okay. Manual Cunha from the Nisei Farmers League

1 and then Dennis Fox and Mike Wells.

2 MR. CUNHA: Good morning, Chairman Mary Nichols.

3 Again, I want to thank the Board, Chairman
4 Nichols, and Board members, staff, San Joaquin Valley
5 staff, and the research staff of ARB. You've done a great
6 job in working with the Policy Committee and others on
7 doing the right research. So we thank you for that and
8 all the hard work.

9 I'm a little bit disappointed in that agriculture
10 was brought up several about with agricultural burning.
11 And the information that was given by the individual was
12 not correct in the amount of exemptions, et cetera, et
13 cetera.

14 In the San Joaquin Valley has the only burn rule
15 of the state that was done by Mr. Dean Florez. And we are
16 less than nine percent. The greatest amount of emissions
17 from smoke is from prescribed burns and forest fires.
18 Okay. And fires that occur at night from buildings, et
19 cetera, et cetera, and structures. Just like last night
20 we had a massive fire in Fresno on a wood structure.

21 I'm a little bit disappointed that agriculture
22 seems to be the one to go out, and especially when people
23 stay our facts were false when the economic study was
24 done, it was done with USDA, CDFR, your staff, the San
25 Joaquin Valley staff and even tied with U.C. Davis on the

1 impact of cost of dealing with grape stakes, or grape
2 vines. Excuse me. And removal of the steal, et cetera.
3 So I am a little disappointed that people don't have their
4 facts together. And the agriculture industry has been a
5 part of technology to deal with what we call a burn box.
6 That was future technology of dealing with small amounts
7 of agricultural burn in a self-burning situation, and that
8 technology is going forward.

9 But to say that a thousand acre grower is the
10 same as a five acre grower with a chipper, absolutely
11 false. Absolutely a lie. And I'm not going to go any
12 further in that.

13 But I'm irritated because we've done a lot in
14 agriculture. I replaced over 4,000 diesel pumps with
15 electrification through a program called Ag Ice, a
16 tremendous program. The agriculture industry right now
17 has replaced 2,000 tractors way ahead of a tractor rule,
18 reduced ten tons of NOx ahead of your SIP requirement that
19 was submitted in '07 for an '08 that was to be ten tons
20 done by 2017.

21 As of December 12th of 2012, we've reduced ten
22 tons. Way in advance. Agriculture is out there doing its
23 part to clean up the air. But also provide an economic
24 means to have food grown in this valley and in this state.

25 If people don't want that, that's fine. We can

1 certainly move our agriculture to China and other
2 counties, and you can get that food here. No problem.

3 But the ag industry has tried very, very hard
4 from the dairy side, the tree production side to work with
5 your staff, with EPA to do the most modern technology
6 available.

7 The last thing I will say, we will be working
8 with James Goldstene, Eric White on your truck rule.
9 Because I think when we sit down and sit with your staff
10 on the truck rule, you're going to find that your truck
11 rule had several problems with the manufacturers of
12 filters. And we will be working with your staff to make
13 sure that that issue is resolved and your staff has made a
14 commitment to work with us. But I think we've found out
15 that technology that people rushed on trucks was a
16 failure.

17 But Madam Chair, we support this very much from
18 the ag side. And we are continually working to clean up
19 the air as agriculture. We all believe it's important.
20 And your staff have been great to work with us and so have
21 you. And thank you.

22 CHAIRPERSON NICHOLS: Thank you for being here
23 and for your work over a very long time on these issues.

24 Okay. Dennis Fox and then Mike Wells, and that
25 is the end of my list.

1 MR. FOX: Hi. You might remember me from CALFED.
2 I'm Dennis Fox, Chairman members. And I'd like to bring
3 up three vectors that have not been mentioned.

4 First one is rail. Our COG has noticed it's
5 very, very short-sighted to be scrapping the rail. And
6 it's more efficient, more cost effective, and we can move
7 our commodities to foreign countries and help our balance
8 of payments with rail than we would with trucks. And it
9 also would be most beneficial to our air.

10 Second one, smoke. And I bring this up to you is
11 because I'm with the -- before I get into -- I'm with the
12 Asthma Coalition -- I do qualify -- of Kern County. The
13 smoke is from the National Park. Mr. Sadredin says they
14 are the biggest violator of air quality in our area. This
15 year, you notice they did Lassen with smoke. They started
16 off with Yellowstone, smoked up five states, and
17 suppression was taken from them and given to the Forest
18 Service to put the thing out. They did, like, to burn up
19 national lands. The NPS, National Park Service, does
20 vistas, not cause/effect relationships. Oh, fire natural,
21 the more the fire, the more the natural. That does not
22 work in the summer. Fires are not natural in the summer
23 when they are having their burns. They do not.

24 It's a two-for. One, the taxpayers are paying
25 their fines. Second, is we get that twelve dollars

1 assessment on our vehicle registration. So what we need
2 is an injunction by you on the federal government. Not
3 easy. But it would put the responsibility back to the
4 managers. Perhaps when they break the injunction and get
5 confined for a couple weeks with Bubba, very lonely Bubba,
6 maybe they will get the message.

7 The third, the BLM. They're getting to be a
8 park. They lost a motorcycle park up by Coalinga.
9 They're driving through asbestos, not too healthy. So
10 they're going to move it down to Taft where they mine
11 kitty litter. No more asbestos. Now you get cellucosis
12 (phonetic) But that area is also ripe with 2.5 fungus
13 Valley Fever. So people will come down and get Valley
14 Fever here, go back to elsewhere in California where it's
15 not, and the doctors are going to have fun trying to
16 figure out what it is.

17 Thank you.

18 BOARD MEMBER LOVERIDGE: Madam Chair, we've had a
19 number of comments about asthma. I was wondering if
20 Dennis Fox is speaking officially for the Kern Asthma
21 Coalition. Is this an official --

22 MR. FOX: It's about as official as you get.
23 We've taken it up. Some of them are irate and some of the
24 people are prohibited from their work from speaking to
25 you.

1 BOARD MEMBER LOVERIDGE: So there is no official
2 position of the Asthma Coalition?

3 MR. FOX: Yeah. It's more or less official.
4 We're going up to RAMP with our comments and then let the
5 RAMP, which is the regional will carry on with you.

6 CHAIRPERSON NICHOLS: Okay.

7 MR. FOX: Does that answer it?

8 CHAIRPERSON NICHOLS: Yes.

9 MR. FOX: Any other questions?

10 CHAIRPERSON NICHOLS: No. Thank you.

11 MR. FOX: Thanks.

12 CHAIRPERSON NICHOLS: Okay. Mr. Wells.

13 MR. WELLS: Good morning. My name is Mike Wells.
14 I work at Fresno Metro Ministry, which is a multi-faith
15 community benefit organization in Fresno, California. On
16 behalf of the diverse and robust faith community in
17 Fresno, we advocate alongside and on behalf of the
18 vulnerable population, which is -- depending on how you
19 measure that, it could be more than half even of the
20 population in Fresno and a lot of the valley. And we're
21 also a member of the Central Valley Air Quality Coalition.
22 And we are here to encourage you to adopt a PM2.5 SIP that
23 is even stronger than the one that's been put forward
24 today. And I want to speak briefly specifically about the
25 char-broil rule, which is part of this SIP.

1 The draft plan currently recommends amending Rule
2 4692 to include controls on the under fire char-broilers
3 in the year 2016 and implement a new rule in 2017. And we
4 would encourage you to adopt a rule and a plan that
5 doesn't wait that long. In the Bay Area Air District,
6 they already have a rule that is already in place using
7 cost-effective technology that helps to control the
8 emissions from the char-broilers.

9 I remember a couple years ago Dr. Foreman who
10 sits with Dr. Sheriff on our Local Air Board mentioned
11 that of all the different kinds of PM2.5, the ones that
12 come out of these char-broilers are particularly harmful
13 for our health. And so it's one that we would just urge
14 you to adopt a rule that would require us to act more
15 quickly and not wait four years, but to implement the same
16 kind of rule that the Bay Area has immediately. And then
17 if four or five years from now there's something even
18 better, to go ahead and implement that, too.

19 And we're very well aware that doing this might
20 increase the price that we paid for our delicious
21 char-broiled food, but that's something that we're willing
22 to accept, especially because of the cost savings in
23 health care, both out of our personal pockets and the
24 public costs that are incurred because of, as Dr. Foreman
25 mentioned, the particularly harmful emissions from the

1 char-broilers. Thank you very much.

2 CHAIRPERSON NICHOLS: Okay. Thank you for coming
3 and spending the time with us. Obviously, this is an
4 issue of great importance. And we appreciate the time and
5 effort that so many people have made to come and share
6 your thoughts with us.

7 That concludes the public witnesses, but we
8 wanted to hear now from the Air District whose plan it is
9 that we're actually considering here today.

10 So Seyed, you've heard a lot of different
11 concerns. We may raise some if you forget to answer any
12 of them. But please, go ahead and share your views.

13 MR. SADREDIN: Thank you, Madam Chair, members of
14 the Board. I'd like to join everyone here and welcome you
15 to the Valley. It's an honor and pleasure to have you
16 here.

17 First of all, I want to thank your staff for
18 really working with the district, both in their work as a
19 partner in putting this plan together to the extent the
20 mobile source emission make up the bulk of the emissions,
21 and we have to rely on many of the strong control measures
22 that your Board has adopted.

23 And also I think I want to thank them for being a
24 strong in their role as oversight. I say I think I want
25 to thank them because they were tough on us. They held

1 our feet to the fire to make sure this plan that is before
2 you is the strongest plan possible and will ensure
3 attaining the standard as expeditiously as possible. They
4 did that in a polite fashion, although they broke our arms
5 here and there a couple times. Thank you very much for
6 your work.

7 You do have world class staff when it comes to
8 modeling. There is no other agency, no other staffing
9 complement in the nation that has greater expertise when
10 it comes to the scientific research and the modeling
11 expertise that are involved and put in a plan like this
12 together in an area that has a lot of difficult
13 challenges.

14 I wanted to briefly mention what our Board did
15 with respect to the fireplace rule. Your staff did
16 mention that the Board did decide to have that rule go
17 into effect three years sooner than what this plan calls
18 for. And that was done under a local initiative that we
19 have started in San Joaquin Valley which relies on a
20 risk-based or health-based approach to dealing with air
21 quality.

22 The plan that is before you essentially relies on
23 a mass-based strategy where you reduce emissions to reduce
24 the standard at the end of the day.

25 With the fireplace rule, there is no way the

1 valley can come into attainment without the fireplace
2 rule. But adopting the fireplace rule early will not
3 expedite attainment because before it really has any
4 impact on the attainment, we need all the major NOx
5 reductions from your rules on mobile sources as well as
6 the stationary sources to bring us to a point where the
7 last mile essentially will be delivered by the fireplace
8 rule.

9 But our Board consistent, with our risk-based
10 strategy, decided to do that sooner because purely from a
11 health perspective for prioritizing health benefits, the
12 Board realizes the significant health impact that comes
13 from wood smoke, the carbon emissions, the toxic emissions
14 right in your neighborhood at the worst time of the year.
15 So although they will not expedite attainment any time
16 sooner, the Board decided to do that rule three years
17 earlier than what is called for in the plan.

18 And finally, I wanted to share with you some
19 frustration that was expressed by our Board when they
20 adopted this plan with regard to the Clean Air Act. We
21 fully support the Clean Air Act, and we think it has led
22 to significant improvement nationwide and in San Joaquin
23 Valley in terms of air quality and quality of life for
24 Valley residents.

25 But for those of us like South Coast and San

1 Joaquin that have mature programs, we believe some of the
2 well-intentioned provisions in the ag, which in some cases
3 were put in place in vacuum without having the real
4 experiences of it, are leading to some unintended
5 consequences that lead to some confusion by the
6 businesses. A lot of redundancy. And we have the
7 legislative work ahead of us to see what we can do to do
8 some fine-tuning here and there.

9 But given the current disfunction in Washington,
10 that is going to be a long-term effort. We're hoping to
11 work with your staff. I've been talking to Lynn Terry and
12 others on your staff to see what we can do to harmonize
13 some of the multiple standards. We're going to have eight
14 SIPs shortly with different time lines, although for
15 different pollutants, both for PM and ozone and different
16 averaging times. They really go after the same sources,
17 same pollutants. And we need to find a way to harmonize
18 the process. And your staff has indicated they would be
19 willing to work with us in that regard.

20 Let me go to some of the issues that have been
21 raised here. And I'd like to start with the excellent
22 question that Dr. Balmes asked at the outset and give you
23 some additional thoughts on that particular issue.

24 Now when the slide that you saw and when we talk
25 in our plan about exceedance days, if you really don't pay

1 attention to what really exceedance means, people may feel
2 that the entire San Joaquin Valley has done many
3 exceedance days. I'm sure you know, but for the benefit
4 of the audience, when we talk about the number of
5 exceedance days, we're talking about the worst location at
6 the worst time of the year.

7 As you know, San Joaquin Valley is the largest
8 air basin in the district, in the state; 25,000 square
9 miles, eight counties. If you look county by county,
10 there are many valley residents -- about 50 percent of the
11 valley's population that has gone from having dozens of
12 exceedances to zero today. They are already in compliance
13 with the 30 microgram standard.

14 So I think a better reflection of what the
15 improvement has been and that's something that we talked
16 with your staff and are hoping to be able to present to
17 you is if you could put together an exposure-based number
18 of exceedances. If you look at how many members of the
19 San Joaquin Valley, how many residents were exposed to the
20 exceedances, you can see there is a huge decline in the
21 number of population based. There are less people that
22 are exposed to the population and the peaks are lower.

23 Just to answer your basic question though, there
24 are a couple of things I want to point you to. First in
25 the plan itself, Appendix A, page 38, if you look at the

1 chart that is there, it shows that we have gone
2 essentially from peak violation happened ten percent of
3 the time to less than one percent of the time that we're
4 exposed to the peaks.

5 In terms of the design value, which is really the
6 peaks as defined by the Federal Clean Air Act, in Kern
7 County, the design value has been reduced by 35 percent.
8 And unfortunately, given our topography, geography, we
9 need another 50 percent reduction, and are headed -- given
10 the transport of air pollution externally and internally
11 to the Valley, you know, the peaks are shown high
12 resistance now to making improvements.

13 So 35 percent in Kern County and 55 percent in
14 Tulare County in terms of the reductions and the number
15 and the design value.

16 And just finally on that point, in terms of
17 looking at just unhealthy and good days, in 2002,
18 ten years ago, in the entire eight counties, if you added
19 the number of unhealthy days, we had 156 days of unhealthy
20 air quality. Last year, we only had 20. Total eight
21 counties if you added the number of unhealthy days in
22 every county, we've gone to 20.

23 So air quality today, if you look at -- take a
24 comprehensive look at it, it's the best it's ever been in
25 San Joaquin Valley thanks to your good work and your Board

1 with the mobile source emissions and the business and the
2 investments that businesses have made in San Joaquin
3 County have made to reduce air pollution. We still have a
4 long ways to go. There is no mission accomplished flag
5 here, and we have more to do with your help.

6 Just some of the comments or specific suggestions
7 that were made. I took notes on some of them. If I
8 missed any of them, please feel free to let me know and
9 I'll try to answer.

10 First with respect to the ag burn rule, I thought
11 we had corrected that misconception at our December
12 hearing. What you heard was why don't you ban ag burning
13 on the same days when you are banning fireplace. That is
14 already the law. So adopting this plan will actually add
15 further restrictions to open burning, agriculture burning
16 as we increase the number of no-burn days for fireplaces,
17 residential burn days, on those days, no farmer can burn.

18 It's also important to know that to the extent we
19 have some minimal exceptions remaining in the rule right
20 now -- which by the way even those things that are
21 exempted cannot be burned on the no-burn fireplace rule.
22 Burning is only allowed on days when meteorology indicates
23 it will have no impact on air quality in terms of
24 attainment or exceedances.

25 So we really need to understand that fully. Ag

1 burning right now has no impact on our attainment status
2 because it's pretty much near-zero burning that we allow.
3 And then when we allow it, it's only on days when our
4 basin can tolerate those emissions.

5 You heard some comments about indirect source
6 review. I agree with my friend Betsy with Catholic
7 Charities, we take pride in San Joaquin Valley for having
8 the really only ISOR rule in the state.

9 I think part of the misunderstanding there when
10 you hear that our IRS only deals with 50 percent of the
11 emissions is really what we had to do to comply with the
12 state law in that you cannot double count emissions. And
13 the rule applies to both residential and commercial.

14 So if we told both of those sectors to reduce
15 your emissions by 100 percent every trip, we would be
16 double counting. So what we said is for the residents,
17 you only pay for one trip, from where you go from the
18 residents to the commercial. And then for the commercial,
19 we say you pay for the return trip. At the end of the
20 day, ISR rule actually covers 100 percent of the emissions
21 that are tied to those activities. And then we do, as
22 Gordon Nipp mentioned, we work with developers to go
23 beyond what is permissible under the law through voluntary
24 mitigation agreements that had been very successful.

25 Also under Prop 26 if you recall from a couple

1 years ago, at this point, although I don't want to concede
2 that entirely legally, it's very difficult to add ISR fees
3 without a two-thirds vote of the public. Although we
4 think there might be some door open for some of our
5 friends in other air districts that might want to do ISR
6 that you can make a case for mitigation fees. It's not
7 entirely clear at this point that you can just add to the
8 ISR fees. But it's been a very successful program and
9 hopefully when the economy picks up and more construction,
10 we will see more benefits from that.

11 Another specific comment was the flare rule, when
12 they said we should look at the Santa Barbara flare rule,
13 which is exactly what we did. Our district looked at
14 every single rule. And the lady that made that comment
15 and said that Santa Barbara have a specific exemption or a
16 specific limit that you have to meet, whereas in San
17 Joaquin it says do everything that's feasible, if you read
18 the Santa Barbara rule more carefully, there is a
19 provision that says, if the source can make a case they
20 did not meet that standard, then they have a way out to
21 meet that standard. So we looked at every single rule in
22 the state. Our rule is as strong or stronger than any
23 rule when it comes to flaring in the state.

24 And fleet rules were mentioned. As you may
25 recall, South Coast a number of years ago adopted a fleet

1 rule. The court said you can only have it apply to public
2 sector. At the time, it did have some benefits. But
3 thanks to your good work at the State Air Resources Board,
4 today all those fleet rules are subject to your
5 regulations. We get all those reductions. Also with the
6 advancement of diesel technology today, that the latest
7 tier diesel engines, their emissions, their NOx emissions
8 are equal to natural gas. In some cases, even better. So
9 there is really no benefit from a local rule that's simply
10 would be overlapping your rule and also with the
11 technology that exists.

12 Char-broiler rule was mentioned why don't we do
13 it sooner. It was mentioned that Bay Area already has a
14 rule. Bay Area already has a rule, but there's no one
15 that is complying with it right now. It is a rule that
16 only applies to new facilities. It does not apply to
17 existing facilities. And no new facility has been built
18 that actually has the technology.

19 The rule that we have we're hoping to adopt is
20 actually technology forcing. Both South Coast and our
21 district understand the technology for charbroiling does
22 not exist right now. So we're hoping that by 2016, it
23 will be available. Even though it is still questionable,
24 we did put it in our plan. And hopefully I don't have to
25 come back in 2016 and say the technology did not come

1 about. So the rule that you have before you in this plan
2 is actually technology forcing and pushing for something
3 that does not exist right now.

4 And also, char-broiler rule right now will not
5 expedite attainment. As I told you similar to fireplace
6 rule, before the reductions that come from those rules
7 that are critical to block us the last mile, attainment is
8 not possible before all the NOx measures, the mobile
9 source rules, the truck rule, off-road rule and everything
10 is fully or to a great extent applied. And we can see
11 those reductions that will bring us into attainment.

12 There was some comments about Subpart 1, the
13 court ruling recently. Of course, EPA is still trying to
14 figure out what the legal implications of that are. But
15 in terms of the substance of what was in this rule, every
16 rule that we have already in this package meets BACM
17 requirement. EPA has already approved many of these
18 rules, even in their older version before they were
19 strengthened as BACM.

20 And we went well beyond what was required in
21 Subpart 1 for looking at precursors. First of all, we
22 have not let ammonia alone. The district already has a
23 rule that reduced ammonia emissions by 100 tons per day.
24 We have -- as you know under our ozone plan, we have a
25 whole host of measures to reduce VOCs, even though for PM

1 we're saying sometimes that's not very helpful. So we've
2 gone well beyond it. And we think we meet the Subpart 1
3 requirements anyway. But ultimately, we're going to have
4 to see what the EPA rules are. And if they have to change
5 their implementation rule, would they make any allowance
6 for plans that have been adopted? Or would there be some
7 sort of a provision to re-exam them to see if they meet
8 all those requirements.

9 But ultimately, before they approve our plan,
10 they have to make sure it meets the Subpart 1 requirement,
11 and we believe it does.

12 And one philosophical comment that was made that
13 every time we bring a plan to you we say we've left no
14 stone unturned. How is it that we can come every few
15 years and say -- I think that's what they should be
16 expecting that we do and you do. Every time we bring a
17 plan to you, we have left no stone unturned. As you can
18 see in this plan as your Board has indicated always is our
19 job is not done. We're going to continue digging more.
20 We're spending million of dollars on technology
21 advancement. Look at the vision document. If our work
22 was done, there wouldn't be a need for a vision document.
23 We say we've left no stone unturned, because that's true.
24 But you also have to realize our job is never done, and we
25 continue to work on it. And hopefully we can bring you

1 more measures as time goes on.

2 Those are some of the comments that I had jotted
3 down. If there are any that I missed, I would be happy
4 to --

5 CHAIRPERSON NICHOLS: I think there might be some
6 questions from the Board. And maybe you can just stay
7 with us as we have some further discussion.

8 Did anyone want to raise any questions right this
9 minute? Yes, DeeDee.

10 BOARD MEMBER D'ADAMO: Well, I had a question.
11 Seyed, thanks for going through that list. You pretty
12 much answered the questions that I had, except one. And
13 that was a concern raised by Sarah Sharpe regarding the
14 lack of workshops. So just wondering how many workshops
15 you had. Did you make a commitment to do more and for
16 whatever reason were not able to do. I'll wait for your
17 comment and then maybe have a question.

18 MR. SADREDIN: I'm not sure what Sarah is talking
19 about not meeting our commitment. I know there was some
20 Expectations that maybe we'll do town hall meetings
21 similar to what we did when you and Supervisor Case when
22 we were doing the extreme, I think there was some
23 expectation that we'll go up and down the valley and hold
24 town hall meetings about this.

25 We didn't do that, but that was in the time line

1 we were talking about, it was not possible. We did dozens
2 of meetings, both public workshop meetings as well as
3 individual meetings. We had like three meetings just with
4 CVAQC members alone where we took their comments. I think
5 it was a very extensive public process that both our
6 agency as well as ARB did. And you can ask your staff
7 about the workshop they did about the modeling concept or
8 the modeling process.

9 So I think we left no stone unturned in terms of
10 doing as many workshops as we could do. Just doing the
11 town hall meetings was not possible.

12 BOARD MEMBER D'ADAMO: I would just make a
13 comment on that. I think first of all, I have seen
14 tremendous progress. As a resident living here in the
15 valley and then also just working on this, you know, from
16 the policy perspective, huge progress. And I think
17 everyone deserves to be complimented, including those that
18 are opposed to this plan because they're asking for more.
19 They're not saying that the individual provisions aren't
20 good at all. They're just asking for more.

21 And what I'm noticing here though is that, kind
22 of comparing it to the ozone plan that we adopted a few
23 years back where we had a lot of concerns from residents,
24 the concerns seem to be more focused on the southern part
25 of the Valley. And for good reason, because I can

1 understand how people must feel. As a parent, I was
2 really struck by one of the comments by one of the
3 witnesses that whenever their children have an asthma
4 attack and she has to think about an ambulance, she just
5 gets worried about the cost. Parents shouldn't be worried
6 about the cost. They should just be focused on their
7 children.

8 But there is a cost, as Dr. Sheriffs said, in
9 economic terms. So I'm just wondering maybe if more could
10 be done. Assuming that even if we adopt this plan, if
11 more could be done on outreach, getting out into the
12 communities. Obviously, working with some of the
13 associations that are represented here today, but then
14 even going beyond out in the communities, in particular,
15 in the southern part of the district. Because I do think
16 that there has been a big change.

17 I know Manuel talked about all that's been done
18 with the ag burning rule. But there seems to be a
19 disconnect. Folks still think ag burning is allowed. And
20 even though it is in certain circumstances, it is far
21 limited from what it was years ago.

22 And then also the information that I think the
23 air district can help to get out about all that you're
24 doing in addition to the plan, like you were talking about
25 the fireplace rule three years earlier. And then, of

1 course, all the incentive dollars, turning over the
2 equipment getting there before the regulatory deadlines.
3 And I just think that that would be helpful. And I would
4 be happy to help in any way I can as well. I'm sure staff
5 would be willing to help out as well. Anything that we
6 can do to help get the word out. So thank you.

7 MR. SADREDIN: Certainly. Definitely we'll do
8 what we can. That's a difficult area to communicate in
9 San Joaquin community. We have three media markets. It's
10 a huge challenge, but a never-ending process that we can
11 always improve upon.

12 BOARD MEMBER D'ADAMO: Right. And the only other
13 question I had, and not for Seyed, for Ellen about the
14 Clean Air Act issue.

15 CHAIRPERSON NICHOLS: Okay. Why don't you ask
16 that now and then other Board members may have additional
17 points.

18 CHIEF COUNSEL PETER: There was a question Mr.
19 Newell brought up about the decision in the District of
20 Columbia Court of Appeal. There was a decision. It was
21 released on January 4th of this year. It was from a
22 three-judge panel of the court. And it found that the
23 more stringent sub-part of four regulations are required.
24 So it rejected EPA's arguments in favor of the current
25 status. And did say that the Subpart 4 did go into

1 effect.

2 The relief that the court ordered was for EPA to
3 go back and re-promulgate new rules consistent with its
4 decision. So in terms of how this effects us here today,
5 one observation is the decision -- the court decision is
6 not final. And I'm not privy to what EPA is going to do.
7 But they have certain steps they can ask for
8 reconsideration or petition to the Supreme Court. So it's
9 not a final decision yet.

10 And second, the court directed EPA to go back and
11 do these new rules. So there is none of those rules
12 obviously apply to San Joaquin as we're sitting here
13 today.

14 So in terms of any legal barriers for you to act
15 today, I don't see that there is any.

16 And also from the legal point of view, you can
17 flip it around, and there is nothing also that precludes
18 you from later going back. So a vote today doesn't lock
19 you in forever. I'm sure you know that from previous
20 situations the SIP revisions are very fluid.

21 CHAIRPERSON NICHOLS: Excuse me. Ellen, could
22 you just clarify for a minute what the more stringent
23 Subpart 4 versus the existing one would actually do that
24 would be different? I mean, assuming that it were in
25 effect today, what would we do that's different from --

1 CHIEF COUNSEL PETER: Brent Newell outlined a
2 couple of pieces in terms of what the stringency is here.
3 And perhaps you folks can jump in on this.

4 One thing I would like to say, Seyed said they
5 are meeting Subpart 1. We cannot evaluate that right now.
6 I can't address that situation. But --

7 CHAIRPERSON NICHOLS: I understand. I wasn't
8 asking for you --

9 CHIEF COUNSEL PETER: In terms of the difference
10 between Part 4 and Part 1, there are some different
11 things, if you give me a minute I can do it.

12 Or Lynn, do you know off the top of your head?

13 DEPUTY EXECUTIVE OFFICER TERRY: I'll start and
14 Karen can jump in.

15 I think the primary one that was discussed was
16 there was a classification scheme moderate and then
17 serious. And then there's reasonably available controls
18 if you're moderate and best available. So this would
19 bring into play best available. So we would have to
20 jointly go back and consider whether if the Board were to
21 adopt this plan, consider whether or not the rules that
22 are part of it meet the BACM test.

23 CHAIRPERSON NICHOLS: And what Seyed said was
24 that their rules had already been declared to have met,
25 not just RACM, but BACM. If we can use these horrible

1 acronyms.

2 MR. SADREDIN: The last slide that your staff had
3 talked about all these various plans that have been
4 together, which this plan essentially takes a lot of
5 measures in those old plans, one of them PM10. PM10 was
6 already subject to BACM. And even our previous versions
7 of the rules have been strengthened in this plan, they
8 have ruled those meet the BACM requirements.

9 CHAIRPERSON NICHOLS: I probably should not have
10 even suggested that we get into further legal arguments
11 here. I'm just trying to understand the point is that I
12 think that our counsel is making that assuming this
13 decision is valid and assuming it is upheld and goes into
14 effect and so forth, the question is really what would we
15 do differently today. And it sounds like the answer would
16 be that once EPA goes through its rulemaking and all that,
17 we might have to come back and do more.

18 I mean, that's conceivable that they would --
19 that we would be having additional holes that we had to
20 fill.

21 But that, to me, is exactly what happens
22 continually with the Clean Air Act, just as you were
23 saying, that it's an incremental process. Standards get
24 tighter. Rules get tighter. But you keep on making
25 progress ultimately towards the goal.

1 Yes, Mayor.

2 BOARD MEMBER LOVERIDGE: Mary, it would be
3 helpful to me -- how soon will this come back again? It's
4 not one time looking at the plan and it goes away forever.
5 When does this --

6 CHAIRPERSON NICHOLS: This particular PM2.5 plan,
7 once we approve it, gets sent onto EPA and then EPA holds
8 onto it for a while and --

9 DEPUTY EXECUTIVE OFFICER TERRY: They're acting
10 much more expeditiously. We're encouraged.

11 BOARD MEMBER LOVERIDGE: It's not the approval of
12 it. The question is --

13 CHAIRPERSON NICHOLS: When would we see it again.

14 BOARD MEMBER LOVERIDGE: The idea you're
15 continually working on it, when will it appear again?

16 DEPUTY EXECUTIVE OFFICER TERRY: Good question.
17 And if you -- that time line that we had in the staff
18 presentation is an illustration of how that process works.
19 So what happens is each individual SIP for a particular
20 pollutant and a particular standard has to be submitted by
21 a certain deadline. And that deadline was December 14th
22 of 2012. So we feel we have a continuing obligation to
23 get that to EPA based on the current implementation rule.
24 And if the Board approves it, it would go forward. This
25 particular SIP would be done.

1 Now, we would immediately begin working on the
2 next SIP like we always do. And we could start working on
3 an evaluation of whether the BACM requirement is already
4 met or whether there is a technology advancement that
5 might change the standard for BACM, but we would start
6 that immediately. EPA would go back and do their
7 implementation rule. They set the deadlines for submittal
8 of the next SIP through a SIP call. And they haven't
9 given us any indication of how much time we would have to
10 do that. But certainly they give us at least a year.
11 They did that with the one-hour ozone SIP call.

12 CHAIRPERSON NICHOLS: The point being that the
13 alternative, just hypothetically, of not approving a plan
14 leaves them with no approved plan, which then means they
15 can't be sued to make them implement the regulations that
16 are in the approved plan or in any other way forced to do
17 it, not that they would necessarily not. But it's kind of
18 you're damned if you do and damned if you don't, right?

19 MR. NEWELL: I have a point of order. We could
20 put up a footnote from the opinion that will explain what
21 the differences are.

22 CHIEF COUNSEL PETER: There are two footnotes,
23 and they're about this long and very legal of the court.
24 But basically, it hits some of the points that both Brent
25 brought up earlier and that Lynn was addressing, the

1 difference between BACM, RACM, the presumption for ammonia
2 and so forth. We can do that. I'm not sure it's going to
3 be helpful.

4 I think your point is there is nothing that keeps
5 the Board here from acting on this plan and also
6 re-visiting it.

7 CHAIRPERSON NICHOLS: Well, I would be very
8 interested in seeing the footnote. I don't want to see it
9 put up on a slide. I'd like to actually read it on a
10 piece of paper. I'd like to read the opinion, if that's
11 possible. And maybe we may want to take a little bit of
12 time to do that. But let's -- thank you. Appreciate
13 that. We can do that.

14 MR. SADREDIN: Madam Chair, if I could just in
15 response to Mayor Loveridge just add a couple other
16 thoughts in addition to what your staff has already said.

17 First of all, EPA, nor the court, after this
18 ruling came back and said, all right. Wait a minute. You
19 don't have to submit your plan now the deadline in effect.
20 We are essentially in the sanction phase as soon as EPA
21 says no plan has been submitted. Both South Coast and San
22 Joaquin would be -- under the current state of the law,
23 failure to act would not meet the Clean Air Act.

24 CHAIRPERSON NICHOLS: That was my next question.
25 You have a deadline to submit something.

1 MR. SADREDIN: But in terms of what the Mayor
2 Loveridge asked how soon would this come to you. Aside
3 from six months from now and the context of the one-hour
4 ozone plan and all the other plans, but just this
5 particular plan, I think the likely scenario is that if
6 EPA does not appeal, they will do a rule that at the
7 minimum will require us at some point to at least make a
8 demonstration that we meet these requirements. And that
9 could be a few months from now or more than a year,
10 depending on how soon EPA acts.

11 I'm confident that we can meet all those
12 requirements, although we're not asking your Board to make
13 a finding upon that. Your staff cannot make a finding
14 upon that.

15 I'm thinking, at minimum, a demonstration will be
16 required. And if the demonstration has some gaps, that
17 more needs to be done, then a plan has to be submitted
18 back to you or EPA will reject it, send it back, and we
19 have to come back with another plan for you.

20 CHAIRPERSON NICHOLS: Well, okay. Thanks.

21 I think I'm going to close this part of this
22 discussion down. It's making it more confusing.

23 Yes, you had a different point, though.
24 Completely different question. Yes, of course.

25 BOARD MEMBER BALMES: They're more comments than

1 questions.

2 First off, I mentioned before that I like data.
3 And I actually collect data on health among residents of
4 the San Joaquin Valley, particularly with regard to
5 Fresno. But our group at U.C. Berkeley, collaborating
6 with Stanford, is also starting to do work in the valley
7 at large. Actually, the four most populous counties in
8 the Valley, including Kern.

9 CHAIRPERSON NICHOLS: Is this a commercial?

10 BOARD MEMBER BALMES: No, it's not.

11 Madam Chair, actually, thanks for the joke, but
12 I'm really being quite serious here. Because I want to
13 validate the community members' concerns about air
14 pollution exposures in the San Joaquin Valley.

15 First of all, I want to thank all the community
16 members that came and spoke and took the time. I know
17 it's easier for those of us in suits that have to be here
18 as opposed to people who don't have suits who have a hard
19 time missing work or missing their families to be here.

20 And the point I was starting to make about our
21 research is I agree with the presentations because I know
22 the data that air quality is better in the San Joaquin
23 Valley than it used to be with regard to the criteria air
24 pollutants. And that's what the Clean Air Act is all
25 about.

1 But our recent findings, some of which aren't yet
2 published, but have been presented recently in Sacramento
3 at the Cal/EPA building, suggest that a problem that we
4 don't have a handle on yet is near-roadway traffic
5 exposures, which isn't really regulated. We're doing a
6 good job of trying to improve emissions -- try to reduce
7 emissions from vehicles. But I just want to underscore
8 how important that is, because even if we get regional
9 PM2.5 to be in attainment with the EPA -- current EPA
10 standard and it's going to be stricter in the future, as
11 most of you know, we still won't have solved all the
12 problems. So that was point one.

13 And with regard to an outcome that we've started
14 to look at low birth -- well, excuse me -- pre-term birth.
15 So premature births, there's quite an impressive
16 relationship between exposures to criteria air pollutants
17 throughout the valley and pre-term birth, specifically
18 very early pre-term birth. And we have this crude
19 multi-pollutant index where if you're in the top quartile,
20 the highest 25 percent of exposure to the criteria air
21 pollutants and you also throw in the highest quartile of
22 traffic exposure based on traffic density near your home,
23 then you have considerably greater risk of having a
24 pre-term birth than if you live in a clean place without
25 any exceedances -- excuse me. I shouldn't say

1 exceedances. But the lower three-quarters of the
2 population exposed to less pollution.

3 So I guess my point is, as a air pollution health
4 effects researcher, the valley does, indeed, have a long
5 way to go. And the people that are most impacted are
6 people in low income minority communities. And our
7 research also shows that.

8 We were enjoined by one member of the public that
9 testified that not just to listen, but to act. And I
10 think for the reasons that have just been discussed, we
11 need to approve the current plan. Because not approving
12 the plan doesn't gain us any benefit in terms of reducing
13 pollution. And it will just bring down the wrath of
14 federal EPA, which I don't think we necessarily want even
15 the community health folks really don't want EPA to be
16 stopping. I don't think they want stopping development in
17 the Central Valley because Central Valley development
18 involves jobs and transportation funds actually. So I
19 think we should approve the plan, but I also think we
20 should be trying to do more, especially in the near term.

21 CHAIRPERSON NICHOLS: Well, thank you for that.
22 And I apologize if my attempt to inject humor was seen as
23 undermining the issue.

24 BOARD MEMBER BALMES: I can handle it.

25 CHAIRPERSON NICHOLS: I do want to say that your

1 point about the research again underscores the fact that
2 there is a difference between what we're doing here
3 legally in terms of complying with the requirements of the
4 Clean Air Act to come up with a plan to deal with a
5 regional air pollutant which is based on these complex
6 models and demonstrations that are based on numerical
7 calculations over a particular monitoring station versus
8 what people actually breathe on a day-to-day basis. And
9 the research that you and your colleagues are doing has
10 really helped educate many of us, even including me, about
11 the fact that even meeting the air quality standards in
12 and of itself doesn't guarantee that people in particular
13 locations, especially those living along freeway corridors
14 are being exposed to much worse pollution than the law
15 necessarily wanted them to see. But that's just the
16 way -- that's the way the standards work. That's the way
17 the law works. We're still required to do a plan to meet
18 those standard, regardless.

19 But what the testimony here today really reminded
20 me of was the fact that even if we were to meet the
21 standards, we need to be doing more in those parts of the
22 state where people are exposed to the worst pollution.
23 And particularly as we've been told time and time again,
24 this tends to be correlated heavily with being in a
25 low-income community being isolated, racial minorities,

1 ethnic minorities, and so forth, that we need to be
2 directing more attention and more resources in the
3 direction of helping to improve overall exposures in those
4 communities.

5 I'm hopeful since I'm always looking for
6 something to be optimistic about that in addition to the
7 progress that will come about from moving towards the
8 standards that the ability that we now have to help direct
9 some financial resources through the legislation that's
10 going to be allocating money that comes out of AB 32 will
11 be targeted exactly in that area. That's really the first
12 time we've been in a position to do that. And thanks to
13 the last year's legislation that the Governor signed, that
14 the emphasis is on disadvantaged communities. So there
15 may be some better news on the way.

16 But I agree with the thrust of your comment that
17 not moving forward today would be worse than acting, it
18 seems to me.

19 Yes, Dr. Sherriffs.

20 BOARD MEMBER SHERRIFFS: Thank you.

21 I also want to thank very much all who testified,
22 both in person and submitted letters.

23 I would also agree that the fact that many who
24 testified have had to leave in no way diminishes their
25 contribution or the force of their arguments.

1 This is a very challenging process for everyone.
2 The goals are very challenging. I also recommend
3 acceptance of the plan. And I do that as the
4 representative to this Board of the San Joaquin Valley Air
5 Pollution Control District, which voted unanimously in
6 support of the plan. I also do that -- I don't feel too
7 conflicted here, a little conflicted here, but not too
8 conflicted, as a member of this Board conflicted for
9 reasons that have been discussed.

10 The plan provides significant improvements in air
11 quality, and we need to grab what we can grab. This is
12 clearly going to lead to definite health benefits, both to
13 individuals and communities. But it is never fast enough.

14 The San Joaquin Board moved that wood burning
15 rule forward, and that means 90 percent of the residents
16 of the Valley will be living in areas that meet that
17 standard in 2017. But as has been mentioned, that means
18 their ten percent, it's going to take another couple years
19 to get there. And there are different health effects in
20 the mean time for that group. We all want this as soon as
21 possible.

22 There were many important observations and
23 suggestions, expectations from those who gave testimony.
24 And I really want to urge those who testified to stay
25 engaged in this process, to attend the San Joaquin Valley

1 Air Pollution Control District Board meetings, workshops,
2 their aspects of the plan that I think do have potential
3 to be moved forward.

4 We've talked a little bit about charbroiling, and
5 I can't request. I guess we're looking for jack in the
6 black box to help us with that one. Sorry.

7 But this is not the last plan. This is not the
8 last best plan. This is not the last standard that we
9 will need to meet. We are committed to incremental
10 progress. Better science as has been pointed out leads us
11 in better directions, but also ends up presenting new
12 challenges. So really appreciate the comments of those
13 who testified, and the hope they will continue to be
14 engaged and keep us moving in the right direction.

15 BOARD MEMBER LOVERIDGE: If that's a motion, I
16 will second the motion.

17 CHAIRPERSON NICHOLS: I will take the comment as
18 a motion, and it's been seconded by Mayor Loveridge.

19 Are there any additional comments or questions?

20 I should have closed the record before. The
21 record is closed on this item. We will go ahead and vote.

22 If not, I'm going to ask the Clerk to call the
23 roll.

24 BOARD CLERK JENSEN: Dr. Balmes?

25 BOARD MEMBER BALMES: Yes.

1 BOARD CLERK JENSEN: Ms. Berg?

2 Ms. D'Adamo?

3 BOARD MEMBER D'ADAMO: Yes.

4 BOARD CLERK JENSEN: Mr. De La Torre?

5 BOARD MEMBER DE LA TORRE: Yes.

6 BOARD CLERK JENSEN: Mayor Loveridge?

7 BOARD MEMBER LOVERIDGE: Yes.

8 BOARD CLERK JENSEN: Mrs. Riordan?

9 BOARD MEMBER RIORDAN: Aye. Be different. Which
10 means yes.

11 BOARD CLERK JENSEN: Dr. Sherriffs?

12 BOARD MEMBER SHERRIFFS: Aye. Yes.

13 BOARD CLERK JENSEN: Professor Sperling?

14 BOARD MEMBER SPERLING: Yes.

15 BOARD CLERK JENSEN: Chairman Nichols.

16 CHAIRPERSON NICHOLS: Yes.

17 BOARD CLERK JENSEN: The motion passes.

18 CHAIRPERSON NICHOLS: Thank you very much.

19 And congratulations on a major step forward.

20 Thank you very much.

21 We have one more item, but I think we should
22 probably give ourselves a stretch break here. And let's
23 give ourselves ten minutes. Is that sufficient? Okay.
24 And then we will resume with our discussion of progress on
25 SB 375. Thank you very much.

1 (Whereupon a recess was taken.)

2 CHAIRPERSON NICHOLS: Let's quickly move to the
3 presentation. Staff, I know you've worked hard to put
4 this together. But I'm going to ask everybody to be as
5 quick as they can.

6 (Thereupon an overhead presentation was
7 presented as follows.)

8 MS. KIMURA: Thank you.

9 I'll begin with some background on Senate Bill
10 375 implementation related to the San Joaquin Valley.

11 --o0o--

12 MS. KIMURA: In September 2010, this Board set
13 passenger vehicle greenhouse gas emission reduction
14 targets for all metropolitan planning organizations in
15 California, including the Valley MPOs covering San
16 Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, and
17 Kern Counties.

18 At the time targets were set, the Board
19 recognized that these MPOs were faced with several
20 challenges, including the timing of their four-year
21 regional transportation plan updates, the need for
22 significant travel demand model improvements, and a policy
23 decision the Valley MPOs need to make about how to
24 coordinate their SB 375 planning efforts. This is a
25 special option for the valley provided by statute.

1 --o0o--

2 MS. KIMURA: The MPOs have made significant
3 progress over the past two years. They've worked with
4 each other and in coordination with ARB and the San
5 Joaquin Valley Air District staff to build the technical
6 and policy foundation for SB 375 implementation and
7 sustainable communities strategy plan development.

8 The San Joaquin Valley Regional Planning Agencies
9 Policy Council made up of elected officials from each of
10 the eight counties, along with the eight MPO Executive
11 Directors have continued to take a leadership role in
12 coordinating efforts between the agencies.

13 Their efforts have resulted in completion of a
14 significant amount of work so far on both travel model
15 improvements and scenario planning, that support their SCS
16 plan development efforts.

17 Moving forward, the MPOs have acknowledged there
18 is still more work to be done, including ongoing
19 information sharing with ARB staff on their continued
20 multi-county coordination efforts.

21 --o0o--

22 MS. KIMURA: Under the leadership of the Policy
23 Council, the MPO initiated a joint process in 2010 to
24 improve their travel demand modeling capability. This
25 process, known as the San Joaquin Valley Model Improvement

1 Program, or MIP, was funded by a \$2.5 million grant from
2 the Strategic Growth Council. The funds come from
3 Proposition 84 revenues.

4 Over the past two years, a team of technical
5 consultants worked with staff from each of the eight MPOs
6 to upgrade the models and modeling processes. The MIP
7 resulted in a substantially upgraded and standardized
8 travel models delivered in the summer 2012.

9 The new models standardized the software, inputs,
10 and methodologies between the eight MPOs. This
11 standardization enhances the MPOs' ability to share data
12 and resources with each other, coordinate on model
13 improvement and training efforts, as well as analyze
14 multi-county issues. The new models are also designed to
15 better evaluate the types of land use and transportation
16 policies likely to be considered in their SCS plan
17 development. They are built to be more sensitive to the
18 effects of land use and travel network characteristics,
19 travel cost, congestion, as well as socioeconomic
20 variables, such as household income and vehicle ownership.

21 Work is ongoing to get the new models ready for
22 official adoption and use in their RTP/SCS planning
23 processes, and MPO staff anticipate releasing a
24 calibration and validation report for the new models later
25 this year.

1 --o0o--

2 MS. KIMURA: A number of work efforts are also
3 underway to support scenario planning as part of the MPOs
4 RPT/SCS plan development. One effort focuses on
5 incorporating planning information from recent demographic
6 and housing market trend analyses into each MPO scenario
7 planning discussions.

8 Most recently, a study by the Infill Builders
9 Association and studies completed for the MPOs by the
10 Planning Center and Concord Group provide new information
11 on the housing market outlook specific to the counties in
12 the Valley. These analyses address current housing supply
13 levels and projected future demand and supply by housing
14 type and tenure related to demographic, economic, social,
15 and other trends. They suggest that in order to better
16 meet future market demand, housing growth in the valley
17 will need to include a larger proportion of smaller home
18 types, smaller lots, attached, and rental housing.

19 A report released last week by the American
20 Farmland Trust underscores the importance of this
21 information to Valley planning agencies as they work on
22 their SCSs, since plans that help meet these trends are
23 also expected to help the Valley's farmland conservation
24 efforts.

25 In addition to working with newly available

1 planning data, the MPOs in partnership with the Valley Air
2 District have also invested in the development of a new
3 county-specific land use scenario tool called Envision
4 Tomorrow. This tool is intended to assist MPO and local
5 agency planners in more easily exploring and quantifying
6 the effects of different land use scenarios. The Fresno
7 MPO has already started using this tool for scenario
8 investigation with their local partners and stakeholders.

9 --o0o--

10 MS. KIMURA: Local general plans are one guide
11 for developing land use scenarios in the scenario planning
12 process. For this reason, the MPOs and other Valley
13 stakeholders are also working with their local member
14 agencies to incorporate sustainable growth strategies into
15 these and other local programs.

16 Currently, 14 of the larger cities in the Valley,
17 including Fresno and Modesto, and 43 of the smaller cities
18 in the Valley have ongoing work to integrate sustainable
19 growth principles into their local general plans and other
20 policy documents with help from both federal and State
21 grant funds.

22 Furthermore, recognizing that SB 375 introduces a
23 new planning approach with the SCS, the MPOs are working
24 on a coordinated public outreach effort to get their
25 residents and stakeholders engaged with the new process.

1 Using funding received through another Proposition 84
2 grant, they are working to develop a public outreach
3 strategy, coordinate workshops, and develop informational
4 tools and displays.

5 In total, the MPOs in the Valley have received
6 \$4.5 million in Proposition 84 funds to support
7 sustainable communities planning.

8 --o0o--

9 MS. KIMURA: In anticipation of today's update to
10 the Board, the MPOs also developed informational scenarios
11 using early version of their new travel models. The
12 scenarios for 2020 and 2035 are starting points from which
13 each MPO will begin the local dialogue to develop
14 strategies for their regional plans.

15 Some of the strategies evaluated in these test
16 scenarios include increases in compact development and
17 focused growth along existing major corridors and activity
18 centers of each county. The results provide preliminary
19 information about how the new models are representing
20 these regions. Recognizing that the results will change
21 as the RTP/SCSs are developed and refined, the MPO
22 Executive Director's proposed and the Policy Council
23 adopted a recommendation to ARB that five and ten percent
24 reduction targets for 2020 and 2035 respectively be
25 maintained on an aggregate valley-wide basis.

1 In making this recommendation, the Policy Council
2 reflected the Valley MPOs commitment to continue their
3 coordination efforts.

4 --o0o--

5 MS. KIMURA: ARB staff will continue to be
6 actively engaged with the MPOs and stakeholders as the
7 details relating to implementation of these joint targets
8 are worked out. With first draft SCS plans anticipated
9 this summer, ARB MPO coordination and information sharing
10 will focus on reviewing the greenhouse gas technical
11 methodologies in the first half of this year, followed by
12 formal evaluation of MPO modeling and plans later in the
13 year.

14 That concludes my presentation. Thank you.

15 CHAIRPERSON NICHOLS: Thank you, Ms Kimura.
16 Obviously, this is a challenging task, and we're not
17 finished. And there has been progress. And it's good to
18 hear that people are optimistic about how far they can get
19 with all of this, in spite of what I know are significant
20 challenges. But I suspect we're going to hear suggestions
21 for how folks think they could perhaps do better. So we
22 should certainly be listening to that as well.

23 I think the good news is SB 375 has provoked a
24 lot of work in a good way. I mean, it's positive
25 assessment analysis thinking that is being done. And I

1 really think this supports a somewhat optimistic view I
2 guess of where we're headed on air quality overall as well
3 because these things are not unconnected, you know, even
4 though the plan is not part of our SIP. We know that the
5 steps that are being taken towards sustainable community
6 strategies and are designed to reduce emissions of
7 greenhouse gases will have a beneficial effect on air
8 pollution as well. So it's perhaps a back-door way of
9 getting there. But I think it's good to bear that in mind
10 that there are co-benefits to everything I guess will be
11 how I would put it.

12 We do have a number of people who have signed up
13 who said they want to come talk about this. But we have a
14 question.

15 BOARD MEMBER SHERRIFFS: Thank you.

16 I agree it's great to see the progress made and
17 the buy-in of the process that's evolved.

18 Talking about next steps, obviously, staff are
19 going to continue to be engaged with the MPOs. When does
20 that Board hear again? What's that plan?

21 MS. KIMURA: So the process is once the MPOs
22 finally Adopt their RTP/SCSs, which they have told us they
23 anticipate to do in the fall of this year, ARB staff will
24 undertake the process of reviewing those plans. And it is
25 likely we will come back to the Board at that point and

1 report to you on our review.

2 CHAIRPERSON NICHOLS: Okay. I'm going to start
3 calling on people who have signed up to speak then,
4 beginning with Betsy Reifsnider and then Patricia Taylor
5 and Will Barrett.

6 MS. REIFSNIDER: Hello again. And thank you.
7 Betsy Reifsnider, Catholic Charity Diocese of Stockton.

8 We are a signatory of the Seizing the Opportunity
9 platform that I believe you all received. And in
10 addition, we are part of a coalition of the Northern San
11 Joaquin Valley working with historically marginalized
12 groups who are trying to shape how their communities will
13 grow and prosper, and the SB 375 process will help make
14 that happen. So we're very encouraged.

15 We're particularly pleased to work closely with
16 the San Joaquin Council of Governments and with their SB
17 375 Public Advisory Committee that they have started. And
18 we believe that every county in the Central Valley should
19 meet the eminently achievable targets of five percent by
20 2020 and ten percent by 2035.

21 We believe every county should have a transparent
22 SB 375 process, and we believe that every county should
23 report on its own reductions in greenhouse gas emissions
24 and vehicle miles traveled.

25 We ask ARB to help Central Valley Councils of

1 Government work with underrepresented communities to find
2 ways for these communities to be fully engaged. And
3 people do want to be engaged. At one of our community
4 coalition meetings, we heard from San Joaquin County
5 nonprofit hospitals that they conduct a community health
6 needs assessment every three years. And they found that
7 access to public transportation was one of people's
8 biggest public health concerns through this needs
9 assessment.

10 So finally, we're very encouraged, and thank you
11 so much. And we hope you'll do everything to make the SCS
12 targets ambitious and achievable, that reporting as
13 transparent and specific and the planning process welcomes
14 everyone. And I thank you so much for the opportunity.

15 CHAIRPERSON NICHOLS: Thank you.

16 Ms. Taylor and then Will Barrett and Gordon Nipp.

17 MS. TAYLOR: Madam Chair, members of the Board,
18 thank you for this opportunity to provide you with a
19 status report on 375 in the Valley.

20 My name is Patricia Taylor. I'm with the Madera
21 County Transportation Commission. I'm here this afternoon
22 to represent the San Joaquin Valley COG Regional
23 Transportation Planning Agencies.

24 Lezlie actually did a fantastic job providing you
25 and explaining to you the status of the SB 375 in the

1 valley. So my focus this afternoon will primarily be on
2 the valley's implementation efforts and our commitment.

3 The San Joaquin Valley MPOs are committed to
4 development of an implementation plan for the targets.
5 Now, this will occur as part of the SCS documentation. As
6 it was mentioned earlier, in Lezlie's presentation, the
7 Policy Council met December 14th and took the action to
8 support the existing five percent and ten percent targets
9 to be maintained. The individual eight county MPOs also
10 took similar action at our November, December, and January
11 meetings.

12 The valley has a long history of voluntarily
13 coordinating efforts. And I'll touch on that in the next
14 slide. Inter-agency planning efforts between MPOs and ARB
15 will continue and is ongoing, especially over the months
16 ahead as final numbers result from the SCS process.

17 Coordination is ongoing in the valley. It is
18 nothing new to the valley MPOs. The San Joaquin Valley
19 has a long history of successful coordination. As a
20 matter of fact, in early 1990s -- actually 1992, the
21 Valley determined that it is in our best interest to work
22 together as it relates to air quality planning. So we all
23 signed onto a Memorandum of Understanding to ensure a
24 coordinated and regional approach to transportation and
25 air quality efforts.

1 Our working relationships in regards to
2 coordination and cooperation were related to
3 transportation air quality has evolved over the years.
4 And we have worked on a number of planning efforts
5 together. Prop 1B, 99 bond funding, goods movement
6 planning, the model improvement program, blueprint
7 planning, and we've also had created the Policy Council,
8 which was formed in 2006. And Lezlie also mentioned
9 that's a 16-member Board made up of two elected officials
10 from each county. It's a true partnership in working
11 together on regional issues. And the main purpose is to
12 build regional consensus on issues of valley-wide
13 importance.

14 Each MPO is currently in the process of
15 developing its RTP and its SCS and development continues
16 through a public outreach effort. Some cost effective
17 innovative strategies include the blueprint toolkit, which
18 is an educational guide and a reference source. It's a
19 voluntary way for local jurisdictions to identify
20 strategies to implement SCS land use strategies.

21 There's ACE, which is the Altamont Commuter
22 Express, the San Joaquin Intercity Rail, the BRT, Bus
23 Rapid Transit, and increased vanpool and carpool programs.

24 I'll skip the next two slides for the sake of
25 time.

1 For the next steps moving forward, development of
2 the implementation plan to document how the Valley will
3 demonstrate compliance with the Valley-wide SB 375 target
4 is anticipated to be completed within around the summer of
5 this year. The development of the RTPs and the SCS each
6 MPO will develop an individual SCS that will include a
7 coordinated Valley-wide chapter. This is anticipated to
8 be completed in the fall of this year.

9 CHAIRPERSON NICHOLS: So overall you're on track.

10 MS. TAYLOR: Yes, we are on track. That's our
11 goal.

12 In conclusion, the Valley's MPOs have coordinated
13 efforts since 2010 and are committed and moving in a
14 positive direction towards implementation of SB 375. The
15 MPOs recognize one size does not fit all and that
16 differences among the MPOs should be recognized.
17 Significant positive strides have been made and they
18 continue to move forward. Thank you for the opportunity.

19 CHAIRPERSON NICHOLS: Thanks. I'm sorry for the
20 curtailed time. Three minutes goes by really fast. I'll
21 remind the others as well. Okay. Thank you.

22 Will Barrett, then Gordon Nipp and then Mario
23 Talavera.

24 MR. BARRETT: Good afternoon. Will Barrett with
25 the American Lung Association of California. Happy to be

1 here again today to talk to you about the Lung
2 Association's strong support for SB 375 implementation.

3 The Lung Association was engaged in SB 375 in the
4 Legislature all throughout the RTC process and in the
5 development of all of the SCSs to date. We're in the
6 process now of hiring the new full-time staff to work on
7 implementation both in the Valley and in the Inland
8 Empire. Very excited about that.

9 The Lung Association's commitment to SB 375 is
10 shared by a deep coalition that Betsy Reifsnider mentioned
11 earlier. We're also a signatory to that. But also the
12 public health and medical organizations that have
13 testified before you along the way, including the Fresno
14 Madera Medical Society who wanted to pass along their
15 apologies they weren't able to be here today, but do share
16 a lot of the same goals I have to speak to you about.

17 We know that building health into the planning
18 process early is key to reducing the burdens of harmful
19 air pollutants as well as a wide range of chronic
20 illnesses associated with auto dependent community design.

21 At this point, we're working with several health
22 partners to develop new health benefit data and other
23 cobenefit data that could accrue across the valley using
24 the rapid fire model scenario or a scenario that tracks
25 with some of the housing market demand data that was

1 mentioned earlier.

2 The preliminary results -- we're showing
3 significant benefits within the Valley in 2035, including
4 approximately \$350 million in avoided health costs, 435
5 square miles of land conserved, billions of gallons of
6 fuel saved, which translated into a few thousand dollars
7 per year, and household savings, as well as \$2.7 billion
8 in infrastructure avoided cost for municipalities.

9 The COGs have been receptive to the need for more
10 health information. To date -- and we will definitely be
11 sharing our more developed data with them in the coming
12 month. The Valley COG should certainly be commended for
13 coming together in this coordinated effort. We know that
14 the modeling improvements that have been made and the
15 coordination that's gone on through the Policy Council
16 will pay dividends as the eight plans come together in the
17 future.

18 But today, we just want to request that the Board
19 work both to support the COGs in achieving their targets
20 but also to ensure accountability to the targets as well.
21 We ask that the Board support all of their COGs in
22 achieving the five and ten percent targets individually.
23 Clearly, some COGs will achieve these and go beyond these
24 targets. But we would like to see all of the COGs hitting
25 the five and ten percent even within a valley-wide

1 structure, because we don't want any of the individual
2 communities to miss out on the co-benefits that we see as
3 so important.

4 We also believe secondly that the Board should
5 work to ensure consistent progress is planned between 2020
6 and 2035 so that performance doesn't weaken in the later
7 years of the program.

8 And then we would also like to see all the
9 counties in the COGs evaluate and report the benefits of
10 their own plans, even within the full valley-wide process,
11 including VMT, greenhouse gas emissions, and any health
12 co-benefits they can model.

13 So, again, we want to say we hope to see the
14 plans developed into a strong basis for progress moving
15 forward. We commend the staff of the ARB and the COGs for
16 the work to date and look forward to being a resource to
17 all the progress going forward. Thank you very much.

18 CHAIRPERSON NICHOLS: Thank you for representing
19 the health perspective in this process.

20 Mr. Nipp.

21 MR. NIPP: My name is Gordon Nipp. Again, I'm
22 the Vice Chair of the Local Sierra Club Chapter of the
23 Kern-Kiweah Chapter covering Kern County, Kings County,
24 Tulare County, southern part of the San Joaquin Valley.

25 We also are Signatories on this Seizing the

1 Opportunity document that I think you have a copy of.

2 I've attended a number of SB 375 SCS meetings at
3 Kern COG, and I think it's the staff at Kern COG is doing
4 their best to address the issue.

5 I'm pleased that Kern County and the Valley are
6 working to hit the five percent and ten percent targets.
7 It wasn't always clear that would happen.

8 Much of the focus so far has been on coming up
9 with a good computer model. An important issue to be
10 sure -- I have a Ph.D. in mathematics, and I've done
11 computer modeling myself. So it's certainly an important
12 thing to be accurate in the computer model.

13 But I'm a little concerned that maybe we miss the
14 point about actually reducing greenhouse gas emissions.
15 There needs -- maybe there needs to be more focus on the
16 underlying assumptions for the computer model. Maybe
17 assumptions like urban growth boundaries and farmland
18 preservation. And then making sure that the local
19 agencies adopt policies and enforcement measures to assure
20 that these assumptions are meaningfully implemented.

21 I would urge Air Resources Board to closely
22 scrutinize the plans of counties to assure that these
23 plans are transparent and they are implemented equitably
24 and effectively to ensure that the proposed reductions in
25 vehicle mile traveled and greenhouse gas emissions

1 actually occur, not only on paper, but on the ground as
2 well.

3 Climate change is probably the foremost issue for
4 my organization, the Sierra Club. It could very well be
5 the defining issue for our species.

6 We thank you for your efforts to ensure that SB
7 375 is ambitiously and effectively implemented and
8 enforced. And I thank you for coming to my hometown,
9 Bakersfield.

10 CHAIRPERSON NICHOLS: Thanks again.

11 Is Mr. Talavera still here? I don't know if he
12 wanted to testify on this item. Yes, come on down then.

13 And then Ms. Jonasson and Ms. Sharpe.

14 MR. TALAVERA: Good afternoon, Board of
15 Directors, once again. My name is Mario Talavera. I'm
16 the President of LUCA, Latin Americans United for a Better
17 Quality of Air.

18 I live in Fresno. I've been following the plan
19 of this measure, SB 375. In Fresno, I have joined two
20 others groups of public interest to signal how the Valley
21 can take advantage of this opportunity. We appreciate the
22 work of the Government Board of the Valley.

23 The Valley together is now at a point of reaching
24 their objective, which is five percent and ten percent,
25 which is a great advance in the few years.

1 The ambitious planification of use of the floor
2 and transportation can have big benefits for the Valley.
3 All the citizens from all the counties in the San Joaquin
4 Valley need to serve the benefits, such as driving short
5 distances, a cleaner air, cleaner water, and a place to
6 live that is safe, healthy, and accessible.

7 All of the counties in the Valley must begin
8 ambitious actions, fulfill the objectives of the five and
9 ten percent, and continue lowering the pollution in the
10 following years.

11 The Air Resources Board must ask to every Board
12 of the government that each of them informs about their
13 reductions in miles -- in miles they have traveled per
14 vehicle and on their reduction of winter gases. They must
15 make this public throughout all the means of communication
16 such as radio, TV, newspapers, internet. Every Board of
17 the government that did not meet the five and ten percent,
18 or if they did, in a speedy fashion. But then after that,
19 going back in a significant manner, the Air Resource Board
20 should investigate in-depth their report to be able to
21 know that they are trying to make the effort as much as
22 possible.

23 The Air Resource Board must make sure that the
24 measure SB 375 is beneficial to all, the ones living in
25 the San Joaquin Valley, and that no one and no group shall

1 be excluded.

2 The Air Resource Board must be sensitive. The
3 Air Resource Board shall make aware to the Committee in
4 regards to the metropolitan organization as to how this
5 measure SB 375 must be equal and the manner that it should
6 not effect significantly the communities of low resources
7 of the color.

8 The Air Resources Board must support the
9 government boards of the Valley both in the study and in
10 the community that are vulnerable and that will be
11 effected financially and health-wise.

12 As I communicate this to you and transmit this
13 also to your government, to your elected government
14 officials.

15 CHAIRPERSON NICHOLS: Okay. I need you to finish
16 thank you. Thank. Great. Thanks.

17 We now have Elizabeth Jonasson. And then Sarah
18 Sharpe, and then Gary Lasky.

19 MS. JONASSON: Good afternoon. Elizabeth
20 Jonasson with Coalition for Clean Air in Fresno. And we
21 are also signatories to the Seizing the Opportunity
22 platform and agree with a lot of the comments made
23 previously.

24 I have been directly involved in SB 375 in the
25 Valley for a couple years now, particularly focused in

1 Fresno and serving on the SB 375 target-setting task force
2 and now the RPT roundtable for Fresno.

3 During this time, I have been quite impressed
4 with the increasing openness of several Valley MPOs
5 exhibited. The commitment to a more public process is
6 definitely evident.

7 While there is still a long way to go in the SCS
8 development in the Valley, I'm encouraged that the
9 majority of the MPOs are easily demonstrating attainment
10 of the targets, and I would like to see these every county
11 reach these attainable five and ten percent attainable
12 goals.

13 I would like to encourage ARB to continue working
14 proactively with Valley governments and organizations to
15 properly resolve some of the outstanding issues, like
16 ensuring consistent assumptions throughout the Valley and
17 determining how targeted achievement will be measured in a
18 way that encourages ambitious work in each county, and it
19 doesn't hamper smart growth planning in neighboring
20 counties. Thank you very much.

21 CHAIRPERSON NICHOLS: Okay. Sarah, and then Gary
22 Lasky and Roy Kendall.

23 MS. SHARPE: Good afternoon. Sarah Sharpe,
24 Fresno Metro Ministry Environmental Health Program.

25 Keep it brief. I agree with many of the comments

1 already made. We also have been participating primarily
2 in Fresno County COG planning. I sit on the Environmental
3 Justice Taskforce for the COG. And we have been following
4 this for very long time as well. In fact, I remember when
5 I was pregnant with my son, who is now two-and-a-half. We
6 were organizing people to advocate for the targets. And
7 we're pleased that we have now found we can meet them. We
8 were, as many people mentioned, not sure we would get to
9 this point. So we are very pleased that we have gotten to
10 the point where we all agree these are reasonable targets.
11 And now we can look at more ambitious targets in the
12 future.

13 So just wanted to put on the record that we
14 appreciate your revision and oversight of this process.
15 We want to make sure that it goes as smoothly as possible.
16 We are and will be participating in the SCS implementation
17 and development in Fresno County. And we have been very
18 active in getting more people involved and able to
19 understand what is happening with this and how much it can
20 benefit our communities.

21 We think that there are, as you said, co-benefits
22 that are numerous for clean air, public health, and as you
23 know, sprawl is a major issue in Fresno and our
24 neighboring counties. So we think this is a huge
25 opportunity. We appreciate your efforts and want to

1 encourage you to have as much oversight as possible.

2 Thank you.

3 CHAIRPERSON NICHOLS: Thanks.

4 Gary Lasky.

5 Mr. LASKY: Gary Lasky, Sierra Club Tehipite
6 Chapter in Fresno.

7 I wish to clarify a remark I made earlier. There
8 are 150,000 members of the Sierra Club in California. And
9 we cover four counties, our chapter. I'm the Vice Chair
10 of Fresno, Merced, Madera, and Mariposa. Three of these
11 are within the air district in the Valley.

12 And our focus this coming year is going to be on
13 working with Madera County to have the best possible SCS
14 document they can obtain. We're deleted that the
15 outlining counties, in particular, Tulare and Madera
16 recently have agreed to the five and ten percent reduction
17 in vehicle miles traveled.

18 I just wish to take a minute here and clarify
19 that in an emerging and sprawling place where there is an
20 opportunity for housing development, such as Madera
21 County, we have a number of developments that are
22 presently proposed. One is under litigation right now
23 where Caltrans as well as the city of Fresno and others
24 have filed suit. That's because one reason is the traffic
25 that will be generated will be just enormous. Not only

1 the vehicle trips, but the conjunction.

2 The developers have proposed that there be
3 jobs/housing balance, three million square feet in one
4 project for light industrial and commercial development.
5 But the question is we've learned elsewhere in the state
6 of experiences in Contra Costa County and Orange County
7 back when I was a Ph.D. student down in Irvine that you
8 may build the housing and try to find jobs there, but the
9 people that can afford the housing in that community --
10 the people who work in that community may have to commute
11 in from a lower cost housing place. So you end up with
12 what may appear to be a housing/jobs balance on paper, but
13 in reality you have commuters going both directions.
14 That's something we want to avoid.

15 The good news is that with these five and ten
16 percent guidelines, they're per capita, so that even
17 though we increase our population, we have the potential
18 to reach and exceed the reductions that are proposed in
19 the VMT target.

20 And want to thank you all for your participation
21 and particularly for the work before the Regional Policy
22 Council when I was there last fall, and I recognize that
23 CARB was doing their very best to help these different
24 MPOs work together. And now that they have, we want to be
25 sure that each one will be able to reach or exceed their

1 targets of five or ten percent. Thank you very much.

2 CHAIRPERSON NICHOLS: Roy Kendall.

3 MR. KENDALL: Good afternoon and thank you for
4 the opportunity.

5 My name is Roy Kendall. I'm from Visalia,
6 California, and I'd like to offer three ideas. They're
7 not necessarily new ideas. There's almost no new ideas.
8 But these are just ideas that need to be considered to
9 improve our air quality.

10 Number one is we just strictly enforce the
11 existing, that is the current, speed limits on all our
12 roads -- not just 99, 5, but in the city limits we
13 strictly enforce the existing speed limits, you know we're
14 going to reduce air pollution. It's a given. Lower
15 speeds, lower air pollution. Higher speed, higher air
16 pollution.

17 Number two is a given also. And everybody knows
18 this. And that is that we tax cigarettes as a source of
19 first and secondhand smoke. Additional tax as a source of
20 air pollution.

21 And then third, that we just ban all fireplaces.
22 We ban outdoor incinerators, and now we just need to ban
23 indoor incinerators across the board. And I just wanted
24 to let you know I agree with Gordon Nipp and the Sierra
25 Club that we need to reject and improve. Thank you very

1 much.

2 CHAIRPERSON NICHOLS: Thank you.

3 Brian Newton.

4 Mr. NEWTON: Good afternoon, Madam Chair, Board
5 members, and staff. Thank you for the work that you do.

6 My name is Brian Newton. I'm a founding member
7 of Tulare County Citizens for Responsible Growth. We're a
8 signatory to the platform that has been handed to you
9 today.

10 Our organization has been working on the Tulare
11 County General Plan since 2005. We see rigorous
12 implementation of SB 375 as an important piece of a much
13 larger puzzle that might, if we're lucky and work hard,
14 lead to more resource-efficient growth, improve the
15 quality of life, for my, my family, and our neighbors, and
16 make an important statement in the much larger challenge
17 of climate change.

18 Frankly, we expect Tulare County to drag its
19 heels in embracing and implementing SB 375. So we need
20 you, you and your staff, to push hard on Tulare and other
21 counties to track progress or lack thereof on the VMT
22 targets and to fully realize the many potential benefits
23 of this important law.

24 On a more personal note, my wife and I have lived
25 in Visalia since 18980. We raised our daughter there, but

1 she lives in the Colorado Rockies. She has hinted she
2 would like to return to Visalia to live. However, her
3 first child will be born in June. And in good conscious,
4 for the health of her child and our grandchild, I feel I
5 must discourage her desire to move back here until the
6 Valley's air quality improves. Thank you.

7 CHAIRPERSON NICHOLS: Thank you.

8 Felicity Lyons.

9 MS. LYONS: Hello, Chairman Nichols and
10 California Air Resources Board. Thanks for the
11 opportunity to talk about the San Joaquin Valley SB 375
12 targets with you today.

13 My name is Felicity Lyons. I'm the Sustainable
14 Communities Coordinator at Housing California in
15 Sacramento. And for those of you who don't know what we
16 do, we are the voice in the State Capitol for children and
17 seniors and families, people experiencing homelessness and
18 everyone who needs a safe, stable, affordable place for
19 people to call home.

20 We've also signed onto the platform that you
21 received a copy of and others have mentioned. And I just
22 wanted to talk a little bit about the study that was
23 referenced by the ARB staff that talked about the demand
24 for small lot single family homes and attached family
25 housing units, such as apartments and townhomes. The

1 result of the study should be weighed heavily when
2 planning for new development in the Valley, more focused
3 growth pattern will save Valley households in driving and
4 utility cost.

5 I also wanted to echo Mr. Lasky's comments about
6 the jobs/housing balance and discuss that the jobs/housing
7 fit is sort of the term that we use to make sure there is
8 a good balance between wages and affordability of homes.
9 And you'll find a description of that in our platform.

10 In addition to new housing development, the
11 economic success of the San Joaquin Valley is dependant on
12 low-wage workers, many of whom will never move into the
13 newly constructed homes. So their existing homes are
14 important to consider. Many live in dilapidated housing
15 conditions, often in communities that lack basic
16 infrastructure and opportunities for economic advancement.
17 And so careful planning should ensure that all of these
18 residents, especially low-wage workers are able to live
19 where they work, use public transportation to get where
20 they need to go and lead healthy lifestyles.

21 Regarding the targets, I also concur with the
22 comment by others that each county individually should
23 meet the targets of five and ten percent, and they should
24 be recorded separately in order some ensure transparency
25 to the public. As the Valleys work together, the public

1 should included in determining what guidance is provided
2 by ARB.

3 Finally, ARB should help to ensure that SB 375
4 provide the benefits for residents across the San Joaquin
5 Valley and that no community or residents are left behind
6 by helping the Valley COGs to access the state-of-the-art
7 methods that are available to identify environmental
8 justice communities and examine health and equity benefits
9 of scenarios and also perhaps form a panel of
10 environmental justice experts and fund research projects
11 on equity and environmental justice issues to provide
12 technical assistance to the Council of governments.

13 Thank you for your time today. Housing
14 California and our local partners here in the Valley look
15 forward to continued engagement on SB 375 implementation.

16 CHAIRPERSON NICHOLS: Okay. Thanks.

17 Virginia Madueno.

18 MS. MADUENO: Good afternoon, Chair Nichols, and
19 distinguished members of the Air Resources Board.

20 My name is Virginia Madueno, and I'm a life-long
21 resident of the San Joaquin Valley. I'm also a small
22 business owner, community leader, and a community
23 advocate.

24 I'm here to tell you or to ask you to continue to
25 do the good work that you're doing and to do diligence in

1 working with our Valley COGs. Greater emphasis should be
2 placed on how we can all come together as a region to show
3 a real commitment and ensuring a better quality of life
4 for our residents.

5 Our Valley deserves leadership that can support
6 an effort in helping to improve air quality for all.

7 We applaud the work already done and know that
8 every county in the Valley can and should continue to do
9 its due diligence in meeting the targets.

10 As a business owner, I recognize the importance
11 and to find solutions for businesses and residence in the
12 Valley to co-exist. It's a matter of coming together and
13 finding meaningful dialog where we can again come together
14 and find solutions that make sense for us as a Valley. I
15 thank you for your time.

16 CHAIRPERSON NICHOLS: Craig Brown.

17 MR. BREON: Good afternoon. Craig Breon, like
18 Bri on crackers, without the crackers.

19 I'm the Regional Climate Change Program Director
20 for the Sierra Nevada Alliance. We have 85 member groups
21 up and down 400 miles of the Sierra, many in the southern
22 Sierra.

23 Part of my involvement here is to remind people
24 while we continually say this is the San Joaquin Valley
25 for the counties Madera, Fresno, Tulare, and Kern have

1 substantial land in the Sierra. And the decision made
2 under this law have heavy impacts, both for the future
3 growth pressure and for the air quality of the southern
4 Sierra.

5 In coming down here, I was thinking of a cartoon.
6 I have it on my computer, but I have to give the visual.

7 It's a room like this with a banner that says,
8 "Climate Summit," and the PowerPoint presentation has
9 energy independence, preserve forests, sustainability,
10 green jobs, livable cities, renewables, clean water,
11 healthy children, et cetera. And then there is a
12 curmudgeon in the back saying, "What if it's all a big
13 hoax and we create a better world for nothing?"

14 Even if you didn't think that SB 375 was going to
15 do great things to reduce vehicle miles traveled and
16 therefore greenhouse gases, as Chair Nichols was talking
17 about the co-benefits, what this law can do in a modest
18 form in the next 10 to 15 years, if implemented right, is
19 bring us a little more affordable housing to these
20 communities, to allow lower income people to spend a
21 little less money on transportation on a yearly basis, to
22 have some additional preservation of farmlands and
23 foothills, and to have slightly more optimistic outlooks
24 for our local jurisdiction's budgets. But those
25 co-benefits alone make this something tremendously

1 valuable.

2 And there's a lot of us in this room that are
3 going to help with the heavy lifting here. It's the
4 general plans, the individual development projects, the
5 transportation projects that come forward. But if you
6 guys set the ground rules or help set the ground rules,
7 you've heard what many of us who have signed onto
8 this platform, including my organization, have emphasized
9 in terms of what we'd like you to focus on.

10 I hope you do read through this. It took a long
11 time for us to put it together and a lot of different
12 groups and different interests to come up with what we
13 thought our recommendations for the right path forward
14 here were.

15 And I urge you to work today in what you say to
16 us, tomorrow in what you say to your staff, and in the
17 next months in what you say to the local jurisdictions
18 here to realize the benefits of this fairly important law.

19 CHAIRPERSON NICHOLS: Thanks.

20 Daniel O'Connell and then Autumn Bernstein.

21 MR. O'CONNELL: Hi. Thank you for coming down to
22 the Valley and listening to us.

23 Daniel O'Connell, San Joaquin representative for
24 American Farmland Trust.

25 And I wanted to start and propose that land use

1 policy is going to be integral to the implementation of
2 SCS and RTP objectives in San Joaquin Valley. I'm going
3 to illustrate that in a few PowerPoint slides in a moment.

4 But I wanted to start off by acknowledging and
5 referencing this document that AFT also signed onto. And
6 it's been called a platform. And I'm still wondering what
7 the correct wording of this is. An enormously diverse
8 amount of public interest organizations worked together
9 for a very long time to do this.

10 And it's our -- so what is it? I wrote down it's
11 an expression of values. It's an articulation of a
12 process. And it's an avenue for civic engagement and
13 education, not only amongst ourselves as we learn and work
14 together, listening deeply to each other and all of our
15 own personal concerns or interests, but how we're going to
16 interact with COGs, with you. This is the Valley in a lot
17 of ways speaking what we see and want.

18 The opportunities and promises of the SCS are
19 extraordinary. And you hear often the co-benefits
20 represent for me, as we worked on this platform, I think
21 it's starting to represent a vision for the Valley where
22 we want to go.

23 So this is in there. And this is the
24 conservation portion of it. I'm just going to pass by it
25 pretty quickly for time's sake. But it lays out a process

1 that a COG or the people working on a general plan in a
2 city or a county can work on. It's a process there for
3 conservation and how they can interact with SCS.

4 Let's move onto the San Joaquin Valley. This map
5 juxtaposes irrigated farmland with irrigated areas. The
6 dark green are prime or statewide importance under the
7 Department of Conservation's mapping. The light green
8 have some problems, high salinity, water problems,
9 environmental sensitivity.

10 Let's take a closer look. An enlargement of the
11 map shows projected urban development in red and orange.
12 If the current trends continue, all of those areas in red
13 and orange will be developed. The red would be saved if
14 the B-plus scenario of the San Joaquin Valley blueprint is
15 implemented. Juxtaposing urban expansion with the
16 Valley's prime farmland puts a premium on efficiency of
17 development. Developing land efficiently for each new
18 person, job, and dollar of economic activity.

19 How is San Joaquin Valley doing with its
20 efficiency of development? We're developing a six-people
21 per acre. As you see, it's very low. How I frame this is
22 we are one of the least efficient, yet we have the most
23 valuable resources, and extraordinary problems that the
24 co-benefits of this sort of planning and SCS would greatly
25 help.

1 --o0o--

2 MR. O'CONNELL: I'd like to end with this picture
3 of Los Angeles in 1915. Up until 1955, it was the most
4 productive ag region in the United States for more
5 evidence and research AFT has a new report that I referred
6 to accept in calling saving farmland and growing cities

7 CHAIRPERSON NICHOLS: We do have your report.

8 MR. O'CONNELL: Thank you very much for coming
9 down here.

10 CHAIRPERSON NICHOLS: I saw it in advance.
11 Appreciate you guys are working on this. Of course, it's
12 about land use.

13 Autumn Bernstein and then Curt Johansen and Keith
14 Bergthold.

15 MS. BERNSTEIN: Good afternoon, Madam Chair,
16 members of the Board. My name is Autumn Bernstein. I'm
17 the Director of Climate Plan. We're a statewide coalition
18 working to advance sustainable and equitable communities.
19 And SB 375 is a major focus.

20 It's nice to see you all again. It's nice to be
21 here at this point in the process with so much success
22 with SB 375 around the state. And now here we are in one
23 of the most challenging regions and regions with the
24 greatest opportunity. So I want to commend both your
25 staff as well as the COGs here in the Valley for the

1 tremendous amount of work they've done so far getting us
2 to this point where we are finally having a conversation,
3 not about the targets, but about what the vision is for
4 the Valley and how we can achieve those targets in a way
5 that maximizes benefits. So we're really excited to be at
6 this point.

7 But we also do have concerns. And we want to
8 encourage your leadership to make sure that we follow
9 through with the remainder of this year to the finish line
10 where we have strong SCSs for all eight Valley counties.

11 I have some specific recommendation, as you can
12 imagine, for how to make that happen. So we think that
13 having a single Valley-wide target makes a lot of sense.
14 This is one region. There are many trips that go across
15 county lines. It makes a lot of sense. We want to make
16 sure that we don't have a situation where progress is
17 inequitably distributed across the region.

18 When we are looking at the SCAG SCS, I'm sure you
19 remember there were a lot of concerns about equity of air
20 quality impacts in the region, places like L.A. that are
21 investing in transit are going to see better air quality
22 improvements and places like the Inland Empire, we're not
23 going to see the same improvements.

24 We think the potential exists for that on a
25 massive scale here in the San Joaquin Valley if we have a

1 situation where some of the COGs are doing all the heavy
2 lifting and others are sitting on the sidelines. We can't
3 have anyone sitting on the sidelines, and we can't have
4 any back sliding. That's what got San Diego into trouble.
5 And currently, at least one of the COGs here in Valley is
6 anticipating they are going to back slide with their IGG
7 reductions.

8 So we need your leadership to make sure that
9 every single county is achieving the targets. There are
10 ways we can encourage those counties that are doing the
11 most, like Fresno, to do as much as they can. And we can
12 hold the others accountable who might otherwise sit on the
13 sidelines. So we really encourage you to have your staff
14 work with the COGs in the coming months to clarify how
15 this is going to play out, how the target of -- how we're
16 going to demonstrate that we've achieved the targets in
17 every county and make sure that everyone is taking
18 ambitious action.

19 And lastly, I would say while there has been a
20 lot of progress with the technical tools in the Valley,
21 there are a lot of issues that are unresolved. And we
22 hope you will be paying close attention to issues like
23 inter-regional travel and making sure assumptions are
24 consistent across regions. Thank you.

25 CHAIRPERSON NICHOLS: Thanks. Appreciate that.

1 Curt Johansen.

2 MR. JOHANSEN: Good afternoon. Thank you very
3 much. My name is Curt Johansen. As President and on
4 behalf of the Council of Infill Builders, we appreciate
5 the opportunity to speak to you today.

6 The Council of Infill Builders is a nonprofit
7 corporation of real estate professionals committed to
8 improving California throughout infill development. The
9 builders seek to educate the public and decision makers
10 about the benefits of well-planned, sustainable infill by
11 conducting and supporting research on market based
12 solutions for healthy, prosperous and complete
13 communities. We are pleased to be here today to present,
14 "A Home for Everyone," San Joaquin Valley Housing
15 Preferences and Opportunities to 2050 by Arthur C. Nelson
16 as a contribution to the scholarship on infill development
17 in California. We hope this scholarship and data will
18 improve the decision making process related to growth and
19 development in California's Central Valley and lead to
20 improved air quality outcomes for its cities and counties.

21 As Lezlie mentioned, the report concludes based
22 on consumer preference data and economic trends that up to
23 45 percent of all the residential construction between
24 2010 and 2050 will need to be attached homes, as opposed
25 to stand-alone single-family residences if we are to meet

1 future demand in the Valley. That's 37 percent of the
2 housing supply, compared to the 30 percent that exists
3 today.

4 While demand for large lot homes will still exist
5 as a piece of the market going forward, since 86 percent
6 of the Valley housing supply is already skewed to the
7 single housing type, the great majority of all new
8 detached homes moving forward should be on small infill
9 lots to meet the rising demand.

10 The Valley can accommodate much of this future
11 demand by developing an existing urban and suburban
12 centers and commercial corridors and converting existing
13 non-residential buildings and vacant land to multi-family
14 housing. The consequence of this would be preserved
15 farmland, more efficient use of energy, support for
16 transit and more livable communities with reduced air
17 pollution.

18 Positive legacies for the environment as well as
19 for society no longer need to be seen as opposing forces.
20 These legacies are not measured in months or years. They
21 are measured in decades and generations. Our children are
22 depending on us to get this right.

23 As California transitions to an ethical use of
24 its land, the Council of Infill Builders is proud to be
25 working with you on the front lines of that transition.

1 Thank you.

2 CHAIRPERSON NICHOLS: Thank you. Thanks for your
3 work.

4 Keith Bergthold.

5 MR. BERGTHOLD: Good afternoon. Very grateful
6 for you to be in the Valley and considering what we're up
7 against here.

8 I'm Keith Bergthold. I lead the planning team at
9 the City of Fresno, who is developing the new general
10 plan. Our City Manager, Mark Scott, sent you a letter
11 before this meeting. We are very admiring the work of our
12 Valley COGs. It's excellent work. It's very necessary
13 work. It's not sufficient for implementation.

14 You have eight counties and 62 cities with land
15 use zoning and entitlement powers. If they don't figure
16 out how to implement SB 375, this is sort of just a talk
17 we're having. I think the ground game is playing out in
18 the press now with regard to the relationships of
19 different cities and counties. There's lot of new
20 unincorporated development proposed that does not comply
21 with SB 375, unless they have their own set of facts.

22 So we're really encouraging you to consider a lot
23 more conversation, engaging maybe some task forces to talk
24 about the reality of implementation and the feasibility of
25 doing these things together as cities and counties led by

1 the kind of technical expertise that our COGs bring to the
2 table. We are hoping that you won't just consider an
3 aggregate target that we feel won't get traction. We need
4 another conversation about this. And we're grateful for
5 your consideration.

6 CHAIRPERSON NICHOLS: Amanda Eaken.

7 MS. EAKEN: Good afternoon, Madam Chair, members
8 of the Board. Amanda Eaken with the Natural Resources
9 Defense Council.

10 I know you've all been sitting for a long time
11 and are probably very hungry, so I'll be brief.

12 I do want to thank your staff and also the staff
13 at the Valley cities, counties, and COGs for the last few
14 years to implement SB 375.

15 Now, you've heard a lot, probably too much, about
16 targets, the Valley-wide target. And I can actually see
17 both sides of this conversation, but I do want to say
18 this: I personally would not want to be the Executive
19 Director of an MPO that did not meet the five and ten
20 targets. We're all for collaboration, but we feel that
21 every MPO can find a way to meet this performance
22 standard. And for those MPO showing back sliding, I think
23 that has been proven to be a bad strategy in the past.

24 As a devoted member of the Targets Advisory
25 Committee, I do want to ask, could we move on from the

1 subject of targets and start talking about strategies? I
2 think that's a much more interesting and important
3 conversation, is what strategies we can put into place to
4 strengthen our communities, clean our air, and improve
5 public health.

6 You heard from Ms. Kimura about two recent
7 reports that offer strategies, building -- and also from
8 Mr. Johansen -- building a mix of housing types to meet
9 the demands of a diverse housing market, as the Counsel of
10 Infill Builders recommends, can help to save farmland, as
11 the American Farmland Trust urges.

12 As we've seen from some of the other successful
13 SCSs, preliminary analysis suggests that this strategy
14 could save hundreds of square miles of farmland, hundreds
15 of millions of dollars a year in public health costs, and
16 reduce infrastructure cost.

17 I think the nice thing about being the region to
18 go last in this process, it shouldn't be a mystery at this
19 point in the process what strategies -- okay.

20 I just want to thank the MPOs for their efforts
21 to outreach to our groups and take our recommendations and
22 look forward to process moving forward. Thank you.

23 CHAIRPERSON NICHOLS: Thanks. I know you've been
24 working hard on this issue and it is complicated and
25 obviously still unfolding. So we appreciate the basic

1 message that we've been getting here.

2 We have three more witnesses here, Byanka
3 Santoya, Dennis Fox, and Mike Wells. I know you signed up
4 for public comment, but it's about 375. So let's hear
5 from them and then we'll have a little discussion.

6 MS. SANTOYA: Hi again. Good afternoon. I'm
7 Byanka Santoya, resident from Arvin.

8 I'm in support for the SB 375 because, as our
9 Valley created these plans, we ask -- we ask you and the
10 county to have -- to strongly consider for our
11 environmental justice our need to have these COGs help us
12 to create clean air in our communities with bad air
13 quality, as we want to see the benefits of the outcomes of
14 the health of the communities at this point.

15 So thank you very much.

16 CHAIRPERSON NICHOLS: Thank you.

17 Dennis Fox.

18 MR. FOX: Madam Chairwoman, members of the Board,
19 I'm Dennis Fox. And I'm going to talk to three negative
20 externalities. And some things I don't have answers for.
21 I think they're in your purview.

22 One is the -- we've been talking about the
23 fireplace burning. And I don't know if you are aware
24 of -- I'm not -- of the results of Oregon and Colorado's
25 use of catalytic converters on fireplaces and stoves. And

1 I want it to be cost effective -- if people have such a --
2 this would be at the state level --

3 BOARD MEMBER DE LA TORRE: Can you raise the
4 microphone a little bit, please?

5 MR. FOX: Oh, okay. Thank you. Maybe you don't
6 want to.

7 CHAIRPERSON NICHOLS: I think if you're going to
8 be standing there, we should be listening.

9 MR. FOX: Well, anyway, it might be cost
10 effective if you gave a tax credit to people who purchased
11 a catalytic converters, if they're worthwhile, which you
12 would have the information for.

13 And you can fund that like Ruckelshaus founded
14 the EPA by carrot and the stick, but putting a tax on
15 fireplaces and fireplaces would pay it on new
16 construction. But ones that have catalytic converters
17 would get a tax credit.

18 CHAIRPERSON NICHOLS: I'm sorry. Your comment
19 isn't really related to SB 375.

20 MR. FOX: Yeah. The main thing is the some of a
21 few things that get to us is some of the things like the
22 city has with -- we don't coordinate our lights here. I
23 don't think we can. And we would need help for you and
24 that is a major impact.

25 The other major impact -- that's why I say I

1 don't think we should be blaming everybody else here that
2 our air comes from other places. However, permits are
3 given elsewhere for impacts here. Burning permits are
4 given from San Luis Obispo County for areas in our air
5 basin. How you handle that's your problem.

6 CHAIRPERSON NICHOLS: I think you have some
7 questions which deserve answers. Maybe not right here.
8 Maybe you could send a letter and we'll get you some
9 answers. We could do that. Okay. Thanks.

10 Mike Wells.

11 MR. WELLS: Good afternoon. Mike Wells from
12 Fresno Metro Ministry.

13 Just wanted to thank you again for coming to the
14 Valley and for the work that you do statewide that helps
15 us to be able to see our mountains and at the same time
16 has a lot of other co-benefits, as several people have
17 mentioned before. It helps our health, and that's one of
18 the things that our organization is a strong advocate for.

19 I love SB 375. In our organization, we have an
20 environmental health program that has been focused on air
21 quality. We have an obesity prevention program that's
22 focused on strategies for reducing obesity. And we have
23 hunger and nutrition programs that works on the local food
24 slow food movement. And SB 375 has given us an
25 opportunity to collaborate, pull all of these programs

1 together. Almost every strategy that SB 375 especially
2 requires of local jurisdictions to reduce greenhouse gases
3 has huge implications for quality of life, for public
4 health.

5 And one of the projects that we have is Smart
6 Valley Places, is a HUD and EPA grant that helps 14 other
7 cities in the Valley to implement some of these
8 strategies. And it also -- we have a Community Leadership
9 Institute in those 14 cities where dozens of people in
10 each of those cities who normally don't engage in these
11 kinds of issues, who would never show any interest on
12 things that would save the polar bears, all of a sudden
13 they're delighted to find out the things going on at the
14 City Council, Fresno City Council, dozens of people turned
15 out to speak in different languages to advocate for the
16 alternative for our cities' growth that is not only saving
17 our farmland, it's reducing greenhouse gas emissions, but
18 it's just good for quality of life.

19 And I guess the one comment I want to echo is
20 that we're all for the importance of regional cooperation
21 and coordination of these efforts, as Keith mentioned.
22 Without the regional coordination, it's just not going to
23 happen. It's not going to work.

24 But we're also very much in favor of the local
25 accountability that each county needs to attain their

1 targets that have been set. And so we want to just
2 continue to advocate for that. And again thank you very
3 much for the work you're doing.

4 CHAIRPERSON NICHOLS: Thank you.

5 Thanks to everybody. I know we said that before,
6 but not just for coming here today to talk to us, but for
7 the work that you all are putting in to make this program
8 succeed. It is remarkable the amount of citizen activism
9 and focus that has been leveraged.

10 When SB 375 passed and was signed, I think many
11 of us were hopeful, but we couldn't be sure, that this
12 would actually lead to the kind of results that we're
13 seeing here. And somebody who has worked on some of these
14 issues for a very long time, you know, even to hear the
15 words "regionalism" being spoken in some quarters where it
16 is today I just think wouldn't have happened a while ago.

17 So it really has been a sea change, even though
18 it in some cases taken a very long time and we're
19 certainly not done yet, by any means.

20 The basic theme that I think I have heard from
21 just about every single speaker is we need to have the
22 regional targets and they need to be good. But we also
23 need to make sure that every county and every jurisdiction
24 is participating and doing their bit. Nobody wants to be
25 the one, you know, admittedly shining student, but never

1 the less the only one who's following the rules if other
2 people aren't. And it is going to take a sense of equity
3 if you're going to keep even the more progressive, if I
4 may use that word, jurisdictions implementing programs if
5 they see their neighbors not doing it. And particularly
6 if people get rewarded for not participating.

7 So clearly, this is a delicate task because
8 people start from different places, not just politically,
9 but in terms of their actual on-the-ground land use and
10 economic base and so forth. All counties are not created
11 equal exactly. And so getting everybody to move forward
12 in parallel or working together, while recognizing those
13 differences, is what the challenge is.

14 But you know, we've got some amazing talent
15 that's appeared here today. People who are investing not
16 just their personal time and expertise, but bringing other
17 resources for their organizations and doing studies and
18 reports and all of that.

19 So I think it's fair to say that this is a good
20 news story overall and that we should, as a Board, do
21 everything we can to encourage you. And I know our staff
22 is spending time here and has devoted a lot of attention
23 to delivering messages, but not being heavy handed, but at
24 the same time, giving enough information and sense of
25 policy direction so that, you know, the ARB hasn't just

1 disappeared from the scene and left everybody on their own
2 until we come back in and say, "Oops, you didn't do it
3 right." I think we've been present but hopefully not
4 overbearing throughout all this process. And I think we
5 need to just continue on that path. I think it's working
6 pretty well.

7 Dr. Sperling.

8 BOARD MEMBER SPERLING: Just one sort of closing
9 comment, not implying that no one else should say
10 anything. But I know we're all in a rush to get out.

11 As someone who has tracked this from the
12 beginning and actually on the research side of it for
13 decades, I do want to reiterate that it really is
14 impressive progress here what's happened in the last few
15 years and the change in attitudes and the engagement that
16 we're starting to see.

17 And I do want to emphasize as many -- what I want
18 to emphasize is, as many speakers did say, that the goal
19 here really is revitalized communities, healthy
20 communities, better use of land. That's what it's really
21 about in the end.

22 And I also want to say that those cities and
23 counties that are serious about these goals that -- to get
24 more desirable communities, more sustainable economically
25 successful communities, they're going to achieve that.

1 But they're also going to be well-positioned for future
2 funding that is very likely to be available for those
3 communities that are making good progress in achieving the
4 goals that we're talking about here.

5 So I just want to lay that out as just another
6 inducement to be doing the right thing. Thank you.

7 CHAIRPERSON NICHOLS: Thank you.

8 Yes, Dr. Sherriffs.

9 BOARD MEMBER SHERRIFFS: We're all hungry and
10 getting a little irritable. I'm getting irritable.

11 I'm just reminded from this discussion -- again,
12 really appreciate the testimony. And really appreciate
13 the involvement of the various governmental agencies,
14 particularly the public and people of the advocacy groups
15 being involved in this. It's that engagement that's
16 needed to move this forward.

17 But SB 375 means something different in every
18 part of the state. And yes, the focus is on greenhouse
19 gas emissions and concerns there, climate change, but that
20 means something very different in the Valley. This is an
21 agricultural valley. I think I don't think there is
22 anybody in the room who saw that picture of L.A. in 1955
23 and said, "Oh, that's not what we want. We want a
24 different vision here in the Valley."

25 And this really -- there is a special threat to

1 agriculture and special opportunities. And there's so
2 many co-benefits that come out of this in terms of ozone
3 pollution, PM2.5, in terms of smarter planning, preserving
4 agricultural land. But in terms of what we need to do in
5 terms of these greenhouse gases and the threat that
6 represents to agriculture and the way of life, it's going
7 to change what happens with water. It's going to change
8 where certain crops can be planted. This potentially is a
9 huge impact on the Valley. So wonderful to hear this
10 engagement.

11 CHAIRPERSON NICHOLS: Thank you.

12 Any other comments on this item? Yes.

13 BOARD MEMBER D'ADAMO: Just want to key off on
14 something that Keith from Fresno mentioned. And that is
15 task force. I would just say pick up the phone and call
16 us, you know. This is your plan, each individual county's
17 plan, the region's plan. And wherever you think that we
18 can be helpful, just get ahold of us. And really want to
19 complement those that are here from the COGs, the Regional
20 Policy Council. That is where -- my opinion is that's
21 where things started to turn around. And I know you put a
22 lot of time into this, and I know you're very committed in
23 going forward. Look forward to working with you.

24 CHAIRPERSON NICHOLS: I would just second those
25 comments. It has really been remarkable to see the strong

1 work coming out of the Valley COGs. And I think at the
2 beginning people were not expecting that. So it's been --
3 that's been a terrific thing.

4 Okay. We have no action to take on this item.
5 We're just sending you forth with our blessings and desire
6 to keep it up and do more.

7 And with that, we're not quite ready to adjourn
8 because we're required to take public testimony or comment
9 on anything that anybody wants to say to us while we're
10 sitting here. And we have two people who said they want
11 to do that. They are Mr. Giegos and again Mike Wells.
12 This is on matters other than those that we've just been
13 hearing about, if you wish to come forward.

14 MR. WELLS: I didn't have public comment.

15 CHAIRPERSON NICHOLS: Oh, you were put in the
16 wrong spot then. Thank you. You spoke very eloquently
17 before. There was a Mr. Giegos who apparently was here
18 earlier. We're not seeing him right now.

19 The meeting is adjourned. Thank you all very
20 much.

21 (Whereupon the Air Resources Board meeting
22 adjourned at 1:44 PM)

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CERTIFICATE OF REPORTER

I, TIFFANY C. KRAFT, a Certified Shorthand Reporter of the State of California, and Registered Professional Reporter, do hereby certify:

That I am a disinterested person herein; that the foregoing hearing was reported in shorthand by me, Tiffany C. Kraft, a Certified Shorthand Reporter of the State of California, and thereafter transcribed into typewriting.

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

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of February, 2013.

TIFFANY C. KRAFT, CSR, RPR
Certified Shorthand Reporter
License No. 12277