APPEARANCES

BOARD MEMBERS:
Sandra Berg, Vice Chair
Dr. John Balmes
Mr. Hector De La Torre
Mr. John Eisenhut
Mr. John Gioia
Ms. Judy Mitchell
Mrs. Barbara Riordan
Dr. Alexander Sherriffs
Professor Daniel Sperling
Ms. Diane Takvorian

STAFF:
Mr. Richard Corey, Executive Officer
Ms. Edie Chang, Deputy Executive Officer
Mr. Steve Cliff, Deputy Executive Officer
Mr. Kurt Karperos, Deputy Executive Officer
Ms. Ellen Peter, Chief Counsel
Ms. Veronica Eady, Assistant Executive Officer
Ms. Annette Hebert, Assistant Executive Officer
Ms. Karen Magliano, Division Chief, Office of Community Air Protection (OCAP)

Mr. Brian Moore, Air Pollution Specialist, Community Planning Section, OCAP
STAFF:
Mr. Tom Olson, Air Resources Engineer, Community Assessment Section, OCAP
Mr. Ryan Sakazaki, Board Clerk
Mr. Craig Segall, Assistant Chief Counsel, Legal Office
Mr. Skott Wall, Air Pollution Specialist, Community Planning Section, OCAP

ALSO PRESENT:
Mr. Cesar Aguirre, Central California Environmental Justice Network
Mr. Gustavo Aguirre, Jr., Central California Environmental Justice Network
Mr. Gustavo Aguirre, Sr., CRPE
Ms. Sarah Aird
Mr. Matthew Allen, Western Growers Association
Ms. Shayda Azamian
Mr. Neil Black, California Bioenergy
Mr. Alan Butterfield
Mr. Manuel Cunha, Nisei Farmers League
Mr. Val Dolcini, Director, California Department of Pesticide Regulation
Mr. Robert Dow
Mr. Eric
Ms. Estela Escoto, CBA
Mr. Tom Frantz
Ms. Genevieve Gale
ALSO PRESENT:
Dr. Catherine Garoupa White, Central California Air Quality Coalition
Ms. Gabriela Gonzales
Mr. John Guinn
Mr. Kevin Hamilton, Central California Asthma Collaborative
Mr. Mark Hanson, AERA
Ms. Dora Hernandez-Jara
Mr. Oscar Hernandez
Mr. Bernard Jimenez, County of Fresno
Mr. Kenneth Kirschermen, Kirschermen Brothers Farming
Mr. Brian Kolodji, Black Swan, LLC
Ms. Christine Luther Zimmerman, Western States Petroleum Association
Ms. Nayamin Martinez
Ms. Anabel Marquez
Ms. Michele McManus
Ms. Diana Mireles, Comite Progreso de Lamont
Mr. Jose Mireles, Comit Progreso de Lamont
Ms. Jess Olsen, San Joaquin Valley Air Pollution Control District
Ms. Gabriela Oseda, CBA
Mr. Daniel Palla
Mr. Jeff Rasmussen
APPEARANCES CONTINUED

ALSO PRESENT:
Ms. Ana Rivera, Central California Asthma Collaborative
Mr. Jesse Rojas, Kern County Farm Bureau
Ms. Taylor Roschen, California Farm Bureau Federation
Ms. Ariceli Sanabria
Ms. Byanka Santoyo, Center on Race, Poverty and the Environment
Ms. Ivanka Saunders, Leadership Counsel for Justice and Accountability
Ms. Samir Sheikh, San Joaquin Valley Air Pollution Control District
Mr. Kent Stenderup, Stenderup Ag Partners
Ms. Pauline Torres, Center on Race, Poverty, and the Environment
Mr. Tim Tyner
Mr. Ed Ward
Mr. Edward Zacarias, AERA Energy
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PROCEDINGS

VICE CHAIR BERG: Good afternoon, everyone. If we could take our seats, please.

Good afternoon, everyone. Can we please take our seats and we'll start our meeting. Thank you.

Good afternoon. We're so pleased to be here today. I think I can speak on behalf of my fellow Board members, thank you so much for inviting us. We're really looking forward to a lively discussion.

And from our tours today, it has been remarkable, both the Shafter and later we'll be discussing South Central Fresno. It's just been a pleasure to meet everyone.

So we're going to officially open our February 13th, 2020 public meeting of the California Air Resource Board. And if you would join me in the Pledge of Allegiance.

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

VICE CHAIR BERG: Board clerk, would you please call the roll.

BOARD CLERK SAKAZAKI: Dr. Balmes?
BOARD MEMBER BALMES: Here.

BOARD CLERK SAKAZAKI: Mr. De La Torre?
BOARD MEMBER DE LA TORRE: Here.
BOARD CLERK SAKAZAKI: Mr. Eisenhut?
BOARD MEMBER EISENHUT: Here.
BOARD CLERK SAKAZAKI: Supervisor Fletcher?
Senator Florez?
Assembly Member Garcia?
Supervisor Gioia?
BOARD MEMBER GIOIA: Here.
BOARD CLERK SAKAZAKI: Ms. Mitchell?
BOARD MEMBER MITCHELL: Here.
BOARD CLERK SAKAZAKI: Senator Monning?
Mrs. Riordan?
BOARD MEMBER RIORDAN: Here.
BOARD CLERK SAKAZAKI: Supervisor Serna?
Dr. Sherriffs?
BOARD MEMBER SHERRIFFS: Yes.
BOARD CLERK SAKAZAKI: Professor Sperling?
BOARD MEMBER SPERLING: Here.
BOARD CLERK SAKAZAKI: Ms. Takvorian?
BOARD MEMBER TAKVORIAN: Here.
BOARD CLERK SAKAZAKI: Vice Chair Berg?
VICE CHAIR BERG: Here.
BOARD CLERK SAKAZAKI: Chair Nichols?
Madam Vice Chair, we have a quorum.
VICE CHAIR BERG: Thank you very much.
Well, first of all, I'd really like to say on
behalf of Mary Nichols that she is really disappointed that she couldn't be here today. She did have to have surgery yesterday and she's doing well. But she didn't -- it was a major surgery. So she extends her sincere regrets of not being here today. And I'm pretty sure she's probably on the webcast listening, and -- because this was near and dear to her heart.

We do have a few announcements before we get started. First, and very important, interpretation services will be provided in Spanish for both of our items being heard today. Headsets are available in the lobby at the attendant sign-up table and can be picked up at any time. And we will now have that translated.

Thank you.

(Thereupon the interpreter translated.)

VICE CHAIR BERG: Thank you very much.

For safety reasons, please note that the emergency exit is to the rear of the room, or on either side of the -- of this dais. In the event of an alarm, we are required to evacuate this room immediately and go out of the building. When the all-clear sign is given, we will return to the hearing room and reserve -- and resume the hearing.

For anyone wishing to testify, please fill out a request-to-speak card, so that we can organize all of the
speakers. They are at the entrance of the lobby. And turn it into the Board assistant or the Board Clerk prior to the commencement of the item.

We will be imposing a three-minute time limit. If there is Spanish translation, we will give the extra time for the testimony to be translated. It would be very helpful for the -- if the translators would decide if they're going to translate simultaneously or if the testimony is going to be given and then translate, so we stay within our time frame, okay? Thank you so much for that.

When it is your turn, we're going to have the witness list both on the screen to my right and right behind me. Please state your first and last name for the court reporter, when you come up to the podium, which is in the center of the room. Please feel free to put your testimony in your own words. And as -- we, as Board members, love to hear from you and what you're -- and what you want to relay to us. If you have written submissions, they will also be entered into the record.

So with that, I think we're on to our first of our two items. Today, we do have two agenda items, item number 20-3-1 and item number 20-3-2. Both are consideration of AB 617 Community Air Protection Program and community emission reduction programs. We're going to
start today with Shafter and then followed by South Central Fresno. We will take a short break between the two items.

For the -- because we are being recorded and watched on webcam, I'd like to remind our listening audience, because I'm positive everybody here knows that the Community Air Protection Program provides a community-focused approach to improve air quality and public health in communities that have been disproportionately burdened by unhealthy levels of air pollution.

Last year, our Board selected both Shafter and South Central Fresno for development of community emission reduction programs and as two of the ten initial communities to launch this program.

You know, this -- I think we should acknowledge that all ten, but specifically our two communities in the valley, you have been on the front lines. When you go first, it's like early adopting. But yet, there have been so many opportunities then so many discussions, and sometimes the frustration of having to regroup and repeat. And yet, these two communities were very courageous in the fact of coming to the table and us bringing together multiple agencies, because without multiple agencies, these problems can't be tackled holistically.
And so I truly want to thank both Shafter and Fresno, because I heard on the tours both frustrations and encouragement, accolades and certainly shortcomings. And so thank you so much for staying at the table. Thank you to the District, and certainly appreciate all the hard work that everybody did put into this.

I know some of my fellow Board members joined me in touring both communities today and hearing some of the issues faced by these communities. In addition to doing Fresno this morning, I want to thank Shafter and Cesar Aguirre for personally driving me around yesterday, so I could do both tours. And I really did appreciate that, and quite frankly, walked away just feeling so encouraged what a wonderful generation is coming up. And so that was very fun and appreciate that.

I think with that, I'm going to go ahead and ask Mr. Corey if he would kick us off.

EXECUTIVE OFFICER COREY: Yes. Thanks, Vice Chair Berg.

I'd also like to thank the community members and the District for their hard work over this past year. We've heard strong interest in the community program and appreciation for the focus on local air quality concerns. One of those concerns is community exposure to pesticides.

California State law establishes a system of overlapping...
authorities amongst regulators over pesticides. And though not every regulator can act in every stance, what matters to communities is that government agencies work together to take action to protect public health. And we'll be hearing more about that.

Over the last few months, we've been working closely with Val Dolcini, the Director of the State Department of Pesticide Regulation, sitting next to me. And he's joining us this evening to talk with you about DPR's efforts and commitments for action.

I'd now like to get started by handing it over to Samir Sheikh of the San Joaquin County Air Pollution Control District, the Air Pollution Control Officer that he is, to present a brief summary of the Shafter community emission reduction program followed by observations from the steering committee members and CARB staff, and finally, from Mr. Dolcini.

And with that, Samir.

MR. SHEIKH: Thank you very much, Richard, and good evening. Good afternoon. I really want to welcome you, Vice Chair Berg, and the rest of the Board to the valley, for those of you that don't live in the valley. But I actually feel a lot of you are honorary residents of the valley, as much as you've been here these last several years.
I really appreciate you having this hearing here in the valley. I think it's really important for residents to be able to participate locally. And it's a really important item today.

I want to thank the CARB staff just from the bottom of my heart, I know on behalf of everybody who's been a part of this AB 617 process, for all of their hard work that's led to the culmination of the items that are before you today.

I want to thank Karen, who I think is -- I think it's official is retiring next month for all of her hard work. I want to thank Richard and his staff, their entire team for everything that they've done to really support not only my team but also the community as a whole, as we've all worked really hard to really bring about the CERPs that are before you for consideration by the Board.

It is an important day and really an opportunity to recognize the hard work of two communities, both South Central Fresno and the City of Shafter for all of their hard work to really make their neighborhoods a better place to live. And that's really what we're all talking about today. And we've been really happy to be a part of that effort.

After a lot of work at the local level, at the Air District level, working with CARB to reduce pollution
over decades, AB 617 really did transform the way the Air
District works with our communities and for the better.
And we're really proud and happy to have been a part of
that learning experience with the communities here in the
valley.

And over these last -- last year of putting this
plan together, we've really learned a lot and I really
want to acknowledge that learning, over this past year,
you know, where we started in this process, compared to
where we are today has really been a huge leap actually in
the experiences that we've had and the development of the
skills that we believe are important, and really put into
these types of community-driven efforts together.

So I really want to thank the community actually
for being patient with us, for being there from the
beginning, really walking us through their concerns and
really showing us how we could be better at engaging the
community, and really taking seriously their comments, and
ultimately put together what we believe and hope is
responsive to the concerns that came up.

And some of the things that -- I just want to
quickly summarize some of the big lessons that we learned
in this process. For example, establishing evening
meetings and not doing what an agency might typically do
that's convenient maybe for us during the workday, but
actually doing evening meetings every single time to make sure residents were actually able to participate. Not that participating in the evening is easy for anybody, but at least it's available and something that's accessible to the community.

Professional facilitators to really help walk the community and us through a really robust process of conversation and real understanding and really soliciting effective feedback from the community.

We're now operating all of our steering committees with volunteers from the committee who are co-leading the meetings and really taking that leadership role in setting the agendas and establishing the conversations.

We provide earphones for all participants to make sure that we're actually simultaneously translating the meetings, and really making them efficient in that sense and not taking up anymore time than we need to to really provide that. And especially if you're a monolingual resident who'se participating in the process to have the real-time access to the information as we have those conversations.

And we've worked really hard to really improve and provide good translation of the materials that are generated in the process.
And so we've very happy and proud of that learning and evolution of the process as we've moved through the process this last year. And I'll be the first to admit, those first meetings were a little bit messy, and a little bit confrontational at times. And that was really a reflection of just how different this AB 617 process is compared to how we typically conduct our regulatory process, for example, or the way that CARB perhaps conduct their process.

And I think we all learned a lot together, us, CARB, and other agencies that were at the table, and residents themselves who really I think stepped it up and found the time, and the energy to really be a part of this process throughout the entire year that we worked on this. And you're going to hear a bit more about that later from residents themselves and the experiences that they've had.

And so we learned that community building, especially early, is beneficial. And we've actually applied those lessons already. As you know, the Board has selected Stockton to be the next community in this program. We've actually already launched that process in Stockton using a lot of the information and lessons that we picked up along the way in both Shafter and Fresno. We're actually off to a very fast and very effective start in the community of Stockton as well.
And in Shafter, the majority of the community-driven measures are really aimed at reducing emissions from the highest polluting sources. You're going to hear a bit about some of these measures, like heavy-duty trucks and other mobile equipment.

But it was very clear early on to the committee, that it wasn't a matter of simply targeting the most cost effective measures, but also wanting the AB 617 process to focus on opportunities for bettering their community and local air quality in a variety of ways. So not only do we have measures that deal with some of those really, I guess, obvious to us, heavy-duty truck and other sources, but we also have measures like incentive-based measures for passenger vehicles and really actually elevating those programs even beyond what we current do. Lawn and garden equipment to help residents in the Shafter community switch to cleaner technologies and give them a firsthand chance at impacting and improving their community.

And then other really unique measures like a solar home measure that really elevates those programs that the utilities perhaps have tried to offer and sidewalk improvements to make the communities more walkable and really take vehicles off the road as well.

And since AB 617 also aims to reduce exposure to air pollution and really not just reducing air pollution,
especially for sensitive receptors, like school children, there are many measures in the CERPs that are aimed at reducing that exposure.

And one such effort, for example, is high-efficiency filtration in school classrooms. We actually have measures in both communities to really put a lot of energy into that and other efforts that were generated by the Shafter community, including vegetative barriers in the community, anti-idling efforts, and very significant and community focused outreach programs to get the message out about air quality problems, and information, and what to do to protect yourself when there's air quality episodes in the community, for example, complaining into our system and other tools that are available.

And some of the air quality issues identified by the community required the district to partner with other agencies - you're going to hear this theme over and over - departments like the Department of Pesticide Regulation. I really wanted to thank Val for being such an active partner in this process. I want to recognize him for really working closely with both us and CARB to think about the community concerns that are coming up, and really try to apply community-driven energy into -- into the efforts that they're undertaking with respect to
pesticides.

On land-use issues, the City of Shafter committed to working closely with the steering committee as they work to update their general plan to include the environmental justice element to the plan. And the City and Kern County both committed to working with the District and the community to implement a number of different measures to improve walkability, to reduce vehicle miles traveled, to make road improvements. There are dozens literally of measures in the plans that respond to these different concerns.

And so, in fact, all of these different discussions that were going on, we've tried to capture as actual commitments in the CERP. The CERP actually commits $29 million. And that's a floor, by the way. I know there's been some questions about how we plan on implementing those dollars. We're hoping to at least invest that amount of money with some of the community incentive funds that have become avail through the State budget process, and 187 tons of PM2.5 and NOx reductions related with these 52 different measures that are included in the CERP.

So as we work to implement these measures with the community, we really hope to see a cost effective set of measures that, across the board, reduce air pollution
in these communities. And we actually adopted our CERPs back in September. So we haven't been waiting to implement the CERPs. We've really been looking forward to this moment to make sure that as we move forward with the CERPs, we have ultimate CARB input and approval of the CERPs.

We've actually been working for months now with the communities to prioritize the measures, to actually start brainstorming exactly how we plan on implementing these measures in the community. And we've set up the air monitoring plan, as you probably say outside as you walked in, one of the vans that we've been using, we've been doing a lot of monitoring in the community, sharing that information.

And I just wanted to close with the fact that I think where we are today is really the culmination of all the hard work of the community. I want to thank the community again for really being there all of this time through 19 plus meetings that we've had with the community. I want to thank the CARB staff and the Board and strongly support the staff's proposal to move forward with adopting the CERP and look forward to working with the staff and the community to really do what we hope to do with the CERP and make a difference in this community.

And with that, Vice Chair, thank you very much.
VICE CHAIR BERG: Thank you very much. And now I believe we're going to move on to the Shafter community.

OCAP DIVISION CHIEF MAGLIANO: Gustavo.

VICE CHAIRPERSON BERG: Great. Gustavo, thank you.

MR. GUSTAVO AGUIRRE, JR.: Cool. Thank you. Hello, everyone. My name is am Gustavo Aguirre, Jr. I am with Central California Environmental Justice Network and one of the partners -- or one of the members for the Shafter steering committee.

And so first off, I want to give you guys a thanks and gratitude for giving me this opportunity to speak today to the Board members and be aside a lot of the folks that work very hard to get to where we are today. And I also want to give recognition to the entire process and partnership that was -- that was created during this process. We walked in here in silos and really created, one -- somewhat unified vision moving forward for the betterment of Shafter, you know.

And so, I -- you know, I -- what I'm going to be sharing today are really perspectives, not just of me personally, but really of what I've seen throughout the over 100 meetings that we've had, both with -- officially with CARB, with the air district, post- and pre-meetings with the residents understanding this, the trips to
Fresno, to Sacramento, in this -- in these years of advocating for 617.

And really, I know I said that I give thanks for this opportunity. But what I want to make clear is that nothing was given to us. We fought very, very hard and very long to get to where we are today. And I'm going to speak a little bit about the process itself, the process of having environmental justice communities fight one another to be chosen for year one communities or year two communities. And then having those communities come and fight against industries that employ the same residents to really get a diverse CERP moving forward, right.

So it was a battle. You know, today we're going to hear a lot of gratitude of how we came here, but it was tough. And John Guinn here next to me will relate on how far we have came today from when we first started.

But, you know, a couple of the things that -- of the highlights of this entire process was that we were oftentimes being -- were given false solutions from so many different sectors. And we would be told that as environmental justice communities, you should do this, or as environmental justice communities, you should propose this.

But when we came together as environmental justice communities, normally residents from Shafter,
industry folks, we actually were able to find common
ground. And some of this common ground today is here in
the CERP moving forward, right?
    Although, there is -- some of the stuff that I'm
highlighting might be hiccups in the road, I want to make
it very clear that, you know, we're going to continue this
amazing partnership that was built today and up until
this, and we're -- we hope that during the implementation
phase of this, that we continue this partnership to bring
real positive solutions to Shafter, that are both very
diverse, but come from a local community resident driven
solutions.
    And with that, I just want to give a little bit
of some of the solutions that we had came up with in the
very beginning and that we propose both, not only to CARB,
but to the Valley Air District and other partners. Right
in the middle of this process, residents felt that we were
not going to go -- we weren't going anywhere. And so we
called on different agencies, different partners to come
together and give their commitment that they were actually
going to do the best they could.
    And while all the partners came together, the
Valley Air District, CARB, the Department of Pesticide
Regulation, the local ag commissioners, and much more, we
came together and we understood that the only way moving
forward was going to be to actually sit down and have these conversations, right? They are not easy conversations. Sometimes they're rather tough and from perspectives that were very different.

But one of the things that I want to make very clear as we move forward is looking at the language. We want to make sure that some of the early action language that was in the blueprint and that moved forward to the CERP is actually implemented.

For example, we want to make sure that out of the original 30 million, which now is 29 million, that all that money that is put aside for Shafter actually stays in Shafter, stays within the seven-mile radius, and is invested in Shafter. That there is not the ability for the air district to say, actually, we found a cool project in Tulare, so we need a little bit of this money to move here, right?

So we want to make sewer and make very clear that there should be flexibility in how this money moves forward within the city of Shafter, but making sure that it stays within these boundaries.

Another thing, for Mary -- maybe the very first meeting, one of the most important things that residents felt was very important, and until this day, was pesticide and pesticide applications. And what we came out of that
was that we need a pesticide notification system that
works for community members.

   There currently is a pesticide notification
between farmer to farmer to make sure there is not
cross-contamination between crops or to endanger workers.

   There is a notification system for pollinators to
make sure that folks that are applying pesticide,
understand where the pollinators, where the bees are
located. And there needs to be a notification process for
folks that are at the fence line and at the front lines of
pesticide application in these communities, the Colonial
Mexicana, Smith's Corner, Cherokee Strip, Shafter, and
much more communities in the Central Valley.

So this commitment between DPR, the Valley Air
District, and CARB needs to be solidified, not as a
feasibility, but actual -- actually something that is --
something happens, something that comes to life.

   So as environmental justice communities, we want
to make sure that this CERP is approved and moves forward,
given the conditions that we set today. And there was
also some minor additions that we would like to make sure.
One is that the CARB and all these partners come together
at the six-month period and at the 12-month period to give
us a report and transparency of how this money has been
moved and where it has been going to.
In the conversation -- and I'll wrap up here. In the conversation of having flexibility within the money of Shafter, we want to make sure that there's strategies that are really beneficial, not only to residents, but also to the community at large.

And I have copies here that I would like to share with the Board of just simple three measures, along with the pesticide information that you guys have already should received. And if not, we will make sure that -- to send it to you. But talking about making sure that we electrify homes through the Valley Air District's program of the wood burning. So there is making sure that we solidify money there.

With vehicle passengers, there are $6 million of set-aside for vehicle passengers. We made -- we need to make sure that these programs are affordable and accessible to those folks that really need those, right? So it's maybe amending the program that currently exists to make it more feasible for residents of Arvin.

And then urban greening and green barriers, that's something that was presented to the Board at the very, very -- or to the -- to this process at the very beginning. And although $55,000 were allotted, there's a recommendation of a lot more money that needs to go to this. Front-line communities need to have a barrier
between industrial sources of pollution and where they live.

   And I believe that's it. Thank you very much.

VICE CHAIR BERG: Thank very much for that Gustavo. Great report.

   Hi, John.

MR. GUINN: Hi. Madam Vice Chair and members of the Board, I want to thank you guys for coming to Shafter. We very much appreciate you being here. And I appreciate the opportunity of getting to know some of you a little bit better on our tour around Shafter today. So it means a lot to us for you to come out and see where the rubber meats the road, specifically. And so we're happy that you're here and we're proud that you're here.

   I'd also -- I'm a long-time resident of Shafter. I've lived in Shafter for almost 40 years. A little bit about me real quickly is I -- I am also a long time retired city manager for the City of Shafter, so I've been around, I suppose.

   This has been a -- an interesting process and an interesting project. And like my almost 40 years in Shafter, it didn't end unlike many projects in Shafter. I seem to always be proud of this place. It's a unique place. It has a lot of heritage. It has a lot of things going for it. And it's people are the most important
And so through this committee, some of the things that came out, at least for me, was more of the things that are common. I mean, we all want a sustainable community, both environmentally and economically. And so this committee enabled us to talk about both of those things, and how they fit, and how we can prioritize our needs and do it responsibly in such a way that our families can actually do better.

We want better education for our kids and we work hard at that. We want a healthy community. And so this process enabled this community to move further down the road. And probably more than anything, it enabled us to get to know each other better than probably we had before.

I met Gustavo through this process and I look forward to working with Gustavo and some other people on this committee throughout the program.

But, you know, a couple of things that I do want to share with you is that this was a very difficult process. And it would not have been possible, if it hadn't been for the District. I mean, the air districts, Samir's staff, and I won't mention all of their names, but this was a -- this was a tough -- tough thing to do. And frankly, in the very beginning, I had my doubts.

But again, I'm usually surprised with Shafter.
And once again, it came through and I think came up with a remarkable program that I think everyone was able to support. Not necessarily everyone was able to agree with all of the components. But the way the process worked, it worked -- it worked out well.

But the Air District did a really remarkable job. And I'm sometimes critical of the Air District. So, for me, to be bragging on them is probably a little bit unique, but I'm very, very proud of them.

Additionally, I think that someone had mentioned earlier on that the ability of the -- of our governmental agencies to work together is a critical component to this. And I can tell you that throughout this process, CARB, the District, the Department of Pesticide Regulation, everyone came together and gave us, I think, unvarnished facts about where we are and how things can work. And it was really very, very appreciated.

One of the other things that I'm most excited about going forward is that we do have a monitoring program. And I think what happens often with these kinds of things is that we really don't have enough really good data. I'm a civil engineer, so I like data. But I think that as we get more and more data, we'll be able to make more better, responsible decisions about how to deal with our resources to create the healthiest possible community.
And when I -- when I speak of health, I'm not only speaking about our air and our water, I'm talking about our families, specifically how our families are able to grow, and prosper, and our children can do better and stay here and contribute to the community. This is one step in that. You know, hopefully -- and I believe that AB 617 will probably help us do that.

But I, again, want to thank you. And I'm very glad that you're here in Shafter and I hope that you get to know us a little bit better over time.

So thank you very much.

VICE CHAIR BERG: Thank you very much.

EXECUTIVE OFFICER COREY: And with that, Vice Chair, then we have two more brief comments. One from Skott Wall of CARB staff to present the CARB recommendations, and then to wrap it up Val Dolcini with DPR.

VICE CHAIR BERG: Great.

(Thereupon an overhead presentation was presented as follows.)

AIR POLLUTION SPECIALIST WALL: Well, first, thank you, Samir, Gustavo, and John for your presentations and perspectives. Appreciate that.

This is the third community emission reduction program the Board is acting on. And today's action by the
Board continues the statewide effort to improve air quality in impacted communities.

I will briefly present CARB's staff's review and recommendations on the Shafter community emissions reduction program. While this program is specific to Shafter, it can also inform local efforts in other communities. Similar to the process we followed for the two community emissions reduction programs you approved in December and January, we have reviewed the program with a few things in mind.

We compared the program to statutory and blueprint criteria and considered the comments we heard at steering committee meetings and other outreach events, including our own community meeting held here at the Veterans Hall on November 4th. We also reviewed public comments on the program and on our staff report.

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AIR POLLUTION SPECIALIST WALL: One of the best ways for our program as a whole to improve is by identifying key strengths of individual programs. In Shafter, there were several aspects we want to highlight. Of particular note in the program is the focus of investments in local community-centric projects, such as zero-emission car share program, funding to leverage residential solar and appliance electrification, and local
paving and vegetation projects.

Secondly, the District worked with the steering committee to identify strategies to achieve reductions in the Shafter community through an iterative process. This led to identifying specific funding amounts and number of projects for each incentive measure, which provide clear metrics associated with these measures and a tangible way for the community to track progress.

Finally, CARB would like to recognize the strong community-based leadership within this committee. These members worked directly with residents to educate, clarify, and build capacity within and outside of the regular meeting structure, which helped to support a high level of resident engagement and participation.

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AIR POLLUTION SPECIALIST WALL: The steering committee expressed support for most elements of the program, but is also looking for opportunity to make ongoing adjustments and for additional actions associated with pesticides as you've heard.

To strengthen implementation, we've identified a few areas for CARB, the District, DPR, and the steering committee to continue to work together on, which include strategy prioritization, funding allocation, pesticides actions, and community level emissions data.
Regarding strategy prioritization, we recommend that the District follow a process for making adjustments to incentive measure funding amounts based on ongoing discussions with the Committee and continue to engage the Committee on prioritization of incentive measures and project selection.

We also recommend that the district develop and share with the committee specific criteria for project funding amounts and project selection; clarify the process for adjusting incentive allocations; and continue to update the emissions reduction targets as new information becomes available for the strategies that don't yet have defined benefits.

Moving on to the concerns about pesticides, DPR and CARB recognize the importance of continuing to identify further actions to reduce pesticide emissions. DPR will continue to identify additional actions related to the pesticide concerns identified by community steering committee members and commit to having an inclusive process with the community to develop a pesticides application notification system.

As Richard Corey mentioned, Val Dolcini, the Director of Department of Pesticide Regulation is here with us today to provide additional detail on the actions that DPR is taking to reduce emissions and exposure.
specifically within the community of Shafter.

Our last recommendation focuses on enhancements to community level -- community level emissions data that have been specifically requested by Committee members. We recommend that the District and CARB work together to continue to collect and develop additional Shafter-specific emissions information to build upon the current community level inventory.

Taken collectively, we propose these recommendations to help increase the overall success of the program in Shafter.

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AIR POLLUTION SPECIALIST WALL: With these considerations in mind, we recommend that the Board approve the Shafter community emissions reduction program, and direct CARB staff to work with the District and DPR to take actions to strengthen implementation.

We are also recommending that the Board direct the District to provide updates on the measurable progress made toward these actions in the annual reports that are required by AB 617. In addition to these implementation recommendations, we further recommend that the District make several narrow technical updates to provide additional clarity on pesticide authorities and agency roles.
This concludes the staff presentation. Before we transition to responding to Board member questions and public comment, I would now like to turn to Val Dolcini to share more about DPR's commitments with you.

Thank you.

CALIFORNIA DEPARTMENT OF PESTICIDE REGULATION
DIrector Dolcini: Good afternoon, Vice Chair Berg, Board members. I'm Val Dolcini, the Director of the Department of Pesticide Regulation for the State of California. Pesticide exposure is an issue of significant concern, not only for the community of Shafter, but for all Californians.

I'm here to continue to listen to the concerns of this community, but I'm also here along with several of my colleagues to talk about some specific steps that DPR is taking to address these concerns. My colleagues have been here 13 times over the last year. And this marks my fifth trip to Shafter since last summer to better understand -- understand the concerns of the community and to let you know that we're responding to what we've heard.

As a department, we're relatively new to the AB 617 process, but we're committed to taking action that is in line with the central tenets of our mission to protect public health and the environment. In that context, I'm also here to underscore the close collaboration between
DPR and CARB on these issues. We've attended many community meetings together. Our teams have strategized with each other, and we are equally committed to public policy outcomes that protect public health here in Shafter, and throughout California.

DPR has been working with CARB and the local air district under the rubric of AB 617. And this coordinated effort will ensure that our actions are complementary to other actions taken under the Community Air Protection Program. As part of its mission to protect public health and the environment, DPR is strengthening existing protections for bystanders and residents from acute exposures to 1,3-D, especially in high-use areas, such as Shafter.

As many of you know, 1,3-D is a pre-plant fumigant used on a range of crops in the Central Valley and coastal California. It's also a restricted material in its use, and possession is only allowed under a permit issued by the local ag commissioner.

DPR is creating a pilot mitigation program to identify options to reduce emissions by 60 percent from current levels. These options will include tarping and various other methods that provide emissions capture that are comparable to tarping. Three air monitoring readings in 2017 and 2018, one here in Shafter, and two in the
Fresno County community of Parlier, exceeded the warning levels and have prompted us to evaluate the need for additional measures that address acute exposure.

These mitigation measures will be piloted here in Shafter, but also in Fresno and Merced counties, where 1,3-D use is also high. I'm pleased to announce that these pilots will begin this summer and will run for one year. And they will provide us with field tested data upon which we can craft thoughtful and realistic public policy solutions.

I also want to stress that these pilots include measures that are more protective than those currently in place. We held a workshop in Sacramento last October, and the input we received highlighted the interest in emissions reductions to levels achieved by tarping, as well as interest in a flexible menu of mitigation options necessary to achieve those levels.

The cost of tarping the Central Valley is high. It's about $1,600 per acre. The single-use tarps create significant waste and there are questions about the availability of tarping material. These factors led us to consider equally effective options that work here in the Central Valley and are more health protective than the current practice. DPR is proposing a pilot here in the Shafter area that includes tarping, but also includes
deeper soil injections, minimum soil moisture levels, 
post-application moisture seals, tarping portions of a 
field, or a combination of these methods depending on 
field size and application rates.

We've shared preliminary information about these 
options with CARB. And my team will continue to engage 
and update their counterparts at the Air Board. DPR will 
also oversee additional air monitoring to collect daily 
samples during the high-use season in the fall and winter.

We will continue to take weekly air samples in 
Shafter. And this year, we'll reevalu[SIC] all -- 
reevaluate all 1,267 communities in California to 
determine if we should move any of our current eight sites 
to other high pesticide-use communities as patterns change 
over time.

In addition to working with CARB and the Air 
District, DPR has been meeting regularly with local 
growers, ag commissioners, commodity organizations, 
chemical manufacturers, environmental justice advocates to 
ground truth these options and ensure their viability. 
And we will continue these meetings throughout the pilot 
process. I have been personally involved and will remain 
so to ensure that this project stays on track.

I would also add in the broader context of DPR's 
daily work throughout California, that we're leading the
conversation on pesticides alternatives research and
strengthening integrated pest management practices across
the state. The Governor's January budget also included
funds to continue this work, which is very important, and
has been embraced by many in California.

Finally, a word or two about notification, which
is a topic of great importance here in Shafter and
elsewhere in the state. This is far and away the toughest
element of our engagement with this community and candidly
we've got a lot of work to do here.

But for the first time, in a long time, people
are talking to each other about what notification means,
what it might look like, and what it might provide for
community residents here in Shafter.

And just in the last couple of weeks, leaders
from farming organizations, community advocacy groups, the
ag commissioner's office, and others have begun to reach
out to one another to better understand each other's
perspectives, opinions, and points of view. This is a
small step, but a promising development.

I want local residents in the community to help
us craft a solution that makes sense for Shafter. And as
I said, I will remain personally committed in the weeks
ahead to finding this solution. And as I've demonstrated,
my Department is here for the long haul.
Building trust is essentially important when it comes to developing pesticide policy. And trust has been in short supply here from time to time. But when people of goodwill come together in search of common ground, great things can and do happen.

Finally, they say that the journey of a thousand miles begins with a single step. Today represents not the first steps for DPR, but a continuing demonstration of our commitment to all of our partners, to the communities of the Central Valley, and to reaching this shared destination together.

Thank you.

VICE CHAIR BERG: Thank you and thank you very much for your partnering with us. It has made a big difference. I've heard that throughout the community that I've been visiting. So we really do appreciate that.

I think what I'd like to suggest, Board members, is that we open up for some clarifying questions, but I would ask that we limit our comments right now just to clarifying questions, because I think it's critical that we hear from the community and get their input before we start any deliberating.

So with that, is there -- would you like to start us off?

BOARD MEMBER GIOIA: Yes. Just one brief
question -- clarifying question just to understand how it practically works, because it -- this will come up around the state. One of the HD3 on page 50 is greater enforcement on anti-idling -- preventing idling and it's a cooperative effort between the District and the Air Resources Board.

Tell me what you're going to do practically on the ground to achieve that, because this issue comes up around the state. So what do you really mean by stepped up enforcement cooperation between the District and ARB on idling?

MR. SHEIKH: I will be happy to take a stab at that. So that obviously is a -- you bring up a very good question, because it is difficult to do that, you know, what you just mentioned. And what we've seen work is a combination approach. It's going to have to be local jurisdiction with signs and, you know, some of the tools that you put out there, just from an educational and kind of a communication perspective. It's going to be agencies that include both CARB and the District actually entering into agreements to put resources into place to target areas. I think understanding from the community, you know, sort of where the hot spots are in terms of where the idling concerns are, and actually putting resource on the ground to be able to enforce the anti-idling
requirements, so that there actually are boots on the
ground to make that happen. And I think --

BOARD MEMBER GIOIA: Will this involve using loca
police and sheriff departments to do -- to actually --

MR. SHEIKH: This would be -- well, it's worked
out differently. That's why I think it's an interesting
question. Different areas have been trying different
things. But yes, in some cases, this will involve local
law enforcement. In other cases, districts and CARB have
actually worked out arrangements where our own staff -- of
course, you do need ultimately help from law enforcement
with that. But I've been able to come up with
arrangements to actually enforce the regs.

And that's something that -- that's actually the
conversation from an implementation point of view is how
do we actually make that happen. I think it starts first
though with you can't do it all everywhere. I think that
there are areas -- and this is something that we've heard,
both in Fresno and Shafter, areas that are predominantly
of concern to the community where they -- even today
during the tour, I think there were -- in Fresno at least,
you know, we heard a lot of comments like, yep, that's the
area where people pull up, you know, right off the highway
and they park right there next to the community and you
see a lot of idling going on. We have to identify those
BOARD MEMBER GIOIA: I guess -- I'm just trying to understand, because I know I addressed this issue in the community I represent, North Richmond, is who practically is on the ground doing the enforcement, writing fine -- what are the potential fines and who's actually -- the District don't have a -- I mean, you have enforcement officers. That's why I'm trying to understand the relationship with law enforcement and who's doing the fining, what are the potential fines, what are the teeth in it?

MR. SHEIKH: I don't have the exact fines in front of me, but I can tell you that the District has already actually had agreements with CARB to enforce the anti-idling regulation. We actually have experience with that. We've been doing that for number of years.

And so we want to apply that experience, along with some of the things that we've seen in other areas, that they've been trying to kind of broaden that out. That was kind of a pilot concept that we had entered.

There is a fine structure. There is absolutely enforcement authority for that. In fact, we already have a process right now to work with the community and CARB to prioritize that specific measure. And I think with the tools that we've been able to develop and the funding
that's in place for the program, we can actually apply those same tools to this community and actually bring about that same approach. It's been done. It's not something that's brand new. It's really tailoring it to the community and actually taking that approach, and bringing that authority to the community.

BOARD MEMBER GIOIA: And has the local -- has the local city and county sort of agreed to participate in this effort with enforcement? Is there some agreement by local law enforcement to participate?

MR. SHEIKH: They've been absolutely active in the conversation.

BOARD MEMBER GIOIA: Yeah.

MR. SHEIKH: Everybody is in support of this. It's one of the measures that I think will have strong consensus support.

BOARD MEMBER GIOIA: Right.

MR. SHEIKH: And I think it's really a question of listening to the community through the exercises that we have planned with CARB, and really focusing it in, designing it in a manner that responds to where the concerns are coming from. Those are some of the details that we'd have to work out.

BOARD MEMBER GIOIA: Thanks.

EXECUTIVE OFFICER COREY: Yeah. And I just
wanted add to the point that Samir made. The model exists and it does -- basically it's based on a regulation that CARB has adopted.

BOARD MEMBER GIOIA: Um-hmm.

EXECUTIVE OFFICER COREY: And by virtue of agreements through -- that we've established with a number of districts, it really is increasing those that are present. For instance, just one example, because I think it's a practical example that we have applied. In addition to concentrating enforcement efforts, based on reports, complaints, and so on, that's one effort to get more boots on the ground in a particular area. But just an example, in terms of the collaboration with districts, the District may be inspecting a source already, a stationary source. And by having that authority when they're in a community, the authority to inspect and issue the NOV for a idling truck, it ex -- these agreements provide for that flexibility. It's basically building on that model.

And there's a reference to CHP or other agencies. It really depends on circumstances. To pull over a truck, we need CHP.

BOARD MEMBER GIOIA: Um-hmm.

EXECUTIVE OFFICER COREY: So we already have agreements with the California Department of Highway
BOARD MEMBER GIOIA: Right.

EXECUTIVE OFFICER COREY: A stationary truck is different -- a different situation.

BOARD MEMBER GIOIA: Thank you.

BOARD MEMBER DE LA TORRE: Can I pile on here?

With this model, at the local level, we've seen it in the gateway cities in Southern California. A number of cities have -- it's a simple process. They adopt an ordinance that mirrors our regs at the local level. And then their police, even their community resource officers for the police department, they don't have to be sworn, can cite a truck that's idling in the community.

And so the advantage is it's boots on the ground. It's more people out there who are looking and seeing this. And the city or the county, whoever the jurisdiction is, gets a chunk of the fine. So there's an incentive for them to do this at the local level to get some of the resources. So there are a number of cities who have done this. It's just mirroring the ordinance and then going out and enforcing it like any other ordinance at they have in their city.

VICE CHAIR BERG: Thank you.

BOARD MEMBER EISENHUT: Yeah. Specifically with regard to notice, I have -- we have not heard from the ag
commissioner. And it's -- I don't know if that office is in attendance or not, but I believe that that position is very central to the accumulation and dissemination of use reporting. And I would like to hear from one of you how you intend to interact with that office?

CALIFORNIA DEPARTMENT OF PESTICIDE REGULATION
DIRECTOR DOLCINI: That was notification, John?
BOARD MEMBER EISENHUT: Yes.

CALIFORNIA DEPARTMENT OF PESTICIDE REGULATION
DIRECTOR DOLCINI: Yeah. So we've had extensive interactions already with the local ag commissioner here to make sure that he and his team are a part of the conversations that we're having with steering committee members and other community groups, as well as grower organizations.

And I spent some time down here several weeks ago meeting with local Farm Bureau leaders, and -- you know, they're an important part of that as well. So we're going to meet again later this month with the ag commissioner and, you know, further hash this out. I think Gus had some good suggestions. I've heard those earlier about the farmer-to-farmer system, and the BeeWhere system that exists for notification around pollinator issues. Perhaps those would be good models. But it's really going to be something that will, you know, continue to require my
personal effort, as well as trips down to the valley to meet with the ag commissioner and his team to make sure that we can make that work.

VICE CHAIR BERG: Yes, Ms. Mitchell.

You need to press the little button right --

BOARD MEMBER MITCHELL: Thank you. I always need technology help here, so -- just a question about the -- reducing the use of pesticides. And I heard from some of our people that are involved in this, that they are able to reduce that use -- or reduce the exposure to pesticides, particularly along the coast and the central coast with the tarping, and you mentioned tarping. But as I understand it, that may not be practical for some of the crops that we have here in the San Joaquin Valley.

And so you did mention a couple things, but I'd like you to elaborate on that to give me a little more detail on what that is. You mentioned soil injection, moisture seals. Could you elaborate on what can be done to reduce that exposure?

CALIFORNIA DEPARTMENT OF PESTICIDE REGULATION DIRECTOR DOLCINI: Sure. You're accurate in pointing out that what works on the central coast may not work in the central valley. And for strawberries you can tarp the fields and then apply the fumigant underneath the tarp. And it's worked for many years in the context of
strawberries. But that's not really applicable for vine

crops, or tree crops, or some of the things that are grown

here.

So what my team and I have developed are 12
different options, which include – and I'll provide this
document to Richard, so that he can share it with you –
including deeper injections. So currently, the standard
practice is to inject at about an 18-inch level. We're
proposing that in this pilot, we inject the fumigant at a
24-inch level and then include either pre- or
post-irrigation, which would create kind of a moisture
seal, or in the case of post-irrigation a moisture cap, so
that we're not seeing the emissions that we would in an
untarped, 18-inch, no irrigation form of injection.

I will further add, Judy, that, you know, farmers
don't use nearly the pesticides that had been used
historically in this state. We've seen, in fact,
pesticide usage go down, incrementally, but measurably,
over the last number of years.

And I think that farmers frankly would like to
not have to rely on expensive chemical inputs where they
can avoid them. And so many farmers, and we were talking
about this in part on our tour today here in Shafter, have
developed integrated pest management practices that rely
more on biological controls, habitat modifications,
cultural practices, and other best management practices that allow you to not use the volume of chemical pesticides that may be your operation historically did.

Now, that tool is in the toolbox, because it's an important part of today's pest management protocols. But I think that we are developing, in the context of our chlorpyrifos alternatives work group and in this additional budget language that the Governor provided in his January 10 budget, really some good momentum behind developing more sustainable pest management practices around the state.

But in the meantime, in the here and now today, you know, these 12 pilot mitigation options that I spoke about, I think provide good alternatives to tarping, which here in the central valley is a very expensive endeavor.

VICE CHAIR BERG: Okay. Dr. Sherriffs, do you have any questions?

Any clarifying questions?

Okay. I do. I have just a couple.

And one goes to there was quite a bit of items, Gustavo, that you listed and one being the allocation of the funding. And so Samir, I was wondering if you could respond. And specifically, there seems to be three specific areas that the community is concerned about. And I'd really like to get your feedback on that, please.
MR. SHEIKH: Yeah, those are -- and I jotted those down. Thank you, Gustavo, for providing, as you always have done, continual feedback on how to, you know, improve and prioritize the measures in the CERP.

Those three are actually contained within measures that are included in the CERP and have dollar amounts and details that are associated with them. The electrifying the home, that is a program that has been on the table for some time. It has been discussed with the community. We've done a lot of work to basically try to include those comments in the measure.

I think on an ongoing basis, as we actually work to launch that program. I'd love to hear more from Gustavo and the community about exactly how to focus that program. There's a lot of opportunity, I think, to take his input on the electrification component and really see if there's some increased focus in that area. I believe right now it's either electrical or -- or, I think, near zero, I want to say, is in the measure. And I took his comment to mean some priority in the electrification component of that existing measure. So I think that's something we can certainly work with Gustavo and the community on.

The passenger vehicle program, actually, we have a measure in this CERP that is -- it wouldn't be available actually anywhere else in the valley. It would be a pilot.
And the extent of funding that would be available per vehicle, it's actually significantly more than even the EFMP program. It's an acronym that I know this board is familiar with, because you've actually approved the guidelines and the funding for that program. And we've been very appreciative of that program throughout the valley.

This actual -- this program actually takes it to the next level and significantly increases the funding available beyond even the EFMP program. And there's a dollar amount specifically in the CERP. And there's actually recognition of that asked by the community to even higher chip away at that cost of that -- of those vehicles. And so we just look forward to implementing the details of that program with the community.

And ultimately that will require CARB approval, by the way, I have to say. And that's something that Richard, and staff, and I have been talking about how to quickly get that approval from CARB.

And lastly, we do have two different measures that both focus on -- or individually focus on urban greening and vege -- vegetative barriers. They're two different measure. The vegetative barrier's measure is more focused on providing those barriers around sources of concern. So there is a commitment to work on that measure.
with the community. And there's another one for urban
greening, which is a separate measure and focuses more on
just really distributing trees throughout the community,
and really not only improving that landscape of the
community, but also providing shading and some of the
other benefits that come -- come from that measure. So
we've -- we've committed actually and started very active
conversations with Tree Fresno. There's another
organization in Kern County that does a lot of this work.

They're already excited to actually partner with
the City of -- the City of Shafter is very active in that
conversation. And we really hope actually in this next
report to the CARB Board that we see a lot of activity
actually in that measure as well.

So those are actually contained in the CERP. I
took Gustavo's comments as they're high priority, ones
that he's very energetic to really get in there and kind
of work out the details with us, so we can get them out
there, and make them available in the community. And I
just wanted to point out that they're actually in the CERP
as commitments, and that we're absolutely committed to
making those happen in the City of Shafter.

VICE CHAIR BERG: And so as I read this also on
item number one, one of the things they were concerned
about is that there had to be a current wood burning
replaced within the home. And if there wasn't, that was
going to leave out people. Are we going to be able to
work that out, because I do understand in incentive
funding we often like to take a polluting element out and
replace it. But we certainly want to make sure that
people that might not have heating or have a viable way to
heat, that they would also be included.

MR. SHEIKH: So there are actually -- yes, thank
you for that. And I think that's something we can
certainly take into consideration. I want to point out,
there's a second measure that's directly related to what
Gustavo is bringing up, which is actually another very
unique measure that we've never done locally before. It's
a solar deployment project in the community. And that --
the goal of that program is to actually cover the full
cost of going solar, and through that process, essentially
electrifying the home.

And so that's a measure that we've actually been
having a lot of conversation with PG&E, other utility
partners. We would actually provide funding towards
making that happen.

And so I think when you combine that with the
residential wood burning program, depending on whether you
have residential wood burning or not, between those two
options, I do believe that we can get at that goal of, you
know, basically making electric home available through full solar deployment in those homes.

So I think between those two, I'm trying to understand, you know, exactly where Gustavo is coming from on this. I think we can try to capture essentially different situations, depending on sort of where a resident wants to go. If they don't want to go down the soar path, we can capture the electrical component, I think, in the residential wood burning program or hopefully everybody, you know, takes advantage of a solar program and through that program actually electrifies their home.

VICE CHAIR BERG: And is it fair to say that we know when we do incentive programs if they aren't taking off the way we intended to, both on item 1 and item 2, especially electric vehicles, that we will be able to reallocate that money, and am I hearing from you that the commitment of $29 million will, in fact, stay in Shafter and will be able to improve better communities -- the better Shafter community with this funding.

MR. SHEIKH: That is absolutely the goal. And I do want to say that our board in approving this CERP and putting specific dollar amounts to the CERP did a very unique thing actually, in actually committing specific dollars that are eligible for other projects throughout
the valley and said, well, we have a CERP here. We have communities telling us what they want to see investments made in different areas of the community, and actually allocated those dollars towards those investments. These dollars don't necessarily have to be sent -- spent in the City of Shafter based on the underlying funding stream. But through the action of our board, and the plan that's in these CERPs, and through all the advocacy of the community, we actually did make that allocation and are looking to shift funds based on the priorities, depending on the response.

At the end of the day though, these are State dollars. These are voluntary incentive programs and there are deadlines that are associated with these programs. So we have to work really hard in the community to make them effective programs, get CARB approval right away, make them available soon as possible, so that we don't end up hitting a wall in terms of the deadlines, and shift funding when we find that one perhaps is not performing as well as another program, all with very, very strong conversation in the community to make sure that we're -- we're understanding their priorities and are doing the best job that we can.

VICE CHAIR BERG: I really --

MR. SHEIKH: But I do want to make sure that
everybody understands these dollars are State dollars that actually have deadlines associated with them, so we have to work extra hard to make sure we spend them effectively in the community.

VICE CHAIR BERG: I really appreciate that Samir and also the transparency. That's going to be critical to the community. And as Val indicated, you know, building that trust transparency, and making -- and the community sees where these dollars are going and how we're thinking about that will go a long way.

Richard, will the additional money that is going to be put to electric vehicles, is that going to be stackable with our funds as well, which would be a great incentive?

EXECUTIVE OFFICER COREY: I need to circle with Samir and the clarity on that point, because what we have on the -- the Clean Cars 4 All Program, electric zero-emission or clean vehicles that are directed at low-income individual, those are staggered as a function of the income of the individual. But the way that program has been structured is allows for coupling with other programs. So that would clearly be the goal. I'll circle with Samir to make sure that we can execute on that objective. But that has been a theme particularly of the Clean Cars 4 All Program to get folks in as clean a
vehicles, particularly directed at disadvantaged, low-income communities.

VICE CHAIR BERG: I think that would be particularly important that we're able to use the full range of funding to be able to encourage this technology. My last comment really is under item 3, the urban greening. I think we really should bring the industry partners in and have them participate in this. These are -- it's going to be barriers that are going to be created around their facilities. And I would really encourage and would be happy to help, in any way I could, to encourage partnerships with our business communities, and quite frankly, some celebrations that -- that the industry is participating.

So, Gustavo, with what you heard in these comments, are you more comfortable with the direction that the funding is going

MR. GUSTAVO AGUIRRE, JR.: Yeah, I mean, if we're talking about keeping, you know, the State funding here in Shafter, and programs that are successful that folks, both from industry to residents, are able to participate in, then, yes, this is definitely a step forward to a more diverse -- yes.

VICE CHAIR BERG: Okay. Great.

My last question really is to you, Gustavo and
John. So looking at this whole process and looking at the next steps, focusing on implementation and how we're going to go forward, what are your concerns and what would you hope from the agencies that you've been working with how can we step up?

MR. GUINN: I appreciate the question and have had some discussion with the District about that, because this is really a very, very big task. Spending 28, 29 million dollars in a community like this with the programs that are outlined are going to take a lot of interface with our citizens. And I think that it's -- I think that work -- the work that the District and others are going to have to put in to working with the citizens of Shafter in order to actually be able to take advantage of these programs is going to be critical.

So it's -- I mean, actually, in many ways, the easy part has been done. Now, the really -- real challenge starts, I think

MR. GUSTAVO AGUIRRE, JR.: Thank you, John.

Yeah, I think one critical aspect of this moving forward is the solidification of this partnership you see here in front of you to really continue to have sometimes hard conversations, but very necessary conversations. And really -- this is really a paradigm shift to really listen from residents, from real grass roots community -- you
know, bring solutions -- very local solutions from the
top-down approach, rather than from top -- from bottom up,
rather than top down.

This methodology, although -- I mean, I'm always
going to be critical of the Air District and don't take
that personally. I'm critical of every publicly funded
agency and or -- and systems, right? But that's -- that's
what I love about this nation that I can be able for to
participate democratically in this, right?

And so some of my concerns moving forward is that
when residents really bring up these solutions, that there
is really this notion that not all the experts, and no pun
intended, lay in Sacramento, though. Some of these --
some of these residents that were here, they're experts,
right? They're experts in living in fenceline
communities. They're experts in running industries.
They're experts in being employees in these industries.
They're experts in taking care of the folks in these
communities that are sick. So it's -- this partnership
moving forward has to continue as strong.

And I think one of the things that we need to see
is that transparency both at the six-month and 12-month
implementation process, although it might be -- it might
be difficult to pull off, it -- those are the steps that
we need to take to have a successful program.
And like the blueprint stated, you know, this is a program that goes above and beyond some pre-exist -- or existing programs, right? So that our involvement, both John and I, is to make sure that the best benefit comes to Shafter, right, and to these communities that will run up next in AB 617.

VICE CHAIR BERG: Well, thank you very much. I think we're ready to move to public testimony. And so we have a list so far of 19 witnesses. And I believe they're listed both to my right on the screen and also behind us. What would be very helpful is if you'd go ahead and when you see your name, you head on up to the podium.

So, Manuel, you're going to kick us off. But if Michele, and Cesar, and Dora can get teed up, then we can just start listening.

MR. CUNHA: It's not contagious.

But I want to thank Madam Vice Chair, the entire ARB staff, the Board, San Joaquin Valley, Gustavo, thank you very, very much. And John, thank you.

This is like we started the 1993, if you remember, Barbara, on the PM10 study with Mary -- with Jan Sharpless. Agriculture went to them, because they were using bad data. We farmed the Sierra Nevadas. You know, well, we don't farm the Sierra Nevadas. But that's what research was saying, so I think we've come a long ways.
You are absolutely in the right thing.

What I'm going to do is go through five items real fast first. First, I want to thank Richard Corey, Kurt, and their entire staff.

And Karen -- where's Karen? No way are you going to retire.

(Laughter.)

MR. CUNHA: I am sorry. That's just got to stop over there at ARB.

(Applause.)

MR. CUNHA: That's got to stop, okay?

(Applause.)

MR. CUNHA: So you tell your hubby another year or two, okay? Tell your hubby that.

(Laughter.)

MR. CUNHA: First, I want to bring in NRCS, USDA partner. NRCS is for the -- it works with farmers. We last week talked with the State Director, Carlos, on about raising the funding, the amount that we have for low-dust almond harvesters and focus on the Shafter area. That's important. And to take what we have and move that number to maybe a two or three million dollar increase for the Shafter area. So that saves your 29 million to be using it here for what you're trying to do.

Secondly, working with the San Joaquin Valley Air
District and the research team, we have a new harvester that encompasses an entire tree up to eight years almond, pistachio, or those types that covers the entire tree and no PM10, because it shakes the almonds, puts into a windrow, and the windrow is never shaken or swept. It's all done by a machine. This machine also covers the entire tree, puts the chemical on, so it doesn't have an atmosphere thing with VOCs.

And we talked to Val about this and working with the Air District on the research, we're going forward with that machine. We have three of them in the valley. One grower is really being helped with the Air District to really increase that. It also does the mummies in the wintertime that it takes off the trees, puts them into a tub and then they are put -- mummies are the nuts that are dead, but house bad insects.

Okay. The next thing is ag commissioners in July, we held our first real big ag commissioner, eight counties. We started that back in '90. All eight county ag commissioners meet, DPR, CalEPA. Our next meeting of this group will be at the end of March meeting in Fresno with the fire department and firsthand responders. And that purpose is to educate them on how to deal with issues, because the fire department and firsthand with the ag commissioners, and even DPR, no communications.
There's some, but not enough.

So if I can give one more second, Madam Chair?

My fourth item is the truck program. You have a truck program. You've got a lot of independent truckers in this community and other rules. Please don't take this the wrong way. The low interest loan program that’s in the Governor's budget will not work. These truck drivers that are independents have to buy used 2013 and newer trucks. They cannot go out and buy new ones. The banks aren't going to Finance them or anything. A grant program through the Air District is the most achievable that we've ever seen, because we've done it. I know the District has done it. So a grant program.

The last is NRCS has a funding for farmers to put hedge rows in orchards or in areas as wind barriers, and as for habitat, and also during times where bees need food and pollination or whatever it is. We have programs that we could bring. And I'm willing to meet with Gustavo, and John, and others with our group of aggies in the valley, with the Air District, and definitely with Val, but we're willing to help reach out, what we can, to help you and this community, because it's the farmers, the businesses, and the citizens. We all need to work together.

But I thank you two gentlemen and your committees. But I definitely want to thank Samir and Dave
Warner. I don't know if he's here, but Dave Warner also who's retiring who shouldn't retire.

So thank you.

VICE CHAIR BERG: Thank you so much, Manuel. I gave you more time, because you were handing out money.

(Laughter.)

VICE CHAIR BERG: So we're going to hold you to that, okay?

Good evening.

MS. McMANUS: Hi. I'm Michele McManus. I'm a resident of Shafter and a farmer that farms in the sphere of influence. And I've been to several meetings. I'm not on the steering committee, but I wanted to implore all of the programs that there's got to be a balance. We've lost a lot of our industry to Bakersfield. We have tons of people that drive in there and that we need to find the balance here to improve our community, but not drive out our industries.

And that is super important. I don't want to drive to Bakersfield, that's why I live Shafter. We have less traffic. It's a great place to live. We have to find that balance.

And on -- I appreciate everybody being here. And with the reporting thing from the DPR or the ag commissioner, it's something we're going to have to really
work hard on, because it's not an easy thing to overcome. And we all should be good shepherds of our neighbors and everything. And we should all step up to do that as farmers.

And the last thing, if the programs incentives they offer would happen faster for us farmers, they are super slow, 18 months. Sometimes it takes your application six months to be looked at, and that's just too long. You know, you start to get discouraged and then the funding disappears before you're even approved.

So thank you for listening to us and being here.

VICE CHAIR BERG: And thank you very much for coming. We really encourage you to continue to interact with the community. And it looks like we can pull some other programs. So we will look for that balance. Thank you.

MR. CESAR AGUIRRE: Hi. Thank you so much for coming everybody. My name is Cesar Aguirre. I work for the Central California Environmental Justice Network.

I've been here for every one of the meetings. I was Gustavo's alternate. Luckily, Gustavo didn't really miss many meetings. He was very involved in the process. But what I got sitting outside with the residents and people who weren't a part of the steering committee was questions on why are the residents saying the same thing
one time and -- one meeting and then another meeting. They're getting kind of pushed away.

And the topics that they would bring up would not be talked about. One being pesticides. So the reason that they're here today is because they've seen a change. Much like Samir said, this is a learning experience, not only for the community members that decided to be a part of this, but for the districts and the regulatory agencies that are taking part. One thing that this bill, 617, is doing is creating a conduit and bridges between regulators that should be working together and community members that should be speaking closely with the people that regulate the businesses and the services within their communities.

So I'd like to thank you again for being here, and thank you for the growth, and the development that this committee took to be able to work better with communities, so that year two communities and communities that were following can, you know, hit the ground running.

I do ask that the -- what the committee asked for be respected. Time and time again, they asked for pesticides, for notifications close to where they're living. If they're living close to fields and there's a pesticide spray, let them know. They saying we don't want to know so we can panic or create chaos. We just want to know, so we can keep our windows closed, or stay,
you know, far away from the site for a couple of hours. They just want to know what to do to stay safe. That's why they're taking part in this. That's why they're pushing so hard to make sure that this is community led and this is community focused, as it should be.

So thank you again for your time and thank you for your respect of the community members.

VICE CHAIR BERG: Cesar, can I just ask you a quick question?

MR. CESAR AGUIRRE: Yes.

VICE CHAIR BERG: With what you've heard today by the Director, are you encouraged that we will be able to come together? It sounds like the notification is complicated, but that there is a conduit, as you have said a space, to really pursue this. Are you feeling encouraged about that?

MR. CESAR AGUIRRE: Yeah. I think it's complicated, but we have the right people at the table. And if those people want to make things move and have action happen, I think we can make it happen. The community is involved and they're involved not only in this, but in the general plan of Shafter and Kern. So this community is very -- in a very special position to make sure that all those things happen.

VICE CHAIR BERG: I was really impressed
yesterday when you were explaining to me exactly how the community groups were also working in conjunction with the county plan and the other city plans to really bring together. That was very impressive. Thank you.

MR. CESAR AGUIRRE: Thank you.

MS. HERNANDEZ-JARA: Okay. Good afternoon and I think everybody that's here today, everybody that has worked with us through all this difficult time. Like I told several members, it was a learning experience. I mean, I -- I'm a retired teacher. I taught high school for 21 years. That all those acronyms it's like, oh, I don't know. It's worse than being in the classroom.

But we're really happy that -- I appreciate that the seven-mile radius was extended. But there's some terminology, in some of the measures, especially where it says -- talks about vegetative barriers. It says within the City of Shafter, and where it talks about the -- like the bike paths or pedestrian paths, it refers to the City of Shafter.

So I just want to clarify is does that mean like within the seven-mile radius? Several of you have gone out to the Mexican Colony. That's where I have lived for 69 years. And we have a lot of -- I mean, we're one of the several outlined communities that are disadvantaged communities. And we have -- I have spoken probably on
behalf of the Mexican Colony, Cherokee Strip, Burbank Community, Smith's Corner, because we're all in the same boat. And we need a lot of help out there, not only with infrastructure, but like we said, with pesticide control, or whatever. We're on -- to our north, east, and west, we are parallel with almond orchards. So whenever they're spraying, we have no -- no recreational amenities. So if our kids are out there playing or somebody is walking, we get the drift from that. We get those thick clouds of dirt that -- when they're harvesting the almonds.

So we have a lot of problems that cause a lot of health ailments. So we really appreciate that we were able to work with a lot of you. And that a lot of these measures will be helping us too. So I really appreciate that.

One more question I have and I just -- I mentioned it to one of the Board members, like why were we not compensated as a community member or as a member of the steering committee for our meetings? And that might be something that you could check into.

Thank you for your time.

VICE CHAIR BERG: Samir, would you go ahead.

MR. SHEIKH: Thank you, Vice Chair Berg.

I just wanted to reassure the member that all of the measures would be applicable at La Colonia, the
Mexican Colony community, that she's referring to. One of
the earliest decisions in the Shafter process was a
recognition. That was one of the essential components of
the community, even though it extended beyond the initial
boundaries. So we did add that to the community. And we
also added members from that community into the steering
committee. And we'll update the CERP as necessary to make
sure that's clear, if it's not clear in the CERP. That
absolutely would be a part of the strategy.

VICE CHAIR BERG: And I'll go ahead and respond
to the other. I have spoke with Richard Corey and Samir
to look into compensating with some kind of stipend or
something. And so we will be reviewing that and getting
back.

MS. HERNANDEZ-JARA: Thank you.

VICE CHAIR BERG: Thank you.

Good evening.

MR. KIRSCHERMEN: I am out of order. Randy
Bergman had to leave. He had an emergency.

But I'm Kenny Kirschermen. And want to speak
on -- a little bit on his behalf.

Two things. I farm next to the Mexican Colony.
And I have put up a green oleander bush area there to
divert some of that situation. So I hope she appreciates
what I've done. I've tried to keep the dust.
So the green zones do work and we are -- we're trying to implement that as much as we can. And so almond -- it used to be cotton was bad. It used to be it was terrible. Now, it's the almond trees are trying to kill everybody.

But one concern I do have though, my dad is the only person that lives on Merced Avenue. And if you were lucky enough today to go out and look at the high-speed rail being built in this town, and you're sitting there telling us how bad farming is as a dust particulate matter creator, you need to take this machine out there before they get through building the high-speed rail and take some samples.

You can -- my mowers make dirty, my harvesters make dirty, but the thousand trucks a day that are going down Merced Avenue uncovered, and building a wall, and the wall is coming through Shafter, what I'm asking for you is do not put that burden of that particle tin dust on agriculture's fault. That is not what -- our fault. That is being produced by those trucks that are running out there building that, whatever you want to call it, train to nowhere.

(Laughter.)

MR. KIRSCHERMEN: But we didn't make some definite PM10 that it's not ag that's creating that dust
problem. It's not ag creating the pesticide problem out there. So that's my little two cents worth, because my dad is the only person that ives on Merced Avenue. His grown -- his grass in front of his house has grown two and a half inches in the three months, because of the number trucks that run in front of his house building that wall out there.

That wall, in my opinion, is coming through Shafter. So all I'm asking for is do not put that dirt problem on ag. That is not being created by us.

So that's my two cents worth. Thank you very much for your time.

VICE CHAIR BERG: Thank you, Kenny.

MR. HERNANDEZ: Good evening, everybody. My name is Oscar Hernandez. And I am also a resident of Shafter and a member of the steering committee. Thank you all for -- thank you fellow committee members, San Joaquin Valley APCD, and CARB staff for increasing my awareness of the Shafter air quality.

I lived in Shafter most of my life, for over 35 years. I went to school here, sent my kids to school here. I coached my kids in football, baseball, even cheer.

(Laughter.)

MR. HERNANDEZ: My wife was involved the cheering
department. I have experienced firsthand the poor air quality for my -- from kids that are exposed to wind. And they play outside the schools and the parks. By participating in this committee, I have learned a lot about the air pollution in our community.

I am grateful for the opportunity to provide my input and expertise in this meeting. I have been -- I've -- sorry. It has been a difficult process at times, but I am proud of the CERP that it has generated. I think there is a lot of good strategies that will help reduce exposure from my family and neighbors, for example, building more sidewalks so that residents can walk to and from the store, and aren't exposed to dust from passing cars; and provide incentives to ag to reduce dust from fields that are right by the schools and parks.

I hope the Board will approve the committee -- community emissions reduction plans for Shafter.

Thank you very much.

VICE CHAIR BERG: Thank you.

MR. FRANTZ: Tom Frantz, resident of Shafter. You may know that I'm on the Environmental Justice Advisory Group for AB 32 as well, since 2008. So I've been to Sacramento a lot.

But this process was very difficult. It was definitely a top-down process. We did not -- I mean, we
tried to present some great comprehensive ideas for the CERP. We never got to discuss them in any meeting here. The Air District threw a CERP at us and the discussion amounted to us tearing it up. And then they finally gave us another CERP that had some of our ideas in it, but we never got to discuss even the final CERP. It was just presented to us and then it went to the Board. So now, we're trying to discuss it with you guys.

So an item like urban greening, there's $55,000 for urban greening. There's nothing for vegetation barriers yet. There's no money. Fifty-five thousand is nothing, if you're going to really green up a place and put in a lot of barriers. We need more money there.

Of course, if we get solar, we want to also electrify our homes. But some people may already have solar and they just want to put in a -- get rid of the natural gas and put a heat pump -- heating system in that's so efficient and pays for itself.

We shouldn't have to take out our fireplace to do that. What if we don't have a fireplace. I happen to have one. I can put cement down the chimney, and -- but, you know, that shouldn't be part of it. This is mixed up.

In the language of the CERP is everything. There's a -- we were glad to see electric school buses coming through this program. That's great. But it
doesn't say electric school buses in the CERP. It says zero-emission or near zero-emission. And I would sure hate to see Shafter full of natural gas buses in three years paid by the CERP when we should have what's coming for all of California electric vehicles.

It's just language like that that we have lots of issues with, because we didn't get to discuss it with the Air District before it went out. It was just given to us, take it or leave it. You should be grateful. You know, that was -- that's what we were told.

Thank you.

VICE CHAIR BERG: Thank you.

MR. ZACARIAS: Hello. My name is Edward Zacarias. And I am also a resident of the City of Shafter and a member of the steering committee.

First, I would like to thank all my fellow committee members, the Air Pollution District, DPR, CARB for just increasing my awareness during this whole process of the air quality in Shafter.

About 25 years ago, or so, I chose to raise a family here in Shafter, which includes four boys. But over those years, two of my sons have been exposed, and two -- and diagnosed with Valley Fever, you know, due to PM10, which is my passion. And seeing them struggle over that time has really inspired me to submit my application
for the participation in the committee. And by participating in this committee I have learned, like I said, so much about air pollution, along with many, many critical topics, pesticides, and so forth.

And I know that there are several measures in the plan that I hope will decrease the dust and reduce Valley Fever. Because really, if we can stop just one additional child from contacting Valley Fever, then our community efforts will be a huge, huge success.

Another reason that I joined the Committee partially was due to our proximity to the oil and gas production. I have worked personally in the oil fields for 15 years, 12 of those with current company, where I have been promoted up the ladder. And I am now an instrumentation technician. And all that time, safety has been, and will always be, the main priority of everyone at where I work, including minimizing any sources of air pollution, so that no one is exposed to any unsafe breathing conditions.

So I am certain -- I'm actually really, really certain that that is -- that is a true statement, that two of my older boys, they now work in the same old fields as I do. And like any parent, you know, I would never willingly place them in any kind of danger or any unsafe environment whatsoever.
So I truly believe that the CERP will drive many, many further improvements. And I sincerely hope the Board will approve the community emission reduction plan for Shafter.

Thank you.

VICE CHAIR BERG: Thank you.

MR. BUTTERFIELD: Good afternoon -- evening. My name is Alan Butterfield. I'm a small family farmer west of McFarland, California. I'm also a licensed pest control advisor and certified crop advisor. And I've walked these Kern County and these Shafter fields for 39 years.

I have a nematode lab. And if you don't know what a nematode is, it's the primary reason we use Telone, which is 1,3-D. And nematode is a microscopic plant worm that feeds on plant roots. There's good nematodes. There's bad nematodes. I'm focused -- the Telone is primarily for the nematodes that eat the plant roots. And that will reduce yields. It will reduce trouble.

I'd like to tell you two quick stories about nematodes in Shafter, California here. One of them that was that seed potatoes -- potatoes -- if you know what seed potatoes. They're little chunks of potato that come from the seed producer. And they have the specific characters that the farmer wants. Seed potatoes came in
from out of the state. And they were infested with root-knot nematode, meloidogyne chitwoodi, which is a very highly reproduce -- reproductive nematode.

These potatoes were planted. The farmer didn't know. You can't see the nematode in the seed potato. But the farmer didn't know these were infested seed potatoes and it was a hundred -- it was an 80-acre field. The seed potatoes were planted. They grew the crop. The field was totally infested with root-knot nematode, meloidogyne chitwoodi. Highly reproductive and it will eat any vegetables -- pretty much any vegetables that we commercially plant.

What we did once we found out what these seed potatoes -- that the field was infested with meloidogyne chitwoodi, we came in with the Telone 1,3-D and fumigated the field, cleaned it up completely. That tool worked right there in that instance. And it was necessary to use it. It was a non-tarped application. It was a commercial application.

The second story on nematodes for everybody is that it is nursery. And nursery FDA -- or CDFA rules on the nursery, which could be a way to reduce the usage of Telone, if they revisited those rules, those rules have zero tolerance for certain nematodes in the -- in the regulations. And if they changed those rules, if they
reduced -- if they changed the rules for nurseries to make them more -- more -- better rules that we could work with, we didn't have to blanket fumigate, top of the label, flip the soil, fumigate a second time, top of the label to produce nursery crops, that would reduce the Telone and 1,3-D usage completely. If the State would work -- revisit those rules, I think that would be a very helpful way that wouldn't hurt the farmers of Kern County.

I had one instance up here in -- north of Shafter, where we had the -- the field was tested clean, tested clean a hundred percent once every five acres. And it's 16 cores for five acres -- I'll be done in about one minute, please -- 16 cores per five acres. The field tested clean. The farmer planted the field to nursery grapes. The grapes were planted. And then the CDFA came out and tested for nematodes and their tolerance is one microscopic worm per field. And at that tolerance level, they found the nematode and they would not let the farmer harvest the crop. And it was -- it could have been a potentially $2 million loss.

The farmer and a bunch of us went up there to CDFA in Sacramento and we talked to them. And fortunately, we were able to change that around, because of one nematode.

And so in conclusion, I think your regulations
that you're proposing are good. However, deeper fumigation, you're dropping the fumigant down six inches. What about the six inches up high? I don't know if you're going to get the nematodes up there. And that's where the vegetables or shallow-rooted crops, they will -- the nematodes will come in there.

And the Telone and the 1,3-D is a tool that the farmers use. And I can -- if you can imagine trying to build your house without a hammer or without nails, trying to build your house without the tool, it's the same exact situation for the farmers.

Thank you.

VICE CHAIR BERG: Thank you.

MS. AIRD: Great. Hello, everyone. I wanted to thank you very much for being here. And I wanted to express thanks to all CARB staff, all CARB Board members, the Department of Pesticide Regulation for all the work that you've done on pesticides for the CERP.

And I think, as has been said earlier, the pesticides would not have been included in the CERP were it not for the Shafter steering committee and allies that are concerned about pesticide use in Shafter.

So I want to thank everyone here. But in particular, recognizing the power of the community and the importance of the community's voice on this issue. I also
just wanted -- there are a few things that are actually in
the resolution that I think could still need some
tweaking, so I'm just going to identify those.

Under number one, it's really critical, and
actually this aligns very much with what Director Dolcini
said that the steering committee needs to be involved in
the process of developing the notification system and
implementation of the system. Currently, there's not
language about the steering committee doing that and I
think that's just important to have in writing.

I know it's come up that notification can be very
complicated. That may be the case and there -- you know,
it's important to work with the steering committee to
figure out exactly the notification system they want. In
the meantime, this Shafter steering committee has also
asked that notices of intent be made public on the county
ag commissioner's website. Notices of intent are requests
that farmer make when they want to use restricted
material, pesticides. They have to -- they can't just
apply those pesticides. They have to request it. County
ag commissioners then approve or deny those.

Our understanding is all of that is now
electronic. And it should be available to the community
on the county ag commissioners website. It would require
virtually no funding and no staff time. So we think that
should happen, while additional, maybe more advanced, texting, et cetera, notification systems are developed.

I also want to highlight that I think it's really important that the reporting happen not once a year, but once every six months. I'd like to reiterate what we heard from the Shafter steering committee. And in addition, that is critical that the Shafter steering committee actually approve the air district's report, before CARB Board sees it. Because we know that there have been disagreements in this process around the vision that the steering committee has with the process and the vision that the Air District has had. So I want to say that I think that's really important.

We also, in terms of the -- and we really appreciate Dr. -- Director Dolcini's options that he's developed for 1,3-D for Telone. I just want to state that we think it's critical that any options that are adopted are equivalent to the totally impermeable tarps. Those are the tarps that have been recognized by the State and also by the U.S. EPA as being the most effective for reducing pesticide emissions. So not just any tarps, but equivalent to that level of tarps. We also are very strongly in support of buffer zones as part of that option.

And then finally -- I know I'm out of time, but
finally, I just want to state that I want to reiterate what Tom Frantz said. As kind of an outsider to this process, but an ally, we regularly saw that materials -- and I know a lot of materials were presented early, but lot of time community members did not actually have time. They did not necessarily get all materials in advance. I think actually the resolution is a good example.

And just want to flag on the pesticide issues, all the ideas of the community members were rejected and there was no discussion. There were present -- there was material that were presented on paper, but there was no opportunity for understanding and actual discussion. So moving forward, not just for Shafter, but for all other AB 617 communities, that really has to change.

Okay. Thank you.

MR. TORRES: Paulina Torres with the Center on Race, Poverty, and the Environment. Good evening, Vice Chair Berg, Members of the Board, CARB staff and DPR.

I really want to recognize what Sarah said, the interagency collaboration to address that one of the major concerns for the Shafter steering committee, which is pesticides. And -- but I also want to elaborate on Gus's comment that this process was a fight, having been privy to many of the meetings attending these -- the regularly held Shafter meetings. The steering committee members
experienced constant battles to get to where we are today. I think it goes without saying that Shafter is an overburdened community from various sources of pollution. It was a selected community -- first-year community for 617 for a reason. And I think somewhere -- so pesticides, obviously, but also other sources such as oil and gas. But I think somewhere along the line, this steering committee recognizing the fight that it had to put up had to choose its priorities.

And so I think it's fair to say that they chose pesticides as a main priority. Not to say -- and that by no means means to say that oil and gas was not a priority. But I just wanted to give a little bit of context as to why I think the members supported these pesticide measures in the CERP overall. But really, you know, Shafter and Fresno, two different committees, totally different communities, but shared one thing in common, in my opinion, and that's the lack of real quantifiable measures relating to oil and gas. And that's what this CERP, I just want to mention, that it lacked.

And so I'd really urge CARB, the Air District, and this Board for future 617 communities to enforce and require real, quantifiable, enforceable emission reduction measures beyond what is already existing. To me, that's what the heart an the intent of 6 -- AB 617 is.
And lastly, I just want to add I think you all know, the committee spent countless hours preparing for these meetings. And so I think it's so essential that they stay a part of this process. And so any reporting or any program updates that come before the Board needs to be vetted and include the steering committee with their approval. Just -- thank you.

VICE CHAIR BERG: Thank you.

MS. GONZALES: My name is Gabriela Gonzales. And I am on the Shafter steering committee. My comment is going to be very short, because I think I'm losing -- I know I'm losing my voice.

VICE CHAIR BERG: I'm sorry.

MS. GONZALEZ: So I may be the only member here that will not use their three minutes.

I just wanted to say that I think -- well, I agree with my fellow steering committee members that this process was very difficult and we did not always -- actually, we never agreed. I'm kidding. We agreed on some stuff, but we never agreed on a lot of -- well, excuse me, we didn't agree on a lot of stuff. And so it was very difficult to come to a consensus to try to move this CERP forward.

I will say that I do feel like we did get information -- factual information on where the emissions
were coming from, and so that way we can choose what we wanted to concentrate on.

And so, for me, I would just like to say thank you for being here. Shafter is a really, really special place. And so I'm glad that you guys were able to tour. And moving forward, I would encourage you to adopt the CERP.

Thank you.

VICE CHAIR BERG: Thank you.

MR. DOW: Hello. My name is Robert Dow. I'm a professional agronomist and a State licensed pest control advisor and qualified applicator.

I just had a quick question. How long has the air monitoring tower in Shafter been in operation? Ten years?

Okay. And in that whole time it's been monitoring for Telone? So that is -- there was one instance two years ago in ten years. So those that's one in 3,600 days. And was there any illnesses reported that were contributed to the Telone?

VICE CHAIR BERG: Well, I'm not sure that this line -- so first of all, I'm not sure that there is agreement that there was only an exceedance one time in ten years. And I don't have that data. I'm not sure we have the data -- that you have the data at hand.
But what I think I'm hearing from you is that you're concerned are we matching up the data and the exceedances to the need for change? Is that my --

MR. DOW: Yes. So one strike can in 3600 --

VICE CHAIR BERG: So maybe you could elaborate.

MR. DOW: -- data points doesn't equate to a problem. You know, this shows that farmers are doing a great job safely applying this material and there was one accident. One accident doesn't necessitate having more restrictions added on farmers when they're already dealing with a mountain of them. And no notification system needs to be implemented.

I believe the steering committee should focus on other areas that contribute to bad air pollution and leave the farmers alone.

Thank you.

MS. ZIMMERMAN: Good afternoon, everyone. My name is Christine Luther Zimmerman. I'm with the Western States Petroleum Association. I live about 15 minutes from here.

And I'll just tell you one funny story. Usually, when I tell my daughter I'm going to a CARB Board meeting, she knows that means I'm going out of town for a couple of days. So when I explain to my little girl that you all were coming to Shafter, she thought that was great, and
said to tell you thank you.

(Laughter.)

MS. ZIMMERMAN: And thank you to our Air District and to you for being here, and, of course, to our steering committee members. I understand that on the tour today, you met a few of the steering committee members. I started attending these meetings with the first one back in October of '18, so it's been a while. And I've gotten to know Gustavo, and John, and Brad, and Dora, and Oscar, and Linda, and Gabriela, and Edward. And they did have a hard time and it was a struggle, because this was a year one 617 community and it's a rural community.

And so they're weren't a lot of go-byes. There was no one there to tell the District or the steering committee members exactly how it would work. So they wrestled, and they worked hard, and they came up with a CERP that I think everyone could be proud of, and that was ultimately approved.

I did want to point out that there is an electrification of IC engine item for oil and gas. And we worked -- we worked hard on that. I think everyone did. And some of the other oil and gas issues that were brought up, we carried those forward and made sure they found it -- if they couldn't have home in the CERP, we made sure they landed where they needed to be, so that -- because we
do live here, that they continued to move forward and that
good things happened with them.

The other couple things I thought I would bring
up is that we think subsequent year funding, dedicated
funding that stays in this community, so that this
steering committee can continue to do its good work, and
so that we're all accountable, and the funds go where they
need to go, we think that's really important. And so we
really support the idea of robust funding mechanisms for
what happens in year two, and three, and beyond for this
community.

And one thing you brought up, Vice Chair, that I
thought was exciting, was exploring the concept of
industry partnership on urban greening. That is something
we would like to discuss more. And so thank you very
much.

MR. HANSON: Good evening. My name is Mark
Hanson and I've lived in Shafter my entire life. And I
used to have John as a neighbor down the street, so hi.
I'm a steering committee member and thank you for having
me.

My wife and I have lived here our entire years.
And our kids and grandkids don't live that far away. I've
worked in the oil industry here for over 40 years and I
know that the things they do are safe, because I work
there and I feel safe.

I feel like I have a feather in any throat.

But by participating in this community, I've learned a lot. I did not know all the things you guys did. I would see the vans out at work and they're testing for equipment, looking for leaks, and we do our best to make sure nothing leaks.

I believe that we have road mix that we put on the roads out there to keep the dust down. And if the farmers did some of that around the roads here, it would keep the dust down. It would really help.

And I support the current CERP, what you guys have here. And I hope you vote for it. And most of the people of the Air Pollution Control District that have been here at every meeting, I want to thank all of you.

Thank you.

MS. SANTOYO: Hello. I -- my name is Byanka and I was part of the steering committee in Shafter. And I actually was planning to say something, but I wanted to piggyback to the gentleman before us stating that just the one application of Telone exceeding did not poison the community. Well, it did. So I want to make it very clear that even if it's one application, you're still poisoning the community.

And the community has been fighting with -- for
this in a very long time. And bringing that comment up, you're still poisoning the community. Whatever exceeding level is still poisoning. And I really hope that his family was not poisoned the way that the community has been.

One of the comments that I did wanted to say is thank you to Val for helping for the notification process and making it possible. Without his help, we would not even be in the process that we're in with the notification. The only negative impact that we have is that the allocation on the money-wise was not completely done. Compared to the nut harvesters that was four million dollars to the notification that was $250,000. So it was a big disparity from the notification, which the community did bring up multiple times.

Another thing was that the new regulations that are -- the new strategies that are happening with the Telone, even though it was one application, but Val is doing the -- DPR is actually doing their work in trying to work on the community and making that -- making it a pilot program.

Another thing I did wanted to add is that in the notification, it did not stipulate community members being part of it, and yet the still want to be part of it. They want to have -- they want to see the vision come out, and
a positive vision come out. So that's one of the concerns.

And that's all the comment. We do want to approve the -- we do see that we could approve this CERP, but with the new -- the new recommendations brought from CARB.

Thank you.

VICE CHAIR BERG: Thank you very much and thank you for all your work.

MR. ROJAS: Good afternoon. My name is Jesse Rojas. And I am here today on behalf of the Kern County Farm Bureau. The Kern County Farm Bureau is a non-profit organization that represents 1,100 farmers, ranchers, ag businesses, and thousands of farmworker employees.

We appreciate the opportunity to comment on the -- this reduction program that has been adopted. While we are supportive of the incentive measures included in this reduction program, we are concerned with the implementation of the pesticide notification system. We understand that the Committee has requested DPR to work in conjunction with our Kern County Ag Commissioner to implement a pesticide notification system in Shafter area. And, you know, the funds have been made available for the implementation of a pilot notification system in Shafter.

We understand that the committee is seeking ways
to reduce emissions in the Shafter area. However, we strongly believe the notification pilot is not necessary and would not help with the much of emissions, which is the original intent of AB 617.

We would also like to remind the Committee that there is already a current monitoring in the community of Shafter, as we speak today. DPR requires farmers to notify the Department before they apply any form of pesticide. Additionally, agricultural operators are subject to strict rules that limit overspray and drift from the approved site of application and may -- and maybe subject to fines for violations as well.

Schools near a pesticide application must be notified by DPR to allow the school to take precautions to prevent exposure. Applicators undergo substantial training and education in regards to chemical application and hope that the steering committee finds equal value in the education of these beneficial crop production -- protection materials.

Instead of using the funding for the notification pilot program, the Kern County Farm Bureau recommends using the funds the committee has allocated for the notification pilot towards educating Shafter residents. As requested by the steering committee, Kern County Farm Bureau and its growers would like to offer to hold a spray
safe event in Shafter for its residents within the seven-mile radius about -- about the crop production materials being sprayed and the safe practices the farmers use.

The Kern County Farm Bureau encourages CARB, the Valley Air Pollution Control District, and DPR to use us as a resource when developing and implementing any possible notification system. Our most important concern, like everyone else, is the strength and well-being of the communities in which we serve. And we appreciate the steering committee willingness to hear from our side and -- of the community.

Thank you.

VICE CHAIR BERG: Thank you.

MR. STENDERUP: Good afternoon -- good evening. Kent Stenderup, a third generation family farmer from Arvin, California. So I know what clean air is and dirty air is too, so -- and I'm a Proponent of it.

Jesse, thank you for your comments. Well thought out comments. The -- I'll speak about the Almond Board here really quick. Harvest dust. The current initiative of the Almond Board of California is to reduce harvest dust by the year 2025 by 50 percent. And that's an honest to goodness driving -- driver in our program right now. We're spending the millions of dollars to do it. We've
got cooperation from all the California harvesting companies along with Australia, Spain, and Israel all working on it now. We know we need to do something. We don't want the -- our history written for us. We want to do it ourselves. That's considering the Almond Board of California.

We also have a very good ag commissioner's office here in Kern County. And if something needs to be done, we hope that DPR works together with our ag commissioner, and they come to a good solution of what needs to be done. They are quite aware. We have a really good track record in Kern County.

I was around here during the wild west days of the 1980's, and it was a little bit different. It's not like this any more.

With our -- we have help from all different committees and boards throughout the state. And Kern County has a very good reputation. Yes, there was a spike that one particular day, whether it was an outlier or whether our monitoring data is not good or not. Let's realize that excessive -- what's the distance? Borders.

One mile, that's an excessive border. Buffer zone. Thank you. I don't know what -- okay. Buffer zone. Let's get something more realistic that's workable. And most of these pesticides are not applied on an annual
basis either by the way. That needs to be understood.

Thank you.

VICE CHAIR BERG: Thank you.

MR. PALLA: Hi. My name is Daniel Palla and I'm a local pesticide control advisor in -- with the nematode category and a qualified applicator's license with the fumigant category. And I just want to ask does anybody on the Board here have a PCA in fumigation -- or PCA in nematodes, or a QL in fumigation?

So none of you can legally actually tell us -- I mean, you can. But according to DRP's laws, none of you can tell us even how to deal with nematodes or apply a fumigant.

We en -- we have problems in this county with crime, homelessness, and drugs. The fumigant 1,3-D anomaly only happened once. I know you're here to help us, but don't -- but please, do not exaggerate an anomaly that happened once. Farmers are under constant attack from California. The people of this county see our problems every day. How much money are you going to spend and what problems will we see fixed to justify this money spent? How much money are guys going to spend?

VICE CHAIR BERG: This is your -- this is your public -- excuse me, we're having that -- so this is your public testimony. This isn't a question and answer
MR. PALLA: All right. Thanks. I just want to point out that in all of your guys' talks, I have heard nobody mention a dollar figure and I would be curious to just know what it is.

VICE CHAIR BERG: Okay. Thank you.

MR. KOLODJI: Chair -- Vice Chair Berg, fellow CARB members and staff, and all the folks from Shafter, thanks for hosting this meeting in Shafter and not having us go to Sacramento this time. We really appreciate it.

This is a Brian Kolodji. I'm a California owner of a business -- of two businesses, one called Black Swan. It's energy carbon management technology. And I'm also the national meeting chair for carbon management and sustainability for the American Institute of Chemical Engineers, and a licensed chemical engineer in the State of California and a proud resident of Bakersfield.

Yea.

Has any consideration been made in this community emission reduction program to technol -- for technology to reduce hydrocarbon fuel consumption in existing equipment without reducing existing duty? An example of this technology is air oxygen enrichment, which remove nitrogen from combustion air with low cost, low energy membranes. When implemented, the fuel gas consumption is reduce by up
to half without impacting duty, such as the amount of power generated.

These types of technologies reduce all emissions, not only priority pollutants, but include greenhouse gas reductions as well and promote sustainability by minimizing non-renewable fuel usage.

Other opportunities for emission reductions should include promotion of cleaner burning files, like natural gas that produce less priority pollutants and other fuels.

Lastly, please consider promoting opportunities for converting these pollutants into useful products having a beneficial purpose. I want to thank CARB for a grant through the -- that I was awarded through the California Climate Investment Program and California Department of Food and Agriculture's - this is a lot of words - Office of Environmental Farming Innovation State Water Environmental Enhancement Program Grant. Okay.

(Laughter.)

MR. KOLODJI: Thank you, CARB. It's money that is well spent -- that we use now with this technology to utilize emissions from natural gas combustions to feed crops right here in Kern County using a science called crop carbon enrichment used for a hundred years in green houses and researched extensively by USDA and Brookhaven
National that doubles -- doubles the yield of citrus and adds 10 to 40 percent water utilization efficient. That means less water used by ag. The biggest water user in the State of California.

The Commission is -- I want to emphasize that the California Energy Commission does offer millions more dollars to reduce natural gas consumption. So I -- grants, for example, that I also hope to win. And with CARB's help and the District's promotion in this technology for this type of technology as solutions in this program will get some more attention on that.

Thank you

VICE CHAIR BERG: Thank you.

MS. ROSCHEN: Hi. My name is Taylor Roschen. I'm with the California Farm Bureau. I'm actually from Sacramento, so thank you for having a meeting down in the valley.

We echo the comments from Jesse with Kern County Farm Bureau. We support the goals of improving air quality in our communities. And we know that our farmers also need practical, reliable techniques to manage our pests. I hope that this Board acknowledges that pesticides are a measure of last resort for farmers and they are applied by professionals under rigorous oversight.
Productive ag and safe communities are not counterproductive goals and they shouldn't be. Our growers live in these communities. We work in these communities. In consideration of a proposed notification system, however, we are concerned that this is an exaggerated reaction. The devil will, of course, be in the details and we look forward to seeing what those might be.

We believe that DPR has processes and procedures in place that are efficacious, that protect the community far and beyond any other system deployed internationally. Farmers respect the boundaries of these rules. We follow them. We follow the label. So it's very concerning that this pilot, among other actions as of late, signals that this process doesn't work and that the rules are ineffective.

We ask that whatever is pursued, whether we agree with it or not on the proposed notification system, that it be feasible for farmers and practical. A solution can't be predetermined and outreach to the ag community cannot be perfunctory.

If we're going to find a meaningful solution that works for everyone, then we need to have earnest engagement of the farming community, not one to two meetings to see if something that works in a pilot setting
is scalable to our 400 different commodities in California. And we are concerned that this has not traditionally been the model that's been deployed.

Thanks.

VICE CHAIR BERG: Thank you. And we would encourage that we keep open dialogue.

Thank you.

MS. RIVERA: Hello, everyone. My name is Ana. I'm a community health worker with the Central California Asthma Collaborative. I did just want to go ahead and address the comment earlier what about the money that we are spending on this.

So that's the whole purpose of AB 617, right, contributing money back to the community. We're spending all this. We want to make sure that we are reducing those air contaminants, that pesticides, that are affecting families, for example, with asthma that have to incur those costs, those hospitalization bills, because they're breathing in contaminated area. So that's what we're here to do today.

I also wanted to make sure that moving forward, that we are creating this partnership with the community members. As was mentioned previously, a lot of times they've had to reiterate what they want to see from AB 617. So moving forward just making sure that we're really
hearing what they're saying, so -- as they are the experts in the community.

And at the end of all this, they are going to be the ones that are living here. So trying to create those changes that they feel would be best for their community.

Thank you.

VICE CHAIR BERG: Thank you.

MR. ALLEN: Good evening, Madam Chair and members of the Board. My name is Matthew Allen. I'm with Western Growers Association. Our members grow approximately half of the nation's fresh produce, so fresh fruits, nuts, and vegetables.

Thank you for the opportunity to speak here tonight. I wanted to raise specific concerns regarding the discussion around 1,3-D. As we look at the data there, we continue to have -- scratch our heads a little bit about seeing that anomaly and that spike. When we look at all the different applications that are made throughout the year, growers are doing those per the label and following the practices via the county ag commissioners.

And we are concerned, as we move forward in these discussions, that the grower community is not really -- has not been invited to be an active participant in the table to discuss some of these actions that are being
considered, especially regarding the notification system.

So whatever path folks decide to move forward on, our members really need to be invited to those discussions to make sure that the growing community is part of that, that it actually works for everyone. And that's what I would leave you with tonight.

Thank you.

VICE CHAIR BERG: Thank you.

MS. MARQUEZ (through interpreter): Good afternoon. It's so nice to see you again. As you know, my name is Anabel Marquez and I'm a part of the Committee here of Shafter.

I really am not coming to an understanding. I really do not get why everybody is being so defensive. We are not fighting against people with pesticides, nor oils, or anybody who's in the milking business. We're simply trying to catch your attention and help you notice that everything is affecting us, whether it be air, water, everything, in general.

The industries are really only thinking of themselves. They're talking about them not causing illnesses that they're very well regulated, that there are certain pesticides that don't cause any harm, that the oils aren't contaminants. That for all of those who are in the milking business that the miniature particles
aren't harming anyone.

So my question is why are so many people dying, please explain that to me, through asthma, Valley Fever, cancer. If everything is so regulated and you have the certainty that everything is okay, then please answer me what is happening? What is going on? Nothing.

So those of us who have lost loved ones, those of us who've had family members who've passed away, pregnant women who've passed away in the fields from being contaminated from the pesticides and such, what is happening? What are we going to do about that?

What is it that we want? Do we want to be the United States of America that are disabled? So when a child is born with a deformity, with some kind of birth defect, it doesn't matter all the money from all the different industries, nothing is going to be able to repair that damage.

So you saw Mr. Palla when it was being fumigated the American Community, is that correct? I mean, I don't want to -- I don't want to put you on the spot or against anyone. I mean, I just want to have a testimony of so many that there are. I mean, so many times when you're going by a street and the pistachios are being shaken, you don't see anything. You can't see a thing, all the dust.

What is happening with humanity? What is
happening with all of us? All the money we have won't benefit in any way. And this world of ours it won't benefit anyone nor rich, nor poor. Please, let's not be selfish. Let's think with our heart for the new generation. No fights. Just awareness for all humanity.

Shafter is not the only community suffering these consequences. I mean, we're so small, and we have more than 200 oil wells. Almost five places of milkeries --

MR. GUSTAVO AGUIRRE, JR.: Dairies.

THE INTERPRETER: Thank you.

MS. MARQUEZ (through interpreter): -- and we surrounded by pesticides. So please tell me what's the solution?

Thank you.

VICE CHAIR BERG: Gracias.

And our last speaker is Jeff.

MR. RASMUSSEN: Good evening. My name is Jeff Rasmussen, and I'm a local pest control advisor. I'm honored to be an agronomist. I've been working in crops for over 25 years here in Kern County and other counties abroad. Again, thank you guys for -- all of you and the Board members, and the steering committee.

I want to just continue to support the discussion of local need and local environment discussions. I think we all win and you up in Sacramento look better when we
bring better solutions to the problems. And people -- the pesticides is a very emotional discussion. And I think when people sit down and talk, and actually go out and visit, and understand what it means what a pesticides is, whether we're using organic pesticides or conventional pesticides, they are all pesticides. And there's nothing -- there's no difference in how we apply it and the safety that goes into those measures, whether they're out in an open field by themselves, or how it's applied.

I applaud DPR's efforts and have in this local discussion, and continue to have more meaningful discussions.

I am one of the few has actually worked on notifications here in Kern County. I've actually started the spray safe organizations, brought attention to BeeWhere, and also school notifications. It's very been frustrating when we had our own local school notification problem and I went to seven different high schools here in Kern County to talk about notifications, and actually have a meaningful discussion with industries, and local farmers, and the residents around it.

I would also look at how the school notification is working in the school systems and how effective it is. People talk they want notifications, but there's really -- from my experience, people really want to know about it.
I'm not saying that there's none, but the people who do want it and the people that are farming around them should have those local discussions and come up with those solutions. That is the right and best way of the local people who want to be notified and get to know the neighbors. We, in farming, things changed and we've worked on it constantly the notification from farmer to farmer, work to worker. It's constantly -- we are constantly tying to develop new alternatives.

This whole thing about new alternatives in pesticides has been around about a hundred years. We don't want to apply one pesticide. Again, let me report to you, no farmer, no pest control wants to apply a pesticide. Let me repeat that again. We do not want to apply a pesticide, period. But they are part of the tools that we've developed, and DPR, and the University of California have -- are the leaders in the world have reduced pesticides and have developed for years. And they are the people I feel have had the least recognition in this state to reduce pesticides. They are the true heroes, ladies and gentlemen, that have reduced pesticides.

We have followed their lead in how to reduce IPM strategies, how to do cultural changes. But we need these tools at the end of the day, whether they're organic or
conventional, and humbly bring to your attention those
that -- programs that have worked take years of dedication
of both sides coming to to solve the solutions and
misguidance of the problem. I'll leave --

VICE CHAIR BERG: Okay. Jeff --

MR. RASMUSSEN: Thank you.

VICE CHAIR BERG: Well, what I would like to
encourage is that -- I appreciate your testimony and I
think that education on both sides, so that the pest
control, your expertise, can be used by the community, but
also for you to understand where the community is coming
from, and --

MR. RASMUSSEN: Absolutely. We're here to work.

VICE CHAIR BERG: And I really get that from you.
And I really, really would encourage that. And I'm seeing
Director Val shaking his head in agreement. And so thank
you very much for coming.

MR. RASMUSSEN: Again, thank you.

VICE CHAIR BERG: That concludes our list of
witnesses. And so with that, I'm going to close the
public testimony. And I'm going to call on Craig to
respond to any of the comments for CEQA.

ASSISTANT CHIEF COUNSEL SEGALL: Thank you, Vice
Chair.

There we go. Thank you, Vice Chair.
We appreciated the thoughtful comments and the discussion today. And we believe that the staff reports, the materials in the record, and the discussion in the resolution sufficiently address them.

Thank you.

VICE CHAIR BERG: Thank you.

Now, we did hear some terrific comments, I think, throughout. And so shall I turn to staff first and see if there's any follow-up.

Samir, do you want to go first.

MR. SHEIKH: Vice Chair Berg, I just wanted to respond to a couple of things that came. First, thank everybody for their comments as you just did as well. That was actually a wide range of, what I thought were, very thoughtful compliments, areas of improvement, suggestions for moving forward with implementation.

I took every single comment in the spirit of how do we actually implement this CERP, even more strongly than we all even imagined moving forward. And so I did take quite a bit of notes and wanted to respond to a couple of quick things. I do want to correct what I believe is typo actually in the CERP.

We do want to focus on zero-emission school buses in the CERP. I think the title said near zero, but the actual discussion was focused on zero emissions. I want
to make that clarification in response to that -- that
question that came up.

VICE CHAIR BERG: That's important.

MR. SHEIKH: Also, in terms of the urban
greening, it's a $55,000 investment. It's a 20 percent
cost share to a total project that we're envisioning of
$250,000 based on conversations with the Committee. That
I do see potentially. What I really hope is that that
grows to a larger amount.

And we have had discussions with Tree Fresno
and -- what's the name of the organization?

MS. OLSEN: San Joaquin Green.

MR. SHEIKH: -- San Joaquin Green and others that
are very excited -- and the city, of course, is very
excited about developing an urban greening project in this
area, and including -- and I want to clarify again, La
Colonia is part of that effort. So that is matched
funding.

There are a lot of State dollars that are
available for urban greening. And we want to leverage the
funding that's available in the CERP to bring those State
dollars to the community.

If we find, after we put that project together,
that we need more money, there are certainly discussions
that could be had with the Committee to talk about that
grander vision. And just for the record, I want to respond to that.

I also wanted to mention that CERP -- on the issue of regulatory measures, this is where things -- you know, I really -- I thank the community in advance for participating in a number of different efforts that are going on right now that actually directly relate an impact to that question of what we're doing, whether it's the oil and gas sector or other sectors.

We're actually actively in the process right now of reevaluating our internal combustion engine rule, our flare rule, the boiler, steam generator, and process feeder rule. These are multiple generations of rules that we had in place. But we actually are committed, and describe in the CERP, a number of different efforts across some of these different source categories that are all part of these various industries that have come up.

It's very -- we recognize that it's very difficult to kind of keep track of all these different efforts, because, not only at the local level, there's a lot going on at the State level as well. And so the commitment that we've had is to try to pull the steering committee, and then all of the other community partners into those processes, so that they're actually actively participating as we move forward with those. And that's
described in the CERP, and I just wanted to kind of respond to that comment as well.

And then I don't know if there's any other clarifications here. And I wanted to thank Jess Olsen - I forgot to introduce her earlier - of staff. She's been very help in trying to help me keep track of a lot of these great suggestions that have come in. Thank you, Jess, for that.

VICE CHAIR BERG: Thank you.

Director, do you have any follow-up comments?

CALIFORNIA DEPARTMENT OF PESTICIDE REGULATION
DIRECTOR DOLCINI: Thank you, Vice Chair Berg.

Lots of good comments tonight. Obviously, 25 members of the greater Kern County community who have positions that are sometimes radically different from one another. But DPR, as it's always done and as it will continue to do under my leadership, will extend the interested hand of cooperation and collaboration to all of those that we heard tonight. That's why I personally attended six spray safe events around the state and I've also attended environmental justice conferences.

So DPR is a department of State government that's always in the crosshairs. It's often under a microscope and at the center of controversy. Just in the last couple of weeks, I've been accused in writing of being a --
promoting an anti-agricultural agenda and being a shill for the chemical industry. So somewhere in the lonely middle DPR finds itself on these issues.

Our promotion of a pilot mitigation option for 1,3-D in those three counties that I mentioned earlier, I think is an appropriate response. It's not an overresponse, but it's an appropriate way to address the public health concerns that many communities have, without crippling our all important agricultural industry.

I think I still have some friends in the farming industry in the state. I've spent about 25 years from one end of the state to the other working for farmers to benefit them on credit issues, conservation issues, disaster recovery, and now pesticide policy.

So I think we can go forward here. I think that, you know, lots of the comments that I heard from the Kern County Farm Bureau, and the State Farm Bureau, and others, local PCAs, are all very instructive. I took voluminous notes, as did my team. And we'll go back to Sacramento and figure out the next step forward. But I'm committed, as I said earlier, to this process, and to making sure that what we do includes all the voices of this community and another communities where we work in the state.

VICE CHAIR BERG: Well, thank you very much. I was very encouraged by the various farm, league, and
bringing suggestions, and money to the table, and partnering. And so I really look forward to their participation. And let's go get that money, okay?

And -- but also, I was really touched by the fact that there could be some education on both sides, a greater understanding from both sides. And I'm not suggesting that pesticides is not a problem, but I am suggesting that in order to come up with the best solution, because we often find one size doesn't fit all. Maybe it will in this case. Maybe it won't. So I'd really encourage and really excited to hear you wanting to include everybody.

And I was very appreciative also of the shout-out to UC system. We really do have a lot of research and very dedicated departments. And I'm sure if you reached out to them, they would also be willing to come for a session to talk about and further educate to bring people together. So that might be a suggestion.

From CARB side, do we have some closing comments before I call on the Board?

OCAP DIVISION CHIEF MAGLIANO: Just to add a little bit more I think a common theme that you heard from everyone was the key role the steering committee will play in the implementation process, not only the development process from, you know, wanting to work with DPR
collectively as they develop the notification system, to identifying some of those key priorities as you move into implementation, where we really want to focus on first in figuring out how they get done, to also working together, as we've heard in prior Board meetings, of having frequent reports back to this Board as we go forward. So I think those are all good things the Board might want to have some additional discussion about.

VICE CHAIR BERG: Great thank you very much.
So with that, why don't we open it to discussion. And maybe I'll look to my left this time. And would you start out, Diane. Do you -- thank you very much.

Ms. Takvorian.

BOARD MEMBER TAKVORIAN: Thank you, Vice Chair.
Thank you to everyone who was here today and who has been struggling through this. I think almost across the Board, this was a difficult process. I think I heard that. I stopped counting at some point, but I -- I don't think that that's an unusual circumstance for communities -- environmental justice communities like Shafter and like others around the state.

So difficult process is the name of the game. We're doing that every day. And I think that what we've heard today is that the community is here to stay, and that I think, as Gustavo said, the paradigm shift is
occurring. And I think it's absolutely appropriate and I really appreciate the responsiveness of CARB, and of the district, and of the community to what should be a community-centered process. That's what's embedded in AB 617. And it seems as though there's been a shift here and a turn towards that. So I think it's great.

This is a situation in Shafter and with other EJ communities that has been decades in the making, because we've disregarded the health and safety of all of our residents in communities across the state. And so while it might seem like this is a quick and -- there may be quick and hasty responses here, I don't think so. I think they've been really well thought out and that the experience of the community really can't be denied. And I really appreciate that we've created that space for the community to be heard.

And I think that it's important that the -- that the conversation and the collaboration be as well memorialized as possible. So I really appreciated, Vice Chair Berg, your questions as we began the clarification and other questions that have come forward, and suggestions. And so I'd like to recommend a few amendments to the resolution that I think would help us to be on the right track.

I think the -- everyone has stepped up to this
task. But the burden on the community is really huge. And so if there's a way that we can make that easier -- and I think that we've already done that in the resolution by making it quite specific, like many of the aspects of the pesticide outcomes that we're looking for that the Director has included and that we've include in the resolution are quite specific. And I think that I'd like to follow up on some of your comments with some specific asks.

So the first one is on page three where it says, "Whereas DPR has committed to the following actions". The third bullet I think should include -- it says work with Kern County Agricultural Commissioner's Office and lists others. I think it should also say, "And the community steering committee". And I'm sure that that's what you meant, but I think it's important that we -- that we say it there.

I'd like to include on page six where we have near the bottom of the -- the bottom third of the page, "Be it further resolved, that the Board directs the District to submit annual reports", I'd like to ask that that be changed to "semiannual" or "biannual", however we want to say that, so that there -- these reports are being submitted every six months, and that they be approved by the steering committee prior to submittal to CARB.
And that they include financial reporting, meaning -- I think there was lots of questions about how are the incentive dollars and the other dollars going to be spent. So I think it's important that in that report we see how the allocation is occurring, so that we can ensure that those dollars are being kept in Shafter, as everyone has committed to.

I would also like to ask that this language be added, that, "CARB requests that the District evaluate expansion of the incentive program for the electric heat pumps to enable those with natural gas home heating devices to replace them through this incentive program". So we understand that it needs to be evaluated, so I'd like to see that that occur.

CARB requests that -- a second add would be, "CARB requests that the District evaluate expansion of the old vehicle replacement program to enable cars less than 20 year old..." -- "...20 years old to be replaced". I'm assuming that the finding -- that there may be a finding in this evaluation that there aren't enough cars to -- 20-year old cars to actually qualify. And so if that's the case, that we would recommend utilizing a phased program to enable younger cars to be replaced.

So no other words, if there's not enough 20-year old cars, then you move to 19-year old and 18-year, and
let's get the older cars off the roads. But what we're hearing from testimony is there may not be a big enough universe of the oldest cars.

And lastly, for the urban greening program, to expand the urban greening program to ensure that there are adequate funds to plant and maintain the trees. Now, you talked about the partnership with the city. And actually using this $55,000 as a match program, Samir, which I think is great.

But it's clear, I think, from the testimony that the -- that allocation of 55,000 in the CERP isn't adequate. We saw an example, at least when we were on our tour today in Shafter of La Colonia Mexicana, right, that it's -- that we desperately need -- they desperately need the green barriers. And I appreciated the farmer that came forward and said that he'd started that, but I think we really need to encourage that -- those exposures really have the opportunity -- there's a great solution there in many ways, and it's a climate solution as well.

So those are the changes that I'd like to recommend.

VICE CHAIR BERG: So in looking at the specific changes to the resolution, Richard, could you help jump in here with how you would see that before I kind of see from the other Board members where we're comfortable.
EXECUTIVE OFFICER COREY: Right. So a few points quickly to just summarize. One, the first was to characterize that the -- DPR's follow up in terms of developing and working through a notification process include consultation with this -- the steering Committee as well as the other stakeholders that are called out.

VICE CHAIR BERG: So can I see -- is that acceptable --

BOARD MEMBER TAKVORIAN: Right. Just to add community steering committee --

VICE CHAIR BERG: Yes.

EXECUTIVE OFFICER COREY: Yes.

BOARD MEMBER TAKVORIAN: -- to the bullet, yeah.

VICE CHAIR BERG: To that bullet. Is that acceptable to other Board members?

Okay. Great. That one is done.

EXECUTIVE OFFICER COREY: The other concern, the frequency at which the reports on the progress of implementation of the CERP are identified, it calls out a year. The request was to biannual, basically every six-month progress reports on status, including the dispensing of incentive funds.

VICE CHAIR BERG: And, Samir, are you okay with that?

MR. SHEIKH: Yeah. I am okay with that. It's
something that I talked to Richard about, because I think the six-month report has also been spoken about in other communities as well. And so as long as other communities are also reporting on progress made, which I think is the intent of this Board is to keep an eye on all of the development and implementation of these CERPs. I think that's -- that sounds --

EXECUTIVE OFFICER COREY: That's correct. In fact --

MR. SHEIKH: -- good to us.

EXECUTIVE OFFICER COREY: -- the direct -- excuse me. Sorry, Samir.

The request of Ms. Takvorian was consistent with the Board discussion of the previous two CERPs in terms of the expectation more frequently reports back, so it's consistent.

VICE CHAIR BERG: That's great. My fellow Board members, we're good with that?

BOARD MEMBER SPERLING: What was that?

BOARD MEMBER BALMES: So one comment I think that Ms. Takvorian also said that she thought the reports should be approved by the steering committee.

VICE CHAIR BERG: Oh, yes. Thank you.

BOARD MEMBER BALMES: I think approved may be too strong. I think there should be input. I think it should
be a joint report between the community and the district, as opposed to, you know, one approving the other. That's my suggestion. I don't know if others would agree.

MR. SHEIKH: So just to -- can I respond to that.

BOARD MEMBER RIORDAN: I think that's thoughtful. Yeah, that's a thoughtful suggestion. I think, that's...

VICE CHAIR BERG: But maybe we should -- could we just table that for just one minute. The Committee -- the wording of that, just because I want to get into that a little bit more.

BOARD MEMBER TAKVORIAN: Okay. Sure.

VICE CHAIR BERG: So I'm not leaving it.

BOARD MEMBER TAKVORIAN: Okay.

VICE CHAIR BERG: But I'd like to get as many of these ticked off as I could.

BOARD MEMBER TAKVORIAN: Absolutely.

VICE CHAIR BERG: Okay. So we are in agreement with the six months reporting.

Richard, next, please.

EXECUTIVE OFFICER COREY: The consideration -- the evaluation of the electric heat pumps as well as an option under the implementation of the plan, and the potential use of incentive dollars. And, in fact, I would add both that point as well as the point on the eligibility of -- for clean vehicles, vehicles that are
So it's really both those themes are in the context of implementation of the CERP and the use of incentive dollars, and the evaluation of both of those applications. And I had heard, I think, Samir's support for that effort in the context of the ongoing work with the steering committee.

MR. SHEIKH: That is correct. And I think the key steps that would be involved there would be -- and I think what would make our life a lot easier would be to have that approved as a category of a program. These are CAPP funds. And there's a very important step that has to happen for these very innovative programs to actually be fundable. CARB actually has to approve every specific program into the guidelines. And I think we can work very closely with the community and CARB. That would enable us to actually spend money in a program like that.

CARB would approve it. Our board would actually have to approve that program as well, because that is not a specific program in this CERP. Now, I'm going to take a close look at that. If I have the authority within my authority in the resolution, my own local resolution, it's something I'll certainly work within. But if I do have to take it to my board, what I would use is CARB's approval of that element, as well as working with a committee on
evaluating that particular program.

And if we're able to make that work, it's
something that I'd be willing to come back to my board
with, if that -- if that is something that's needed, based
on the approval authority that I have under the CERP.

VICE CHAIR BERG: Thank you. Ms. Takvorian, you
understand that?

BOARD MEMBER TAKVORIAN: Sounds good.

VICE CHAIR BERG: Okay. Thank you.

Professor Sperling.

BOARD MEMBER SPERLING: This -- the electric
vehicle one, I have a little concern about tinkering
around with those numbers. I would suggest a more broad
statement that look at these incentives in a more broad
way. For instance, you know, using -- you know, for a --
a replacement for a second use vehicle -- electric
vehicles that are second use or for the positioning of
these electric vehicles for shared -- for car sharing and
ride-hailing type services that are already being
introduced in the valley in a lot of pilot projects.

So I'd rather see a more creative use of that
money that is -- you know, I've studied these a lot and
these programs are not -- you know, the cash for clunkers
is not very effective. And so, woops, I didn't really say
that.
(Laughter.)

BOARD MEMBER SPERLING: But thinking about a more creative use of it.

BOARD MEMBER GIOIA: Can I --

MR. SHEIKH: And, Vice Chair Berg, if I could respond --

VICE CHAIR BERG: Yes.

MR. SHEIKH: -- to that specific suggestion. The CERP actually has some flexibility on this issue of model year. In fact, we went to our Board a couple of months ago to open the model years up. And I think that gets at part of the suggestion that came up earlier to actually expand the window of eligible model vehicle through the existing Clean Cars 4 All Program that we operate at the local level.

This program actually expands the funding amount per vehicle. So that program already actually provides quite a bit of funding and we do a lot of work in this community with that program. This measure I think actually just about doubles the funding potentially.

And so I think we can take the lessons learned in the model year expansion that we have -- we've already gone through in close consultation with CARB. This would actually have to be approved by CARB as a new program category under the CAPP guidelines. And so I think in
that process of getting it approved and actually working
the details out through implementation with the committee,
we can have a lot of great conversation about those final
details.

I'd hate to actually carve out the guidelines at
this meeting without the benefit of actually having that
conversation with the Committee as a whole.

BOARD MEMBER GIOIA: I have a comment about this.
VICE CHAIR BERG: Yes.

BOARD MEMBER GIOIA: I think -- let me make sure
I understand. I think the point that Director Takvorian
was referring to is in response to this comment we have,
that there may not be enough 20-year old vehicles in
Shafter to use all of this money. So, Diane, isn't your
point that we want to use this money to benefit a
community. And that's why you're suggesting having a time
period that could be less than a 20-year old vehicle, but
really trying to provide flexibility, so that the money is
really available and can be used.

And, you know, the -- I understand what you're
saying, Samir, is we want some flexibility. But it seems
to me we want to use this money for the population in this
community, to be -- and it may mean changing the years,
changing some of the eligibility criteria. And I think,
Diane, that's the point you're trying to get at, right?
BOARD MEMBER TAKVORIAN: Yes.

VICE CHAIR BERG: And what I'm hearing from Samir is he went back to his board and expanded the flexibility.

BOARD MEMBER GIOIA: Yeah, I want to make sure I hear and I understand this.

MR. SHEIKH: Yes.

BOARD MEMBER GIOIA: Okay.

MR. SHEIKH: So -- and it's a legitimate concern and it's why we actually went back to our board to look at expanding the eligible pool of vehicles. And I don't have the exact model years in front of me, but, you know, pre-1997, 1999, that was a very important category in the early version of Clean Cars 4 All. We've now moved into 2000s. And actually, it wouldn't be a 20-year eligibility.

With the new changes that we've just made, we've actually just gotten those approved into the broader valley program and we want to bring that as a starting point into the conversation for this program. And I think we could actually apply a lot of community specific input into the design of this program, because we're actually going to get it approved ultimately working closely with CARB anyway. It doesn't have to follow the Clean Cars 4 All model. I think we can actually tailor it. Based on the input -- I think based on Board direction, what we're
BOARD MEMBER GIOIA: But how are you changing this? I mean --

MR. SHEIKH: I'm sorry?

BOARD MEMBER GIOIA: I'm not sure I understand, without hearing more detail, how are -- what changes are you making to expand it? What --

MR. SHEIKH: Oh. So it would be the eligible model year of vehicles that would qualify. So it's going from late '90s to mid, late 2000's, for example. And that --

BOARD MEMBER GIOIA: But they -- the would still be replaced by a new electric vehicle, not a used --

MR. SHEIKH: No, it could be used as well. In fact, many of the vehicles that are replacement vehicles are used electric vehicles as well, under the Clean Cars 4 All Program.

BOARD MEMBER TAKVORIAN: So it sounds like if you include the, "CARB requests that the District evaluate expansion of the program", that's not a problem, because you're already -- you've already initiated that.

MR. SHEIKH: Yes, I think --

VICE CHAIR BERG: But if we've already --

MR. SHEIKH: I think at that level, that would be perfectly acceptable. I think is where you establish, you
know, exact model years and all that, I think that's the part that needs some discussion.

BOARD MEMBER TAKVORIAN: I don't we were trying to do that. We're trying to give you the ability to --

MR. SHEIKH: Yes.

BOARD MEMBER TAKVORIAN: -- to move forward and evaluate it, understanding that you may not have cars at the oldest -- that would -- enough cars at the oldest age that would qualify or utilize the funds. So I think if you're already on that path, that's great. Then there will be no problem with including it in the resolution, as Richard articulated. I don't see that there's a conflict here, right?

VICE CHAIR BERG: No, there isn't. But I'm just not either seeing if they're already doing it, do we need to put it in the resolution?

BOARD MEMBER TAKVORIAN: But apparently it's not articulated in the CERP that way, so --

VICE CHAIR BERG: Okay. Okay. Could you bring this to closure.

EXECUTIVE OFFICER COREY: Yeah, I captured -- I captured theme. I think there's a very modest adjustment to language to better reflect the fact that the adjustments are intended not to have an undersubscribed program, to have an effective program. We'll capture that
theme. I think that is the point. Learn from it, make adjustments, and if there are conditions, including eligibility provisions that Samir talked about, we have that flexibility. And by characterizing what we're trying to achieve and was really consistent with Professor Sperling said --

VICE CHAIR BERG: Yes.
EXECUTIVE OFFICER COREY: -- we'll capture that in the language.
VICE CHAIR BERG: Yes, because you want to make sure to be able to take advantage of new mobility for this community as well. So make sure that we do have the flexibility.
Okay. So we're good on the language, Ms. Takvorian?
BOARD MEMBER TAKVORIAN: I think so, yeah.
VICE CHAIR BERG: Okay. Good.
And the final, the evaluate the heat pumps.
EXECUTIVE OFFICER COREY: I captured that one, in terms of the flexibility with the steering committee.
BOARD MEMBER TAKVORIAN: Yeah, he did.
VICE CHAIR BERG: He did. Okay. Perfect. We're good. Okay.
And the last one with the urban greening.
EXECUTIVE OFFICER COREY: It was really that I
should have captured it in the same comment, because it is a matter of funding allocation and the follow-on work the District is doing with the steering committee in terms of the use of those dollars.

VICE CHAIR BERG: Okay.
BOARD MEMBER TAKVORIAN: I'm sorry. So evaluate and evaluate expanding --
EXECUTIVE OFFICER COREY: Evaluate --
BOARD MEMBER TAKVORIAN: -- the funding allocation for the urban greening, is that what --
EXECUTIVE OFFICER COREY: It's a conversation with the steering committee about relative priority of the 617 dollars and the flexibility if it's a relative -- if they have a high priority to adjust some funding.
VICE CHAIR BERG: And that will be included with the community, driven by the --
EXECUTIVE OFFICER COREY: It's a follow on. It's an implementation discussion between the District and the steering committee, and a commitment that has been made in terms of to finalize those allocations really required some follow-on conversation with the steering committee.
VICE CHAIR BERG: Okay.
BOARD MEMBER TAKVORIAN: Yes.
VICE CHAIR BERG: Great. I'm going to get back -- I'm not forgetting the community.
BOARD MEMBER TAKVORIAN: You're always good for word.

VICE CHAIR BERG: But I'm going to call on Hector first.

BOARD MEMBER DE LA TORRE: I just wanted to make a general comment that I've done previously, and I'll -- because I've done it in a different place, I'll do it here as well. Thank you. Thank you for participating. AB 617 was -- is -- was, is an experiment. It hasn't been done anywhere in California. It hasn't been done anywhere on this planet to look at this localized area and try to address issues at this very localized small community level.

And so we're working our way through it. You're working your way through it. And so for us, it's great to hear these different ideas that different communities are having all over the state.

And the goal here is that we all learn from each other, as we go through this process. You know, maybe there's other rural areas in the state that are doing something very interesting and successful that can be applied here in Shafter. And so we're going to cross-pollinate. That's why Karen and her team, you know, are involved in all of these, so that we can -- we can centralize what's happening in every place and say, hey,
that might work. That works in this rural community. It
might work in this other rural community.

So as we move along, that's the idea. We're very
eyearly in the process. Not going to be perfect out the
gate. But as you see here, even with the suggestions that
were just made, you know, we're going to tweak it, and fix
it, and modify it, and improve it as we -- as we go along.
So we are all very, very optimistic about this.

But your input, your involvement is what -- what
really makes this work. And so I'm very heartened by what
I'm hearing here today and this collaboration between
CARB, and the community, and the local air district.

So thank you.

VICE CHAIR BERG: Thank you very much.

Dr. Sherriffs.

BOARD MEMBER SHERRIFFS: Thank you.

And my comments are really general as well. And,
you know, again many have been thanked for their
participation and engagement in this. And I would just
want to again acknowledge the consideration and support
from the San Joaquin Valley Air Pollution Control District
for this process, and their willingness to embrace it, and
support Samir in terms of his work on this that has
been -- the staff that has been so critical.

The pesticide discussion. As a doctor, you know,
I think about informed consent and medication. You know, I'm going to suggest you take this medication. Well, we talk about the risks and benefits. Now, the difference here is the risks -- the risks are shared by the community. You know, the benefit is in potentially the application, but the risk is shared by the community.

And so we really do have a different discussion and a need to engage at a different level. And we're dealing with a history. As was mentioned, the cowboy and cowgirl area -- era of 30, 40 years ago, well, people remember that. And in the interests of full disclosure, I'm a physician. That's why I'm here, but I also -- I grow raisins, so I don't like to be regulated. I didn't like to be regulated as a doctor.

(Laughter.)

BOARD MEMBER SHERIFFS: I get this. But I also live in the country. And every month I smell something. I taste something on my tongue. Well, they're my neighbors. They're my friends. They're my patients. I wonder. And I think, boy, whatever we do in terms of increasing the transparency of what's going on, that the public can access the information. You know, this 617 process is amazing. And thanks for the engagement that is making this work and really extraordinary ways. But more rigorous data, more open data. Again, what's happened in
medicine, patients have access to the internet and information like they've never had before and it creates problems. But I think people, in general, concur that that information -- having that information available is important. People need it for their confidence in the system from what's going on.

So, yes, 617 is grounded in community experience and it's grounded in community priorities. And one of the things that I think will be important in terms of the long-term success is there's not anything that's being done that we're not going to measure, and come back to, and think about what the effect was, and again, coming back to the cost and benefit. Well, here's what we got for that investment. And community, do we want to continue down that track? There are other ways we could spend that money. And these are benefits we think we could get.

But again, it is very community driven. What's the experience? What's the experience been with -- with pesticides with confidence in terms of what's been going on?

I -- I think people should, in general, welcome -- this gets to prove we're doing what we're saying what we're doing. So the people will have more confidence in that. And, well, it's not -- it's -- we
want to do it. And if we're not, we need to understand that, and then figure out how to do it better.

So an and amazing process. I really thank the leadership from Department of Pesticide Regulation for engaging in this in such a real way. And it also gives me confidence as we try and engage with transportation and housing on a number of issues. Those -- those things how they are a nexus with our air quality and greenhouse gas. We need to bring those partners together. And this is a great example of how we're -- we're beginning to do that and having some real success. So, again, thank you very much for being here.

VICE CHAIR BERG: Thank you.

Comments on this side.

Mr. Eisenhut.

BOARD MEMBER EISENHUT: Okay. Thank you, Chair.

The first is a sideline comment, but I hope we were taking notes when Mr. Butterfield made a comment about the CDFA requirements in a nursery environment, because that's one of the partnerships as we move forward and have continuing discussions. They -- they're not a group that we had previously identified as someone with whom we should include.

And I'm going to address a little bit the notice issue. I've -- I have a background that includes filing
notices. And I'm a little puzzled by the apparent disconnect between the requirements to file -- all growers, all operators need to file a notice of intent. And apparently, in Kern County, the information contained therein is not made available. And I'm saying that with a certain level of puzzle. And I'm hoping that the continuing conversation conducted by all of us here, and including potentially members -- committee members, representatives from the Farm Bureau and from the Ag Commissioner's Office can explore that disconnect. So I would -- I would ask that that be added to our list of things to look at.

I am very heartened by the presence and the commitment from Department of Pesticide Regulation. I would -- I would respectfully disagree that there is a history of trust. I don't see that as the case. I am happy to -- I am thrilled with where we are today, where we seem to be going, and the progress that -- that promises to be made.

I -- there is -- when I look at page three and the bullet points, there's a little bit of a disconnect between -- Val, you're in the hot seat -- but between the language of commitment and the -- I'm not an English teacher -- but the verbs that are used, "work with", "explore". Those to me are not action verbs. Action
verbs are more like "implement".

And I hope that we -- when we have our six-month review, and I'm not proposing an amendment, but I am expecting that when we have our six-month review that the language is tightened up in our reporting.

So thank you.

VICE CHAIR BERG: Thank you.

Ms. Mitchell.

BOARD MEMBER MITCHELL: Thank you.

And I'm glad that John just explained that, because as we were hearing from the community this afternoon, I turned to John and said - because John is very knowledgeable in this area - tell me what the ag commissioner does and what should be going on here?

I mention that, because I represent the South Coast Air Quality Management District. And we have implemented some programs on the computer that allow the community to sign up and get notifications.

So I routinely get notifications when any one of the five or six refineries in my community is flaring. It tells me what they're flaring, why they're flaring, was it planned or unplanned, and when the flaring happens.

I also get notifications when it's a no burn day. You know, you can't have a fire in your fireplace today. And I think they do that in San Joaquin Valley already.
So as I listened to this notification of the pesticide spraying, I thought we must be able to do that somehow, that get -- on a website you can sign up, and you know that we're going to do a spraying, and where it's going to happen. And I think the reason -- somebody said why does the community need to know?

But, of course, you want to know, because maybe you're not going to have your kids play outside that day, if the spraying is going on in a field that's nearby, or you want the schools to know that way -- don't let the kids go out for recess today, or take some precautionary action, so they're not exposed directly to pesticides.

So there are some good reasons to have notification. And I also want to say how pleased I am that DPR is here, and that Mr. Dolcini has taken an active role in this process, because pesticides were one of the big issues here. We began hearing about that a number of months ago.

And some of the community came to our Board meeting in Sacramento and said, this is something we're concerned about, so all of us were looking at that.

But it seems to me the great value of the AB 617 Program is that everybody comes to the table and you start sitting down across from each other and talking. And we need to have all the right people at the table. And what
John identified was maybe we didn't have one group that was needed, and that was the ag commissioners.

And the pesticide -- the licensed pesticide people that -- and the Farm Bureau, they came today. I don't know if they were at the table. I don't know if they were on your steering committee. But I think it's a lesson for us when we form our steering committees, what are the big concerns of the community, how do we address those, and who needs to be at the table to help us address it.

And so I think we're getting there. This is the first year we've ever done this. And it's been, I think, such a valuable program. I can't thank our Assembly people, Garcias, both Eduardo and Cristina, enough for making us look at things in this way. I think it's a real positive development. And I hope the community feels like we're listening to you. We're talking with you. We want to work with you to make your lives better.

So thank you to all the staff that worked on this, and all the people in the community that work on this, and that have come to the table to help solve the problems.

Thank you.

VICE CHAIR BERG: Thank you, Ms. Mitchell.

Supervisor Gioia.
BOARD MEMBER GIOIA: As someone who lives and represents an AB 617 community in the City of Richmond and North Richmond, I always especially appreciate the difficult and hard work that happens in communities to develop some consensus and develop these plans. And I think like some of my colleagues have said, these really are meant to be community-driven plans.

And so I appreciate those who have participated. And, yes, they deserve stipends. In fact, in the City of -- in the plan in the Bay Area stipends are paid. So let me just add to that. I think that is fair, because the business folks are usually doing it and they're getting paid. It's part of their job. The community should be paid. So let me be clear about that. That puts everyone on an equal footing.

And I just wanted to add. I am very supportive of the language that was suggested by Director Takvorian -- Board member Takvorian with regard to the pesticides, because as much as there are issues about authority, I think we have to remember these plans are designed to develop many strategies, of which the local air district -- the strategies that are within the control of the local air district are only one category of strategies to be pursued.

These plans have strategies that can be
implemented by local jurisdictions, like land-use issues with cities and counties. So every strategy that we identify we need to help -- that the community identifies, I should say, we need to help figure out how to implement, and we need to be advocates for that.

And that means the local air district being an advocate with the city and with the county, as well as the Air Resources Board, and also being advocates with State regulatory agencies.

And, Mr. Dolcini, thank you for being here and thank you for your commitments. I think those are very helpful.

So with the staff, I just want to understand more about how -- and maybe hear from the District as well, how you see your role in advocating for those strategies that are not within your control and what actively you intend to do. Because, you know, these -- these plans aren't worth anything, if they're not implemented. And many of the things are -- some are incentives, right? You've identified a lot of incentives, but they're also things outside -- clearly outside your control. So what commitments is the air district making?

MR. SHEIKH: That's a great question, and I really appreciate that you brought that up. And first, I think it's going to take partnerships. As somebody said
earlier, and made a very wise comment, which was as difficult as this first year of developing a CERP was, the real work starts with actually implementing the CERP.

And we talked about urban greening, we talked about a number of these different measures, every one of which is going to require really, really strong, creative work and partnerships being built around everyone of those measures.

I can tell you right now that our board and our staff are absolutely committed to helping to play a leadership role in trying to pursue those strategies. And what I -- what I see happening -- and this gets to the reporting question that also came up. What I see happening is a very regular conversation going on with a committee as we try to work on these things, as we try to pull together, for example, a coalition with the city on the urban greening project, when we see a roadblock, figuring out ways to get over that roadblock, bringing others to the table, and actually taking on a role of trying to pursue these different measures.

Now, some of them clearly are not at all within our domain. And I appreciate again, as I mentioned earlier, Val, for example, on the pesticide issues, wherever they're going to be working on issues, we want to support that process though. We want it -- it's not that
we're going so say, Val, good luck. You know, work on that measure. We want to create an environment where, even though we may not have the direct role in a particular element of that strategy, we consider ourselves of actually trying to move forward that community voice in moving that forward. And CARB, by the way, I know feels the same way. They're right there next to us every single meeting trying to figure out how we're going to implement these different measures.

And I think that actually is the beauty of AB 617 is it actually puts us in a position to advocate for those things the community is bringing up as priorities.

Now, authorities are things that we're going to have to continue to navigate in that process. Wherever, we, you know, hit an authority issue, we're going to have to figure out who's the right authority, how do we get that person at the table, how do we -- how do we make that measure effective. I want to tell you I do feel that in this process, we've been able to keep people at the table.

For example, today here, you see the City of Shafter, you see Kern County planning, public works, other departments, all actually engaged in trying to understand how they can move these measures forward together. And we have the very important role of trying to keep the committee engaged, well-informed, and continually
empowered to provide their input as these different measures are put together. And we're going to learn a lot.

And we're going to -- you know, I look forward to our six month report. I want to see a lot of progress made on these different measures. And I know that CARB -- and I don't want to speak entirely for CARB staff on this. I'll let Richard speak for CARB stuff. But I know, based on the track record I've seen so far on this first year, that they're going to be side-by-side with us trying to come up with the tools that it takes to move these different measures forward. And I look forward to that.

And I think that's -- that's a commitment. Personally, I think it's going to require a lot of personal attention from myself and from our staff. And I know that CARB is going to be there to also help us along the journey that we embark on together here with community.

VICE CHAIR BERG: Thank you.

BOARD MEMBER BALMES: So one advantage of being last is that I think almost everything I wanted to say has been said already. But I want to take a few moments to thank folks. And I really like your last comments, Samir, because I think you, representing the District, and the community with CARB's help have really learned a lot, like
you said, and are making progress.

You know, it's not perfect, but this is a pretty good CERP after, you know, all the struggles. I want to thank the community and the steering committee for engaging the district, you know, with -- in a pretty tough way. But I think it's paid off. And I think, what I'm hearing, is that the District is paying attention.

I especially want to thank Karen Magliano. Not that she's the only CARB member involved with this, but I just have to shout-out to the person who I've been working with in terms of AB 617 implementation across the state, through the AB 617 Consultation Group that I chair that we wouldn't be as far along across the state, and including Shafter and including Fresno, without Karen. So I just want to give a shout-out to her.

(Applause.)

BOARD MEMBER SHERIFFS: Have you seen her 617 tattoo?

(Laughter.)

BOARD MEMBER BALMES: I don't do tats. But I also want to add to multiple Board members thanks to Mr. Dolcini. The fact that DPR is here, that is major progress. And it's not just DPR, it's the Director of DPR, and director who's come multiple times to try to engage with the community. That is tremendous progress.
I've been working with -- doing research and working with community members in Fresno for 20 odd years, and, you know, DPR has often off their someplace. They're here today. That's really major progress and I appreciate that, and thank you.

And then finally, I agree with Ms. Takvorian's recommendations with that one issue about approved by the steering committee, as opposed to reviewed or some other term of art, but --

VICE CHAIR BERG: Great. So we're going to pick that up. I think I'd like to bring this to close with a discussion of -- it's been so pointed how -- it kind of reminds me of the butterfly. You know, we went into the cocoon as a caterpillar and we had to fight, fight, fight, and to come out -- and that is really true.

But how are we going to change that dialogue? And I think it's so important, we need to start feeling like we're fighting together. We're still going to fight, but we need to feel like we're fighting together, that we're on the same side.

And it gets back to this communication, I believe, and -- and how empowered the steering committee feels that they get to review things, and have conversations prior to things being vote on.

And so I would really love to see that -- get
your thoughts, Samir, on how you see going forward in the implementation phase to be able to get all the information -- well, I don't want to use a word like all -- the information that everybody is saying on paper for discussion, and whether it ends up at one place or another, it has been discussed, and that the community feels that they have been heard. And we might not all agree on how everything is going, but the fact that they've been heard, and the fact that they have ways to influence you, and they can see that influence, I think is really critical.

Diane, do you feel that that has also summarized what we're trying to say on the communication?

BOARD MEMBER TAKVORIAN: Yes, absolutely. I think that the point of this is that everyone has a voice. And environmental justice communities we say we speak for ourselves. So I think it's really important that as the district does its work, and the community does its work, and we come together to do the work together, that if there's a plan -- there's a report that's coming forward that's addressing the plan, that that be presented to -- that was going to be my suggested language change -- presented to the community steering committee, and that the community steering committee's response be included in your report to CARB.
So I understand that everybody might not be on the same page, but it needs to be presented, and I think we as CARB need to hear how is everybody feeling about it? Is that what --

BOARD MEMBER BALMES: And I would support that. That's actually what I was going to suggest, that --

BOARD MEMBER RIORDAN: That language would be, I think, quite good, because in any forum, you usually -- there's sometimes a majority and the minority report, if there's a disagreement. Certainly, this is an opportunity to make that known to the Board.

So I would think that that wording is far better than where you started, which was approval. And that is not quite what I would think we'd want to do. I think the idea that it go to the committee -- the working committee and their comments. And either approval or disapproval, that's not as important as it went to you, and you could respond, and your response was recorded in the process of the hearing.

BOARD MEMBER TAKVORIAN: Yeah. I think that's -- I mean, I think we all are thinking this is a collaborative process. That it doesn't get developed over here and then presented to the steering committee. I mean, everyone is working together. That's the goal, right?
So hopefully everyone has seen most of what will be in it, along the way. But at the end of the day, somebody wrote it, and everybody should have a chance to review it. So thank you.

VICE CHAIR BERG: Are you comfortable? Would you like to comment, please?

MR. SHEIKH: Yeah, I would like to respond to that. Yes.

First, I just want to be very clear on this, that I think it would actually be a failure in our process, if, by the time districts came back to you in six months to report on implementation progress, we had not agendized with our steering committee, basically that report, where we are on all the different measures, and I would even go far as to say that I'd want steering committee members to jointly report to CARB, which I think has been a good practice in the past. And I think that's in the spirit of what I'm hearing here, you know, that basically by the time we come back and report, you know, that we've discussed that with the steering committee. And I would actually love to have volunteers -- and I know it's time-consuming. And Gustavo has been great -- coming up to Sacramento.

And we'll see how the format of that looks, but I'd love to have members from the Committee actually
speaking for themselves as well in a collective report on that ongoing process. And, in fact, I think that's a practice that should be in the blueprint. I think every district should be using that practice as part of their six-month report.

VICE CHAIR BERG: Yes.

Gustavo, does that help address what you're hearing from your community members and the comments that you made as well?

MR. GUSTAVO AGUIRRE, JR.: Yeah I think -- thank you for the commitment, but, yes, I really think that meaningful engagement of residents, bringing what will be brought to the Board for us to intake that information, I think that those are the proper steps that we need to move forward.

And I'm sure that, you know, John also has some thoughts. But, yes, I think those are the measures that we need to take to get that real meaningful engagement with the residents and the APCO.

VICE CHAIR BERG: Great. Thank you.

John, did you have any other...

MR. GUINN: I might only add a couple of things. One is that goal of the Committee has always been to try to understand -- there are different interests and those interests are rooted in a lot of things. But the goal of
this committee has always been to try to find ways that we were understanding all of those interests and coming up with a common -- a common goal. But occasionally -- and maybe not occasionally, often there are different views. So having the Board get the majority and minority views of some of these issues would be important.

VICE CHAIR BERG: Great. I think my closing comment before I -- oh, no, I need to apologize to Mrs. Riordan. I did say that I would call on her and I didn't. I apologize.

BOARD MEMBER RIOR DAN: That is quite all right. And in the interests of time, I just would like to thank all of you for hosting us, I mean a lot of us thank -- you thanked us for coming. I just want to say thank you for hosting us, and particularly for the tour. I learned so much about Shafter and it's uniqueness, and it's wonderful sense of community. So I think I can say for all of us thank you very much.

VICE CHAIR BERG: Well said. Thank you very much.

I would like, as a closing comment, to really encourage both the steering committee, the community, the District to take a moment, as we're going from this plan, to implimation[phonetic] -- implementation, success is defined by dot, dot, dot. Okay.
We're going to come back in six months. And sometimes the definition of the success is very elusive, because you might be thinking of one thing and it doesn't quite come out. The better -- or the -- if you can define it so it is measurable, and has some benchmarks, and it can reasonably be accomplished, we will all be so much further along, because then we will be able to say we're going from here then to the next step and to the next step.

So I would really, really encourage that. And it's going to take some discussion, but really have what is success defined by, okay?

And with that, I'm going to call for a motion.

BOARD MEMBER SHERIFFS: So moved.

BOARD MEMBER GIOIA: Second.

VICE CHAIR BERG: Okay. We have a motion and a second to approve Resolution 20-6. I think we can do this by voice vote.

All in favor?

(Unanimous aye vote.)

VICE CHAIR BERG: Any opposed?

Any abstentions?

Thank you very, very much. This has been passed to your great work.

Thank you.
It deserves applause.

(Applause.)

VICE CHAIR BERG: Before we take a quick break, I need to call on Ryan who needs just to make a brief announcement and then we'll give our break information.

BOARD CLERK SAKAZAKI: Yes. Hello. A quick announcement. If you filled out an orange comment card that looks like this, please go to the front table.

VICE CHAIR BERG: Okay. Thank you so much. We're going to take a 15-minute break, because that usually means 20. Board members, there is food in the back and then we'll come back.

Thanks.

(Off record: 7:28 p.m.)

(Thereupon a recess was taken.)

(On record: 7:53 p.m.)

VICE CHAIR BERG: Ladies and gentlemen, they gave me a real microphone, so I could get everybody to sit down.

Ladies and gentlemen, can I have us all sit and come to order and we'll start our next Board item.

Well, good evening, and thank you so much, South Central Fresno for being here. We're going into the evening. But I want you to know that the Board is going strong and that we are committed to be here to hear
everybody and to be -- and to be part of this meeting as
we did the last one.

So moving on from Shafter to South Central
Fresno, we will now hear Item 20-3-2, the community
emissions reduction program for South Central Fresno.

I'd like to welcome those new members of the
audience who were not here for the Shafter item. And just
as I said, thank you so much for coming. And I want to
assure you that your Board in front of you is alert --

(Laughter.)

VICE CHAIR BERG: -- and we're really ready to
participate fully with you.

I do want to thank many people from the South
Central community members for this morning's tour. It was
not only very enlightening, engaging, but meeting just
some wonderful, wonderful people. As I had mentioned in
my earlier comments, we know that 617, this was the -- the
pilot year. And certainly whenever you do a pilot, and
you create something from blank paper, bringing people
together that quite frankly have not had a voice in a way
that they should, along with an institution that is used
to running things in certain ways, we know that we have a
lot of learning to do.

And we heard that quite a bit from the last
meeting. And we're certain that we'll hear some more and
we're looking forward to both how we can improve, as well
as what we're looking forward to.

I want to again recognize the progress that has
been made, but truly to thank the community. This is
yeoman's work. And so much of the time, you keep feeling
that you come to the table, and we don't have the progress
that you so well deserve. And so we are really looking
forward to a lively discussion. And we're really hoping
that we'll be able to find that ground that allows us to
take a leap of faith, because we have a coalition of the
willing.

So with that, I think I'm going to turn to Mr.
Corey. You will notice that our hearing is a bit
different. It's set up differently than in Sacramento.
And so, Mr. Corey will introduce. We look forward to
hearing from the 617 members. We're also going to hear
from the District, and also from CARB. And then we'll all
get into a great discussion and look forward to hearing
from our community members in the public comment period.
So if you haven't had a chance to sign up, please do so
and we'll go from there.

Mr. Corey.

EXECUTIVE OFFICER COREY: Yes. Thanks, Vice
Chair Berg. Similar to Shafter, I'd like to recognize
that the South Central Fresno emission reduction program
is really the culmination of an extensive amount of work
that you referred to over the last year by the District
and the steering committee.

The need to work through new dynamics under tight
time frames has been challenging, and Air District staff,
and steering committee members continue to make ongoing
adjustments to develop a more effective forum for
collaboration. And I believe this progress to date
reflects this, and as you'll be hearing about.

We also recognize there are a number of areas
where we and steering committee members have identified
ongoing work as needed, as the program moves forward.
This includes developing more detailed information on how
strategies will be implemented, and how the committee can
continue to work on strategy prioritization, funding
allocations, and tracking progress.

This also includes ongoing process improvements
and continued incorporation of committee members in
meeting planning and agenda development.

CARB staff recognize the progress that has been
made and staff's recommendation are intended to reinforce
these efforts, while providing direction on continued
strengthening of the program, coupled with mechanisms to
make sure this work is on track. And as a result, there
are regular reports to the Board called out in the
I'd now like to turn to Samir Sheikh of the San Joaquin Valley Air Pollution Control District to present a brief summary of the South Central Fresno community emission reduction program, followed by observations from steering committee members, and then CARB staff recommendations.

And with that, Samir.

MR. SHEIKH: Thank you, Richard.

And just wanted to provide relatively briefer comments. I wanted to first express, just like in Shafter, in the City of Fresno, and South Central Fresno, as we embarked on this journey under AB 617, there were certainly, and again I'll be the first to admit, many lessons learned in the process.

And I think looking at the beginning with some of the issues that we tried to really coalesce around regarding community boundary and prioritization of different measures, it is quite a large community that's actually made up of a lot of distinct committee with different histories and different sets of issues and concerns.

And it was a huge lift really getting this process going and to a point where we're able to really focus in on, you know, what are the concerns, and what are
some of the tools that may be available in addressing those different concerns. And we did end up in a place where there are many productive conversations about those, and potential resolutions, that ultimately led to the CERP that's before you today.

I actually have a copy of the CERP here right next to me that I'm happy to leave with any individual Board members that are willing to carry this CERP home with them.

But I've been using this as a reference as well, as we carry on with the conversation here. And so similar to Shafter, the community-driven measures developed with the South Central Fresno committee are aimed at getting reductions in emissions from a variety of emission sources of concern in the community, such as heavy-duty trucks, school buses, wood-burning fireplaces, and commercial cooking, and more.

And similar to Shafter, the steering committee expressed an interest in looking beyond the most cost effective emission reductions that maybe an agency like ours might start with, with us walking in and thinking we know everything about air quality, and where we may be able to invest, and look for those opportunities, and actually look for other ways to improve the quality of life for the community through clean air actions.
And for example, the committee was in strong support of tying the AB 617 process to improvements in public health, which includes measures designed to educate at the community level about the health impacts of air pollution and ways to protect yourself and your family. And so there are components in CERP that really get into some of those concerns that were expressed by the committee.

Other requests include investments in clean air technology, vocational training. And those that were a part of the South Central Fresno tour heard a lot about some of the efforts that are going on in the community to really focus on that area as we transition to cleaner technologies in particular. And investments in solar for housing, and some other areas as well that there was some prior discussions on in the Shafter CERP discussion.

And again, just like Shafter, the South Central Fresno community was interested in many areas that require close coordination and partnerships with other agencies and parties. And so you'll see in the collection of measures that are in the CERP, many examples of where it's going to be so important to work together with others to make those measures a reality.

One example is a high priority strategy included in the CERP, which is the commitment to work with the City
of Fresno to study the feasibility of rerouting heavy-duty trucks in high concern areas throughout the community.

And for the record here, it's a letter that I think I believed everybody has in front of them. Another letter of commitment basically reaffirming the work that's going on with the city to look at some of these issues and really involve the community in those issues.

And again, like in Shafter, there were other areas that were, I would call, non-traditional approaches that include vegetative barriers, anti-idling outreach and enforcement, enforcement strategies requiring tree planting, partnering with nonprofits on that, and other efforts, a partnership with CARB and other agencies as well.

And similar to Shafter, we had DPR actually involved in the conversation there as well. And so I think to the extent there's any lessons learned, and benefits that come out of that -- come out of that engagement, I certainly see some opportunities there in Fresno as well.

So altogether, the CERP for South Central Fresno includes, again a floor, $32 million in investment in the community, which is about 150 tons -- when you combine all of the measures, local, State, and others that are collect -- the collection of CERP measures, 150 tons of PM2.5 and
NOx reductions from 46 different measures. And those are outlined in the CERP.

And actually, we adopted these back in September at our board hearing. So since that September board hearing, it's been about five months here, we've been working and actually prioritizing measures, and actually trying to work with the community to begin implementing those measures to the extent that we can with the authorities that we have in place. And we're looking forward to affirmative action today, so we can keep that process moving forward.

We've implemented, both the steering committee developed an air monitoring plan in the community, and again during the tour today, you saw a really good example of the monitoring that's going on.

And I want to close with just strongly supporting CARB staff's recommendation to approve the CERP today. I look forward to working with the steering committee to move forward with strong implementation that includes good reporting, includes good metrics, and very, very close work and collaboration with them. And I do thank them in particular for all of the time, again evening meetings, very, very tough conversations at times, all of the work that they put into really making this CERP.

And I think if you were to go out there and take
a look at what was being produced in all different communities throughout the state, you'd walk away impressed with just the range of measures, and specifics, and, I would call, boldness that you'd find in the CERP before you today.

And with that, I wanted to turn it over to Nayamin, who's going to kick off the perspectives from the community steering committee.

Thank you.

MS. MARTINEZ: Buenas Noches. Good evening. Chair Berg and Board members, thank you for coming to Fresno and Shafter, especially thank you for taking the time to tour around the communities. I am sure that seeing firsthand the realities that these communities have endured for decades are -- it's way more informative than any documents that we can present in front of you. And I'm also sure that it would really help you make strong recommendations of how we can, altogether, the Air District, the steering committee, CARB work to really help these communities have a reduction in emissions and really help them mitigate the pollution that they are breathing every single day of their lives.

So I have to say that this was a very tough process, to be perfectly honest. There were moments in which we felt unheard, we felt disrespected, we were
called terms that I'm not going to repeat here. But, you know, after all -- all this tension, we were able to talk to each other, to hear what the others have to say.

I have to say that for the first time I sat down with industry people and had conversations that otherwise wouldn't have happened. So that's a plus, right?

I also would have to echo that Samir said, there was more accessibility for community members to be part of these meetings, not only because the meetings were taking place in the evening, but because they were taking place in places that communities were familiar with, either at school, either at community center, because interpretation was provided, because food was provided. And those things may seem simple, but if you really want to have community members at the table, that's the very minimum that we should offer.

I also think that process was diverse and inclusive. Our steering committee, at one point, had over 40 members. It's a lot. It was a curse and a blessing --

(Laughter.)

MS. MARTINEZ: -- because it was hard to keep that attendance, that regular attendance of all the steering committee. And most impressively, more than half of these steering committee members were residents, many of them Spanish speakers. So that's why it was so
important to have interpretation in every single meeting.

At the beginning, the interpretation had some issues, but the District worked hard to make sure that the interpreters were right on point, were efficient, and that there was no barrier for the communication of these residents.

We were able to really get some of the things that these residents wanted, such as expanding the boundaries. So that was, in our opinion, a wonderful experience and a powerful experience for residents who spoke up and say you, know what, you cannot leave out the zip code that has the most disadvantaged area in our region. How could you include the Tower District, but not 93706. That shouldn't be the case. And we were able to accomplish that.

So was -- is the CERP perfect? No, not in my opinion. The CERP included many of the recommendations that the steering committee has made, such as the vegetative barriers, such as the filters for the schools. Yes, that's true. All those things were included.

However, in the middle of the summer, the steering committee members, especially residents and advocates, we put forward over 40 strategies that we thought that were important to included in that CERP. And only a portion of them were included.
However, I really have confidence that with your help, we can have a more stronger implementation plan. So what I am here today is asking for a conditional approval of this plan, of this CERP. A conditional approval that takes into consideration what the implementation plan is going to look like. Is it a plan that is crafted in coordination between the Air District, CARB, and the steering committee members? Is it a plan that will fill in the gaps that the CERP left?

For example, adding some of the strategies that we have put forward and were not included. And I will just mention one example. Committee members wanted to see a SEP-like project, like SEP is a -- the project that CARB has that uses the money from the fines. They offer the opportunity to the violator to decide funding a project that will mitigate emissions in the place where the violation happened. So that's a wonderful project that when community members heard that CARB has that project, they said we need one of those here in the valley. So for example, that's just one example of the things that could be incorporated in the future.

We also need a plan that establishes benchmark and timelines, someone was mentioning earlier. And we need a plan that really establishes a mechanism that would assure that the funding recommendations that the steering
committee have made, pass adoption of the CERP, especially in the October meeting when we did an exercise where we asked, so how do we allocate the money?

And for example, some residents said we don't want you to spend all those millions of dollars replacing locomotives. We want you to spend more money replacing school buses for clean buses like the ones we saw -- the one we saw today in Malaga Elementary. So those are examples.

So far, we haven't seen anything in writing that this is going to happen. So we also want to plan that doesn't rely or overline in incentives. We already learn our lesson the hard way. The SIP that was approved over a year ago was heavily rely on incentives, incentives that we don't know where the money is going to come from. If that's going to happen with AB 617, we're going to be in trouble.

And the city is the budget that was announced earlier this year has a significant reduction in AB 617 funds. So how can we be claiming that this is going to be a success, if we are counting on monies that we don't know if they're going to be available. So because of that, instead of counting on only incentives, we should go back to the drawing board and start looking at how can we make some of the rules stronger, so that that could be another
way how we reduce emissions.

I also think that having a template would be very helpful. The reason why you have CERPs that you can review today is because the blueprint was very clear. Every CERP should include X, Y, and Z. Right now, everybody talks about an implementation plan, but nobody knows how it's going to look like. Is it going to be open to the interpretation of every district to decide how they -- that implementation plan looks like?

I would say no. I would say, you, as Board members, should make recommendations to the CARB staff to put together a template that would allow for a standard development of that plan in every community.

I would just finalize by saying that it is true that AB 617 has been a unique experience for a lot of us, right? It has pushed us out of our comfort zones and it has been implemented in very different ways across the regions. You have been already to Oakland, to the Imperial Valley, and you still need to go to Southern California. And I'm telling you, you're going to hear very different stories.

I learned it myself. I was in UC Davis last week, where UC Davis convened communities -- or steering committee members from the ten communities, and we discussed, and we were learning from each other. And for
the first time ever, I heard that in Oakland and in the Imperial Valley, they had a co-chair model. It wasn't till recently that because we asked, we were able to co-chair the meetings. But that doesn't mean that we allowed to have an insight in the agendas. I think that we should move to that model in all communities, where it's not the Air District in the driver's seat and all of us in the back seat, but actually co-driving this plane, or car, whatever we want to call it.

I also think that other thing that I learned is that in Imperial and in Oakland, they were paying a stipend to the residents who were part of the steering committee. And I was like, wow, that's genius. No wonder we are struggling to keep the attendance of our steering committee members. I mean, it is not fair. We pay the interpreter. We pay the facilitator, because we value their expertise. What about valuing the time, and the expertise, and the knowledge of residents that endure all these meetings, and that donated all hundreds of hours of their time to come to these meetings.

I know that they do it because they care about their communities, because they're passionate like I am, but, you know, let's recognize their time, and let's give a stipend to them. And that should be a standard practice in all communities.
And I just want to say that I really want to thank the CARB staff and the Air District staff, because they -- they really were -- they roll up their sleeves and were working with us. CARB staff was present at almost every single meeting, making the trip all the way from Sacramento, right?

Some of -- sometimes our meetings were supposed to be two hours long. They were three hours long, because we had a lot to discuss. So definitely Veronica Eady and her team, Karen Magliano and everybody else who -- Brian who came to the meetings and helped us, and guide us through this process, we are really appreciative.

And I will end there. Thank you.

VICE CHAIR BERG: Thank you.

Ivanka.

MS. SAUNDERS: Thanks. Thank you, Vice Chairwoman Berg, Board members, and CARB staff for allowing community steering committee members to be a part of this presentation for the hearing of South Central Fresno's community emission reduction plan.

My name is Ivanka Saunders. I am a policy coordinator with Leadership Counsel for Justice and Accountability. And I reside in the area of southwest Fresno within the 617 boundary.

I'd like to start out by noting that steering
committee and community members were unable to travel to Shafter this evening due to work, family commitments, distance, and some with health limitations. With that being said, the following comments are based on our work and partnership with South Central Fresno neighborhoods, committee members, and community-based organizations.

We ask that you actually reject approval of this South Central Fresno community emission reduction plan until deficiencies are meaningfully addressed and the plan complies with AB 617 and priorities of community residents, allowing the plan to return to the steering committee.

The priorities that the community steering committee has shown great effort to include for the past several months include the following:

Establishing quantifiable emission reduction targets, as well as health protective targets, which must be adopted for all regulatory and enforcement strategies, not just the incentives strategies. This should include emission reduction targets for sources, including the heavy-duty mobile sources, the old high-polluting cars, residential and open ag burning, and industrial sources.

CARB's recommendation to continue to update targets, as information becomes available for regulatory
and other strategies, still falls short of what AB 617 and
the community air protection blueprint actually requires.

Another point, prioritizing and direct sources to
complete a light-, medium-, and heavy-duty truck reroute
study to reduce impacts to already disproportionately
burdened neighborhoods by the end of 2020.

Strengthening regulation of pesticides. Even
though this isn't -- Fresno does not have as nearly as
much of the pesticide that, of course, you've already
heard tonight from Shafter, we are surrounded, as you saw
by the tour today, different parts of West Fresno is right
up against the ag lands.

So strengthening regulation of pesticides, while
they're in their gaseous phase, with strategies including
the tarping, the notification to communities, and overall
pesticide reduction.

The community also prioritized wanting to see the
review of the Air District's rules for reducing air
pollution in South Central Fresno with the steering
committee and the public at large. And not just to review
it, but to actually to strengthen and expand existing
rules and adopt new rules, as identified by committee
members, to reduce those emissions.

The recommendation in the CARB staff report to
discuss permitting and rulemaking processes, as well as
next steps in the implementation of the industrial source strategies, does not yet include this necessary and comprehensive level of review to ensure emission reductions and accountability to the committee and community at large. We request that this process be a part of the review, and to strengthen and adopt new rules be complete by mid-2020.

Another point that we would like to see is to commit to drafting a memorandum of understanding between the air districts, with the City of Fresno, the County of Fresno, Caltrans, Fresno Council of Governments, and other relevant land-use strategies -- land-use agencies that clarifies and details each agency's responsibilities in addressing each land use and air quality concerns, as well as those gaps between the agencies' responsibilities and jurisdictions. That's the most important part. If you're not actually being able to -- and you can acknowledge what those gaps are. But if you're not making plans to actually close the gap, that's the biggest concern.

This MOU must detail specific coordinated and time-bound actions that agencies would like to address -- will take to address these gaps. This should be completed within three months of approval of a final CERP.

CARB's authority has been an issue from the beginning of this process. CARB must clearly state how it
will use its authority to ensure its recommendations are actually implemented. CARB needs to specify actions that will -- they will take if monitoring data demonstrates an increase in emissions, which are inconsistent with the emissions reduction targets; actions CARB will take if recommendations are not reflected if the emission reduction -- community emission reduction plan by the deadline are not reflected; and if these changes made do not reflect the steering committee's priorities.

Once outstanding concerns are included and meaningfully addressed in the CERP, then we can move forward with implementation. If you approve the CERP as it is written today, you are approving a plan that is inadequate and we will only be implementing those inadequacies and not a plan that reflects the priorities of the community. You will also set a precedent and send the dangerous message to communities that their priorities -- that priorities they have spent months developing do not need to be included in final plans.

We therefore request that CARB reject approval of this plan today, direct the Air District to incorporate the aforementioned priorities, and schedule a hearing in Fresno for a final approval.

Finally, we appreciate CARB's proposed process recommendations in the staff's report. We also affirm
that the following should be included in the improvement of the implementation process.

The role of the steering committee and abiding by the established charter, regularly scheduled mandated reporting from the steering committee and the Air District on the CERP's process, reiterating our support for the following measures to ensure greater cohesion between the Air District and the steering committee:

The Air District and the committee members should set the agenda of each steering committee meeting to ensure the leadership of the committee. Community steering committee members should be provided resources that encourage great participation and cohesion, such as translated materials and time to review the materials. And a committee email listserve we asked from the very beginning to be able to share and really have an ability to connect, kind of like Nayamin had said when we were at UC Davis and we weren't allowed to just share each other's information to have a better communication.

I looked over some of the proposed resolutions, yet they still do not go far enough to effect the change in the CERP measures that were prioritized by community members. I hope that after today's tour you understand -- and tonight's hearing that you understand that it's kind of like you see a picture of a yummy recipe and then you
flip the card over to make it, and you don't have the ingredients.

Right now, this CERP is a beautiful looking idea and it's still just an idea. Those action items, everything that Samir has -- that you might be saying, well, didn't Samir just say we have these things and you're saying we don't. We have them acknowledged by the community. It's acknowledged in the CERP that we wanted a truck routing. It's acknowledged that we wanted air filtration systems. But that's the rest -- that's just the picture. The recipe is, oh, sorry, we don't have jurisdiction. You don't have the ingredients to put this into action. You don't have the next -- not just the funds. You don't have the jurisdiction and it's still in a plan form.

So if you don't have a foundation of what you're actually going to be working for, you can't even step into implementation.

Thank you.

VICE CHAIR BERG: Thank you.

Ed.

MR. WARD: My name is Ed Ward. I'm a business representative for South Central Fresno and I'll be speaking to my experience in the development of the CERP.

First of all, I want to thank my colleagues.
We've come a long way. We've been involved in -- there's an argument 18 or 22 meetings, depending upon --

(Laughter.)

MR. WARD: It was a lot of meetings, so...

(Laughter.)

MR. WARD: And I want to particularly thank Samir and the APCD staff. They did an exceptional job facilitating the -- all of the many different concerns, ideas, and community proposals presented over those -- those meetings.

I believe all the CERP proposals and community concerns were presented within the framework of the blueprint. And some of those things that Ivanka spoke about were right on the edge of what -- what the District and what CARB could do. And we may disagree about some of those things, but we've learned to disagree respectfully. And that's really one of the things that I think this journey has been.

Business comes to the table of things like this with completely different expectations. We look at the needs of the community. We look at our regular -- regulated community and we're regulated not just by CARB. We're regulated by State Water Resources Board, OSHA, IRS, fire departments. I mean, you could go on, and on, and on.
So our focus is compliance when business goes to work. Now, are there bottom feeders in the process? There are. And those bottom feeders should be -- should be -- should face fines and enforcement, and business is supportive of that.

Unfortunately, business oftentimes gets treated like Darth Vader. And, you know, we're the darkside. And truthfully we're not. And I guess one of the things I found most valuable about the AB 617 experience is that I learned other people's needs. I learned the empathy that was necessary to understand their concerns and their challenges. And I found it very humbling. You know, we all run in our own group, and we don't -- we don't see what those needs are. But the needs that have been spoken about are real and I'm excited about being a part of a solution for some of that.

Business represents a unique and significant place in the reduction of air emissions. And really AB 617 goes back to AB 2588 in 1987, where we did focus on toxic air emissions and we decided that we needed to begin to reduce those. And AB 617 is the focus on that last piece that we need to get better. We need to do better moving forward.

There's some -- and I really appreciated Gustavo's comment. He said that their work in Shafter was
tough. And then John mentioned that there's some unvarnished facts that we all have to live through in this process. And unfortunately, the -- the rush to accomplish this left out some big pieces that challenged the trust of all of us, in my -- in my opinion.

You know, there's four different coalitions or four different groups of people that have to understand what's going on for this to work. One of them was our coalitions, one of them was the community itself, one of them was business, and one of them was the local air district. And we all have different issues and concerns. And it's -- those were not well vetted initially. I think we -- we missed that. And because we missed that, it developed issues of trust and misinformation.

And a couple of things I can bring to the -- to this to visualize what we were looking at. Early on, there were comments that said industrial permitting, CEQA, are voluntary. Business only has to voluntarily submit to those rules.

We -- we now know, and I've been able to speak to this, that that is not a voluntary issue. If business doesn't follow their industrial permitting, doesn't follow the issues that are a part of their business, they pay huge fines. In 2018, CARB levied $17.5 million in fines. The Air District in 2018 levied $5.5 million in fines.
Some of our group did not understand that there was enforcement going on and whether -- whether there's agreement about is it enough or not enough. I think the future is really where we need to be at this point. We looked at the emissions in our impacted area and we decided where we wanted to put air monitoring and see what those issues are.

I really think the work -- first of all, I'm going to ask that the CERP be approved. I believe that it's -- it's a document that we can build upon and I don't think we've begun to touch what needs to be done. Once we get the information from this additional air monitoring, it's going to give us a focus on what we need to do. And it's really going to define some of the things that were spoken of already.

I think that in a real way, you asked the question how do we be successful? And I really think that success in AB 617 has a logical and a measurable piece to it. But more than that, it has a trust that has to be developed amongst all the different communities.

And if we come to that point, I believe that we have the opportunity to be successful. I -- it's late. I won't -- I don't drone on, but thank you for the opportunity to speak and for the opportunity to serve with my co-parts and -- on the South Central Fresno community.
VICE CHAIR BERG: Thank you.

MR. WARD: Thank you.

VICE CHAIR BERG: And we'll go ahead and move to the CARB comments.

Brian.

(Thereupon an overhead presentation was presented as follows.)

AIR POLLUTION SPECIALIST MOORE: Yes. Well, I would like to thank Samir, Nayamin, Ivanka, and Ed for participating and your insights. It's extremely valuable. Just as Scott did regarding Shafter, I'm going to talk briefly about CARB staff's review and recommendations on the South Central Fresno community emissions reduction program, which followed the same process.

CARB staff compared the program to statutory and blueprint criteria, and considered the comments we heard at steering committee meetings and other outreach events, including our own community-held meeting in Fresno on November 13th.

We also reviewed public comment on the program and on our staff report that was published for review on January 24th.

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AIR POLLUTION SPECIALIST MOORE: As with Shafter, it is critical to identify key strengths.
In the program, funding amounts for each incentive strategy are identified, which allowed for a dynamic process with the steering committee to determine community-based investments. Specific metrics for each strategy were also identified wherever possible, such as the number of old school buses replaced or the frequency of enforcement efforts.

In parallel with development of the program, the design of the Community Air Monitoring Plan was done through an interactive, community-driven process to identify and achieve community priorities. The formation of a monitoring subcommittee contributed to the success of the monitoring plan.

The District has also begun to co-host recent meetings with members of the community steering committee. This provides an important mechanism for enhanced collaboration in the development of agendas and co-leadership in running the meetings and should be continued to reinforce the community's critical role.

We would also like to recognize the coalition of community-based organizations that provided strong leadership, training, and education to community members outside of the regular meeting structure. These efforts helped support and expand resident engagement and participation.
AIR POLLUTION SPECIALIST MOORE: CARB staff recognizes that the program is the culmination of an extensive amount of work over a compressed time frame by the District, the community steering committee, and members of the public. District staff and steering committee members have put significant effort into the process, and we see ongoing progress.

However, we have had concerns about implementation regarding funding allocation, land use and heavy-duty truck routing, next steps on stationary source measures included in the program, accountability, and continued accessibility for monolingual Spanish speaking members of the steering committee.

To strengthen implementation, we have identified areas for CARB, the District, and the steering committee to continue to work together, which include: strategy prioritization, tracking progress, communication, and engagement on land use.

Regarding strategy prioritization, our recommendations are focused on ensuring that there is a process for making adjustments to incentive measure funding amounts based on ongoing discussions with the community steering committee. There should also be continued engagement with the steering committee on
implementation prioritization and project selection.

Part of this should involve defining a process for discussion of additional community steering committee strategy ideas that are not currently in the program and potential mechanisms for updates through the annual progress reports.

We recommend that emission reduction targets be updated as new information becomes available for the regulatory and other strategies that do not yet have defined benefits.

CARB staff also recommends that the District continue to improve communication with the community steering committee by developing clear objectives, setting mutually agreed upon deadlines, and providing information and feedback within defined time frames, including the time needed for the translation of meeting materials.

Finally, we recommend continued strengthening of the working relationship with agencies that have land use and transportation authority in South Central Fresno, including further discussion of the specific approaches and mechanisms to facilitate this coordination.

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AIR POLLUTION SPECIALIST MOORE: With these considerations in mind, staff recommend that the Board approve the South Central Fresno community emissions
reduction program pursuant to additional direction to CARB staff and the Air District to implement the recommendations outlined in the CARB staff report and resolution, identify specific implementation steps and milestones for each strategy, and report back to this Board within six months of implementation of these actions.

These actions are intended to strengthen implementation of the program while ensuring mechanisms are in place for achieving measurable progress and check-ins with the Board.

This concludes the staff presentation and thank you.

VICE CHAIR BERG: Thank you.

So I think what I'd like to suggest, because we do have nine -- just nine people that are really important to this discussion. I think if it's all right with the Board, I would like to go right to the public testimony, because I think it's going to be very important to engage in a conversation of expectations, how to move forward, and to make sure that we leave here as whole as a group as possible. That is my personal desire. And so I really would like to engage all the community members in this discussion and have them come up first.

Looking over at this side, is that okay?
Okay. Good.

So what we have over here to my right is a list of speakers and the order, and also behind me. If you wouldn't mind coming straight up to the podium in the center of the room, and look where your name is on the list, and please come on up. That would really help us out.

And we'll start out with Bernard.

MR. JIMENEZ: Good evening, Madam Vice Chair, members of the Board. My name is Bernard Jimenez and I am the Assistant Director of the Department of Public Works and Planning with Fresno County. And I'm here on behalf of Fresno County urging your Board to approve today's CERP.

The County has participated in this effort and we commented the Air District for their outreach measures, the -- frankly, the robust outreach measure that they've taken to try to engage the community. So we are -- we are a partner in this effort and we look forward to continued partnership in strategies to implement these measures.

So thank you very much

VICE CHAIR BERG: Thank you.

MR. HAMILTON: So, Madam. Chair, Charles had to leave. Just letting you know.

VICE CHAIR BERG: Our next speaker does need
translation. Welcome.

And we have our --

MS. SANABRIA: Buenas noches.

VICE CHAIR BERG: Buenas noches.

We have our translator coming. Yeah.

Gracias.

MS. SANABRIA (through interpreter): Good evening.

My name is Ariceli Sanabria. I am from Fresno. And I am here because it's not fair that although the factories that cause pollution exist in my community, and that is the case. And that is not the case in other parts of Fresno. For that reason, I want for the development of a plan to reduce pollution and to stop building more polluting factories. Instead, I would like for these to be replaced by green areas that would allow future generations to enjoy clean air and a reduction in pollution to reduce asthma, allergies, and deaths caused by cancer. I don't want this plan to be approved until these measures are taken to reduce pollution.

VICE CHAIR BERG: And could you please tell her thank you so much for coming as well.

Mucho gracias.

Good evening, Eric.

MR. ERIC: Good evening.

By the time we finish our conversation this
evening, another black boy will lie bleeding in our streets. And as we rest our heads tonight, 1,200 of our State citizens will lie their heads homeless.

And I would love to explain to you the hate we spread abroad is the real reason hatred washes upon our shores, but I only have two minutes.

And I can tell you that the City of Fresno is proposing to end a number of services to its low-income residents in some of our poorest neighborhoods, and at the same time, it's making way for a multi-million dollar state-of-the-art industrial complex in an already pollution-burdened community, and that the Air District continues to silence its citizens in a public participation process, but I only have two minutes.

And I can tell you even as we celebrate Dr. King's Dream over 400,000 of our emigrant brothers and sisters languish away in privately owned detention camps, and how we find our queer brothers and sisters in prisons in the shadows of closets, but I only have two minutes.

And I can tell you how some of our mothers, sisters, wives, and daughters are sex trafficked in these trauma-burdened communities, and I can tell you how it's easier for someone in my community to buy a gun and put it up to their head than it is to diagnose the illness within, but I only have two minutes.
And if there was time, I would tell you that millions of young people, and queer people, and poor people, and people of color are asking what do we do with all of this anger, all of this fear, all of this disappointment and frustration, this mad that we feel, but alas I only have one minute.

And with this last minute of our conversation, I can tell you that all may seem lost in this process of residents, that there is a generation of dreamers, of lovers, of defenders, and builders, who are asking the -- your -- these CARB Board members of good faith to challenge this document and reject this plan, to process through the challenges identified in the staff report, but alas my time has ended.

Thank you.

VICE CHAIR BERG: Thank you.

MR. HAMILTON: Good evening --

VICE CHAIR BERG: Good evening.

MR. HAMILTON: -- ladies and gentlemen, members of the Board. You know there's some wonder why are you here tonight? Why am I here tonight? This is a picture of my daughter sent me two hours ago with a nebulizer hanging from her face.

You know, when I think about this and I think about the literally thousands of patients I've seen over
the last 40 years, that's what I think about when I'm standing here. And I think about the reason they are where they are, and I think about how could we have prevented that?

And this is one of the ways is how this Board works and what happens here today can have a significant impact on those happenings. So how do we move in that direction? How do we move forward is always my question? I learn from the past, I'm in the present, and I look toward tomorrow.

This has been a very difficult process for a lot of us. I think, in my world, AB 617 has offered opportunities like we've never seen before. And I'm not going to belittle or dismiss those opportunities. 617 is compartmentalized for some people into certain parts. To me, it's a huge picture. And there are many pieces in that picture and they all intersect over these community emission reduction plans.

And while I don't think that's reflected as well in this document as it could be, I feel that a lot of people have spent a lot of time working to get here today. I feel that the approach that has been taken in other places so far that my colleague Luis supported in Imperial, my colleague in Ms. Margaret supported in Oakland, and that this group is considering today and was
considered earlier for Shafter is appropriate for this as well.

We need to backfill in the pieces that are not in this plan that we needed to be there through this resolution. And that needs to be added to, and I believe that some of those new additions have been printed and circulated to you tonight. And I watched that happen during the Shafter approval process. And that needs to happen again here.

So that we have a document at the end that reflects the desires of everybody, especially the residents who took the time out of their lives to come to meeting after meeting and contribute to this process, and state what they really felt were the important things to them.

That said, I still support moving this plan forward. I think we've gotten -- I know I feel there are so many things in here that we are moving forward with and continue and need to move forward with. And I don't want to slow it down for even a minute.

So there's a process to do that. I saw it happen earlier here today. I would expect this Board to do it again now. And at the end of that, I would like to think we can all come together and move forward with this plan.

So CCAC stands in support of that process.
Thank you.

VICE CHAIR BERG: Thank you.

DR. GAROUPA WHITE: Good evening. My name is Dr. Catherine Garoupa White, speaking on behalf of the Central Valley Air Quality Coalition.

Thank you to everyone who spent so many hours working on these plans, especially the community members who are volunteering their time. Those of you that I had the opportunity to speak with briefly on the Fresno tour earlier know that I'm just returning to this work after many years, excited to be back, and so mostly listening and reflecting on what members across the region have shared from both Fresno and Shafter. And I think many of my comments could apply to both plans.

AB 617 clearly has the potential to help us better understand local impacts while still addressing regional air pollution problems, and hopefully also getting a better window into the cumulative impacts that our community members are constantly inundated with from the variety of different sources that they're surrounded by and the synergistic effects that we don't yet understand when these different types of pollutants combine.

So two areas of substance here, one, being the process. There are a lot of best practices that those of
us who have been doing community organizing for a long time, which is how I started my career with CVAQ in 2006, was really doing community outreach. It's disappointing to hear that it's been in the last couple of years that there's been a realization that basics like evening meetings are a way of being inclusive of community members, because these are some of the basic asks that we've had for decades now as advocates. Being partners on things like setting the agenda was something that I struggled with as a member of the Environmental Justice Advisory Group when it was originally created at the San Joaquin Valley Air District around 2008, 2009. So we're seeing some of the same problems in terms of process persist.

Also, concern over things like that the Fresno CERP was not translated into Spanish before it was voted on at the Valley Air District, and that community members overall really need to be consulted with as experts in their own experience.

That being said, even a process that recognizes best practices does not necessarily equal less emissions, which is really what we're after. So in terms of the plans, we need to see more formalized interagency coordination.

We also need to see reduced reliance on
incentives, and a shift of existing incentive funding to the things that the communities have asked to be prioritized. I've heard really positive things about the process that went into creating a robust monitoring plan and I want to urge everyone to remember that while data collection is exciting and important, it should not stall immediate action to address the crisis that people are facing every day in these communities.

Ultimately, what we have to keep in mind is we're working to address fundamental impacts to people's health and quality of life, sick loved ones, missed days of work, days locked indoors. We could put dollar figures on those, but realistically at the end of the day, those things are priceless to people. We can and must do more.

Thank you.

VICE CHAIR BERG: Thank you.

MS. GALE: Hello, everyone. My name is Genevieve Gale. I'm here on behalf of myself. I am a resident of Fresno and a resident of the community steering committee in South Fresno. And because I am not here on behalf of an organization, I can be as frank as I want.

So watch out.

(Laughter.)

MS. GALE: I'll start by saying that when AB 617 was passed, I saw it as an opportunity to address local
impacts that are oftentimes ignored by regional plans,
like a stationary source that pollutes an entire
community, but is considered insignificant on a regional
scale.

However, I noticed some issues with the bill. It
lacked real goal -- real goals or emission reduction
targets. And then it lacked the correlated enforcement
mechanisms, which are key pieces of a program like the
federal Clean Air Act that I'm really a big fan of.

And then I noticed some issues with the blueprint
that was created to implement the bill. It didn't really
remedy the original problems. And then it placed CARB in
a backseat position, ceding its power to all the different
local districts. So I saw that as potential trouble. And
then we passed a regional PM2.5 plan last year without the
five billion needed for its implementation. And money
needs to come from somewhere, so I also furrowed my brow
at that.

But there has been progress. You are here today
in Shafter in the evening. I think not -- that's not just
a one-time event, but it represents progress on all the
districts, and the -- CARB. Community involvement has
reached new heights. And I'm personally most excited
about all the new air filters in the schools. I think
that's going to make an actual difference in the lives of
the children in our community.

But I do believe that this CERP appears to be a one-time influx of cash designed largely to implement the PM2.5 plan. That's me being frank.

Wood burning, charbroiling, yes, but a truck reroute study the community wanted, unfunded. Strengthen rules on trucks and warehouses, no. New rules on stationary sources, no. Community residents that felt heard and respected, oftentimes no.

So was there something that goes above and beyond existing programs and plans that would fundamentally change this community once the money is used up? No.

Distribution centers are planned for all four corners of this community. And nothing requires them to electrify, or reduce emissions, or give back to the community. And this failure is not just CARB's to bear or the Air District's. The bill in the blueprint did not set us up for ensured success. And the problems we are trying to solve are much bigger than these agencies in these communities. You know, we're talking historical redlining, systemic poverty, unjust local land use policies.

And so I know -- last paragraph.

VICE CHAIR BERG: Oh, please -- no, please go ahead.
MS. GALE: Thank you.

So as a symbolic gesture, I oppose this plan. But moving forward, to be more pragmatic, I do ask for the blueprint for future year communities to be improved, as Nayamin suggested, given stipends to residents to participate in the process, having mandatory community co-hosts, and for Ms. Cristina Garcia, if she is listening, please consider giving AB 617 some teeth with targets and enforcement.

We cannot solve all of the world's problems today, but we can start with what we can control.

Thank you.

VICE CHAIR BERG: Thank you.

MS. AZAMIAN: Hello.

VICE CHAIR BERG: Good evening.

MS. AZAMIAN: My name is Shayda Azamian. And I'm with the Leadership Counsel for Justice and Accountability. Thank you as always for bringing us together to work towards breathable and healthy air.

It is our recommendation that the South Fresno plan be rejected until it meets the basic mandates of 617 and honor's the community's involvement and ownership of the 617 program.

To start, there are not quantifiable targets for regulatory strategies in the CERP or real commitments to
enforcement that will ensure measures, as we all want to
see, reach meaningful implementation.

It is unthinkable that a plan meant to reduce
emissions would be approved without these necessary and
enforceable reduction targets. The plan is loaded with
incentives, but lacks even half the attention to
additional a regulations and rules within the 617 boundary
area, as is the clear intent and spirit of the 617
program.

It is for these fundamental reason, and many more
made in a comment letter to CARB sent earlier this week,
that we do not and cannot, on behalf of the communities we
work with, support approval of the South Central Fresno
CERP.

Approval does not demonstrate that CARB or the
Air District stand by the community's priorities. It
reinforces a process that discredits and undermines their
voices, in what is supposed to be a community-lead air
quality program.

Approval says you're comfortable signing off on a
plan in which you, as public stewards, have not admirably
committed to your core responsibilities. It furthermore
sets a dangerous and shameful precedent for future 617
communities. A structure built on a faulty and rushed
foundation will only become a faulty and ineffectual
product.

The South Central community deserves a strong, trusted, and true foundation for rapid, actual emissions reductions, and nothing less. You've all put in the energy, time, nights, months to work towards what we hope to be a truly unifying and comprehensive plan. We thank you for this effort thus far.

There is another way forward after taking the next step of rejecting a sorely flawed plan. The community's local expertise and priorities must be honored, and the CERP must be sent back to the steering committee until we are all confident it will yield the deserved and most ambitious emissions reductions possible.

Thank you.

MR. TYNER: Good evening -- excuse me. Good evening, Board.

You know, I didn't prepare comments. I wasn't really planning to speak. I'm on the steering committee. I'm also a colleague of Mr. Hamilton's. But I've been hearing a lot of different things that sort of happened at the Air District Board meeting as well.

I think Nayamin, you know, laid out a really good picture of what's happened through the process. It's really evolved. It was a very difficult start, really difficult. But then we really sort of figured out how to
together. I saw Ed, and Nayamin, and Ivanka, and a lot of
other residents sitting at table, coming up with air
monitoring plans, and there was no arguing. There was no
we shouldn't do that or we shouldn't do this.

And even as we got into developing the CERP,
there was more agreement than there was disagreement. I
mean, I was really surprised how the business community
was not fighting against any of the things the advocates
wanted. It was a matter of what are we prioritizing. And
I think we're on a really good path. I think everybody
was sort of on the same page. And then we hit this
deadline and I don't think we were quite there yet.

And so suddenly people kind of had to pick sides.
Did we get far enough? Are we okay moving forward or do
we need to stop and sort of play this out a little
differently.

And I think you can see it's kind of divided
right now. People are sort of one side or the other. I
think what you guys can do, for me as a steering committee
member, is sort of clarify what flexibility is there in
the implementation process, because I think we've heard
different things. We've heard once the CERP development
is done, it's done. Once it's approved by the Air
District Board, it's approved. There are no changes.
There are no alterations. There are no amendments.
At the same time, in the previous meeting and in other meetings, we've heard, well, no, there is flexibility. There are opportunities. Samir has mentioned he doesn't know what his full authority is to implement the CERP. And we don't know, you know, if he can go back to the board, if needed.

So I think if we understood that there's the flexibility to implement the things that Ivanka is asking for and that Nayamin is asking for, I think a lot of people would say, yes, let's move forward. Let's not stop. But if we find that that's not the case and we only have what we have, then I think people are right in saying, well, maybe we should take a pause and make sure we have what we need to go forward.

I would also -- just to end, you know, I've been doing this since about 2004, working with Samir's predecessors, and it's never been like this. We've never had district staff come to meetings excited and engaging residents. We've never had CARB staff come down to Fresno every month, and not just Karen and Brian, but they bring a half a dozen people and they're all energetic. And they're there till 9:00 o'clock, and then they have to drive back to Sacramento.

So, for me, you know, this is a really great process. I hope it continue. I'm not going to encourage
you one way or the other to support or not. I just hope
that you can provide us the clarification and -- you know,
thank you for listening.

VICE CHAIR BERG: And, Tim, I want to thank you,
because I do think you have framed up a very good segue as
I'm sitting here in full agreement that, you know, we want
to be able to leave here together with a sense of how to
move forward.

And so I think you have framed up the next
discussion, which is to turn back to Richard Corey and
Samir and talk about, first of all, within the CERP, we
know that there are some shortcomings. And they're
shortcomings in every community that we have heard so far.
I'm not expecting that's going to be much different in Los
Angeles. But it also is about, not only the flexibility,
but what we're hearing from the communities, and how we
feel that this is a living document, not a document at a
point in time that we're done, and now we're going to
implement something and be done with it.

So I do think that it's critical for community
members to understand this process. And when we talk
about 617, we all agreed that the first year literally not
only was on steroids for what we had to get done, but to
bring people together, and to build enough trust, and to
break down the bad habits that institutions have because
let's be honest, we do, and to come together in a way to create a document 12 months later. I've been working with a group of stakeholders to create a statewide program that everybody is in favor of. And I'm 18 months into it. And I just have the governance agreement done.

And so this is just tremendous where we are today, but it isn't good enough and we do need to understand from you guys exactly how you see this, so that we know the next questions to ask.

EXECUTIVE OFFICER COREY: Yes. Thanks, Vice Chair Berg. I'm going to speak a little to the process question you just talked about, in terms of the plans and the ability to recognize developments. And I think it's a really important question. And then following me, Samir wants to go to -- he's got some specific comments on the CERP itself and some comments that were made and an opportunity to respond.

But to the core question as to the plans, the CERPs are important. There's no doubt about it, but they're a point in time. They're a point in time. They're a plan that is a point in time that was recognized in 617, which clearly integrated the need to have regular updates, reports, as well as a process to engage the community. Realizing that not only will individual measures evolve, as you go through a process, a measure
that is called out in the plan through implementation, we need the flexibility to strengthen to make adjustments over time. The process affords that. The process affords that for the plans that have already been acted on in West Oakland and El Centro, because the counter to that would be the plan is frozen in time, and there's complete lack of flexibility to reflect the ongoing work with the steering committee in the communities to strengthen measures, to add measures, that are reflected ultimately in the reports to the Board.

How is the plan coming along? How are adjustments reflected to the plan? Because, again the alternative to that would be the plan is frozen one time and the learnings that take place over the next year and future years couldn't get integrated. They need to get integrated and that was recognized in 617, which is an ongoing program. These programs are not adoption of a CERP and walk away. Everyone knows that. They're ongoing implementation.

And I think is recognition by -- certainly by the communities, as well as us at the table, these plans are multi-year plans. But we also recognize that people need to see progress. Communities need to see real action and progress. And I think there's recognition in these plans for some early actions and implementation measures that
need to make adjustments with learning, as well as the(100,230),(900,896)
addition of measures.

So the response to the flexibility through the
process to adapt, to integrate, and, for instance, with
respect to progress reports to the Board, are there
additional measures that have been identified, and are
being added, and integrated? Absolutely. It's part of
the vision for the program. It's part of the process.
And those elements, in terms of adjustments, need to be
reflected in the updates to the Board.

And I thought the observation that Ms. Martinez
made, which was -- which I understood to be the reports to
the Board in terms of progress, and really full public
disclosure of what's working and what isn't. What I
understand her point to be was that element of the process
should be much more detailed. I think she was asking the
Board to direct further detail in terms of very specific
expectations of measures, time tables, what's working,
what isn't, and really hold that -- develop that template
through a public process, and have each of those plans --
the updates held to that standard, which really gives --
allows for an apples to apples comparison, and provides
for some additional detail beyond that currently in the
blueprint, which was a major effort, but I'd be the first
to say tight time frames, learnings. And all those
learnings, some of which occurred at the back end, aren't fully reflected.

So I'll stop there, but I do want to give Samir an opportunity to respond as well.

VICE CHAIR BERG: Okay. Thank you.

MR. SHEIKH: Thank you, Richard. And thank you, Board for your patience tonight. I really appreciate the time we're putting into this and really letting everybody speak, as long as they need to speak. And, you know, every comment, including every tough comment that was just made, about flaws in the plan, areas that a community member or an advocacy group maybe felt it was not included in the plan, I took in the full spirit of how do we work on those issues, as far as implementation goes.

And I think when you -- when you look at the list of items that are in the resolution, that specifically point to some of the criteria that we would use working with the committee together to come back and actually report on those items, I think you start seeing a picture of how we can collectively respond to concerns that came up.

And I want to talk a little bit about some of the specific things that came up, a lot of them being land use related. You heard reference to, you know, a certain number measures that were recommended, and certainly a lot
of reference to redlining and some of the industrial
development that's going on.

The CERP includes specific measures that are --
and were actually evolved over time, that are specifically
designed to establish in a counselable and reportable
mechanism for working on that issue. Now, do we have all
the answers? Do we have the MOU crafted that every public
agency that is involved in land use in Fresno County is
going to sign onto? No, we do not.

And if that's the standard for approving the
CERP, I say that's -- you know, that -- let's get every
district together and come up with that template that we
can all sign onto, because that is -- that type of issue
is at the core of some of the challenge that we're facing
with respect to implementation.

So we recognize that concern in the CERP. We
recognize that land use is a major issue and we committed
ourselves actually, and the city, and the county, and
others, and CARB, everybody who can help with that, to
work on that issue. And, in fact, it continues to evolve,
even with the letter that you saw today from the City of
Fresno. You saw the county here today. They've made
commitments on traffic studies. We're advertising, for
example, the public process the city is going through as
we speak, as of this week, on the industrial EIR process
that they're undertaking.

We're trying to connect the dots and try to facilitate that process through 617. And I think that that is sort of the core challenge here is that, you know, they're -- in the less than a year or so that we had to put this together, you know, when you really look at the time frame, you couldn't get to the -- you know, the fine point detail in every single measure that the community brought up. But we certainly wanted to provide a voice for those measures by having those commitments in the CERP.

And if you look at our CERP, and I will put this CERP up against any other CERP that's gone before this Board throughout the state, there are metrics in there. Where there isn't a dollar number or there isn't a number of trucks that's being replaced, there are actions in terms of meetings that we're going to be organizing, of whatever it takes to move forward on that particular measure.

And so our commitment -- and I would suggest that as the Board considers how to act on this item, our commitment is we have actually no problem with coming up with strong, effective implementation metrics. Nayamin had brought up a lot of great -- I thought -- you know, a thought process for that. I think it's important. We
actually need the help. We actually need CARB, and the
city, and the county, and others that could play a role in
this, because obviously we don't have full authority to do
a lot of these things. We need the help actually. And,
you know, we'd like for CARB, for example, as they think
about their mobile source measures -- you know, they're
going through a process right now for the Truck Inspection
and Maintenance Program.

Well, how does that work in, you know, the city
of Fresno. There's a lot of specifics that could indeed
and well need to be discussed and worked out, you know, as
we go through the process.

And so I would support, you know, any kind of
other insights. You know, the resolution I feel -- and I
was talking to one individual earlier about how as you
consider different CERPs, you know, there's sort of this
collection of additional direction. And it only gets
better as lessons learned are sort of incorporated into
the process. I see that happening. I've watched the
other hearings, and I see that this resolution is a little
bit more, you know, inclusive on a lot of these ideas. I
have suspicion there's going to be even more.

I'm supportive of that. I think that we need to
use the framework of the plan to work on implementation.
Every single issue that I've heard outlined is in someway
recognized in the CERP. It is.

And I think we have the foundation through that ongoing and much better process, by the way. I hope that this Board listened carefully to the comments that were being raised about where we started and where we are today. Since September, we've been working on prioritizing measures, on shifting funding, on doing the types of things that Nayamin was talking about. And it's going to get even better, I think, with the metrics on the reporting, and the template, and the process that we've been talking about. I think that only gets better over time.

And so I look forward to that process. That's my personal commitment to the process is to -- is to continue focusing on providing that accountability that I think you heard as a common theme in some of the comments.

Translation, it was a tough challenge. You know, one of the things that we had to balance throughout the process was allowing for as much time as possible for folks to look at drafts of these documents as we continually evolve them over time, and balancing that with the time it takes to translate very complex and often very lengthy discussions.

And so there were points in time where, you know, that -- sort of that balance was -- but we did translate
everything. We translated the draft of the CERP before the board hearing. And after the board -- after we adopted it, and made whatever, we translated that final version. It's been translated all along the way. I can't say the same thing for every other CERP that you're going to be considering throughout this process.

We take a lot of provide actually in -- and, in fact, working very closely with our community advocacy groups, we focused our translation on the chapters that made the most sense. We got a lot of input on how to do that, a lot of advice on how to do that. And we actually had very good real-time interpretation as well.

Evening meetings, we started with those. It didn't -- it didn't -- you know, from day one, we were doing evening meetings. So those things evolved over time. They've gotten a lot better. They continue to get better. We really appreciate the community groups that have really helped guide as along the way. And I look forward to even more improvements moving forward. I don't see any reason, at this point, to hold back on implementing a CERP that actually includes framework that addresses every single concern that I've heard raised tonight.

It's not perfect. I'll be the first to admit that. It is not perfect. And that is something that we
need to work through. And I look forward to that. I think that you're going to see, as we've seen these last couple of months, you know, where it actually is a positive, collaborative working relationship, that is the trust and the confidence that we've started to build with the community to really move forward with implementing the CERP.

And I'd like to address any other specific -- there was quite a bit covered during the night. I don't want to belabor the issues, but I'd like to hear if you have any other specific areas that you want me to focus on maybe as you go through your commenting and response.

VICE CHAIR BERG: So I would like to invite -- this is a little bit unusual, but we did have some very thoughtful speakers. So if -- out of the speakers that did speak, if you have further comments, and want to participate, if you'll come up to the front row, you're welcome. I will look over at you if you want to make additional comments.

But before we go to Board comments -- and I think this is going to be a discussion. And so I really want to encourage everybody, I really would like to take the next period of time to see if we can engage in a discussion to see how we go from where we are today, with some people supporting and some people very not supporting with very
specific requests, and to a resolution that will allow us
to move forward in a way that everybody feels good about
or feels good enough about.

Because, you know, there are -- there are things.
I was on that tour. And quite frankly, I was just
overwhelmed, which I shared with you, Ivanka. I mean,
there are so many issues. And what I'm concerned about,
and we'll hear from other Board members, is that I think
the list of how you have thought about this and identified
it, your groups, along with Nayamin and with Ed, this --
this just isn't a 12-month period of time.

I look at getting an MOU together with different
city agencies in three months, I'd really like to be on
your team, to -- I mean, I'm not -- I'm not trying to --
to discount it. But a three-month period of time for
putting an MOU together with various agencies, I've just
personally never been able to see that be done.

And so I think that is a great aspiration, but
we've got to build relationships to do that. And so how
do we get these -- these very key points done and what can
we possibly put into the resolution that would allow
enough for you and your group to believe that we are
earnestly moving forward to get these things done?

The other thing I'm concerned about, and I need
your help, is that as you said everything is a process.
617 did absolutely focus a light on these communities that have been left behind that have not had a voice. But it did not shorten the process, give us broad authority not to listen to the other side.

So as we do want to look at the sources, and how to tighten up things, and how to bring those emissions down, there does still have to be the process of those rulemakings of bringing in the other parties. And so how -- how do we start building some of these relationships to get these companies to act faster and, in fact, on their own, in some cases, to do the right thing?

And how do we build those relationships? So I would really love for you to lead off this conversation and then I'm going to turn --

BOARD MEMBER GIOIA: I just have a question I want to ask that will help, I think, our deliberation.

VICE CHAIR BERG: Good.

BOARD MEMBER GIOIA: I want to understand, because I've been watching our own process in Richmond and going to meetings, which is a monitoring -- it's a monitoring community, so it hasn't quite developed into a CERP process yet. And I've been observing the dynamics.

So some of the points that people have raised, who are against the adoption tonight, have these issues been raised at the steering committees? Were there votes
taken? Were their split votes? So I'd like to understand about the process. And can someone tell me how many residents make up a majority of it?

Because I understand watching my own process -- the process in Richmond with business, and residents, and potentially split votes. So I want to understand what was the dynamic of the discussion? Were these issues raised? How -- how did the votes go down? And what's the -- what's the number of actual residents on the steering committee as a percent and a number of the total?

MS. SAUNDERS: The number that actually showed up on a regular basis was usually anywhere from, I would say, 7 to 12.

BOARD MEMBER GIOIA: Total number or --

MS. SAUNDERS: Residents. Residents.

BOARD MEMBER GIOIA: Out of how many?

MS. SAUNDERS: Well, it was supposed to be --

MS. MARTINEZ: Forty.

MS. SAUNDERS: -- 40. And half of that was --

MR. SHEIKH: Yeah, it was probably around in the high teens, 20 or so. We'll get you the number there.

BOARD MEMBER GIOIA: So how many total on the steering committee again.

MR. SHEIKH: Thirty-five to 40. That included some governmental officials as well so -- I think it was
probably 18 or 19 --

BOARD MEMBER GIOIA: Right. Of -- these are voting members. And the number of residents were -- a majority were residents?

MR. SHEIKH: Yes.

BOARD MEMBER GIOIA: So on a vote --

MS. MARTINEZ: The thing was that there was not a vote of the CERP, the final CERP before it was taken to the Air District Board.

BOARD MEMBER GIOIA: There was not.

MS. MARTINEZ: And that was because we were running out of time, so we were like -- we were having meetings every other week trying to go over the different strategies. So, yes, we'd come and say, okay, suggest those changes. Some were incorporated and we were going back and forth, back and forth.

But then there was a -- you know, a deadline where the Air District had to publish the document a week before it was taken to their board, and there was no time for us to have a meeting with the full steering committee, where a vote was asked for, and then say, yes, this is the CERP that we are all behind.

BOARD MEMBER GIOIA: So --

MR. SHEIKH: And what we did -- what we did I think -- just to round out that process --
BOARD MEMBER GIOIA: Yeah.

MR. SHEIKH: -- what we did was we ended up having, and I forgot exactly how many we had in the course of a couple of months leading to that final draft going to our Board, but we ended up having a number of extra meetings. There was a study session. There was an extra meeting after the last meeting to bring back the last updated version of the CERP, that took into account the last comments in written -- the meeting, plus the written comments.

So -- and I think that was just a few days -- I think, literally the day before we published our agenda, we had another last meeting to go over the CERP and there was broad support for the CERP.

BOARD MEMBER GIOIA: But there was no final vote.

MR. SHEIKH: There was no final vote.

MS. SAUNDERS: There was --

BOARD MEMBER GIOIA: Were there votes taken?

MS. SHEIKH: No, but what -- but I want to --

just --

BOARD MEMBER GIOIA: Were there votes also taken along the way on various issues?

MR. SHEIKH: That's the point I want to make is that there were -- we tried a number, and those got better over time, a number of different really creative exercises
for getting people to weigh in on these measures. Specific ideas, was -- that's an obvious one, but prioritizing -- you know, de-prioritizing the things that weren't -- so there was a lot of -- there was a lot of that going on that really, by the time the CERP went to our board, you know, everybody was, you know, fully engaged, and actually there was pretty broad support was the sense that we got.

And, in fact, during the day of the meeting, you know, there was -- it was supported.

BOARD MEMBER GIOIA: So there --

MR. SHEIKH: I mean, there were concerns, of course.

BOARD MEMBER GIOIA: So we have a rule on the Richmond community steering committee where, if a vote is taken, that for a vote -- I think this is how it works, for the vote to be binding, that a majority of the people at the meeting, not necessarily a majority who voted this particular way, but a majority of the people at the meeting have to be residents. Do you have -- I get the --

I understand --

MR. SHEIKH: Yeah, we actually do have a hard rule, yes. Yes.

BOARD MEMBER GIOIA: I understand that the majority of the total steering committee are residents,
but there could be a meeting where, let's say, a number of people don't show up, so a majority of the people at that meeting on that night are not residents, and therefore, they take a vote, and maybe a vote happens. So what's your rule?

MR. SHEIKH: Yeah. So our rule is that the majority of the steering committee has to be residents. I don't think that's true, by the way, for all -- all other --

BOARD MEMBER GIOIA: On a given night that a vote is taken?

MS. MARTINEZ: No.

MR. SHEIKH: Voting members are residents that has to be in the majority of the total, and local businesses are the only voting members. Government officials --

BOARD MEMBER GIOIA: Right.

MR. SHEIKH: -- and others -- other experts are not allowed to vote. Yeah. Now, in terms of -- now, I do want to say, I think -- and I think Nayamin and others can back this up, that I think the meeting participation, wherever there -- it was lacking, it wasn't on the resident's side. I think that for the most part, if there -- if it was leaning in one direction, it would be residents, were, you know, the majority.
BOARD MEMBER GIOIA: What I'm trying to understand is because the CARB guidelines provide that, right, a majority -- really the majority of the steering committee should be residents, that whether, in fact, we're -- there's a critical mass of residents who are at meetings, and therefore, the votes reflect that. I'm just trying to get a sense of that.

VICE CHAIR BERG: And could we hear from Ivanka, because --

BOARD MEMBER GIOIA: And this gets to the issue about steering committee, like, you know -- and ours, also in Richmond, there's a stipend, in part -- right --

MS. SAUNDERS: I would say one thing though --

BOARD MEMBER GIOIA: So the residents also are compensated to come, just like the businesses are compensated to come.

MS. SAUNDERS: Yeah. One of the things Nayamin had just mentioned was the rushed -- that rushed point. And when residents were there, and we did have these exercises, it still feels like this process was a process of, okay, the blueprint says, here's the check box, we've marked it off.

So when some of the most important part, I felt, was rushed in about 20 minutes of going around and looking at a multiple of measures, and the residents are supposed
to be really absorbing it -- just having time to really
think about is this the one they want to vote on or not.
And even if we're doing a sticky exercise of putting your
favorite, you know, comment to it or -- it was rushed in
that night, in that moment.

BOARD MEMBER GIOIA: Yeah.

MS. SAUNDERS: And so with that, it was hard to
really know. And then there was also the translation
issue of having a translator that was more giving her
biased opinion of what it should be than just translating
what's on the board.

And so that -- it was a difficult process,
because a lot of times as the EJ advocates that were on
this board, we come out feeling like the residents who
don't have -- aren't being paid, like I am, to read this
stuff daily or just really dive into it, how much can they
absorb in one night to really even know. And so there was
definitely that feeling of if we overload them, it's going
to be easier for us to cattle them into one direction.

And so that's my personal feeling that a lot of
times there was so much information given, people started
to have open conversation, which is what we had to start
with to make sure we got a charter, to make sure that we
got an extended boundary. That became more squished and
it became less as the process went. And most of the time,
everyone needed to show up ready to go to class, not an
open time to have discussion about, okay, I, learned this,
what is the best of this?

Like the table has said, there have been moments
where it's gotten better. Those -- some of those
highlights would be if there was the tabling and a
discussion. But then we would run out and never have time
to come back to a hole. And then we were told this is put
on notes, but then those notes are never returned to, to
say, okay, we heard you and this is what we think where we
should be headed.

BOARD MEMBER GIOIA: And finally, let me just
say, this is not meant to be a criticism of the District,
because I think there were very strict and maybe not
realistic time frames in AB 617 --

MS. SAUNDERS: Yes.

BOARD MEMBER GIOIA: -- that forced this. I'm
seeing this happen in Richmond in our -- even just as we
deal with monitoring and when we're going to go into
emission reduction. That's why I'm trying to have an
understanding of this. I think the statute sets up some
unrealistic time frames to sometimes do a good job in some
communities that need more time. West Oakland didn't need
as much time, because they were at it -- they've been at
it for years. Whereas, when you're setting up a whole new
structure, it takes time, and so that's what I'm a little
con -- yeah, I hear you.

VICE CHAIR BERG: Well, and -- and South Central
Fresno has some very complicated issues. It's almost like
you have one of everything. I mean, it -- it is
remarkable.

Ed.

MR. WARD: I just want -- a couple times the
supervisor has commented that business gets paid to come.
Let me assure you, I don't get paid to come. And I don't
know any of the businesses that were represented that get
paid to come. Now, do I believe that --

BOARD MEMBER GIOIA: Well, but you're paid a
salary is my point. I didn't mean to say maybe by the
hour, but people are paid a salary.

MR. WARD: Does my -- just to be clear, does my
salary cover seven hours which was the turnaround for
every single meeting of the 18 meetings? So I just want
to put some perspective on input.

BOARD MEMBER GIOIA: So I'm a county supervisor
that's paid a flat salary. I go to all the AB 617
meetings in Richmond. I'm not necessarily paid to work 80
hours a week, but that's part of my job and that's my
salary. And so I think it's the same with business.

MR. WARD: Thank you, Supervisor. I just wanted
to make that point.

But I also want to discuss a little bit, every one of the -- every one of the subjects that we brought forth in the CERP were discussed over and over in many different ways. And the District went out of their way to present, and to give everyone an opportunity to speak clearly to those issues.

I -- as far as voting, I can remember hearing comments that went along the line, how many times are we going to go over this stuff? We just need to get it done and get onto the next thing. And I heard that -- that several times.

My personal feeling is that we did vent -- vet all of the items that we're discussing. And I think the resolution, with what the District is saying, really does dovetail into what will make our CERP better. So that's why I continue to support the CERP as is.

VICE CHAIR BERG: Dr. Balmes.

MS. MARTINEZ: Can I add something?

VICE CHAIR BERG: Of course, you can.

MS. MARTINEZ: I think that in terms of the process, I agree it was a completely rushed process, because we were not only trying to do the CERP, but we were also doing the air monitoring plan. So we didn't even get to the CERP until the summer, because we were
focusing on the air monitoring piece.

So if any advice I would give to all other communities in the future, don't be ambitious. Don't try to do the two things in one year, because it's too much. It's -- you cannot do it well. So yes, we end up discussing a lot of the strategies. But the thing is when we were discussing the strategies, we never had the time to really regroup as a -- as a, you know, entire group and say, okay, well, this is the layer of all the strategies. Now, we're going to prioritize. Now, we're going to see where do we have consensus or voting. We didn't do that, because we didn't have the time.

So sometimes we would see drafts coming back at us, and, oh, okay, that strategy -- like the barriers -- vegetative barriers, oh, it made it. Okay. Good. But not all of them, and we never had that discussion of even understanding why the other strategies that we were recommending never made it to the document.

I'm not saying it's the fault of the District. It's the fault of the deadline. We definitely were rushed and we didn't have voting or enough discussion about this.

VICE CHAIR BERG: Thank you.

BOARD MEMBER BALMES: So what I -- thank you, Nayamin, because that actually leads to what I, you know, want to say.
Chair Berg said, you know, can -- can the process be one that's evolutionary? Do we have to get everything done by tonight? There's no way we're going to have even close to a really good plan tonight. And the question is, is it better to approve a flawed plan that almost everybody agree has flaws, but has a promise, and work on it with regular reporting from both the District and the community -- I mean, the steering committee, and, you know, with milestones to try to get some of these key elements in? Is it better to do that or just throw up our hands and say, we've got to -- we shouldn't approve it, because it's so bad, we've got to sort of start over?

And I think those are -- you know, those are -- I maybe being stark -- more stark about the difference than I need be, but I would lean towards the former, if AB 617 isn't such a straightjacket that we can't have some flexibility here. Because I think everybody acknowledges in this room that this was an unrealistic timeline. You can't get -- you can get everything right in this short of a time frame. And there was also some problems at the start that -- you know, in terms of the boundaries of the area that's involved.

So I guess I would argue that for approval of a plan that needs a lot of work, so long as we have a structure in place to make sure that that work gets done.
VICE CHAIR BERG: Do you see a path forward, Ivanka?

MS. SAUNDERS: Yeah. Actually, I want to go back to what Richard had said in the beginning. Something that he had said I think we have never heard, and I wouldn't believe it unless I saw it in writing, because we haven't heard it --

VICE CHAIR BERG: Yes.

MS. SAUNDERS: -- is that there is room to add measures. It was very clear to us that this went to the Air District. That was it. There was no -- you know, not even -- even though we brought up at the next steering committee what do you mean we don't get to vote on this CERP, when that was in the charter?

So what -- what I'm really trying to say is if you're accepting of these flaws that were big flaws in the beginning, and not going to make sure, okay, we can't make that mistake again, then how is the process going to actually continue to improve?

And so that statement right there that, oh, yeah, we can add, because to me living document doesn't say anything to me. That just means a lot of fluff and you don't really know what are the next really actionable items.

If you're telling me that we can actually add a
new measure, then that let's me believe, if it were in
writing, that measures that because the process was too
fast could actually be looked at again. And when you were
talking about for a memorandum of understanding, that was
a recommendation given in the blueprint. So it's not like
it's impossible. Yes, it probably needs more time
obviously. And maybe not everyone has to be on one
memorandum of understanding.

Right now, it would mean a lot if we just had one
with the city, because we're working within city limits
first. And then we can move out for the county.

VICE CHAIR BERG: Right. Yes.

MS. SAUNDERS: And then I really want to make
sure that you understand from this tour that we had this
morning, you have that one hand that's saying we have to
reduce emissions on one State level. The other State
level is we're all for this process of making this a
complete concentrated high facility, thousands of trucks
coming in. The same land mass is crossing. It's --
they're totally opposite of each other.

So if we don't have a 617 plan that is strong
enough to try to counteract what we know the city is going
to try to move forward with -- yes, they are trying to
look at some of the southwest -- the South Central
specific plan, look at some of the measures that we have
established in the CERP. But that doesn't necessarily mean it's going to be anything but a plan.

We have seen in Fresno historically, there's specific plans for every neighborhood. There's no funding to really make that reroute. The city came to our district and said -- our air district and said we would -- we'll move forward with this rerouting study that this community has been asking for for years, if you give us 500,000 of your 617 dollars to do that analysis.

So it's in there that the reroute -- that's what I mean by it's a slap in the face to the community to have these acknowledgments put into a CERP, but then there's the actionable items that were some of the most heaviest and most concerning measures aren't necessarily moving forward with the funding or a plan.

And to go above and beyond was what was said in the blueprint. A lot of what we're seeing, like Genevieve has said, it's this is a -- this is a supplement to the PM2.5 plan.

When this is supposed to -- I see a difference between emission reduction - they're close together - but community exposure. This plan was supposed to be more about community's priorities of exposure. Yes, it's going to, of course, help to get large industry to try to use the cleanest mechanics, to have cleanest burning
technology.

But at the same time, how is that going to help a house who doesn't have a barrier in front of it and Amazon or Ulta is right across the street from it. So then to have -- in these measures to state we have measures that look good on paper, but we just don't have the next steps of funding to make them happen. So in that sense, I just feel like there's -- one thing we could ask for tonight would be just a timeline for review of some of these rules and a commitment to actually update and strengthen them, and have it done by the end of 2020, so...

VICE CHAIR BERG: So what -- so what I would like to understand, because we do have multiple agencies, and I certainly do not want to fall on the side of this isn't CARB's responsibility or this isn't the District's responsibility, and this is -- I do not want to do that. But I also don't want to set up unrealistic expectations that we can fix everything. We can stand with you. And how do we do that to build these coalitions to make a difference?

But I don't vote in the city and elect people that are making these decisions. And so I'm just trying to figure out, once again, how we can stand with you to make this strong, even from a CARB resolution perspective and --
BOARD MEMBER TAKVORIAN: Can I offer a --

VICE CHAIR BERG: Yes, I'm sorry.

BOARD MEMBER TAKVORIAN: I didn't mean to interrupt, but I --

VICE CHAIR BERG: Yes. No, that's okay.

BOARD MEMBER TAKVORIAN: I just want to ask a couple specific questions, because I hear what you're saying and I feel like it is overwhelming, and it's -- and it's difficult.

And I think I'm not understanding why it's as difficult as it seems to be. I mean, I get that the process had a lot of flaws, that there were problems, and that we don't have a unified community, and that I think everybody wants to go forward. Everybody wants to go forward.

VICE CHAIR BERG: And I want you to know, not having a unified -- it bothers us.

BOARD MEMBER TAKVORIAN: Right.

VICE CHAIR BERG: We -- we -- you know, I hope you're seeing that.

BOARD MEMBER TAKVORIAN: I mean, I think that's what's different here.

(Laughter.)

BOARD MEMBER TAKVORIAN: And I -- I don't think I'm speaking out of school to say that I don't think
there's another CERP that we've approved that was not flawed. And I think there was acknowledgement across the board that they weren't -- that they were flawed. The staff report said they were flawed, that there were things that needed to be improved, but there was unanimity around moving forward. So there's not that here, so I think that's a key difference, right?

But the thing that seems like it's a little confusing to me as to why it's so difficult is what I'm hearing, just on the land use alone, and frankly having heard what the projection is for the distribution centers that are coming, I think that this seems like a very high priority to me, that -- that this community needs to deal with this, right?

So what I see in your letter is asking to commit to drafting an MOU, not draft and MOU by this time. Commit to drafting an MOU with these entities to identify the gaps in policy and figure out ways in which those could be implemented. Commit to drafting it. It doesn't mean it that they'll sign it or any of that. So, right, that's what's the ask is?

MS. SAUNDERS: Yes.

BOARD MEMBER TAKVORIAN: So when I think look, and I think I'm looking in the right place in the CERP under land use and urban sources, measures, there's
incentives to reduce PM from commercially -- commercial under -- oh, under-fire charbroilers, sorry, and provide enhance incentives for replacement of residential lawn equipment. I don't see anything in there about drafting and MOU or working with land use agencies. So am I missing it? Where is the measure that says you're going to work with the city and the county? Is it here? Am I. --

MR. SHEIKH: Yes.

BOARD MEMBER TAKVORIAN: Okay. What page is that on?

MR. SHEIKH: It starts on page 89, land use measure one. Land use --

BOARD MEMBER TAKVORIAN: And can you read it?

MR. SHEIKH: Yes. Support projects that reduce vehicle miles traveled. This one focuses on active transport and walkability through the city planning processes and working to promote those, you know, through this 617 program.

LU numbers 2 -- land use number 2, providing assistance during CEQA process that focuses on air quality, engagement with the city and the county, and working with them on a variety of aspects related to CEQA.

LU number 3, providing education and outreach on available tools for public information regarding land use
projects. A number of items there related to better communication with the community on those. Of course, we will take responsibility for making sure these things are indeed happening, but, of course, it's not just with us.

LU number 4, land use number 4 --

BOARD MEMBER TAKVORIAN: But these don't -- I did see these --

MR. SHEIKH: I'm sorry, if I can just finish, please.

BOARD MEMBER TAKVORIAN: Okay. Sorry.

MR. SHEIKH: Collaborating to enhance community participation and land use processes. A number of specific items there including ensuring more comprehensive opportunities for public input on land use, providing additional public access and education, regarding permitting on CEQA, better communicating and understanding air quality impacts and potential mitigation, and working together to identify and seek additional air quality improvement funding.

And on the -- this last piece, on the truck reroute study, it was monumental actually for us to work with the city, to commit to doing a study. And all that we say in the plan right now. They identified a cost and we committed to working with the city to find the funding for that project. And I feel like we're going to find
that finding.

Now, the city has previously committed to doing that. And so we're working with them to see if we can, you know -- I mean, I would love to be able to cost share that, for example. So if we have -- if we put 250 of that money from the community air protection funds, then we can put the other 250 towards some of the other projects. And so the commitment is in here, the city is committed to doing it, and we want to work on implementing that study. It was actually a big accomplishment. We all celebrated that accomplishment during the process that they were actually willing to do that. And so I -- that's just a different perspective than we didn't fund the project, but we commit ourselves to actually pursuing that measure, and the city is committed to doing it.

BOARD MEMBER GIOIA: Okay. What I'm hearing here is concern. We saw today on the tour that the potential for these new warehouses -- so you may take one step forward with this plan, and two steps backward, because of --

MS. SAUNDERS: Yes.

BOARD MEMBER GIOIA: -- and we're dealing with the same thing in Richmond, so I'm dealing with this issue. So this is why I think the CARB concept paper on the Freight Handbook is really important and hopefully
will get finalized soon.

And there -- it seems to me, while studies don't cut it -- I mean, you know, it's not achieving anything. Let me just read from the Freight Handbook, which is sort of -- or this concept paper, which is what's sort of being recommended in this situation about a new facility.

Once built, freight facility owners and operators can utilize zero-emission trucks and equipment on site. Where zero-emission operations are not yet feasible, owners and operators can use and allow on-site near zero-emission technologies with a plan for transitioning to zero in the future. Isn't that what you want for new facilities?

MS. SAUNDERS: Yes.

BOARD MEMBER GIOIA: And the why isn't this -- why can't this sort of concept be in the plan, knowing that that's -- ultimately, it's going to take the city or the county, depending on where the facility is located, to put these land-use conditions on their new facility. But that's what I'm hearing you say. So why isn't -- sort of why don't you -- why don't we build in these types of concepts with a -- I mean, look, more studies? You know what you want, which is you want zero-emission or near zero-emission as soon as possible for new facilities. So why not just include that in the plan and say it?
MR. SHEIKH: Well, if you -- actually, if you
look at the resolution that's before you today, you
actually point to the Freight Handbook.
BOARD MEMBER GIOIA: Right.
MR. SHEIKH: -- in the resolution. And I think
that's important.
BOARD MEMBER GIOIA: But it doesn't use this
language.
MR. SHEIKH: And I think we can actually update
the CERP to include this type of language. You know, I
think it's something that if presented earlier in working
with CARB on this -- and I'm very happy to make those
kinds of adjustments, because --
BOARD MEMBER GIOIA: Right.
MR. SHEIKH: -- there's a framework for it,
right? You've got the Freight Handbook. We can
connect --
BOARD MEMBER GIOIA: Right.
MR. SHEIKH: -- land use agencies with that
advice.
BOARD MEMBER GIOIA: Right.
MR. SHEIKH: And by the way, we -- it's kind of
complicated here, because there's other layers of issues,
but we actually have an Indirect Source Rule --
BOARD MEMBER GIOIA: Right. Right.
MR. SHEIKH: -- that we've actually been using as a mechanism for promoting --

BOARD MEMBER GIOIA: Existing facilities, right.

MR. SHEIKH: -- those types of projects. And we've mentioned that in the CERP. And it's a little bit too detail, I think, for -- you know, but I mean, it's something that we certainly would want to work with a community on. And I do like that language that's in the resolution that actually points to the importance of that -- of that handbook. And sure we could include that as --

BOARD MEMBER GIOIA: It does?

MR. SHEIKH: Yes, it does under number 5.

BOARD MEMBER GIOIA: Yes, I was -- but it doesn't -- I'm just wondering -- I mean, I get that you don't know if the city is going to do it. But the plan is trying to lay a framework that that's what you would want the city to do, or the county, right, depending on where it is?

MS. SAUNDERS: Yes.

MR. SHEIKH: By the way, that's a white paper right now. That's actually not the handbook yet.

BOARD MEMBER GIOIA: No, it's the concept paper, correct.

MR. SHEIKH: Correct, it's a concept.
BOARD MEMBER GIOIA: But I'm reading language from the concept paper. And then CARB is actually consistent with this, writing letters to projects for new projects, including in our own city, that layout very specific conditions implementing this principle, and which I think are very valuable for new facilities.

And my worry is we -- you adopt the plan over here, and on a parallel track, this -- these warehouse projects, or whatever else, are getting approved, and you're locking in more diesel emissions, while over -- so over here, you've got a plan to reduce emissions, and over there you're increasing emissions.

So why not take this opportunity to be as strong as possible in this CERP to at least say where you're at and then we will help all advocate, the District, the Air Board with the city or the county to ensure that that happens.

MR. SHEIKH: And I am comfortable, just to respond to that, Supervisor Gioia, in making those kinds of enhancements to the CERP. I do believe that I have the authority --

BOARD MEMBER GIOIA: Right.

MR. SHEIKH: -- under my resolution to be able to do that.

BOARD MEMBER GIOIA: Could you insert this
MR. SHEIKH: In fact, the reason -- the reason for that --

BOARD MEMBER GIOIA: Right.

MR. SHEIKH: -- is I think the measure that focuses on that, the combination of the CEQA measure and the enhancing community participation that gets into mitigation, already has language in here that actually provides a framework for doing that. And so I --

BOARD MEMBER GIOIA: But could you put this in --

MR. SHEIKH: Yes, I think by right --

BOARD MEMBER GIOIA: I mean, it seems to me, I'd propose putting --

MR. SHEIKH: I think I reference -- yes.

BOARD MEMBER GIOIA: -- this language in your resolution here tonight, which provides some certainty on a -- on a major issue here. Otherwise, you lose the opportunity to start while projects get going.

MR. SHEIKH: Yeah, I would like to do that by reference, because I want to make sure that we're consistent with, you know, the recommendations that are coming through that freight process.

BOARD MEMBER GIOIA: Right.

MR. SHEIKH: But I do think there's a lot of room for that. And it's consistent actually with the types of
recommendations that we've made.

BOARD MEMBER GIOIA: Richard, do you have any thoughts about how to help on this?

EXECUTIVE OFFICER COREY: I think it is -- it's linkage to the -- to the freight concept. It's out there. It has specific recommendations. It's a cross-linkage. And I actually think that the strongest way to underscore that linkage is the point that you're going at, which is a resolution provision that really maps back to Samir's point, which under his authority the language in the CERP could basically cross-reference the Freight handbook concept.

I think that's right way to go and basically is another touch point that we're pointing to, just as you noted, in terms of the CEQA comment letters, we're pointing to it as well.

BOARD MEMBER BALMES: Does it only have to be for new facilities? I mean, Amazon is already here, but Amazon has committed to buy a hundred thousand Rivian vans that are electric.

Can't -- I mean, I don't know the rules here, but can't we make an existing facility go that way too?

EXECUTIVE OFFICER COREY: The concept paper got at really a few different scenarios, and -- because all these scenarios are important. The one is that as you're
noting, the construction of a new freight warehouse. But it also captured the modification of an existing freight warehouse. And what it really underscored, and this is a really important point, upon the new construction of a warehouse, that's the greatest opportunity to put the infrastructure in place to support zero-emission technology. Existing creates additional challenges from an infrastructure standpoint.

So it laid out a clear objective. New, the goal absolutely is zero. Existing, how do we transition, and how do we use opportunities for the new investments to move that transition?

And really what was also underscoring the document was really making sure facilities aren't located near sensitive receptors and the truck traffic isn't moving through those communities. These are tough, tough issues that were talked about. This document and the concept paper, it's not going to get at all these issues and I don't want to suggest that it will.

By getting it out in the public domain, and this is really Board direction, and really many of the steering committees called out this, and pushed us to get this -- the document out. We got it out in the domain. We think it's an important step. It's not the only one that we need to take, but it's an important point.
VICE CHAIR BERG: Ms. Mitchell. And then I do want to call on Eric, because he's been sitting up here so patiently. And I think he might have a couple of thoughts. But I'm going to have Ms. Mitchell go first and then Eric, I think you have a couple thoughts, right?

MR. ERIC: (Nods head.)

VICE CHAIR BERG: Thank you.

Ms. Mitchell.

BOARD MEMBER MITCHELL: So let me first, you know, tag onto this conversation about the warehouses, because in the South Coast Air District, which I represent, this is a -- this is a big problem. We have existing warehouses and new warehouses.

South Coast is developing an independent -- and Indirect Source Rule to govern existing warehouses. But what I -- what I think we're dealing with here is I don't think we should be getting too much into the wood --

VICE CHAIR BERG: Weeds.

BOARD MEMBER MITCHELL: -- weeds here as to how we actually do this. It's going to depend on each separate air district and how they want to approach it.

San Joaquin already has an Indirect Source Rule, which may be applicable and be a good tool to use for this -- for this problem.
But Ivanka asked a question in the course of this discussion, which was can we -- under this sort of premise, that the CERP is a flexible living document, can we add new emissions reduction measures to it as an amendment?

Because maybe that's what needs to go into our resolution to say that that is possible. That this is a flexible document and steering committee has the capability of amending the document, in the course of working with it, to add new measures and reduction measures. I -- Richard, more or less, said it is a living flexible document, but it may give some comfort to the steering committee to actually have that language in the resolution.

Richard, would you comment on that?

EXECUTIVE OFFICER COREY: I will. And I have a suggestion that I think captures the question you just asked and a point that Ivanka made as well, which was when I asserted, and I touched bases with counsel as well, and that was the point that I made earlier, that the CERPs, as we all talked about, many elements -- and I'd say this about each of them, that have some solid elements to move forward, imperfect documents. Well, how is that imperfection dealt with going forward?

One is the expectation of implementation. The
ability to track that implementation. And Nayamin talked more rigor tracking and reporting to the Board, which I think is really point. The point that I made, as part of that process, with the steering committee and with communities as the plans are executed and implemented, every plan that I've ever been associated with I can guarantee you there will be learnings that take place over that time and discoveries, additional opportunities.

There will also be discoveries on particular measures that we thought were great, that are problematic. So it goes both ways. And there's a recognition, in terms of updating the Board, not just on how is implementation going with those measures that were called out, are there additional discoveries and are we moving forward on those discoveries?

What Ivanka asked, and I thought it was a good point, was, hey, well, where is that in writing, in terms of the realization of this discovery process going forward? You know, and I was thinking about that point and thought, well, that should be expressed in the update to the blueprint. It should also be expressed in the template, for instance, that Nayamin called out, which would be basically developing a template through a public process that lays out here are the elements that are expected to be in the updates to the implementation of the
CERP, updates to the Board, updates to the public.

That should include a session -- a section, not just on how is -- how are the ongoing measures going, what are the additional discoveries, how are we implementing those measures, how are they moving forward? The process allows for that. It needs to allow for that. You don't see in 617, if you look at the language, the CERP shall be changed, modified. It talks about status reports. It talks about updates.

The process recognized, because it's clearly a multi-year process, and it recognized the need that the plan -- that the implementation will evolve and the recognition of how do you integrate additional measures?

So I stand by that and feel very strongly about it, because otherwise, the process would be such that we couldn't recognize new measures, which this doesn't -- it doesn't make sense.

VICE CHAIR BERG: Also, the --

BOARD MEMBER MITCHELL: So it would be your opinion that we do not need to add specific language that states that, that the document -- that the process we have, the concept we have under AB 617 is sufficient now?

EXECUTIVE OFFICER COREY: And what I -- yes, the language clearly, in terms of the legislation, in terms of what I just characterized as what was envisioned at its
core is ultimate reductions and using the best strategies, and the fact that additional opportunities will be identified.

But I did say that the existing blueprint is not specific and clear on that point. And Ivanka made that point and I agree with her. And I would basically say we're committing, I'm committing to make revisions to the blueprint to clarify that point.

BOARD MEMBER MITCHELL: Okay. That would separate from what's in front of us tonight?

EXECUTIVE OFFICER COREY: Correct.

BOARD MEMBER MITCHELL: Yes. The other thing that occurs to me in looking at your -- your assessment of the CERP and what is wrong with it, is that many of the things that you have listed, it seemed to me, are ways to implement the plan. They're not necessarily the measures for reduction.

And I don't -- in my opinion, I don't think you need to set out every method you're going to use to implement your plan. In fact, it's probably not wise, because there may be some other ways to implement it that you haven't thought of.

I say that because you talk about MOU with cities. Well, that's one way to do it, but there's probably other ways to do it as well. I mean, the city
can enact an ordinance or some kind of land use regulation that -- with -- in collaboration with you. That's one way that could happen.

Or as I said, the Air District, we are working on an Indirect Source Rule to cover warehouses. So that would be another way to implement some of the, you know, reductions.

So I just throw that out there, because it seems to me like you don't want to get too detailed in how you actually implement. You should leave that open for broad expansion and being able to address how it is actually done. And now I will be quiet so Eric can speak or whoever wants to.

VICE CHAIR BERG: Yes, thank you.

Eric.

MR. ERIC: Thank you. One, I want to show a level of appreciation for inviting me to this -- into this space to share my lived experience every day in my neighborhood and in my community, and not only to give voice to those that I call a neighbor, a friend, but to represent in this space in a way that -- that you are able to not only see, but also understand some of the systemic challenges that my community has faced, that many of you shared in a tour today.

I think that the CERP is an opportunity to -- you
have a community who is voicing deep concerns to this CERP, because there has been -- and they are seeking justice from this Board. And what oftentimes in our community and Fresno County, in Fresno, in the Central Valley, what many view as an unjust system.

And I think that we -- we are yearning for equity, we are yearning for inclusion in these processes. And we are looking to you to make a systemic wrong right. And I think that to that, I would say that as you expanded the boundary areas and as residents were then included in this process, the many hours that I've spent engaging in this participatory process, there were times that I felt challenged.

I was challenged to know that I would only be given a certain number of dots that represented over 40 different issue areas around environmental justice. Because I know that the children that I see walk to school every day and every ambulance that comes into that parking lot from a child that has an asthma attack, or from extreme heat exhaustion in my community, because of the elements, and because of the high particulate matter that travels from the glass processing plant across the street, I'm challenged with that.

Because while those children don't have a voice in this space, and I do, and I would like to share with
you today that we -- that as residents, we're not asking
to discontinue the process. We're asking to press pause.
Because when I came into this space, you know, several
months ago, I didn't think that we would get a bad plan.
I didn't think that we would get an okay plan or a good
plan. I came into this giving it a hundred and ten
percent, assuming that we would go into this with
excellence.

I understand that staff has dedicated a number of
hours. Based on some of the challenges, we brought in
outside consultants to mitigate many of these issues, I --
and I don't want to just give you an okay plan. I want to
give you the best that Fresno has.

VICE CHAIR BERG: And thank you for that. I'm
just trying to understand how in a short period of time we
wrong all -- we right all those wrongs. And it seems to
me my big fear is that we press pause for a long time in
making the best plan that Fresno has, when, in fact,
action and continuing, if we know we have action. I don't
want to fluff it. I'm with you on that.

But I have grave concerns about what pause means.
Because in my mind, it stops and allows for other outside
influences to happen that maybe we didn't think of, that
are unintended.

So let me call on Diane right now.
MS. MARTINEZ: And can I --
VICE CHAIR BERG: Oh, yes, ma'am.
MS. MARTINEZ: I just want to say that I agree with you. I'm a doer. I hate to be -- I'm a multi-tasker. I want to do a lot of things and fast. But, you know, it comes with a cost of sometimes rushing things. So I agree that we need to keep on moving forward, but I also agree that we need to add all these measures that we're left out. And I also agree that there's a lot of detail that we cannot put into CERP.

Honestly, I am not an attorney. I don't care if it's in the CERP, if it's another document, that you can call it whatever you want. I'm calling it an implementation plan. You can put another title, if you want. But what we want is a roadmap of how do we move forward and we move forward now without waiting. I don't want to pause. Honestly, I don't want to pause, because of the same reasons that he said.

I don't want these children to be sitting down waiting because we cannot decide and agree. And we're never going to agree a hundred percent. So can we move forward with what's right in the plan right now, and in the meantime figure out how we make it better?

As I said, I'm open to adding it into the CERP, if that's possible -- legally possible. If we can do it
in the implementation plan, well let's do it there. But I
I'm not okay with pausing.

VICE CHAIR BERG: Okay. Thank you.

Diane.

MS. SAUNDERS: Yeah, I -- one last comment. I
would say I understand that this -- I might be the only
one here sitting here saying that we need the pause and we
need to reject. But if we could specifically add -- I
don't feel like I've come here tonight asking for so many
things. And, yes, a memorandum of understanding is only
one way, but you're also dealing with Fresno that any of
those ways that you're talking about are hard, very hard
in the mentality of the City of Fresno.

So I would still ask for, in a resolution, a
memorandum of understanding, a fully funded truck reroute
study, and a commitment to review existing rules to
strengthen and/or adopt new ones to protect public health
by 2020. And the quantifiable emission reductions that's
not just for incentives but for the other measures as
well.

BOARD MEMBER TAKVORIAN: So I'd like to move to
put those in the resolution.

VICE CHAIR BERG: Okay. I just want to --

BOARD MEMBER TAKVORIAN: Just to get us off the
dime here, and also to add -- sorry, because you were
going to call on me, right?

VICE CHAIR BERG: Yeah.

BOARD MEMBER TAKVORIAN: Okay. So --

(Laughter.)

BOARD MEMBER TAKVORIAN: Because I think those --
those are reasonable things to ask for, to have them
included. And they should be put in the language that we
had in the previous resolution, where it says that CARB is
asking the District to take these actions.

And I thought you also asked to have a commitment
to update the measures. And I would say we want to update
those by the six-month review and that we should change
the language in here like we did the Shafter one to say
semiannual, so it's -- we're getting a report back in six
months in the same way. And those measures could be --
they should be continually updated, but there should be an
update at that six-month time and to incorporate the
language that Supervisor Gioia talked about in the Freight
Handbook -- or in the concept paper for the Freight
Handbook.

MR. ERIC: May I also add, I am in total
agreeance. And I think that as a resident, I think we're
just looking for the assurances. So I think that if
Commissioners are willing to make a friendly amendment to
the resolution to include some of those things, I think
that as we evaluate this process, and look to move forward in the next six months, I think that that's a fair assessment of --

VICE CHAIR BERG: So one of the things I want to make sure that I'm clear on, because I -- I don't want to put things into a resolution that can't happen. And so I just really, really need to be sure that what we're agreeing to is going to deliver, okay?

So my understanding is that on the community measures, isn't it possible to have a list of ongoing community measures, not only the measure, but who jurisdiction it falls under and what actions we're taking to address those measures with those jurisdictions, and how can we find some collaboration to move some of those items forward with the -- with the community prioritizing which ones are most important? Is that possible?

MR. SHEIKH: I'll give you my -- my two cents. And Richard may want to add or subtract to this, but I'll just -- I'll just go all-in here.

VICE CHAIR BERG: Thank you, Samir.

(Laughter.)

MR. SHEIKH: Because I'm really sensitive to the concerns that have been expressed and I'm really trying to find ways formally here to address them.

So I think for -- on the MOU piece, I think the
way that I would frame that is that the District would
seek to establish an MOU or other appropriate mechanism --
I'm going to just take Ms. Mitchell's lead on this. I
think we should specifically call that the preferred
mechanism, an MOU - I think that's -- I've heard that
pretty loud and clear - to address air quality impacts and
concerns. And, you know, I think we need to -- I don't
know if I can read all that out right now. I'd have to
formulate the rest of that sentence there. But I think
it's consistent with the concerns that we've tried to air
in the CERP related to land use, and air quality impacts,
and mitigation.

So I think seeking to establish it, because I
don't -- I can't speak for my Board or the city council.
VICE CHAIR BERG: Right.
MR. SHEIKH: So I don't think we can say the
District will establish an MOU. I just -- now, we can
seek to establish it. And I think -- and I think that's a
reportable, you know -- that's -- that gives us a very
specific.

And the steering committee will know full well
how well that's going and what maybe obstacles come up
along the way and we can work together to try to figure
out how to deal with that.
VICE CHAIR BERG: Ivanka, does that --
MS. SAUNDERS: Yes.

VICE CHAIR BERG: -- give us a direct action that --

MS. SAUNDERS: Yes.

VICE CHAIR BERG: Okay

BOARD MEMBER GIOIA: Can I read -- I wrote down what he said, but I modified it as a former land use lawyer. Can I read something here?

(Laughter.)

VICE CHAIR BERG: Oh, my heavens.

(Laughter.)

BOARD MEMBER GIOIA: District seeks to establish an MOU or other -- district seeks to establish an MOU or other appropriate mechanism with appropriate agencies, including the city and the county to address air quality impacts and concerns to -- to -- yeah, to address air quality impact and concerns. That's a --

VICE CHAIR BERG: Okay.

MR. SHEIKH: And I would be -- I would be supportive of that included in the amended resolution.

VICE CHAIR BERG: Okay.

MR. SHEIKH: That -- I also would --

BOARD MEMBER GIOIA: That's one. I'm just trying to write them down individually.

MR. SHEIKH: By the way, thank you so much,
Supervisor Gioia, because I don't know if it's the time of
the evening, but my mind just kind of blanked out for a
moment there, but I appreciate that.

(Laughter.)

MR. SHEIKH: I think on the second piece on the
truck reroute, I think we should also include language
that says the District will seek full funding for the
truck reroute and will provide full funding. I'd like
there to be an element of trying to get some leverage
funding in that, and then --

VICE CHAIR BERG: Yes. Sure.

MR. SHEIKH: -- provide full funding, if not
successful. Now, we've got to be careful with that
language, I'd -- because the second you say that, you
know, it's hard to -- but I think you know what I mean
there.

VICE CHAIR BERG: It's hard to get the shared
funding. I mean, we do want the shared funding first.

MS. SAUNDERS: Well, I think that also comes back
to the fact that as a steering committee, we didn't
have -- we want to be able to return as was put in the
resolution or the recommendations already, that the
steering committee had the right to have the discussion of
where those funding -- where the current 617 funding is
actually allocated.
MR. SHEIKH: And we're actually having those discussions now. So I feel -- I feel like that's consistent with the process that was laid out in front of our board. And I think specificity on that particular concern, I'd be comfortable with that.

VICE CHAIR BERG: Okay. So I'm hearing some agreement on that.

MR. SHEIKH: Yes. And I think on the --

VICE CHAIR BERG: Okay.

MR. SHEIKH: Well, I believe so. I'll speak for myself, but, yeah. Thank you.

BOARD MEMBER TAKVORIAN: Well, wait, wait, wait. Is it -- I heard will seek funding.

VICE CHAIR BERG: No, but if they can't --

MR. SHEIKH: And then there was a third element. I'm sorry, go ahead.

BOARD MEMBER TAKVORIAN: Can you read -- I'm sorry.

VICE CHAIR BERG: The discussion was that the District would seek co-funding. And if they can't get it, they will fund it.

BOARD MEMBER TAKVORIAN: Okay. Then I think you have to have that be time bound in someway, because is that -- so then we should have a resolution to that by the six-month report, because this could take forever.
MR. SHEIKH: All right. So here -- a suggestion on that.

BOARD MEMBER TAKVORIAN: I mean, we could be seeking funding forever.

MR. SHEIKH: The only --

VICE CHAIR BERG: I'm sorry, let's let Samir.

MR. SHEIKH: The only pause I would have on the specific date is that we are currently in the process right now with a full steering committee of putting specific dates and goals and prioritizing those different measures. I think it would be unfair honestly to the steering committee process to put a specific deadline on that. I can guarantee you that that will be on the agenda to discuss the time frame for that. So that -- that would be my only suggestion on that piece.

BOARD MEMBER TAKVORIAN: Are you guys good with that?

MS. MARTINEZ: (Nods head.)

MS. SAUNDERS: (Nods head.)

BOARD MEMBER TAKVORIAN: Okay.

VICE CHAIR BERG: Thank you.

MR. SHEIKH: And the last piece that I understood was the rule review. And I'm also comfortable with a commitment -- I think it would be a joint commitment with CARB, and I believe that would be correct, to provide a
full report on -- and I think that would probably be the annual report. I think that's what I heard on the 2020 time frame. We already have a number of rules identified actually in the CERP. That's part of BARCT component. We didn't talk very much about that today. But AB 617 actually has a pretty extensive stationary source review component.

We're actually working on a bunch of other PM plan and other related measures. I feel very comfortable and I think CARB is also working on a number of different measures reporting back. It's going to happen throughout the year, but I think as part of our formal report, where we are on the status of those various regulatory measures. And we can commit to doing that in the 2020 time frame.

BOARD MEMBER GIOIA: I have a process -- process question. Since you're making commitments, but this is our resolution --

MR. SHEIKH: I'm making suggestions to your resolution.

(Laughter.)

BOARD MEMBER GIOIA: Right. No. No. No. What I mean is that you're making commitments as a district, but we're passing a resolution of our Board. So how are we reflecting that our resolution is reflecting your commitment? Do you see -- do you see what I'm saying?
BOARD MEMBER TAKVORIAN: Well, the way we did it in the Shafter one is to say the CARB --

VICE CHAIR BERG: You're making our lawyers very nervous.

(Laughter.)

BOARD MEMBER GIOIA: Well, I -- but I want to hear -- I want to hear the answer to this. Yes.

(Laughter.)

VICE CHAIR BERG: I just want to make an observation.

BOARD MEMBER TAKVORIAN: What we said here at CARB's request --

BOARD MEMBER GIOIA: Yes.

BOARD MEMBER TAKVORIAN: -- and then continue on, the District will.

BOARD MEMBER GIOIA: Pardon?

BOARD MEMBER TAKVORIAN: What we said in the Shafter one was --

BOARD MEMBER GIOIA: Was?

BOARD MEMBER TAKVORIAN: -- which seemed okay is at CARB's request, the District shall blah, blah, blah.

BOARD MEMBER GIOIA: Okay. If we think that's fine, okay. Can I make a suggestion on paragraph five on page five, which is dealing with the Freight Handbook?

VICE CHAIR BERG: On the Freight Handbook?
BOARD MEMBER GIOIA: On the resolution.

VICE CHAIR BERG: Okay.

BOARD MEMBER GIOIA: The resolution five.

Somewhere here it should be -- and I'll just throw this out. We can --

VICE CHAIR BERG: And then it's Dr. Sherriffs' turn.

BOARD MEMBER GIOIA: Right. Okay.

CARB and the District -- CARB and the District is -- CARB and the District is committed to work with the steering committee to advance and implement the concepts discussed in the -- in the Freight Handbook concept paper. So -- which is much more -- much stronger than just CARB staff continues to move forward or -- and you do have here the language -- including the language, which is continue to strengthen the working relationships and all of that, including further discussion of the specific approaches. But I think CARB and the District are committed to work with the steering committee to advance and implement the concepts discussed in the Freight Handbook, and maybe including, you know, this -- the language that we -- that I read in the Freight Handbook with regard to new facilities.

VICE CHAIR BERG: Well, I do want to be careful that we're getting into very much the weeds --
BOARD MEMBER GIOIA: But let me disagree. Agreeing to advance the concepts identify -- then why are we doing a Freight Handbook, if we're not agreeing to advance the concepts in the Freight Handbook?

VICE CHAIR BERG: Well, we can do that --

BOARD MEMBER GIOIA: We're not saying --

VICE CHAIR BERG: -- but we don't need to start --

BOARD MEMBER GIOIA: We're not saying which specifics.

VICE CHAIR BERG: -- but we don't need to start identifying which page and which ones.

BOARD MEMBER GIOIA: Okay. But then just -- then CARB and the District are committed to work with the steering committee to advance and implement the concepts discussed in the Freight Handbook.

VICE CHAIR BERG: Richard.

EXECUTIVE OFFICER COREY: That's a commitment absolutely, because it's how do you apply those principles in the Freight Handbook. And we're clearly interested in the steering committees across the state options and ideas --

BOARD MEMBER GIOIA: Right.

EXECUTIVE OFFICER COREY: -- for doing so, including, frankly, discussions with cities.
BOARD MEMBER GIOIA: Right.

VICE CHAIR BERG: Okay. I want to just quickly check in with our community members and -- because we are past the 10:00 o'clock hour. And I really want to get Dr. Sherriffs. And then I need to bring this to a resolution. But I want to bring this to a resolution if we feel that we're in a place to do that with all this -- with the further discussion, the further commitments, and the further Board resolutions, which both of our attorneys have also made sure that we are capturing it properly.

Okay. So I'm going to call on Dr. Sherriffs and then I just want to check in with you, and then I think it's time to bring it to a close, okay?

Okay. Dr. Sherriffs.

BOARD MEMBER SHERRIFFS: I didn't have anything to say, but since you called on me.

(Laughter.)

VICE CHAIR BERG: He's been yanking on me. Maybe that was a call for the question.

(Laughter.)

BOARD MEMBER SHERRIFFS: This -- this -- this has been great to feel firsthand the process.

Thank you.

(Laughter.)

BOARD MEMBER SHERRIFFS: And I think it's been a
great process, because, in fact, I think we've come up with a much better resolution than we started with. It's been painful, but it's been successful. We've come up with something better that we can all work together and forward.

So thank you.

BOARD MEMBER MITCHELL: Can somebody read back all the amendments that we've just made?

Who's got that?

VICE CHAIR BERG: Yes, just one second, Ms. Mitchell.

Yes, Eric.

MR. ERIC: And in my closing -- my closing comments, I would just like to offer to -- I didn't know I was hilarious. I love it. No.

Just in my closing comments that on page four, just as you look at wordsmithing the document, in the last paragraph where it says CARB staff works with the District and the community steering committee under paragraph one, and the last line where it says, "Based on ongoing discussion", if -- as a friendly amendment to that, if it would be "under committee recommendation".

VICE CHAIR BERG: Ongoing discussions and committee recommendations?

MR. ERIC: Um-hmm. Yes.
MS. MARTINEZ: It talks about the funding. And we have had discussions, but then the allocation of funding goes somewhere else. And we have received a commitment verbally at least in the October meeting that they will take into consideration the recommendations made by the steering committee. But if we have somewhere in writing, and it was stronger language, it would be better.

VICE CHAIR BERG: Samir.

MR. SHEIKH: I think the way I read that was based on committee recommendation, so I feel comfortable with that change.

VICE CHAIR BERG: Okay. We'll go ahead and add committee recommendations there.

Who would like to -- who's been taking the notes?

(Laughter.)

VICE CHAIR BERG: I've been talking. You must admit I've been doing that, right?

(Laughter.)

CHIEF COUNSEL PETER: Chair Berg?

VICE CHAIR BERG: Oh, thank you. I'm going to have counsel --

CHIEF COUNSEL PETER: No, no, no, no. I'm not going to offer to make all the amendments.

VICE CHAIR BERG: Okay.

CHIEF COUNSEL PETER: Suggestion is we have this
wonderful court reporter who's probably dying by this point --

(Laughter.)

CHIEF COUNSEL PETER: -- who's been taking this all down. And I think we have the con -- the different freight concepts and the other concepts down. What I would suggest that we do is the -- is basically have the Board direct the staff, relying on the transcript and all the comments from the folks in the community, and from the District, and from CARB staff, Richard, to put -- to basically put this together, if you're comfortable going that.

VICE CHAIR BERG: As amended.

CHIEF COUNSEL PETER: Right, as amended.

VICE CHAIR BERG: As we've -- okay.

CHIEF COUNSEL PETER: And if there's very specific things. I don't know. Diane, you had some very specific things. I think you were actually specifying them adequately enough. I don't know if you want to add any more detail or is there -- is that a good path for us forward, because otherwise we're going to miss something?

VICE CHAIR BERG: Yes. So I have one other request. I think it's very important that we, as a Board, make a commitment to come back to Fresno for the six-month review.
(Applause.)

VICE CHAIR BERG: And so I would like to ask Richard to please look at our calendar. I can't promise it's going to be six months to the day, but it will be here. I mean, it will be in Fresno. We'll also invite Shafter to come up and do their six-month at the same time. And that we will give that commitment, so we can all be here, and not just have a few people come up to Sacramento, okay?

BOARD MEMBER GIOIA: But we'll do it in Fresno is what you're suggesting, right?

VICE CHAIR BERG: We will do it in Fresno, yes. It will be in Fresno. Please look at our calendar. We will invite the Shafter people to also come to Fresno and have the six month as close to the six-month review. You guys are going to have to take a breath as well and get all back together. I'll leave it to this group, including CARB, to coordinate. And we will come back and we will see you in Fresno in six months, okay?

And with that --

MS. SAUNDERS: Thank you so much for allowing this to be an actual conversation. Thank you so much.

VICE CHAIR BERG: You're very welcome. And thank you for participating with us.

And with that, could I please --

VICE CHAIR BERG: I am.

BOARD MEMBER GIOIA: All right I will.

CHIEF COUNSEL PETER: Oh, okay. Sorry.

BOARD MEMBER GIOIA: I'll make a motion to approve the CERP with the amendments proposed -- and with the amendments to the resolution as proposed and documented in the transcript -- in the reporter's transcript.

BOARD MEMBER BALMES: Second.

VICE CHAIR BERG: Can we do a voice vote? All those in favor?

(Unanimous ayes vote.)

VICE CHAIR BERG: Any opposed? Any abstentions?

Congratulations. You guys did a really, really great job.

(Applause.)

VICE CHAIR BERG: We do have some general -- okay. No problem.

We do have some general comments, so we're not quite done yet. I'm sorry. No you guys can go ahead -- you can go ahead and move, but I need you to be quite, because we have eight people coming just to give quick
testimony, and -- yes. But I think should we just stretch a little bit for you.

We're going to take two minutes and we're going to allow our court reporter to stretch. Those making general comments, if you can come up and we're going to give two minutes each.

(Off record: 10:25 p.m.)

(Thereupon a recess was taken.)

(On record: 10:26 p.m.)

VICE CHAIR BERG: Okay. If we can -- if I could have a couple Board members and then we're going to go ahead with the open testimony.

Thank you so much.

So we have eight to nine people that have open comments. We're going to do two minutes each. And I want to thank the people that stayed long enough, because it really is late and it shows that this is very important to you. And I want you to know that I'm right here listening. So -- and we have Board members right here ready to go.

So, Diana. Good evening, ma'am.

MS. MIRELES (through interpreter): Good evening. My name is Diana Mireles. I'm a member of the Committee, the Progress Committee of Lamont. We are here actually to request that you don't forget Lamont and Arvin, please.
This is to implement AB 617. Some of you from the Board have already been in Lamont.

I forget the name, but I basically am trying to say that we were trying to put the meeting together along with the Gustavo's committee.

VICE CHAIR BERG: Okay.

MS. MIRELES (through interpreter): Along with CRP as well. I know that you've been to Lamont and that you were kind enough to do a tour and to see the different needs in Lamont. And again, I'd like to invite you once again to come and visit us, to come and see perhaps there was something you missed. Perhaps, you need to see more of the needs that we have in Lamont. We are ready. We have been working with Shafter. We understand what the process is. And truly, I hope that this coming year you would take us into consideration at Lamont.

Thank you.

VICE CHAIR BERG: Mucho gracias.

MR. MIRELES (through interpreter): Good evening. My name is Jose Mireles, also from the Lamont Progress Committee. But my wife actually beat me to what I wanted to say.

(Laughter.)

MR. MIRELES (through interpreter): We really want to invite you to go and participate in the committee or go
to Lamont. We considered -- we got that grant there for Lamont, and they said they were close. We want to also ask that you take us in consideration, because we are full of pollution there. I know there's a lot of committees also, but we also want to say that we're not the only ones.

Thank you very much for listening to us and have a nice evening.

VICE CHAIR BERG: Mucho gracias.

MS. ESCOTO (through interpreter): Good morning to everyone. My name is Estela Escoto. I'm also a member of the Committee for a Better Arvin. That's the name of my committee. And just as my peers were here today to request of you that the next time you're choosing a city, you please look at Arvin and Lamont. What can I say to you? You know that these cities are cities that are highly contaminated that truly need your help. And as I have been attending these meetings, I found everything to be very interesting. I feel like we would highly benefit.

I know that it is impossible to completely eradicate pollution in all of these cities, but I believe that these programs are extremely helpful. The community really needs you. I hope that you take us into consideration. Thank you and good evening.

VICE CHAIR BERG: And thank you so much. Mucho
MS. OSEDA (through interpreter): Good evening. My name is Gabriela Oseda. I am from the community of Arvin. And I also am a member for a better neighborhood. I would like to ask the same as my peers that please take my community into account or consider it. I don't know if you're aware, but we have five freeways near our community, which is 99, the 5, the 223, 184, and the 223. Those are the freeways that actually pollute the most, because large trucks will transit to go through there. And this program that you're implementing would be very helpful to reduce the pollution in our community.

Thank you very much.

MR. GUSTAVO AGUIRRE, SR.: Good evening. My name is Gustavo Aguirre. And, yes, I'm the father Gustavo Aguirre, Jr., the trouble maker, and very proud of him.

(Laughter.)

MR. GUSTAVO AGUIRRE, SR.: For the San Joaquin Valley, Arvin, Lamont, my understanding is that both with the Stockton they were competing actually. We saw some data that Arvin Lamont should be chosen in the first place. So I think those are the expectations that our communities have. You know, Arvin and Lamont, you know, if they were not chosen this time -- this year, we hope that they are next in line for next year.
As mentioned, you know, I think just looking at what happened this -- tonight this evening is a little bit scary taking on these kind of challenges. But nothing good comes out of something easy, so I'm looking forward to seeing something happening in those communities. But also, it gives me a lot of faith from you, the Board members, that just listen to the community, just listening what happened to the Shafter project, and to the Fresno that you -- I saw that you really paid attention to that and are willing to do something.

You know, sometimes we go to visit you in Sacramento. We leave 2:00 a.m. and we come back midnight. So also thank you for coming here to the community. I would encourage you to come, because that means a lot to the -- to us, to the residents that, you know, a lot of people there they have a lifetime advocating for the low-income communities, disadvantaged communities too. See some changes.

So as you know, Arvin is -- Arvin Lamont is one of the most polluted cities in the nation. And I think it's just -- we are asking, you know, for you to really consider Arvin Lamont as the next community to be chosen, because there is a huge need and there is community base, there are groups, there are organizations. County also gave a letter of support for Arvin Lamont.
So we are asking you to not forget that they were second in line this time.

Thank you.

VICE CHAIR BERG: And thank you, sir, very much for coming and staying. Please tell your group how much it does mean to us that you did come, and you should be a proud father.

MR. GUSTAVO AGUIRRE, SR.: Thank you.

VICE CHAIR BERG: Thank you.

(Laughter.)

MR. GUSTAVO AGUIRRE, JR.: How is it going, everyone? Good evening again. Six hours in, we're good, right?

I just want to make something very clear and very straightforward. These folks from South Kern have been here for six hours, but they've also been through this entire process from the very, very beginning even before year one selection. We went through this rigorous rubric of choosing communities that were really at the forefront of this, right?

And it was Shafter and Arvin Lamont always there, right, at the very forefront. Just to give you guys a sense of -- today was successful because of the partnerships. What we have in South Kern is partnerships of community based organizations, environmental justice
groups, the City of Arvin, the county -- not the county
commissioner, but the county supervisor for that area, and
the County of Kern Natural Resources Department.

And so we've already established a partnership. And even while we move forward to pick Arvin and Lamont,
that corridor as a year three community and the District
also has carved out this space as an environmental justice
disadvantage community, we can start early actions as --
as suggested through community air monitoring and
regulatory monitoring.

And this entire region, which is a growing
region, which there's a massive plan for an industrial
park there at the scale of Fresno, it's not yet been
approved. It's in the making. We need to take actions to
identify what are the pollutants in this area. We have
one regulatory monitor that is part of CARB. And I know
there is some mobile monitoring that happens there, right?

But this large-scale region could benefit from
this early action of doing kind of a hybrid AB 617, and
put some community air monitors our there. And then once
we get to year three selection, aside from the slough of
partnerships that we have, we now have data increments
that could give us some real stories on how to move
forward.

So deeply advocating for moving forward as a
selection for South Kern of Arvin Lamont region.

Thank you.

VICE CHAIR BERG: Well, thank you very much for coming. Our Board doesn't take action on these types of items, but we do turn it back to staff.

MR. GUSTAVO AGUIRRE, JR.: Yes.

VICE CHAIR BERG: And so really very much appreciate you staying and thank everybody.

MR. GUSTAVO AGUIRRE, JR.: Thank yo. Thank you.

MS. SANTOYO: Hi again.

VICE CHAIR BERG: Hi, Byanka.

MS. SANTOYO: Hi. I am here trying to advocate also for the Arvin and Lamont area. I'm not just saying it because this is community -- a community base that is willing to work with the 617. They know how it all works out and they've also participated with the Shafter steering committee. So they have a little bit of background on what it is and they really want to work it.

But I'm also advocating, because I'm a resident from Arvin. So I know the burden that is happening and the -- all the environmental injustices that is happening in our community. And having you here and listening to us has made a big difference in -- just in our mindset that you guys are listening to us. You're wanting to make a change in the community. So we're very thankful for you
VICE CHAIR BERG: Thank you. And we'll count on you helping too.

MS. SANTOYO: Thank you. For sure.

VICE CHAIR BERG: Okay. Then moving on, we've got Neil Black.

MR. BLACK: And I'm Neil Back. And I'm at California Bioenergy.

And as a citizen, I just want to express my deep appreciation to be able to be an observer today and to hear the -- and listen to the process that you've all gone through together.

We build dairy digesters locally in partnership with dairy families, including right here in Shafter. And our projects are from here, from down in Bakersfield, up through Fresno County and up through Merced.

And we have been very committed to community engagement in all the projects and work that we do, and look forward to being part of the solution through what we do, and not only in capturing greenhouse gas emissions, but in using our methane in near zero-emission vehicles. Because while the electric vehicles are fantastic for the heavy-duty trucks, the near zero-emission vehicles are a remarkable solution to lower NOx by 90 percent.

And we're very pleased with an announcement at
the ag show this week with Western Milling of there converting their fleets, delivery feeding to dairy farms, to near zero-emission vehicles.

So I wanted to express our thanks to the -- to all of you for your support of HVIP over the years, and the importance that program is, and other programs to helping us working with truck fleets to convert from diesel emissions to using the near zero-emission natural gas trucks.

And the local dairy digester projects also improve local air quality, because we capture other emissions from the biogas, such as we reduce H2S by about 99 percent, which will also thus reduce SOx, and also improve the -- how the air smells locally.

So we're very appreciative to all that you do and thank you.

VICE CHAIR BERG: Thank you very much.

Our final speaker, Brian.

MR. KOLODJI: Yes. Chair Berg, members of the Board, staff, and other diehards still here. It's Brian Kolodji speaking as a firefighter, hazmat responder in three states, Texas, West Virginia, and California. And as the only engineer on the Office of Emergency Services Risk Management Prevention Program Guidelines Committee, 1986.
Regarding assessing chemicals and risks. And I focus on this pesticide issue. I bring up history on use and accidents with the worst of chemicals, nerve gas and other military chemical agents were so effective in killing, this wasn't fair. There was -- they were outlawed. Even the Germans in World War II didn't return to this practice.

Nuclear bombs were not outlawed, but nerve gas was and so was mustard gas. Back in 1984, methyl isocyanate, a biocide, meaning a chemical whose purpose in manufacturing was to kill -- biologically kill life, was released accidentally. It killed 15,000 people in Bhopal, India in one day, injured hundreds of thousands of others. And when invited 20 years rater, Bhopal was still a city of hospitals with chemi -- that would put Wuhan virus to shame.

Here in Kern County, between Taft and Arvin Lamont, a chemical plant released a chemical three -- just last month in fact, that was three times as toxic as deadly -- three times as deadly as the one that was released in Bhopal, India, precipitated a six-mile radius of evacuation.

What was the difference? The facility was well sited in the middle of nowhere, miles outside of the city limits. Bhopal had density populated shanties up against
the fence line.

May I finish, one more minute?

VICE CHAIR BERG: Well, that -- can you just give us a final conclusion sentence, please.

MR. KOLODJI: Yes. It was virtually unregulated industry. After Bhopal, the State of California passed the first legislation in the United States to regulate these toxic chemicals.

Pesticides -- okay. Pesticides, a chemical several magnitudes lower in risk, can be managed well or mismanaged, as in DDT. Yet, the use of the -- one of the -- of any of these chemicals, beneficial, well-managed use should not be feared when properly managed with leadership.

VICE CHAIR BERG: Okay. Sir, we -- we do have your written comments.

MR. KOLODJI: Okay.

VICE CHAIR BERG: And given the hour, we do appreciate you coming.

MR. KOLODJI: Thank you.

VICE CHAIR BERG: Thank you so much.

Fellow Board members, I just can't thank you enough for your attention today, your just passion, and commitment to this Board.

And we are adjourned.
(Thereupon the Air Resources Board meeting adjourned at 10:46 p.m.)
CERTIFICATE OF REPORTER

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of February, 2020.

JAMES F. PETERS, CSR
Certified Shorthand Reporter
License No. 10063