

June 18, 2021

Mr. Samir Sheikh
Executive Director/Air Pollution Control Officer
San Joaquin Valley Air Pollution Control District
1990 East Gettysburg Avenue
Fresno, California 93726
samir.sheikh@valleyair.org

Dear Mr. Sheikh:

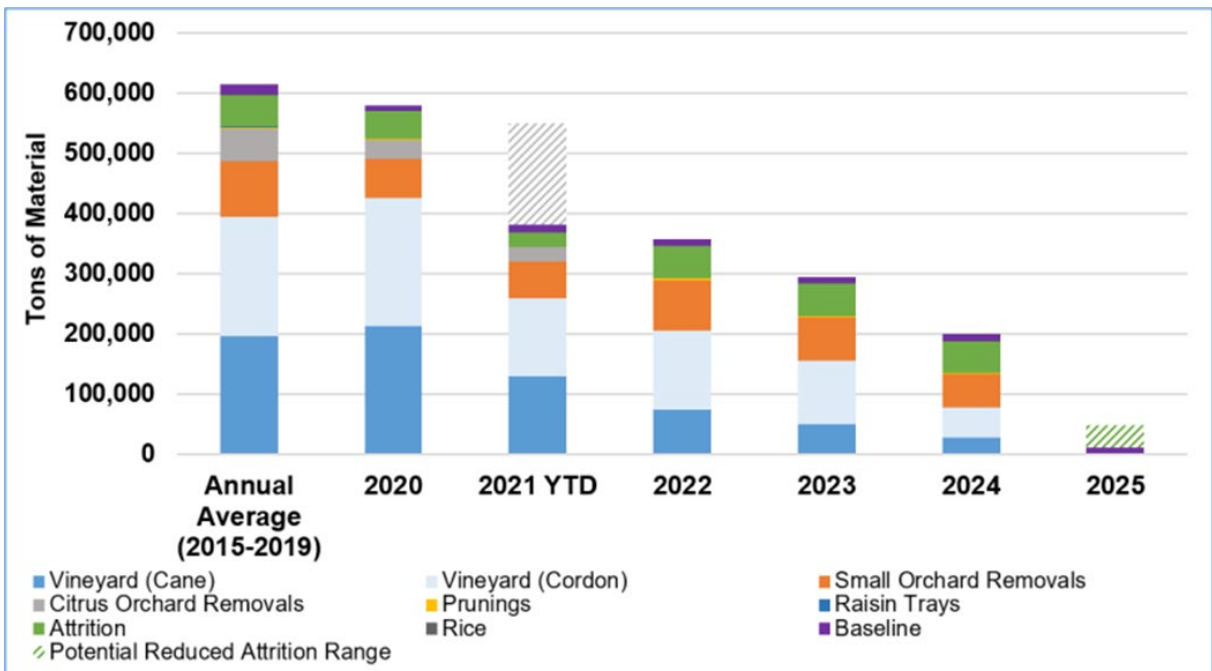
On February 25, 2021, with adoption of Resolution 21-4 and consistent with the requirements in Health and Safety Code sections 41855.5 and 41855.6, the California Air Resources Board (CARB or Board) provided concurrence with the San Joaquin Valley Air Pollution Control District's (District) 2020 Staff Report and Recommendations on Agricultural Burning through August 31, 2021. The Board also authorized the CARB Executive Officer to provide concurrence as necessary beyond the initial period, provided that the District implemented the recommendations provided in the CARB Staff Recommendations: San Joaquin Valley Agricultural Burning Assessment (CARB Staff Recommendations) and any additional criteria included in Resolution 21-4.

On June 17, 2021, the San Joaquin Valley Air Pollution Control District approved the Supplemental Report and Recommendations on Agricultural Burning (District Supplemental Report) updating the District's strategy to reduce emissions from open agricultural burning. I appreciate the close collaboration with District staff over the last several months as the District developed the Supplemental Report.

CARB's recommendations and the District's fulfillment of those recommendations in the District Supplemental Report are summarized below.

1. CARB recommended accelerated phase-out timelines by crop type, starting with large agricultural operations. The District Supplemental Report includes detailed, crop-specific phase-out schedules for removals of cordon and cane-pruned vineyards, citrus orchard removals, <15 acre orchard removals, and almond/walnut/pecan prunings, beginning with the largest agricultural operations first, consistent with CARB direction.
2. CARB recommended that the District set a clear ton target for the near-complete phase-out of burning by January 1, 2025, to help provide certainty for reductions in the amount of agricultural material burned and to help the District send a clear signal that the market is moving towards more sustainable alternatives to open burning. Resolution 21-4 further specified that the District should produce a transparent and measurable reduction plan with reduction benchmarks. The District Supplemental Report establishes this target and benchmarks based on the crop-specific reduction strategy described above. Figure 2-9 in the District Supplemental Report (reproduced below) clearly shows the projected annual open burn tonnage in woody material being

open burned in the Valley from the phase-out schedule detailed above, illustrating a steady decline in burning over time.



3. CARB recommended the District take a number of actions, in partnership with CARB, to improve readiness to reduce burning at the pace needed to meet the 2025 target of a near-complete phase-out of agricultural burning in the Valley. These actions included:
 - a. Holding a summit on non-burning alternatives;
 - b. Developing outreach materials and programs with UC Cooperative Extension to identify alternatives to vineyard and orchard removals;
 - c. Pursuing a Clean Biomass/Bioenergy Collaborative across state agencies;
 - d. Pursuing additional incentive funding from State and federal sources; and
 - e. Encouraging the use of woody biomass in low-carbon uses.

The District Supplemental Report describes how the District and CARB have pursued these actions:

- a. Summit: In September of 2021, CARB will host, with assistance from the District, a two-day Summit focusing on solutions to overcome the challenges associated with implementation of alternatives to open agricultural burning. The Summit will advance the understanding of available and potential new biomass/bioenergy technologies, including advantages and disadvantages of each, and anticipated implementation roadblocks and solutions.
- b. Outreach: The District has developed program advertisements, promotional videos, infographics, social media, radio/television, and other outreach materials to complement extensive and ongoing conversations with affected stakeholders, including numerous meetings with agricultural representatives

- and grower cooperatives. In fall of 2021, the District will coordinate with the agricultural community to host a series of educational workshops, webinars, and pop-up events to further educate affected growers about upcoming prohibitions to open burning, and available alternatives. The District also committed to ongoing work with Valley communities to effectively communicate requirements and available tools to report complaints.
- c. Clean Biomass Collaborative: In consultation with the District, CARB has established a Clean Biomass Collaborative to help better understand and promote alternatives to open burning of agricultural biomass. The Collaborative will seek input from a broad range of stakeholders to characterize current and potential biomass/bioenergy technology options and evaluate them for their viability as alternatives to open agricultural burning.
 - d. Incentive funding: CARB and the District recognize the critical need for funding to support the transition to costly new and emerging alternatives. The 2021-22 May Revision to the Governor's Budget included funding for sustainable agriculture, including \$150 million in funding for "Incentives for Alternatives to Agricultural Burning in the San Joaquin Valley" and \$100 million in funding for the California Department of Food and Agriculture Healthy Soils Program. Additionally, the Senate's Agriculture Budget Plan released May 4, 2021, included \$180 million over a three-year period (\$60 million per year) to support the deployment of alternatives to open burning. AB 128, passed by the Legislature on June 14, 2021, signals the intent of the Legislature to provide \$703,418,000 from the General Fund and \$42,582,000 from the Air Pollution Control Fund for an agriculture package, which is expected to include funding for incentives for alternatives to agricultural burning. CARB is prepared to execute a grant agreement to provide these funds to the District as soon as the funds are appropriated. The District intends to prioritize incentive funding for small agricultural operations through its Alternatives to Agricultural Open Burning Incentive Program, consistent with CARB direction in Resolution 21-4 to provide support for small farms.
 - e. Low-carbon uses: The conversion of agricultural residue into liquid and gaseous fuels is another alternative to burning which could also support the State's climate change mitigation efforts. As part of California's effort to reduce greenhouse gas emissions, CARB has adopted a Low Carbon Fuel Standard (LCFS) which sets a decreasing carbon intensity for California's transportation fuel pool and helps support the deployment of a range of low-carbon and renewable fuel alternatives like renewable diesel, biodiesel, alternative jet fuel, renewable natural gas, and others. These low-carbon fuels will be critical to decarbonizing our transportation sector over the coming years, particularly for areas that will be hard to electrify like agricultural equipment, marine, and other off-road equipment.
4. CARB recommended the District consider seeking to raise the per acre penalty for burning conducted pursuant to a Stipulated Order of Abatement (SOA) that was granted in 2015 by the District Hearing Board to allow orchard removal burns. The District Supplemental Report describes that the SOA process is not currently being

used by growers for orchard removals, but that the District will nevertheless consider potential enhancements, including an additional increase in the SOA penalty amount, or working with the Hearing Board to sunset the current SOA.

CARB has reviewed the District Supplemental Report and has determined the District has responded to the CARB Staff Recommendations and that the District Supplemental Report meets the requirements provided for in Resolution 21-4 for continued concurrence beyond the limited concurrence period ending on August 31, 2021. Therefore, CARB is providing concurrence with the District Supplemental Report through December 31, 2024.

I also want to acknowledge and appreciate the District's plans to provide more information this summer to the public regarding authorized agricultural burning during the phase-out transition period. Providing information to communities and residents about planned agricultural burns is an important component of public outreach.

CARB looks forward to continuing to work closely with the District to ensure the successful transition to sustainable alternatives to open agricultural burning in the San Joaquin Valley. If you have any questions, please contact me at (916) 322-7077 or via email at richard.corey@arb.ca.gov, or contact Ms. Edie Chang, Deputy Executive Officer, at (916) 445-4383 or via email at edie.chang@arb.ca.gov.

Sincerely,



Richard W. Corey, Executive Officer

cc: Edie Chang, Deputy Executive Officer