

MEETING  
STATE OF CALIFORNIA  
AIR RESOURCES BOARD

RIVERSIDE COUNTY ADMINISTRATIVE CENTER  
4080 LEMON STREET  
1ST FLOOR  
RIVERSIDE, CALIFORNIA

THURSDAY, OCTOBER 26, 2017  
9:15 A.M.

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A P P E A R A N C E S

BOARD MEMBERS:

Ms. Mary Nichols, Chair

Ms. Sandra Berg, Vice Chair

Dr. John Balmes

Mr. John Eisenhut

Senator Dean Florez

Assembly Member Eduardo Garcia

Supervisor John Gioia

Ms. Judy Mitchell

Mrs. Barbara Riordan

Supervisor Ron Roberts

Supervisor Phil Serna

Dr. Alex Sherriffs

Professor Dan Sperling

Ms. Diane Takvorian

STAFF:

Ms. Edie Chang, Deputy Executive Officer

Mr. Steve Cliff, Deputy Executive Officer

Mr. Kurt Karperos, Deputy Executive Officer

Ms. Ellen Peter, Chief Counsel

Ms. Emily Wimberger, Chief Economist

Ms. Veronica Eady, Assistant Executive Officer

Ms. Heather Arias, Community Planning Branch, Office of  
Community Air Protection(OCAP)

A P P E A R A N C E S C O N T I N U E D

STAFF:

Mr. Michael Carter, Assistant Division Chief, Mobile Source Control Division(MSCD)

Mr. Peter Christensen, Manager, Innovative Heavy-Duty Strategies Section, MSCD

Mr. Vernon Hughes, Chief, Community Assessment Branch, OCAP

Mr Jack Kitowski, Division Chief, MSCD

Mr. Aron Livingston, Assistant Chief Counsel, Legal Office

Ms. Karen Magliano, Interim Director, OCAP

Mr. Craig Segall, Assistant Chief Counsel, Legal Office

Ms. Lisa Williams, Air Pollution Specialist, Innovative Strategies Branch, MSCD

ALSO PRESENT:

Mr. Jack Broadbent, Bay Area Air Quality Management District

Ms. Astrid M. Calderas, Comite Civico Del Valle

Ms. Mariana Claustro, Comite Civico Del Valle

Mr. Israel Cruz, Comite Civico Del Valle

Mr. Steven P. Douglas, Alliance of Automobile Manufacturers

Mr. Sean Edgar, Clean Fleets

Mr. Paul English, California Department of Public Health

Mr. Quentin Foster, Environmental Defense Fund

Ms. Genevieve Gale, Central Valley Air Quality Coalition

A P P E A R A N C E S C O N T I N U E D

ALSO PRESENT:

Mr. Ranji George

Ms. Bonnie Holmes-Gen, American Lung Association

Mr. Humberto Lugo, California Communities Air Monitoring

Mr. Bill Magavern, Coalition of Clean Air

Ms. Karen Mejiu, Comite Civico Del Valle

Mr. Wayne Nastri, South Coast Air Quality Management  
District

Mr. Michael Neuenburg, Sacramento Metropolitan Air Quality  
Management District

Mr. Luis Olmedo, Comite Civico Del Valle

Mr. Orangel Olmedo, Comite Civico Del Valle

Ms. Manuela Ramirez, La Union Hace La Fuerza

Ms. Guadalupe Rosales, La Union Hace La Fuerza

Mr. Samir Sheikh, San Joaquin Valley Air Pollution Control  
District

Ms. Stephanie Tsai, Climate Justice Program Associate

Ms. Kathleen Van Osten, United Airlines

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## P R O C E E D I N G S

1  
2 CHAIR NICHOLS: Good morning, everybody. Welcome  
3 to the Air Resources Board meeting, and thanks to  
4 Riverside County for lending us this facility. This is  
5 not the first time we've been here, and we're very  
6 grateful to them for making it available to us. We  
7 unfortunately are not quite as sophisticated as it is when  
8 it comes to operating our microphones, but I think we're  
9 going to get the hang of it this time.

10 And Vice Chair Berg and I have come up with a  
11 system where we're going to be able to see everybody who  
12 wants to be recognized to speak, because I'm going to look  
13 in this direction and she is going to look in the other  
14 direction. And Board members are going to wave their  
15 hands or possibly jump up and down if necessary so that we  
16 see them; and that way we will make sure that everybody  
17 gets called on.

18 I'm being a little bit facetious. But we've got  
19 a good meeting ahead of us.

20 So let's just begin with our usual formalities,  
21 which include having the clerk of the Board assure that we  
22 have a quorum, even though I can see that we do. You  
23 could call the roll first and then we'll do the opening  
24 Pledge of Allegiance.

25 Okay.

1 BOARD CLERK McREYNOLDS: Dr. Balmes?  
2 BOARD MEMBER BALMES: Here.  
3 BOARD CLERK McREYNOLDS: Mr. De La Torre?  
4 Mr. Eisenhut?  
5 BOARD MEMBER EISENHUT: Here.  
6 BOARD CLERK McREYNOLDS: Senator Florez?  
7 BOARD MEMBER FLOREZ: Here.  
8 BOARD CLERK McREYNOLDS: Assembly Member Garcia?  
9 Supervisor Gioia?  
10 BOARD MEMBER GIOIA: Here.  
11 BOARD CLERK McREYNOLDS: Senator Lara?  
12 Ms. Mitchell?  
13 BOARD MEMBER MITCHELL: Here.  
14 BOARD CLERK McREYNOLDS: Mrs. Riordan?  
15 BOARD MEMBER RIORDAN: Here.  
16 BOARD CLERK McREYNOLDS: Supervisor Roberts?  
17 BOARD MEMBER ROBERTS: Here.  
18 BOARD CLERK McREYNOLDS: Supervisor Serna?  
19 BOARD MEMBER SERNA: Here.  
20 BOARD CLERK McREYNOLDS: Dr. Sherriffs?  
21 BOARD MEMBER SHERRIFFS: Here.  
22 BOARD CLERK McREYNOLDS: Professor Sperling?  
23 BOARD MEMBER SPERLING: Here.  
24 BOARD CLERK McREYNOLDS: Ms. Takvorian?  
25 BOARD MEMBER TAKVORIAN: Here.

1 BOARD CLERK McREYNOLDS: Vice Chair Berg?

2 VICE CHAIR BERG: Here.

3 BOARD CLERK McREYNOLDS: Chair Nichols?

4 CHAIR NICHOLS: Here.

5 BOARD CLERK McREYNOLDS: Madam Chair, we have a  
6 quorum.

7 CHAIR NICHOLS: Great.

8 Let's now go ahead and formally open the meeting  
9 with the Pledge of Allegiance.

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

12 CHAIR NICHOLS: Okay. Just a couple of opening  
13 announcements.

14 First of all, interpretation services will be  
15 provided in Spanish for Item 17-10-5, which is an update  
16 on the implementation of Assembly Bill 617, the Community  
17 Air Protection Program. And headsets are available  
18 outside at the table, and anyone can pick them up when  
19 they want.

20 Mr. Translator.

21 Anyone who wishes to testify should fill out a  
22 request-to-speak card, which is available at the lobby  
23 outside the board room. And we would appreciate it if you  
24 would turn it into the clerk at the table before that item  
25 comes up so we can organize the order of speakers.

1           We also want to make sure everybody's aware that  
2 we're imposing a 3-minute time limit on oral testimony.  
3 Please state your first and last name when you come up to  
4 the podium, and put your testimony into your own words.  
5 It's also easier for the Board to follow if you can go  
6 straight to your main points. Your written submittal will  
7 be placed in the record.

8           For safety reasons we point out emergency exits.  
9 Would somebody please point out the emergency exits.

10           In the back. Okay. At the very back there,  
11 those are emergency exits. They're sort of hidden by  
12 these wings here. But that's what we're supposed to use  
13 in the event of a fire alarm when we are required to exit  
14 the building.

15           Our first consent item -- I'm asking that our  
16 first consent item be deferred because I have a request  
17 from Board Member Garcia, who wishes to comment on this  
18 item. So we're going to take that up after we do the  
19 discussion of AB 617.

20           But we do have a couple of other items that are  
21 on consent. And I want to make sure that we get those  
22 taken care of if there's nobody who wants to have the item  
23 removed for consent.

24           So the first of those would be the Supplemental  
25 Transportation Conformity Budgets for the Portola Fine

1 Particulate Matter Attainment Plan.

2           Is there anyone who wishes to comment or take it  
3 off consent?

4           Seeing none, I think we can go on to the other  
5 one, which is the 11 research proposals; and then we'll  
6 move all the consent calendar at once.

7           Was there anyone who wanted to comment on the  
8 research proposals or have those taken off of consent?

9           Okay. Seeing none, then I would appreciate a  
10 motion to approve the consent calendar.

11           BOARD MEMBER MITCHELL: So move.

12           CHAIR NICHOLS: Thank you.

13           BOARD MEMBER RIORDAN: Second.

14           CHAIR NICHOLS: And a second.

15           All in favor please say aye.

16           (Unanimous aye vote.)

17           (Vice Chair Berg and Professor  
18 Sperling abstained from UC Davis Research  
19 Proposal.)

20           CHAIR NICHOLS: Any opposed?

21           Okay.

22           VICE CHAIR BERG: Madam Chair, I need to abstain  
23 from that vote, from UC Davis.

24           CHAIR NICHOLS: Oh, okay.

25           BOARD MEMBER SPERLING: Me too.

1 CHAIR NICHOLS: We have two abstentions which the  
2 clerk would please note. Professor Sperling and Ms. Berg  
3 are abstaining from the vote on that item.

4 Okay. We will then move on to -- all right, here  
5 we are -- an informational update from the staff regarding  
6 goals and framework for implementing AB 617, the Community  
7 Air Protection Program.

8 AB 617 was authored by Assembly Member Cristina  
9 Garcia and signed by Governor Brown just a few months ago.  
10 AB 617 fundamentally transforms the state's approach to  
11 addressing local air pollution by setting out a new  
12 framework for assuring that all communities benefit from  
13 our clean air programs. This program represents a real  
14 opportunity to make a difference at the community level.

15 While 617 is intended to transform the way we  
16 operate, we don't have to start from scratch. Community  
17 groups such as the Comite Civico Dell Valle in Imperial  
18 County, the Casa Familiar in San Ysidro, and other groups  
19 in the Bay Area, the South Coast and the San Joaquin  
20 Valley have been working for years at the neighborhood  
21 level and have shown real leadership in pursuing  
22 neighborhood level monitoring so that people can assess  
23 their own air quality; and we learn a lot from their  
24 success.

25 We can also learn from area districts such as the

1 South Coast and the Bay Area, which have been implementing  
2 programs at the community level that are focused on trying  
3 to assure that all neighborhoods are brought into both the  
4 decision making and into the benefits of these programs.

5           Clearly, however, the results are not what we  
6 want them to be. In fact, we have to do more to reduce  
7 exposures in our most heavily impacted communities. And I  
8 think we have to do more also to assure that the voices of  
9 people who are organized around these issues are heard in  
10 the decision-making process.

11           So I am pleased to see that there are many  
12 environmental groups and their leadership, members of the  
13 communities, and other stakeholders who are participating  
14 in our early implementation efforts. I'm really looking  
15 forward to their active participation in this program.

16           And I'm looking forward to the Board members'  
17 questions and comments to make sure that they also have a  
18 role in having a very robust discussion on how to shape  
19 this effort, which as far I know is unique anywhere in the  
20 world.

21           So once again we get to be -- we get to be  
22 pioneers in a good way.

23           So, Mr. Corey, would you please introduce this  
24 item.

25           EXECUTIVE OFFICER COREY: Yes. Thanks, Chair

1 Nichols.

2 Wow, thundering voice.

3 (Laughter.)

4 EXECUTIVE OFFICER COREY: Today's presentation is  
5 an informal update on the goals and framework for the new  
6 Community Air Protection Program, which we're putting in  
7 place to implement AB 617, as you noted. This effort  
8 represents the most significant air quality and air toxics  
9 legislation in the last 30 years, last 30 years. And  
10 today you'll hear staff's plans for putting the necessary  
11 program elements in place to ensure residents see further  
12 actions to reduce exposure in their communities.

13 To implement the program we've established the  
14 Office of Community Air Protection within the Executive  
15 Office and appointed Karen Magliano as its interim  
16 director. You'll hear from her shortly.

17 The Office will oversee the core functions of the  
18 program as well as coordinate efforts across ARB. Karen  
19 will work closely with Veronica Eady, our Assistant Deputy  
20 Executive Officer for Environmental Justice, who will lead  
21 our community engagement efforts.

22 Success will require setting clear goals for  
23 reducing exposure, robust guidelines for implementation  
24 and defined metrics for tracking progress. AB 617 calls  
25 for a community -- or rather a commitment to transparency

1 and collaboration with impacted communities. And the  
2 legislation defines clear roles for CARB and the air  
3 districts. Finally, in addition to passing AB 617, the  
4 legislature and Governor appropriated resources for its  
5 implementation This last year.

6 Today, staff will walk through the legislative  
7 requirements of AB 617, the vision for implementing the  
8 program, and the process with air districts, community  
9 members, and other stakeholders that will be essential to  
10 the success of these efforts. Today's presentation will  
11 also include a timeline and a summary of efforts that are  
12 already underway.

13 With that, I'll ask Veronica Eady provide the  
14 staff presentation.

15 Veronica.

16 (Thereupon an overhead presentation was  
17 Presented as follows.)

18 ASSISTANT EXECUTIVE OFFICER EADY: Good morning,  
19 Chair Nichols and members of the Board.

20 AB 617 was sponsored by Assembly Member Cristina  
21 Garcia and signed into law by Governor Brown this past  
22 summer. As you heard from the introduction to this item,  
23 we've established the Community Air Protection Program to  
24 implement this groundbreaking legislation and ensure that  
25 our clean air efforts are focused on communities suffering

1 from the most polluted air in the state. In today's  
2 presentation Karen and I will provide an overview of the  
3 goals of AB 617, the various program elements, and initial  
4 funding allocated to begin implementation of the program.  
5 We'll also talk about the comprehensive public process  
6 we'll be undertaking over the coming year and key next  
7 steps.

8 --o0o--

9 ASSISTANT EXECUTIVE OFFICER EADY: California's  
10 long-standing air quality programs have historically  
11 focused on improving air quality at the regional level as  
12 well as reducing toxic risk from individual sources.  
13 These programs have resulted in significant air quality  
14 improvement. Ozone levels have dropped over 40 percent in  
15 the South Coast since 1990; and diesel particulate matter,  
16 which accounts for over two-thirds of the total known  
17 cancer risk in the State, has dropped nearly 70 percent.  
18 However, many of California's most disadvantaged  
19 communities are still disproportionately impacted by poor  
20 air quality, as shown in the graph on the right-hand side  
21 of this slide comparing progress in reducing diesel  
22 particulate matter in environment justice communities and  
23 nonenvironmental justice communities.

24 Thus, we know we need a renewed emphasis on  
25 actions to reduce these disproportionate burdens through

1 community-focused solutions that address cumulative  
2 impacts from multiple sources of air pollution. New  
3 advances in air monitoring technologies also provide an  
4 opportunity to build on our regional air quality networks  
5 to collect more localized information on the neighborhood  
6 level air quality.

7 --o0o--

8 ASSISTANT EXECUTIVE OFFICER EADY: Therefore, AB  
9 617, the most significant air quality legislation in the  
10 past 30 years, is a call to action. The law is designed  
11 to reduce cumulative exposure from criteria pollutants and  
12 toxic air contaminants in California's most impacted  
13 communities. This first-of-its-kind effort establishes a  
14 new community-focused planning framework through enhanced  
15 monitoring, community specific actions to reduce  
16 emissions, and a focus on early actions through targeted  
17 incentive funding for cleaner technologies. The law  
18 builds on existing community-level efforts to provide  
19 further emissions reductions in communities throughout the  
20 State.

21 Developing the framework and implementing AB 617  
22 will be a joint effort chaired by CARB, the local air  
23 districts and, most importantly, community stakeholders.  
24 As you will hear throughout the presentation, this  
25 emphasis on community participation is critical to

1 achieving the goals of AB 617 and those of the new  
2 Community Air Protection Program.

3 --o0o--

4 ASSISTANT EXECUTIVE OFFICER EADY: AB 617  
5 presents exciting opportunities. Working collaboratively  
6 with communities and local air districts provides a chance  
7 for all of us to take a step back and plan for real  
8 changes and marked improvement in air quality at the  
9 neighborhood scale.

10 Along the way there will be a robust transparent  
11 process. This includes ensuring accessibility of  
12 monitoring and emissions data and setting clear goals and  
13 provide metrics and accountability. These concentrated  
14 efforts at the local level will provide opportunities to  
15 enhance and strengthen all of our clean air programs.

16 --o0o--

17 ASSISTANT EXECUTIVE OFFICER EADY: Work is  
18 already underway.

19 We have begun discussions with community  
20 residents, air districts, environmental justice  
21 organizations, affected industry, and other stakeholders.  
22 Coordination will continue through teleconferences,  
23 one-on-one meetings, public informational meetings,  
24 environmental justice symposia and local community  
25 meetings.

1           We understand the importance of building and  
2 expanding relationships with our partners to better learn  
3 from each other's experiences and leverage our different  
4 strengths. Collaboration will be the cornerstone for  
5 success during the development and implementation of this  
6 new program.

7                               --o0o--

8           ASSISTANT EXECUTIVE OFFICER EADY: To help inform  
9 development of the program, a series of informational  
10 meetings began earlier this month. Participation has been  
11 high, and we are excited to hear the ideas that community  
12 members and other stakeholders have been sharing with us.  
13 Some of the overarching themes we've heard so far include:

14           That we should allow for a ground-up approach  
15 during program development. Communities have many ideas,  
16 they want to be heard, and they want to see their  
17 recommendations reflected in our programming.

18           Many stakeholders have recommended that we  
19 establish a stakeholder advisory group with members  
20 advising on air quality challenges in their local regions.

21           Community groups also requested guidance on the  
22 appropriate use of new lower cost monitoring technologies  
23 that are best suited to their community needs. We also  
24 heard a desire to have CARB certification of technologies,  
25 so that the data collected is robust and high quality.

1           Other feedback included the need to provide  
2 funding to support small businesses to comply with the new  
3 requirements.

4           And people have voiced that this program cannot  
5 be a one-size-fits-all program. It needs to address  
6 community-specific issues, and city and county governments  
7 and school districts should have an active role in the  
8 public engagement process.

9           There were many more valuable insights and  
10 helpful comments that we received, which we'll be  
11 discussing further as the program is developed.

12           I'll turn now to my colleague, Karen Magliano.

13                               --o0o--

14           OFFICE OF COMMUNITY AIR PROTECTION INTERIM  
15 DIRECTOR MAGLIANO: Thank you, Veronica.

16           In the next portion of the presentation I'll  
17 describe the various requirements in AB 617 that  
18 collectively form the Community Air Protection Program.

19                               --o0o--

20           OFFICE OF COMMUNITY AIR PROTECTION INTERIM  
21 DIRECTOR MAGLIANO: This slide highlights the key elements  
22 and implementation tasks. These elements - monitoring,  
23 emissions, action plans, and funding - are designed to  
24 work together to achieve new reductions in cleaner air in  
25 disadvantaged communities. CARB and the air districts

1 each have specific roles and responsibilities, and  
2 successful implementation will require strong coordination  
3 between our agencies. In general, CARB is responsible for  
4 setting the overall direction through the identification  
5 of communities and establishing the criteria and  
6 approaches for monitoring, planning, and emission  
7 reductions. The districts have frontline responsibilities  
8 for monitoring, community action plans, and local  
9 regulatory efforts. And CARB then follows with review of  
10 district plans and ongoing implementation.

11 The legislation sets ambitious schedules for  
12 these efforts, with the identification of communities, and  
13 the state planning framework due by October of next year,  
14 and district implementation over the following year. I'll  
15 walk through each of these in more detail, along with  
16 highlights of what we've been hearing as part of our  
17 initial outreach efforts.

18 --o0o--

19 OFFICE OF COMMUNITY AIR PROTECTION INTERIM  
20 DIRECTOR MAGLIANO: One of first steps we need to  
21 undertake is to identify and prioritize communities with  
22 the highest exposure burdens. In these communities, air  
23 districts, working with the communities, must deploy  
24 community air monitoring systems and develop emission  
25 reduction programs.

1           This will include a focus on disadvantaged  
2 communities and consideration of sensitive receptors, such  
3 as hospitals, schools, and day care centers.

4                           --o0o--

5                   OFFICE OF COMMUNITY AIR PROTECTION INTERIM

6 DIRECTOR MAGLIANO: In selecting communities, we'll need  
7 to consider a number of different factors for assessing  
8 cumulative exposure. Existing tools, such as  
9 CalEnviroScreen and our pollution mapping tool provide  
10 valuable information from a statewide perspective, but  
11 we'll also need to consider data available at the local  
12 and regional level. This will include measurement and  
13 modeling studies such as the MATES program in the South  
14 Coast and the CARE program in the Bay Area, as well as  
15 facility risk assessments and input from local communities  
16 on specific air quality concerns. Air pollution related  
17 health indicators such as asthma rates will also be an  
18 important factor.

19           AB 617 tasks CARB with identifying an initial  
20 list of communities by next October, followed by annual  
21 updates. One approach we are considering is a nomination  
22 process where we set clear criteria for submitting  
23 recommendations, and how the recommendations will be  
24 reviewed. Nominations could be coordinated by the air  
25 districts following a public process, but in some cases

1 also come from communities themselves. This would allow  
2 us to incorporate local knowledge, while still providing a  
3 State-level review.

4 --o0o--

5 OFFICE OF COMMUNITY AIR PROTECTION INTERIM

6 DIRECTOR MAGLIANO: Over the coming months there are a  
7 number of key questions we'll be thinking through as part  
8 of this process.

9 For example, at the most basic level, what is a  
10 community? We've had some great discussion as part of our  
11 initial outreach efforts, and the concept of community can  
12 take many different forms. We've heard a community is  
13 where people work, live, play, and pray. Others have said  
14 that a community is a group of residents working towards a  
15 shared goal, a school district, or residents who are  
16 impacted by a common set of pollution sources. We know  
17 we'll ultimately need to set geographic boundaries, but  
18 these concepts will help inform that process.

19 AB 617 also recognizes we'll need to continue to  
20 add to the list of communities as the program grows. At  
21 this time we expect to develop a larger initial list, and  
22 then recommend a schedule for implementation. In some  
23 communities existing monitoring and knowledge of  
24 contributing sources could make them early candidates for  
25 emission reduction programs. In other communities

1 additional monitoring may be needed to better understand  
2 source impacts before development of an action plan. But  
3 initial communities can serve as models for subsequent  
4 communities with similar challenges.

5 --o0o--

6 OFFICE OF COMMUNITY AIR PROTECTION INTERIM

7 DIRECTOR MAGLIANO: Monitoring is the next key element of  
8 the program. Community-focused monitoring provides more  
9 localized information than our traditional regional scale  
10 efforts and can play an important role for informing  
11 actions needed to reduce emissions and track progress. To  
12 support these efforts, CARB must develop a statewide  
13 monitoring plan by October 2018. This framework will  
14 review the capabilities of various technologies for  
15 measuring criteria pollutants and air toxics and establish  
16 guidance on best practices. The monitoring plan will also  
17 review existing community monitoring systems and provide  
18 recommendations for additional monitoring.

19 Monitoring technologies are advancing rapidly,  
20 from new low-cost sensors and mobile platforms that  
21 provide greater information on the variation in pollution  
22 levels across a community, to new remote sensing  
23 techniques that can estimate emission rates of key toxics  
24 such as benzene. A suite of monitoring methods can help  
25 us better understand different aspects of the air quality

1 challenges within individual communities. And there are  
2 also tremendous opportunities for CARB, air districts, and  
3 communities to work together to develop technologies and  
4 practices that can be used elsewhere in the nation and the  
5 world.

6 --o0o--

7 OFFICE OF COMMUNITY AIR PROTECTION INTERIM

8 DIRECTOR MAGLIANO: Following development of the statewide  
9 monitoring plan, air districts must deploy community air  
10 monitoring systems in the first set of communities by July  
11 of 2019. In many cases this may include both air district  
12 and community-led efforts as well as requirements for  
13 fence line monitoring around large sources that are  
14 significant contributors to pollution impacts within the  
15 community.

16 As part of this effort, we'll also be working  
17 with air districts and communities to develop improved  
18 tools for making air quality data more transparent and  
19 accessible.

20 --o0o--

21 OFFICE OF COMMUNITY AIR PROTECTION INTERIM

22 DIRECTOR MAGLIANO: Fortunately, there are a number of  
23 existing community monitoring projects throughout the  
24 State that can serve as case studies and model for future  
25 efforts. The list on this slide and the map on the right

1 highlight a number of these programs. The IVAN program,  
2 for example, began in Imperial Valley through the efforts  
3 of Comite Civico Del Valle as a way for community members  
4 to report incidents of pollution they observed in their  
5 communities, and has grown to include community-led  
6 monitoring. This program has been a model of advanced  
7 community monitoring, both in terms of network design, but  
8 also inclusion of a community steering committee, working  
9 in partnership with government and academic researchers.  
10 Since 2010, the IVAN network has expanded to seven other  
11 locations, with the latest monitors installed in the San  
12 Joaquin Valley just this past week.

13           The West Oakland Environmental Indicators Project  
14 is another pioneering effort of community-based data  
15 collection. Residents collected information on  
16 particulate matter levels near their homes and schools, as  
17 well as conducted a survey of truck traffic patterns in  
18 partnership with the Bay Area Air District.

19           The South Coast has also done considerable work  
20 to enhance the use of low-cost sensors. South Coast's  
21 AQ-SPEC program evaluates sensors and provides information  
22 to the public to guide use of different technologies. In  
23 addition, through EPA's STAR grant program, the South  
24 Coast has been supporting deployment of low-cost sensors,  
25 coupled with monitoring guidance and training. In

1 addition to these efforts, South Coast MATES program is a  
2 long-standing measurement program for air toxics, with  
3 recent focused monitoring efforts also in Paramount.

4 --o0o--

5 OFFICE OF COMMUNITY AIR PROTECTION INTERIM  
6 DIRECTOR MAGLIANO: Just as with the identification of  
7 communities, there are a number of key questions that  
8 we've been asking about community monitoring during our  
9 public outreach efforts.

10 Each community will have a different set of  
11 pollutants based on the types of sources affecting the  
12 community. The design of the community monitoring  
13 networks and the types of monitoring technologies that are  
14 most appropriate will therefore vary based on the specific  
15 monitoring objectives within each community. We've heard  
16 strong interest in the use of community-based low-cost  
17 sensor networks to provide more localized real-time  
18 information for health alerts and school flag programs,  
19 and for community ownership of the data. In other  
20 situations, certified technologies and methods may be  
21 needed to support specific regulatory or enforcement  
22 efforts. But in all cases, the primary goal is to collect  
23 robust and actionable data that's focused on identifying  
24 ways to reduce emissions and exposure.

25 We also know that people access and use data in

1 many different ways, so we'll be looking at current  
2 examples and talking with users to help design new systems  
3 that can link local, regional, and statewide data  
4 collection and display efforts.

5 --o0o--

6 OFFICE OF COMMUNITY AIR PROTECTION INTERIM

7 DIRECTOR MAGLIANO: But the most important elements of the  
8 program are the state and local plans that translate the  
9 information we collect into specific emission reduction  
10 measures and timelines to achieve further reductions  
11 within identified communities. Similar to the monitoring  
12 plan, AB 617 tasks CARB with development of a statewide  
13 reduction strategy by October of next year. This strategy  
14 is critical for establishing a strong statewide framework  
15 and a set of minimum benchmarks for the preparation of  
16 local action plans. Key elements will include methods for  
17 assessing cumulative exposure and the relative  
18 contributions of different sources, as well as existing  
19 and new strategies for reducing both stationary and mobile  
20 source emissions at the community level. The statewide  
21 strategy will also outline criteria for the development  
22 and structure of local community action plans, as I'll  
23 discuss in the next few slides.

24 --o0o--

25 OFFICE OF COMMUNITY AIR PROTECTION INTERIM

1 DIRECTOR MAGLIANO: Meeting quantitative public health  
2 goals has always been the driver for air quality progress  
3 in California, and it's no different for AB 617. Setting  
4 health protective goals and timelines will be central to  
5 the success of this program. AB 617 provides the  
6 opportunity to address cumulative exposure by defining  
7 integrated goals and strategies for both air quality  
8 standards and toxics risk reduction. Similarly, defining  
9 clear metrics for tracking progress will provide  
10 accountability and transparency to make sure we're on the  
11 right path. This could include emission reduction  
12 milestones, but also tracking investments in clean  
13 technology projects within a community, or other  
14 mitigation actions to reduce exposure.

15 Local plans must also be developed through a  
16 robust public process involving all stakeholders, and  
17 include meaningful engagement and direct participation by  
18 community members. This is something we've heard  
19 consistently during our outreach, and Veronica will talk  
20 more about this.

21 Finally, successful plans will also include a  
22 public process for review and updates involving both the  
23 districts and CARB.

24 --o0o--

25 OFFICE OF COMMUNITY AIR PROTECTION INTERIM

1 DIRECTOR MAGLIANO: Following development of the statewide  
2 strategy, air districts must develop community emission  
3 reduction programs for the first set of communities by  
4 October of 2019. These action plans will follow the  
5 criteria laid out in the statewide strategy and define  
6 actions to reduce emissions in communities with the most  
7 heavily polluted air. This will include defined measures  
8 and emission reduction targets to meet the specific air  
9 quality and risk reduction goals, along with an  
10 implementation schedule and enforcement plan. The  
11 district's programs will be submitted to us for review and  
12 approval, which we anticipate will come to the Board in  
13 early 2020. These local reduction plans will be reviewed  
14 annually, thus metrics for tracking progress will be  
15 essential. Additional community reduction programs will  
16 be developed as new communities are included over time.

17 --o0o--

18 OFFICE OF COMMUNITY AIR PROTECTION INTERIM

19 DIRECTOR MAGLIANO: Expanding on our statewide and  
20 regional efforts to reduce emissions with additional  
21 community-focused action will require us to approach  
22 strategies from a different perspective than our  
23 traditional modes of air quality planning. While a strong  
24 regulatory foundation will be essential to drive emission  
25 reductions, other types of strategies to reduce VMT or

1 incentive programs to accelerate the deployment of the  
2 cleanest technologies will also play an important role.  
3 Community members, for instance, have expressed the need  
4 to continue to reduce diesel pollution around freeways and  
5 freight hubs, but also to provide funding to support small  
6 businesses to reduce or mitigate their emissions. We've  
7 also heard concerns about local land use decisions that  
8 adversely impact air quality, and the need to engage with  
9 and educate city and county planning agencies.

10 Finally, we've heard strong support for  
11 establishing clear goals and metrics, including  
12 consideration of public health indicators.

13 --o0o--

14 OFFICE OF COMMUNITY AIR PROTECTION INTERIM

15 DIRECTOR MAGLIANO: In addition to the community-specific  
16 elements I've just described, there are a number of other  
17 program requirements that are designed to benefit  
18 communities located near large industrial sources  
19 throughout the State.

20 To ensure the cleanest control technologies are  
21 installed at existing industrial facilities subject to the  
22 cap and trade program, districts must adopt an expedited  
23 schedule for the implementation of what is known as Best  
24 Available Retrofit Control Technology, or BARCT, by  
25 January of 2019, with implementation by December of 2023.

1 BARCT requirements are generally set through local  
2 district rules. New facilities are required to install  
3 Best Available Control Technology, or BACT, which is  
4 defined by a local permit. We'll also be developing a  
5 statewide technology clearinghouse highlighting these  
6 cleanest control requirements, which will also support the  
7 statewide reduction strategy.

8 --o0o--

9 OFFICE OF COMMUNITY AIR PROTECTION INTERIM

10 DIRECTOR MAGLIANO: New emission reporting requirements  
11 for the largest stationary sources are also critical for  
12 estimating the contributions of these sources to local  
13 pollution levels, tracking progress in reducing emissions,  
14 and providing more useful and accessible information on  
15 emissions within communities.

16 Data on criteria pollutant and toxic emissions  
17 from these facilities have typically only been reported  
18 once every three or every four years. AB 617 establishes  
19 a new system of annual reporting to CARB, along with  
20 development of uniform methodologies for estimating  
21 emissions and the potential for certification or  
22 verification of the data. This data will support air  
23 district efforts and enhance the information displayed in  
24 the pollution mapping tool we highlighted for you earlier  
25 this year. We'll also be developing a new integrated

1 database system for criteria pollutant, toxic, and  
2 greenhouse gas emissions to better support multi-pollutant  
3 planning efforts.

4 And now I will hand the presentation back to  
5 Veronica again.

6 --o0o--

7 ASSISTANT EXECUTIVE OFFICER EADY: Thank you,  
8 Karen.

9 Now let's discuss resources and funding.

10 --o0o--

11 ASSISTANT EXECUTIVE OFFICER EADY: As with any  
12 program, continuous funding is a critical component of how  
13 we move forward with implementation of AB 617.

14 The 2017 budget has provided some initial funding  
15 for both CARB and the air districts. CARB has been  
16 allocated \$11.7 million for additional staff, contracts,  
17 and equipment; the air districts have been allocated \$27  
18 million. This funding is a one-time appropriation, and  
19 CARB will work with our partners to seek additional  
20 ongoing funding.

21 --o0o--

22 ASSISTANT EXECUTIVE OFFICER EADY: The  
23 Legislature has also allocated \$250 million for projects  
24 that support early action.

25 The statute specifies that these funds will be

1 spent pursuant to the Carl Moyer Program, and program  
2 staff are working with the air districts to ensure the  
3 funds -- to ensure the funds:

4           Provide demonstrated commitment to deliver on the  
5 goals of AB 617;

6           Focus on communities with the highest pollution  
7 burdens;

8           Focus on the types of projects needed for  
9 specific communities;

10           Target mobile sources that spend substantial time  
11 within overburdened communities; and

12           Begin funding projects quickly to see immediate  
13 benefits.

14           The statute also specifies the allocation you see  
15 on the map before you:

16           43 percent to South Coast Air Quality Management  
17 District;

18           32 percent to San Joaquin Valley Unified Air  
19 Pollution Control District;

20           20 percent to Bay Area Air Quality Management  
21 District; and

22           5 percent to CARB for redistribution for the  
23 other districts.

24           Carl Moyer staff will return to you in the next  
25 few months with their proposal for granting and expending

1 these funds.

2 --o0o--

3 ASSISTANT EXECUTIVE OFFICER EADY: The budget  
4 also provides \$5 million in funding for community  
5 assistance grants. The legislation designates these  
6 grants for technical assistance and to support community  
7 participation in the implementation of AB 617. These  
8 grants could be used for a variety of activities. For  
9 example, capacity building can be a useful tool for those  
10 communities that aren't the first communities selected as  
11 priority communities so that they can prepare for  
12 successful air monitoring and planning in the future. It  
13 can provide financial support to attend valuable learning  
14 opportunities through training and conferences. It can  
15 also expand the community's understanding of air quality,  
16 public health, monitoring technologies, and data  
17 interpretation. CARB staff is already developing the  
18 framework for this new grant program.

19 --o0o--

20 ASSISTANT EXECUTIVE OFFICER EADY: Last, I'll  
21 take just a few minutes to talk about a critical component  
22 to the success of implementing AB 617 - an extensive  
23 public process.

24 --o0o--

25 ASSISTANT EXECUTIVE OFFICER EADY: We know that

1 we cannot do this alone, and we are committed to an  
2 ongoing comprehensive and collaborative public process.  
3 We will continue to reach out to all stakeholders and look  
4 for opportunities to learn and discuss and build upon  
5 existing successes.

6 --o0o--

7 ASSISTANT EXECUTIVE OFFICER EADY: More  
8 fundamental issues we will consider during the public  
9 process and upcoming meetings include:

10 Effective models for meaningful community  
11 engagement and partnerships, which could be in the form of  
12 in-person meetings where we can lead face-to-face  
13 interactive discussion or webinars or teleconference that  
14 would allow anyone throughout the State to participate by  
15 phone or computer. We're also considering models for  
16 promoting public outreach events so that as many  
17 communities as possible have the opportunity to  
18 participate in the implementation of AB 617.

19 We continue to seek help to identify additional  
20 organizations we should be working with. As we conduct  
21 public meetings and develop an advisory group, which I  
22 will discuss more in the next slide, we are asking  
23 stakeholders to identify other people or organizations we  
24 should involve in this process and at which stage  
25 involvement would be most impactful.

1           We are also weighing which formats are most  
2 useful for discussing program development. We need to  
3 establish effective and meaningful mechanisms to share  
4 ideas and communities' progress. And because different  
5 communities have different technical capabilities and  
6 resources, we're interested in examples that have been  
7 most effective for both obtaining and sharing information.  
8 We want to ensure that collaboration is meaningful. For  
9 example, we've been told that sometimes too many people in  
10 a room can create a challenge to stay on topic. So we're  
11 breaking out into smaller subgroups based on specific  
12 topics or regions may be most effective.

13                           --o0o--

14           ASSISTANT EXECUTIVE OFFICER EADY: So let's go  
15 back to the Advisory Group that I mentioned a few moments  
16 ago.

17           AB 617 requires CARB to consult with specified  
18 stakeholder groups, in addition to the Office of Health  
19 Hazard -- Environmental Health Hazard Assessment and the  
20 Scientific Review Panel on Toxic Contaminants, as we  
21 develop this statewide strategy and the monitoring plan.  
22 As I mentioned earlier, several informational meeting  
23 participants suggested that we establish a formal advisory  
24 body. In response, we plan to establish a statewide  
25 advisory group comprised of the stakeholders specified in

1 the statute.

2 We are currently in the process of formulating  
3 the exact details of the statewide group. Since AB 617 is  
4 a law calling for action at the community level, we also  
5 want to support the air districts in implementing AB 617  
6 as they seek advice from their local communities;  
7 especially those air districts likely to have communities  
8 prioritized for community air monitoring or community  
9 emission reduction programs. It will be important that  
10 these regional perspectives feed up to the statewide  
11 advisory group.

12 --o0o--

13 ASSISTANT EXECUTIVE OFFICER EADY: AS I mentioned  
14 earlier, we're coming off the heels of three informational  
15 meetings conducted in Oakland, Sacramento, and Los Angeles  
16 in partnership with local air districts, and we've  
17 scheduled one more in Fresno on November 9th. We want to  
18 thank the Board members, in particular Sandy Berg who  
19 turned out for our Los Angeles meeting, and Board Member  
20 Dean Florez who turned out for our Sacramento meeting.

21 I also want to note that we presented at the  
22 Central California Environmental Justice Network's "Roots  
23 of Resistance" conference where we heard from residents  
24 about the importance of including rural communities, whose  
25 interests may be eclipsed by those of larger metropolitan

1 areas of the state. They also echoed what we heard at the  
2 informational meetings about the importance of engaging  
3 schools and siting monitors at schools.

4 We've been invited by Comite Civico del Valle to  
5 present on November 2nd at its annual environmental health  
6 and leadership summit in the Imperial Valley. The  
7 following day CARB will take part in a joint legislative  
8 hearing on AB 617 hosted by Assembly Member Eduardo  
9 Garcia, ARB board member and co-chair of the Joint  
10 Legislative Committee on Climate Change Policies, and  
11 Cristina Garcia, the bill's author and chair of the  
12 Assembly Committee on Natural Resources. We look forward  
13 to all of these opportunities to discuss the  
14 implementation of AB 617.

15 --o0o--

16 ASSISTANT EXECUTIVE OFFICER EADY: We have a lot  
17 to do in a short amount of time; but through next fall we  
18 will continue an extensive public outreach process, with  
19 additional work groups and community meetings throughout  
20 the year. And soon we will be forming, as I said, a  
21 meeting with the Advisory Group.

22 In the next few months we will also be releasing  
23 draft concept papers for public review and comment. One  
24 concept paper will be focused on the criteria and process  
25 for identifying priority communities. The other concept

1 paper will be focused on the statewide strategy, including  
2 the Monitoring Plan. These concept papers will support  
3 the development of the final draft documents, which will  
4 also be released for public review and comment. And in  
5 September of 2018, we will be coming back to the Board for  
6 your consideration of the final statewide strategy,  
7 including the Monitoring Plan and the list of identified  
8 priority communities.

9 --o0o--

10 ASSISTANT EXECUTIVE OFFICER EADY: As we have  
11 said, robust public engagement will be the backbone of  
12 successful implementation of AB 617. Therefore, we  
13 encourage everyone to visit our new website.

14 There is an option to subscribe to our list serve  
15 for program updates and upcoming public meetings.

16 We also have email addresses for you to submit  
17 your comments. For each the list serve and the email  
18 address, there is one available in English and one in  
19 Spanish.

20 Thank you for your time today. And I do have  
21 three special guest speakers I would like to introduce:

22 First, Wayne Nastri, Air Pollution Control  
23 Officer of the South Coast Air Quality Management  
24 District;

25 Jack Broadbent, Air Pollution Control Officer of

1 the Bay Area Air Quality Management District; and  
2 Samir Sheikh, Deputy Air Pollution Control  
3 Officer of the San Joaquin Valley Air Pollution Control  
4 District.

5 MR. NASTRI: Thank you.

6 CHAIR NICHOLS: Welcome, Mr. Nastri.

7 MR. NASTRI: Thank you, Madam Chair; thanks,  
8 Veronica, for inviting us.

9 Madam Chair, Board members, I want to sort of  
10 share with you our perspectives with regards to AB 617.  
11 We have before you today three of the largest districts in  
12 the State of California. But our participation on AB 617  
13 didn't begin today. It didn't begin when the bill was  
14 signed. In fact, all of us worked very closely on the  
15 legislation, worked very closely in negotiations, worked  
16 very closely in the development of budgets. And I like to  
17 think that in large part the experience that we bring to  
18 the table has really sort of laid the framework for how  
19 this collaboration and partnership will proceed.

20 By having that early involvement by working with  
21 the Executive Officer Richard Corey and his team, we've  
22 been able to understand what are the challenges that we  
23 face at the district level. At the district, we're in the  
24 communities. We're the ones that are interacting with  
25 city councils, with the local groups, on an almost daily

1 basis.

2           And I believe in large part 617 came from some of  
3 the direct experiences that we had in the city of  
4 Paramount. In that particular case the community had said  
5 that they were being exposed. And you heard a little bit  
6 about the role of technologies. They said they were being  
7 exposed to different toxins and toxics. And yet in the  
8 past when we had done sampling, we we're'n't able to find  
9 things.

10           Yet with new technology and the deployment of  
11 portable technology, putting samplers on light poles,  
12 utility poles, in areas that are closer to some of the  
13 manufacturing centers, we were able to find high levels  
14 toxics; in this particular instance hexavalent chromium.  
15 And that immediately set into motion a series of actions.  
16 Those actions called for increased and intense monitoring.  
17 We've deployed up to 20 to 30 different sampling --  
18 samplers in the community.

19           Having the samplers deployed, we had to be  
20 transparent and efficient in terms of the analyses. We're  
21 able to do a turnaround of the analyses for that within  
22 seven days. And when I talk about that turnaround, it's  
23 important, because let me put into perspective:

24           As a former regional administrator having just  
25 joined EPA at the time of 911, we did -- ePA did a lot of

1 air monitoring in New York City. It took the agency  
2 months to post the data from that monitoring effort. So  
3 for to us do monitoring and post data on a website in  
4 seven days is unheard of in nearly every agency that I've  
5 had experience with.

6           So the effort to promote transparency is  
7 absolutely critical to the community. The longer that we  
8 wait to post data, the more doubt there is. And the key  
9 aspect here is we are a team of local, state, and federal.  
10 We were able to bring in resources from the Air Resources  
11 Board to assist in school -- in schools and monitoring at  
12 schools. We were able to bring in federal government to  
13 provide additional resources.

14           So when I think of 617 and how we move forward,  
15 it has to be a model of collaboration, it has to be a  
16 model of partnership, at the local, state, and federal  
17 level. It has to be a dedication of resources to move  
18 quickly. We identified this issue last October, and I can  
19 tell you now that we are now in the process of bringing to  
20 our board two rules that are dealing with metal finishing  
21 facilities and plating facilities.

22           And the interesting thing here is that we found  
23 emissions from sources that nobody had thought about. And  
24 that's what the beauty is of this effort; is by deploying  
25 monitors, we're going to learn things that we didn't know.

1 And I know many people say, "You know, we really know it  
2 all. We've done a lot of sampling. We've got a lot of  
3 risk data." We don't. And that's why this effort is so  
4 important.

5           So the fact that we can work together, utilize  
6 our relative strengths and experiences, utilize the past  
7 experience, I think will be critical. I'm sure many of  
8 you heard there's a lot of concern from all of the  
9 districts; and you'll hear from my colleagues at the Bay  
10 Area as well as San Joaquin Valley. And I think that by  
11 working together, by having constant communication, we  
12 will be able to do this.

13           The key challenge from my perspective is speed.  
14 The communities want action. We don't want to be in a  
15 position where we're having to wait. And we greatly  
16 appreciate having the ability to look at how can we reduce  
17 risks sooner rather than later. Where we know that those  
18 opportunities exist, we can have that no-regrets policy  
19 and move forward and get some of those early benefits  
20 right away.

21           So our commitment is to continue to work with  
22 your staff, with your Board, and with all of our  
23 collective boards as we move forward.

24           Thank you very much. And I'll turn it over to  
25 Mr. Broadbent

1 CHAIR NICHOLS: Before I allow you to leave, two  
2 quick things. First of all, thank you very much. You are  
3 one of the few people that I know of who has experience at  
4 the federal and state and local level in dealing with  
5 these issues, and so I think you bring a lot of expertise  
6 and wisdom to this task. And I very much appreciate your  
7 sense that we all need to be in this together and we don't  
8 have time to waste in fighting over roles; and I don't  
9 think we're doing that. So I'm very happy with the way  
10 things are going so far.

11 My colleague, Dr. Balmes, had asked me if he  
12 could just ask you an informational question, which is  
13 directly but not sort of politically related to this  
14 issue. So...

15 BOARD MEMBER BALMES: Sure. Thanks, Madam Chair.

16 Thank you for your testimony, Mr. Nastri.

17 It's supposed to be on according to the...

18 Anyway, says it's on.

19 MR. NASTRI: I can hear you.

20 BOARD MEMBER BALMES: Okay. Good.

21 The specific question I wanted to ask is about a  
22 program that your agency has been doing with EPA funding,  
23 the Air Quality Sensor Performance Evaluation Center.

24 MR. NASTRI: Yes.

25 BOARD MEMBER BALMES: Which I think is really

1 key --

2 MR. NASTRI: Yes.

3 BOARD MEMBER BALMES: -- because there are a lot  
4 of new devices out there, some of which may not work as  
5 well as others. And I think what your agency's been doing  
6 is an important step and important part of this whole  
7 process.

8 So could you just mention a little bit about this  
9 for the education of my fellow Board members.

10 MR. NASTRI: Sure. The program that you mention  
11 we call our AQ-SPEC program. And we're really quite proud  
12 of it. Right now we're the only ones in the nation that  
13 have this chamber that can actually do a series of tests.  
14 And what we were really concerned about is the deployment  
15 of these low-cost sensors. And part of the concern is,  
16 you know, are these sensors calibrated, what's their  
17 durability, how do they correlate with some of the  
18 established reference monitors? And nobody was really  
19 looking at that. And so we developed the AQ-SPEC at our  
20 board's direction, I want to say, back in 2013. And I'm  
21 very proud to say that we've actually begun and have from  
22 my understanding sampled most, if not all, of the low cost  
23 sensors that are out there. And what we look at is sort  
24 of a correlation. We sort of publish, are in fact they  
25 performing the way that they said that they perform? What

1 are some of the concerns that we've identified that we  
2 have in that?

3           You know, because this really gets to the issue  
4 of data integrity, data management, and data collection.  
5 And so making sure that the process has that integrity,  
6 that rigor, I think is absolutely critical. So we in fact  
7 have provided a lot of technical support. For instance,  
8 Comite Civico Del Valle and others, the Coalition for  
9 Clean Air action has a number of sensors that are out  
10 there. And it really sort of speaks to the challenge that  
11 we all are going to face, because that's sort of big data.  
12 And, you know, as people have access to information, they  
13 may not understand what that data means. And simply  
14 because you may see one spike, does that mean all of a  
15 sudden I have increased risk? You know, instead of, well,  
16 we look at it on an hourly basis over a 24-hour average  
17 and you have to look at it that way. And I think it's  
18 going to be incumbent on us to be able to communicate that  
19 aspect.

20           These are one of the issues that came about at  
21 our recent sensor conference. But we're quite proud of  
22 the effort and quite proud of all the collaboration.

23           BOARD MEMBER BALMES: And I would just submit  
24 that you should be proud. This is important work. And I  
25 would propose for consideration down the road that we only

1 employ sensors and monitors that have been so approved and  
2 calibrated by your...

3 CHAIR NICHOLS: I see there's one more question.  
4 I didn't mean to turn this into -- sorry. I will get this  
5 right eventually.

6 I don't mean to prolong this too much. But  
7 Senator Florez had a question for you also.

8 BOARD MEMBER FLOREZ: I had a question, Madam  
9 Chair. Thank you.

10 Good morning, Wayne.

11 MR. NASTRI: Good morning.

12 BOARD MEMBER FLOREZ: Just a couple questions.

13 CHAIR NICHOLS: Everybody has questions. Okay.

14 BOARD MEMBER FLOREZ: Yeah. No, no, no.

15 Just as a, I would say, innovator early in this  
16 process, I guess my vision of -- and we'll talk about this  
17 more as the Board begins to discuss this. But let me give  
18 you my vision, tell me if it matches what you're doing.

19 MR. NASTRI: Sure.

20 BOARD MEMBER FLOREZ: So my vision is a  
21 completely network California. If I can see traffic  
22 patterns on my phone today with big data, you know, I  
23 should be able to see every spot in California in terms of  
24 air monitoring, not seven days later, but real-time. And  
25 so, you know, as you start to think about air monitoring

1 and where the state goes in the future - and you've had  
2 this data conference, I know you had the air monitoring  
3 conference - is that technology available? Are we going  
4 to be able to from our -- the desk of Richard Corey with  
5 the large dashboard overlooking all of the air  
6 districts -- you have the same dashboard as he does -- you  
7 know, are we going to be able to say with certainty at  
8 every given point in time, real-time, what the air is  
9 looking like, just like I'm able to know what 405 freeway  
10 looks like right now, or some part of Coachella Valley in  
11 Mr. Garcia's district and assembly members? Are we there  
12 yet? Because it seems that if we're going to build out  
13 something state of the art, that ought to be kind of what  
14 we're looking for.

15 MR. NASTRI: I would say we're not there yet, but  
16 I would say that we are getting closer. The reason I say  
17 we're not there yet is because we can't test for  
18 everything. And I think that's important to recognize, is  
19 that we can't simply use low-cost sensors and say we're  
20 going to test for metals, we're going to test for volatile  
21 organics, PM, NOx, all of those.

22 The low-cost sensors that we're talking about,  
23 the network, is currently I would say pretty strong on the  
24 PM side. And there's a lot of -- it can be done with  
25 that. But on the metal side, we're not there yet.

1           And so I think it's important to understand what  
2 is the role of the sensor and what can we actually use  
3 from that and how can we sort of, if you will, manage  
4 expectations. Because I think what you just said, that is  
5 the expectations. And I think it's real exciting when you  
6 look at the use of satellite data, of phones to sort of  
7 network and have this broader big data. You've already  
8 got groups like a Aclima that are driving around pulling  
9 out data and posting it on websites. So there is this  
10 tremendous amount of data, but it's not the  
11 all-comprehensive everything that I think that you were  
12 talking about.

13           BOARD MEMBER FLOREZ: Okay. But even -- you  
14 know, I get that. I guess, even in any technology rollout  
15 we start with a base case and then --

16           MR. NASTRI: Yes.

17           BOARD MEMBER FLOREZ: -- we get better at it. So  
18 we add to it.

19           MR. NASTRI: Yes.

20           BOARD MEMBER FLOREZ: So I guess my question is,  
21 is the base case possible even at a PM level? Which I  
22 think concerns a lot of folks on the Board obviously as  
23 just a very precursor type of measurement. And given  
24 you've served both federally and also at the state level  
25 and local level now, I guess my question would be -- we

1 have federal standards for air monitoring, some siting  
2 requirements, we have our vision as we start to build this  
3 out here as a board. You know, are those two matching up?  
4 Are those criteria even at the federal level matching an  
5 air district handing a backpack out, for example, and  
6 calling that air monitoring? I guess in my view, you  
7 know, we're throwing things out there, communities are  
8 grabbing on to them, EJ communities are grabbing on to  
9 them. But I'm not necessarily sure, you know, if we start  
10 to just kind of throw a lot of different technology out  
11 that isn't matched up, it seems like -- it sounds good but  
12 I'm not sure we're going to actually get kind of what we  
13 need. Your thoughts on that.

14 MR. NASTRI: Sure. I mean, that's where the role  
15 of the AQ-SPEC program comes to light. EPA has the E  
16 Enterprise Program. We're actually doing a lot of work  
17 that's trying to get to the very issue of what you said;  
18 and, that is, how can we make sure that the reference  
19 monitors, the low-cost sensors, and all of the other  
20 monitoring devices that we have are connected, if you  
21 will, and have the same accuracy, have the same ability to  
22 replicate and report out those samples?

23 It's just now I think really taking off from that  
24 perspective. So to the extent that we continue to work  
25 with the agencies across the board -- and it's not just

1 here within the United States but internationally as  
2 well -- the level of communication and network is going to  
3 do nothing but increase. And, you know, like we said,  
4 whether it's low-cost sensors, whether it's satellite data  
5 that we're getting from NASA, NOAA, and others, all of  
6 that is going to be integrated.

7           So we are I think at the cusp, at the beginning  
8 of that. We see a lot of opportunity and promise for  
9 that. I think the PM is probably the way to go right now.  
10 And it will definitely help a lot of people. But when you  
11 start thinking about some of the toxics and the other  
12 issues, that's where we're going to have a little bit more  
13 time. You know, we're working, for instance, with UC San  
14 Diego on developing near real-time reporting for some of  
15 the metals. So there's a lot of technology, a lot of work  
16 that's going. You know, we've worked very closely with  
17 ARB on the optical remote sensing, solarflex. There's  
18 whole things that are coming that are really exciting, but  
19 it's going to take time to make sure that it does do  
20 exactly what you say and has that, if you will,  
21 corresponding value so that we're all confident with what  
22 we're getting.

23           BOARD MEMBER GIOIA: Madam Chair.

24           CHAIR NICHOLS: Excuse me. Mr. Gioia.

25           BOARD MEMBER GIOIA: Thank you.

1 I'm going to ask a question to have each of you  
2 give a chance to respond to more about process. Because,  
3 I mean, for the last 30 years, I've represented in public  
4 office a community that's been probably at the forefront  
5 of measurements, well before the air district, well before  
6 the State - there's a refinery, a chemical plant, a rail  
7 yard, a port, - and I've learned a lot during those 30  
8 years about also what residents expect.

9 So I think sometimes we get caught up in the  
10 theoretical about what we think we can do at the state  
11 level. And I've learned that it really takes strong local  
12 community leadership and involvement.

13 And this idea of a statewide stakeholder group  
14 is -- sounds good. But we really do need more local and  
15 subregional stakeholder groups, and where we can work with  
16 community members who understand their local community. I  
17 think the risk we face is if people feel they're being  
18 studied again -- I hear this so often from residents in  
19 communities like Richmond: "Oh, you're studying this  
20 again. When is this going to happen? Why don't you do  
21 something about it? What does this data mean?" I have  
22 heard these for the last 29 years.

23 So I'd like to hear a little bit about how you  
24 see the role of local air districts sort of developing  
25 stakeholder groups, developing sort of local -- getting

1 local input. I mean to me, the recipe for success  
2 involves strong local community-based organizations with  
3 citizen groups as well as local regulators, local  
4 government, and state; that that web of all of those is  
5 really going to be important to making this work, with the  
6 State role being to set the strongest and most stringent  
7 standards so that folks don't try to get out of those  
8 standards. I think having the State set really strong  
9 standards is important. But how this gets implemented  
10 really is going to depend upon the success of sort of  
11 local organization.

12 So I'd like to hear maybe each of you in your  
13 comment briefly just talk about how you see that happening  
14 and the role of local air districts as part of that.

15 MR. NASTRI: So I agree, yes.

16 (Laughter.)

17 MR. NASTRI: It has to be at the local level.

18 BOARD MEMBER GIOIA: How would you see that  
19 happening?

20 MR. NASTRI: So the way I see it happening is in  
21 many ways --

22 BOARD MEMBER GIOIA: We have our own thoughts,  
23 but we need to hear some of yours.

24 MR. NASTRI: It's listening to the community.  
25 It's going out to the community and having the community

1 tell you their concerns, and then trying to verify with  
2 the community --

3 BOARD MEMBER GIOIA: No, I get that. But I'm  
4 trying to move us forward.

5 How would you see an air district sort of  
6 structuring -- and maybe each of you've had different  
7 discussions -- structuring a group in some  
8 institutionalized way to address this? Not just say we're  
9 going to go out and hear from people, but an  
10 institutionalized way to -- because this is going to go on  
11 for several years. How do you see that? Or if you  
12 haven't really thought that through -- I know -- Jack, I  
13 know you've been trying to think about this in the Bay  
14 Area where we have a lot of activism.

15 MR. BROADBENT: Right, right.

16 BOARD MEMBER GIOIA: Not that L.A. doesn't.

17 MR. BROADBENT: Well, John, if you don't mind,  
18 I'll tell you -- because we've done some thinking about  
19 this in the Bay Area.

20 We think for the Bay Area, you have about six or  
21 seven different unique communities. And one of my  
22 comments was going to be is that the solutions have to be  
23 very local. The solutions in West Oakland, for example,  
24 are going to be different than in Richmond. And so we're  
25 thinking that there probably needs to be some type of

1 organizing committee for the Bay Area; and then  
2 subcommunity groups meeting in each of these communities.

3           And as Wayne indicated - and I know your own  
4 staff here at CARB believe this - is that you've got to  
5 reach out and empower these groups for them to actually  
6 establish the agenda. They're the one's that are going to  
7 have to identify what solutions are going to make sense.  
8 I think the role of the districts and CARB have to be  
9 technical resources. And we have to actually make them --  
10 a number of solutions for them in terms of possibilities.  
11 But we really have to sit there and empower the local  
12 communities so that they're -- one, identify, and indeed  
13 own the solutions going forward.

14           Veronica mentioned the work we've done in West  
15 Oakland. And it's the Maritime Air Quality Improvement  
16 Plan that really represents an example we think moving  
17 forward as well as all the work in Richmond.

18           So there have been these different community  
19 groups. The point I was going to raise, Madam Chair -- if  
20 you don't mind, I'll make my comments actually right now,  
21 if you don't mind --

22           CHAIR NICHOLS: Might as well. Go ahead.

23           MR. BROADBENT: -- is that we do have a long  
24 history in the Bay Area working, as you indicated. We've  
25 been working with community groups for some time.

1           We have a program that was mentioned in the  
2 presentation. It's our Community Air Risk Evaluation  
3 Program, or our CARE Program. And we identify West  
4 Oakland, Richmond, Bayview-Hunters Point, East San Jose,  
5 and a couple others that are particularly impacted,  
6 they're disadvantaged oftentimes, very economic  
7 disadvantaged as well. And so we've been having different  
8 community groups, different models playing itself out in  
9 the Bay Area for some time. There have been different  
10 levels of success.

11           And I was going to just really quickly just list  
12 for you, Madam Chair and members of the Board, a couple of  
13 key lessons that we have that I provided to Mr. Corey and  
14 his staff. And, that is, as you've heard today,  
15 collaboration will be key. And real collaboration has to  
16 do with a lot of listening. And as I indicated, you have  
17 to almost allow for the agenda to be put together locally.

18           One of the key things we've learned is also you  
19 have to be as inclusive as possible. And that, in  
20 particular, you have to bring in the local governments;  
21 cities and counties have to be at the table, and their  
22 planning departments and decision makers. And I say that  
23 because at least in the Bay Area we have had a history of  
24 some very bad local decision -- local land-use decision  
25 making.

1           You have folks who've -- new homes have been  
2 allowed to be built right up next to refineries and rail  
3 yards, and things like that over time. And so that's not  
4 a good situation. And I think frankly solutions moving  
5 forward have to be potential different planning decisions  
6 and zoning decisions, and that really only can be done by  
7 cities and counties.

8           I want to mention also that, you know, diesel  
9 will be key. And in West Oakland there have been  
10 different truck routes and different idling restrictions  
11 and things like that, things that a local district and  
12 CARB aren't necessarily going to be in the best place to  
13 put in place and implement.

14           Finally, I want to mention that the air district  
15 itself is got a key role moving forward to ensure that  
16 stationary sources also contribute to the cleanup of these  
17 communities. It's Rule 1118. We're working with your  
18 staff. And I wanted to mention that to you, Madam Chair.  
19 That'll be before our Board for its consideration in  
20 November. It is a rule in which we're going to be  
21 establishing a very stringent risk standard for our  
22 stationary sources, a ten-in-a-million standard. And we  
23 think it's part of a larger solution to moving forward to  
24 address the local community impacts.

25           And so, finally, I can't really say enough

1 about Richard Corey. He has been great to work with, and  
2 I want to especially recognize his leadership and his  
3 willingness to really work with us on this. So thank you  
4 very much.

5 I'd like to hand it over to Samir actually.

6 CHAIR NICHOLS: Thank you.

7 Let's let Samir answer the question, and then we  
8 can proceed.

9 MR. SHEIKH: Good morning, Chair Nichols and  
10 members of ARB.

11 I'm just going to, yeah, go straight to the  
12 question on the monitoring. And I totally agree with what  
13 was said earlier in terms of this really being at the  
14 community level. One of the things that our board just  
15 took a couple of weeks ago was an action plan actually on  
16 looking at how we can integrate these low-cost and new  
17 sensor technologies in how we're doing our business and  
18 looking at getting a head start on the 617 issues. And as  
19 part of that plan, you know, we really highlighted the  
20 role that we might be able to play in terms of that local  
21 community engagement, getting community groups together,  
22 getting communities involved.

23 Providing, you know, the kind of guidance that  
24 was just talked about I think is really imperative that we  
25 work, as your staff mentioned, on coming up with a really

1 good guidance on what the purpose of these technologies  
2 are and how they can be utilized in a way that  
3 accomplished that goal, because I think there are a number  
4 of different goals, as Senator Florez mentioned earlier.  
5 Just depending on what you're trying to do with the  
6 network, you can actually deploy these in different ways  
7 and actually accomplish those different goals. But I  
8 think it's going to be very important that us at the local  
9 level are working with our communities for them to  
10 understand, you know, kind of what benefits are; and if  
11 you do these deployments in a certain way, what your  
12 outcomes are going to be. And we took a very detailed  
13 action plan to our board that really set the stage for  
14 that engagement.

15           This has been coming up in our planning process  
16 for our PM2.5 strategy that we're working with with your  
17 staff on. Communities have been showing up. And we had a  
18 recent joint workshop in Kern County where there were  
19 different communities that came in and talked about their  
20 concerns and some of the goals that they have in terms of  
21 moving toward with understanding their needs and making  
22 sure that we're looking at the local level and not just at  
23 our typical sort of a payment strategy.

24           By the way, as part of that I wanted to mention  
25 that we have adopted what we call the community level

1 targeted strategy as well. A couple of months ago our  
2 board adopted this as a supplement to our attainment  
3 strategy where not only did we look at ways of achieving  
4 attainment as part of our PM plan, but we also look at  
5 identifying issues of concern at the community level. And  
6 one of the things that we cited as part of that plan was  
7 getting a head start on 617 implementation.

8           And so we think it's very important to look at  
9 this at the local level and not just focus on what we  
10 typically might look at in the State Implementation Plan  
11 process. So we're working with South Coast and others who  
12 have done a lot of really good work, as was mentioned  
13 earlier, understanding these technologies. We're actually  
14 actively having conversations with them and others about  
15 how we can take advantage of these technologies to help  
16 with this process. So we're committed to that as well.

17           And I can also provide a few other comments.

18           CHAIR NICHOLS: Please do.

19           MR. SHEIKH: I wanted to just follow up and kind  
20 of emphasize a couple of things that was brought up in the  
21 staff's presentation. First I wanted to let you know that  
22 we are committed to working with you and assisting in the  
23 617 effort; and not only continuing to work with your  
24 staff of building that relationship with your staff on  
25 this whole new and very exciting program.

1           Just a couple of very specific things that I  
2 wanted to mention on the reporting of emissions in the  
3 inventory component of 617. And we do have extensive  
4 experience in this area. This is something that we do on  
5 a regular basis. It's really important that as you move  
6 forward with your plan for doing that, that we take  
7 advantage of those resources in a way that minimizes some  
8 duplication of effort. And I think it's something that we  
9 can -- we've already had some really good conversations  
10 on. I really hope that we can take advantage of that at  
11 the local level.

12           With respect to BARCT. You know, this is one of  
13 the key components of 617 as well. You know, we've had  
14 years of doing regulation with this aspect of 617, so we  
15 want to work very closely with ARB to make sure that  
16 moving forward we take advantage of that as well in  
17 implementing those BARCT requirements.

18           On the monitoring and then also in identifying  
19 communities for the emission reduction programs, it's  
20 clear that we're not going to be able to monitor every  
21 single community out the gate. You know, we want to  
22 develop a plan with ARB, as staff mentioned earlier, that  
23 really prioritizes in a very thoughtful and rational way  
24 those communities that really need to be at the top of  
25 that process, and we continue to build on that as we move

1 forward. So we're very interested in working with your  
2 staff on finding a good way to prioritize those  
3 communities.

4 Then, lastly, on the resources for doing early  
5 actions and getting moving on providing those benefits to  
6 the communities. The \$250 million that we mentioned  
7 earlier, we worked very hard with you, with others to make  
8 sure that that the cap-and-trade-related funding included  
9 that provision. It's going to be very important that we  
10 make that funding available quickly. We are having  
11 conversations as to how we might be able to develop that  
12 plan for getting that money out the door. And it's  
13 particularly crucial for us in the context of PM planning.  
14 We have an attainment strategy that we're about to release  
15 for public review, and ultimately take it to our  
16 respective boards. You know, we have to make sure that  
17 money's available quickly to provide those early benefits  
18 that were intended under 617.

19 So I just wanted to reiterate again that we stand  
20 ready to assist ARB in engaging communities and utilizing  
21 our expertise to help with the process. I wanted to thank  
22 Mr. Corey and Ms. Magliano and other ARB staff who have  
23 been working closely with us as this has moved forward.  
24 It's clearly going to be a heavy lift for all of us, and  
25 we want to make sure that everybody here understands how

1 committed we are to this process.

2 So thank you very much.

3 CHAIR NICHOLS: Thank you.

4 I think if you -- one more comment. Go ahead.

5 MR. NASTRI: In answer to Supervisor Gioia's  
6 question, how do we institutionalize it? We  
7 institutionalize it through our Air Quality Management  
8 Plan that we update every four years. We also have a  
9 Clean Communities Plan. We have Environmental Justice  
10 Advisory Committee. And I think part of the policies that  
11 we look at is making sure that we -- that our board gets  
12 out into those communities. So we actually have a  
13 governing board meeting in the community where we're able  
14 to hear these things.

15 So we have constant outreach that we've  
16 memorialized and institutionalized within our AQMP that's  
17 submitted as part of the SIP. So we're accountable for  
18 that. And I think that's how you get the public's  
19 confidence in terms of recognizing the issue, publishing  
20 the issue, and then effecting it.

21 Thank you.

22 CHAIR NICHOLS: Thanks very much. Really  
23 appreciate all of your very active engagement in this. I  
24 know that this is not legislation that the districts  
25 welcomed initially. And frankly it was a big shock I

1 think to the system when it came out as strongly as it  
2 did. And I think we all have to admit that it has to do  
3 with the fact that the legislature was hearing a lot of  
4 discontent - and I'm sure we'll hear some of it from the  
5 citizens who are signed up to speak here today - about the  
6 level of information that they were getting and whether we  
7 really are doing the job collectively when it comes to  
8 prioritizing the pollutants that are of most concern to  
9 them, to the toxics that they feel are -- they know are in  
10 their communities and that they feel are likely damaging  
11 their health and that they're not getting enough  
12 information.

13           So this is an opportunity that we shouldn't let  
14 go to waste I think. And the fact that there are  
15 resources and technologies now available makes it an  
16 exciting time to be embarking on this task.

17           At the same time, as your answers and as I think  
18 the questions indicated, we know that all of our agencies  
19 are insufficient even with all of our collective resources  
20 to just go out and meet all the demands that are out there  
21 from communities to see us and have our active engaged  
22 presence. So it's again just super-important that we be  
23 able to build on the strengths that each of us brings to  
24 this process. And I very much appreciate your being here.  
25 So thank you.

1           Okay. Should we turn to the list? I think it's  
2 up on -- the people can see it. And we have it on our  
3 screens. So we know who's coming next.

4           And we begin with the head of an organization  
5 that's been referred to repeatedly here.

6           Luis Olmedo, are you there?

7           Good morning.

8           MR. LUIS OLMEDO: Good morning, Chairman Nichols  
9 and members of the Board. Thank you for putting together  
10 this AB 617 hearing.

11           I just want to thank the ARB staff. Their  
12 presentation keeps evolving, and I was really concerned at  
13 first that there wasn't a whole lot there. And now I can  
14 see that as they're conducting these community hearings  
15 and meetings, they've really come a long way. In fact,  
16 they took a lot of my talking points away.

17           (Laughter.)

18           MR. LUIS OLMEDO: What I do want to say is --  
19 first of all I'd like to start with responding to some of  
20 the questions. I know they weren't addressed to me, but I  
21 think I can contribute to some of the questions.  
22 Senator Dean Florez talked about a type of monitoring that  
23 could communicate data across California. And I certainly  
24 believe that that's very possible.

25           And I did hear from Wayne Nastri from South Coast

1 about where things are at. And I think that, yeah, PM is  
2 pretty advanced. And I think that ARB should really take  
3 advantage and air districts should take advantage to take  
4 that as far as we can now. That's possible today. And  
5 being able to connect this data statewide open source.

6           And I'd like to caution the Board and staff that  
7 there's a big difference between data points and data  
8 quality. In the bill itself, in reading the bill, it's  
9 actually all over the bill in certain section is that it's  
10 important to look at and establishing both emissions  
11 reductions plans for stationary sources as well as mobile  
12 sources, but also establishing air monitoring that is  
13 stationary. And that's going to be really important  
14 moving forward.

15           Other questions that I want to respond to is open  
16 source. We want to make sure that this data is open  
17 source. There is efforts and interest out there in  
18 private sector that wants data points, and being able to  
19 put this information and, you know, being able to look at  
20 it and say, "Is there traffic ahead?" But will air  
21 districts, will ARB, will the federal government respond  
22 to that type of data? Because as far as I hear, and I've  
23 heard it, and I think that was in the presentation, data  
24 quality is important, good scientific methods are  
25 important. And I think that community monitoring should

1 be no different than what regulatory agencies demand today  
2 in terms of the science and quality.

3           The only difference is that now, because of the  
4 new technologies, you're able to acquire more sensors at a  
5 lower cost; and through good science and conversion  
6 methodologies, you're able to develop information that can  
7 correlate to those regulatory, more expensive monitors.  
8 And good thing is that this is so much guesswork. You've  
9 heard of that. I mean, there's so much data - we depend  
10 on pictures, visuals, satellite data, weather data, and  
11 enormous vast amounts of -- do I have to stop?

12           CHAIR NICHOLS: That's three minutes.

13           MR. LUIS OLMEDO: Can I get another minute?

14           CHAIR NICHOLS: All right. We'll extend your  
15 time.

16           MR. LUIS OLMEDO: -- vast amounts of space where  
17 we're just doing so much guesswork. And I think that by  
18 bringing in these -- bunch more granularity of data is  
19 going to be important.

20           Other things that I just want to mention real  
21 quick is, we want to make sure that the real-time, that  
22 it's open source. Market-ready products are going to be  
23 important. And we can't get too hung up on the products  
24 themselves. Technology keeps changing. We must develop  
25 networks and establish these networks. These networks,

1 for example, in Imperial, we can break it down to 50, 60  
2 communities, or we can say it's one region. And so we  
3 really got to make sure that these networks are being  
4 established.

5 We spent over \$2 million from the National  
6 Institutes of Health funding. Let's not reinvent the  
7 wheel and take advantage of that.

8 The other things I wanted to point out just  
9 because of the --

10 CHAIR NICHOLS: I will mention that you have  
11 written testimony, and we will read your testimony. So  
12 you don't have to worry that you don't get to cover all  
13 your points.

14 MR. LUIS OLMEDO: And I do want to point out that  
15 we do have two studies that have been published, one on  
16 the community engagement and one on our calibration and  
17 conversions.

18 But other than that, I do want to say that as you  
19 put together the concepts or the staff puts together these  
20 concepts of advisory committee, I think that they had a  
21 slide up there of these communities that are already doing  
22 some of this work. I think it's important to bring those  
23 members and possibly give them an opportunity to be sort  
24 of the first advisory and then figure out either through  
25 advocacy efforts or through, you know, who's not being

1 represented to bring into an advisory. I think advisory's  
2 going to be very important.

3 And the other element aside from health, data and  
4 all available resources, OEHHA, CalEnviroScreen, in order  
5 to prioritize communities.

6 The other thing I wanted to also mention is also  
7 maybe part of the priorities should be those communities  
8 who have most -- those air districts that are most  
9 resistant, right, that aren't really believing in this.  
10 And so I really want to say that maybe that's also a great  
11 opportunity to just get these...

12 Last thing I want to say is that I'm --

13 (Laughter.)

14 MR. LUIS OLMEDO: -- really proud to hear that  
15 the CCJN in San Joaquin, they've also started their own  
16 community monitoring. And one of the things they said is  
17 "We're not waiting. We're going to do it now," you know.

18 So thank you very much.

19 CHAIR NICHOLS: Thank you. Thanks for your  
20 leadership on this issue.

21 And I'll just remind everybody else not to follow  
22 Mr. Olmedo's example --

23 (Laughter.)

24 CHAIR NICHOLS: -- when it comes to timekeeping.

25 Okay. Paul English.

1 Thank you for being here.

2 DR. ENGLISH: Yeah, thank you. Thank you, Madam  
3 Chair and Board members.

4 I'm Paul English. I'm an environmental  
5 epidemiologist with the California Department of Public  
6 Health, and I'm the principal investigator for the  
7 Imperial Air Monitoring Network study that Luis just  
8 mentioned. And this was funded by the National Institute  
9 of Environmental Health Sciences.

10 I wanted to acknowledge Comite Civico Del Valle  
11 as partners on this; and also University of Washington,  
12 who lent their exposure assessment expertise for this.

13 And one thing I wanted to mention is when we --  
14 you know, we now have 40 low-cost monitors transmitting  
15 real-time data in the Imperial Valley on PM2.5 and PM10.  
16 And, you know, this is an area that -- This is about the  
17 size of Connecticut, and we only had a few monitors  
18 measuring PM. So you can see the -- the amount of data  
19 that we have now is much more granular, and we're actually  
20 picking up many more episodes than we would when you  
21 compare that to a regulatory monitor. So that's one issue  
22 I wanted to bring up.

23 I handed out a couple of points I wanted to bring  
24 up, and I'll try to cover them briefly in a couple  
25 minutes.

1           When we look at the principles of community air  
2 monitoring, I wanted to say it's not just the use of these  
3 low-cost sensors. It's -- so in other words it's not just  
4 the local air districts putting these low-cost sensors out  
5 in the community and say that's a community air monitoring  
6 network. It's really a comprehensive approach which it  
7 emphasizes active community involvement but a real strong  
8 emphasis on capacity, building and training. We had input  
9 from technical experts. And there has to be also  
10 provisions for network sustainability. So when we're  
11 looking at training, capacity, building we need to start  
12 having discussions about curriculum development and the  
13 type of staffing that is going to be needed to do this  
14 type of translational work. And these are people that are  
15 trained in health education, risk communication,  
16 community-based participatory research. And, you know,  
17 I'm wondering if the local air districts have the capacity  
18 to do this type of work.

19           So the type of training would be needed that we  
20 did in our project was on areas such as pollution and air  
21 monitoring science, monitoring siting where we had the  
22 community actually involved using mobile devices to go out  
23 and do the monitor siting. Monitor hardware and software  
24 troubleshooting that they go out and they're actually  
25 involved doing that part. Monitor calibration. I do want

1 to thank ARB for assisting us in the calibration and  
2 validation of our monitors and also for continuing to  
3 support the project.

4 Data QA/QC procedures, and data transfer and  
5 flow.

6 And we also -- it's already been mentioned, the  
7 community needs to have access to a database of raw and  
8 transformed data files, and also being involved with  
9 developing the most appropriate methods for visualizing  
10 the data and developing messaging.

11 So I'll just stop there.

12 CHAIR NICHOLS: Thank you. Thanks for your work  
13 on this.

14 Any questions from the Board?

15 BOARD MEMBER BALMES: Yeah.

16 CHAIR NICHOLS: Dr. Balmes.

17 BOARD MEMBER BALMES: Good morning, Paul.

18 First off I want to acknowledge that I think this  
19 is very important work that you did with Luis'  
20 organization. There's no accident that it was funded by  
21 our federal tax dollars through the NIHS because it is  
22 very important work. And the fact that there are already  
23 two peer-reviewed papers out from the work of this  
24 project, it shouldn't be minimized. And they're actually  
25 in very good journals, by the way: Environmental Health

1 Perspectives, which is NIHS's house journal; and the  
2 Journal of Air and Waste Management Association. So this  
3 is not fly-by-night work. This is actually high quality  
4 work that is a community-based participatory research  
5 project.

6           So I have a few more questions for -- I'd like  
7 you to tell me what lessons you've learned -- you started  
8 to do that but -- from this effort? Because I think those  
9 lessons are important for us embarking on, you know, the  
10 statewide effort under AB 617.

11           DR. ENGLISH: Yeah, one thing I'm a little bit  
12 concerned about the -- you know, the timeline for all  
13 this. Because, you know, we've been doing this over a  
14 four-year period, and I can't emphasize enough the amount  
15 of time and resources we put into community engagement and  
16 meeting -- forming the community advisory groups, engaging  
17 the wider community, and -- but also trying to -- to work  
18 with the community to make sure the materials and the  
19 information we're collecting is going to be understandable  
20 and usable to the community, so they can take some actions  
21 to improve public health.

22           This was under a grant called "Research to  
23 Action." It was a program announcement that NIH has out.  
24 So we had to have a public health action component of  
25 this.

1           So at the end of this, that, you know, the  
2 community group is now empowered to use this data, what  
3 are they going to do with this new information? So  
4 there's -- yeah, there needs to be also a process to  
5 facilitate the information that's gained from these  
6 networks to move into this action component. And this  
7 really could be things like: Can it be advocacy for  
8 reducing unpaved roads? Could it be other -- could it be  
9 changes in behaviors to avoid times of high PM emissions  
10 when children should be sheltering in place instead of  
11 going out at recess?

12           So all these other types of actions I think are  
13 very important. And this whole process takes a lot of  
14 preparation and time with people that are very skilled in  
15 facilitation and health communication. So I just wanted  
16 to emphasize that again.

17           BOARD MEMBER BALMES: The other question I have  
18 is more technical, but I still think equally important.  
19 So the low-cost particulate matter sensors that you used,  
20 you calibrated them against standard federal reference  
21 methods?

22           DR. ENGLISH: Yeah, we had on both calibrated  
23 with -- there was the federal reference monitor and also  
24 the federal equivalency monitor. We used those that  
25 we're -- what we were allowed to access at the collect CO

1 station. And then CARB was also very gracious in allowing  
2 us to use six portable E-BAMs where we did that in six  
3 different locations. And it's all -- all that information  
4 is in that manuscript that you have.

5 BOARD MEMBER BALMES: Yeah, I was just -- I know  
6 that it is, and I just wanted to bring that out.

7 I think this is an important issue for  
8 consideration. How -- you know, there are a lot of  
9 low-cost monitors out there. As the South Coast project  
10 has shown, some of them are very good. But still their  
11 relationship to standard EPA air quality monitors is an  
12 issue that different communities may want to address in a  
13 different way. So it's a very important tentacle  
14 consideration that we will have as we move forward.

15 DR. ENGLISH: Well, and also the fact -- you  
16 know, we heard from South Coast that they've been testing  
17 these in the lab. But I think validating these out in the  
18 field because there's going to be totally different field  
19 conditions in all these communities all over the State.  
20 And Imperial with -- you know, we have high dust issues  
21 there. And that might not be -- you know, you're going to  
22 have something totally different in urban areas, for  
23 example.

24 CHAIR NICHOLS: I think I understand the point  
25 that you two are debating or discussing, but maybe not to

1 put too fine a point on it. If you would translate this a  
2 little bit into a practical discussion of what it means  
3 for just putting a program together.

4 BOARD MEMBER BALMES: Well, for example, I've  
5 heard from San Joaquin Valley advocates that they're  
6 concerned about where monitors might be sited, and that  
7 they would like -- this is some people -- they would like  
8 to make sure that whatever community monitors are out  
9 there are also calibrated against federal reference  
10 monitors so that they could potentially be used for  
11 resiting the federal reference monitors.

12 CHAIR NICHOLS: This is the Arvin problem that  
13 we're talking about --

14 BOARD MEMBER BALMES: Well, yeah, but large in  
15 the San Joaquin Valley.

16 CHAIR NICHOLS: There's a suspicion on the part  
17 of community members that the federal monitors are sited  
18 in places that minimize the problem.

19 BOARD MEMBER BALMES: Correct.

20 CHAIR NICHOLS: Or could be seen to minimize the  
21 problem.

22 BOARD MEMBER BALMES: I've heard that.

23 CHAIR NICHOLS: It's okay. It's okay to put it  
24 out there, I think, as a --

25 DR. ENGLISH: Yeah, and I think there needs to be

1 separate criteria developed for community air monitoring  
2 as opposed to what we have for regulatory air monitoring,  
3 because the purposes are going to be different. So -- and  
4 we have information about how we did that in our project.

5 CHAIR NICHOLS: Yeah. I think that's really the  
6 critical point, I mean, from my perspective at least, is  
7 that if we're embarking on a whole new round of creating  
8 monitors and validating them, we need to know as much as  
9 we can about how they can be used and what the  
10 implications are for existing monitoring programs.

11 So not to -- I'm not minimizing at all. I think  
12 it's a really important point. I just want to make sure  
13 that people understand that we are aware of the  
14 implications of it from a policy perspective.

15 But thank you.

16 DR. ENGLISH: All right. Thank you very much.

17 BOARD MEMBER TAKVORIAN: Madam Chair, I have a  
18 question for Paul -- thank you -- and perhaps even for  
19 Luis, because you started to talk about how the monitoring  
20 data is being utilized for action. And I know that Comite  
21 Civico has been working very hard with community  
22 engagement, and that it's a really stellar example.

23 I just wanted to hear more about how the  
24 monitoring data is being used for the development of  
25 policy actions and what opportunities and what challenges

1 have been presented as you've been embarking on that.

2 DR. ENGLISH: Yeah, like -- well, for example,  
3 we've had a request from the Imperial County Planning  
4 Department for the data. So they're going to be using  
5 that data in their long-term planning. And they're  
6 actually, you know, looking at, you know, disparities in  
7 exposure. And so can we use some of this more detailed  
8 data to kind of highlight that we haven't been able to  
9 before except, you know, be doing with modeling? Which,  
10 you know, again you're introducing more air when you're  
11 doing modeling. But now that we have more data points,  
12 this is really going to be important I think in  
13 highlighting exposure disparities, you know, by race or  
14 income. And so I think that's one useful example.

15 We're guiding the -- you know, the community  
16 advisory group through a series of steps. As we present  
17 them the data, we have local researchers -- I mean, I  
18 think you're going to hear from one of them today who's  
19 actually starting to correlate agricultural burning data,  
20 supplemental data with our data collect from the  
21 experimental monitors. So that's going to point to other  
22 solutions. If we seek correlations with ag burning, that  
23 can influence policy on that front.

24 So there's a number of avenues that I think that  
25 the data is going to start being proven useful for policy

1 change.

2 BOARD MEMBER TAKVORIAN: But you're not pointing  
3 to a way that it has as yet. And I don't know, Luis, if  
4 you can point to that. I guess I want to --

5 DR. ENGLISH: Maybe Luis could talk to more -- we  
6 are --

7 BOARD MEMBER TAKVORIAN: -- as we embark on this,  
8 we're talking a lot about monitoring. We're going to be  
9 talking about community action as well, which I know is  
10 critically important to Comite and to all the residents  
11 there. So I want to see how you've utilized that in an  
12 integrated way.

13 MR. LUIS OLMEDO: Yeah, I think what -- you'll be  
14 hearing from others who have experience with the  
15 monitoring in Imperial or San Ysidro that are actually  
16 utilizing that data for their programs - like asthma, for  
17 example; have been informed on current conditions on the  
18 Salton Sea. I think you'll hear more of the detailed --  
19 the highlight data, real-time data being utilized today,  
20 both to leverage resources to continue these types of  
21 monitoring, extending the monitoring, but also utilizing  
22 that data to help inform the public on how to take actions  
23 right now and they know to protect their health, how they  
24 can participate to be able to protect their health.

25 In terms of policies, I mean, I'm pretty sure

1 you're familiar with SB 1000. We're actually being  
2 requested by our county to give them that data. And Dr.  
3 English has been working on being able to provide that  
4 interpreted data so they can utilize it in terms of the  
5 environmental justice planning update. I'm sure you're  
6 familiar with that.

7 But that's just one example.

8 We have other types of uses that we've been able  
9 to -- we've been able to bring in more data, to bring  
10 more -- greater confidence to the community. Up until now  
11 we hadn't been able to have any access to co-locating with  
12 our local air district. I mean, these are localized  
13 actions now. I don't know if our air pollution control  
14 officer is here, but he's opened his doors, he's welcomed  
15 us. Our monitoring has actually not been done in a silo.  
16 We've actually had all regulatory agencies, from federal,  
17 State, ARB, local air districts. Bay Area has actually --  
18 I don't know if they knew that, but we have had  
19 representation of the Bay Area, South Coast, as well as  
20 the other side of the border, Mexicali. They've all been  
21 part of our technical advisory committee in putting this  
22 together.

23 I think bringing in more granularity to data has  
24 been able to give us more confidence that we're not doing  
25 a lot of guesswork. And I think that's important both

1 from the private sector -- actually I attended a private  
2 sector meeting where they had these questions. And, you  
3 know, the debate was, you know, is this vilifying us? And  
4 I said no; it shouldn't vilify us because -- you know,  
5 their claims is that a lot of times they're being unfairly  
6 treated the fact that it says it's you, because you like  
7 the most visible issue around us. But a lot of times  
8 it's -- they're able to remove that sometimes where the  
9 needle is swayed against them or against the community.

10 I think bringing more data is going to bring more  
11 reliability.

12 And that's why it's important to follow also the  
13 bill and being able to develop data that is good quality  
14 that air districts are going to be able to integrate into  
15 their analysis.

16 So I think that, you know, what policies come  
17 next -- I think this is a great bill. I truly believe  
18 that this is the most significant piece of legislation in  
19 the last 30 years when it comes to community monitoring.  
20 But that's not it. You know, it's not just monitoring.  
21 It's building the infrastructure, gather the data, and  
22 help being in form -- in forming community reduction  
23 plans. We can't reduce -- we can't do the same thing  
24 we're already doing. We need more data. And we need to  
25 be able to identify those areas that have no data. And

1 you'll hear from another presenter today that she'll  
2 probably point out that there are communities, there are  
3 areas, regions that have no monitors at all.

4           So I think that moving forward is not just about  
5 what we've been able to accomplish but what this whole  
6 state can accomplish by bringing in more data into the  
7 grid, you know, reliable data, good scientific data, and  
8 pursuing regulatory methods. Because I believe that  
9 that's the only way government is going to respond to our  
10 concerns.

11           I hope I was able to respond --

12           BOARD MEMBER TAKVORIAN: Thank you. That was  
13 great. Thank you.

14           MR. LUIS OLMEDO: And you'll hear from others  
15 that will bring you more information.

16           CHAIR NICHOLS: Thank you.

17           MR. LUIS OLMEDO: Thank you.

18           CHAIR NICHOLS: Okay. Michael Neuenburg.

19           Good morning.

20           MR. NEUENBURG: Good morning, Madam Chair and to  
21 the ARB Board and staff. My name is Mike Neuenburg and  
22 I'm representing the Sacramento Metropolitan Air Quality  
23 Management District.

24           And first off I'd just like to take a moment to  
25 say thank you for the opportunity to speak to all of you

1 today, beginning with a special thanks to Directors  
2 Mitchell and Serna for their willingness to take the time  
3 to meet with CAPCOA this last Monday to discuss how CARB  
4 and the local air districts can find ways to work more  
5 effectively together.

6 The Sacramento Region has relatively few large  
7 stationary sources. We do not have the refineries or the  
8 other types of facilities most often in the news due to  
9 emission concerns.

10 However, Sacramento is in fact a home to several  
11 of the most disadvantaged communities in California.  
12 These communities too are impacted by emissions.

13 The spirit of AB 617 is helping in providing  
14 information for disadvantaged communities that are  
15 significantly impacted by emissions. Please consider  
16 additional investments in the Sacramento region to reduce  
17 emissions from on-road and other sources. The Sacramento  
18 Region currently operates heavy-duty vehicles and  
19 equipment in the communities most affected by emissions.

20 With additional funding, Sacramento AQMD can  
21 assist fleets and owner-operators to accelerate the  
22 replacement of higher emission vehicles and equipment with  
23 lower- or zero-emission vehicles and equipment.

24 Expanded community air monitoring is also one of  
25 our concerns. We believe that with additional monitoring

1 stations placed in strategic locations, Sac Metro AQMD can  
2 further assess the impacts of emissions and target funds  
3 and resources to the communities with the highest air  
4 pollution burdens.

5           Once again I would like to thank you for the  
6 opportunity to speak to you today. And I would request  
7 that you please consider these items as you move forward  
8 with program development.

9           CHAIR NICHOLS: Thank you.

10           MS. MEJIU: Hello. Hi. My name is Karen and I'm  
11 here with CCV.

12           And I actually am a community outreach specialist  
13 with them, so I can talk a bit about how the community is  
14 using the real-time data provided by CCV with the IVAN Air  
15 Monitoring Network.

16           So one of the programs that we have is the school  
17 flag program, which the EPA also uses. We provide this  
18 program to the Imperial County and also Riverside County.  
19 It's been in place for the past year, and this year we are  
20 expanding it to Riverside County.

21           IVAN Air is an integral tool in aiding our  
22 citizens in protecting their health. It provides them  
23 with resources in making informed decisions about their  
24 health. Our area is affected a lot by things that come  
25 from air pollution such as asthma and cardiovascular

1 issues.

2           So I think it was Senator Florez was mentioning  
3 how exactly this data will be presented to the community  
4 and how exactly they will be able to use it and taking  
5 advantage of regulations and seeing real results from that  
6 will be seen by the community, because these are real  
7 issues that we see every day.

8           Earlier someone mentioned how these communities  
9 are affected. Their health is affected. And somebody  
10 said a word that I didn't like too much. It was something  
11 like we think we're being affected. But these are real  
12 issues that our communities -- as a representative of the  
13 community, I am out there talking to people every day that  
14 have asthma issues, cardiovascular issues, and these are  
15 things that we see every day and these are real issues  
16 that people's entire lives are affected by. And air  
17 monitoring that works will be able to aid these  
18 disadvantaged communities in protecting their health.

19           So thanks.

20           CHAIR NICHOLS: I think I'm the one who said  
21 that, and I think that's -- that's exactly what I meant --  
22 meant to convey, exactly what you just said, that people  
23 need the data.

24           MS. MEJIU: Yes. We agree.

25           Thank you.

1 CHAIR NICHOLS: Okay. Thank you.

2 VICE CHAIR BERG: I just have one follow-up  
3 question, if I may.

4 So in working with the communities we're hearing  
5 a lot about ways to be more effective in our outreach. Do  
6 you have some thoughts on that, on what you might see that  
7 we could add?

8 MS. MEJIU: Well, somebody mentioned something  
9 about how the community sometimes is just being  
10 questioned: "Okay. So we're going to do this for you.  
11 We're going to give you" -- somebody mentioned something  
12 about the backpacks. And so these agencies go out there  
13 and they keep asking the community, "Okay. So what do you  
14 think? What should we do?" And we're at a point in our  
15 communities where people don't want to be asked questions  
16 anymore. They want to know: Okay, this regulation is  
17 going to happen. Okay, we're going to put these monitors,  
18 and these monitors will then be used for new rules, new  
19 regulations for all of these industries that are producing  
20 pollution that they are directly being affected by.

21 Does that answer your question?

22 VICE CHAIR BERG: Yes, it really does. And it  
23 really -- for me trying to understand and weigh how we  
24 also quantify what those costs are going to be and how  
25 that's going to affect pricing of goods and things that

1 will end up also affecting all of us and especially our  
2 disadvantaged communities, so I'm really trying to  
3 struggle with how we get more information out, how we  
4 engage into these solutions, and being able to look at it  
5 in all ways. So I really appreciate that.

6 MS. MEJIU: Yeah. So I am actually also a part  
7 of the Salton Sea COE program, which one of my colleagues  
8 here will talk about in a second, Israel. And we are part  
9 of the outreach program and we are out in the communities  
10 every day talking to people, collecting their testimonies  
11 and how they are being affected by the PM pollutants that  
12 come from the Salton Sea into our communities. So we are  
13 in a couple different outreach programs that we are out  
14 there and talking to the community. And what they keep  
15 telling us is we don't want to, you know, be asked all  
16 these questions; we want to see what's next. Like, this  
17 has been happening for such a long time, that we just want  
18 to know what's happening.

19 VICE CHAIR BERG: Do you think we could  
20 prioritize the community's needs so that we could address  
21 specific things. So, example on the Salton Sea.

22 MS. MEJIU: I don't understand.

23 VICE CHAIR BERG: Well, there's a lot of issues,  
24 right, within the community? And we obviously -- I mean,  
25 we can't address all of them at one -- we can't fix them

1 all at once. So do you think communities are looking at  
2 how to prioritize the issues within their communities that  
3 they would like to see done first?

4 MS. MEJIU: The prior is always health when we go  
5 out and talk to people. So air monitoring is the most  
6 important part, because that is the only way that they can  
7 get an alert and be aware of what pollutants are in  
8 certain times of the day. That's why the air monitoring  
9 data has to be real-time, because it's happening in --  
10 during breakfast, it's happening during their kids' lunch  
11 time. So I think that's the most important part of the  
12 whole aspect.

13 VICE CHAIR BERG: Well, I really appreciate all  
14 of your efforts and thank you for help -- educating me on  
15 this.

16 MS. MEJIU: Thank you.

17 MS. CLAUSTRO: Hello, everyone. My name is  
18 Mariana Claustro and I'm a community health worker and  
19 youth coordinator at CCV as well. I both live and serve  
20 in Imperial County and Riverside counties.

21 Like I said, I help coordinate youth  
22 environmental health internship. And the high school  
23 interns -- your high school interns, they benefit greatly  
24 from getting those real-time data that my colleagues were  
25 talking about.

1           About the air quality in the community, the  
2 students are already looking for ways to learn more. So  
3 like they were saying, they're ready to go get more --  
4 more engagement in the community about air pollution as  
5 well.

6           And in addition, they themselves are educating  
7 their own community. They have to do at least four  
8 presentations about like air quality in the valley. So  
9 they want to learn more, so they're doing an engagement  
10 themselves, into their own classmates and their own  
11 families and their loved once.

12           With that said, I'm here to ensure that the data  
13 that will be published on the Internet website is  
14 real-time unfiltered data, and that is trustable and  
15 reliable for the community.

16           I'm presenting the youth environmental health  
17 internship.

18           Thank you.

19           CHAIR NICHOLS: Thanks.

20           MR. LUGO: Hi. Good morning, Chair Mary Nichols  
21 and members of the Board. My name's Humberto Lugo. I'm  
22 the lead coordinator on the California Communities Air  
23 Monitoring, also known as IVAN Air. I've been working on  
24 the ground with community members in Imperial just  
25 educating, recruiting site locations based on scientific

1 analysis done prior to the hazard mapping activity. And  
2 I'm just trying to think of what I should talk about that  
3 hasn't been mentioned.

4           So, you know, this is I see as a down payment for  
5 this AB 617, as my colleagues mentioned. We have a two  
6 million dollar investment in this. So we feel that we  
7 have the model for the State of California for other  
8 communities to do this. And I'm not speaking that it's  
9 something that our organization wants to do based on our  
10 experience. But we want to allow other communities to do  
11 the same, to be able to have the same knowledge, the same  
12 capacity in their organizations and see where the  
13 involvement of the data, what it does to community  
14 members. They're using it every day. I know somebody --  
15 you just ask the question, how they use it? They're using  
16 it every day to better form -- make better decisions  
17 throughout the day on how when kids go to school,  
18 notification, flag programs.

19           Also, you know, what's been important about our  
20 project, that the knowledge that we already have in  
21 Imperial is already expanding to other locations. I know  
22 Luis mentioned San Ysidro. We mentioned Coachella Valley.  
23 And so it's expanding. There's other community members  
24 here that are also working currently on a monitoring  
25 network in Coachella Valley with support of the South

1 Coast Air Quality Management District, which is allowing  
2 us to co-locate with -- at their monitoring stations as  
3 well.

4 I also want to just touch back on what Diane  
5 Takvorian mentioned about some actions, is that SB 1000 is  
6 a very significant piece of legislation, that -- you know,  
7 we never thought that the point where we're at now with  
8 our data that we've gathered, that a piece of legislation  
9 so significant to our environmental justice communities  
10 would be wanting to use data from a community air  
11 monitoring network, which is very important, because they  
12 want to use it for land use, transportation, you know,  
13 organizations associated with public health.

14 And I wanted to add also a comment of a  
15 supervisor mentioned on the federal -- so I just wanted  
16 to -- I wrote this down. I just want to talk a little bit  
17 about it.

18 So the performance of the low-cost air quality  
19 sensors in Imperial County provides the methodology for  
20 quantifying the performance to the advanced tester system  
21 used in Imperial County Air Monitoring Network. The air  
22 quality network provides data at a much finer, spatial,  
23 and temporal resolution that has previously been  
24 impossible by government monitoring efforts. Once  
25 calibrated and validated, these high resolution data

1 provide more information on susceptible populations,  
2 assist in identification of air pollution hotspots and  
3 increase for media awareness of air pollution.

4           The network augmented diffuse regulatory monitors  
5 and increased monitoring near susceptible populations.  
6 Monitors are both calibrated and field validated, a key  
7 component of evaluating the quality of data produced by  
8 the community air monitoring network.

9           And our monitoring has been tested by AQ-SPEC at  
10 the South Coast. So we're very confident that we have  
11 good data and also compared to the federal reference and  
12 federal --

13           CHAIR NICHOLS: Thank you. I'm sorry to cut you  
14 off.

15           MR. LUGO: Thank you. That's okay.

16           CHAIR NICHOLS: But if you want to submit it --  
17 because you obviously have something in writing. If you  
18 could send it to us...

19           MR. LUGO: Thank you.

20           CHAIR NICHOLS: Thank you very much. Thank you  
21 for coming.

22           DR. ORANGEL OLMEDO: Hello, members of the Board.  
23 My name is Orangel Olmedo, M.D. I'm here with Comite  
24 Civico, and I'm here to bring you the clinical picture of  
25 the Imperial Valley asthma data.

1           Looking at the last data from the California  
2 Department of Public Health and UCLA. They rank number 2  
3 within the asthma patients, with over 29,000 diagnosed  
4 patients as of 2015. That's 15.6 percent of our  
5 population.

6           Also, we have one of the highest number of  
7 emergency -- emergency department visits and  
8 hospitalizations due to asthma.

9           My main goal as a doctor is to give the best  
10 treatment possible to my patients and make them aware  
11 about their disease. But that's just the tip of the  
12 iceberg of this problem. Because I can promise them  
13 they're going to get better even though I -- no action is  
14 taken on the risk factors that triggered the asthma  
15 attacks.

16           As we know in the Valley, the main ones are the  
17 agricultural burning, the pesticides, and fertilizers.  
18 And that makes me wonder if the Imperial Valley Air  
19 Pollution Control District are even doing their jobs.  
20 Because the numbers are there and they're only going up  
21 since the last decade.

22           So we also have a good response from the  
23 community and school to the IVAN air and Flag programs,  
24 and we have prevent our children to get exposed to the air  
25 pollution. And that's something we have seen within the

1 community. When we are a community-based program, they --  
2 the participation is better and the -- well, the numbers  
3 are there. I mean, we have to engage in this, because  
4 it's only going up.

5 And we are clear this is a disadvantaged  
6 community, and we want to make the Imperial Valley, if  
7 this is going to be suitable for a safe and healthy living  
8 in the future.

9 Thank you.

10 CHAIR NICHOLS: Thank you.

11 CHAIR NICHOLS: Astrid.

12 Okay. There you are.

13 MS. CALDERAS: Good morning, everyone. My name  
14 is Astrid and I'm here to represent the Community Steering  
15 Committee from the Imperial County.

16 I just want to share a little bit that during the  
17 past years -- the two -- during the past year and a half,  
18 I have been analyzing IVAN air data, and as well as  
19 governmental data. I have been interpretating[SIC] it to  
20 the Community Steering committee members in a way that  
21 they understand their environmental issues that have been  
22 affecting them on their communities for so long.

23 Now community members express that they finally  
24 clearly identify their concerns. In simple words, I have  
25 been like sort of like a bridge between the science, the

1 math, and translating it to community members.

2 I had a lot of it written, but most of it has  
3 already been said.

4 With regards to this, some of the communities  
5 have tell me, you know, "Finally, I feel identified,  
6 because, whatever I'm seeing, I am experiencing somebody  
7 20 years of research have told me that. Nothing has been  
8 related with the environment and your cancer or your  
9 asthma." Now, finally they're identifying those issues,  
10 and they see some hope.

11 They're also tired of people coming and knocking  
12 on their doors and wanting to do research, when nothing  
13 has been done for more than 40 -- for 40 years they have  
14 seen generations. They want their grandsons to have a  
15 safer environment.

16 And I'm here making a connection between other  
17 sources of pollutants. Unfortunately, the Imperial County  
18 doesn't have only one source. That would be like ideal,  
19 but we have the Salton Sea, we have the new river, we have  
20 border emissions, we have emissions coming from Mexico,  
21 which is the -- in Mexicali, which is the number one  
22 polluted city in Mexico. And not only that, but  
23 fertilizers used by close to four million in a year. And  
24 agricultural burnings, more than 14,000 acres a year and  
25 government just tell you there's nothing wrong with it.

1 The studies doesn't indicate that. But now with 40  
2 monitors across, we have been identifying episodes that  
3 the government will never be able to without those  
4 low-cost air monitors.

5           And I'm going to skip most of it, because I feel  
6 that there is already a role model that has provided  
7 results for a considerable period of time. This is 29  
8 months already of data that I have been analyzing. And I  
9 really think that if we start from zero, that can be a  
10 disadvantage for the communities, since we all know that  
11 evaluation and results in order to establish if the  
12 proposition will work -- and can I just finish this  
13 sentence?

14           That's going to take several years. What does  
15 this -- this means that sensitive affected communities  
16 cannot wait that time. You already have data, we already  
17 have manuscripts, we already have identified episodes, we  
18 have already identified pollutant sources that -- why not  
19 take advantage of a model, which has already provided all  
20 of these reliable data for a long period of time? This  
21 data was validated and the sensors were calibrated to  
22 regulatory monitors.

23           And I just wanted to --

24           CHAIR NICHOLS: You want action. You want  
25 something to happen, not just to be more studies.

1 MS. CALDERAS: And I wanted to answer like --  
2 well, you guys had other concerns and I have been doing  
3 them, that data analysis. And we have interest in things  
4 already. We're like a step forward from what this is  
5 proposing. So I don't know if this --

6 CHAIR NICHOLS: Well, that's what we hope to  
7 figure out here, quickly.

8 Thank you. Thanks for your input.

9 MS. ROSALES: (through interpreter) Good morning.  
10 My name is Rosales Guadalupe, La Union Hace La Fuerza  
11 organization. I'm a leader of my community. I live in a  
12 low-income community.

13 And my concern is my community because most of  
14 them will live in the field. Because we have an  
15 incidence -- a high incidence of respiratory illness and  
16 asthma, we're collaborating with the South Coast on the  
17 installation of monitors in our community, so our  
18 community members can be thus informed better about these  
19 pollutants and about particles that are harmful to our  
20 health.

21 We're about to install five monitors and we are  
22 in the process of -- and with the purpose of installing  
23 more that encompass the Coachella communities.

24 Thank you very much.

25 CHAIR NICHOLS: Thank you.

1 MS. RAMIREZ: (through interpreter) Good  
2 morning. My name is Manuela Ramirez, with the La Union  
3 Hace La Fuerza organization. I'm a person that's been  
4 involved as a community promoter for a number of years.  
5 So, consequently, I've been tracking and being aware of  
6 the problems in the community, that include asthma and  
7 increases respiratory problems.

8 I've seen how some of our youth, which are  
9 involved in sports activities, are being affected in our  
10 community and that is worrying to me. What will happen  
11 with this youth if we don't do anything about it?

12 Looking for ways to improve, I'm sure that  
13 together we can, in a collaborative manner, find ways to  
14 improve this issue in our community. Because we're living  
15 in an area that is highly exposed to these contaminants.  
16 Because we're close to fields, we're close to factories,  
17 and we're close to freeways, our youth don't have  
18 appropriate places where they can have physical activity,  
19 because of all of these contaminants. Because  
20 organization La Union Hace La Fuerza is striving to find  
21 type these contaminants. And in this way to reduce the  
22 chemical pollutants that are impacting asthma and other  
23 respiratory ailments.

24 Thank you very much for your time.

25 MR. CRUZ: Good morning, Board members and

1 audience. My name is Israel Cruz. I work for Comite  
2 Civico Del Valle as well. And I believe, as many of us  
3 believe, that if AB 617 is implemented correctly, many EJ  
4 communities will benefit from it, protecting the health of  
5 their citizens, right?

6           And by implemented correctly, I mean run by the  
7 community and benefit of the community. Models like IVAN  
8 Air Monitoring Network give the State the opportunity of  
9 relying in the expert eyes of the community. So now  
10 adults, youth, students, teachers, senior citizens, my  
11 neighbor, my family will decide how the air quality should  
12 be monitored, where and how many monitors to be located.

13           Also, with this proposal, with this AB 617,  
14 community will own and will have access to these data  
15 without any filters or inconsistencies, providing two sets  
16 of transparency between the State and the community.

17           As it was mentioned before by my colleague,  
18 Karen, stealing my Salton Sea momentum, I have the honor  
19 of working for my community in the Salton Sea Community  
20 Outreach Education and Engagement Program, also known as  
21 Salton Sea COE. This is an effort between Comite Civico  
22 Del Valle and the California Department of Water  
23 Resources.

24           So, the objective of the Salton Sea COE is to  
25 inform and educate residents about the current situation

1 of the Salton Sea; while the plan that the State is  
2 implementing the current projects, the impacts to public  
3 health and what community can do to protect themselves.

4           So as you're aware - and we have one Salton Sea  
5 champion here, Assembly Member Eduardo Garcia - the Salton  
6 Sea is an environmental and public health disaster,  
7 affecting thousands of families in Imperial Valley,  
8 Imperial County, and Riverside County. So the Salton Sea  
9 is a major source of pollution in our region. As the sea  
10 evaporates, it releases dust containing pollutants such as  
11 selenium, arsenic, and even trace of pesticides that are  
12 carried over hundreds of miles into our communities, into  
13 our families and homes.

14           But thank you to IVAN Air Monitoring Network.  
15 This is a tool that serves our program. So these  
16 thousands of families that have been affected by the  
17 Salton Sea issue, now they're aware of the air quality  
18 they're breathing. So IVAN Air has six air quality  
19 monitors located around the Salton Sea providing real-time  
20 data that helps residents to take informed decisions and  
21 reduce exposures to buy air quality.

22           So like I started, if AB 617 is implemented  
23 correctly, it will provide disadvantaged communities over  
24 California an opportunity -- a true opportunity to protect  
25 their health.

1 Thank you.

2 Exactly right on time.

3 CHAIR NICHOLS: Perfect. Good work.

4 (Laughter.)

5 CHAIR NICHOLS: There may be a prize here.

6 MS. GALE: Good morning, Board members. My name  
7 is Genevieve Gale. I'm a policy associate with the  
8 Central Valley Air Quality Coalition, or CVAQ. And we at  
9 CVAQ are very excited for the opportunity for AB 617 to  
10 address the localized impacts and cumulative impacts to  
11 communities that we have not been able to address with the  
12 State Implementation Plans.

13 And CVAQ has worked on these SIPs for over a  
14 decade, and personally on the PM2.5 plan for the past  
15 year; and so we feel we have a unique perspective on what  
16 has and has not worked with the state planning. And  
17 personal perspective, I feel we should be looking to the  
18 past to inform the decisions we make today.

19 And so speaking to what has worked, I really  
20 appreciate the conversation by Veronica and Karen on the  
21 need for objective criteria for successful programs. The  
22 San Joaquin Valley would not be where it is today without  
23 the clear attainment goals, the deadlines, and the  
24 enforcement that are embedded in the Federal Clean Air  
25 Act. And I feel we should mirror these strengths in 617

1 with minimum requirements, goals, and strong enforcement;  
2 so that it will be key to the success of 617.

3           Speaking to what could be improved, I'd like to  
4 spend my time focusing on community engagement. Many  
5 people in the San Joaquin Valley feel their voices are not  
6 heard when it comes to air quality planning. They take  
7 the time to come to meetings, they learn the issues, they  
8 voice their concerns. But they don't see the way in which  
9 their recommendations are incorporated into the plans.

10           And so I wanted to share a model of  
11 community-driven planning today that could allow CARB to  
12 reimagine what the public process could look like.

13           And this comes from Fresno. It's the Fresno's  
14 Transformative Climate Community's Program. The  
15 legislature appropriated 70 million to the Strategic  
16 Growth Council to invest in the city of Fresno to create  
17 a, quote, transformative climate community.

18           And it was an evolution of process, but the city  
19 ultimately decided that in order to decide how and where  
20 to invest, they utilize a community steering committee.  
21 And this committee was made up of everyone who lived,  
22 worked, or owned property in the project area. And as  
23 long as they showed up to a set number of meetings, they  
24 had not only a voice but they had a vote.

25           And so they were able to propose their own

1 projects. And then staff would connect those projects  
2 with organizations that could implement them, and then  
3 they provided the technical assistance and modeling  
4 information back to the public so the public could analyze  
5 the pros and cons of a project and finally vote on the  
6 projects that they wanted to see implemented.

7           So this resulted in an investment plan that truly  
8 and directly reflects the needs of the community.

9           And so I think this is a great example to look to  
10 and perhaps mirror with 617, with the community emission  
11 reduction plans along for transparency of data, and giving  
12 the community not only a voice but a vote.

13           Thank you. And I could speak for five hours. So  
14 I'll end it there.

15           (Laughter.)

16           CHAIR NICHOLS: Very articulately. Thank you.

17           Mr. Magavern.

18           MR. MAGAVERN: Good morning, Madam Chair and  
19 Board members. Bill Magavern with the Coalition for Clean  
20 Air.

21           AB 617 represents the necessary, and I would say,  
22 overdue elevation of community air protection as a  
23 statewide priority. And I've been impressed in the early  
24 months with the attention and the resources that CARB has  
25 been devoting to this effort.

1           I think it's also important to recognize that AB  
2 617 does not exist in a vacuum and that community air  
3 protection should start with the implementation of a  
4 number of processes that you already have underway,  
5 including the State Implementation Plan, the Sustainable  
6 Freight Action Plan, the SB 375 Sustainable Community  
7 Strategies, and the Toxic Risk Reduction Program.

8           When we look at criteria for identifying  
9 communities, I think it's important that we utilize  
10 census-tract-level data, and consider factors including  
11 emissions, health impacts, socioeconomic factors, and  
12 proximity to sources.

13           In the monitoring you've had a good discussion  
14 already. I think its important to listen to communities  
15 on where to place the monitors, and also to make the data  
16 available on line in real-time as much as possible. I  
17 agree with Senator Florez on that.

18           We need to recognize that community air  
19 protection, which will be a new layer of focus that adds  
20 to the existing programs that I talked about, for the  
21 first time we need to look at cumulative impacts at the  
22 neighborhood level; and that's going to require some new  
23 standards in addition to investments. So a mix of sticks  
24 and carrots.

25           And the implementation of the best available

1 retrofit control technology is an essential part of this  
2 in many of our communities. And that means upgrading the  
3 industrial equipment, not compliance just through paper  
4 credits.

5 I also believe that indirect source rules will be  
6 for many communities an essential way to get to the  
7 emission reductions that we require.

8 And the community plans should each have emission  
9 reduction targets. I agree with the comments by Genevieve  
10 from CVAQ. And I note that almost all the major successes  
11 that CARB has had have come when you've had specific  
12 numerical targets that you've had to meet, and then you  
13 push for those emission reductions.

14 And I would also say that when it comes to  
15 spending the community assistance grants, that you ask the  
16 community-based organizations what they need the most for  
17 those, and learn from the experience with the  
18 environmental justice small grants at CalEPA.

19 Thank you.

20 CHAIR NICHOLS: Thank you.

21 Mr. Foster.

22 MR. FOSTER: Good morning, Madam Chair, Board  
23 members. Good to see you, Board Member Takvorian.

24 Quentin Foster, Climate Director for the  
25 Environmental Defense Fund. I will try to keep my

1 comments succinct and timely. But I do want to say that  
2 the fact that we are having this kind of discussion within  
3 the broader context of how we take action on climate for  
4 me is personally gratifying, and I'm certainly pleased to  
5 include EDF's strong support for a passage and  
6 implementation of AB 617.

7 Board members, this is the most comprehensive air  
8 quality package that has been passed in California in  
9 decades, and it is long overdue for neighborhoods around  
10 this State. Many of these neighborhoods have a rich  
11 history of air quality advocacy and partnership with  
12 environmental health and environmental justice  
13 organizations. Their experience and expertise should be  
14 lifted up and utilized throughout this entire  
15 implementation process.

16 And there are many communities that need more  
17 robust air pollution monitoring, including neighborhoods  
18 near oil and gas production facilities. We know that  
19 there is clear evidence of the public health impacts on  
20 these fenceline communities, and a number of groups like  
21 CBE and the STAND have been doing incredibly important  
22 work on these issues for many years. We feel it is  
23 important to have these sites included in the monitoring  
24 priorities as we go forward.

25 We also want to reiterate that need for a clear,

1 decisive, and meaningful action on local air quality.  
2 Monitoring is only the first step, albeit an important  
3 one, to truly addressing air pollution in the most  
4 impacted communities.

5           Board members and stakeholders, I want you to  
6 know that EDF stands ready to be supportive of the  
7 implementation work and also believe that the Office of  
8 Community Air Protection carries a lot of potential; and  
9 we are hopeful that as that gets implemented, it will  
10 actually accomplish the goal of making sure that we  
11 continue to move forward in a progressive way on these  
12 issues.

13           Thank you for the opportunity to speak publicly,  
14 and we appreciate the opportunity to contribute.

15           CHAIR NICHOLS: Thank you.

16           MS. HOLMES-GEN: Good morning, Board members.  
17 Bonnie Holmes-Gen -- Chairman Nichols and Board members.  
18 Bonnie Holmes-Gen with American Lung Association in  
19 California.

20           And the Lung Association, I'm proud to say, was a  
21 strong supporter of AB 617 by Cristina Garcia, and we are  
22 very pleased to see this program kicking off today and  
23 with the recent workshops.

24           It's extremely important to ensure that our  
25 California climate programs are strongly integrated with

1 local clean-air efforts, and that we develop these  
2 local -- strong local air protection plans and monitoring  
3 strategies that for the first time address cumulative  
4 pollution problems.

5           And we are of course concerned about protecting  
6 our vulnerable communities. And when we look at who's  
7 vulnerable, it includes many of us, a huge swath of  
8 California: Those who are suffering from lung illnesses,  
9 asthma, COPD, lung cancer, other lung diseases; children,  
10 seniors; all of our communities living near freeways,  
11 industrial facilities, freight facilities, other pollution  
12 hotspots.

13           So we support this need for ambitious local  
14 action plans with clear targets and timelines, as has been  
15 discussed.

16           And a few comments in three areas. I want to say  
17 that the Lung Association, while we remain extremely  
18 involved at the State level, we have 10 local offices,  
19 we're involved and engaged in local community tobacco  
20 projects in dozens of communities around the state. And  
21 we look forward to employing our models of engagement and  
22 our experience and our networks to partner with you in  
23 this effort.

24           On monitoring, excited about the vision that's  
25 being discussed today of this mix of monitoring strategies

1 that are integrated, collecting local data, available on  
2 line and real-time, this is -- we're very excited about  
3 working toward these goals. And might I say these on-line  
4 efforts could potentially show people at a glance if  
5 emissions are increasing or decreasing compared to the day  
6 before, the week before. We have models like this in the  
7 energy-use sector that are very effective.

8           And we -- the state and local collaboration, not  
9 just with air districts but -- it may have already been  
10 envisioned, but with local health departments. It's  
11 extremely important to make sure we're addressing all of  
12 the local hotspots from the chromium -- hexavalent  
13 chromium to the schools near freeways, the warehouse  
14 situation, so many of these local considerations.

15           We'd like you to consider emission and health  
16 improvement targets for these local community plans, and  
17 the importance of identifying and tracking community  
18 health indicators in this effort. Health indicators,  
19 including numbers of asthma attacks, rates of chronic  
20 illness, emergency room visits, premature death, lost work  
21 and school days. Coordination with local health -- with  
22 health departments will be helpful in identifying these  
23 indicators. And there are already models underway of some  
24 excellent local health department monitoring and on-line  
25 mapping efforts to better evaluate and share

1 community-level health information. So we want to take  
2 advantage and harness all of that.

3 Okay. So we look forward to working with you and  
4 towards community-driven solutions and being a partner.

5 MS. TSAI: Hi. My name's Stephanie Tsai. I'm  
6 here on behalf of the California Environmental Justice  
7 Alliance. I want to first echo and appreciate the  
8 comments that have been shared so far from many of our  
9 L.A. organizations.

10 So we've submitted multiple pages of comments  
11 already, so I'm not going to go through the detailed and  
12 specific ones. But instead I want to share with you a  
13 story from Bloomington, which is very close by, you know,  
14 less than 10 miles from here.

15 So I just want to share a little bit about the  
16 experience of Tim -- excuse me -- Kim and Tommy Rocha, who  
17 live in Bloomington; and they're fighting the expansion of  
18 the warehousing and logistics industries, which have  
19 brought thousands of diesel trucks into their  
20 neighborhoods.

21 Right now they're battling a proposed warehouse  
22 that would be about 300,000 square feet and would only be  
23 70 feet from their back fence -- I'm just going to say  
24 that again -- 70 feet from their property.

25 These -- you know, as we all know, I think

1 there's certainly air quality issues there because of the,  
2 you know, massive volume of diesel trucks. And they have  
3 seen their neighbors, especially the kids and elderly,  
4 struggle with asthma and many other illnesses related to  
5 the air quality issues there.

6           So I just want to share that to ground our -- you  
7 know, hopefully we can keep them in mind as we move  
8 forward with the implementation of AB 617. As their  
9 situation illustrates, the need for action is urgent.  
10 This is an opportunity for CARB to act aggressively to  
11 address this crisis. The legislation really gives you  
12 broad authority and discretion, which I think you can  
13 utilize as an opportunity to prioritize and really center  
14 environmental justice and ensure that communities like  
15 Bloomington where the Rochas live see immediate progress  
16 on the ground.

17           You know, AB 617 also provides a framework for  
18 monitoring and reducing emissions. But we want to  
19 emphasize that we need to keep in mind the sources of  
20 these emissions, both stationary and mobile, and that we  
21 want to really think a little bit bigger to remember that  
22 we want to make sure that those sources don't -- do not  
23 continue to expand.

24           Again, AB 617 is an opportunity for CARB to gain  
25 the trust of environmental justice communities, some of

1 which you've heard from here today; and especially at a  
2 time when other opportunities for stronger regulation to  
3 improve air quality have been weakened.

4           So, once again, we submitted comments. We really  
5 look forward to working collaboratively with you all to  
6 transform toxic hotspots across the state into healthy,  
7 thriving communities. We welcome you to visit the  
8 communities where we live, work, and place so we can  
9 introduce you to residents and share with you, you know,  
10 on-the-ground experiences about the challenges that they  
11 face.

12           And just to reiterate, as we all know, our state  
13 is home to many communities with the worst air quality in  
14 the nation. These communities like Bloomington and many,  
15 many others deserve the right to breathe clean air. So  
16 let's help them get that.

17           Thanks.

18           CHAIR NICHOLS: Thank you. And thanks to all who  
19 took the time and trouble to come to speak with us. As  
20 you all know, this is a progress report, and an  
21 early progress report, but it seemed like it was important  
22 to check in and give the Board members an opportunity to  
23 update ourselves and each other on some of these  
24 activities.

25           A number of our board members have already been

1 quite actively involved in various ways with community  
2 meetings and in conversations with the districts. I'm  
3 sure that a number of them are going to also want to speak  
4 here.

5 I want to call first on Phil Serna. Supervisor  
6 Serna has been active also in this area of environmental  
7 justice for a long time, but was most recently in  
8 attendance at a meeting with CAPCOA, and I think may want  
9 to report on that.

10 BOARD MEMBER SERNA: Great. Okay. It says its  
11 on.

12 Is it on?

13 CHAIR NICHOLS: Yes.

14 BOARD MEMBER SERNA: All right. Yeah, I guess  
15 you have to be a little closer to it.

16 Thank you, Chair Nichols.

17 I first of all want to thank all of our speakers,  
18 the representatives from the various environmental justice  
19 organizations and others, and certainly our staff. As the  
20 Chair mentioned, this is kind of our initial salvo of  
21 updating the public, updating the Board, updating  
22 certainly a broad stakeholder group on what is by no means  
23 a simple and easy piece of legislation. I think we can  
24 all agree on that.

25 But I wanted to start with something that was

1 mentioned by Michael Neuenburg from my own local air  
2 district, the Sacramento Metropolitan Air Quality  
3 Management District. He made a brief mention of the fact  
4 that my colleague, Board Member Mitchell, and I had a  
5 chance this past week to attend the annual CAPCOA meeting,  
6 the conference of all of our APCOs from across the state.  
7 First time I've had a chance to be in front of the group.

8           And the subject was generally not just the  
9 implementation of 617, having that initial discussion in  
10 that setting with those -- with that particular  
11 constituency in the room. But I think what was actually  
12 very productive was looking at the prospect of the  
13 representation on this Board, being partially comprised of  
14 local representatives that have feet in both worlds; that  
15 is, service on our local air districts, and certainly on  
16 this Board, and also on our respective capacities as city  
17 council people or members of boards of supervisors. I  
18 think we have a really unique opportunity in that joint  
19 capacity to really affect how AB 617 is implemented, and  
20 not just from the standpoint of the various rulemaking  
21 that -- you know, subsequent rulemaking and the various  
22 protocols that will come from the intent of the  
23 legislation, but to work hand in hand as partners with you  
24 as we pursue in future years equitable funding  
25 distribution for our respective local districts that we

1 represent. I think there's actually a whole host of  
2 opportunity for us to work very collaboratively, and we're  
3 very fortunate, as has been mentioned, to have at our helm  
4 Mr. Corey, who has made it no secret that he intends to  
5 really infuse into his staff's thinking, and rightfully  
6 so, the theme of partnership with all of our air pollution  
7 control officers and local districts throughout the state.

8 So I thought, Chair Nichols, it was a very, very  
9 productive dialogue. It was less a series of statements  
10 by Judy and I as much as a conversation between the  
11 roomful of APCOs about how we can exploit in a good way, a  
12 positive way, a productive way, especially the opportunity  
13 presented by again the local perspective that we have  
14 appear as much as the state perspective.

15 Thank you.

16 CHAIR NICHOLS: Thank you.

17 BOARD MEMBER MITCHELL: Chair Nichols, if I might  
18 add to that.

19 CHAIR NICHOLS: Ms. Mitchell.

20 BOARD MEMBER MITCHELL: I think it was a very  
21 good endeavor that Supervisor Serna and I went to the  
22 CAPCOA meeting and presented on a panel. The State  
23 consists of 35 air districts. And we all are pretty  
24 familiar with the biggest of those. But there quite a  
25 number of smaller districts in the rural areas of

1 California and they each experience their own unique kind  
2 of pollution and emission impacts. And so it was  
3 interesting for Phil and I to hear from them what  
4 their -- what their unique problems are.

5 Obviously there was concern in CAPCOA about the  
6 budgeting and how all of us are going to meet the  
7 requirements of 617.

8 We expressed our intense interest in  
9 collaboration, collaboration with the Air Resources Board  
10 and collaboration with each other. We recognized that  
11 some of the larger air districts have resources and  
12 capabilities that can be shared with smaller air  
13 districts, and we stand ready to extend that offer to  
14 share.

15 I also want to say that our Executive Officer,  
16 Richard Corey, has been a real positive force in helping  
17 with this collaboration among all the air districts and  
18 the collaboration between Air Resources Board and the  
19 various districts.

20 So there is a lot of work to be done. I also  
21 think that the unique experience of those of us who are on  
22 the Air Resources Board who also serve as electeds in  
23 local agencies, this is a -- presents a pathway to do the  
24 community outreach that's going to be necessary as we work  
25 through 617.

1           So thank you, Madam chair.

2           CHAIR NICHOLS: Thank you very much.

3           I'll start on this end, I guess.

4           BOARD MEMBER BALMES: I would like want to speak  
5 here.

6           CHAIR NICHOLS: Okay. Go ahead.

7           They need to be called on.

8           All right. Let's start in order then. Let's  
9 start with Professor Sperling.

10           BOARD MEMBER SPERLING: We're trying to figure  
11 out these -- you can hear me?

12           There we go.

13           I just wanted to make one overarching thought.  
14 And it was inspired by the presentation this morning and a  
15 lot of the presentations from the public; and, that is,  
16 there was this thought that what we're doing is the most  
17 important change or air quality regulation in law, and at  
18 first I was kind of skeptical. But the more I thought  
19 about it, this really is revolutionary. I mean, this --  
20 the Clean Air -- this is so different from what the  
21 Clean -- the way the Clean Air Act operates. The Clean  
22 Air Act sets an ambient standard. And if any particular  
23 region is in vi -- if any one spot in that region does not  
24 attain the standards, then the whole region is  
25 nonattainment.

1           There's almost nothing in the Clean Air Act nor  
2 the planning process in the way that enforcement works  
3 that is tied to exposure. And that's what's really  
4 revolutionary about this.

5           And I say this because this has huge  
6 implications. It has implications for measurements that  
7 many people have talked about here, Professor Balmes and  
8 others, the instrumentation and the monitoring and the  
9 location. It has everything to do with how money is  
10 spent. It has a lot to do with the planning process and  
11 the regulations. I mean, this is completely -- well,  
12 let's say very different from the way we've operated in  
13 the past. And I think it's going in the right direction,  
14 because for one -- we are now explicitly focused on  
15 exposure and who's impacted. And before the number of  
16 people and the number -- amount of exposure was only  
17 incidental. Now it's front and center.

18           And so there are many -- we're going to have to  
19 think about even the types of strategies and policies and  
20 rules and incentives that we adopt. There's one research  
21 project I would just highlight as just an example of it  
22 that does -- that deals with geofencing, with trucks  
23 especially, where the trucks operate and the impact they  
24 have. You know, we didn't really have a mechanism in the  
25 past for adopting policies that -- such as that where you

1 look at how the vehicles would operate and where they'd  
2 operate.

3           For those that are really finicky about this,  
4 yeah, there was something called transportation control  
5 measures. But that was largely ignored for all the nerds  
6 in the room.

7           (Laughter.)

8           BOARD MEMBER SPERLING: So I just want to say  
9 that give perspective to what we're doing here, and the  
10 implications for CARB, for the air quality districts, for  
11 the local governments. And we better -- you know, it's  
12 going to take time and we better be prepared for it. So  
13 I'm also counseling a lot of patience in getting this  
14 right, because -- even the metrics. It's like we spent  
15 years and years figuring out how to come up with these  
16 ambient standards, you know, for each pollutant, for the  
17 time period; and now we're doing it completely  
18 differently. And that's going to take a lot of work and a  
19 lot of effort.

20           Thank you.

21           CHAIR NICHOLS: Thanks.

22           Dr. Balmes.

23           BOARD MEMBER BALMES: Well, first off, I want to  
24 echo my transportation engineer colleague about -- yeah,  
25 I'm impressed with your insight about exposure.

1 (Laughter.)

2 CHAIR NICHOLS: You feel free to comment on  
3 automotive technology if you'd like to.

4 (Laughter.)

5 BOARD MEMBER BALMES: And exposure's tricky, but  
6 I'm not going to go there right now.

7 I want to echo his comments about how this is  
8 really an entirely new paradigm. And it's very important  
9 for -- well, at the national level, but then at the  
10 community level. At the national level it's important  
11 because, as Professor Sperling said, this is busting the  
12 Clean Air Act or at least going around it, and I think in  
13 a right way. And I agree with him on that. And this is  
14 again an example of California leading the nation.

15 There may be other states that are going to  
16 community monitoring, but I haven't heard about it yet.

17 And so, I agree that it's something we have to do  
18 right. That's why I was asking technical questions about  
19 how we do the monitoring. And, frankly, what is ready  
20 is -- at the community level for monitoring is particle  
21 monitoring, PM2.5.

22 The communities, rightly, are concerned about air  
23 toxics. But I'm not sure we're, you know, ready for prime  
24 time on that, but that we should be moving in that  
25 direction.

1           And as I said, the second level is the importance  
2 of public health in disadvantaged, highly impacted  
3 communities around the State.

4           Fortunately, we're already, you know, embarking  
5 on identifying those communities through CalEnviroScreen.  
6 And I just want to say that I -- I appreciate that our  
7 staff has been -- has embraced 617's mandates but actually  
8 was already working on trying to be attentive  
9 appropriately to the health concerns of the communities  
10 that have been impacted, our environmental -- so-called  
11 environmental justice communities.

12           I also would say that Veronica Eady's job got a  
13 lot more interesting --

14           (Laughter.)

15           BOARD MEMBER BALMES: -- since the passage of  
16 617.

17           But I'm glad we already had her in place ready to  
18 work on 617.

19           So I have a lot to say and there are a lot of  
20 Board members that I'm sure also want to say things. But  
21 I think that Wayne Nastri led off with a very important  
22 point. The legislature gave us a short timeline to get  
23 much of 617 in place. And communities that are impacted,  
24 you know, want to see action. On the other hand, as my  
25 long-time colleague Paul English said, you know, what was

1 done, I think very well -- or is being done very well in  
2 the Imperial Valley, you know, took a lot of time and  
3 energy and effort to get right. So there's this tension  
4 between meeting the public and legislative demands for  
5 action, which are totally appropriate, with getting it  
6 right. Because if we get it wrong, I think that could be  
7 more harmful than not.

8           So before I turn it over to my colleague  
9 Supervisor Gioia, just a couple more comments. You know,  
10 one is with the statewide committee. I agree that we need  
11 community level participation and -- but the statewide  
12 committee's not a bad idea either, because CARB needs to  
13 set some standards for the whole process even if we also  
14 have to have community-specific or district-specific  
15 strategies.

16           I would volunteer to be a board liaison to that  
17 committee.

18           Another thing that -- you know, in one of the  
19 slides from the staff presentation was this I think  
20 important point about quantitative public health goals and  
21 clear metrics for tracking progress. I don't think the  
22 legislation actually gave us a whole lot of help in these  
23 regards. So this is areas where we're going to have to do  
24 a lot of work at the Board and staff level to get these  
25 important public health goals and metrics for progress

1 right.

2           So I would just end by saying this is a -- you  
3 know, a new paradigm in approaching public health at the  
4 community level related to air pollution exposures, and  
5 I'm really excited that we're going in this direction.

6           Thank you.

7           CHAIR NICHOLS: Okay. Mr. Gioia.

8           BOARD MEMBER GIOIA: Thank you.

9           I won't repeat the comments I made earlier, but  
10 just to emphasize this -- the community process and how we  
11 think about establishing local stakeholder groups. I  
12 wanted to point out, I think there were very good  
13 suggestions in the October 13th letter we received from  
14 the California Environmental Justice Alliance, the CEJA  
15 letter, and I wanted to comment that there are a few  
16 things I really think I want to make sure we're going to  
17 fund.

18           And there was a suggestion in the letter about  
19 funding support for community-based organizations. We  
20 have to understand that unless we provide them the  
21 resources to help us, it's harder for them to be as  
22 effective. So let me just hear from the staff. Are we --  
23 included in our plan, are we going to fund some support  
24 for community based organizations as they point out in  
25 their letter?

1 ASSISTANT EXECUTIVE OFFICER EADY: Yeah, that's a  
2 great question.

3 Absolutely. That's part of the \$5 million  
4 community assistance project -- grant program that we're  
5 creating. We think -- you know, it doesn't -- you don't  
6 have to think hard to realize that technical assistance is  
7 something that is really important and that communities  
8 are going to need.

9 So, yes. The answer is yes.

10 BOARD MEMBER GIOIA: Okay. And then in terms  
11 of -- you know, they go into a lot of detail. But I  
12 thought their four main principles at the outset are  
13 really important. Which just to emphasize, that the State  
14 and CARB will set clear and specific guidelines, but that  
15 we are going to sort of, not -- you know, they use the  
16 word "defer," but to really work and get guidance on the  
17 decision making and implementation process from EJ groups  
18 around the state.

19 And adding to that, I think working in  
20 conjunction with local air districts - and I think one of  
21 the air pollution control officers mentioned - local  
22 government. Because, frankly, at the city and county  
23 level there's sometimes good engagement, sometimes not.  
24 So I want to get back to this idea of this really  
25 multi-governmental level with the community involvement;

1 so it's community, local government, air district, and  
2 State.

3 Just so I'm not a voice just asking this, can you  
4 respond back about how you would see that happening.

5 ASSISTANT EXECUTIVE OFFICER EADY: Are you  
6 talking generally about public outreach and --

7 BOARD MEMBER GIOIA: Well, I guess there's  
8 different phases of sort of stakeholder involvement. It's  
9 the -- the setting up the original plan, but there's also  
10 the ongoing implementation. And maybe -- maybe we have  
11 different processes for both, right? So you talked about  
12 a statewide group. I want to understand that a little  
13 more.

14 ASSISTANT EXECUTIVE OFFICER EADY: So the  
15 statewide is -- advisory group is we were thinking is made  
16 out of -- comprised of the stakeholders that were laid out  
17 in the statute. So environmental justice organizations,  
18 air districts, affected industry, others and, you know,  
19 the two State bodies, OEHHA and Scientific Review Panel.

20 BOARD MEMBER GIOIA: Right.

21 ASSISTANT EXECUTIVE OFFICER EADY: So that body  
22 would come together fairly soon and start advising us over  
23 the next year as we're leading up to October 1st and  
24 coming back to you with the state monitoring plan and the  
25 statewide strategy and the prioritized communities.

1           So immediately they would start on those  
2 projects. But the advice could be ongoing as we implement  
3 the statute over the course of years. It would weigh in  
4 on, you know, how we do in the first few years and what's  
5 worked and what hasn't worked. They can help us come up  
6 with tweaks that we're going to have to do to the  
7 programs.

8           But as you mentioned, and has been mentioned also  
9 by the air districts, it's really important to get local  
10 input at the regional level through the air districts.  
11 And that would most immediately include the districts that  
12 have communities that are prioritized in some way.

13           BOARD MEMBER GIOIA: It would make sense to work  
14 with the local air districts who have developed their own  
15 sort of community advisory boards - either they have them  
16 or they will put them in place - because it's easier to  
17 sort of establish those at the regional levels, so for --  
18 you know, whether it's in the valley or in the Bay Area,  
19 in the south, working with the air districts. So it  
20 sounds like there is a commitment to doing that.

21           ASSISTANT EXECUTIVE OFFICER EADY: Yes,  
22 absolutely. We're going to be relying on the districts to  
23 gather that regional and local input from their  
24 stakeholders within their regions. It's going to be  
25 really important. And I know as the air districts who are

1 here and gave comment, South Coast, Bay Area of course,  
2 and San Joaquin, I know that some of them already have  
3 stakeholder groups that exist. We're certainly going to  
4 tap the districts for input on a local level.

5 BOARD MEMBER GIOIA: Finally, the funding you  
6 identify on slide 24 is one-time funding, right, the 11.7  
7 million at CARB and the 27 million first-year funding for  
8 air districts? So one of the areas just -- that will be  
9 ongoing is local air districts have the ability to charge  
10 stationary sources right through fee process for  
11 monitoring. But we don't have that regulatory authority  
12 for mobile sources. So I think local air districts are  
13 going to need help -- ongoing help in that area, because a  
14 lot of these areas we're looking at, the hotspots have a  
15 mix of stationary sources and mobile sources, and our --  
16 you know, and our fee authority only extends really to  
17 stationary sources.

18 So how do you see the ongoing help for mobile  
19 sources? Because if the monitoring's occurring locally,  
20 under sort of, you know, things are developed through  
21 local air districts, how do you anticipate helping that  
22 part of it?

23 EXECUTIVE OFFICER COREY: Richard Corey. So I  
24 think I'm going to weigh in on that. And I'm going to  
25 reflect a little bit on the discussions as 617 was moving

1 through the legislative hearing process, in both in terms  
2 of testimony we, the districts, and really others, many  
3 others made, it was recognition that 617 is, and all that  
4 it embodies, clearly high expectations, no doubt about  
5 that. And also recognition we're going to get the program  
6 done in one year. We clearly need some successes. We  
7 need real action. We need real reductions.

8           But their recognition, hey, this is a big issue,  
9 it's a big challenge, and no way is it going to take  
10 State -- additional State regs, local rules. But it's  
11 going to take funding. It's going to take sustained  
12 funding.

13           I heard a number of discussions with response to  
14 members of legislative committees recognizing that. And I  
15 think the expectation was, as the budget process moves  
16 through -- and I also heard administration discussions --  
17 the expectation of continued support.

18           Now, that obviously needs to go through a  
19 process, needs to go through hearings and so on. But I  
20 think the understanding is is that ultimately moving the  
21 needle, moving forward and getting reductions, there's  
22 going to be a mix of actions - local, State, regulatory,  
23 and as well as funding. So I know those discussions will  
24 continue to move toward. But I think two things: One, I  
25 think the most important thing we can do right now is the

1 point that was underscored here, which was effect a public  
2 process engagement, clearly a broad range of stakeholders  
3 represented here, in partnership with the districts, to  
4 establish a -- effect a program that is predicated on real  
5 actions, real reductions, transparency of data, and really  
6 getting out that 250, which is a significant appropriation  
7 but in the scheme of the challenge I think is just the  
8 beginning. I think people recognize that. We get some  
9 successes out the door I think we're underscoring what can  
10 be done with the money and I think winning some further  
11 support.

12 BOARD MEMBER GIOIA: Thank you.

13 CHAIR NICHOLS: Any others on this side of the  
14 podium?

15 Yes, Mr. Garcia.

16 Or, Mr. Florez, I'm sorry, did you -- go ahead.

17 BOARD MEMBER FLOREZ: I'm just going to follow up  
18 on some questions.

19 My original questions were on the technology.  
20 But I think Mr. Corey answered the question, I hope, about  
21 the ongoing funds necessary to make this a success. This  
22 seems like a very small number ongoing, unless this a  
23 continuous appropriation. So I wanted to go before Mr.  
24 Garcia so Mr. Garcia will say, "Don't worry about it.  
25 We're going to take care of that" --

1 (Laughter.)

2 BOARD MEMBER FLOREZ: But I would say it seems as  
3 though a significant investment needs to be put in place  
4 ongoing beyond the 250 million. I just say at first  
5 glance that number seems small and it seems limited. And  
6 I hope that the legislature and the Governor, who actually  
7 puts out the first budget I believe and sends it to the  
8 legislature, is listening because I -- hopefully the  
9 legislature will have something to act on.

10 The other question I have is about mistakes,  
11 things we should look out for before they happen. We all  
12 know how these processes work. I would not give up so  
13 easily on the EJAC as being -- if you have a final arbiter  
14 of recommendations that get to this Board, it's a function  
15 of -- and folks that we know, they brought us a lot of  
16 different items. But I would say that somehow leaving  
17 this to the air boards to be a mediator, a negotiator for  
18 environmental justice groups in each area of California is  
19 definitely not the way to go.

20 Just my opinion only. But I certainly think that  
21 if we could find a process that -- and somehow is  
22 reflective of those areas but yet not having the air  
23 boards in some sense be the negotiator for who those  
24 groups are, it's just going to save a lot -- about 15  
25 meetings about why that process didn't work, right,

1 correctly, or somehow left-out input.

2 I would also say that the EJAC as a group, we are  
3 familiar with the faces, we are familiar with the long  
4 arguments in some cases we have and working out policy  
5 differences. But I think we have to how some way and some  
6 group that we can communicate with on a more ongoing  
7 basis.

8 Only the last -- the last comment I'd probably  
9 ask is, we have a tremendous amount of research. I know  
10 we have a research agenda item on one of our agendas -  
11 don't know it's today or not - a whole list of research.  
12 I would just ask our academic community -- I know we have  
13 a few academics on the Board. But it seems like we need  
14 some deeper dives. I know that there has been great work  
15 done. And I'm going to point out Luis and say, "Thank you  
16 for helping to guide a lot of that research." But I still  
17 think we need some more significant research from our  
18 university community on this aspect of what a monitoring  
19 system truly looks like in California, that is connected  
20 and has a lot of resiliency in it. And I'm not sure that  
21 our Board with the time frame that we have is going to be  
22 able to do that.

23 So I would hope that at some point Chair,  
24 Mr. Corey and others in travels will get our university  
25 community completely focused on this singular issue of

1 what does a network air monitoring system look like in the  
2 year 2060 for this Board and for California. And I think  
3 if we're focusing on that long term, I think we'll  
4 hopefully then recognize that all of these pieces have to  
5 fit together as Wayne mentioned earlier in his  
6 presentation.

7 CHAIR NICHOLS: Keep on going.

8 BOARD MEMBER MITCHELL: I just want to make a  
9 point about the monitoring, because there's been a lot of  
10 discussion this morning about the monitoring. And while  
11 we have pretty good low-cost monitors for PM, that's not  
12 all that we're going to need to monitor in this program.

13 For example, the monitors for hexavalent chromium  
14 are very expensive. And the analysis of the filters for  
15 hexavalent chromium is also expensive and time-consuming.

16 So I hope our communities will have realistic  
17 expectations about how we can do the monitoring and how  
18 fast we can move on it. Obviously technology's improving.  
19 But as Mr. Nastri said, we're not there yet for a number  
20 of things because it depends, as you know, on what  
21 pollutants, what toxics you are actually measuring and how  
22 we can do it, and what monitors are available and at what  
23 cost.

24 So I admire and look forward to finding solutions  
25 to this; and also to a website, which is similar to what

1 we have now on the ARB website, that can tell you what's  
2 happening in your community with the most accuracy that we  
3 can muster with the existing technology. Just wanted to  
4 make that point so that expectations are really realistic.

5 Thank you, Madam Chair.

6 CHAIR NICHOLS: All right.

7 ASSEMBLY MEMBER GARCIA: Madam Chair, thank you.  
8 Good points have been made. Everything from the actual  
9 revolutionary, you know, approach to addressing, you know,  
10 community air quality problems to the actual funding  
11 aspect of things. And I think we've heard the word "down  
12 payment" used in different context, right, and I think  
13 popularly and figuratively both on the policy side as well  
14 as the funding mechanism. And I would love to sit here  
15 and say don't worry about the funding. But I think in  
16 this particular aspect the fact that there's a bit of some  
17 uncertainty really forces us to stay on the issue and  
18 continue the organization, both on the ground with our  
19 communities working closely with the air -- local air  
20 districts and of course, you know, the leadership here and  
21 our team.

22 I do want to just acknowledge, you know, the work  
23 of the ARB team, who has jumped on this steadfast and has  
24 rolled out, you know, what we see today to be the initial  
25 approach that I believe has been inclusive. Many people

1 have been able to participate. The comments earlier about  
2 the letter we received from CEJA, those points are well  
3 taken, and I hope that there will be some consideration  
4 for some of those highlighted suggestions for the process  
5 moving forward.

6 I do want to say that it's important that I  
7 recognize the work of the folks in my district, both  
8 constituents and partners on this issue. I will say I'm  
9 disappointed that the executive director of Comite Civico  
10 didn't bring 20 more people to speak on behalf of how  
11 great the program is. And I probably shouldn't have said  
12 that because next time we will.

13 (Laughter.)

14 ASSEMBLY MEMBER GARCIA: I rescind that comment.

15 But in all seriousness, there is a model in our  
16 backyard in an area that is truly impacted by the  
17 pollutants, the air quality impacts that we're talking  
18 about. And, you know, they were touched on in various  
19 ways, whether it be the industry, the Salton Sea, and/or  
20 the border. And, you know, I -- there is an item on the  
21 consent calendar I wanted to ask some questions to  
22 Mr. Richard Corey; and I appreciate you holding back on  
23 the item.

24 But I just again wanted to commend the team here  
25 at ARB and hope that we can continue to be as inclusive as

1 we have been so far. I know that our office as well as  
2 Assembly Member Cristina Garcia's office is very  
3 interested in having members of our team participate in  
4 some of these conversations as well.

5 And so with that being said, I just wanted to  
6 again acknowledge the work that's being done, both on the  
7 ground by, you know, our constituents and partners in our  
8 own district and of course the work of the staff here.

9 So thank you.

10 CHAIR NICHOLS: Thank you.

11 Ms. Berg.

12 VICE CHAIR BERG: Thank you.

13 I too want to echo and appreciate the comments  
14 that my fellow Board members have made, and appreciate  
15 Assembly Garcia for bringing up the fine work that has  
16 been done in his district as well as others. And would  
17 like to encourage staff to be looking at what has been  
18 done and how that can catapult us forward on some of these  
19 action items. And I thought some of the testimony that  
20 was brought before us really had some merit on some of  
21 those issues that maybe we could go forward faster than in  
22 others.

23 And that kind of leads me to my second comment,  
24 which was -- which is, wow, what an incredible opportunity  
25 we have but what a huge project this is; and how we are

1 going to be able to truly do the learning in a way that  
2 allows us to prioritize and come up with a few  
3 opportunities to do the learning so that the next steps  
4 we'll be able to roll out things quicker.

5           If we truly try to apply this statewide right off  
6 the bat, I think that it will be very overwhelming and it  
7 will take longer. So it's going to be hard choices to  
8 make, and -- but I think how we can prioritize and  
9 categorize so that we are addressing as many things as we  
10 can, but truly focusing on a model and a structure that  
11 works could be helpful.

12           And then I think that my final point, because  
13 like everybody else, I think that we all could talk about  
14 this - and I hope we all do talk about this over the next  
15 year quite a bit - is the fact that how we communicate and  
16 how we share information I think needs to be changed as  
17 revolutionary as what our program is.

18           Many agencies are -- we're just like businesses,  
19 we're just like our families. When we communicate, we  
20 want to protect people from too much information, how do  
21 we tell the problems, what are the challenges, and we have  
22 done that at ARB as well. So I did attend the meeting in  
23 Los Angeles and -- by the way, which I thought was very,  
24 very well done. I so appreciated all the very thoughtful  
25 comments and certainly appreciated that Assembly Member

1 Garcia attended the full meeting, as she has attended all  
2 the full meetings. That is really a tremendous commitment  
3 on her behalf.

4 But as we heard the problems, we acknowledged the  
5 problems, but we didn't really share the challenges that  
6 come along with the problems, like enforcement of the  
7 truck and bus is a great example.

8 And so I think as we're empowering these  
9 communities and we're talking to people, we truly do need  
10 to share the challenges that we do have in regulating, in  
11 enforcing, the impacts that it has. I think we do need to  
12 bring in an economic piece to this, because only really  
13 good decisions are made if everybody has all of the  
14 information. So what we don't want to do is -- we don't  
15 withhold information, but it's how we share that  
16 information that allows everybody to make really good  
17 decisions and truly understands the impact.

18 And so with that, I really want to thank  
19 everybody. I think we're off to a great start. It kind  
20 of feels a little bit like when we were doing cap and  
21 trade to me. We have this great blank piece of paper and  
22 it feels overwhelming. But we are so good at these  
23 things, and truly the work that CAPCOA is doing, all of  
24 our partners, I'm really excited to be part of it.

25 And thank you.

1 CHAIR NICHOLS: Thank you.

2 I'm going to skip myself and move on to Mrs.  
3 Riordan.

4 BOARD MEMBER RIORDAN: Thank you.

5 One thing I just would like to underscore very  
6 quickly is our efforts to work with CAPCOA, because I  
7 think that's so important for the long term success of  
8 this effort. And in thinking about it, there are  
9 obviously -- and I'm looking at the speakers that spoke so  
10 well earlier in the process from CAPCOA. You have had a  
11 lot of experience and clearly way ahead of many of our  
12 smaller districts -- our midsize and small districts.

13 And it occurred to me that I'm going to have to  
14 ask you to share a great deal of your information with  
15 your smaller members. A lot of them -- you and I both  
16 know how small some of those districts are and how, you  
17 know -- but -- and they may not have the big refinery  
18 that's caused a lot of community activism. But they may  
19 have smaller issues that we need to recognize and learn  
20 how to address community involvement and measurement  
21 within a very small area. And I think we as members of a  
22 larger agency such as CARB need to recognize there's just  
23 going to be a huge difference between what we see in the  
24 South Coast maybe and the Bay Area and San Joaquin versus  
25 Mendocino County and their air district.

1           So I just want to encourage you to understand the  
2 differences that we have in California and work within the  
3 overall system, but try to always remember that there are  
4 different parts of California who have very different  
5 issues.

6           Thank you.

7           CHAIR NICHOLS: Okay. Mr. Eisenhut.

8           No.

9           BOARD MEMBER SHERRIFFS: Thank you.

10           Very ambitious, very ambitious. You know, I'm  
11 given confidence because of the broad engagement, the  
12 broad representation we have here, the broad agreement on  
13 the general outlines of what we need to accomplish, the  
14 passion that people have brought here. And the fact that  
15 at least we have some money to get started doesn't hurt,  
16 helps my confidence.

17           You know, some of the thoughts. One, yeah, we  
18 need to be flexible because these air districts are very  
19 different. There are so many -- you know, as we think  
20 about communities, there are possibly air districts that  
21 could really be considered one community, one  
22 neighborhood; and there are other air districts that  
23 surely have at least 150 communities, by any definition,  
24 in them.

25           So there are very different challenges for

1 different air districts. So whatever we design needs to  
2 recognize that flexibility. But by the same token I think  
3 as we reflect on the successes we've had under the Clean  
4 Air Act, again it's metrics, it's targets, it's timelines  
5 it's deadlines, it's accountability, it's consequences.

6 As we think about how this gets designed -- you  
7 know, again, we are a public health agency. This is all  
8 about public health. And we're taking a different  
9 approach as we look more closely at community exposure.  
10 But that's really what we need to think about, is how are  
11 we going to measure the health exposures, and then how are  
12 we going to measure -- when we do these interventions,  
13 what's the modeling, what do we think we're going to get  
14 for it?

15 And that's going to be critical as -- because  
16 funds are never going to be unlimited -- how to  
17 prioritize. And we're not looking to pit communities  
18 against communities. We're looking for how we're going to  
19 come to general agreements about how to prioritize  
20 problems and issues.

21 The data issue, the monitoring, you know, how is  
22 it that we come to where we are today? You know,  
23 technology, it's incredible. You know, we think about  
24 what a cell phone looked like 20 years ago; you know, it  
25 filled a briefcase. And now, you know, it's not a cell

1 phone. It's a camera, it's an encyclopedia, it's -- it's  
2 incredible what it is.

3           And so again as we look at the monitors we have  
4 today, they're nothing like what was possible in the past.  
5 So this is -- this is a way individuals indeed are  
6 empowered to be involved.

7           But then, yeah, we need to be sure that this data  
8 is vetted, not dismissed; but that indeed when we get  
9 data, we have some way of -- some hierarchy of how good is  
10 this data. Is this preliminary data? Is this preliminary  
11 data with really good equipment or pretty sketchy stuff?  
12 Is it data that's been validated over and over?

13           And it's very much a work in progress.

14           I think about -- any birders in the room? Any  
15 birders in the room? There's this thing called E-Bird  
16 that Cornell runs. And, you know, if you're a birder, you  
17 sign up, and you go somewhere and you see birds and you  
18 send them what it is. And this is public access,  
19 transparency. People can access it. One -- "Oh, I want  
20 to go see that bird." But also for research, for  
21 scientific purposes. And you think about how raw the data  
22 is, because mostly I'm looking at little brown birds; and  
23 this guy over here, just from the song, knows exactly what  
24 it is.

25           So the data's pretty crude, but it is

1 extraordinary what comes out of that.

2           But -- you know, I also think about, you know,  
3 telescopes, they share time with different scientists.  
4 And we in the air districts have a lot of monitored data.  
5 And this is an opportunity I think -- how do we put that  
6 out to the public in a way that the public can comprehend  
7 and make use of it? We've got a lot of data that is  
8 already -- we ought -- this is an opportunity to think  
9 about how do we make that more available so the people  
10 have more confidence in what they're seeing and what their  
11 environment is, and then also identify where they want to  
12 get involved to change that environment.

13           As if things aren't complicated enough. Yeah,  
14 boy, we really need to think about how to bring health  
15 departments into this. You know, as is mentioned, a big  
16 part of this is public education, talk about curriculum.  
17 Oh, my goodness, you know, the UCs, the community  
18 colleges. The high schools; you know, talk about citizen  
19 scientists to set loose.

20           So both in terms of developing curriculum for  
21 education, for educating people, and also for driving some  
22 of the research that can come out of this.

23           Big, big challenge has been mentioned. You know,  
24 we want engagement, we want empowerment. This is an  
25 incredible opportunity for that. But then the big issue

1 of expectation. And so, again, what's our structure  
2 that's going to help everybody see clearly the priorities  
3 and where we're going to get the best value, the most bang  
4 for the buck as we utilize what funds we do have available  
5 or where we want to be putting our efforts to get more  
6 funds.

7           Very much I think of this as a doctor. You know,  
8 I think about my patients, you know, checking their blood  
9 sugars. Some of them are incredibly intelligent about  
10 that, and others are very diligent but, you know, they  
11 don't understand the data.

12           So it's a terrific opportunity, lots of  
13 challenges. And I'm glad our staff's working on this.

14           CHAIR NICHOLS: Okay. Mr. Serna, are you -- you  
15 had your piece before?

16           BOARD MEMBER SERNA: Yes.

17           CHAIR NICHOLS: Thank you.

18           Ms. Takvorian.

19           BOARD MEMBER TAKVORIAN: Yes. Thank you very  
20 much.

21           And thanks to all of the witnesses who were here  
22 today. Really appreciated the districts being here and  
23 all of the community residents and the organizations.  
24 Really appreciate Comite Civico sharing their experiences  
25 and their expertise. Everyone from all the different

1 perspectives was really powerful.

2           And I also appreciated CEJA's good policy  
3 guidance recommendations and CVAQ's what I thought was a  
4 really powerful community participation example.

5           So I feel like we've gotten a lot of really good  
6 information just today. And I know you're getting -- the  
7 staff is out there and appreciate your intention to get  
8 all this information and all this guidance in a really  
9 rapid -- I mean, this has got to be speed relief - shall  
10 we call it that? - a speed path towards relief. And I  
11 appreciate how everyone's really embracing that. And I  
12 think that's really the right way to go. I mean, the  
13 communities have been asking for this relief in direct  
14 emission reductions for decades really. And so we have a  
15 lot to make up for in terms of what we haven't done, but  
16 we also have a lot of experience to build on for what we  
17 have done and what we know.

18           So it seems to me that it's critically important  
19 that we have both a robust and credible and efficient  
20 monitoring system and that we have a really responsive  
21 community action plans and community action system that  
22 goes together. And that's going to really require the  
23 authentic community participation that I think we're all  
24 grappling with. And it has to be authentic community  
25 participation in which community residents really have

1 power.

2           And that leads me to my -- I think my main point,  
3 which is CARB really has to put forward very strong  
4 guidance and very strong requirements. And I agree with  
5 the districts' comments that not one size fits all, but  
6 clear baseline requirements for the local districts and  
7 their programs I believe are essential.

8           And I think that some districts will have already  
9 exceeded what we might consider to be those baselines.  
10 You know, you may -- but there's also districts around the  
11 state, as I think have been mentioned, who are going to  
12 need not only help, but guidance and requirements frankly.  
13 We -- I really don't want to be back here next year  
14 saying, oh, XYZ district did a really good job because  
15 they already had a community engagement task force, they  
16 already had connections, they'd already done 50 meetings  
17 with community members; and another air district had never  
18 done that -- has never included environmental justice in  
19 anything they've ever done.

20           And so we have real diversity, and we have to  
21 really address that diversity I think, and it -- and we're  
22 on a fast timeline. So in my view that leads us to really  
23 needing to have CARB come forward with clear objectives,  
24 clear criteria. We can't have five community meetings  
25 that don't have child care, that don't have food, that

1 don't have interpretation. That's just off the table at  
2 this point. Those kinds of mistakes can't happen anymore.  
3 We're way beyond that. CARB is way beyond that. And so  
4 all the districts have to catch up and be there as well.

5 Communities should expect nothing less than that.  
6 And those are baseline kinds of criteria that I think we  
7 all embrace and we all need to have.

8 And I think it starts to address the resource  
9 issues too. If every district is developing their own  
10 model for data collection and for data distribution, that  
11 seems to me we may be paying for that in -- over and over  
12 again. What can we do that actually saves money for the  
13 districts because we have a model that everyone can  
14 utilize and then build on so at least we have that basic  
15 information that we can see across the State. I really  
16 agree with that.

17 You know, I have to reflect on a story I was  
18 reminded by Ms. Mitchell's comment, that in more years ago  
19 than I want to say -- I think it was 2004 -- CARB came to  
20 our neighborhood in Barrio Logan and spent a million  
21 dollars to monitor for hexavalent chromium on one plating  
22 shop that had been a huge nuisance in our communities.  
23 And they found the highest hex chrome levels that had ever  
24 been found anywhere. And ultimately that facility was  
25 shut down.

1           This led to the land-use guidance that CARB put  
2 forward, and it also led to the EJ element that we did in  
3 National City and then is now the basis of SB 1000.

4           There are still chrome platers in all of our  
5 communities. And we all know what the problem is, and our  
6 cities are still allowed to locate chrome platers and auto  
7 body shops and other sources of pollution right on top of  
8 homes and schools.

9           So I guess I would say the expectation is we  
10 don't go out and monitor for hex chrome across the State.  
11 We already know that it doesn't belong in our communities.  
12 And so I'm hoping that we can really integrate what we  
13 know with what we -- with the actions that we need to  
14 take. I hope we don't spend millions more dollars on  
15 that. I hope we really push forward - I'm looking at  
16 Assembly Member Garcia - with legislation that says, "You  
17 don't get to do this anymore." We know enough and we're  
18 not starting from scratch. So -- I know I sound  
19 impatient, but that's where we are.

20           (Laughter.)

21           BOARD MEMBER TAKVORIAN: And I think that  
22 communities have lived long enough with this, and it's  
23 ridiculous to continue to expose people to things we  
24 already know are bad for them and to allow these practices  
25 to go forward.

1 I hope that this program can be about what we  
2 really don't know, and that we're filling those data gaps.

3 You know, the other thing that some folks have  
4 mentioned is health data. That should be incorporated.  
5 And again there's a lot of health data that we have.  
6 There's a lot we don't. We know about asthma  
7 hospitalization rates, but we don't know about asthma  
8 incidence rates. So could that be a piece of legislation  
9 that comes forward next year that requires that asthma  
10 incidence be reported by local health providers? Well --  
11 I know, I'm going to look at anybody's face. Because it  
12 just -- it's frustrating for us not to have that incidence  
13 so that we can really point to that and say that's a gap  
14 that we have, and not something that's going to be solved  
15 by this monitoring program, but this monitoring program  
16 can actually spur that.

17 And then the last thing I'll say is the  
18 integration of programs for the development of the  
19 community action plans. Obviously our communities are  
20 impacted by lots of sources of pollution, and many of whom  
21 are fortunate enough now to be the subject of CARB  
22 programs like the Sustainable Freight Program. And  
23 there's a lot of money coming forward for electrification  
24 of freight and this whole infrastructure that's coming  
25 forward.

1           So I hope that we're able to utilizes those  
2 resources and say, you know, we know that's what needs to  
3 happen at ports and we know that we need to electrify that  
4 infrastructure and we know that we need to have -- as long  
5 as we don't have all-electric trucks, we need to have  
6 truck routes that really take those trucks away from our  
7 communities. So that needs to be done on a local level  
8 and really I think should be required along with the  
9 implementation of the Sustainable Freight Program and  
10 others like that.

11           So it just seems we have a huge opportunity here  
12 with this program to really bring the other programs  
13 together to have those community action plans be really  
14 robust and really impactful in, you know, a relatively  
15 short term.

16           So thanks. Appreciate it.

17           CHAIR NICHOLS: Okay. If everyone has been heard  
18 from who wanted to be heard from, let's just conclude.

19           I do want to add a couple thoughts. First of  
20 all, when we do regulatory items, usually we have lots of  
21 people who come in and talk about how wonderful our staff  
22 is. And I heard a few comments about how good our staff  
23 is. But I think there might be a couple more that need to  
24 be added.

25           So I want to say that when 617 passed,

1 practically before the signature ink was dry, Mr. Corey  
2 had begun the process of figuring out how we were going to  
3 implement this piece of legislation. And the fact that he  
4 created a new group to work on it and chose Karen Magliano  
5 to lead it, and then brought Veronica Eady Edie who had a  
6 national reputation of her own that she brought to us and  
7 national experience, I think speaks volumes about the  
8 seriousness of which we take this new challenge.

9 I want to mention Karen because, although she's  
10 been here before the Board a number of times, you all may  
11 not realize quite what a technical powerhouse she is, and  
12 what she brings to the thinking that goes into all of the  
13 issues that we've all been raising about measuring and  
14 monitoring and analysis. She has a depth of knowledge  
15 about how the current Clean Air Act works and its  
16 deficiencies that is going to be extremely valuable to us  
17 going forward.

18 You all may not have focused on the fact that  
19 among the items that we included in the research proposals  
20 that were voted on by consent were several items that deal  
21 directly with some of the questions that people are  
22 talking about here.

23 So ARB has not been asleep at the switch when it  
24 comes to looking at some of the concerns about how we  
25 prioritize our work from a -- using science. However,

1 this does remind me that I don't know that we have had a  
2 real discussion with our Research Screening Committee and  
3 Research Division about whether we have a full-blown  
4 program that addresses the kinds of questions that we're  
5 now facing with 617.

6 And I'd like to ask Mr. Corey if you could  
7 specifically focus on that when you next are working on  
8 the budget, and thinking about what the priorities for the  
9 research program are going to be also.

10 EXECUTIVE OFFICER COREY: Will do. In fact,  
11 that's a perfect link to some language in 617 actually  
12 calls out the Research Screening Committee with respect to  
13 the monitoring guidance and the State strategy, so that  
14 really interface between the research agenda. So will do.

15 CHAIR NICHOLS: Well, obviously there's a lot of  
16 work going on at the University of California, and we've  
17 got our own Health Department. Nobody ever has as much as  
18 they want or probably as we need, but it would probably  
19 serve us well right now to start doing some convening just  
20 to make sure that we're hearing from the experts that are  
21 out there and having a chance to reflect on where the  
22 greatest needs are and get moving on them fast.

23 I don't think I have more to add other than just  
24 to thank everybody for being here once again. And express  
25 my great hope and optimism that given the level of

1 engagement we have, that we're going to be able to do  
2 something really significant here.

3           So thank you very much.

4           Before we break for lunch, Assembly Member Garcia  
5 had indicated that he was concerned about an item that  
6 would have otherwise been on the concept vote. And so I  
7 want to -- just to quickly see if we can give you a chance  
8 to bring that one forward.

9           ASSEMBLY MEMBER GARCIA: Thank you very much,  
10 Madam Chair.

11           Just a question for Mr. Corey as it relates to  
12 the change pertaining to pollution being caused by our  
13 friends, partners on the other side of the border. And  
14 although Imperial County will no longer be responsible  
15 for -- I guess directly responsible for attempting to  
16 address the issue, what are we doing with our partners on  
17 the other side of the border in terms of expecting  
18 improvements to air quality within border regions? And I  
19 know that building a big wall probably isn't the, you  
20 know, option or answer. But maybe give you some time and  
21 explain to us what's going on there? What are we doing or  
22 not doing to try to address that issue?

23           EXECUTIVE OFFICER COREY: Yes, Assemblyman. And  
24 you're hitting on a really important issue, which is an  
25 international border that clearly impacts air quality.

1 Emissions in Mexicali impacting really border issues,  
2 including Calexico.

3 A few points in terms of efforts that are  
4 underway. But I need to be clear that this has been an  
5 effort that's been underway for many years, two decades.  
6 Now, the collaborative agreement with the Mexican  
7 government, there's been a strengthened agreement over the  
8 last few years. So I'm going to hit on a few of those  
9 points. But imbedded in my point is there's much more to  
10 do to make significant progress, no doubt about it. But a  
11 few points to make.

12 One is the agreement with SEMARNAT, basically the  
13 Mexican environmental agency, working with them on  
14 enforcement on the Mexican side of the border. So our  
15 team, our enforcement team training on motor vehicle  
16 testing, training on fuels testing, that's been underway  
17 for some time and is really an important feature from the  
18 overall program.

19 The other is enforcement on our side of the  
20 border. Now, that requires our collaboration with CHP to  
21 pull trucks over at the border. More needs to be done on  
22 that. But we clearly have issued a number of citations on  
23 that count in terms of trucks that don't. And in fact I  
24 participated in those inspections historically.

25 The other's on monitoring. Both -- and you

1 clearly heard monitoring that's taking place on the  
2 California border side through Luis and his team, and some  
3 California monitors. The data is very important and it's  
4 useful to inform both exposures -- elevated exposures as  
5 well as the contributing sources.

6 We through this Board back a few years ago - and  
7 this monitor actually started on the Mexican side of the  
8 border in the spring of 2016, PM2.5, ozone, through a  
9 contract that will run for the next two years, does a few  
10 things. One, measurements of air quality on the Mexican  
11 side of the border. And also the PM2.5, doing source  
12 apportionment of that data, basically doing chemical  
13 analysis of that data that allows us to get a better  
14 picture of what is the contributing sources to that  
15 PM2.5 - combustion-related sources, brick manufacturing, a  
16 whole range, that we believe will help inform what are  
17 the -- where are the emissions coming from, because it  
18 helps to inform where the focused actions need to occur on  
19 the other side of the border.

20 Also updating the inventory on the Mexicali side.  
21 I think the last time that inventory was updated was in  
22 the 2012 side.

23 So there's not a silver bullet here. I mean  
24 that's the honest answer. But the assessment of the  
25 contribution to the infiltration of emissions on the

1 Mexican side to the border region in Calexico is  
2 undeniable, and our perspective is the way we're going to  
3 get that -- at that issue is through the strength of  
4 partnership with Mexico and the Mexican government and  
5 SEMARNAT and the underlying data. And the underlying data  
6 is the monitoring on both sides of the border, the  
7 inventory; and that's going to inform even at a greater  
8 level the sources that are contributing as well as an  
9 enhanced enforcement on both sides.

10 ASSEMBLY MEMBER GARCIA: Thank you. Appreciate  
11 that. I know that, you know, from the air district  
12 perspective in Imperial County, you know, they feel a bit  
13 relieved that they're not being held to a standard or  
14 accountable for something that's being caused and  
15 happening on the other side. However, they're concern  
16 remains, you know, the same as it relates to the public  
17 health and well being of the folks that live adjacent to  
18 the border.

19 I'll give you an example. You know, to cross the  
20 border on your vehicle, the average wait time there is  
21 3 1/2 hours, 2 1/2 if it's a good day. But 3, 3 1/2 is on  
22 the average wait time. And so you've got thousands of  
23 vehicles on a reoccurring basis right there crossing the  
24 border. And more times than not they are people with  
25 California registered license plate vehicles. And, you

1 know, so to some extent we may have some responsibility  
2 irrespective of it geographically happening on the other  
3 side, right?

4           Certainly there are other people that are taking  
5 the role of beating up the Mexican government; and that's  
6 not my intention. But what is it that we can do to help  
7 the agencies moving in a direction of, let's say, cleaner  
8 vehicles? Are there any programs that we've been able to  
9 be influential in that particular arena with our partners?

10           EXECUTIVE OFFICER COREY: Yeah. In fact, I'm  
11 glad you brought up the motor vehicle element, because  
12 that is a key area with the MOA, the Memorandum of  
13 Agreement, with the Mexican government, is the  
14 collaboration on cleaner vehicles, both -- and that's  
15 really on -- there's two sides of that equation. One is  
16 the standards for new vehicles; and tighter standards that  
17 they are working with is potentially to align with the  
18 California or national standards so, as the newer vehicles  
19 are purchased, they meet the cleanest standards.

20           The other side of that equation is on the  
21 dirtier, older vehicles. I'm talking about really cars  
22 and trucks, identifying them and getting them off the  
23 road. And that has been through the training -- and  
24 training not just with our staff. It's actually included  
25 the Bureau of Automotive Repair that runs the Smog Check

1 program, going to Mexico and working with the Mexican  
2 government and the folk -- basically the folks in the  
3 field that are doing the sampling and identifying the  
4 sources. So that ongoing effort to approach us from both  
5 sides we think is a key element to working through this  
6 issue.

7 CHAIR NICHOLS: Supervisor Roberts.

8 BOARD MEMBER ROBERTS: Yeah, I might be able to  
9 shed a little bit of light on this. And I've done some  
10 work with the people in Imperial Valley. But specifically  
11 on the border crossing, because we have quite an issue in  
12 San Diego. And we're doing -- we're actually adding a new  
13 border crossing and we're working very closely with the  
14 federal government in Mexico and the federal government in  
15 the U.S. And it's going to be unique and then it's going  
16 to be a crossing where you'll pay a toll. But we think  
17 that with respect to private cars and trucks, which are a  
18 huge problem in San Diego for a number of reasons, with  
19 very long backups and most of which are diesel, we think  
20 we can get the waits down to minimal times with just  
21 relatively small fees. And we're looking at, you know,  
22 under \$20 per trucks, which compare to a four-hour wait is  
23 a reasonable sort of a charge.

24 We're in the final process of that. Governor  
25 Brown has been very helpful. He's made a priority of

1 this. And, you know, we're in the finals throes of  
2 acquiring the properties on both sides that are needed.  
3 The design is going to be pretty unique. And we're  
4 working very cooperatively. Recent meetings in Washington  
5 I had with the representatives of Mexico, both the  
6 ambassador and the foreign minister, they've been  
7 extremely helpful.

8           So there may be a model here that is  
9 transportable. I've met with people in other cities along  
10 the border, but I know the unique -- there's some very  
11 unique problems that they faced in the past in the  
12 Calexico and Mexicali region, not the least of which was  
13 there seemed to be an inordinate number of fires that  
14 started with the old tires that were throwing a lot of  
15 pollution north. And San Diego, while we have some  
16 concerns and we've done some monitoring, our bigger  
17 problem has been the sewage flows that come across the  
18 border.

19           So these are not easy problems to solve. And I  
20 think there are some things on the way that might help and  
21 it might not always be an air pollution board solution  
22 that's needed.

23           CHAIR NICHOLS: So the process here is that of  
24 having to get it off of consent. We now could take up a  
25 vote to approve the Imperial ozone SIP. If there's

1 anybody who's here who wanted to testify on that item. I  
2 don't think there was even before.

3           So if you're prepared to go forward at this  
4 point, if you'd like to make the motion to approve.

5           BOARD MEMBER ROBERTS: And I'll second.

6           CHAIR NICHOLS: And you'll second.

7           Any other board discussion?

8           If not, all in favor please say aye.

9           (Unanimous aye vote.)

10          CHAIR NICHOLS: Opposed?

11          Abstentions?

12          Okay. That's great. Thank you.

13          I have to announce that when we break for lunch,  
14 we will be having a closed session for the Board with our  
15 attorneys. And we'll report on whatever was discussed at  
16 that meeting when we come back from lunch.

17          But we will be adjourned now for lunch. It's  
18 12:40 according to our monitors here. So shall we say  
19 1:45 or 2? Shall we be generous to ourselves?

20          You say 2? Realistic.

21          Okay. 2 o'clock. We'll be back at 2.

22          Thank you.

23          (Off record: 12:42 p.m.)

24          (Thereupon a lunch break was taken.)

25

## 1 A F T E R N O O N S E S S I O N

2 (On record: 2:03 p.m.)

3 CHAIR NICHOLS: The last item on the agenda is an  
4 informational item. It's an update on how we propose to  
5 allocate the funds that are in the Volkswagen  
6 Environmental Mitigation Trust, sometimes referred to as  
7 Appendix D of the 2 Liter Partial Consent Decree.  
8 Projects funded by this trust will begin California's  
9 effort to fully mitigate the emissions impact caused by  
10 the Volkswagen cheating scandal. Staff will provide an  
11 initial summary of the process CARB will lead in  
12 developing a plan to divest -- to invest California's  
13 allocation of the funds that are in this environmental  
14 mitigation trust.

15 Prior Board meetings have focused on Appendix C  
16 of this same 2 Liter Partial Consent Decree. That  
17 appendix requires investment plans prepared by Volkswagen  
18 to invest \$800,000,000 in zero-emission vehicle projects  
19 in California over 10 years. That's a completely separate  
20 part of the consent decree, and that's not what we're  
21 talking about here today.

22 The consent decrees that were approved in October  
23 2016 for the 2-liter Volkswagen diesel cars and in May  
24 2017 for the 3-liter Volkswagen diesel cars have under  
25 these terms -- under the terms of their language a

1 requirement that Volkswagen has to pay about \$3 billion  
2 into a national environmental mitigation trust for  
3 specified eligible mitigation actions. This was a  
4 formulation that was I think originally proposed by the  
5 United States Justice Department. And of course you will  
6 remember that the federal government was a partner in this  
7 entire litigation.

8 California's share of the trust from both consent  
9 decrees is about \$423 million. The governors office has  
10 indicated its intent to designate CARB as the lead  
11 agency - which is something that's required by the consent  
12 decree - to act on California' behalf to administer this  
13 funding.

14 The eligible mitigation actions that are listed  
15 in the first consent decree are primarily directed at  
16 funding heavy-duty scrap and replace projects such as  
17 cleaner freight and delivery trucks, buses, and equipment.  
18 These projects can include supportive infrastructure, for  
19 zero- and near zero-emissions advanced technology  
20 replacements. Other eligible mitigation actions include  
21 shorepower systems, fueling infrastructure for light-duty  
22 zero-emission vehicles, and matching funding for Diesel  
23 Emission Reduction Act projects. Oh, I said Diesel  
24 Emission Reduction Act projects. That's DERA.

25 I'm looking forward to the staff's presentation

1 to give us more detail about the process that they are  
2 planning in order to make sure that we have public input  
3 and understanding and support for California's plan.

4 So, Mr. Corey, would you please introduce this  
5 item.

6 EXECUTIVE OFFICER COREY: Yes. Thanks, Chair  
7 Nichols.

8 As noted, the consent decrees approved in October  
9 2016 and in May of 2017 establish a trust to address  
10 Volkswagen's deception relating to the 2-liter and 3-liter  
11 diesel vehicles. These consent decrees are comprised of  
12 several key elements. And Appendix D, which today's  
13 update is focused on, sets up a mitigation trust to  
14 address the past and future excess NOx emissions from the  
15 2- and 3-liter diesel vehicles.

16 And as you mentioned, California's total  
17 allocation is about 423 million.

18 On now ask Lisa Williams of the Mobile Source  
19 Control Division to begin the staff presentation.

20 Lisa.

21 (Thereupon an overhead presentation was  
22 Presented as follows.)

23 AIR POLLUTION SPECIALIST WILLIAMS: Thank you,  
24 Mr. Corey. Good afternoon, Chair Nichols and members of  
25 the Board.

1 Today I'll be presenting an update on the  
2 Volkswagen Environmental Mitigation Trust for California,  
3 an important element of the Volkswagen, or VW, settlement  
4 agreement.

5 --o0o--

6 AIR POLLUTION SPECIALIST WILLIAMS: Here's an  
7 overview of my presentation. First, some background  
8 information on the consent decrees and the mitigation  
9 trust. Then the eligible mitigation actions listed in the  
10 consent decree, followed by our proposed process for a  
11 Beneficiary Mitigation Plan approval and options for  
12 implementation, as well as a summary of early feedback and  
13 next steps.

14 --o0o--

15 AIR POLLUTION SPECIALIST WILLIAMS: Before we get  
16 into the background, I wanted to show that the VW  
17 mitigation trust is just one of many funding sources that  
18 make up an entire portfolio of funding that CARB is  
19 implementing for the heavy-duty sector. This fiscal year  
20 alone, that portfolio totals more than \$1 billion. Each  
21 program has its own emission goals, eligible project  
22 types, and funding source, making the portfolio diverse  
23 and far reaching. However, most of these programs are  
24 oversubscribed. The VW mitigation trust provides a  
25 separate, additional funding source and the only one

1 exclusively for oxides of nitrogen, or NOx, mitigation.

2 In addition to what you see here are other  
3 funding opportunities that are being implemented by other  
4 agencies. For example, CARB coordinates with the Energy  
5 Commission, local air districts, ports, and the California  
6 Public Utilities Commission.

7 --o0o--

8 AIR POLLUTION SPECIALIST WILLIAMS: Now some  
9 background on the settlement. As you know, in 2015, VW  
10 publicly admitted it had secretly and deliberately  
11 installed a defeat device, software designed to cheat  
12 emissions tests, in nearly 500,000 VW- and Audi-branded  
13 2-liter diesel vehicles and about 83,000 3-liter diesel  
14 vehicles sold in the U.S. These defeat devices resulted  
15 in NOx emissions up to 40 times the legal limit.

16 As part of the settlement agreement, a first  
17 partial consent decree to address the 2-liter engines was  
18 approved by the Court in October 2016. The second partial  
19 consent decree addressing the 3-liter engines was approved  
20 in May 2017. These consent decrees apply to the entire  
21 U.S., not just California. The first consent decree is  
22 made up of a main body and four appendices, A, B, C, and  
23 D. The second consent decree augments the first. There's  
24 a third consent decree that addresses civil penalties that  
25 are in addition to the rest of the settlement.



1 proportion to the number of affected vehicles in  
2 California.

3           The Trust can only fund eligible NOx mitigation  
4 actions specified in the consent decree. These are  
5 primarily scrap and replace projects for the heavy-duty  
6 sector. Additionally, up to 15 percent of the State's  
7 allocation may be used to fund light-duty electric vehicle  
8 infrastructure. And there's a limited option to provide  
9 matching funds for Diesel Emission Reduction Act, or DERA,  
10 projects, which are also for the heavy-duty sector.

11           --o0o--

12           AIR POLLUTION SPECIALIST WILLIAMS: This flow  
13 chart shows how the trust will work. The Governor's  
14 office has indicated its intent to designate CARB as the  
15 lead agency to act on the State's behalf to implement the  
16 requirements of the consent decree. Wilmington Trust was  
17 appointed by the Court as the trustee to handle the trust  
18 for the entire nation.

19           The lead agency - CARB - must submit a  
20 Beneficiary Mitigation Plan to the trustee at least 30  
21 days before requesting any trust funds. CARB will then  
22 submit funding requests to the trustee, who will then  
23 disburse funds to the eligible NOx mitigation actions or  
24 project identified in the plan.

25           --o0o--

1           AIR POLLUTION SPECIALIST WILLIAMS: As lead  
2 agency, CARB is responsible for developing the Beneficiary  
3 Mitigation Plan with public input, a requirement of the  
4 consent decree. Staff held a workshop on October 9th  
5 marking the beginning of many opportunities for public  
6 input.

7           The consent decree also requires the lead agency  
8 to be responsible for managing all interactions with the  
9 trustee. CARB must provide transparency and oversight by  
10 publicly posting approved funding requests, ensuring  
11 program reviews and expenditure audits, and reporting  
12 semiannually to the trustee.

13                           --o0o--

14           AIR POLLUTION SPECIALIST WILLIAMS: The  
15 Beneficiary Mitigation Plan is one of the first required  
16 steps in funding NOx mitigation projects from the trust.  
17 The consent decree specifies the required elements of the  
18 plan. The Beneficiary Mitigation Plan that we develop  
19 must summarize how California plans to use its  
20 \$423 million allocation:

21           The plan will describe the overall goal for the  
22 use of the funds and the categories of eligible mitigation  
23 actions to be funded, along with the allocation amounts.

24           The plan will consider the potential air quality  
25 benefits of the mitigation actions on areas



1 categories also include waste haulers, dump trucks and  
2 concrete mixers. Eligible trucks may be repowered or  
3 replaced, and the existing truck or engine must be  
4 scrapped.

5 As noted in the following slides, 7 of the 10  
6 project categories require scrappage, which will result in  
7 additional implementation complexity but is necessary to  
8 ensure the NOx mitigation occurs.

9 Additionally, for all categories where a vehicle  
10 or engine is replaced with all-electric, the trust can  
11 also fund the installation of charging infrastructure.

12

13

--o0o--

14

15

16

17

AIR POLLUTION SPECIALIST WILLIAMS: Next are  
transit, shuttle, and school buses. The existing bus may  
be repowered or replaced and, like the trucks, there is a  
scrap requirement.

18

19

20

21

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For nearly all categories, the maximum level of  
funding allowable depends on whether the vehicle is  
privately or publicly owned, the type of technology  
funded, and whether it's a repower or a replacement. For  
example, a government-owned school bus replaced with an  
all-electric model is eligible for up to 100 percent  
funding, including the cost of charging infrastructure.  
This contrasts with the example of a privately owned truck

1 from the category on the previous slide, which could be  
2 eligible for up to 25 percent of the cost of a new diesel  
3 truck.

4 --o0o--

5 AIR POLLUTION SPECIALIST WILLIAMS: Next up are  
6 freight switcher locomotives. Eligible switchers must  
7 have a pre-tier 4 engine operating at least 1,000 hours  
8 per year. Eligibility does not include line-haul  
9 locomotives.

10 The existing switcher may be repowered or  
11 replaced and must be scrapped.

12 --o0o--

13 AIR POLLUTION SPECIALIST WILLIAMS: Ferries and  
14 tugs. Eligible vessels must be equipped with pre-tier 3  
15 engines, and only engine repowers are allowable. The  
16 existing engine must be scrapped.

17 --o0o--

18 AIR POLLUTION SPECIALIST WILLIAMS: Two of  
19 eligible mitigation actions cover forklifts and port cargo  
20 handling equipment and airport ground support equipment,  
21 or GSE. For these categories the existing engine or  
22 vehicle must be repowered or replaced with all-electric  
23 only. And like the other projects, the existing vehicle  
24 or engine must be scrapped.

25 --o0o--

1 AIR POLLUTION SPECIALIST WILLIAMS: This next  
2 category does not have a scrap requirement because it's  
3 for ocean-going vessel shorepower. Eligible shorepower  
4 systems are those that enable a compatible vessel's main  
5 and auxiliary engines to remain off while the vessel is at  
6 berth by connecting the ship to an electrical power  
7 source. The systems must comply with international  
8 shorepower design standards. Other vessel emission  
9 control strategies are not eligible for funding from the  
10 trust.

11 --o0o--

12 AIR POLLUTION SPECIALIST WILLIAMS: Up to 15  
13 percent of the State's trust allocation may be used for  
14 light-duty electric vehicle supply equipment, or EVSE.  
15 EVSE includes charging equipment and hydrogen-dispensing  
16 equipment, each meeting certain specifications and located  
17 in a public place. The trust does not provide funding for  
18 light-duty passenger cars.

19 --o0o--

20 AIR POLLUTION SPECIALIST WILLIAMS: The final  
21 eligible mitigation action category is known as the DERA  
22 option. DERA is a federally funded program administered  
23 by the U.S. EPA. This option can fund the voluntary match  
24 for State DERA projects, providing the potential to expand  
25 funding to additional project categories. However, there

1 is limited funding available. California typically  
2 receives less than \$500,000 annually. California's State  
3 DERA currently funds school bus projects.

4 --o0o--

5 AIR POLLUTION SPECIALIST WILLIAMS: Now I'll  
6 describe the process for approving the Beneficiary  
7 Mitigation Plan and options for implementation.

8 --o0o--

9 AIR POLLUTION SPECIALIST WILLIAMS: Public input  
10 is critical in the process for plan approval. Staff will  
11 consult with the State legislature and consider input from  
12 community groups, technology providers, industry  
13 representatives, and other interested stakeholders and  
14 State agencies. And of course we are here today to hear  
15 your thoughts.

16 In order to make decisions on which eligible  
17 mitigation actions to fund, we'll need to develop guiding  
18 principles. The Beneficiary Mitigation Plan must include  
19 actions that in aggregate will fully mitigate the NOx  
20 impacts caused by the subject VW cars. Just as important  
21 are that those actions remain consistent with State  
22 priorities and benefit disadvantaged or low-income  
23 communities as required by SB 92.

24 The final step is to present the proposed  
25 Beneficiary Mitigation Plan to you next spring for your

1 consideration for approval before it is submitted to the  
2 trustee.

3 --o0o--

4 AIR POLLUTION SPECIALIST WILLIAMS: Shown here is  
5 a graphic illustration of the public process. Last month,  
6 when we publicly announced our kick-off workshop, we  
7 opened an electronic comment docket. We intend to keep  
8 that docket open throughout the Beneficiary Mitigation  
9 Plan development process.

10 Staff is expecting to hold additional workshops  
11 in multiple locations throughout the State in January and  
12 February and meet with interested stakeholders  
13 individually throughout the public input period.

14 The public planning process culminates in the  
15 Board meeting for plan approval, and then we'll move into  
16 implementation, with funds expected to begin disbursing  
17 next fall.

18 --o0o--

19 AIR POLLUTION SPECIALIST WILLIAMS: Today we  
20 would also like to hear your initial thoughts about plan  
21 implementation. CARB has the option to either develop  
22 competitive solicitations or administer projects on a  
23 first-come/first-served basis, similar to the Hybrid and  
24 Zero-Emission Voucher Incentive Project, or HVIP.

25 We could also consider third-party

1 implementation, such as having local air districts  
2 administer specific project types on a statewide basis.  
3 Several stakeholders have provided early support for this  
4 option.

5           Staff believes plan implementation should include  
6 outreach to increase participation, especially in  
7 disadvantaged and low-income communities. And the process  
8 is required by the consent decree to include CARB review  
9 and expenditure audits.

10                           --o0o--

11           AIR POLLUTION SPECIALIST WILLIAMS: Next I'll  
12 summarize the early public feedback staff has received.

13                           --o0o--

14           AIR POLLUTION SPECIALIST WILLIAMS: Staff held a  
15 kick-off public workshop on October 9th to solicit  
16 feedback on Beneficiary Mitigation Plan development. The  
17 workshop was well attended, and we have additionally  
18 received many comments via the comment docket.

19           The comments include a general consensus on  
20 exceeding SB 92's 35 percent target for benefits to  
21 low-income or disadvantaged communities, and much support  
22 for funding zero-emission technologies where feasible and  
23 near zero-emission everywhere else.

24           Commenters suggested funding many of the project  
25 categories. The most commonly supported projects were for

1 zero-emission transit, shuttle, and school buses; low NOx  
2 trucks; and light-duty electric vehicle supply equipment.

3 As I mentioned previously, commenters also  
4 supported local air district implementation.

5 --o0o--

6 AIR POLLUTION SPECIALIST WILLIAMS: For our next  
7 steps staff will continue to solicit comments and meet  
8 with stakeholders. This will help us develop and refine  
9 the guiding principles and narrow the project categories.  
10 Staff anticipates releasing a draft plan ahead of our next  
11 public workshops anticipated for January or February.

12 Finally, staff will present to the Board a  
13 proposed Beneficiary Mitigation Plan next spring, likely  
14 in April.

15 That concludes my presentation. Thank you for  
16 the opportunity to provide this update.

17 We're happy to answer any questions.

18 CHAIR NICHOLS: Thank you.

19 We have seven witnesses who have signed up to  
20 speak to us. I know you've had a lot of input already.  
21 But why don't we hear from them first, and then we can go  
22 ahead and have some discussion among the Board members.

23 So if you have that list up, we'll start with Michael  
24 Neuenburg from Sacramento.

25 MR. NEUENBURG: Good afternoon, everybody here.

1 Chair Nichols and the ARB Board.

2           Once again, my name is Mike Neuenburg and I'm  
3 representing the Sacramento Metropolitan Air Quality  
4 Management District today.

5           Just want to say thank you for allowing us to  
6 have a chance to speak here today, especially on behalf of  
7 the air districts here. And I've got some comments here  
8 that are going to be alluding to what we want to do as  
9 benefiting the air districts as well looking out for our  
10 region as well.

11           So here are some key elements that the district  
12 would like to address today regarding the use of  
13 Volkswagen funds.

14           Air districts are deeply experienced in managing  
15 multi-million-dollar incentive programs. We can get the  
16 funds out efficiently and quickly. Sacramento AQMD has  
17 partners lined up through our work on other incentive  
18 programs. Using valuable lessons learned from successful  
19 incentive programs like Prop 1B and Moyer, we're confident  
20 that air districts can work with ARB in a public process  
21 to establish streamlined guidelines that would help the  
22 State meet its goals in distributing these funds  
23 efficiently and equitably.

24           Open solicitation approaches have proven to be  
25 less efficient and more cumbersome for all stakeholders.

1 We have spoken to several community and industry partners  
2 who have become discouraged by the solicitation process.  
3 As such, we encourage ARB staff to consider a guidelines  
4 approach when distributing these funds.

5 Air districts are routinely audited and have  
6 continually proven themselves with clean audits.  
7 Sacramento AQMD was recently audited by the State and had  
8 no audit findings.

9 Air districts are also well equipped to handle  
10 scrap-and-replace programs. We have the inspection  
11 programs in place to monitor and ensure that all  
12 components are met, including the scrap program.

13 We feel it is imperative that these State funds  
14 are distributed equitably throughout the State. The  
15 cheater cars were sold all over California; and those not  
16 being replaced will continue to operate in places like  
17 Sacramento for years to come. We need to ensure these  
18 cars' emissions are fully mitigated throughout California.

19 The Sacramento Region does not attain all federal  
20 air pollution standards. Funding to replace mobile  
21 equipment is a critical need identified in our attainment  
22 plans.

23 Even further, the Sacramento Region includes  
24 multiple communities that rank among the most  
25 disadvantaged in the state according CalEnviroScreen. The

1 residence of these communities need cleaner air, and  
2 dedicated funds should be spread throughout the most  
3 disadvantaged communities in all of California.

4 Sacramento AQMD also believes that 15 percent of  
5 the funds should be dedicated towards statewide  
6 infrastructure. However, we believe this infrastructure  
7 should stretch beyond the urban corridors and reach the  
8 Oregon and Mexican borders. This would enhance public  
9 acceptance for advanced technology through all regions of  
10 California.

11 Once again, I'd like to thank you for the  
12 opportunity to speak to you today, and I would request  
13 that you please consider these points as you move forward  
14 with the program development.

15 Thank you.

16 CHAIR NICHOLS: Thank you.

17 Ms. Van Osten.

18 MS. VAN OSTEN: Good afternoon. Kathy Van Osten  
19 representing United Airlines. Happy to be here this  
20 afternoon.

21 First, we just want to say how much we appreciate  
22 the inclusion of the ground support equipment within this  
23 program. This has been a big hurdle for the airline to  
24 completely convert their ground surface equipment, and so  
25 we're pleased to be a part of that program.

1           As you know, there are limited means in which  
2 airlines can reduce their emissions. We've been working  
3 very closely with CARB and your staff, who have been  
4 fantastic to include renewable jet fuel and the Low Carbon  
5 Standard -- Fuel Standard. We're hoping to get that done  
6 very soon.

7           But without that -- the next step really is the  
8 ground service equipment. And for United Airlines we have  
9 converted already about 2,000 -- I'm sorry -- we have  
10 about 2,000 ground service equipment pieces throughout the  
11 state, and we've converted almost half of those. We have  
12 about 926 pieces left that are still operating on liquid  
13 fuel that are certainly eligible candidates for  
14 conversion.

15           We've spent tens of millions of dollars. We  
16 anticipate that the next round to convert the remainder is  
17 going to cost about 75 million. So it's -- that's quite a  
18 big chunk, in addition to the investments that they have  
19 done in the renewable jet fuel arena. So they've been  
20 very dedicated to reducing emissions, not only here in  
21 California but around the nation and the globe.

22           Two points -- two comments. One is we would like  
23 to see -- and no disrespect to the district officials who  
24 are here -- we would like to see the distribution of funds  
25 done at the state level. We think, one, it could be much

1 more timely; but, secondarily, we fly in and out of many  
2 different locations throughout the State. So it's just  
3 from a practical standpoint, it would make sense to submit  
4 a single application and target the specific areas that  
5 we're looking to incorporate this equipment.

6           The second thing is that the -- often in grant  
7 contracts there are clauses that say that you can't apply  
8 credits to other programs. This can be very problematic,  
9 as we've been participating in the DOORS program, the  
10 Trucks program, the PERP, and the ATCM program. If we  
11 aren't allowed to establish those credits for those  
12 programs by changing out this equipment and using these  
13 funds to change out that equipment, it really jeopardizes  
14 our commitments and our ability to meet our thresholds in  
15 those other programs. So appreciate your consideration on  
16 that.

17           Thank you very much.

18           CHAIR NICHOLS: Thank you. Thanks for all your  
19 work on reducing emissions.

20           Bonnie.

21           MS. HOLMES-GEN: Chairwoman Nichols and Board  
22 members. Bonnie Holmes-Gen with the American Lung  
23 Association in California.

24           The American Lung Association has submitted  
25 several comment letters on this VW case, calling for more

1 than full mitigation of NOx emissions to address the  
2 health and air quality damage caused by excess emissions.

3           And in our letters we stress the importance of  
4 directing NOx cleanup to communities with the highest  
5 pollution burdens. So we definitely agree with the  
6 comments about trying to take -- use this funding to  
7 exceed the -- and exceed the 35 percent allocation to  
8 disadvantaged communities.

9           But my key point was I wanted to say that we're  
10 excited about this opportunity to clean up the freight  
11 sector, to improve local air quality, accelerate our  
12 progress toward our GHG reduction goals, and to enhance  
13 our light-duty vehicle network also.

14           And we do urge the Board, in looking at the  
15 breadth of freight investments, to focus on the  
16 opportunities for funding zero-emission vehicle  
17 technologies and help spur that transition in the  
18 heavy-duty sector. I know you've received a lot of  
19 comments on this through the workshops.

20           There are ZEV techno -- ZEV heavy-duty  
21 technologies coming to market now, and there are near-term  
22 applications that are ready. The school bus and bus  
23 segment is a technology that's clearly ready for 100  
24 percent zero emission. I appreciate that you've targeted  
25 some of the many 400 percent zero emission and some of the

1 freight operational ground equipment.

2           And other key point is one to focus on school bus  
3 trade-outs. We think that's incredibly important.  
4 There's a lot of work still to do to clean up heavy-duty  
5 school buses, and we know that kids are impacted.  
6 They've -- kids are so hugely impacted by air pollution.  
7 In fact, we know that kids that are growing up in polluted  
8 areas are experiencing deficits in lung function that  
9 follow them throughout their entire lives.

10           Communities have suffered tremendous pollution  
11 burdens. This settlement funding provides tremendous  
12 opportunity to mitigate those burdens and clean up our  
13 communities, and we're looking forward to being a partner  
14 with you in this effort.

15           CHAIR NICHOLS: Thank you.

16           MR. GEORGE: Good afternoon, Chairman Nichols and  
17 Board members. Thank you for this opportunity for me to  
18 share our thoughts on this project.

19           First of all I wanted to thank the Board for  
20 taking the time and effort to have meeting here in South  
21 Coast. We are a substantial part of your air -- of your  
22 jurisdiction. So hopefully we continue to see some more  
23 meetings in this side of the sector so that community  
24 activists are the people who can speak -- can speak here.  
25 So thank you for that.

1           Also want to thank the Board members for their  
2 support of near zero- and zero-emission technologies for  
3 the funding that's being set aside for it. I really  
4 appreciate that -- your support on that.

5           In this context, allow me to say that, could you  
6 ask the staff to give you a report every three months on  
7 where these funds are going, which technologies are being  
8 funded. Because I'm not sure whether they are keeping --  
9 they have the numbers -- whether you're keeping track of  
10 it. And you will see some technologies are getting a  
11 disproportionate amount of funding, even though you want  
12 it to be spread wide and large, you will see diesel to  
13 diesel and diesel to natural gas getting a huge amount and  
14 from the other funding. So from that point of view, I  
15 would encourage you to limit this settlement to  
16 zero-emission vehicle technology.

17           Allow me -- by the way, I forget to introduce  
18 myself. I'm Ranji George. I -- for the last 25 years,  
19 till recently, I was at the South Coast managing and  
20 supervising a lot of zero-emission and near zero-emission  
21 technologies, which was just a gleam in the eye at that  
22 time. I'm so glad to see they're emerging in the  
23 marketplace. And thank you for your support to take it to  
24 the next level.

25           So as far as this settlement concern, please keep

1 it to zero-emission technology.

2           And within zero-emission technologies you would  
3 see - unfortunately that may not have been your intent -  
4 that the bulk of the funding is going to battery electric.  
5 And that's good that battery electric is getting the  
6 funding. But unfortunately hydrogen technology, which has  
7 extremely great potential to help clean the air and to  
8 mitigate global warming emissions and becoming energy  
9 independent, you need to -- I hope you can step in and let  
10 them, say a certain amount, a fraction, maybe 33 percent  
11 or certain percent be spent on fuel cell technology.  
12 Because right now what's happening, there are a lot of  
13 technology in the making, they have great promise in  
14 hydrogen, but the funding is not coming through as much as  
15 it is.

16           There is some set-asides by ARB and CC for  
17 hydrogen. But if you put together the totals of various  
18 technologies that's clean technology that are receiving  
19 funding, hydrogen still remains a very small fraction. So  
20 I urge you to step in and do something about it.

21           I would consider hydrogen a disadvantaged  
22 technologies under the current process.

23           So thank you for that -- for your time. I hope  
24 you will address that. I appreciate it.

25           CHAIR NICHOLS: Thank you.

1 Hi.

2 MR. DOUGLAS: Good afternoon, Chair Nichols,  
3 members of the Board. I'm Steve Douglas with the alliance  
4 representing 12 car companies, or about 75 percent of the  
5 new vehicle market.

6 We sincerely appreciate the work of the staff on  
7 this and this opportunity today to provide our  
8 recommendation that the Board allocate 15 percent of the  
9 funding to zero-emission vehicle infrastructure.

10 So I've been doing this for 22 years now, and  
11 there's never really been a more exciting time in the  
12 industry. Virtually every manufacturer has announced  
13 broad electrification plans, and have announced those in  
14 the last couple of months in fact.

15 But this is not a case where, if you build it,  
16 they will come. Because they will not come if they can't  
17 fuel the vehicles.

18 And today, in California, the infrastructure for  
19 both electric -- plug-in electric vehicles and hydrogen  
20 fueling is falling far behind.

21 Everyone seems very familiar with the Governor's  
22 1.5 million ZEVs by 2025. But they seem to forget that in  
23 that same executive order he directed chargers to support  
24 1 million ZEVs by 2020. So that translates into 100,000  
25 to 200,000 charge points in California. Today, we're at

1 14,000.

2 That's between 7 and 14 percent of what's needed.

3 There was great hope that the PUC would fill this  
4 gap in chargers, but that hasn't happened. Neither will  
5 Electrify America's efforts bridge the gap. These  
6 efforts, both PUC and Electrify America, they're  
7 substantial and they're very much appreciate, but they're  
8 in no way sufficient.

9 On the hydrogen front the story's not a lot  
10 better. Despite the best efforts and best intentions of  
11 this Board, the Energy Commission, the Governor's office,  
12 auto makers like Toyota and other stakeholders were  
13 falling far behind on hydrogen. It's just not proceeding  
14 as fast as we had hoped.

15 At the end of 2016, of the 51 stations that were  
16 expected, only 29 were available. So that left  
17 manufacturers like Toyota - they had vehicles, they had  
18 customers, the American dream - and they couldn't deliver  
19 the cars because the cars couldn't be fueled.

20 So if we want to turn the corner, if we want to  
21 make ZEVs mainstream to the mass market, infrastructure is  
22 absolutely essential, and we're falling behind in  
23 California.

24 So we strongly recommend that you devote just 15  
25 percent of the Appendix D funding to zero-emission vehicle

1 infrastructure.

2 Thank you.

3 CHAIR NICHOLS: Thank you.

4 MR. EDGAR: Chair Nichols and Board members.

5 Sean Edgar. I'm the director of Clean Fleets. I'm happy  
6 to have the opportunity to offer three focused comments on  
7 the Volkswagen settlement funds.

8 First of all, slide 13 offered a variety of local  
9 trucking applications that are part of the court  
10 settlement. So I'd just like to focus my comments on  
11 using Proposition 1B as a framework from which to begin  
12 the process of allocating and managing the program.

13 I'll also briefly touch on sustainable freight  
14 strategy and how this ties into the Board's effort on that  
15 regard over the last two years. Your staff has done fine  
16 work on sustainable freight strategy, so I'll tie this in  
17 briefly and then I'll touch on outreach, time permitting.

18 First of all, Proposition 1B is a model. There  
19 are parameters that the Board needs to meet relative to  
20 meeting the terms of the court settlement. And the reason  
21 Prop 1B is a good framework to begin with, because we know  
22 the local air districts are familiar with local needs, we  
23 know that they have an existing application process, we  
24 know that they know how to distribute funds and they have  
25 ARB oversight. So local air districts are good candidates

1 as partners to work through the application of local  
2 funds.

3           Obviously Prop 1B can't be the exact model  
4 because there are things in Prop 1B that perhaps conflict;  
5 the equipment -- eligible equipment types as an example.  
6 I was happy to see on slide 13 that waste haulers, near  
7 and dear to my heart, I always -- whenever I see  
8 Supervisor -- Mrs. Riordan, I'm always reminded of trash  
9 trucks going back to the early 2000s and our efforts to  
10 clean those up. They're a specifically named category.  
11 There's not a Tesla version of the trash truck  
12 unfortunately, so near zero technology is available, and  
13 all you need to do is look at the city of Los Angeles zero  
14 waste plan to see that hundreds of near zero vehicles can  
15 roll out fueled by renewable natural gas, which is very  
16 exciting.

17           In the time I have left I'll just suggest that  
18 going big on NOx reductions where zero-emission technology  
19 can't work is a key strategy. And I use that example of  
20 waste haulers with renewable natural gas. 20 miles from  
21 here you have a facility that's making renewable natural  
22 gas out of waste residuals, can fuel hundreds and hundreds  
23 of truck every day of the week. Near zero engines are  
24 available for this type of application, so a key strategy  
25 that can be successful addressing a lot of the

1 disadvantaged community issues that are required under the  
2 court settlement.

3           In closing I'll just say, like previous  
4 outreach -- like previous efforts, the Board needs to  
5 deploy substantial outreach efforts. We stand ready to be  
6 a partner to you. We did about 150 training events over  
7 about four years for you on the truck and bus regulation.  
8 And so we're looking forward to help get the word out  
9 wherever your decision lands. And we're looking forward  
10 to working with the Board and the local air districts as  
11 partners to hopefully get the best deployment of funds on  
12 zero technology -- zero-emission technology where it works  
13 and everywhere else near zero-emission technology.

14           Thank you.

15           CHAIR NICHOLS: Thank you.

16           MR. MAGAVERN: Good afternoon. Bill Magavern  
17 with the Coalition for Clean Air.

18           This agency did a service to the whole world by  
19 exposing the diesel scandal and by holding Volkswagen  
20 accountable. Unfortunately, as you know, the impacts of  
21 Volkswagen's crime are still affecting our communities  
22 because of the excess NOx pollution. So we of course,  
23 like you, want to see quick reductions in NOx. And I was  
24 glad to see that the staff presentation captured a couple  
25 important points from the workshop.

1           First of all, we would like to see that most of  
2 the investments go to disadvantaged and low-income  
3 communities because those are the places that bear the  
4 worst burdens of NOx pollution, which as you know is a  
5 precursor to both smog and particulate matter.

6           And, secondly, we support importing it to this  
7 process one of the key guiding principles from the  
8 Sustainable Freight Action Plan, which is to deploy  
9 zero-emission technologies wherever they're feasible. And  
10 where they're not feasible, to deploy near-zero emission  
11 engines with low carbon renewable fuel. And we think that  
12 would work very well with this money.

13           We also support the scrappage requirements to  
14 make sure that we're achieving all the NOx reductions  
15 possible. And we would like to see using the eligible 15  
16 percent for light-duty zero-emission fueling, both battery  
17 electric and fuel-cell electric.

18           Thank you.

19           CHAIR NICHOLS: Thank you.

20           Are there any other witnesses who didn't sign up  
21 beforehand?

22           If not, we can turn to discussion. Again, this  
23 is not an action item. But it's useful I think to have  
24 the Board members both updated on what the staff is doing  
25 and how the public is looking at it, and also to have an

1 opportunity to weigh in with questions.

2           You know, looking back, it wasn't very long ago  
3 that this whole trust was being created. But it's now  
4 finally here and the money is waiting for us to submit our  
5 plan. There's certainly no shortage of places where we  
6 could put it to work.

7           But one other thing is -- that I think is  
8 important as an overlay on this - and I don't think I  
9 heard you say it - is that the intent at least was that  
10 the states would have to demonstrate that they had used  
11 that money to actually achieve the reductions that would  
12 match the excess emissions. So in other words we knew  
13 that not every car that was out of compliance was going to  
14 be turned in and that the fixes wouldn't be a hundred  
15 percent. And so there was a margin built in there that  
16 was designed for future as well as past to make up for the  
17 past harm that was done by all this excess NOx.

18           (Timer went off.)

19           (Laughter.)

20           CHAIR NICHOLS: That's it. Okay. I'm done.

21           (Laughter.)

22           CHAIR NICHOLS: Sorry.

23           Could I have an extension please.

24           (Laughter.)

25           BOARD MEMBER GIOIA: We have to vote on that.

1 CHAIR NICHOLS: Thank you. Thank you.

2 (Laughter.)

3 CHAIR NICHOLS: I just wanted to say that.

4 You know, the only vehicle out there that is a  
5 zero-NOx vehicle is a zero-emission vehicle. It's a ZEV,  
6 you know. If we really wanted to build for the future,  
7 that's what we would be doing. But we also have an  
8 obligation to start now to bank as much of this excess NOx  
9 as we can. So it's a struggle because there always  
10 something just over the horizon that maybe is a little bit  
11 better. But at the same time we have to try to get as  
12 much reduction as we can now.

13 So I think the point is that we have a lot of  
14 good programs out there now that are just needing more --  
15 more funding. And so I think the staff is just trying to  
16 do the Solomonic task of figuring out, you know, how to  
17 split it up.

18 And with that, I will turn to my fellow Board  
19 members.

20 Oh, and we have an order. Oh, thank you. This  
21 is why having a vice chair is so good.

22 (Laughter.)

23 We will start with Mr. Gioia.

24 BOARD MEMBER GIOIA: Thank you.

25 I appreciate the presentation. And I think we're

1 headed down the right track. Although I did want to  
2 reiterate something I mentioned to the staff in the  
3 briefing, and that's that I realize there's very specific  
4 goals here. To the extent that we can achieve co-benefits  
5 with these investments. I mean, clearly we've -- that's  
6 the strategy we have followed on GHG reductions. And it  
7 seems to the extent that we can, we should maximize the  
8 co-benefits. Right.

9           So all other things being equal in each of these  
10 categories, some are going to be more effective at  
11 achieving other co-benefits that we have always held up as  
12 a standard. So I'd hear about how much we can push that  
13 particular piece legally. That's why I'm looking at the  
14 legal counsel. But it could be to anybody.

15           ASSISTANT CHIEF COUNSEL LIVINGSTON: I would say  
16 that as long as you're fully mitigating the NOx, that you  
17 could also get as many co-benefits as you can.

18           BOARD MEMBER GIOIA: So I mean ultimately if  
19 we're looking at projects -- again, let's say you've got  
20 several projects all mitigating sort of an equal amount or  
21 a very similar amount of NOx, that if one actually  
22 achieves greater co-benefits and we can define that and  
23 have a standard, that we could prioritize those  
24 investments more, and that would still be in the spirit  
25 and the law of this -- of the specific requirements.

1 MOBILE SOURCE CONTROL DIVISION CHIEF KITOWSKI:

2 Absolutely, Supervisor. Let me also say that  
3 part of what we are doing now is developing our guiding  
4 principles for this funding. And a couple of set of those  
5 principles we outlined in front of you, and those are  
6 absolutely clear either because of legislative action or  
7 because of the consent decree itself. It's first and  
8 foremost we must fully mitigate the NOx emissions harm  
9 that was caused, but also an emphasis on State priorities  
10 and disadvantaged communities. But we can add to that set  
11 of guiding principles that we're developing to maximize  
12 co-benefits and utilize that as we're going through and  
13 helping select our project categories.

14 BOARD MEMBER GIOIA: And as we look at which  
15 communities we're implementing these projects, it could  
16 again be those communities that are clearly the most  
17 impacted by NOx, right.

18 I just think just the school bus program has  
19 tremendous opportunities because of so many objectives we  
20 could achieve by that. And what percent do we believe  
21 will be in that category? Where will we have the chance  
22 to provide more input on that?

23 MSCD INNOVATIVE HEAVY-DUTY STRATEGIES SECTION  
24 MANAGER CHRISTENSEN: So this is Peter Christensen with  
25 the Mobile Source Control Division.

1           The consent decree allows for funding of school  
2 buses, but it does not set a particular minimum or a  
3 maximum. So we -- at this point in this early stage in  
4 the process of developing the plan, we have broad  
5 discretion of allowing eligibility for school buses, again  
6 as long as we in the aggregate fully mitigate that NOx  
7 impact.

8           BOARD MEMBER GIOIA: Thank you.

9           CHAIR NICHOLS: Okay. Ms. Takvorian.

10          BOARD MEMBER TAKVORIAN: Oh, yes. Sorry, I  
11 thought I was at the end of the list. But thank you.

12          So I had the same question in regards to the  
13 school buses. So thank you for responding to that.

14          I also had the thought that -- oh, I just wanted  
15 to say to Ms. Williams, I think, that I really love this  
16 chart in slide 4, because we talked about that in my  
17 briefing. And, you know, that's just -- that I think is  
18 really a demonstration of how we have to start doing that  
19 kind of integration and showing all of the different ways  
20 in which we're addressing these problems.

21          So, the only other comment I wanted to make in  
22 addition to the -- what I think is a right focus that  
23 you're heading towards in terms of the disadvantaged  
24 communities is the potential integration with the  
25 community action plans that were discussed in the

1 discussion of AB 617. I mean, we know that a lot of these  
2 same sources are impacting the same communities that will  
3 be developing these plans. And it seems like another  
4 place where we can really get some of those reductions and  
5 some of those impacts reduced. So I hope that we have  
6 that opportunity to really integrate that.

7 Is that -- can you talk about whether you think  
8 that's possible?

9 MOBILE SOURCE CONTROL DIVISION CHIEF KITOWSKI:

10 Let me start. And maybe Peter wants to jump in  
11 as well.

12 Yes, I think that's possible. It is certainly  
13 something that is -- we are already looking at and how to  
14 integrate that. As you know, 617 as we've just heard has  
15 \$250 million itself. And there are a bit of moving parts  
16 associated with this, as there are several new funding  
17 sources. So each of those funding sources are trying to  
18 kind of find their own way at the same time. And we are  
19 looking to integrate all of those and we're having those  
20 conversations, absolutely.

21 BOARD MEMBER TAKVORIAN: Okay. Thanks. And  
22 I -- I appreciate that. And I did want to say that I  
23 think the districts are a good mechanism, if you will, to  
24 be distributing the funds. And I think there has to be  
25 really clear standards and criteria and objectives. So it

1 may be that there are existing programs that could use  
2 some funding but that they don't rank as high against the  
3 criteria that you're in process of establishing. So I  
4 hope that there will be a lot of clear guidance in regards  
5 to how those dollars are distributed.

6 Thanks.

7 CHAIR NICHOLS: Okay. Next Ms. Mitchell.

8 BOARD MEMBER MITCHELL: Thank you. This seems to  
9 me a great opportunity to clean up some of our vehicles in  
10 the freight movement sector. And obviously MPSD is  
11 targeted toward that end. All kinds of vehicles,  
12 heavy-duty trucks, and light-duty trucks and light-duty  
13 vehicles, and ships and everything that we need to address  
14 to clean up the freight movement sector.

15 We have -- as the Air Board, we have experience  
16 in how these funds can be distributed. We've seen it  
17 through Carl Moyer Program and Prop 1B. And I would urge  
18 our staff to consider using those kinds of vehicles again  
19 for distribution.

20 One of the items in Appendix D is the ground  
21 support vehicles. And this is an important piece, because  
22 I believe our strategy here at the Air Resources Board was  
23 to replace a large number of ground support vehicles. I  
24 don't know how many it was. A thousand, something like  
25 that. And so forklifts, the yard hustlers, all of those

1 vehicles. I mean, electric capability is here now; we can  
2 use that technology.

3 So I would urge us to look at that.

4 One of our speakers commented on fueling  
5 infrastructure. That is key because we are way behind on  
6 fueling infrastructure, both hydrogen and electric  
7 charging. I think we need to note that the other VW  
8 settlement funds in Appendix C, Electrify America  
9 indicated they would be spending that on electric  
10 charging. And they're not committed to hydrogen, so we  
11 might take that into consideration when we are looking at  
12 these funds is devoting some of that money to hydrogen or  
13 maybe apportioning it in a way that hydrogen fueling is  
14 addressed.

15 And then one of our speakers asked about funding  
16 airport ground equipment. And I think that that is really  
17 important. We're looking more closely at what's happening  
18 at our airports. And I know the South Coast AQMP has  
19 included airports in their -- in their most current AQMP.  
20 So I think that would be good to take a look at that and  
21 see how we might incentivize that changeover.

22 Thank you.

23 CHAIR NICHOLS: Assembly Member Garcia.

24 ASSEMBLY MEMBER GARCIA: Thank you, Madam Chair.

25 I will start off with my comments with the

1 comments made on the Assembly floor often where my  
2 colleagues will say something to the extent that "Let's  
3 not let the perfect be the enemy of good."

4 Right. And you know the bill has problems when  
5 they say that, right?

6 (Laughter.)

7 ASSEMBLY MEMBER GARCIA: And I want to say that,  
8 you know, I think there's a great opportunity here. The  
9 words were co-benefits earlier in maximizing opportunities  
10 that align with other state priorities that we have  
11 related to cleaning up -- reducing emissions, cleaning up  
12 air quality. And I think it's great that we just had an  
13 extensive conversation on AB 617 and the opportunities to  
14 perhaps use current existing technology that's available  
15 to really meet some of those NOx reductions and particular  
16 transportation trade corridors. My colleague, the author  
17 of AB 617, would say -- was here, she'd say, "That's my  
18 backyard," you know, with all of the freeways running  
19 across her particular district. And she uses the word  
20 "and choking," you know, "the people that I represent"  
21 due to the bad air quality.

22 And so my hope is that -- and I welcome the  
23 discussion. I know we've had this debate in the capitol  
24 where, you know, we should be shooting for zero-emission  
25 technology, and I think we would all agree. There's no

1 question about it. But there are some opportunities to  
2 address some issues yesterday. And making some  
3 investments in that area I think would help us meet these  
4 NOx reduction emissions but also cleaning up the air, as  
5 we were talking about other funding mechanisms to address  
6 the AB 617.

7 And so I just wanted to state that and hope that  
8 we can seriously consider that. And I welcome the debate  
9 or the conversation to be able to find a path again to be  
10 able to address those issues.

11 So thank you.

12 CHAIR NICHOLS: Thank you.

13 Ms. Berg.

14 VICE CHAIR BERG: Thank you, Madam chair.

15 I was wondering if staff could comment on the  
16 process that they'll go through to determine what the  
17 amount of emissions that we will be responsible for  
18 reducing.

19 MSCD INNOVATIVE HEAVY-DUTY STRATEGIES SECTION  
20 MANAGER CHRISTENSEN: That's a great question.

21 So that's going -- the excess NOx emissions that  
22 the plan needs to mitigate is going to be a fundamental  
23 part of the beneficiary mitigation plan. So that's  
24 something that we'll be calculating as we develop that  
25 plan. Not only calculating what the excess NOx emissions

1 are, but calculating the reductions from the mitigation  
2 actions that are included in the plan.

3 So the plan is going to show the excess NOx  
4 emissions and then in the aggregate from all of the  
5 included mitigation actions that are in California's plan,  
6 showing that we've fully and hopefully even done a little  
7 bit better than fully mitigating all those NOx emissions.

8 VICE CHAIR BERG: So in doing that calculation  
9 will we be looking at regulations that we'll be looking at  
10 over the next few years that we're going to bring to the  
11 table, so that really the things we're going to fund are  
12 truly excess emissions?

13 MSCD INNOVATIVE HEAVY-DUTY STRATEGIES SECTION  
14 MANAGER CHRISTENSEN: Yeah, that's right. I think that's  
15 one of the things that we'll be looking at is making sure  
16 that mitigation is truly mitigation. It's not to say that  
17 there's not room within the plan for funding some  
18 technologies that may not meet that strict definition.  
19 But again in the aggregate, we must show that the plan  
20 fully mitigates that excess NOx emission.

21 VICE CHAIR BERG: And also when we're looking at  
22 trucks and those types of things that were covered under  
23 SB 1, that will also be looking at the criteria of SB 1  
24 and how long those vehicles need to be on the road, and so  
25 as we're funding new things, that we want those on the

1 road for that period of time?

2 MSCD INNOVATIVE HEAVY-DUTY STRATEGIES SECTION

3 MANAGER CHRISTENSEN: Yeah, that's right.

4 VICE CHAIR BERG: Okay. And then I do want to  
5 elevate the school bus from my other two colleagues.  
6 School buses is my number one. We've been looking for an  
7 opportunity to get the very oldest school buses off the  
8 road; and to find that chunk of money, I think that  
9 absolutely this is an opportunity to use some funds to get  
10 that done.

11 Thank you.

12 CHAIR NICHOLS: I'm trying to remember. Maybe  
13 someone -- Aron or Ellen can help me. But when we were  
14 working through the instructions for the trust, California  
15 did get into a battle, if you will - a polite one - with  
16 the federal government over the issue of whether we could  
17 go above and beyond the normal scrappage values in order  
18 to get more vehicles into the hands of low-income people.  
19 We were trying to do more with the EFMP Plus approach. Do  
20 you -- does that make any sense to you? And how we were  
21 able to handle that. Because there were issues about  
22 whether you could target these funds to get the 30  
23 percent.

24 Ellen.

25 CHIEF COUNSEL PETER: So there's -- on the

1 getting the cars in the hands of low-income people that  
2 can't do that, there is some flexibility, but it's  
3 probably -- there's some limits on this particular  
4 mitigation money. But you recall we have that extra 25  
5 million that is separately -- in a separate pot of  
6 money --

7 CHAIR NICHOLS: Yes. Right.

8 CHIEF COUNSEL PETER: -- which then that one is  
9 the one that we have more flexibility with. And so that  
10 was appropriated by the legislature into the EFMP Plus-Up.  
11 I think there's some opportunities there to look at used  
12 vehicles and also other -- you know, as those come to  
13 market. So I think there's some opportunities there.

14 The categories of -- that is -- that's listed in  
15 there, we got it broader, but there still is focused on,  
16 as Lisa said at the beginning of the presentation, kind  
17 of, you know, diesel, you know, reductions.

18 CHAIR NICHOLS: Right. Right. Diesel to diesel  
19 though is a --

20 CHIEF COUNSEL PETER: Right. But there's this --  
21 that's why it's important to look at these different pots  
22 of money. Because I think if we think about them in a  
23 broader group, then we can see how that works.

24 CHAIR NICHOLS: Have to do some mixing and  
25 matching here.

1 CHIEF COUNSEL PETER: Right. And where you can  
2 fill in gaps. And the legislature, you know, as this is a  
3 multi-year part -- and I'm trying to look around my  
4 screen, which doesn't actually have anything on it other  
5 than a blue screen here, by the way.

6 (Laughter.)

7 CHIEF COUNSEL PETER: -- is for the next year  
8 because the mitigation funds are obviously going to be  
9 running over for future years as is additional 617's, is  
10 we can think about as we're having these discussions where  
11 the gaps are. And the legislature actually can I think  
12 refine some of this as we're going along. Because this is  
13 the first year. We want to get the money out, get it  
14 going.

15 But I think there's some opportunities for some  
16 synergies here.

17 CHAIR NICHOLS: So just to pose the question was  
18 sort of implicit in several of the other comments. Why  
19 wouldn't we take it all and just spend it on school buses?

20 CHIEF COUNSEL PETER: If you actually could --  
21 I'll look at Aaron because he's more in the diesel. I  
22 think the answer is yes, you could do that.

23 ASSISTANT CHIEF COUNSEL LIVINGSTON: (Nods head.)

24 CHIEF COUNSEL PETER: So the categories are -- is  
25 a -- it's a menu of what is allowed. And we had a pretty

1 large -- it started out narrow, and as you recall it got  
2 to be a larger list and added infrastructure as one  
3 element of it. But that's what this plan is for. That's  
4 what this public process is for.

5 Now the legislature then indicated that the  
6 monies have to go because of SB 92 sets aside that  
7 percentage. So that is a State-imposed requirement. But  
8 you could put it -- all of the money into school buses if  
9 you'd get -- if that's the decision.

10 CHAIR NICHOLS: Right. Okay.

11 Yes, Mr. Eisenhut.

12 BOARD MEMBER EISENHUT: I don't think this puts  
13 me at odds with the Chair. But thank you.

14 (Laughter.)

15 BOARD MEMBER EISENHUT: One of the terms from  
16 this morning's discussion that still resonates with me is  
17 objective criterion. And the discussion that Ms. Berg  
18 just had with staff I think framed it for me. If I  
19 understand the presentation and the direction from the  
20 Court and the Governor's office, there is a level which we  
21 will -- a level of reduction that we are to achieve with  
22 this specific funding. Is that correct?

23 ASSISTANT CHIEF COUNSEL LIVINGSTON: (Nods head.)

24 BOARD MEMBER EISENHUT: And that's a measurable  
25 level.

1 MSCD INNOVATIVE HEAVY-DUTY STRATEGIES SECTION

2 MANAGER CHRISTENSEN: Yes, that's correct. It will be a  
3 total amount of NOx probably in tons.

4 BOARD MEMBER EISENHUT: And so we'll be able to  
5 calculate as a threshold for qualification in order to  
6 achieve our goals and the Court's mandate so many tons of  
7 reduction per dollar that would be a minimum qualifier --  
8 or could be minute qualifier in aggregate for any project?

9 MSCD INNOVATIVE HEAVY-DUTY STRATEGIES SECTION

10 MANAGER CHRISTENSEN: Yes, that's right. In the  
11 aggregate, that's right.

12 BOARD MEMBER EISENHUT: In the aggregate?

13 MSCD INNOVATIVE HEAVY-DUTY STRATEGIES SECTION

14 MANAGER CHRISTENSEN: Right.

15 BOARD MEMBER EISENHUT: Okay. So I'm back to the  
16 previous conversation. That works as long as we meet that  
17 criteria, which we yet don't know -- or which we have not  
18 yet discussed?

19 MSCD INNOVATIVE HEAVY-DUTY STRATEGIES SECTION

20 MANAGER CHRISTENSEN: Well, that's right. And that's  
21 be -- you know, we're at the very beginning of this public  
22 process, and we've already heard today some great ideas  
23 about the kinds of mitigation actions that are eligible.

24 And we could fund all of one particular type of  
25 mitigation action. But again the key question that we

1 have to answer in the plan is, did we fully mitigate the  
2 excess NOx emissions? So you're right, that is absolutely  
3 the fundamental legal requirement, and then we'll look at  
4 other co-benefits and things as well. But that is the  
5 fundamental question.

6 BOARD MEMBER EISENHUT: Okay. Thank you.

7 CHAIR NICHOLS: I do think though that -- I think  
8 this is relevant to jump on that piece of it -- that  
9 because it came to us in this particular way, that being  
10 able to articulate what good this particular amount of  
11 money did is an important piece of judging whether we were  
12 successful or not.

13 Yes.

14 BOARD MEMBER SHERRIFFS: My name is Dr. Sherriffs  
15 and I'm from the San Joaquin Valley.

16 (Laughter.)

17 BOARD MEMBER SHERRIFFS: And I'm recovering from  
18 exposure to excess NOx.

19 NOx is really important to the Central Valley.

20 CHAIR NICHOLS: Yes, it is.

21 BOARD MEMBER SHERRIFFS: So we'd love to see  
22 something that is emphasizing that.

23 And, yeah, again this is --

24 CHAIR NICHOLS: Like a cup of coffee and a  
25 cookie?

1 (Laughter.)

2 BOARD MEMBER SHERRIFFS: This is -- one reason  
3 it's to capture quick reductions is because in a sense  
4 we're paying for stuff that happened two years ago, three  
5 years ago, five years ago, and we're trying to make up for  
6 that loss in some ways.

7 So in some ways the -- some of what we're  
8 talking -- to meet that. It's not aspirational. We want  
9 to be sure we get over this bar.

10 But given that, there's lots that's potentially  
11 aspirational with this. And certainly, you know, I would  
12 want to maximize the EV infrastructure.

13 You know, one thing that's aspirational is  
14 thinking about something like the buses to have a big  
15 impact on a particular category through this.

16 Another thing that's aspirational is to have a  
17 big aspect on a particular industry or a piece of industry  
18 when we think about -- you know, 9,000 pieces of equipment  
19 with one airline. That sounds -- you could make a -- get  
20 an industry to electrify a piece of its business. That's  
21 aspirational, that's powerful.

22 I'm wondering, you know, maybe staff needs to  
23 come back to us some different ways to mix this. We get  
24 over the bar and here's some of the different ways that we  
25 can achieve that, some of the possibilities, having heard

1 what some of the aspirations are of the Board as well as  
2 what you've gotten from the public.

3 So maybe it's not one plan but it's -- we -- a  
4 number of directions that we could do to get where we want  
5 to go.

6 CHAIR NICHOLS: Yeah. Well, that was why I sort  
7 of jumped in there with that idea, because I do think that  
8 it's more satisfying in a lot of ways, let's face it, to  
9 do something big than to spread it out. By big, meaning  
10 not just one project per se but something where you'd  
11 really see the impact of what this is.

12 BOARD MEMBER SHERRIFFS: Yeah. And I would also  
13 add because we want to get their quickly, in fact the air  
14 districts are perfect partners because they have  
15 experience with a lot of projects and have things going on  
16 the ground that we can support so we can get some quick  
17 results.

18 CHAIR NICHOLS: Well, I have one other  
19 consideration too, which is that, you know, most of our  
20 money is allocated pretty much on a population-weighted  
21 basis. And so we get criticized -- we have been  
22 criticized because the bulk of it goes to places where you  
23 can show that there's the greatest exposure which is in  
24 the most heavily urbanized areas. If we were to spend the  
25 money on school buses, we would be benefiting children in

1 rural areas who don't get the benefit of many of our other  
2 programs.

3           So just one more consideration to throw out  
4 there.

5           BOARD MEMBER RIORDAN: This is statewide. The --

6           CHAIR NICHOLS: Well, it still would be  
7 statewide, absolutely.

8           BOARD MEMBER RIORDAN: Well, yeah. But the, you  
9 know, school buses -- and I would bet you that some of our  
10 worst school buses are in our most rural areas.

11           CHAIR NICHOLS: Which seems.

12           BOARD MEMBER EISENHUT: If not the worst, the  
13 ones that run the most miles.

14           CHAIR NICHOLS: Yeah, where the kids spend most  
15 of the time on the bus, and they're the ones who are the  
16 ones who are getting the exposure.

17           Yes, Ms. Takvorian.

18           BOARD MEMBER TAKVORIAN: Yeah, so I'm having a --  
19 this is a great conversation. And I was thumbs up with  
20 obviously the school bus focus. And I would really want  
21 to see an analysis from our staff about -- I mean I know  
22 that a lot of our kids are not only on the bus but some of  
23 our kids are next to the bus yard where the school buses  
24 and other buses are gassing up. But they're also right  
25 next to the ports where hundreds of trucks a day are going

1 by. So I -- you know, I stopped myself, in a way, and  
2 said, well, I'd really want to look at that analysis,  
3 because, you know, a couple of our elementary schools are  
4 right next to the port terminal, and they're on the bus,  
5 then they're sitting there next to the trucks.

6 So I hear you, but I also want to really look at  
7 where -- children's health is the threshold then -- and I  
8 know NOx is -- get that.

9 But if children's health is a key criteria, then  
10 we should really look at where the best benefit is for  
11 them as well. So it will be interesting to see.

12 CHAIR NICHOLS: Well, we've got a few months to  
13 work on this, as I understand it. And there will be  
14 opportunities along the way. Certainly there's a  
15 commitment to more public workshops when there's a draft  
16 plan out perhaps even before that. If there are specific  
17 criteria that are being developed, if those could be made  
18 available, that would also I think be useful for those of  
19 us who really are interested in making sure that the  
20 metrics are there as well.

21 And I know there's going to be a lot of  
22 interest -- wide interest in what we do with this project.  
23 So we'll get plenty of exposure.

24 If there are no further comments on this item, I  
25 think we could bring it to a close. But we have -- I

1 guess we're supposed to call for public comment. Did  
2 anybody sign up for public comment?

3           They did not.

4           If that's the case, then I think we probably are  
5 ready to wind up.

6           Thanks to everybody for being here. I hope to  
7 see most, if not all, of you tomorrow at the  
8 groundbreaking for the new Southern California facility  
9 here in Riverside.

10           And bid you all a good evening.

11           (Thereupon the Air Resources Board meeting  
12 adjourned at 3:13 p.m)

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## C E R T I F I C A T E O F R E P O R T E R

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 8th day of November, 2017.



JAMES F. PETERS, CSR  
Certified Shorthand Reporter  
License No. 10063