

Action Summary Minutes  
San Joaquin Valley Unified Air Pollution Control District

**ENVIRONMENTAL JUSTICE ADVISORY GROUP (EJAG)**

Central Region Office, Governing Board Room  
1990 E. Gettysburg Avenue, Fresno, CA

**Tuesday, April 26, 2011**  
**5:30 p.m.**

*The Environmental Justice Advisory Group Meeting was held via video teleconference (VTC): Central Region Office, Governing Board Room, 1990 E. Gettysburg Avenue, Fresno, the Southern Region Office, VTC Room, 34946 Flyover Court, Bakersfield and the Northern Region Office, VTC Room, 4800 Enterprise Way, Modesto*

1. CALL TO ORDER – The meeting was called to order at 5:36 p.m.
2. ROLL CALL – was taken and a quorum was present.

County	Member Name/Interest Group	Location
Kern	Linda MacKay, At-large Rep.	South
Stanislaus	Pamela Neronha, At-large Rep.	North
Tulare	Derek Williams, At-large Rep.	Central
Merced	Melissa Kelly-Ortega, At-large Rep.	North
Fresno	Sandra Celedón-Castro, At-large Rep.	Central
Fresno	*Sarah Sharpe, CAC-Environmental (Alternate)	Central

\*Departed at 6:33 p.m.

Staff present in Central Region Office (Fresno) – Rick McVaigh, Deputy APCO; Samir Sheikh, Director of Strategies & Incentives Department; Dr. David Lighthall, District Health Science Advisor; Errol Villegas, Program Manager, Strategies & Incentives Department; Maricela Velasquez, Senior Public Information Representative; Claudia Encinas, Bilingual Public Information Representative.

Staff present in Southern Region Office (Bakersfield) – Brenda Turner, Public Information Representative.

Staff present in Northern Region Office (Modesto) – Anthony Presto, Public Information Representative.

Members of the public present – Manuel Cunha.

3. APPROVE MINUTES OF TUESDAY, March 22, 2011 – Regarding item #11, CAC/EJAG Joint Committee section, Ms. MacKay requested a summary of the discussion concerning massed-based approach to be annotated in the minutes, as the risk-based approach was only referenced (page 3, second paragraph).

*Moved:* Kelly-Ortega  
*Seconded:* Sharpe  
*Ayes:* MacKay, Neronha, Williams, Sharpe, Celedón-Castro, Kelly-Ortega  
*Nays:* None  
*Abstain:* None

***Motion carried unanimously to approve the Minutes of March 22, 2011 with the stated amendment as made by Ms. MacKay.***

4. PUBLIC COMMENTS (FIRST OPPORTUNITY) – None.
5. CHAIR COMMENTS – Referencing the CAC/EJAG Joint Committee action plan, specifically step #7 – “EJAG will bring a speaker to an upcoming EJAG and CAC meetings to discuss Environmental Justice issues,” Ms. MacKay suggested CAC also provide EJAG with a similar presentation.
11. CONSIDER ESTABLISHING STANDING GRANT COMMITTEE (this action item was moved up on the agenda in order to vote while a quorum existed) - Mr. Williams stated the committee would meet as needed and would present any recommendations formed by the committee to EJAG. EJAG would then vote on those recommendations. Ms. MacKay reminded EJAG that the standing committee would fall under the requirements of the Brown Act. Mr. Williams suggested voting on establishing the standing grant committee during the meeting and waiting until next month’s EJAG meeting to elect EJAG members to the committee.

Ms. MacKay requested clarification of the purpose the committee. Mr. Williams said he envisioned the committee would have input on matters beyond just the \$10 million for EJ communities, and the purpose could be defined by the committee once it is formed and has had its first meeting. He said the committee would work with District staff and once the committee has met and discussed the committee’s purpose, the committee would then report back to EJAG.

*Moved:* Celedón-Castro  
*Seconded:* Kelly-Ortega  
*Ayes:* MacKay, Kelly-Ortega, Neronha, Williams, Sharpe, Celedón-Castro  
*Nays:* None  
*Abstain:* None

**Motion carried unanimously to approve the establishment of a standing Grant Committee.**

12. 2011 GOALS & OBJECTIVES – (this action item was moved up on the agenda in order to vote while a quorum existed) - After discussion by the group, goal and objective #4, first action item, was amended as follows:

- Solicit input from community members on specific goals, issues, concerns and respond in a timely manner
- EJAG members are responsible
- The timeline is the end of the third quarter
- Deliverables would be documented input from community members; and for the second bullet under this item - EJAG members will bring a short summary of responses from specific events where appropriate

And, goal and objective #4, second action item, was amended as follows:

- Collaborate with community organizations or entities (for example: CVAC, CCEJN) throughout the San Joaquin Valley
- Pilot project participants are responsible
- The timeline is the end of the third quarter
- Deliverables would be collaboration documented

Ms. MacKay suggested the goals and objectives include the flexibility for change in order to accommodate EJ issues presented to EJAG by members of the public.

It was discussed that this may fall under goal and objective #1. Mr. McVaigh said the EJAG bylaws state EJAG may revise its goals, objectives and the action plan throughout the year as necessary and resubmit them to the APCO for approval.

Public Comment: The following persons provided testimony on this matter:

- Manuel Cunha – Mr. Cunha, chair of the CAC, said the CAC and EJAG need to work together within the established bylaws to accomplish goals and objectives.

*Moved:* Sharpe  
*Seconded:* Celedón-Castro  
*Ayes:* Williams, Neronha, Kelly-Ortega, MacKay, Celedón-Castro, Sharpe  
*Nays:* None  
*Abstain:* None

**Motion carried unanimously to approve 2011 Goals and Objectives with the mentioned amendments to goal and objective #4.**

6. APCO/DEPUTY APCO COMMENTS – None. Due to time, this section was omitted.
7. RULES UNDER DEVELOPMENT – None. Due to time, this section was omitted.
8. ARB AB 32 PRESENTATION – Ms. Sharon Anderson and Ms. Nancy McKeever from ARB, office of Climate Change and the Stationary Source Division, gave presentation.

Ms. MacKay requested EJAG members receive a copy of the PowerPoint presentation.

Regarding cap-and-trade and meeting the 2020 and 2050 goals, Mr. Williams asked how that would affect energy costs to the consumers, especially in EJ communities. Ms. Anderson said there are cost control mechanisms that are being considered, which are set to balance out the availability of allowances with the effect they have on the price. She said an economic analysis has been completed on cap-and-trade, which projects a small increase would be caused by the allowance trading system.

Mr. Williams requested this information to be provided to EJAG, in order for EJAG members to have material to reference and present to members of EJ communities.

Mr. Williams expressed concern regarding the effect Cap-and-Trade will have on agriculture and the subsequent effect on members of EJ communities. Ms. McKeever said they would try and acquire information from ARB studies regarding this matter.

Ms. MacKay asked if biofuel power plants were included in the definition of renewable energies. She said there are concerns with various pollutants emitted from these types of power plants. Ms. Anderson said biofuel power plants are required to go through a rigorous planning process with local air districts to get permitted or sited. She said ARB is conducting an extensive life-cycle analysis, which follows the creation of the feed stock to the point where it is used as bio-fuel.

Concerning SB 375, Ms. Celedón-Castro asked why the San Joaquin Valley was approved for a lower goal (5% reduction) than other counties. Ms. Anderson said the Regional Transportation Advisory Committee's process is on record and would provide information as to the adoption of the targets.

Ms. Kelly-Ortega said the Merced County Association of Governments will convene to discuss sustainable community planning and community members

will be asked to become involved. For those interested, she said the MPO website provides further information.

Ms. MacKay requested EJAG receive a presentation at a future EJAG meeting centering on the lawsuit involving cap-and-trade, in order for EJAG to receive information from both sides of this issue.

***Ms. Sharpe departed at 6:33 p.m.***

9. HEALTH RISK-BASED APPROACH – Samir Sheikh, Director of Strategies and Incentives, and Dr. David Lighthall, the District’s Health Science Advisor, conducted a PowerPoint presentation concerning the District’s Health Risk-Based Strategy.

Ms. MacKay requested further information regarding mass-based strategy versus risk-based strategy. Mr. Sheikh explained if the focus is strictly on mass-based standards, it will result in limiting options in developing attainment plans, as it will preclude utilizing data, such as different types of emissions that have a disproportionate impact on health risks.

Ms. MacKay asked if the District was advocating ultra-fine PM standards. Dr. Lighthall said the EPA recently developed their policy assessment for particulate matter, which is available online; however, the EPA has decided not to address ultra-fine particles at this time.

Mr. Sheikh said the District will be utilizing science and research to try and understand where and how Valley residents are being exposed and where they are being impacted the most, and he said EJ communities are areas that experience impacts from various types of sources. Mr. Sheikh said the District will be looking at the different emission sources in developing a set of strategies that will try and result in a large reduction of those emissions, as well as the health benefits associated to those reductions. He said the strategies will include a multifaceted approach to meet emission reduction goals.

Ms. MacKay asked if the District will ask the EPA which standard - risk-based or mass-based - could be used in order to reduce emissions. Mr. Sheikh said the District has quite a bit of latitude within the existing structure and that the District is interested in engaging the EPA and stakeholders during the development of the attainment plans. He said the core theme in developing the District’s plans will focus on health benefits for Valley residents.

10. CAC / EJAG COLLABORATION ACTION PLAN – This item was tabled to next month’s meeting.
13. FUTURE EJAG MEETING TIME LIMITS – Mr. Hamilton was not present; therefore, this item was not discussed.

14. EJ MAPS (IF ANY UPDATES) – No updates.
15. MAY EJAG MEETING AGENDA ITEMS – the following items will be on the May agenda:
  - Ms. Mackay suggested a presentation covering a different perspective on Cap-and-Trade.
  - As an action item, Mr. Williams suggested appointing EJAG members to the standing Grant Committee.
  - CAC / EJAG collaboration action plan.
16. PUBLIC COMMENTS (SECOND OPPORTUNITY) – None. :
17. EJAG MEMBER COMMENTS – Ms. Celedón-Castro suggested actions items continue to be addressed at the beginning of future meetings.
18. EJAG MEMBER SUGGESTIONS TO BE INCLUDED IN THE PRESENTATION OF THE EJAG REPORT DURING THE CAC MEETING ON TUESDAY, MAY 3, 2011 – Mr. McVaigh suggested to include that EJAG has completed the proposed action items for the 2011 EJAG goals and objectives, and that these will be forwarded to the APCO. In addition, EJAG has completed one of the line items for objective #6 this evening by receiving information on AB32 from ARB.
19. VOLUNTEER TO PRESENT EJAG REPORT DURING CAC MEETING, TUESDAY, May 3, 2011 AT 10:00 A.M. – Ms. Neronha will present the EJAG report.

## **ADJOURN**

Meeting adjourned at 8:22 p.m.

*NEXT MEETING – The next EJAG meeting is scheduled for Tuesday, May 24, 2011, at 5:30 p.m. Meeting held via video teleconference (VTC), with the Central Region Office (Fresno), the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating.*