

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, December 13, 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 5:40 p.m.
2. ROLL CALL – was taken and a quorum was present.

County	Member Name/Interest Group	Location
Merced	Melissa Kelly-Ortega, At-large Rep.	Central
Kern	Marvin Dean, Business Owner	Central
Tulare	Derek Williams, At-large Rep.	Central
Fresno	*Kevin Hamilton, CAC-Environmental	Central
Fresno	**Sarah Sharpe, CAC-Environmental (Alternate)	Central
San Joaquin	***Jeremy Terhune, At-large Rep.	North

\*Departed at 6:00 p.m.

\*\*Arrived at 5:47 p.m.

\*\*\*Departed at 6:40 p.m.

Staff present in Central Region Office (Fresno) – Rick McVaigh, Deputy APCO; Samir Sheikh, Director of Strategies and Incentives; Errol Villegas, Program Manager of Strategies and Incentives; Maricela Velasquez, Senior Public Information Representative.

Staff present in Southern Region Office (Bakersfield) – \*Brenda Turner, Public Information Representative; \*\*Emily Gonzales-Demont, Manager of Administrative Services.

\*Departed at 6:00 p.m.

\*\*Arrived at 6:00 p.m.

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

Members of the public present – Maricela Mares-Alatorre, Dennis Fox.

3. APPROVE MINUTES OF TUESDAY, October 25, 2011 -

Moved: Dean  
Seconded: Terhune  
Ayes: Kelly-Ortega, Terhune, Williams, Dean, Hamilton  
Nays: None

***Motion unanimously passed to approve the minutes of Tuesday, October 25, 2011.***

14. DISCUSS EJAG NEW MEETING SCHEDULE AND SCHEDULE DECEMBER 2012 MEETING – After discussion, it was decided EJAG would meet on the fourth Thursday of every month at 5:30 p.m. for 2012, except for December's meeting, which would be either of the following dates: first choice – Dec. 20; and second choice – Dec, 13. (A vote was taken, however, no one motioned to accept this, and consequently there was not a second motion.)

Moved:  
Seconded:  
Ayes: Hamilton, Dean, Terhune, Kelly-Ortega, Williams  
Nays: None

***Motion unanimously passed to move the meeting dates for 2012 to the fourth Thursday of every month at 5:30 p.m., except for the month of December, which will be held on either Dec. 20 or Dec. 13 at 5:30 p.m.***

4. PUBLIC COMMENTS – Ms. Mares-Alatorre asked if information outlining the criteria for submitting ideas to the EJ Grants Committee would be posted on the District website. Mr. Williams stated there will be an application process and Mr. Hamilton said there will probably be a Request For Proposal created for this purpose. Mr. McVaigh said ideas can also be presented to EJAG or the District. Mr. Williams invited Ms. Mares-Alatorre to attend the next Grants Committee meeting on January 26, 2012.

Ms. Mares-Alatorre said the District held a meeting in Kettleman City last week and expressed concerns regarding the notification process, suggesting the notifications be printed in Spanish and English. She also said the public comment period for this particular meeting ended the date of the meeting. Mr. Dean suggested the Grants Committee or EJAG participate in community outreach, in order to work with community groups and facilitate meetings in EJ communities. Mr. McVaigh said the meeting held on Dec. 8, 2011 in Kettleman City was concerning the renewal for existing permit units, and there was not a proposal to add to the facility. He also said the period for public comment was extended to Dec. 23, 2011. Mr. McVaigh said the District is required to post a

public notice in the newspaper of general circulation within the county and a public notice was printed in the Hanford Sentinel, which is the newspaper of general circulation for Kettleman City. Mr. Williams suggested the notices in EJ communities be posted in English and Spanish, and Mr. Hamilton suggested the District find out from EJ communities the most effective way to notify the community of upcoming meetings. It was discussed posting notifications in the following locations in Kettleman City to get the word out to community members: the post office, the local water district office, community center, and local market. Mr. Dean again expressed the importance of EJAG participating in community outreach.

Mr. Fox said he submitted two letters to EJAG, one regarding the burning in national parks and the other from the Bureau of Land Management concerning the development of a motorcycle park behind Maricopa. Mr. Fox asked if EJAG could obtain the smoke management plans from various organizations. Ms. Kelly-Ortega acknowledged EJAG had received his letters.

5. CHAIR COMMENTS – Ms. Kelly-Ortega said, due to time, items #11 and #18 would not be addressed during this meeting.
6. APCO/DEPUTY APCO COMMENTS – Mr. McVaigh said the CAC finalized recommendations on the District's Air Alert program and those recommendations will be presented to the APCO for consideration in developing next year's program. Mr. McVaigh requested EJAG review the District's green procurement policy that will be presented to the Governing Board on Dec. 15, in order to provide suggestions prior to that date. He said the District wants to use it as an internal purchasing policy and hopes it can be used as a model for outside organizations.

Mr. McVaigh said EJAG changing the date of future EJAG meetings should help attendance by members, and suggested Ms. Velasquez give a report at the next EJAG meeting concerning the number of seats that need to be filled. He said community members could conduct outreach in their respective communities to try and fill those vacancies.

Ms. Kelly-Ortega asked that the green procurement policy be emailed to EJAG members.

7. RULES UNDER DEVELOPMENT - Mr. Errol Villegas, Strategies and Incentives Program Manager, provided an overview of the rules under development.

Since the United Nations commission on greenhouse gases and Cap and Trade is delaying implementing the global program for Cap and Trade for another year or two, Mr. Williams asked if that will affect what the District is doing locally. Mr. Villegas said he did not believe it would affect what is being done locally and Mr. McVaigh said the District is trying to find a mechanism where people can create

credits locally, which would have the co-benefit of local criteria pollutant reductions. He suggested Mr. Dave Warner, Director of Permit Services, provide further information at a future EJAG meeting during the Rules Under Development section. Ms. Kelly-Ortega said EJAG members could contact Mr. Warner as well.

Ms. Sharpe asked why some rules up for adoption state there are no expected significant impacts, and she specifically referred to Rule 4352 (Solid Fuel Fired Boilers, Steam Generators and Process Heaters). Concerning Rule 4352, Mr. Villegas said this rule adoption is to address EPA's concerns with Reasonably Available Control Technology (RACT) and that is why it is indicated there are no expected significant impacts. He said RACT is the baseline for federal non-attainment areas and explained most facilities in the Valley already have in place Best Available Retrofit (BART) controls and Best Available Control Technology (BACT).

***Ms. Sharpe arrived at 5:47 p.m.  
Mr. Hamilton departed at 6:00 p.m.***

Public Comments: The following person provided testimony on this matter:

- Dennis Fox – Mr. Fox said there is a facility in Merced that grinds tires and uses the final product for different purposes, such as mixing with asphalt for roadways.

8. CAC/EJAG COLLABORATION UPDATE – Ms. Velasquez said she is waiting to hear from Mr. Jonathan London, Director of the Center for Regional Change at UC Davis, regarding an additional date for the EJ 101 presentation. Currently, one possible date for the presentation is Feb. 2.
9. GRANTS COMMITTEE UPDATE – Mr. Williams said four or five members of the public attended the committee meeting and participated in the public comments section. He said the District provided a presentation on “The Role of EJAG and the Expenditure of AB 2522 Funds.” He said the committee plans to make recommendations for use of the funds and present them to EJAG next month. Mr. Williams also said the Grants Committee task is an ongoing process, as the committee will also discuss and submit recommendations to EJAG on how the District could use other funds besides the \$10 million.

***Mr. Terhune departed at 6:40 p.m.***

Public comments: None.

(Refer to item #19, January EJAG Meeting Agenda Items, for further discussion regarding this item)

10. REVIEW OF CHECK BEFORE YOU BURN BROCHURE – Ms. Kelly-Ortega thanked the District for incorporating all of EJAG’s prior suggestions. Ms. Velasquez said the District’s graphic designer is working on the final version, which will be a tri-fold style, and asked EJAG members to submit any further suggestions to be considered in the final version to her.

Mr. Dean asked what is required for an EJ community printing business to submit a vendor bid. Ms. Velasquez said all that is needed is for the business to submit their information and then they will be included on the District list. She said the District sends out Request for Proposals to the vendors and then reviews the top three received. Mr. Dean said he would provide information to Ms. Velasquez concerning a business he would like to recommend.

11. VIEW THE WINNING FOR REEL VIDEO SUBMISSION – Due to time constraints, the video was not viewed.
12. CREATION OF CHECKLISTS FOR COMMITTEES – Ms. Kelly-Ortega said this item would be placed on next month’s agenda as an action item.
13. ONE-PAGE SUCCESS SHEET – Ms. Kelly-Ortega asked that members review the “Environmental Justice Advisory Group Successes of 2010” and submit any changes within the next week, in order for the one-page success sheet to be finalized and for this item to be an action item next month. Mr. McVaigh suggested some of the items provide more detail, and listed the following as examples:

- Explain that EJAG reviewed the District’s complaint brochure and provided input to make the brochure more effective and appropriate for use in EJ communities, and expand on the value EJAG added
- Be more specific concerning the outreach EJAG provided to help get the word out about the Tune In and Tune Up events
- Include the input provided by EJAG to the High Speed Rail Commission consultants who attended an EJAG meeting, which helped them to identify EJ communities that might be affected by the proposed routes

Ms. Kelly-Ortega said the different projects EJAG members are working on as a representative of EJAG also need to be listed. She said additions to this sheet can be emailed to her. Mr. Williams suggested eliminating the year (2010) from the title, and also suggested adding the Grants Committee’s recommendations that will be made to EJAG during next month’s meeting. Mr. Dean said he would provide information on the Fourth Annual Public Contracting Expo that Mr. Williams attended in Bakersfield for incorporation into the success sheet.

Ms. Kelly-Ortega said this item will be on next month’s agenda as an action item.

15. ANNUAL REVIEW OF BYLAWS, DUTIES AND RESPONSIBILITIES – Ms. Kelly-Ortega read the bylaws, duties and responsibilities handout. Mr. Dean suggested if an EJAG member cannot attend a meeting, the member contact someone, in order for it to be determined if enough members are present at a meeting to form a quorum.

Mr. Williams recommended the bylaws be made available to the public as a standard handout at all EJAG meetings.

Public Comment: None.

16. CREATE A CALENDAR OF EVENTS – Ms. Kelly-Ortega referred to the EJAG action plan, goal and objective #4, which states EJAG will create a calendar of events by the end of this quarter. Mr. Williams said one criterion for an event to be listed on the calendar would be that the event must have something to do with promoting clean air. Mr. Dean suggested outreach events could also be annotated on the calendar. After discussion, it was proposed that:

- Suggestions for items to be placed on the calendar must be approved by the Chair
- Events could be listed on the District's online calendar

Ms. Kelly-Ortega requested a sample calendar be provided at the next EJAG meeting.

Public comment: the following person provided testimony on this matter:

- Dennis Fox – Mr. Fox asked if EJAG would consider sponsoring a workshop on smoke management plans. Ms. Kelly-Ortega requested he leave information he referred to with Ms. Gonzales-Demont, in order for it to be forwarded to Ms. Velasquez.

17. DEVELOP TOOLS FOR COMMUNITY FEEDBACK – Ms. Sharpe provided an overview of "Ivanonline.org," an online citizen's monitoring system site funded by the EPA for Californians for Pesticide Reform. The environmental data reporting system has been used in Imperial Valley and is the first community-based environmental reporting site in California. The site does not focus specifically on air quality; however, it was designed to improve monitoring and reporting by community members by allowing people to text messages and take a picture or a video with their phones of environmental issues that are of concern to the community and submit the information online. The information submitted is verified and then passed on to the correct agency for follow-up. She said the program is also being developed for the Valley, starting with Kern County and Tulare County, and should be up and running within six months. She said this program could be used to engage communities. She suggested EJAG invite

Teresa DeAnda, from Californias for Pesticide Reform, or Debbie Lowe, from EPA, to speak at a future meeting.

Ms. Kelly-Ortega asked members to review the site and agreed the program could be used as a tool to engage people. She reviewed other suggestions previously made by EJAG members, which included:

- Questionnaires
- Pull-off tab on EJAG brochures
- iPads (or similar devices)

In response to a public comment made by Ms. Mares-Alatorre, Mr. Williams said instead of expecting community members to attend EJAG meetings, EJAG members could attend community meetings where there was an opportunity to speak about EJAG and EJ issues. Also, he suggested EJAG host four town hall meetings (in different EJ communities) in 2012, where EJAG tags onto a community event. Mr. Dean said EJAG could work with community members to get the public to attend.

Mr. Williams requested to bring this item back as a discussion/action item on EJAG's January agenda, in order to further discuss EJAG's participation in four community events next year. Mr. McVaigh suggested EJAG list this as a proposal item for EJAG's 2012 plan.

Public comment: the following persons provided testimony on this matter:

- Maricela Mares-Alatorre – Ms. Mares-Alatorre suggested EJAG host mini-workshops to explain EJAG's role to community members and encourage public participation and involvement. Regarding EJAG attending four community events, she suggested the events be in four different counties and also said migrant health fairs would provide an opportunity for EJAG to interact with EJ community members.
- Dennis Fox – Mr. Fox suggested EJAG consider towns that have networks already in place.

18. EJ MAPS UPDATES – Not discussed.

19. JANUARY EJAG MEETING AGENDA ITEMS – The following items will be on the January agenda:

- Grants Committee update/recommendations
- View the winning For Reel Video submission
- Checklists for committees
- One-page success sheet
- Developing tools for community feedback

- Check Before You Burn brochure
- Calendar of events

Concerning item #8, CAC/EJAG Collaboration Update, Ms. Velasquez said she had received a reply from Mr. London regarding optional dates, in addition to 2/2/11, for the EJ 101 presentation. The other dates he provided for a second option were: 2/14, 2/21, and 2/23/2012. Ms. Kelly-Ortega said the best dates for the presentation would be 2/2 and 2/21/2012. Ms. Velasquez said she would send out a doodle survey to see which of those two dates work best for EJAG and CAC members.

20. PUBLIC COMMENTS (2nd OPPORTUNITY) – Mr. Fox said he would be sending EJAG something about environmental injustice and wished everyone a happy holidays.

Ms. Velasquez said Mr. Needham resigned his seat on EJAG and an appointment for his seat will occur at the next CAC meeting. Ms. Velasquez advised due to a conflict in schedules this would be her last EJAG meeting until approximately July; however, she would still assist with the scheduling and coordinating of the EJAG meetings. During her absence, other OC staff will attend the meetings.

21. EJAG MEMBER COMMENTS – Mr. Williams said, per the attendance sheet, a number of EJAG members have missed three meetings in a row. He said he was not advocating for anyone to be asked to leave, but suggested members be encouraged to attend. Ms. Kelly-Ortega suggested she, as the Chair, call members prior to the next meeting.

Mr. Dean said the 5<sup>th</sup> Annual Public Contracting Expo will be held on Jan. 19, 2012 at the Radisson Hotel downtown Fresno, from 7:30 a.m. to 5 p.m. He requested District staff have an outreach information table at the event. Mr. Dean said the following are items he would like discussed at the next meeting:

- District grant/incentive funds and the percentage of those funds that are allocated to EJ communities and the types of projects they are allocated for
- Community outreach
- Dispersal of the \$10 million

Mr. Dean said he would provide Ms. Velasquez further information on these items in writing. Ms. Kelly-Ortega said the information regarding incentive funds is available on the District website.

Mr. Dean said the District is a well-run agency, which is evident by the San Joaquin Valley having cleaner air, the accomplishments made through



collaboration efforts, and the District's numerous programs. Ms. Kelly-Ortega said she has learned a lot working with the District and appreciates all the District does. She thanked District staff for patience and their assistance.

22. EJAG MEMBER SUGGESTIONS TO BE INCLUDED IN THE PRESENTATION OF THE EJAG REPORT DURING CAC MEETING ON TUESDAY, JANUARY 3, 2012 – No suggestion were made beyond what is provided on the highlights handout.
23. VOLUNTEER TO PRESENT REPORT DURING CAC MEETING TUESDAY, JANUARY 3, 2012 AT 10 A.M. – Mr. Williams said he could provide the report. Ms. Kelly-Ortega said she might be able to attend and provide the report and would let Mr. Williams know prior to the meeting.

### **ADJOURN**

Meeting adjourned at 7:34 p.m.

*NEXT MEETING – The next EJAG meeting is scheduled for Tuesday, January 26, 2012, 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.*