

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, August 23, 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 5:31 p.m.
2. ROLL CALL – was taken and a quorum was present.

<b>County</b>	<b>Member Name/Interest Group</b>	<b>Location</b>
Merced	Melissa Kelly-Ortega, At-Large Rep.	Central
Kern	Marvin Dean, Business Owner	South
Fresno	Kevin Hamilton, CAC-Environmental	Central
Tulare	Mike Santana, CAC-City (Primary)	Central
Tulare	Derek Williams, At-Large Rep.	Central

Staff present in Central Region Office (Fresno) – Samir Sheikh, Strategies and Incentives Director; Errol Villegas, Strategies & Incentives Program Manager; Todd DeYoung, Strategies & Incentives Program Manager; Jaime Holt, Chief Communications Officer; Tom Jordan, Senior Policy Advisor, Maricela Velasquez, Senior 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 – Dennis Fox; Heather Gonzalez

3. APPROVE MINUTES FOR JUNE 28, 2011 – The Minutes for June 28, 2011 were approved with no changes.

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

4. PUBLIC COMMENTS (FIRST OPPORTUNITY) – *The following persons provided testimony during the Public Comments portion of the meeting:*

- Dennis Fox revisited his comments from the last EJAG meeting regarding smoke in the national parks. He stated he contacted the National Park Service and received a list of the fires that have occurred in the parks during the past five years. He stated he would submit this information to staff.

5. CHAIR COMMENTS – None

6. APCO/DEPUTY APCO COMMENTS – Samir Sheikh, Strategies and Incentives Director presented this item and noted that Mr. Sadredin and Mr. McVaigh were unable to attend this meeting. He also noted that Agenda Item #12, PRESENTATION BY SEYED SADREDIN, APCO & MANUEL CUNHA, CAC CHAIR, would be tabled until the next meeting as Mr. Cunha was also unable to attend this meeting. He reported the Governing Board began using the paperless Agenda at its August meeting. He reported the paperless agenda process should save the District \$25,000 per year.

Mr. Sheikh reported on actions by the Board at its August meeting, including proposed new Rule 4566(Organic Material Composting Operations) and amendments to Rule 4702 (Internal Combustion Engines). He noted staff had good interaction with affected stakeholders. Mr. Sheikh also reported the Board adopted amendments to Rule 2020 (Exemptions) and approved a \$750,000 Short Sea Shipping project for the Port of Stockton, in addition to other local level incentives to spur interest in hybrid heavy-duty vehicles and electric vehicles. He noted the Board approved a \$250,000 match from ARB for lawn and garden equipment in the Valley.

Mr. Sheikh also reported the District was selected to run the new statewide school bus retrofit program as a testament to the quality of work provided by the District's Incentives Department employees. Mr. Hamilton stated this is a high point for the District to get these funds out to the Valley, as some of the worst air pollution comes from diesel exhaust. Mr. Sheikh noted this has been a great collaborative effort with EJ groups. He also reported the Board received a \$2 million grant to repower switcher cars at railroads (which traditionally are in EJ areas) at its August meeting. Mr. Sheikh also reported that the Governing Board meeting scheduled for September 15 has been cancelled due to scheduling conflicts and noted the next Governing Board meeting will take place on October 20, 2011.

Ms. Holt presented the District's Air Alert Program folders, which have been distributed to media partners and stakeholders across the Valley. She stated the District is currently in an Air Alert episode, and noted this program was developed because the Valley failed to meet the 2010 1-Hour Ozone Standard set by the EPA. She noted the Board directed staff to work with the EPA to try

and get some credit for progress, noting the Valley has had great improvement in its One-Hour Ozone Standard levels. For example, in 1996, there were 56 violations and in 2010, there were seven violations. She stated the Board also directed staff to better communicate with the public on their role in helping to meet the One-Hour Ozone Standard, especially since they will begin to see the additional \$12 DMV fee this fall. She stated the District has begun an extensive outreach campaign to get the Air Alert message out to Valley residents, and noted back-to-school traffic is a real factor in the risk of exceedances. She reported the Valley must go three years without an exceedance before the penalty goes away.

Ms. Kelly-Ortega stated she observed many cars idling while walking her child to school recently, and she asked about possibly printing Air Alert posters to remind parents. Ms. Holt responded that posters were sent out to all of the District's flag school partners and to RAAN partners. Mr. Williams asked about displaying the Air Alerts on the Weather Channel and the exposure received at various media outlets in the Valley. Ms. Holt responded there was not enough lead time to utilize the Weather Channel this time but staff is working on it for future Air Alert episodes. She also stated the District received a lot of media exposure on the program and additionally, staff is working with Cal Trans to utilize their CMS's, or changeable message signs, and also developing a smart phone application. She also noted staff will send out daily press releases beginning tomorrow.

Mr. Santana commented on the many round-the-clock construction projects currently taking place in Tulare County, namely on Highways 99 and 198. He asked about the possibility of an Air Alert delay, similar to a rain delay. Ms. Holt responded that the District is trying to be sensitive to not causing an economic burden on businesses and have asked others to shift operations to early in the morning, when they would have less impact on possible exceedances. Mr. Hamilton voiced his support for Mr. Santana's comments. Mr. Dean asked for funding allocation reports to be broken up into four categories including, public agencies, schools, and cities; large corporations; small businesses; and EJ businesses. Mr. Sheikh responded there would be some difficulty identifying EJ businesses, but noted staff would work on providing a future report on this topic to the Grants Committee.

7. CAC / EJAG COLLABORATION ACTION PLAN – Ms. Kelly-Ortega reported that Jonathan London from UC Davis is available to give an Environmental Justice presentation to the group sometime in February. She asked for feedback on whether this should be a joint presentation for both CAC and EJAG. She also noted there were a few areas she felt the group needed to work on in the 11 points collaboration list from the meeting, including #2 – the leader in charge of the various projects and ad-hoc committees needs to be responsible for sending progress reports and regular updates to the Clerk of the Boards so they can distribute that information to both groups. She suggested the group needed to be more formal in that process. She also volunteered to complete #3 – develop a checklist to ensure that any projects or ad-hoc committees fit within the

boundaries of the EJAG Goals and Objectives, prior to the September EJAG meeting. She noted #8 on the list – develop a formal protocol, will be discussed during Item #11 on tonight’s agenda.

Mr. Hamilton responded a joint CAC/EJAG meeting in February to hear Mr. London’s presentation would be a great idea. Ms. Holt suggested putting that meeting on the calendar as soon as possible, and noted this could be part of one of the regular CAC or EJAG meetings or a separate meeting on another date. Ms. Holt noted this will be a public meeting and need to be duly noticed with an agenda. Ms. Kelly-Ortega stated she will follow up with Mr. London on a draft agenda and potential dates in February.

Public Comment:

- Heather Gonzales thanked the group for their hard work and stated she felt it was a good idea to get both CAC and EJAG groups together to build relationships and mutual understanding.

8. GRANT COMMITTEE UPDATE – Mr. Williams reported the Grants Committee held their first meeting today prior to the start of the EJAG meeting. He stated he was elected Chair and Mr. Dean was elected as Vice-Chair. He reported they received a short presentation from Mr. DeYoung, on the roles and responsibilities of the committee including: the types of current and/or new projects which could be funded from the \$10 million; and, areas of implementation. He stated they have scheduled their next meeting for 4:30 p.m. on September 27<sup>th</sup> (prior to the EJAG meeting).

Mr. Dean commented that Mr. Santana made some good comments regarding the construction industry earlier in the meeting. He asked for Mr. Santana’s input for the Grants Committee. Mr. Williams noted this would be a discussion item on the next Committee Agenda. Ms. Kelly-Ortega asked the Committee to consider public and private partnerships in relation to the lawn and garden program and EJ areas. Mr. Hamilton requested EJAG members send their ideas to the Grants Committee via email.

Public Comment - None

9. 2011 SUCCESS STORIES AND ACHIEVEMENT/REVIEW 2011 GOALS – Ms. Kelly-Ortega gave an overview of the PowerPoint presentation she gave at the August CAC meeting regarding EJAG 2011 success stories and achievements, including: the pilot project for the Northern Region, which began in January; the Complaint Procedures brochures was updated in January; EJ map recommendations, which took place in January and March; recommendations made on how to spend funds in EJ areas; business cards developed; meeting with Betsy Reifsnider of Catholic Charities in February; Public Contracting Expo event in Bakersfield; joint CAC & EJAG meeting in March; Smart Action Plan; Grants Committee has formed; three completed pamphlets and assistance provided for the Tune Up, Tune In events. She stated Mr. McVaigh suggested

adding the input and participation by EJAG on the high-speed rail project. Ms. Kelly-Ortega stated the EJAG Goals called for the group to create a one-page document on EJAG successes and asked EJAG members to email their input to her.

Ms. Kelly-Ortega next reviewed the 2011 Goals, including the addition of Goal #8 – EJAG will continue to be informed and updated regarding the risk-based approach to reducing pollutants. She stated EJAG has received presentations from District staff. She noted the goal – review and assess potential impacts of risk-based criteria on EJ communities - still needs to be completed. In addition, she commented the goal – provide and present comments to the CAC for approval – written comments concerning risk-based criteria, is ongoing. Ms. Kelly-Ortega remarked that EJAG is getting through a lot of their goals and doing a good job working collaboratively with the CAC. She stated it was very positive to have both CAC and EJAG members on the Grants Committee. She gave an update on Goal #3 – EJ maps, as she does not believe EJAG's recommendations have been approved by the CAC yet. Mr. Williams suggested incorporating Goal #3 into the Grants Committee Action Plan, Ms. Kelly-Ortega agreed. She also mentioned Goal #4 –increase public participation in the efforts of EJAG, and noted Ms. Neronha currently has a schedule conflict with the Tuesday night EJAG meetings, and may possibly need to resign her position on EJAG. As for Goal #5, Ms. Kelly-Ortega said the Grants Committee is well underway. For Goal #6, she noted EJAG has received a presentation from ARB on the Cap and Trade Program. Lastly, she noted there are four open seats on EJAG and also vacancies for At Large, Alternate positions which must be filled.

Public Comment - None

10. SELECT AT LEAST TWO DOCUMENTS TO BE REVIEWED & POTENTIALLY ENHANCED BY EJAG – Ms. Kelly-Ortega asked for staff input on time-sensitive brochures that should be reviewed and potentially enhanced. Ms. Holt responded that Check Before You Burn would be the most used and most likely to be reprinted as the fireplace rule season begins on November 1<sup>st</sup>. Ms. Kelly-Ortega suggested Check Before You Burn should be added to the list. Ms. Holt responded the fotonovela has been very well received in the community. Ms. Kelly-Ortega asked for input from the group on which brochures should be reviewed. Mr. Hamilton suggested working on the Check Before You Burn brochure. Mr. Williams suggested developing something for the Air Alert program, as EJ communities are particularly impacted by the increased DMV fees. Ms. Holt responded because Air Alert is a different type of message, perhaps a magnet or other small promotional item would be more appropriate. Ms. Kelly-Ortega suggested reviewing the Check Before You Burn brochure, developing ideas for an Air Alert promotional item and developing a storyline for a new fotonovela.

Public Comment – *The following persons provided testimony on this item:*

- Mr. Dennis Fox commented that he has a Neuton electric mower and it works really well. He suggested adding a rectifier for commercial lawn and garden entities to charge the mower between jobs.
- Ms. Heather Gonzales commented that as a literature major, her experience is that stories are quite powerful. Ms. Kelly-Ortega asked Ms. Gonzales to possibly help with the storyline for the fotonovela.

11. FORMAL PROTOCOL DEVELOPMENT TO PROCESS EJAG PROPOSALS – Ms. Kelly-Ortega noted this is a collaborative item between CAC and EJAG. She suggested holding one ad-hoc meeting before the September 27<sup>th</sup> EJAG meeting. She volunteered for this ad-hoc committee and suggested perhaps Mr. Cunha could also participate. Mr. Williams suggested postponing this item until the October EJAG meeting as he is beginning to see a spirit of collaboration between EJAG and CAC. Mr. Santana, Mr. Hamilton and Mr. Dean all agreed to postpone this item until October.

Public Comment - None

12. PRESENTATION BY SEYED SADREDIN, APCO & MANUEL CUNHA, CAC CHAIR – This item was postponed until the next meeting.
13. VRRRM UPDATE – Mr. DeYoung reported on the event held this past Saturday in Fresno. He stated 450 vehicles were tested and 272 vouchers were issued. Upcoming events include: September 10<sup>th</sup> in Stockton, October 8<sup>th</sup> in Visalia, and October 29<sup>th</sup> – location to be determined, and November 19<sup>th</sup> in Modesto. He stated the District continues to work with two partners in this program – California Community Colleges Foundation and Valley Clean Air Now with great success. He reported that program-wide, 1,425 vehicles have been repaired so far, costing \$1.2 million for repairs and diagnostics and achieving 50 tons of emission reductions.

Public Comment - None

14. STRONG CITIES INITIATIVE – Tom Jordan, Legislative Analyst gave the presentation on this item. He stated the City of Fresno was selected as one of six cities nationwide for this program which is an emphasis by the federal agency to help regions implement the plans that they already have put into place. He noted the federal task force is headed by EPA and will have full-time staff at the City of Fresno to help get projects off the ground and help identify where federal resources may be available. Ms. Kelly-Ortega asked how EJAG could become involved in this program. Mr. Jordan stated he will contact the City of Fresno to find out. Mr. Dean suggested the City of Fresno should be invited to give a presentation on this initiative to EJAG. Mr. Jordan responded affirmatively and stated the City is currently in the development phase of this project.

Public Comment: *The following persons provided comment on this item:*

- Mr. Dennis Fox asked about traffic synchronization in Fresno. Mr. Jordan responded Fresno now has a good system for traffic synchronization. He stated the next issue is for the city to look for funding for additional traffic signals. Ms. Holt stated there are great “Intelligent Transportation” maps on the City of Fresno website.

15. RULES UNDER DEVELOPMENT – Errol Villegas, Strategies and Incentives Manager gave an update on recent actions by the Governing Board, not already covered by Mr. Sheikh. He reported in June, the PM2.5 Plan Progress Report was approved along with Rule 2410 (Prevention of Significant Deterioration), Rule 4401 (Steam Enhanced Crude Oil Production Wells) and Rule 4605 (Aerospace Assembly and Component Coating Operations). He noted there are several rule amendments in development including Rule 1020 (Definitions), and Rule 2301 (Emission Reduction Credit Banking).  
Public Comment - None

16. EJ MAPS (IF ANY UPDATE) – There were no EJ maps updates

17. SEPTEMBER EJAG MEETING AGENDA ITEMS – Ms. Kelly-Ortega suggested adding a collaboration update regarding a possible joint meeting with Jeremy London in February; a Grants Committee update; brochure discussion and action; and an item on Emission Credits and Banking.

Mr. Hamilton responded to Mr. Fox’s comments last month on controlled burning and stated the District has been doing a really good job coordinating with the Fire Service and the Parks Service on the east side of the Valley. He thanked Mr. Fox for bringing attention to the fact that more coordination needs to happen on the west side of the Valley and requested this item be added to the September EJAG Meeting Agenda.

18. PUBLIC COMMENTS (SECOND OPPORTUNITY):
- Mr. Dennis Fox discussed current almond harvesting processes, which require shaking the trees, and suggested perhaps the District can research no-till farming techniques.

19. EJAG MEMBER COMMENTS – Mr. Dean challenged Mr. Fox to become a member of EJAG or find someone to do so.

20. EJAG MEMBER SUGGESTIONS TO BE INCLUDED IN THE PRESENTATION OF THE EJAG REPORT DURING THE CAC MEETING ON TUESDAY, SEPTEMBER 6, 2011 – Mr. Williams suggested providing information on the first Grants Committee meeting held earlier today.

21. VOLUNTEER TO PRESENT EJAG REPORT DURING CAC MEETING, TUESDAY, SEPTEMBER 6<sup>TH</sup> AT 10 A.M. – Mr. Hamilton volunteered to give the report at the next CAC meeting.

**ADJOURN**

Meeting adjourned at 7:37 p.m.

*NEXT MEETING – The next EJAG meeting is scheduled for Tuesday, September 27, 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.*