

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, March 22, 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 5:38 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
Merced	Melissa Kelly-Ortega, At-large Rep.	Central
Stanislaus	Pamela Neronha, At-large Rep.	North
Tulare	Derek Williams, At-large Rep.	Central
Kern	Marvin Dean, Business Owner	South
Fresno	Sandra Celedón-Castro, At-large Rep.	Central
Fresno	Sarah Sharpe, CAC-Environmental (Alternate)	Central
Tulare	Mike Santana, CAC-City (Primary)	Central
San Joaquin	*Jeremy Terhune, At-large Rep.	North
Kings	Riley Jones, CAC-Industry/Ag (Primary)	Central

*Mr. Terhune arrived at 6:21 p.m.

Staff present in Central Region Office (Fresno) – Rick McVaigh, Deputy APCO; Maricela Velasquez, Senior Public Information Representative. Errol Villegas, Manager of Strategies and Incentives; Todd DeYoung, Program Manager of Strategies and Incentives; Scott Nester, Senior Projects Manager

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 – Tom Frantz, Rey Leon.

3. APPROVE MINUTES OF TUESDAY, February 22, 2011 – No Discussion.

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

Motion carried 6-0, with 3 abstentions, to approve the Minutes of February 22, 2011.

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

- Rey Leon
- Tom Frantz

5. CHAIR COMMENTS – Ms. MacKay stated she attended the CAC/EJAG Ad-Hoc Committee meeting in November. She stated that Mr. Sadredin brought several suggestions which will be reviewed later this evening.

6. APCO/DEPUTY APCO COMMENTS – Mr. McVaigh stated the EJAG agenda was drafted prior to the CAC/EJAG Ad-Hoc Committee meeting. He suggested the review of Agenda Item #11 CAC/EJAG Joint Committee be discussed prior to the others

Mr. McVaigh stated that there is an invitation for community and health advocates to participate in a special project. The city of Fresno is competing with 6 other cities to be involved in a federal pilot program. He explained it is a White House initiative to coordinate federal support for local government. There is a review committee that will be coming to Fresno and they want to speak with both the Air District and stakeholders about Valley air quality issues. This meeting could ultimately result in more grant funding or support from the federal government for Fresno.

11. CAC / EJAG JOINT COMMITTEE – Mr. Nester gave a brief report on the action plan developed by the joint committee to identify the next steps necessary to improve collaboration between both groups. He stated there are eleven items on this list. He reported on those items.

1. The APCO and the Chair of each group will give a presentation at upcoming CAC and EJAG meetings to define the roles of both groups. It was suggested that this occur annually, along with a re-distribution of the Bylaws for both groups.

2. The Leader in charge of various projects and/or Ad Hoc Committees will be responsible for sending progress reports and updates on a regular basis to the Clerk of the Boards for distribution to both groups.
3. A checklist will be developed to ensure that any projects or Ad Hoc Committees fit within the boundaries of EJAG's Goals and Objectives for the current year.
4. EJAG should play a major role in developing funding opportunities focused on EJ communities.
5. The APCO will review EJAG's Goals and Objectives to make sure they are realistic and manageable within specified timeframes.
6. District staff will place Risk-Based Approach as an ongoing Agenda item for CAC and EJAG meetings.
7. EJAG will bring a speaker to an upcoming EJAG and CAC meetings to discuss Environmental Justice issues. EJAG Chair will work with APCO to find speaker.
8. A formal protocol will be developed to process EJAG proposals which follow all guidelines but are still rejected by CAC to ensure that the Governing Board receives adequate information on the rejected proposals.
9. EJAG must work to ensure that specific criteria are met before an Ad Hoc Committee is formed. EJAG should limit use of Ad Hoc Committees and use information gathering process instead.
10. CAC/EJAG Collaboration Ad Hoc Committee Action Items will be presented to all members of CAC and EJAG.
11. The Chairs are responsible for keeping CAC and EJAG members on task during meetings, to ensure productivity. (Note: this was suggested by Manuel Cunha at the end of the meeting.)

Ms. Sharpe commented that Item #6 Risk-Based Approach is not familiar. Mr. McVaigh stated this is one of the prime issues facing the District and something the Governing Board directed staff to pursue in the Study Session in October. Staff is developing the next planning approach for both the PM 2.5 and the Ozone Plan, and is looking at developing a risk-based approach to focus resources most intensely on the pollutants that are causing the highest health risk.

Ms. MacKay stated she needs to understand these two approaches better, as it is going to potentially impact the standards and the regulatory agencies on how they look at regulating these pollutants.

Mr. McVaigh commented the action item is to put it on EJAG's agenda so that everyone may learn about risk based approach.

Mr. Dean stated he is in support of item #8 to develop a protocol for informing the Governing Board of issues that come from EJAG but are not supported by CAC. Ms. MacKay agreed.

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

- Rey Leon
- Tom Frantz

Ms. MacKay stated that a presentation about the risk-based approach will be placed on the next EJAG agenda.

8. EJ MAPS – Ms. Kelly-Ortega reported on the EJ Mapping Ad-Hoc Committee recommendations. Ms. Kelly-Ortega commented that Mr. Samir Sheikh gave the verbiage, “The District follows Environmental Justice principles as part of the grant funding process. Areas in the Valley selected for environment justice consideration are identified in a map developed by the District based on 2000 census data and are available for viewing.” She reported EJAG approves the criteria used by the District in defining environmental justice communities and noted the committee would like to research exposure criteria in the future. Along with the current use of the EJ mapping system, the committee recommended the following: Continue to monitor the EJ maps and address any problems, issues or concerns that arise and suggestions for enhancements; Continue to work with the District to refine the maps in order to better define EJ communities within the San Joaquin Valley; Review the EJ maps once 2010 census data is incorporated; District staff will report to EJAG on how grant funds were spent in EJ areas annually and include in the District’s annual report; EJAG will work with the District on designing target outreach; EJAG will use the maps to develop recommendations regarding mandated grants or programs targeted at EJ communities; And EJ mapping system will be a standing agenda item (if any updates are available) on EJAG meeting agendas, so that potential changes to the criteria may be considered.

Mr. Dean made the motion to move with any suggested amendments. Mr. Santana seconded.

Public Comment: None.

Moved: Dean
Seconded: Santana
Ayes: Dean, Santana, Celedón-Castro, MacKay, Kelly-Ortega, Terhune, Neronha, Williams, Sharpe.
Nays: Jones
Abstain: None

Motion carried, 9-1, to add EJ Mapping as a standing agenda item.

7. RULES UNDER DEVELOPMENT - Mr. Villegas gave the report on the following rules: Rule 2201 (New and Modified Stationary Source Review Rule), Rule 3170 (Federally Mandated Ozone Nonattainment Fee), 2008 PM 2.5 Plan Progress

Report, Rule 4401 (Steam Enhanced Crude Oil Production Wells), Rule 4566 (Composting and Related Operations), Rule 4307 (Boilers, Steam Generators and Process Heaters – 2-5 MMBtu/hr), Rule 4702 (Internal Combustion Engines, Phase 2), Rule 2020 (Exemptions), Rule 4354 (Glass Melting Furnaces), Rule 1020 (Definitions), Rule 2301 (Emission Reduction Credit Banking), Rule 2410 (Prevention of Significant Deterioration Permitting Program).

9. GRANT RECOMMENDATIONS– Mr. Williams shared initial ideas for grant recommendations from the Ad-Hoc subcommittee and discussed the potential for EJAG to provide recommendations on other grants beyond the initial \$10 million. He recommended that more specific grant recommendations should be discussed and approved at future meetings of the entire EJAG.

Mr. Dean raised concerns regarding how the money would be spent in the school districts; money should be spent first on EJ business communities.

Mr. Terhune stated that there is a need to get some monies to community based organizations throughout the valley to organize and come to the meetings.

Ms. Celedón-Castro also suggested putting some of the money back into community-based organizations to build leadership in EJ communities, especially with the youth.

Ms. MacKay stated a proposal for a standing committee will be placed on the next agenda for EJAG members to review for next meeting.

10. 2011 GOALS & OBJECTIVES– Ms. Kelly-Ortega made a report on proposed goals and objectives for 2011.

Mr. Terhune stated there was a concern with the goal and objective #4: increase public participation in the work performed by EJAG. He stated the primary question was what happened to action item #3 in 2010. That was a pilot program to engage valley residents from the Northern region. Ms. Neronha stated at the 10/26 meeting, the pilot program was approved for both the southern and the Central regions so those were added on. She explained that there needs to be clarification on the variety of tools for community feedback to be compiled and reported. Mr. Dean commented there should be a request for allocating money to promote EJAG and community outreach.

ADJOURN

Due to audio problems with the VTC system the meeting was adjourned at 8:12 p.m. Because of the VTC problem, agenda items 12 through 17 were not discussed and there was not a second opportunity for public comment. Item #12, Future EJAG Meeting Time Limits, will be placed on the April EJAG agenda.

NEXT MEETING – The next EJAG meeting is scheduled for Tuesday, April 26, 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.