

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

**Thursday, August 22, 2013**  
**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 5:30 p.m.
2. ROLL CALL – A quorum was present.

<b>County</b>	<b>Member Name/Interest Group</b>	<b>Location</b>
Tulare	Derek Williams, At-large Rep.	Central
Fresno	Praveen Buddiga, Business Owner	Central
Fresno	Kevin Hamilton, CAC-Environmental	Central
Fresno	Sarah Sharpe, CAC-Environmental (Alternate)	Central
Madera	Michelle Garcia, At-large Rep.	Central
Merced	Melissa Kelly-Ortega, At-large Rep.	North
San Joaquin	Esperanza Vielma, At-large Rep.	North
Stanislaus	Rayna Ruiz, At-large Rep.	North
Kern	*Marvin Dean, Business Owner	South

\*Mr. Dean arrived at 5:40 p.m.

Staff present in Central Region Office (Fresno) – Rick McVaigh, Deputy APCO; Heather Heinks, Supervising Air Quality Education Representative; Errol Villegas, Strategies and Incentives Manager; Arnaud Marjollet, Permit Services Manager; David Lighthall, Health Science Advisor.

Staff present in Southern Region Office (Bakersfield) – Mike Oldershaw, Compliance Manager.

Staff present in Northern Region Office (Modesto) – Anthony Presto, Air Quality Education Representative.

Members of the public present – Cesar Campos, Central California Environmental Justice Network; Byanka Santoyo, Arvin Bucket Brigade;

Dominique Curl, A. Philip Randolph Community Development Corporation;  
Dennis Fox, Kern County Resident.

3. APPROVE MINUTES FOR JUNE 27, 2013

Moved: Hamilton  
Seconded: Garcia  
Ayes: Garcia, Kelly-Ortega, Vielma, Ruiz, Williams, Hamilton  
Nays: None

***Motion passed to approve the minutes for June 27, 2013.***

4. PUBLIC COMMENTS – Cesar Campos, Central California Environmental Justice Network, expressed disappointment that Global Community Monitoring was taken off of the agenda. A discussion followed regarding Global Community Monitoring being rescheduled for October due to their presentation materials not being received by the deadline for the current meeting.

Mr. Campos said he was also disappointed with the District's level of participation with the Fresno Environmental Reporting Network (FERN) and the Kern Environmental Enforcement Network (KEEN).

Mr. Hamilton said he would also like to see the District get more involved with FERN and KEEN. He said these websites are central places for people who are frustrated with a situation and don't know who to contact. Complaints submitted on these websites are directed to the appropriate agencies. Mr. McVaigh said the District has a large, highly-trained staff with inspectors on call 24 hours a day, 7 days a week, and addresses about three thousand complaints every year. Based on their websites, FERN and KEEN receive very few air pollution complaints. Although FERN and KEEN may refer complaints to the District, the complaints can be addressed more quickly and efficiently if the concerned residents report them directly to the District's 24-hour complaint line.

Mr. Hamilton said the agencies participating in FERN and KEEN are learning about each other and their responsibilities and how they can work together. Ms. Sharpe agreed that a main focus of this effort is on inter-agency collaboration and educating the community about how different agencies work together. Ms. Kelly-Ortega added that inter-agency collaboration is something Jonathan London touched on in his action steps for the District. She suggested sending staff to the FERN and KEEN meetings.

\*Mr. Dean arrived at 5:40 p.m.

5. CHAIR COMMENTS – Mr. Williams presented Ms. Kelly-Ortega with a plaque and recognized her for two years as chair. He thanked her for her dedication and hard work and for caring about the residents of EJ communities.

6. APCO/DEPUTY APCO COMMENTS – Mr. McVaigh announced the Governing Board conditionally authorized the District's participation in an upcoming CalEPA enforcement effort in environmental justice communities in south and central Fresno. Arsenio Mataka, CalEPA's Assistant Secretary for Environmental Justice and Tribal Affairs, attended the Governing Board meeting in August to discuss the multimedia, multi-agency, environmental enforcement effort targeting businesses in environmental justice communities.
7. VALLEY AIR DISTRICT PERMITTING PROCESS –Arnaud Marjollet, Permit Services Manager provided information on the District's permitting process.

Mr. Marjollet explained the District assures compliance with rules and regulations, but has no direct authority over land-use. Ms. Sharpe asked who looks at the existing pollution to determine if the addition of a new facility would lead to excessive pollution in one area. Mr. Marjollet said that is the responsibility of the lead agency. Ms. Sharpe asked who authorizes new permits. Mr. Marjollet said the application goes through an engineer, a supervisor, the manager, the director and the APCO. California Health and Safety Code delegates final authorization to the APCO, who makes that determination in accordance with rules and policies adopted by the Governing Board.

Mr. Hamilton asked how often sources are inspected. Mr. McVaigh said it varies, but an average size factory is inspected about once a year and is required to conduct source tests. Large facilities have continuous emissions monitors in their stacks, which are connected by telephone lines to the District's Compliance Department. If they exceed emissions limits in any 15 minute period, the facility and the District are alerted.

Mr. Dean asked how the public can participate in the permitting process. Mr. McVaigh said the public can make comments regarding a proposed new facility during the public notice period. For existing facilities, if the public is aware of air pollution violations, they can file complaints.

8. RULE AND 2012 PM2.5 PLAN UPDATES – Errol Villegas, Strategies and Incentives Manager, presented the update.

Mr. Dean asked for an update at the next meeting on Rule 2301 - Emission Reduction Credit Banking.

9. REVIEW OF DISTRICT OUTREACH MATERIALS – This item was tabled.
10. VALLEY FEVER UPDATE – David Lighthall, Health Science Advisor, made the presentation.

Mr. Dean asked if some people are immune to Valley Fever and if people new to the area are more likely to contract the disease. Dr. Lighthall said there is no evidence that people are developing immunity. He said there have been a number of well-known cases in which a group of people have been brought to the Valley (construction crews, for example) and a high percentage of them contracted the disease. There also seems to be some genetic predisposition.

11. ESTABLISH EJAG MEMBER ALTERNATES – This item was tabled.
12. OCTOBER EJAG MEETING AGENDA ITEMS – The following items will be on the October agenda:
  - Alternates
  - Review of Outreach Materials
  - Global Community Monitoring
13. PUBLIC COMMENTS (Second Opportunity) – Dennis Fox expressed concern about a motorcycle park near Taft stirring up dust containing silica and Valley Fever. Mr. McVaigh said the District was not involved in the permitting of this motorcycle park and advised Mr. Fox to contact the land-use authority, Kern County.

Dominique Curl, Executive Assistant for A. Philip Randolph Community Development Corporation, invited EJAG and District staff to attend the 7<sup>th</sup> annual public contracting expo on January 9 and 10 in Bakersfield. The event website is [www.sjvannualpce.info](http://www.sjvannualpce.info).

Byanka Santoyo, Arvin Bucket Brigade, asked Mr. McVaigh about the District's complaint procedure and what is required in order to receive an immediate response and/or investigation. Mr. McVaigh assured Ms. Santoyo that every complaint received is important to the District and inspectors respond as soon as possible. Depending on the nature of the complaint, an inspector may not investigate late at night if the event is something that can be documented the following day. Mr. McVaigh then gave examples of complaints over which the District would not have authority. In those cases, an inspector would not investigate, but would refer the complaint to the appropriate agency. Mr. McVaigh asked Mr. Oldershaw to provide Ms. Santoyo with additional information if desired.

14. EJAG MEMBER COMMENTS – Ms. Kelly-Ortega thanked everyone for the beautiful plaque. She asked Mr. Williams if there was any homework for the next meeting, other than finding alternates. Mr. Williams said now that meetings are scheduled for every other month, attendance has increased. In October, they will discuss if there is still a need for alternates. Mr. Williams also recommended EJAG members visit the District's website every month and read minutes from other meetings, especially the Governing Board and CAC meetings.

15. EJAG MEMBER SUGGESTIONS TO BE INCLUDED IN THE PRESENTATION OF THE EJAG REPORT DURING CAC MEETING ON TUESDAY, SEPTEMBER 3, 2013, AT 10 a.m. – None.
  
17. VOLUNTEER TO PRESENT REPORT DURING CAC MEETING TUESDAY, SEPTEMBER 3, 2013, AT 10 a.m. – Mr. Williams volunteered.

ADJOURN

Meeting adjourned at 7:40 p.m.

NEXT MEETING – The next EJAG meeting is scheduled for Thursday, October 24, 2013, at 5:30 p.m. The meeting will be held via video teleconference (VTC), with the Central Region Office (Fresno), the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating.