

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, June 27, 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 5:31 p.m.
2. ROLL CALL – A quorum was present.

County	Member Name/Interest Group	Location
Tulare	Derek Williams, At-large Rep.	Central
Fresno	Sandra Celedón-Castro, At-large Rep.	Central
Kings	*Maricela Mares-Alatorre, At-Large Rep.	Central
Fresno	Sarah Sharpe, Environmental	Central
Kern	Robert Smith, At-large Rep.	South
Kern	Marvin Dean, Business Owner	South
San Joaquin	Esperanza Vielma, At-Large Rep.	North
Stanislaus	**Rayna Ruiz, At-large Rep.	North

*Ms. Mares-Alatorre arrived at 5:40 p.m.

**Ms. Rayna Ruiz arrived at 5:43 p.m.

Staff present in Central Region Office (Fresno) – Jaime Holt, Chief Communications Officer; Morgan Lambert, Compliance Director; Todd DeYoung, Strategies & Incentives Manager; Heather Heinks, Supervising Air Quality Education Representative; Ana Reyes, Bilingual Air Quality Education Representative.

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 – Byanka Santoyo, Arvin Bucket Brigade; Cesar Campos, Central California Environmental Justice Network; Ashley Werner, Attorney representing Citizens of West Fresno; Lukas Thao, Café Coop in Stockton

3. APPROVE MINUTES FOR MAY 23, 2013

Moved: Smith
Seconded: Sharpe
Ayes: Celedón-Castro, Smith, Vielma, Dean, Sharpe, Williams
Nays: None

Motion passed to approve the minutes for May 23, 2013.

4. PUBLIC COMMENTS– Byanka Santoyo, Arvin Bucket Brigade asked to formally be placed on the agenda for the EJAG. She wanted to demonstrate a project the organization is coordinating.

Mr. Williams indicated she could have 10 minutes at the August meeting for a basic presentation on her agency. Ms. Holt confirmed that was an option but their presentation materials needed to be provided 7 days out so VAD could review. Ms. Holt also noted that the original compliance issue brought up by Ms. Santoyo had been resolved.

Public Comment: Cesar Campos, Central California Environmental Justice Network spoke in support of Fresno Environmental Reporting Network (FERN) & Kern Environmental Enforcement Network (KEEN), and Arvin Bucket Brigade, and he wanted EJAG participation in the organizations, wanted a District inspector to present at their meeting on how to do community sampling, and wanted details on how their sampling could be quality controlled to be included in District data.

Ms. Holt explained that the District seeks direct comments from the public regarding complaints to avoid the lag time of going through FERN or KEEN. She also explained that monitoring is very technical, and the District has very specific guidelines from the EPA on how to do monitoring.

Public Comment: Ashley Warner, Attorney, California Rural Legal Assistance (representing group concerned with Darling International), passed out a letter. She asked the EJAG to assist with denying the facility's request for permit renewal and expansion.

Ms. Holt explained that permitting issues are outside of the EJAG purview. EJAG asked for general information on how permitting occurs. Ms. Holt reminded them that the District's Permits Director provided a high level

presentation on permitting in the past, and that it could be done again. Ms. Holt emphasized that any permit presentation would be general information and not specific to any one site or permit request. Mr. Williams requested an 8 minute presentation on general permitting in August.

Public Comment: Lukas Thao, Café Coop in Stockton

Mr. Thao shared how Café Coop is working in San Joaquin County to coordinate with the San Joaquin Partnership in an effort to bridge the Silicon Valley with the San Joaquin County. This will bring jobs and resources from the Silicon Valley back to San Joaquin County. Mr. Thao emphasized that this partnership can greatly reduce the number of commuters on the road and can help reduce air pollution, because they will have an opportunity to work closer to home.

Mr. Williams thanked Mr. Thao for his presentation.

5. CHAIR COMMENTS – Mr. Williams introduced himself as the new Chair to the members not present at the last meeting and commented for the record what an incredible job Melissa Kelly-Ortega did as Chair for the past two years.
6. APCO/DEPUTY APCO COMMENTS – Ms. Holt welcomed the EJAG members and noted she was filling in for Deputy APCO Rick McVaigh, who along with several members of the District team, was in Davis at an air quality research conference.

Ms. Holt provided an update from the latest Governing Board meeting

- The Governing Board accepted \$143,421 in State **Carl Moyer Program** funds to be used in the Truck Improvement/Modernization Benefitting Emission Reductions (TIMBER) Program.
- The Board approved a contract with University of California, Davis for an 18-month study that will **determine the impact of long-distance flows of ozone from Asia on Valley air quality using aircraft monitoring.**
- The Board adopted **Rule 9610 (State Implementation Plan Credit for Emission Reductions Generated through Incentive Programs)**
- The Board authorized the submission to EPA of the District's quantification of contingency measures regarding the **2008 PM2.5 Plan**. The quantification demonstrates that District contingency measures are more than adequate to meet the requirements of EPA policy and the Clean Air Act.
- The Board authorized the District to develop a plan to address emissions from **vehicle idling at school sites.**

7. RULE AND 2012 PM2.5 PLAN UPDATES– Todd DeYoung, Manager, Strategies and Incentives, presented the updates, which was primarily a report on Rule 9610. The District successfully reached board adoption (June 20, 2013) for the new State Implementation Plan (SIP) credit plan allowing the District’s incentive based reductions to be eligible and used alongside regulatory measures to meet the federal Clean Air Act requirements.

Mr. Dean asked about updates on banking credits and cap and trade. Mr. DeYoung agreed to follow up and provide insight at the next meeting’s rule update.

8. PRESENTATION OF INCENTIVES SPENDING PLAN FOR ADOPTED 2013 BUDGET– Todd DeYoung, Manager, Strategies and Incentives reviewed the District’s available and budgeted funds overall and specifically the spending plan within each program.

Mr. Dean asked if the funds were distributed equally throughout the counties of the San Joaquin Valley.

Mr. DeYoung confirmed that the District works diligently to ensure appropriate distribution of funds based on population density and that generally, incentive funds follow the needs within EJAG communities.

Mr. Williams asked specifically about the funding the District receives from the DMV penalty. The parameters noted that \$10 million is to be spent specifically in EJAG communities but it didn’t note whether that is \$10 million per year, or \$10 million overall during the three year penalty.

Mr. DeYoung indicated that the legislation specified only that \$10 million in funds were to be focused in EJ areas; however, the District is interested in the ongoing funding priorities from the EJAG and will continue to seek those priorities on an ongoing basis.

9. GRANTS COMMITTEE RECOMMENDATION UPDATES– Mr. Williams indicated the subcommittee did not reach a quorum for the meeting planned earlier that day. He noted that in lieu of the meeting, he had a good conversation with Mr. Todd DeYoung and Mr. Marvin Dean about the proposal he drafted for the EJAG’s Burn Cleaner funding recommendation.

Mr. Williams reviewed the proposal with the EJAG and discussed the need to establish a low-income component for rental unit property owners that have properties located in EJ areas with low income tenants.

Moved: Dean
Seconded: Celedón-Castro

Ayes: Celedón-Castro, Smith, Mares-Alatorre, Vielma, Ruiz,
Williams, Dean, Sharpe
Nays: None

Motion passed to approve Burn Cleaner budget recommendation from Grants Committee.

10. REVIEW PROGRESS IN MAINTAINING A STRONG WORKING RELATIONSHIP WITH CAC – Mr. Williams noted that while the EJAG members were interested in a joint meeting with the District’s Citizens Advisory Committee (CAC), he felt the lack of interest was more with CAC.

Ms. Sharpe suggested that CAC and EJAG participate in the annual Governing Board retreat or similar ‘off-campus’ activity.

Mr. Williams noted, that it was mentioned at the CAC meeting that a joint meeting might be established during CAC normal meeting time to ensure their participation.

11. ENCOURAGE CONSISTENCY AND IMPROVE ATTENDANCE AT EJAG MEETINGS– Mr. Williams discussed his role as Chair and his ability to set and establish the EJAG meeting schedule. Under that authority, Mr. Williams offered the option to the members to begin meeting every other month, versus monthly. He pointed out that additional meetings could still be established if needed. Mr. Williams polled the EJAG members and they unanimously agreed. It was established formally that for the remainder of 2013, EJAG will meet every other month and staff should send a new schedule reflecting such. The only impact to the currently established 2013 calendar will be to cancel the September meeting.

12. ESTABLISH EJAG MEMBER ALTERNATES – (This item was tabled until August.)

13. AUGUST EJAG MEETING AGENDA ITEMS – The following items will be on the August agenda:

- Arvin Bucket Brigade Presentation - Byanka Santoyo (10 min)
- Staff overview of VAD permitting process (8 min)
- Establish EJAG member alternates
- Valley Fever Update – David Lighthall
- Discuss Doodle Survey Results re: Joint CAC/EJAG Meeting

14. PUBLIC COMMENTS (Second Opportunity) – None

15. EJAG MEMBER COMMENTS – Mr. Williams announced that he received a letter of resignation from EJAG member Marvin Dean. He pleaded with Mr. Dean, that

given the new schedule established this meeting, the time commitment wouldn't be as demanding and that he would like him to remain an EJAG member. Mr. Dean thanked the members for their faith in him and informed them that he was not resigning with any ill will. Mr. Dean agreed to stay on with EJAG until which time he could find his own replacement and formally rescinded his resignation letter.

16. EJAG MEMBER SUGGESTIONS TO BE INCLUDED IN THE PRESENTATION OF THE EJAG REPORT DURING CAC MEETING ON TUESDAY, JUNE 20, 2013, AT 10 a.m. – Mr. Williams was very pleased with the public participation of this meeting and ask that it be noted for the CAC that the public was present and vocal in all three regions.
17. VOLUNTEER TO PRESENT REPORT DURING CAC MEETING TUESDAY, JUNE 20, 2013, AT 10 a.m. – Mr. Williams volunteered.

ADJOURN

Meeting adjourned at 7:35 p.m.

NEXT MEETING – The next EJAG meeting is scheduled for Thursday, August 22, 2013, at 5:30 p.m. (The Grants Subcommittee **will** not meet.) 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.