

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 28, 2014
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 5:33 p.m.
2. ROLL CALL – A quorum was not present.

| County | Member Name/Interest Group | Location |
|---------------|--|-----------------|
| Tulare | Derek Williams, At-large Rep. | Central |
| Merced | Jack Lemen, CAC-City (Primary) | Central |
| Merced | Melissa Kelly-Ortega, At-large Rep. | Central |
| San Joaquin | *Esperanza Vielma, At-large Rep. | North |
| Kern | *Marvin Dean, Business Owner | South |
| Kern | Robert Smith, At-large Rep. | South |
| Kings | *Maricela Mares-Alatorre, At Large Rep | Central |

*Ms. Mares-Alatorre arrived at 5:42 p.m.

*Mr. Dean arrived at 5:50 p.m.

*Ms. Vielma arrived at 6:09 p.m.

Staff present in Central Region Office (Fresno) – Samir Sheikh, Deputy APCO; Jaime Holt, Chief Communications Officer; Ryan Hayashi, Director of Compliance; Errol Villegas, Program Manager for Strategies and Incentives; Anna Myers, Senior Air Quality Specialist; Janelle Schneider, Air Quality Education Representative

Staff present in Southern Region Office (Bakersfield) – Emily Gonzalez-Demont, Office Services Manager II

Staff present in Northern Region Office (Modesto) – Ann Marie Collins, Office Services Manager II

Members of the public present – Tim Barker, Fresno resident; Leroy Candler, Voice Coalition; Richard Grow, EPA San Francisco office, attending via conference call.

This item was presented out of order at the Chair's prerogative

4. PUBLIC COMMENTS – Sarah Sharpe, Fresno Metro Ministry thanked EJAG members for the opportunity to serve as the CAC Environmental Alternate Representative. Ms. Sharpe encouraged comments for the CAL EPA SB535 workshop regarding the identification of disadvantage communities and defining the 10% of funds from the project that are required to be allocated to disadvantage communities. Mr. Williams asked if ARB is considering themselves as the decision making body for the allocation of SB535 funds. Ms. Sharpe commented ARB is providing guidance to all state agencies that would be allocating the funds.

Leroy Candler, The Voice Coalition, introduced himself as a representative of the Fresno residents living in high poverty areas.

5. CHAIR COMMENTS – Mr. Williams acknowledged Ms. Sharpe's years of service. He reported the new CAC Environmental Interest Group Representative Alternate is Michael Brown.
6. APCO/DEPUTY APCO COMMENTS – Mr. Sheikh presented highlights from the Governing Board meeting.

Mr. Williams asked if the Draft Demonstration Report for Rule 9610 (State Implementation Plan Credit for Emission Reductions Generated Through Incentive Programs) is available on the District website. Mr. Sheikh responded affirmatively.

Public Comments in Central: Mr. Candler asked if the new monitoring station off of Freeway 99 and Jensen Avenue will be able to monitor local sources. Mr. Sheikh explained the monitor will first be sampling nitrogen oxides which are primary pollutants from vehicles in the area. He added the station could in the future be monitoring components like VOCs, PM2.5 and some scent making compounds.

7. UPCOMING EJAG MEMBER REAPPOINTMENTS – Jaime Holt, Chief Communications Officer, presented the information for this item.

Mr. Williams asked if the application process can be streamlined for members that wish to be reappointed and there is no other interested party in the position. Ms. Holt responded affirmatively. Mr. Williams requested an email be distributed to all members whose term is expiring. Mr. Dean asked when the applications are due. Ms. Holt stated applications are due September 15, 2014. Mr. Williams

requested applications be completed and submitted to staff from members present and up for reappointment.

8. RULE AND PLAN UPDATES – Anna Myers, Senior Air Quality Specialist, presented the updates.

Mr. Smith asked if the air quality in general during the recent summer months has been good. Mr. Sheikh responded the summer has been positive in terms of air quality. He noted there have been 17 good air quality days in August 2014.

Mr. Dean thanked staff for answering questions.

Mr. Williams asked where can members of the public find information regarding the court ruling that EPA is requiring districts to demonstrate compliance with the Clean Air Act Subpart 4. Mr. Sheikh responded information will be sent to EJAG members.

9. UPDATE ON POTENTIAL AMENDMENTS TO RULE 4901 AND BURN CLEANER PROGRAM – Ms. Myers and Ms. Holt presented the update.

Mr. Williams asked if assistance will be available for low income renters in EJ communities such as a tax incentive or an incentive for the landlords. Mr. Sheikh explained a landlord that is renting to a low income resident is eligible for the majority if not the whole purchase price of a clean burning unit. Ms. Holt added a landlord that is renting to a low income family will be eligible for the higher incentive amount and currently there is no limit on the number of units the landlord can replace. Mr. Williams commented the outreach campaigns should be focused on the landlords. Mr. Sheikh stated ideas and suggestions would be welcomed.

Ms. Kelly-Ortega thanked staff for including low income renters.

Mr. Smith commented it's great to be moving forward.

Mr. Dean asked if the replacement for the fireplaces and heaters is the same incentive. He commented there should be a creative way to distribute information about the District's incentive programs to EJ communities. He asked what the benefit is for a resident to register their device. He suggested partnering with EJ organizations to effectively take the messages to respective members. Ms. Myers explained the benefit of registering a wood burning device is that the resident would be able to use the device during a level 1 episodic curtailment. She added a device that is not registered is prohibited from use during that period. Mr. Sheikh stated the Check Before You Burn program survey showed that 80% of residents know about the program and understand the rules. He added there will continue to be a strong outreach campaign. He also said residents who burn during a curtailment will be cited.

Mr. Williams commented the rule will save 5.15 tons of emissions per day. He asked how residents are being assured their contact information will not be used for future more stringent curtailments. Mr. Sheikh explained the rule is characterized as a no-cost rule and residents actually see savings on heating costs when they switch to a cleaner device. Mr. Williams asked if there is way to partner with the real estate industry to identify registered units. Mr. Sheikh thanked Mr. Williams and stated the suggestion will be researched.

Ms. Vielma asked who the non-profit partnerships were with so as to not duplicate services. Ms. Vielma asked for printed materials to distribute to members of the public. Ms. Vielma asked if the outreach campaign will be bilingual. Ms. Holt responded any available materials will be distributed to EJAG members and added that staff will work with any non-profit organizations that are introduced.

Public Comment: None

3. APPROVE MINUTES FOR JUNE 26, 2014

Moved: Lemon
Seconded: Dean
Ayes: Smith, Kelly-Ortega, Vielma, Williams, Dean, Lemen
Nays: None
Abstain: Mares-Alatorre

Motion passed to approve the minutes for June 26, 2014.

10. OVERVIEW OF DISTRICT FUGITIVE DUST REGULATIONS – Ryan Hayashi, Compliance Director, presented the overview.

Mr. Dean and Mr. Williams asked several questions related to the construction emissions related to High Speed Rail and Mr. Sheikh replied that the District will be fully mitigating these emissions.

Public Comment: Mr. Grow commented staff made an excellent presentation. Tim Barker expressed concern regarding weed disking. Mr. Sheikh expressed appreciation for the comments and explained District staff has sent inspectors and noted the District respects the comments from members of the public. Mr. Barker explained the soil preparation required by Rule 8051 (Open Areas) is not performed. Mr. Williams expressed appreciation for the comments and added EJAG does not have jurisdiction over enforcement and suggested attending the CAC and Governing Board meeting.

Ms. Kelly-Ortega suggested Mr. Barker join EJAG. Mr. Dean thanked staff for the overview of the regulations. Mr. Smith suggested the member of the public attend

the Governing Board Meeting to voice his concerns. Ms. Vielma thanked the member of the public and staff.

11. OCTOBER EJAG MEETING AGENDA ITEMS – Ms. Vielma requested an update of incentive program funds for the next fiscal year. Mr. Sheikh suggested providing the update as part of reinvigorating the Grants Committee. Mr. Williams assigned Ms. Vielma to the Grants Committee replacing Michelle Garcia. Mr. Dean requested information regarding how the District plans to use the mitigation funds from HSR. Mr. Williams requested updates on the Truck Rule and Cap and Trade.

Mr. Williams requested all members up for re-appointment intending to continue serving complete their applications and submit to staff.

Ms. Mares-Alatorre requested a presentation that would compare the District EJ maps and the CAL enviroscreen maps. Mr. Sheikh stated the Cal enviroscreen tool was recently released and District staff will do a presentation after reviewing.

Mr. Smith suggested obtaining information in October for the Grants Committee to allow time for discussion. Mr. Sheikh explained information at the December meeting will still allow sufficient time for discussion and review. He added there is a spending plan available and will distribute to all members.

12. PUBLIC COMMENTS (Second Opportunity) – None.
13. EJAG MEMBER COMMENTS; EJAG MEMBER SUGGESTIONS TO BE INCLUDED IN THE PRESENTATION OF THE EJAG REPORT DURING CAC MEETING ON TUESDAY, SEPTEMBER 2, 2014 – Mr. Dean thanked Mr. Candler for attending the meeting. Mr. Smith requested information in an email regarding the current quality of the air that was discussed earlier. Mr. Sheikh responded he will forward the information and will highlight the challenges the Valley faces. Ms. Vielma reported an Environmental Justice Conference, Roots of Resilience 2014 will be held on September 6, 2014 in Fresno and will forward information to members. Ms. Mares-Alatorre stated she will be making a presentation at the conference.
14. VOLUNTEER TO PRESENT REPORT DURING CAC MEETING ON TUESDAY, SEPTEMBER 2, 2014, AT 10 A.M. – Mr. Williams Volunteered.

Meeting adjourned at 7:29 p.m.

NEXT MEETING – The next EJAG meeting is scheduled for Thursday, October 23, 2014, 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.