

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, April 28, 2016
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 teleconference in the Northern
Region Office, VTC Room, 4800 Enterprise Way, Modesto*

1. Call to Order – The Vice Chair, Derek Williams, called the meeting to order at 5:31 p.m.
2. Roll Call – was taken and a quorum was present

<u>County</u>	<u>Member Name/Interest Group</u>	<u>Location</u>
Kern	Marvin Dean, Ethnic-Small Business Owner	South
Kern	Robert Smith, At-Large Rep.	South
Kings	Dustin Ference, CAC-Industry/Ag (Primary)	Central
Kings	Maricela Mares-Alatorre*	Central
Merced	Melissa Kelly-Ortega, At-Large Rep.	Central
Merced	Jack Lemen, CAC-City (Primary)	Central
Stanislaus	Thomas Helme, At-Large Rep.	North
Tulare	Derek Williams, At-Large Rep.	Central

Ms. Mares-Alatorre arrived at 5:36 p.m.

Staff Present in Central Region Office (Fresno) – Samir Sheikh, Deputy APCO; Jaime Holt, Chief Communications Officer; Todd DeYoung, Strategies and Incentives Program Manager; Chay Thao, Strategies and Incentives Program Manager; Ana Stone, Air Quality Education Representative

Staff Present in the Northern Region Office (Modesto) – Anthony Presto, Air Quality Education Rep II

Staff Present in the Southern Region Office (Bakersfield) – Christal Martinez, Office Services Manager

Members of the public present – Colby Morrow, Southern California Gas Company

3. Approve Minutes of March 3, 2016 – The Vice Chair asked if there were any comments regarding the Minutes for March 3, 2016.

Mr. Lemen requested modifications to Mr. Dean's comments regarding the Clean Air Act (CAA). Samir Sheikh, Deputy ACPO, recommended the comments state that it was requested that the District draft a letter of support.

Moved: Ference
Seconded: Helme
Ayes: Smith, Kelly-Ortega, Helme, Williams, Dean,
Lemen, Ference
Nays: None

EJAG Minutes of March 3, 2016 were approved with discussed modifications.

4. Public Comments – None
5. Chair Comments – None
6. APCO/Deputy APCO Comments – Mr. Sheikh provided an update from the April Governing Board meeting. He explained an End of Wood Burning Season report was presented. Another successful season can be attributed to the strength of the rule along with the Burn Cleaner incentive program which is reflected in a coordinated Valley-wide Check Before You Burn outreach and education program. The report illustrates the air quality during the season. He reported the past year is historic because it was the cleanest year on record. There were different factors contributing to better air quality including the Check Before You Program, Burn Cleaner incentive program, a return to more normal weather conditions, and ongoing efforts by Valley businesses and residents to reduce emissions.

Mr. Sheikh said the results of a recent state audit of the District's permitting fees and permitting indemnification process was also presented to the Board. The audit results were very positive stating the District has the lowest fees due to streamlining and efficiency and that they are legally adopted under state law. Mr. Sheikh said the District welcomes audits and is regularly audited. The results from audits often show that the District has the best practices.

Mr. Sheikh reported the Governing Board Study Session will be held on May 4 and 5 at Bass Lake. The agenda normally includes strategic items for the District for the coming year. He summarized the items on the agenda and let EJAG members know that the complete agenda packet is available on the District's website.

Mr. Smith requested more information on the e-Trip agenda item. Mr. Sheikh explained the District Rule is the first of its kind and there is very specific authority under the California Health and Safety Code to adopt a rule that requires

employers to create a plan and perform training. He said that the potential of revisiting the rule will be discussed at the May Study Session. Mr. Smith asked the success of the District's program with other similar types of programs at other agencies. Mr. Sheikh explained the majority of programs from other agencies are based on outreach and the District's program is a regulation that must be complied with.

Mr. Dean commended the District staff for the positive audit results. Mr. Dean asked if EJAG members should attend the Governing Board Study Session. Mr. Sheikh encouraged EJAG members to attend the Study Session adding the role of EJAG is very important and valuable. Mr. Dean suggested creating an incentive program much like the District's Vanpool Voucher incentive program for EJAG community residents who ride together to go to work. Mr. Sheikh reported that all Valley residents are eligible under the existing program and that there is an additional potential state funding opportunity where the District will work with the Fresno County Rural Transit Authority to develop a pilot program for rural communities. The funding has not been awarded as of yet. Mr. Sheikh encouraged ideas and suggestions for improvement are forwarded to District staff.

Ms. Kelly-Ortega asked if EJAG has reported to the Board. Jaime Holt, Chief Communications Officer, responded the EJAG reported to the Board in February 18, 2016. Mr. Williams said the Board requested EJAG to report on an as needed basis.

Ms. Kelly-Ortega asked what type of operations is the focus for the Healthy Soils Study Session agenda item. Mr. Sheikh said currently there is no defined design for a Valley Healthy Soils program. The initiative is in its very early stages and is also being discussed with the CAC.

Ms. Mares-Alatorre asked if input from the public was being sought for the Healthy Soils initiative. A presentation by the California Sustainable Act Coalition may be useful. Mr. Sheikh responded that any potential options for designing a San Joaquin Valley Healthy Soils initiative depend on input from Valley agricultural stakeholders, with a primary focus on obtaining additional funding to support the implementation of practices suitable for the Valley.

Mr. Williams recommended the District's Burn Cleaner program should not coordinate with the Property Assessed Clean Energy Program (PACE) due to the issues the program has had. Mr. Sheikh commented the opportunity staff may be exploring is the Low Income Weatherization Program (LIWP) which is meant to be a straight grant rebate, zero out of pocket cost program to implement specific weatherization measures.

Mr. Ference asked the process for gathering information from the industry for the Healthy Soils initiative. Mr. Sheikh explained the next step is to obtain feedback from the CAC and the Governing Board.

Public Comment: Colby Morrow, Southern California Gas Company, commented a California ARB workshop was presented at the District regarding AB32 2030 Scoping Plan Workshop that included Agriculture and natural working lands. A presentation by the California Department of Food and Agriculture included information on a Healthy Soils Initiative which is an interagency plan to reduce greenhouse gasses and improve drought resiliency through innovative farm and ranch land practices. Ms. Morrow said the workshop was attended by several agricultural industry representatives. The District received several recognitions for its incentive programs.

7. Updates on Attainment Plans and Rules – Chay Thao, Strategies and Incentives Program Manager, provided the update on this item.

Mr. Dean asked if there is much public participation for the Plan workshops. Mr. Sheikh said there were several participants, both in person and via Webcast at the morning workshop and several via Webcast at the evening workshop. Questions were addressed that arose from the Public Advisory Workgroup meeting and the workshops. There has been significant ozone reduction progress and there will be additional reductions in the coming years. Mr. Dean said as part of the Public Advisory Workgroup he wanted to inform other EJAG members that EPA, CARB, industry representatives and EJAG were present to discuss the Plans. He commended the approach the District has taken to obtain comments.

Mr. Williams asked if there was feedback from the County of Tulare at the Rule 9510 public workshop. Mr. Thao responded there was feedback from the City of Visalia.

Public Comment: None

8. Update on District's Legislative Platform and Strategy for Modernizing the Federal Clean Air Act – Mr. Sheikh provided the update for this item, including recent developments with respect to new legislation introduced by the House in Congress.

Ms. Kelly-Ortega asked if on some level contingency measures drive technology. Mr. Sheikh responded that the 2016 Ozone Plan currently under development is a prime example of how antiquated Clean Air Act requirements could actually have a negative impact on air quality and public health. The District plan as initially proposed demonstrated attainment as expeditiously as possible before the 2031 deadline without the need to rely on a "black box" under §182(e)(5) of the Clean Air Act. By definition, a black box represents reductions that would be needed to attain the standard for which specific measures or technologies are not currently available. The District was forced to rely on the "black box" provision to satisfy the contingency requirements under the Clean Air Act. To satisfy these requirements,

the District had to hold back 1.6 tons per day of NOx emissions reductions that could have otherwise been used to take credit toward attaining the standard in a timely fashion without using a “black box”.

Ms. Mares-Alatorre asked if the transcript of the congressional hearing was available. Mr. Sheikh responded he would inform the EJAG members when the transcript is available on the District website.

Mr. Dean asked if the District has reached out to a resident who wrote an editorial in the Bakersfield Californian. Mr. Sheikh responded the District continued to conduct outreach and education regarding the Clean Air Act and challenges.

Ms. Mares-Alatorre asked if Mr. Dean acted as an individual or as an EJAG member when he affirmed support for the District’s Legislative Platform. Mr. Dean responded he confirmed support as an EJAG member. Mr. Sheikh explained during the previous meeting several EJAG members requested a letter be drafted for EJAG members desiring to express their support for the District’s Legislative Platform and Strategy for Modernizing the Federal Clean Air Act.

Ms. Kelly-Ortega asked if there have been changes to the proposal since there were EJAG members that had questions or concerns with the original proposal. Mr. Sheikh encouraged suggestions and ideas for improvement and asked Ms. Kelly-Ortega to email her recommendations.

Mr. Helme commented he was not in support due to both Governing Board members Dr. Sheriffs and Dr. Capitman were not in support of the District’s Legislative Platform. He expressed desire for understanding their reasons for not supporting the proposal.

Mr. Williams commented he asked his constituents their thoughts on regulations and the consensus was anything that can be done to make life easier they would support. Mr. Sheikh thanked Mr. Williams for his efforts.

Mr. Helme spoke with his constituents and found concerns with respect to their children’s’ health. Mr. Sheikh pointed out that the new plan provides for expeditious attainment of the health-based 8-hour standard and that the contingency requirement for extreme nonattainment areas actually results in emissions reductions needing to be held back.

Public Comment: none

9. Cap and Trade Funding Update – Todd DeYoung, Strategies and Incentives Program Manager provided the update for this item.

Mr. Helme asked if there was a possibility for electric bike share funding in disadvantage communities. Mr. DeYoung explained the specific solicitation

discussed was targeted at trucks and busses. There are solicitations frequently being received and they have specific focuses. The District will certainly be looking for this type of solicitation and be very aggressive in applying for anything the District can be successful at obtaining. Mr. Sheikh encouraged EJAG members to forward any solicitation information they may receive or have knowledge of to assist the District in obtaining funding for projects.

Mr. Dean requested that the District consider options for retiring and replacing older vehicles in EJ communities incentives for the purchase of bicycles, bus vouchers, and vanpools. He also wanted to ensure funding is specifically going to EJAG communities. Mr. Sheikh explained the Tune In Tune Up Vehicle Repair and Replacement Program is an incentive program that provides funding to replace older vehicles targeted to EJ community residents. He said there already is funding for transit and vanpools as additional options. The District is continuing to evaluate the potential of providing funding for bicycles through the Tune In Tune Up program but primary interest has been in repairing vehicles or replacing their vehicles with much newer and cleaner vehicles.

Mr. Helme asked if there was an incentive program for small businesses like a local grocery store to install an electric charging station. Mr. DeYoung explained the District has the Charge Up! incentive program to provide funding to install electric charging stations.

Ms. Kelly-Ortega requested clarification on step vans. Mr. DeYoung explained step vans are delivery vans that have roll up doors on the back of the vehicle.

Public Comments: none.

10. Annual Review of EJAG By-Laws – Mr. Williams requested comments from EJAG members on the By-Laws. No questions or comments were presented.

Public Comments: none.

11. Upcoming EJAG Meeting Agenda Items –
 - Review of the Tune In Tune Up Program
 - Review of Charge Up Program
 - Review Contingency Measures strategy
12. Public Comments (Second Opportunity) – None.
13. EJAG Member Comments – Mr. Dean announced a High Speed Rail reception on May 10, 2016 and a conference on May 14, 2016 in Bakersfield.
14. Volunteer to Present Report During CAC Meeting on Tuesday, May 3, 2016 at 10 a.m. – Mr. Williams volunteered.

15. Volunteer to Present Report During Governing Board Meeting on Thursday, June 16, 2016 at 9 a.m. – Ms. Kelly-Ortega volunteered.

Meeting adjourned at 7:36 p.m.

Next Meeting –The next EJAG meeting is scheduled for Thursday, June 23, 2016, 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.