

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, March 3, 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 Chair, Esperanza Vielma, called the meeting to order at 5:35 p.m.
2. Roll Call – was taken and a quorum was present

<u>County</u>	<u>Member Name/Interest Group</u>	<u>Location</u>
Fresno	Kevin Hamilton, CAC-Environmental (Primary)	Central
Kern	Marvin Dean, Ethnic-Small Business Owner	Central
Kern	Robert Smith, At Large Rep	South
Kings	Dustin Ference, CAC-Industry Ag (Primary)*	Central
Madera	Michelle Garcia, At Large Rep	Central
Merced	Melissa J. Kelly Ortega, At Large	Central
Merced	Jack Lemen, CAC-City (Primary)	Central
San Joaquin	Esperanza Vielma, At-Large	North
Stanislaus	Thomas Helme, At-Large Rep	North
Tulare	Derek Williams, At-Large Rep	Central

Mr. Ference arrived at 5:40 p.m.

Staff Present in Central Region Office (Fresno) –Seyed Sadredin, Executive Director/APCO; Samir Sheikh, Deputy APCO; Jaime Holt, Chief Communications Officer; Heather Heinks, Public Education Administrator; Sheraz Gill, Director of Strategies and Incentives; Todd DeYoung, Strategies and Incentives Program Manager; Chay Thao, Permit Services Manager

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

Staff Present in the Southern Region Office (Bakersfield) – Mike Oldershaw, Southern Region Compliance Manager

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

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

8. District's Legislative Platform and Strategy for Modernizing the Federal Clean Air Act – Seyed Sadredin, Executive Director/APCO provided the presentation for this item.

Mr. Sadredin explained that the District's Clean Air Act Modernization Proposal presents a legislative solution that preserves the federal government's ability to routinely reevaluate and set health protective air quality goals based on sound science while avoiding current duplicative requirements and confusion. The proposed changes would also require strategies that lead to the most expeditious air quality improvement while considering technological and economic feasibility.

He went on to say that since the 1970's, EPA has established numerous ambient air quality standards for individual pollutants. We have now reached a point where various regions throughout the nation are subject to multiple iterations of standards for a single pollutant. Currently, we are subject to four standards for ozone and four standards for PM2.5. Each of these standards requires a separate attainment plan which leads to multiple overlapping requirements and deadlines. The District's Clean Air Act Modernization Proposal will help to reduce the current chaotic nature of the transition between standards through the elimination of duplicative requirements and synchronizing progress milestones when a new standard is published by EPA. This streamlining will not delay aggressive efforts to reduce air pollution and improve public health in the Valley.

Furthermore, meeting the new standards that approach background concentrations call for transformative measures that require time to develop and implement. These transformative measures require new technologies that in many cases are not yet commercially available or even conceived. The formula-based deadlines and milestones that were prescribed in the Act 25 years ago now lead to mandates that are impossible to meet. The District's proposal would have the Clean Air Act require control measures that lead to the most expeditious attainment of health based standards while taking into account technological achievability and economic feasibility.

Mr. Sadredin explained a classic case of the well-intentioned provisions that were included in the Clean Air Act over 25 years ago that are now leading to unintended consequences is the requirement for contingency measures in areas classified as "extreme" nonattainment. By definition, a region is classified as extreme nonattainment if, despite implementing all available control measures, reductions achieved are not enough to meet the standard.

The only way a region can meet the contingency requirements is to hold back on implementing clean air measures and save them for later as a contingency. Of course, this would result in delays in cleaning the air and reducing air pollution. As currently written, the requirements in the Clean Air Act that require extreme areas to include all available measures to ensure expeditious attainment and the requirement for holding back measures as contingency are contradictory. Mr. Sadredin mentioned that the District will be working with the Valley Congressional leadership to move this legislation forward.

A number of EJAG members expressed strong support for the District's Clean Air Act Modernization Proposal.

Mr. Williams expressed support and asked that the District draft a letter of support for him and other EJAG members that might be interested in expressing their support.

Mr. Dean commented he supports the District's efforts to modernize the CAA and also requested that the District draft a letter of support.

Mr. Smith also commented that he supports the District's efforts to modernize the CAA and also requested that the District a letter of support.

Mr. Lemen commented he supports the District's efforts to modernize the CAA and also requested that the District a letter of support.

Ms. Vielma commented she supports a stand-alone bill to modernize the Federal Clean Air Act (CAA) and to have conversations not only at the Federal level but also at the state level due to the implementation factor.

Ms. Garcia commented public outreach and education is important and supported a campaign in multiple languages to reach EJ communities.

Mr. Hamilton said he initially had extreme concerns with the proposal, but expressed that he had taken the time to read the entire proposal, and that there were certain provisions that he could support. He would like to see the tone of the proposal made more positive.

Mr. Sadredin expressed appreciation on the feedback and will report to the Governing Board in May that there was some support for some or all of the efforts put forth by the District to modernize the CAA. EJAG suggested greater public engagement.

Public Comment: Dolores Weller, Central Valley Air Quality Coalition (CVAQ), expressed opposition to the CAA modernization proposal, but expressed support for some of the zero emission technology recommendations.

3. Approve Minutes of December 3, 2015 – The Chair asked if there were any comments regarding the Minutes for December 3, 2015. Having decided the Minutes were accurate, on motion of Mr. Williams and seconded by Mr. Hamilton, unanimously passed with one abstention, the Minutes were approved with no changes.
4. Public Comments – None
5. Chair Comments – None
6. APCO/Deputy APCO Comments – None.
This item was taken out of order at the Chair's prerogative.
10. Cap and Trade Award for Truck Technology Project Focused on Disadvantaged Communities – This item was tabled at the Chair's prerogative.

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

11. 2016 Grant Committee Recommendations – Mr. Williams reviewed the recommendations.

Mr. Hamilton asked for an update on the District's EJ map and CalEnviroscreen map, and suggested adding the use of the CalEnviroscreen EJ map to the recommendations. Mr. Hamilton asked if the Carl Moyer funding will be used. Mr. Sheikh explained the recommendations are used to help inform the District's incentive spending plan which is funded with from all available sources.

Mr. Smith commented there is now a bicycle voucher component included in the District's grant program and appreciated District staff for their effort in this rea.

Public Comment: Colby Morrow, Southern California Gas Company, requested clarification on the Heavy Duty incentive program. Mr. Williams explained the owner/operator will need to have funding in addition to the incentive grant.

Mukasa Kezala, resident, resident, asked the difference between the recommendations and the District Incentive Programs. Mr. Sheikh explained several of the District Incentive Programs originated as a recommendation from the EJAG Grants Committee. Mr. Kazala suggested District Inspectors could inform the Strategies and Incentives department of companies that could use grant funding.

Moved: Dean
Seconded: Lemen
Ayes: Smith, Garcia, Kelly Ortega, Vielma, Williams,
Dean, Lemen, Hamilton, Ference

Nays: None

Motion unanimously passed to approve the 2016 Grant Committee Recommendations.

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

9. Updates on Attainment Plans and Rules – Sheraz Gill, Director of Strategies and Incentives, provided the update.

7. 2016 Goals and Objectives as Approved by the Executive Director/APCO – Mr. Sheikh conveyed appreciation for efforts in quickly preparing the goals and objectives. He summarized the goals and objectives, and highlighted Goal/Objective 5, encouraging EJAG members to participate in meetings, workshops, hearings and events regarding Cap and Trade funding.

Public Comment: Colby Morrow, Southern California Gas Company, thanked EJAG members for the letter written to the Air Resources Board regarding heavy duty vehicles and cleaner engines.

12. Upcoming EJAG Meeting Agenda Items

- Discussion on the District's Legislative Platform and Strategy for Modernizing the Federal Clean Air Act.
- Cap and Trade Funding Update

13. Public Comments (Second Opportunity) – None.

14. EJAG Member Comments – Mr. Dean suggested inviting Senator Dean Florez, Air Resources Board Senate Appointed Member for the EJAG communities to a meeting.

15. Volunteer to Present Report During CAC Meeting on Tuesday, April 5, 2016 at 10 a.m. – Mr. Hamilton volunteered.

16. Volunteer to Present Report During Governing Board Meeting on Thursday, April 20, 2016 at 9 a.m. – Ms. Kelly Ortega volunteered.

Meeting adjourned at 7:40 p.m.

Next Meeting –The next EJAG meeting is scheduled for Thursday, April 28, 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.