

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 27, 2017
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 5:30 p.m.
2. ROLL CALL – was taken and a quorum was present

County	Member Name/Interest Group	Location
Fresno	Kevin Hamilton, CAC-Environmental (Primary)	Central
Kern	Marvin Dean, Ethnic-Small Business Owner	South
San Joaquin	Esperanza Vielma, At-Large Rep	North
Tulare	Derek Williams, At-Large Rep	Central
Kern	Robert (Bob) Smith, At-Large Rep	South
Fresno	LeRoy Candler, Jr., Ethnic-Small Business Owner	Central
Merced	Jack Lemen, CAC-City (Primary)	Central

Staff Present in Central Region Office (Fresno) – Seyed Sadredin, Executive Director/APCO; Morgan Lambert, Deputy APCO; Jaime Holt, Chief Communications Officer; Mehri Barati, Director of Administrative Services; Sheraz Gill, Director of Strategy & Incentives; Ryan Hayashi, Director of Compliance; Todd DeYoung, Strategies and Incentives Program Manager; Anna Myers, Senior Air Quality Specialist and Ana Stone, Air Quality Education Representative II.

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, Air Quality Compliance Manager

Members of the public present – Lynn Loyola, Genevieve Gale, Stephanie Gutierrez

3. APPROVE MINUTES FOR OCTOBER 27, 2016, DECEMBER 1, 2016, AND FEBRUARY 23, 2017 – The Chair asked if there were any comments regarding the Minutes for October 27, 2016, December 1, 2016, and February 23, 2017. Hearing none, Mr. Williams made a motion to approve the Minutes.

Public Comments: None

Moved: Williams
Seconded: Candler
Ayes: Smith, Vielma, Williams, Dean, Candler, Lemen, Hamilton
Nays: None
Abstentions: None

Motion unanimously carried to approve the EJAG Minutes for October 27, 2016, December 1, 2016, and February 23, 2017

4. PUBLIC COMMENTS – None
5. CHAIR COMMENTS – The Chair, Esperanza Vielma, commented that several EJAG members have been participating in the District's Public Advisory Workgroup (PAW) meetings and she wondered if those members would come together to present a report to the rest of EJAG. Mr. Dean suggested members should recommend that any potential funding sources should be presented to EJAG members for their review and approval prior to submittal to the Board for consideration. Morgan Lambert, Deputy APCO, said Mr. Dean's suggestion would need to be evaluated to ensure it falls within the purview of EJAG to make group recommendations one way or the other. Mr. Hamilton clarified Ms. Vielma's suggestion was for EJAG members in attendance to report out on their perspective of the PAW meetings, and Mr. Dean's suggestion was to request staff to present any recommendations to the Board on potential funding streams at a future EJAG meeting. Ms. Vielma and Mr. Dean concurred.

Syed Sadredin, Executive Director/APCO, suggested adding an item to the next meeting agenda to update members on the District's progress on its PM2.5 Plan. At this point, he said EJAG could play a big role in pushing both the District as well as Air Resources Board (ARB) to do their part with mobile sources, as many reductions are needed both locally and statewide. He said it would be good for EJAG to go on record sending a recommendation to ARB for mobile source control measures along with recommendations to the District for sources under its control. With the passage of SB 1, Mr. Sadredin said one of the provisions is for the next 13-18 years, ARB cannot propose any fleet turnover regulations on trucks, which are the largest source of air pollution in the Valley. He said that would leave incentives as the only means to achieve reductions from trucks. He

said he is okay with EJAG taking an active role in making recommendations, which would go a long way to push ARB and the District to achieve the maximum reductions in mobile source pollutants. Ms. Vielma responded affirmatively saying she is committed to doing that and believes other members are as well, given the current political climate it is important for members to do all they can to advocate for environmental justice communities. Mr. Sadredin stated that the annual review EJAG's Goals and Objectives was on today's meeting agenda and he would like to look for opportunities for EJAG to advocate for funding to support the District's PM2.5 Plan moving forward as well as other controls that can be put in place. He suggested a report from District staff on where they are with planning efforts and where their needs are as there is another workshop scheduled in the near future, as well a report from PAW participants who currently serve on EJAG. Mr. Dean said he supported Mr. Sadredin's comments fully, saying he recently hosted the Chair of SB1, Senator Jim Beall at a recent forum and he is committed to make sure the Valley gets its fair share of funding. Mr. Sadredin reported that the Board recently directed staff to ask for \$100 million per year set aside from funds generated through SB1 for clean trucks in disadvantaged communities such as those in the San Joaquin Valley and South Coast. Mr. Hamilton voiced appreciation for Mr. Sadredin's comments saying it is wonderful to hear directly from the Executive Director on the District's position and where they are headed. Ms. Vielma asked for an item to be added to the next meeting agenda on the report out from the PAW meetings.

6. APCO/DEPUTY APCO COMMENTS – Morgan Lambert, Deputy APCO, gave the following updates to members:

- During the District's 2016-17 Wood Burning Season the Valley experienced one of the cleanest seasons on record, breaking several records for PM2.5 metrics. He said this accomplishment comes on the heels of the Valley experiencing the cleanest PM2.5 winter season last year, the cleanest calendar year in 2016 for PM2.5, and the two cleanest Ozone seasons recorded in the Valley in 2015 and 2016, which is a continuation of the great trends the Valley is experiencing in terms of improved air quality.
- The Board took action to support the air quality provisions of SB49, which is a strong stand by the State to say despite efforts that may be taken at the federal level with regards to environmental, worker safety and other regulations, California would still remain a leader in these areas.
- The Board authorized staff to roll out the District's new Real Time Electronic Air Quality Display (READ) system, which will be used at local schools and serve as an instant visual indicator of current air quality.
- The Board approved an additional \$500 thousand dollars for funding of the District's Tune In Tune Up Vehicle Repair Program for the remainder of the 2017-18 fiscal year. They also authorized the Executive

- Director/APCO to enter in the agreements necessary to execute the program again next year, once the budget is approved in June.
- Recognizing issues faced with the demise of the biomass industry, which had provided one of the most cost effective avenues for disposal of agricultural crops in lieu of burning, District staff have been working hard to identify alternatives to agricultural burning. They are planning to hold a Central Valley Summit on Alternatives to Open Burning of Agricultural Waste in the near future, potentially late-Summer or early-Fall.

Mr. Smith asked how much time is left to find alternatives to agricultural burning. Mr. Lambert responded staff is currently working with agricultural stakeholders and have put stop gap measures in place in the form of Abatement Orders upon direction from the Governing Board. He said interested parties must appear before the regional Hearing Boards and then pay a penalty to mitigate the effects of the pollution. Mr. Dean commented on the need for a program to pay a cash incentive for residents who want to retire their older, more polluting vehicles. Mr. Lambert responded the District does currently have a vehicle replacement program called the EFMP Plus Up Program that is targeted to low-income residents, and was just awarded \$15 million dollars for this program which would be presented to EJAG members later in the meeting. Mr. Hamilton said he is a huge believer in the Plus Up Program and suggesting working to remove some of the barriers in that program that effect everyone, but especially environmental justice communities with regard to previous ownership of vehicles, vehicles of a certain age and those passing smog. Regarding agricultural burning, Mr. Hamilton commented there are alternatives in place now, including two biomass plants that were not there several years ago.

Public Comments:

7. UPDATES ON ATTAINMENT PLANS AND RULES –Anna Myers, Senior Air Quality Specialist presented this item. She gave members an update on the 2017 PM2.5 Plan that addresses numerous PM2.5 standards (1997, 2006, and 2012 standards) under the federal Clean Air Act. In addition, he updated members on the 2017 PM10 Maintenance Plan, proposed updates to Rule 9510 (Indirect Source Review), Rule 2201 (New and Modified Stationary Source Review), Rule 3110 (Air Toxics Fees), and Rule 4692 (Charbroiling).

Public Comments: *The following persons commented on this item*

- Genevieve Gale, CVAQ
8. EJAG APPOINTMENTS, REAPPOINTMENTS AND OPEN SEATS – Morgan Lambert, Deputy APCO, provided an update on current vacancies, and said the District is in the process of recruiting four new members. The due date for applications is May 18, 2017. He reported a second press release was sent out regarding the vacancies in the Northern and Central regions. An email was also sent out to the members which contained an application for members to

distribute to individuals who may fit the membership criteria. In terms of reappointments, Mr. Lambert added that there are six current EJAG members who need to be reappointed as soon as possible. He said District staff have reached out to these current members to encourage them to complete their applications if they wish to be reappointed, two have responded. Ms. Holt provided instructions on how to find this information on the District's website. Mr. Williams said he recalled in previous years any member who wished to be reappointed did not have to resubmit an application. Ms. Holt responded that it is necessary for members to fill out a brief application and they would not need to be interviewed. Ms. Vielma requested that the application be created as fillable pdf form. Ms. Holt responded affirmatively.

9. 2017-18 GRANTS COMMITTEE RECOMMENDATIONS – Morgan Lambert, Deputy APCO; presented this topic. Mr. Lambert commented that the recommendations are from the Grant Committee which need to be considered and approved by EJAG and then passed on to the APCO for consideration. Mr. Williams told members that the committee recommendations have not changed and then proceeded to provide a brief history of the recommendations and asked the members for approval. He said the only minor change is to Healthy Air Schools and said the committee voted to increase the allocation to that program.

Mr. Dean thanked his colleagues and seconded the Committee's recommendation. Ms. Vielma asked if there was a document showing the breakdown of recommended allocations in each county. Mr. Williams responded that it is his understanding that the dollar amounts change based on the monies the District has. Mr. Williams continued by saying that it has been asked by Mr. Dean in the past is to try and provide a breakdown of how much money the District is receiving and where it is going. He mentioned that this request would not be part of the recommendation but feels that it should be kept as a standing item on a periodic basis. Mr. Lambert responded by explaining that the funding for these programs as well as past programs is contained in the Spending Plan for the District's Recommended Budget, which the Governing Board is will be considering for adoption at their June 15, 2017 meeting. In terms of the individual projects, he said some of it is allocated on different measures and most is first come first served based on the programs demand. Mr. Williams asked if a quarterly report could be created in order to keep the group updated. Mr. Hamilton suggested that the information in this report should contain the amount allocated for the program and where it's being spent so that EJAG members can report to the counties that they represent. He expressed that having this information will be helpful and useful. Todd DeYoung, Program Manager of the Strategy and Incentives Department responded that information is provided monthly to the public through the Governing Board Highlights including information on grants provided through various programs for clean air projects. Mr. DeYoung explained that the information the committee is requesting is a little more complex because the Spending Plan is for all of the money the District will receive for the fiscal year but not all of the funds are available immediately but

may be received throughout the year. Mr. DeYoung added that he understands what the committee is requesting and that he would work to put together this information to present in an upcoming EJAG meeting. Mr. Hamilton said he would be satisfied to receive an annual report instead of quarterly. Mr. DeYoung responded that the District already provides this information and it also includes the dollar amounts each company received. Mr. Williams clarified with Mr. Hamilton that the District could present an annual report documenting the grants awarded for the previous budget year during the next EJAG meeting. Mrs. Vielma agreed. Mr. DeYoung responded that it can be done. Mr. Williams asked for a three-year reporting history. Ms. Vielma asked Mr. Williams if he was adding the above to his motion. Mr. Williams responded that the recommendation is to adopt the Grants Committee recommendations and that the District will provide an annual report on how the grant monies were spent for the previous fiscal year.

Mr. Lambert clarified that the suggestion should be presented as a separate request. Mr. Williams then clarified his motion to accept the EJAG Grants Committee recommendations for the use of District funds for the 2017-18 Fiscal Year. Mr. Dean seconded the motion.

Public Comment: Genevieve Gale, CVAQ commented that she is excited to see that the funds are going to a lot of the needy programs such as the School Bus program because there is a vulnerable population such as young children who are breathing in diesel soot. She also suggested the annual report on incentive funding be reported on a census tract level within communities. She also discussed the District's grant funding EJ map compared to CalEnviroScreen, suggesting only using the CalEnviroScreen tool. Mr. DeYoung responded that staff use the District's grant funding EJ map for specific purposes as outlined in State law.

Mr. Williams said this sounds like a recommendation that could be added in the future when there is a change to state law. Mr. Williams voiced appreciation for Ms. Gale's comments. Ms. Vielma thanked Ms. Gale for her comments.

Mr. Williams referred to recommendation number 5 and asked that the last line of number 6 be added on to number 5 so that it appears on all six items. Ms. Holt suggested Mr. William's motion could be to approve the Grant Committee recommendations with the addition of that sentence to item number 5. Mr. Dean asked Ms. Holt for an overview on recommendation number 7. Ms. Holt explained the details of the program and its purpose. Mr. Williams moved to approve the Grant Committee recommendations with the addition of the last line on number 6 to be added at the end of recommendation number 5. Mr. Dean seconded Mr. Williams' motion. Separately, Mr. Dean suggested that staff return to a future meeting and provide a report on how the incentive funds were spent for the previous year.

Moved: Williams

Seconded: Dean
Ayes: Smith, Vielma, Williams, Dean, Candler, Lemen, Hamilton
Nays: None

Motion unanimously carried to approve the 2017 Grants Committee recommendations with the addition to recommendation number 5 of the last line on recommendation number 6

10. ASSESS AND PROVIDE INPUT TO THE EXECUTIVE DIRECTOR/APCO CONCERNING THE EFFECTIVENESS OF THE ENVIRONMENTAL JUSTICE ADVISORY GROUP UNDER THE CURRENT TRIAL REPORTING STRUCTURE – The Chair, Ms. Vielma suggested to continue with the meeting and table item number 11 if needed. Mr. Lambert presented this item, saying when EJAG was first created, the Bylaws required that the EJAG report through the Citizens Advisory Committee (CAC) and not directly to the Board. In May of 2015, the Board took action to change the reporting structure of EJAG for a pilot program year to have them report directly to the Board while also still maintaining a relationship with the CAC and providing updates for the CAC. Part of the effort was to raise the stature of the EJAG especially as the group worked with the District to advocate for incentive funding for the Valley state and federal government. District staff and the Board thought that it would be helpful to have that enhanced stature of the EJAG as the District went out and advocated those funds for the Valley, especially those funds that had disadvantaged communities or Environmental Justice Community ties to them.

At the end of the pilot year the Governing Board directed the Executive Director/APCO to do an evaluation of the performance of EJAG under that reporting structure and to come back to the Board with a recommendation on how to continue with the EJAG moving forward. The one year time period is up and the APCO is currently working on that evaluation and soliciting feedback from the CAC Subcommittee and EJAG members. With the idea that the evaluation of the pilot project will go back to the Board in September 2017. Mr. Lambert mentioned that a formal action does not have to take place at today's meeting but the District is looking for is for a look back over the last year of the new reporting structure and asking for feedback from the members as to whether or not they feel it has been successful, if they feel it should continue or if they feel it should change back to the previous direction. He said all feedback captured during today's meeting will be passed to Mr. Sadredin as he continues with his evaluation of the program.

Mr. Williams made a motion to make the pilot program permanent. He added that it has been successful and should be made permanent subject to Governing Board approval. Mr. Lambert stated it would be helpful if the members had individual experiences that they would like to share or successes that they feel EJAG has been able to accomplish that have been enabled by this new reporting structure, prior to making a motion. He mentioned any input or examples

members could provide would be beneficial and helpful. Mr. Dean responded by saying that he supports Mr. Williams' recommendation. He feels that it's been a good relationship with the CAC members and he feels the same way about the Board. He strongly supports and moved to continue the pilot project on a permanent basis. Ms. Vielma asked for EJAG member comments for the report.

Mr. Lambert repeated that if the EJAG members wish not to provide feedback and move forward it is perfectly fine as well. He mentioned that the members' perspective is valuable and that the consensus is that it's been positive. Mr. Lemen commented that he supports maintaining the current reporting structure, as does the CAC Subcommittee who recently met to provide their input on the current reporting structure. Mr. Hamilton commented that the current structure works well. He said the evidence stands for itself that EJAG members have proved themselves and all of the previous discussions and potential concerns were unfounded. He said he felt that EJAG has earned its place in the reporting structure to the Board and he fully supported this action.

Moved: Williams
Seconded: Candler
Ayes: Smith, Vielma, Williams, Dean, Candler, Lemen, Hamilton
Nays: None

Motion unanimously carried to recommend the Board adopt the current reporting structure for EJAG on a permanent basis

11. DRIVE CLEAN INCENTIVE PROGRAM OUTREACH TO ENVIRONMENTAL JUSTICE COMMUNITIES – This item was tabled to the next meeting.
12. BEGIN ANNUAL REVIEW OF GOALS AND OBJECTIVES – This item was tabled to the next meeting.
13. UPCOMING EJAG MEETING AGENDA ITEMS – Ms. Vielma asked for items 11 and 12 to be added to the next agenda, as well as a report out of the Public Advisory Workgroup and a report on incentive funds distribution for the previous fiscal year.
14. PUBLIC COMMENTS (Second Opportunity) – None
15. EJAG MEMBER COMMENTS – Mr. Dean said he was leaving the meeting and wished everyone a good evening.
16. VOLUNTEER TO PRESENT REPORT DURING CAC MEETING ON TUESDAY, MAY 6, 2017 (TENTATIVE) AT 10 A.M. – Mr. Hamilton volunteered to present the report.

17. VOLUNTEER TO PRESENT REPORT DURING GOVERNING BOARD MEETING ON THURSDAY, MAY 25, 2017 (TENTATIVE) AT 9 A.M. – Ms. Holt said the meeting on May 25th would be a public hearing on the District's Recommended Budget so no report would be needed.

Meeting adjourned at 7:25 p.m.

Next Meeting –The next EJAG meeting is scheduled for Thursday, June 22, 2017, 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.