

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

**Monday, February 8, 2010**  
**4:30 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 4:38 p.m.
2. ROLL CALL – was taken and a quorum was present to hold a meeting:

County	Member Name/Interest Group	Location
Kern	Linda MacKay, At-large Rep.	South
Fresno	Kevin Hamilton, CAC	Central
Stanislaus	Rosenda Mataka, At-large Rep.	North
San Joaquin	Jeremy Terhune, At-large Rep.	North
Merced	Melissa Kelly-Ortega, At-large Rep.	Central
Madera	Catherine Garoupa, At-large Rep.	Central

Staff present in Central Region Office (Fresno) – Seyed Sadredin, Executive Director/APCO; Rick McVaigh, Deputy APCO; Scott Nester, Planning Director; Maricela Velasquez, Senior Public Information Representative; Claudia Encinas, Bilingual Public Information Representative; Jaime Holt, Chief Communications Officer.

Staff present in Southern Region Office (Bakersfield) – Brenda Turner, Public Information Representative.

Staff present in Northern Region Office (Modesto) – Anthony Presto, Public Information Representative.

Members of the public present – Derek Williams.

3. APPROVE MINUTES OF MONDAY, January 11, 2010 – (no discussion)

Moved: Terhune  
Seconded: Kelly-Ortega  
Ayes: Hamilton, MacKay, Mataka  
Nays: None  
Abstain: Garoupa

***Motion passes 5-0, with 1 abstention, to approve the Minutes of the January 11, 2010 EJAG meeting.***

4. PUBLIC COMMENTS (FIRST OPPORTUNITY) – None.

5. CHAIR COMMENTS – Ms. MacKay suggested that EJAG consider forming standing committees instead of ad-hoc committees to provide for greater public participation.

6. APCO/DEPUTY APCO COMMENTS – Mr. McVaigh said the Governing Board approved the District's Regional Energy Efficiency Strategy during the January meeting. He advised the strategy is one of the District's fast-track components set-up to achieve attainment ahead of schedule.

Mr. McVaigh stated the Governing Board also approved the District's 2010 legislative platform, which includes seven priorities:

- Developing alternatives to agricultural burning.
- Reliable water supply for the Valley.
- Renewable energy and efficiency.
- Funding to expedite attainment of the National Ambient Air Quality Standards.
- Designating the District as an Air Quality Empowerment Zone
- Curbing wild fires.
- Reauthorizing the Transportation Bill, along with the air quality mitigation funding that goes along with the Transportation Bill.

Mr. McVaigh advised there will be several items presented to the Governing Board in February: the Clean Air Challenge, the APCO's evaluation of EJAG, and several new grant funding proposals.

Ms. Garoupa stated she and approximately 20 residents from the San Joaquin Valley attended the EPA's hearing regarding lowering the 8-hour ozone standard that was held last week in Sacramento. She asked if the District will be submitting comments on this matter, to which Mr. McVaigh said the District will be providing written comments.

Mr. Terhune said the Catholic Diocese Environmental Justice Coordinator was going to attend today's meeting to express concern regarding the District's support of the water bond; however, was unable to attend and, therefore, requested Mr. Terhune relay the concerns of his constituents regarding this matter. Mr. McVaigh said the District has not taken position on the bond, but supports a reliable water supply for the San Joaquin Valley and said the District would be glad to hear public comments.

7. ELECTIONS OF DISTRICT'S EJAG CHAIR FOR TERM OF TWO YEARS AND VICE-CHAIR FOR TERM OF ONE YEAR – Ms. Mataka nominated Ms. MacKay for Chair and Ms. Garoupa for Vice-Chair.

*Moved:* Mataka  
*Seconded:* Hamilton  
*Ayes:* Terhune, Ortega, Garoupa, MacKay  
*Nays:* None  
*Abstain:* None

***Motion passes 6-0, with 0 abstention, to approve Linda MacKay as Chair (for a two-year term) and Catherine Garoupa as Vice-Chair (for a one-year term).***

Public comment: No public comment.

8. HIGH-SPEED TRAIN – IDENTIFYING THE LOCATION OF EJ POPULATIONS – Mr. Mark Metcalfe with URS Corporation, working with the High-Speed Rail Authority to do the Environmental Justice Analysis for the High-Speed Train Project, provided a presentation on the project. Mr. Eric VonBerg, a colleague of Mr. Metcalfe, was also present.

Mr. Metcalfe stated one of the first aspects involved with the analysis is locating the communities and populations of minorities and low-income areas that make up EJ communities. He said his purpose today is to invite comments from EJAG with respect to the analysis that URS has done regarding the 2000 census.

Mr. VonBerg said because they are in the initial stages of preparing their environmental report, they are seeking EJAG's assistance in developing their analysis and confirming that they are not overlooking aspects related to this project. They plan in about a year to complete a draft of the Environmental Impact Report and Environmental Impact Statement.

Ms. Kelly-Ortega requested EJAG receive a copy of the presentation and asked if they would be presenting information to the northern part of the San Joaquin Valley as well. Mr. Metcalfe explained they are not working on that segment of the project; their segment is from Fresno to Palmdale, and they are also covering to Bakersfield. Ms. Kelly-Ortega requested a contact name for the northern

portion of the high-speed train project. Mr. VonBerg said he could provide that information.

Mr. Hamilton said the community will have an issue with where the project is ending in Fresno: in the Roeding Park area, over the only green space essentially available to the poor and underserved communities of southwest and south central Fresno. He also stated the project is running directly over the Fresno Chaffee Zoo, as well as a green space area that is aggressively used, and also the green space at Kearney Circle. He said the impact on those communities where the green space is limited and shrinking needs to be addressed.

Ms. MacKay asked if in this part of the process if it was required to publish the meetings that concern the high-speed rail project and if there were fewer requirements for promotion and advertising. Mr. VonBerg explained the meetings now are referred to as public information meetings. They are not tied to CEQA or the National Environmental Policy Act. He further stated they are trying to get additional input from the public as they move forward with the project, and this is just additional outreach they are trying to do for the public. Mr. VonBerg further explained that every public information meeting and every document associated to a meeting is made available on the High-Speed Rail Authority website. He also informed the group of the monthly board meetings that are the first Thursday of every month, which are usually in Sacramento. He also stated the High-Speed Rail Authority website has a live-stream of these meetings.

Ms. MacKay informed the members they could send her their comments and she would then forward them to the District. Ms. Mataka volunteered to assist with this task. Earlier in the discussion, Ms. Holt had requested one package of information be emailed to Ms. Velasquez; the District would then forward the information on to URS. Mr. Metcalfe requested the information by February 17, but indicated the deadline would need to be no later than February 19.

9. DRAFT GOALS & OBJECTIVES FOR CALENDAR YEAR 2010 – After thorough discussion, it was agreed the next EJAG meeting would have one item on the agenda: set up goals, objectives and an action plan for 2010. The goals and objectives ad-hoc committee will meet prior to the next scheduled EJAG meeting in order to work further on this item.

Public comment: The following persons provided testimony on this matter:

- Derek Williams

*Moved:* Garoupa  
*Seconded:* Terhune

Ayes: Mataka, Kelly-Ortega, MacKay, Hamilton  
Nays: None  
Abstain: None

**Motion passes 6-0 for the next EJAG meeting to consist of one item on the agenda – setting up goals and objectives and action plan for 2010.**

Meeting for ad-hoc meeting scheduled for 2/19 at 3 p.m. Individuals on ad-hoc committee are – Terhune, Kelly-Ortega, Booker, MacKay, and Hamilton.

Per Ms. Holt, VTC room is available for March 15, at 2:30 p.m.

10. RULES UNDER DEVELOPMENT – Scott Nester provided a brief update for the rules under development, referring to the “Summary of Draft Rules and Plans,” which was distributed with the EJAG agenda. Mr. Nester said one rule was not on the list: Rule 4970 (Confined Animal Facilities). He said the District is in the process of broadening the applicability of the rule, in order to cover smaller sources and add additional controls in facilities that are already covered in the rule. He said a workshop is planned in March and the rule will go before the Governing Board in June. Mr. Nester advised the summary indicates March 2010 for Rule 4566 (Organic Waste Operations) and Rule 4702 (Internal Combustion Engines), but the date is actually April. Mr. McVaigh indicated a revised “Summary of Draft Rules and Plans” would be sent out to EJAG members, which would include the Rule 4970 and the correct date for Rules 4566 and 4702.
11. PUBLIC COMMENTS (SECOND OPPORTUNITY) – None.
12. EJAG MEMBER COMMENTS – Ms. Kelly-Ortega said Mr. Jones had asked the meeting times be placed on the next agenda. Mr. Jones believes EJAG should rotate meeting times in order to increase public participation. For easier accessibility, Mr. Jones also requested the agenda minutes and supporting documents be sent out in the same email

Ms. Garoupa, who had missed the last meeting, expressed appreciation for receiving the materials in advance, as it gave her the opportunity to catch up by reading the minutes. She then requested an update regarding the EJAG vacancies. Ms. Velasquez stated the District has received a couple of applications and two small-business owners have submitted applications, along with a representative for Tulare County. She also stated the District has updated the information on the District’s website. Ms. Velasquez said District Outreach has been trying to recruit more individuals through radio and TV interviews. She also stated the District is still in the application phase, trying to receive more applications in order to increase the pool from which to choose from.

13. EJAG MEMBERS SUGGSTIONS TO BE INCLUDED IN THE PRESENTATION OF THE EJAG REPORT DURING THE CAC MEETING ON TUESDAY, FEBRUARY 2, 2010 - Ms. Garoupa suggested mentioning EJAG is currently working on goals for the year and also seeking applications to fill the vacant seats on EJAG.
14. VOLUNTEER TO PRESENT EJAG REPORT DURING CAC MEETING, TUESDAY, March 2, 2010 AT 10:00 A.M. – Catherine Garoupa.

## **ADJOURN**

Meeting adjourned at 7:14 p.m.

*NEXT MEETING – The next EJAG meeting is scheduled on Monday, March 15, 2010 at 2:30 p.m. Meeting held via video teleconference (VTC), with the Central Region Office (Fresno), the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating.*