

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, May 17, 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 not present:

County	Member Name/Interest Group	Location
Kern	Linda MacKay, At-large Rep.	South
Merced	Melissa Kelly-Ortega, At-large Rep.	Central
Kings	Riley Jones, CAC	Central
San Joaquin	Jeremy Terhune, At-large Rep	North

Staff present in Central Region Office (Fresno) – Rick McVaigh, Deputy APCO; Jaime Holt, Chief Communications Officer; Samir Sheikh, Director of Strategy & Incentives Department; Maricela Velasquez, Senior Public Information Representative; Claudia Encinas, Bilingual Public Information Representative.

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 – Sara Sharpe and Derek Williams.

3. APPROVE MINUTES OF MONDAY, April 19, 2010 – Tabled to next meeting, due to lack of a quorum.
4. PUBLIC COMMENTS (FIRST OPPORTUNITY) – None.
5. CHAIR COMMENTS – None.

6. APCO/DEPUTY APCO COMMENTS – In order to begin working on some of EJAG’s goals and objectives for this year, Mr. McVaigh, Deputy APCO, said three items were added to this month’s EJAG agenda:

- Item 9 – Appoint EJAG Members to Form Joint Ad-hoc Committee with the CAC to Work on the Agenda and Logistics for the Team Building Workshop/Retreat.
- Item 11 – June EJAG Meeting Agenda Items.
- Item 12 – Packet of District Outreach Materials Distributed to the Public.

Regarding item 9, Mr. McVaigh suggested the Chair appoint EJAG members to the Joint Ad-Hoc Planning Committee prior to the next CAC meeting, which is scheduled for June 1. Then, during that next CAC meeting, CAC could also appoint members to the ad-hoc planning committee.

Regarding item 11, Mr. McVaigh stated this item is to provide EJAG members the opportunity to identify which goals and objectives should be addressed during the EJAG meeting in June. EJAG members can provide input to the Chair, as the Chair will be establishing the agenda.

Regarding item 12, Mr. McVaigh said District staff will share some literature that is used in the District Outreach Program, in order for EJAG to begin the process of becoming familiar with some of the material. After reviewing the material, EJAG would then select which items to work on.

Mr. McVaigh advised the District will have the first of two budget hearings for the 2010-11 budget at the Governing Board meeting on May 20. He also advised the District is sponsoring a major PM conference in Fresno, “Air Quality Conference: Particulate Pollution in the San Joaquin Valley,” which will be held on June 9 and 10 at the Holiday Inn in Fresno. A number of elite scientists from around the state and nation will be attending the conference, providing information on the sources of particulate matter and its health impacts. In addition, there will be a panel discussion about translating science into policy. He encouraged EJAG members to attend.

Public comment: None.

7. RULES UNDER DEVELOPMENT– A detailed handout listing the rules under development was given to EJAG members in their information packet. Mr. Sheikh, Strategy and Incentives director, provided a brief overview of short-term updates, which included the following:

- Rule 4103 (Open Burning)
- Ozone Mid-Course Review
- 4570 (Confined Animal Facilities)

- Rule 4702 (Internal Combustion Engines)
- Rule 4905 (Natural Gas-Fired, Fan-Type Residential Central Furnaces)

Mr. Sheikh also stated the Governing Board adopted the Technology Advancement Program a couple of months ago, enabling the District to be more active in developing new technology. Rule 4308 (Boilers, Steam Generators, and Process Heaters – 0.075 MMBtu/hr to less than 2.0 MMBtu/hr) is also an example of the District working together with another air district (South Coast) and utilizing the Technology Advancement Program.

Public comment: None.

8. JUNE EJAG MEETING DATE – Due to the PM conference, Ms. Holt suggested the Chair move the June EJAG meeting date, which would allow EJAG members to attend the conference if desired. Ms. Holt advised that the District does have scholarships available and EJAG members who are interested in attending all or part of the conference may contact Outreach staff members, via email, and staff members will complete the registration process. She also said the conference is open to the public and cost to attend is relatively low; however, if the price is a hardship in any way, members of the public may contact the District regarding scholarships.

After discussion among EJAG members, it was decided the next EJAG meeting will be June 21 at 5:30 p.m. Mr. Terhune stated he could not attend that meeting; however, he would provide his organizing committee report to Ms. Mataka (to bring to the meeting) and also provide the report to EJAG members via email.

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

- Derek Williams
- Sarah Sharpe

9. APPOINT EJAG MEMBERS TO FORM JOINT AD-HOC COMMITTEE WITH THE CAC TO WORK ON THE AGENDA AND LOGISTICS FOR THE TEAM BUILDING WORKSHOP/RETREAT - Ms. Kelly-Ortega stated she has been in contact with Carolyn Penny, with UC Davis Common Ground Group, an organization that provides facilitation mediation, negotiation and training. Ms. Kelly-Ortega read information about this organization and suggested Common Ground Group facilitate the joint EJAG/CAC workshop/retreat.

After discussion, it was decided that, for now, three EJAG members should be on the ad-hoc committee, as CAC would likely have one representative from each of three interest groups on the committee, resulting in three CAC members participating on the ad-hoc committee. Ms. MacKay and Ms. Kelly-Ortega volunteered to be on the joint committee. Mr. McVaigh stated this item would be

placed on the June agenda in order to select another EJAG member to the joint ad-hoc committee.

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

- Derek Williams

10. EJAG ATTENDANCE – Ms. Holt said there are a couple of EJAG members who are not in good standing regarding attendance, as they have missed more than three meetings. She stated, according to EJAG's bylaws, the Chair has the prerogative to remove members if members miss more than three meetings without having an excused absence. Two EJAG members currently fall into this category: Andre Booker, who has missed the February, March, and April meetings; and Amarpreet Dhaliwal, a CAC City representative, who has missed all of the meetings this year.

Mr. Jones clarified that the bylaws indicate the Chair may choose to unseat a member from the committee if there are three unexcused absences by the member. Ms. Holt confirmed it is not a mandate and it is the Chair's decision.

After discussion, it was decided outreach would be conducted and Ms. Kelly-Ortega would contact Mr. Dhaliwal and Ms. Mackay would contact Mr. Booker. Ms. MacKay said that a decision would be made during the June meeting regarding this matter.

Ms. Kelly-Ortega requested District staff add an extra symbol on the attendance sheet that would indicate whether an absence was excused or unexcused. Ms. Holt requested that, in the future, the Chair advise during the roll call process if members informed her of their inability to attend the meeting, in order to accurately document attendance records.

Public comment: *The following person provided testimony on this matter:*

- Derek Williams

11. JUNE EJAG MEETING AGENDA ITEMS – Mr. McVaigh suggested EJAG members review EJAG's goals, objectives and action plan for 2010 to identify items to place on the June agenda. This will allow the District to prepare possible presentation material or provide support if needed.

After discussion, it was decided the following items should be placed on the June agenda:

- EJ maps
- Northern Region Organizing Draft report (prepared by Mr. Terhune)
- Finalizing the appointments to the ad-hoc joint workshop/retreat committee

- District Outreach material (refer to item 12; Mr. McVaigh indicated this would be an action item)

The outreach material was also discussed and it was decided the documents will be mailed out to EJAG members who were not attendance, in order for them to review and provide input at the next meeting.

Ms. MacKay asked if it would be a violation of the Brown Act for her to send an email to EJAG members explaining the goals for the next EJAG meeting. Mr. McVaigh stated she would need to provide the District with the email, in order for it to be attached to the agenda.

Public comment: None

12. PACKET OF DISTRICT OUTREACH MATERIALS DISTRIBUTED TO THE PUBLIC – Ms. Holt provided a brief overview of the outreach documents contained in the packet given to EJAG members. She also stated the packet contains outreach materials that are in multiple languages and it is desired EJAG review these documents as one.

Ms. Holt said the packet contains a brand new outreach pamphlet in a comic-book format, which is called a fotonovela. The fotonovela contains basic information in the center section and reading from one cover to the middle section, the story is in English; however, reading from the other cover to the middle section, the story is in Spanish. Ms. Holt said the District has found the fotonovelas are popular and the District is looking for ways in which to utilize its full potential as an outreach tool.

Ms. Holt stated once this program is in place, it would be ideal if EJAG could pick a couple of outreach documents every year or every six months to review. She explained the District is looking for feedback from EJAG on such things as terminology, if pictures are appropriate to certain groups, etc. Mr. McVaigh said the objective for this year's goal was for EJAG to pick two or three items from the outreach material provided, and then EJAG would more closely examine those two or three items to provide feedback to the District. Ms. Holt said the outreach packet of material would be mailed out to all EJAG members who were not in attendance. Ms. MacKay asked if, at this point, EJAG was to pick two or three items. Mr. McVaigh stated it would be an action item for the June meeting, in order for all EJAG members to receive and review the outreach packet.

Ms. Kelly-Ortega said a friend who attended a past meeting suggested an information sheet be provided to the public that would provide an explanation of the acronyms used, definitions of terms and a hierarchy chart. Ms. Mackay and Mr. Jones agreed this would be a useful tool for the public in understanding the different groups and terminology.

Ms. Holt advised EJAG that EJAG badges are now available at every region. The badges can be picked up at the front desk at the beginning of each meeting. Ms. Holt requested the badges be returned to staff at the end of each meeting. She also said the District is working on EJAG letterhead and business cards.

Ms. MacKay stated she would like to regularly work with District staff to make sure EJAG members know why items are on the agenda to ensure EJAG members are prepared to take action and/or discuss items.

Public comment: None

13. PUBLIC COMMENTS (SECOND OPPORTUNITY) – None

14. EJAG MEMBER COMMENTS – Ms. Kelly-Ortega provided a brief overview of what occurred at the last CAC meeting. Ms. Holt thanked Ms. Kelly-Ortega for her hard work and for her assistance regarding radio announcements in Merced for the bike-to-work days. Ms. Kelly-Ortega reminded EJAG of the Clean Air Farming workshop, focusing on ethnic small-farming business. The workshop will be held on July 8 from 8 a.m. to 2:30 p.m. at Mr. Lee's farm in Del Rey.

Mr. Jones said EJAG needs some type of structured plan and concerted effort to fill the vacant seats on EJAG, as well as to form a membership that regularly attends monthly meetings. Ms. MacKay agreed EJAG needs to make a dedicated effort to fill the vacancies. Mr. McVaigh stated the following three positions are vacant: one ethnic, small-business owner; an at-large member from Tulare County; and an at-large member from Fresno County.

Ms. MacKay asked about the interview process to fill vacant seats. Ms. Holt said two people were selected; however, one person withdrew her name. The other, Marvin Dean, will be considered for approval on May 20<sup>th</sup> by the Governing Board. Mr. McVaigh stated Mr. Dean will fill the ethnic small-business position and, hopefully, he will attend next month's meeting.

Ms. Holt said applications will be brought to the next meeting for current members whose terms will be expiring.

15. EJAG MEMBERS SUGGESTIONS TO BE INCLUDED IN THE PRESENTATION OF THE EJAG REPORT DURING THE CAC MEETING ON TUESDAY, JUNE 1, 2010 – It was suggested the EJAG representative talk about EJAG's attendance issues and the outreach material EJAG will be reviewing, as well as encourage CAC members to attend EJAG meetings.
14. VOLUNTEER TO PRESENT EJAG REPORT DURING CAC MEETING, TUESDAY, JUNE 1, 2010 at 10:00 A.M. – Mr. Terhune volunteered to present report.

**ADJOURN**

Meeting adjourned at 5:53 p.m.

*NEXT MEETING – The next EJAG meeting is scheduled for Monday, June 21, 2010 at 5:30 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.*