

Environmental Justice Advisory Group (EJAG): Update ~ August 2, 2011

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Overview

- By-laws (duties & responsibilities)
- Yearly Action Plan
- Successes
- Environmental Justice Strategy

EJ Mission

Environmental Justice Mission

- The San Joaquin Valley Air Pollution Control District (the District), **a public-health agency** protecting the health of all San Joaquin Valley residents, is committed to the **fair treatment and meaningful involvement of all people** regardless of race, color, gender, national origin, or income with respect to the development, implementation and enforcement of air pollution control laws, regulations and policies. The District will continue to incorporate Environmental Justice (EJ) principles in its decision-making processes, programs, permitting, and rule making, as well as provide timely and complete access to information.

Function: The EJAG will be formed to *assist the District with the implementation of the Environmental Justice Strategy*. The EJAG shall serve as a forum to gather public input and enhance public participation. The EJAG shall not have any regulatory or administrative role in the District's permitting, enforcement, planning or rule making activities. *The EJAG reports to the Governing Board through the Citizens Advisory Committee (CAC)*. Duties of the EJAG include the following:

EJAG Duties (EJ Strategy)

- 1. The EJAG will advise the District in identifying opportunities for providing compliance assistance to businesses impacting ethnic and/or low-income communities.**
- 2. The EJAG will advise the District in promoting community outreach efforts and in identifying opportunities and strategies for increasing participation by ethnic and low-income communities in air quality management.**
- 3. The EJAG will advise the District in increasing meaningful community participation and capacity building.**
- 4. The EJAG will facilitate communication with all Valley residents focusing on ethnic and low-income communities.**

EJAG Duties (EJ Strategy)

5. The EJAG will advise the District in implementing public education and outreach programs for community members.
6. The EJAG shall compile and present an annual EJ strategic update to the CAC.
7. The EJAG shall meet at least quarterly.
8. The EJAG shall report monthly to the CAC.
9. The EJAG will advise the District in the development of **analytical tools** and training protocols to aid the District in addressing the needs of the EJ communities. -**EJ Maps**

By-laws

- By-laws based on the District's Environmental Justice Strategy
- EJAG serves as a forum to gather public input & enhance public participation
- EJAG has no regulatory / administrative role in District's permitting, enforcement, planning or rule making
- EJAG has no other authority other than those granted by the District Governing Board in the District's EJ Strategy

By-laws

- Membership ~ 13 members allowed / 9 members currently

Open Seats include:

- Madera
- Kings
- Kern
- One Ethnic, Small Business Owner

By-laws (Mission & Scope)

- Advise the District on integrating EJ principles into all programs, policies, and activities
- Advisory role
- Provide advice, direction, and critique to the District ~ its efforts to advance Environmental Justice
- While EJAG members may assist in crafting effective public education and outreach strategies, members are not held responsible for direct engagement w/public outreach on behalf of the District
- Provide recommendations & updates in meeting the Environmental Strategy

By-laws (Reporting)

- EJAG members report to the CAC unless otherwise directed by the Governing Board
- Can provide reports / advice directly to the APCO upon request
- CAC shall be copied on any communication between the District Gov. Board, EJAG, and APCO that are not routed through the CAC

By-laws (Goals & Objectives)

- Every year, EJAG shall establish goals & objectives & an action plan on achieving said objectives & goals
- Action Plan must adhere to the EJ Strategy
- APCO in consultation with the CAC ~ has final authority on approving or revising the EJAG's goals, objectives, and action plan

By-laws (Meetings & Agenda)

- Meetings occur every 4th Tuesday of the month
- 5:30-7:30pm
- 4:30-5:30pm ~ Ad-hoc / Standing Committees shall meet
- Subject to the Brown Act
- Follow Robert's Rules of Order
- All CAC members are invited to attend EJAG meetings!

Thank you, Manuel C. for attending one of our meetings!

By-laws (EJAG Organization)

- Chair ~ 2 years
- Vice-Chair ~ 1 year

By-laws

(Quorum, Voting, & Amendments)

- Possible 13 members
- Currently ~ Nine (9) members
- By-laws “Simple majority”
- Five (5) present for quorum! 😊
- Applies to committees
- Bylaws can be amended by formal action of the District’s Governing Board

Yearly Action Plan

- Goal/Objective 1 ~ Work collaboratively to create a strong working relationship with the CAC
 - Increase CAC / EJAG representation at each others' meetings (on-going)
 - Annual joint CAC / EJAG retreat for board development **(February 2012) ~ EJ Presentation**
By Jonathan London from UC Davis
 - Annual review of by-laws, duties and responsibilities
 - Develop a process by which to create a minority report to the Governing Board if CAC does not approve a specific action (1st Quarter 2012) *Joint meeting between EJAG & CAC members...

Yearly Action Plan

- Goal/Objective 2 ~ Work with the District to ensure specific public documents created by the District are culturally sensitive and reflect EJ principles
 - ✦ As Needed
- ❖ Success!
 - One-Pager ~ Community member, Adrienne Chance, commented on the complexity of understanding how everything works / Acronyms
 - Burning Trash Is Illegal (Combined Eng. & Spanish brochure)
 - Reporting an Air-Pollution Complaint (English)

Yearly Action Plan

- Goal/Objective 3 ~ Develop a complete understanding of the manner by which the District utilizes EJ maps in disbursing emission reduction incentive grants and develop recommendations for the use of EJ maps in grant funding decisions and public outreach and education
- ❖ Received updated presentation from District concerning use of District EJ maps – February 2011
- ❖ Formalize recommendations for use of EJ maps – completed & going through process (March 2011 ~ Seyed reviewing)
- ❖ Report by staff explaining how funds were spent and where (Annual Report)
- ❖ Develop the role of EJAG members in outreach and education regarding the use of the EJ community maps (To Do)

Yearly Action Plan

- Goal/Objective 4 ~ Increase public participation in the efforts of EJAG
- ❖ Pilot Project with the Northern Region (Pamela & Jeremy – lead with Marvin Dean & Derek Williams actively supporting)
- ❖ Connecting with organizations throughout the SJV (participants throughout the SJV) to give community members an opportunity to discuss their thoughts/concerns/suggestions regarding EJ areas

Goal/Object 4 (cont.)

- ❖ Assist the District with 2 community events:
 - ❖ Tune Up / Tune In (Postings, emails, Facebook, word-of-mouth)
 - ❖ Business Gatherings (Marvin Dean & Derek Williams)
- ❖ Develop a variety of tools for community feedback to be compiled & reported (To do)
- ❖ Create a calendar of events (To do)
- ❖ Develop long-term community leadership skills & resources by determining qualified organizations with which EJAG will conduct outreach efforts (enhanced pilot project)

Goal/Object 4 (cont.)

- ❖ District earmarks sufficient funding to offer grants to at least one-qualified (to be specified) Community-Based Organization (CBO) in all three regions for grass-roots organizing (enhanced pilot project)
- ❖ EJAG members complete training in tandem with qualified grass-roots leadership organizations (enhanced pilot project)
- ❖ Promote requests for proposals (RFPs) targeting CBOs who will be organizing & developing community leaders (enhanced pilot project)

Goal/Object 4 (cont.)

- ❖ EJAG Symposium (enhanced pilot project)
- ❖ Complete pilot programs in public participation –
Pilot Program Report

Yearly Action Plan

- Goal/Objective 5 ~ Work with the District to secure grants for public education or emission reduction projects in EJ communities in SJV
 - Provide support (letters of support / in-kind services)
 - Standing Grants Committee – that will meet for the first time before the Aug. 23rd meeting (4:30-5:30pm)

Yearly Action Plan

- Goal/Objective 6 ~ EJAG will continue to be informed and updated regarding: AB32; Cap-and-Trade; SB 375 target; and other air quality legislation and regulation as appropriate and ensure that EJ communities' concerns are taken into account.
 - Receive presentations (Cap-and-Trade ~ CRPE letter & EPA / CARB – April 2011)
 - Review and assess potential impacts of ARB actions on EJ communities (To do)
 - Present comments to CAC (To do)

Yearly Action Plan

- Goal/Objective 7 ~ EJAG at-large county and small business members will have alternates
 - Actively recruit community members to apply for seats

Working to fill open seats first... (To do)

Yearly Action Plan

- Goal/Objective 8 ~ EJAG will continue to be informed and updated regarding the Health Risk-Based approach to reducing pollutants.
 - Receive presentations from District staff (in progress)
 - Review and assess potential impacts of risk-based criteria on EJ communities (To do)
 - Provide / present comments to CAC (To do)

Successes

- Pilot Project for Northern Region started (Pamela Neronha & Jeremy Terhune) - **January**
- Complaint Procedures Brochure - **January**
- EJ Map Recommendations – **January & March**
- Recommendation made (**February**) ~ Explain how funds are spent in EJ areas in Annual Report to the Community
- Business Cards - **February**
- Pilot project leads met with Betsy Reifsnider of Catholic Charities in Stockton - **February**

Successes (cont.)

- 4th Annual Public Contracting Expo event that occurred in Bakersfield on Feb. 18. Mr. Dean ~ Mr. Williams gave presentation & survey forms were filled out by members of the public attending this event. – **March**
- Joint CAC / EJAG Committee met – **March**
 - List of 11 items

Successes (cont.)

- Action Plan is SMART (Specific, Measureable, Action-based, Realistic and Time-Specific) – **April 2011**
- Grants Committee formed – **May 2011**
- Pamphlets ~ **3 completed total**
- Some assistance with events: Tune-In / Tune-Up events (Mr. Dean, Mr. Williams, Facebook, Fresno coming up) – **on-going**

CAC / EJAG Joint Committee

- 1. The APCO and the Chair of each group will give a presentation at upcoming CAC and EJAG meetings to define the roles of both groups. It was suggested that this occur annually, along with a re-distribution of the Bylaws for both groups. – Manuel/April 2011; Melissa/August 2011**
2. The Leader in charge of various projects and/or Ad Hoc Committees will be responsible for sending progress reports and updates on a regular basis to the Clerk of the Boards for distribution to both groups.
3. A checklist will be developed to ensure that any projects or Ad Hoc Committees fit within the boundaries of EJAG's Goals and Objectives for the current year.
- 4. EJAG should play a major role in developing funding opportunities focused on EJ communities.**
- 5. The APCO will review EJAG's Goals and Objectives to make sure they are realistic and manageable within specified timeframes.**

CAC / EJAG Joint Committee

- 6. District staff will place Risk-Based Approach as an ongoing Agenda item for CAC and EJAG meetings.**
- 7. EJAG will bring a speaker to an upcoming EJAG and CAC meetings to discuss Environmental Justice issues. EJAG Chair will work with APCO to find speaker. ~ February 2012 (Jonathan Lunden, UC Davis)**
- 8. A formal protocol will be developed to process EJAG proposals which follow all guidelines but are still rejected by CAC to ensure that the Governing Board receives adequate information on the rejected proposals.**
- 9. EJAG must work to ensure that specific criteria are met before an Ad Hoc Committee is formed. EJAG should limit use of Ad Hoc Committees and use information gathering process instead.**
- 10. CAC/EJAG Collaboration Ad Hoc Committee Action Items will be presented to all members of CAC and EJAG.**
- 11. The Chairs are responsible for keeping CAC and EJAG members on task during meetings, to ensure productivity. (Note: this was suggested by Manuel Cunha at the end of the meeting.)**

Environmental Justice

- Environmental Justice (EJ) is defined in California law (Government Code section 65040.12.e) as “The fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of all environmental laws, regulations and policies.”
- SJVUAPCD Governing Board approved the District’s “Environmental Justice Strategy” ~ 8/2007

www.valleyair.org/programs/environmentaljustice/environmental%20justice%20strategy.pdf

Environmental Justice Strategy

- The District developed the Environmental Justice Strategy to identify and address any gaps in existing programs, policies and activities that may impede the achievement of environmental justice.
- The purpose of this strategy is to build a framework that can be used by the District to protect the health of Valley residents that may be disproportionately affected by air pollution.

Background information

Goals of District ~ EJ Strategy

The District's Environmental Justice Mission will be accomplished by the following goals:

1. Provide effective tools, resources and opportunities for Valley residents and community-based organizations to identify issues of interest and concern.
2. Provide accessible venues for Valley residents to receive education and information about air-quality challenges and current District air quality actions while facilitating the active and meaningful participation of individuals and communities in the decision-making process and in the implementation of effective solutions.

Goals of District (Continued)

3. Take a proactive role in providing guidance to local land-use decision-making agencies to implement reasonably feasible measures to prevent disparate environmental impacts to local communities, and minimize the impacts from existing and new sources.
4. Work to quantify and pursue reasonable regulatory and incentive based-programs that mitigate toxic emissions on those communities disproportionately impacted by multiple sources. Initially these efforts will be focused on low income and ethnic communities as those communities have historically been the focus of EJ. Identify and address those communities that may be disproportionately impacted by air pollution, and work to develop reasonable strategies to address this disparity.

Goals of District (Continued)

5. Provide public notification to impacted communities when exposure to significant air-toxics events occurs, and work to eliminate risk associated with these events.
6. To increase environmental justice awareness and understanding, District staff will be provided training on Environmental Justice.



THANK YOU!

Any Questions?