

Meeting No. 3 of the Fund Committee

November 17, 2021

10:00 AM MOUNTAIN TIME

Meeting Minutes

➤ Introductions and Opening Remarks

Dr. Rincon, EPA Border Office Director, welcomes everyone to the meeting and provides instructions for simultaneous interpretation instructions via Zoom.

Dr. Rincon gave his condolence to the Family of Ing. Valia Maritza Goytia Leal and to her co-workers.

Dr. Rincon introduces the Fund Committee Co-Chairs:

- **Mariama Mitchell**, Texas Air Grant Project Officer, Environmental Protection Agency (EPA)
- **Ing. Oscar Alfredo Fentanes Arriaga**, Sub-Director at the National Institute of Ecology and Climate Change (INECC, by its abbreviation in Spanish)

The Fund Committee Co-Chairs provide opening remarks.

Ms. Mitchell gives her condolences to the loss of Ing. Valia Maritza Goytia Leal.

Ing. Fentanes Arriaga gives remarks about the loss of Ing. Valia Maritza Goytia Leal and

Ing. Fentanes Arriaga begins the process to verify quorum by doing a roll call. Quorum is met if majority of the Fund members of each country are present.

Ms. Mitchell roll calls fund committee member from the US side:

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|-------------------------------------------|---------------------------------------------|
| 1. Present: EPA – Mariama Mitchell | 3. Present: New Mexico – Armando Paz |
| 2. Present: TCEQ – Cory Chism | 4. Not Present: City of El Paso |

Ing. Fentanes Arriaga roll calls fund committee members from the Mexican side:

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|--------------------------------------------------------|--------------------------------------------------|
| 5. Present: INECC – Ing. Oscar Fentanes Arriaga | 7. Not Present: Ecologia of Ciudad Juarez |
| 6. Present: SEDUE – Francisco Gomez Licon | |

Administrative Unit members present: Sergio Vasquez (TCEQ), Cesar Fierro (SEDUE)

Other attendees: Carlos Rincon (EPA), Eddie Moderow (TCEQ), Stephanie Ma (TCEQ), Gerardo Tarin (SEMARNAT), Eugenia Posada (TCEQ), Jose Palacios (TCEQ), Patricia De la Cruz (TCEQ).

➤ Item 1 Meeting Process and Procedures

Ing. Fentanes introduces Item 1 and asks Cesar Fierro (SEDUE) of the administrative unit to provide a brief summary of the process and procedures of the fund committee meetings.

Cesar Fierro provides to the fund members and attendees the process and procedures of the meeting. Cesar provides and overview of the members of the fund committee from both nations. Each represented entity must provide an official letter of appointment to the co-chair of the policy. Quorum is met if there is a majority of the fund committee members from each nation. The Administrative unit is in charge of the agenda and must be sent at a minimum 7-days prior to the meeting. In order for the fund committee to be able to vote, a motion must be made by a fund member and the motion must be second. Once the

motion is second, a vote can be held to pass the motion. The motion passes if there are no objections or 'Nays'. Cesar also provides an overview of the roles and responsibility of the fund committee members.

Ing. Fentanes asks if there are any questions or comments about the meeting process and procedures provided by Cesar.

There were no comments.

➤ **Item 2** **Approval of Previous Meeting Minutes**

Ms. Mitchell introduces Item 2 for the Approval of Previous Meeting Minutes.

Mariam Mitchell (EPA) makes a motion.

Oscar Fentanes (INECC) seconds the motion.

Ms. Mitchell asks member to indicate their vote through the chat.

EPA – **No Vote**

TCEQ – **Yay** (on Chat)

NMED – **Yay** (on Chat)

El Paso – **Not Present**

INECC – **No Vote**

SEDUE – **Yay** (on Chat)

Ecología Ciudad Juárez – **Not Present**

➤ **Item 3** **Operation and Maintenance 6-month contract (Update)**

Oscar Fentanes introduces Item 3 and asks Sergio Vasquez of TCEQ to provide an update on the operation and maintenance contract with the Autonomous University of Ciudad Juarez that was approved in our previous meeting.

Sergio Vasquez provided an update on the status of the 6- month contract. He informs the fund committee members of the status of the current purchase order between the University of Texas at Austin. The purchase order is set to expire in December, but it will be extended until January to avoid any lapse of operation and maintenance of the stations while the new contract is finalized. All vendors that submitted a proposal to our solicitation have been informed if their bid was successful or unsuccessful. UACJ is working with NADB on finalizing the contract and we are providing support as needed. The Fund Co-Chairs sent the first official correspondence of the Fund to NADB indicating of the awarded contract. We expect the 6-month contract to be awarded early January.

Sergio Vasquez: Are there are any questions?

Dr. Rincon asks if the goal is for there to not be a void of time to the operation and maintenance of the station?

Sergio indicated that the goal is for there not be a lapse of operation and maintenance. We are extending the current purchase order to January for that purpose.

➤ **Item 4** **Update on Marathon Petroleum and inform CEC grant prospect**

Ms. Mitchell introduces Item 4 for the Update on Marathon Petroleum and inform the CEC grant prospect.

Mariama asks Jose Luis Palacios from TCEQ to provide an update on the application submitted to the foundation of Marathon Petroleum and the CEC grant prospect.

Dr. Rincon reminds everyone to speak slowly and clearly for the interpreter.

Jose Palacios informed the fund committee of the work he has done for the administrative unit in drafting application for funds from private organizations. Jose Luis indicates the first draft proposal submitted was for Marathon Petroleum foundation which was submitted on the 1st of November of 2021. The fund committee authorized the administrative unit to apply for funds in the 2nd meeting of the fund committee. The application includes a project to create a new monitoring station in Ciudad Juarez that include PM 2.5, PM 10, ozone equipment, new monitoring trailer, concrete slab and meteorological tower. The amount requested in the application was for \$99,752. We are working with Marathon Petroleum Foundation in providing any additional documentation requested to receive an award from our application.

Eddie Moderow (TCEQ) asked if there is an estimated timeline on when we'll know if Marathon will award our application? If Marathon Petroleum foundation awards us the requested money, will the fund committee decide what to do with the money?

Jose Luis: answers Eddie's questions: When donors donate to the binational fund, they must agree that they will give the decision-making power to the fund committee. That is established in all contracts between donors and NADB. This application may be a little different because the application already explains how the money will be used, which is to install a new station. We would need to follow the proposal submitted. If awarded, we expect the funding to be available within the next couple of months.

Francisco (SEDUE): asked for the amount of the proposal and if there is a deadline for Marathon to let us know if we were awarded?

Jose Luis: There isn't an exact date on when they will let us know if we have been awarded due to their flexibility of being a private foundation. We do expect for us to receive the award based on the documentation they are requesting.

Sergio (TCEQ): Is the two to four-month timeline you mentioned the timeline for us to receive the funding or the timeline for us to receive the funding and purchase the equipment?

Jose Luis: the two to four months should be for us to receive the funding, and the timeline on the purchase of equipment would be based on the procurement timelines approved by the fund committee.

Jose Luis: The administrative unit is also submitting to the CEC's environmental justice grant until Nov 21st. a draft proposal is ready for an amount of \$84,659 Canadian Dollars. If the fund committee agrees on the proposal to apply to the CEC, we plan to submit the application by the due date to the CEC.

Ms. Mitchell: If there are no more questions and based on the update of funding opportunities are there any recommendations from the administrative unit for the fund committee?

Sergio Vasquez: The administrative unit has two recommendations: 1. The administrative unit is requesting approval to apply to the Commission for Environmental Cooperation (CEC) for a new monitoring station in Anapra Ciudad Juarez. 2. The administrative unit also request approval to search and apply for funds in either Mexico or the United State with private or public entities. If approved, all submitted applications will be shared with the Fund Committee members.

Ms. Mitchell: Does anyone present a motion to approve both recommendation from the administrative unit?

Cory Chism (TCEQ) sets a motion to approve both recommendations.

Armando Paz (NMED) seconds the motion.

Ms. Mitchell: Members of the Fund Committee please vote on the chat.

EPA – **No vote**

INECC – **No Vote**

TCEQ – **Yay** (on Chat)

SEDUE – **Yay** (on Chat)

NMED – **Yay** (on Chat)

Ecología Ciudad Juárez – **Not Present**

El Paso – **Not Present**

Ms. Mitchell: the motion has carried.

➤ **Item 5** **Next Meeting of the Fund Committee**

Ing. Fentanes Introduces item 5 to discuss the new date for the new meeting. Ing. Fentanes recommends the next meeting to be on Wednesday, February 2, 2022. Is there another date someone wants to recommends or does someone motion the date?

Ms. Mitchell: Are you recommending at the same time?

Ing. Fentanes: Correct, at the same time. 11:00 AM CT/ 10 AM MT

Francisco Gomez Licon (SEDUE) set a motion for the next meeting to be held on February 2, 2022.

Cory Chism (TCEQ) seconds the motion.

Ing. Fentanes: The next meeting is set for February 2, 2022 at 10 AM MT / 11:00 AM CT.

Sergio Vasquez: Will send the calendar invitation and agenda for the next meeting.

➤ **Item 6:** **Public Comments**

Ms. Mitchell introduced item 6 and asks for the public to raise their hand or write their questions on the chat.

Eddie Moderow and **Dr. Carlos Rincon** have some comments:

Dr. Rincon: Recommends for the state of Chihuahua and the State of Texas to reach out to the local municipalities of El Paso and Ciudad Juarez for them to attend the next meeting.

Eddie Moderow indicated that TCEQ will continue to work with the municipality of Ciudad Juarez and El Paso. He also recommends for part of our work to be dedicated to Ing. Valia Maritza Gomez Leal.

Ing. Fentanes gave closing remarks.

Ms. Mitchell gave closing remarks.

30 seconds of silence in the memory of Ing. Valia Maritza Gómez Leal.