SYNOPSIS: The Administrative Committee met on Friday, March 11, 2011. The Committee discussed various issues detailed in the Committee report. The next Administrative Committee meeting is scheduled for Friday, April 8, 2011, at 10:00 a.m. in Conference Room CC-8.

RECOMMENDED ACTION:
Receive and file.

Dr. William A. Burke, Chair
Administrative Committee

Attendance: Attending the March 11, 2011, meeting were Chair Dr. William A. Burke and Supervisor Josie Gonzales via videoconference. Mayor Dennis Yates was present at AQMD. Jane Carney and Mayor Ron Loveridge were absent.

ACTION/DISCUSSION ITEMS:

1. **Board Members’ Concerns:** Mayor Yates requested that an emergency item be added to the agenda to authorize staff to enter into a contract with Perkins Coie to defend AQMD in litigation over the internal bank including Rule 1315. Staff is requesting to authorize funding of $750,000 in contracts to Perkins Coie and Bingham McCutchen. The committee found, by a unanimous vote, that the District became aware of the need to add this item after the posting of the Committee agenda, and that there was a need to take immediate action, which cannot wait until the next regularly scheduled meeting.

The item was moved and added to the agenda by the Committee members present.
Councilmember Michael Cacciotti noted that at the last Board meeting, Mayor Pulido and Supervisor Gonzales focused on electrification and plug-in hybrid vehicles. He referred to a consumer research project being conducted by the Automobile Club of Southern California to test a 20-car fleet of ‘smart for two’ battery-electric passenger vehicles (from a Daimler smart USA 250-vehicle demonstration fleet leasing program). Discussion followed on the desirability of staff preparing a workplan that summarizes agency strategies for enhanced public outreach on promotion of the full range of clean and high-efficiency passenger vehicles currently available.

Dr. Burke suggested the possibility of op-ed pieces for various publications and community outreach groups. Supervisor Gonzales added a suggestion that outreach efforts include groups such as SANBAG, WRCOG, city managers and associations and counties as this information on vehicle availability would be useful for their General Plan updates.

Dr. Wallerstein stated that this item will be coordinated with Local Government Advisory Group, and he recommended that Dr. Liu place this item on the Technology Committee agenda as an outreach plan to augment the TAO Clean Fuels Program Plan Update which was just approved last week, with an outline of the costs associated with same, and inclusion of contributions of staff from Media, Legislative & Public Affairs, and Science & Technology Advancement, with Information Management to provide technical support.

Councilmember Cacciotti stated that he would like to express his personal positive experience with hybrids for the past nine years and his particular support for events where individuals can test the vehicles.

Dr. Wallerstein stated that another item was brought forward by Dr. Lyou regarding his Board Assistant being deducted mileage from her stipend while representing her Governing Board Member at agency meetings. Dr. Lyou is asking that the Board consider augmenting the agency’s budget to cover mileage as is done for public members to attend committee meetings. Dr. Burke requested this item be brought to the Personnel Committee for discussion, and added that he was concerned that the Board Assistants/Consultants’ travel costs are also deducted from their stipend. Dr. Wallerstein answered that the issue will be addressed as directed at the Personnel Committee meeting.

2. **Chairman’s Report of Approved Travel:** Dr. Wallerstein stated that Mayor Pulido traveled to Washington, DC on February 23-24, 2011 to participate in the Mayor’s Leadership Conference; and Supervisor Gonzales was traveling to
Sacramento to participate in the California Fuel Cell Partnership Planning Committee meeting on March 21, 2011.

3. **Approval of Compensation for Board Member Assistant(s)/Consultant(s):** None.

4. **Report of Approved Out-of-Country Travel:** None.

5. **Report/Discussion of 2010 Time Capsule:** Dr. Wallerstein stated that he requested staff to provide him with suggestions of what should be included in the time capsule to be reopened in 2023 or later, with the following items highlighted among those suggested: a flag from the AQMD Air Quality Flag Program, as guidance to exercise safeguards on bad air days (a program initiated by Supervisor Antonovich); from Al Baez, a ‘black box’ labeled with the specific tonnages of reductions that require break-through technologies to achieve; from Arlene Farol, current CDs, DVDs and videos created by Legislative & Public Affairs, and also AQMD’s iPhone application; and from Lisa Mirisola, a scaled-down model of a Honda fuel cell vehicle so that the future employees could see that this model was actually in AQMD’s fleet.

6. **Proposal to Seek Public Submission of Creative Material for AQMD’s Signature Film:** Sam Atwood, Media Office Manager, stated that this item has no additional cost associated with it, and that staff is requesting approval of crowdsourcing, which is an invitation for members of the general public to upload a very short film clip or photo or creative work to potentially be included in the signature film. The individuals whose work is selected will be credited.

   Supervisor Gonzales suggested that young children should be included, and to invite submission of cartoon images due to their imaginations and to garner their support for the environment. She also stated that staff should capture creativity from AQMD’s summer interns who last year provided a jingle. Oscar Abarca, DEO/Legislative & Public Affairs, stated that in keeping with the Supervisor’s comment, one of the summer interns who has continued their service with AQMD is currently developing a video game which will be interactive with younger children showing a dove flying around the region identifying sources of pollution and retrofitting with filters or particulate traps. Staff is hopeful that this video game will be ready soon.

   Dr. Wallerstein stated that Bill Johnson, Asst. DEO/Human Resources, will be requested to send out notices to technical schools and colleges that have programs related to animation to solicit their input. Dr. Wallerstein stated that he
is familiar with UC Irvine’s program in computer game design which includes animation.

Moved by Yates; seconded by Gonzales; unanimously approved.

APRIL AGENDA ITEMS:

7. Approve Transfer of Monies from General Fund to Health Effects Research Fund: Dr. Wallerstein stated that the Committee members are familiar with the Board’s approved policy that 20% of annual penalty monies received that exceed what is budgeted go into the Health Effects Research Fund. Staff is requesting $1.2 million to be transferred to the Health Effects Research Fund as part of implementing the Board’s policy.

Moved by Yates; seconded by Gonzales; unanimously approved.

8. Change to Salary Resolution Pertaining to Catastrophic Leave Provision Affecting Confidential, Management and Designated Deputies: Mr. Johnson stated that staff is requesting to amend the Salary Resolution to clarify that Designated Deputies can also contribute to the catastrophic leave fund for employees who are off for long-term medical leaves as well as management and confidential employees. The provision allows Designated Deputies as well as management and confidential staff to provide vacation time hours accrued in excess of 200 hours to this fund. Mr. Johnson said that currently there is an employee in the confidential unit who is on long-term medical leave and is eligible to receive time from the catastrophic leave fund. Dr. Burke stated that Councilwoman Perry asked whether the City of Los Angeles could donate hours for this employee; Mr. Johnson replied that there is no provision for this type of transfer.

Moved by Yates; seconded by Gonzales; unanimously approved.

9. Authorize Purchase of Maintenance and Support Services for Server Hardware and Software

Moved by Yates; seconded by Gonzales; unanimously approved.

10. Approve Local Government & Small Business Assistance Advisory Group Accomplishments for 2010 and Goals and Objectives for 2011: Pom Pom Ganguli, Asst. DEO/Legislative & Public Affairs, stated that staff is seeking approval for the summarized accomplishments and proposed goals and objectives for Local Government & Small Business Assistance Advisory Group, which is
chaired by Mayor Yates. He continued that there are thirty items listed, which require approval.

Moved by Yates; seconded by Gonzales; unanimously approved.

11. **Local Government & Small Business Advisory Group Minutes for the January 14, 2011 Meeting:** Attached for information only are the Local Government & Small Business Advisory Group minutes for the January 14, 2011 meeting.

12. **Approve Environmental Justice Advisory Group Accomplishments for 2010 and Goals and Objectives for 2011:** Dr. Ganguli stated that this is a similar request for approval of summarized accomplishments for 2010 and proposed goals and objectives for 2011. The charter requires this group to meet on a quarterly basis; 13 goals and objectives have been listed.

Moved by Yates; seconded by Gonzales; unanimously approved.

13. **Draft Environmental Justice Advisory Group minutes for the January 28, 2011 Meeting:** Attached for information only are the draft Environmental Justice Advisory Group minutes for the January 28, 2011 meeting.

14. **Report of RFPs and RFQs Scheduled for Release in April:** Michael O’Kelly, Chief Financial Officer, stated that this item is to approve two RFPs released to solicit proposals to Lease Printing Equipment and Copiers, and Hire Outside Counsel. Kurt Wiese, General Counsel, explained that this item is separate from the emergency item approved earlier in the meeting. Dr. Wallerstein added that any request over $75,000 requires the Board’s approval, and AQMD occasionally releases requests for proposal for legal counsel.

Moved by Yates; seconded by Gonzales; unanimously approved.

15. **Review April 1, 2011 Governing Board Agenda:** Kurt Wiese explained that last Tuesday a notice was received stating that current lawyers working on litigation related to Rule 1315, CEQA documents, and SB 827 had moved to a new law firm. AQMD has invested significant time and money with these attorneys, so staff is recommending to enter into a contract with the new law firm and authorize staff to assign work in the interest of the agency. The new law firm’s hourly rate is substantially lower than the previous firm.

Moved by Yates; seconded by Gonzales; unanimously approved.
16. **Other Business:** None.

17. **Public Comment:** Nicole Nishimura, Board Assistant to Dr. Lyou, requested, on behalf of Dr. Lyou, that the minutes for items number 10 and 12 reiterate that the targeted issues are the subject of a two-way conversation. Dr. Wallerstein concurred that this is the way the Committees are conducted, via two-way conversations where Committee members express their views and provide input to the agency. Currently there has been no concern expressed by the Committees as to the way the annual plans or minutes are written/developed, but he appreciates the sensitivity and will strive to make sure minutes are reflective of such dialog.

Meeting adjourned at 10:49 a.m.

**Attachments**
- Local Government & Small Business Assistance Advisory Group Accomplishments for 2010
- Local Government & Small Business Assistance Advisory Group Goals and Objectives for 2011
- Minutes from the January 14, 2011 Local Government & Small Business Assistance Advisory Group meeting
- Environmental Justice Advisory Group Accomplishments for 2010
- Environmental Justice Advisory Group Goals and Objectives for 2011
- Draft Minutes from the January 28, 2011 Environmental Justice Advisory Group meeting
Throughout the year, the LGSBA Advisory Group receives information and/or provides direct input on a variety of policy initiatives and proposed regulations that affect local governments, small businesses, and the general public. Such input is of particular value to the staff and Governing Board members in the process of developing such items and approving them, respectively.

**Significant Items Addressed in 2010**

Significant discussions were held during 2010 on many items. In response to these discussions, adjustments were contemplated during the rulemaking process and policy development. A few notable items that were addressed during 2010 are summarized below, while an additional list of issues discussed follows.

1. **Update Regarding Federal Ambient Air Quality Standards (January)**
   Staff provided a presentation on the U.S. EPA’s current review of federal ambient air quality standards. The discussion included details regarding ozone standards, as well as questions regarding other federal standards relating to water quality, particulate matter and lead. The discussion also focused on the substantial undertaking that would be required as part of a possible changing by U.S. EPA of the national air quality ozone standard to a more stringent level. It was reported that such a new standard would result in new attainment timelines and require new planning and regulatory efforts by AQMD.

2. **Clean Communities Plan (May)**
   Staff presented on the draft 2010 Clean Communities Plan (CCP) which was subsequently adopted by the AQMD Governing Board on November 5, 2010. The discussion highlighted the timeline for implementation of the CCP and the impact it will have on communities within the District. Group members were also informed about the one-click complaint system (part of the plan) and other ways that AQMD handles complaints, such as through its iPhone app.

3. **Update on Ports Clean Truck Program and Other Goods Movement Incentives (October)**
   Staff provided an update on the Ports Clean Truck Program and other goods movement incentives. Staff informed the group that as part of the Clean Truck Program, 1,200 out of an overall total of 5,000-7,000 trucks operating at the ports had been replaced. The discussion highlighted that any business, regardless of size, qualifies under the program and that the criteria is to choose the dirtiest trucks on the road. Staff reported that based on the numbers, over half the grants/loans
awarded were to single owner operators. Additionally, the group was informed about the status of funding for drayage trucks.

4. Efforts to Expand Electric Vehicle Charging Infrastructure in the SCAQMD (October)
Staff presented an update on efforts to expand the electric vehicle charging infrastructure in the SCAQMD. There were questions discussed regarding infrastructure capabilities and necessary changes. During the discussion, the group was informed that staff would try to ensure that the old charging technology will still be available for the first generation of electric vehicles. Further, the group was informed about the importance of residential charging as well as the availability of public charging. The discussion also centered on the expected pricing of new commercially available electric vehicles as well as the existence of federal tax credits for electric vehicle buyers.

Where appropriate, new additions and/or revisions were made by staff to improve proposals or policies, based on LGSBA members’ input. A wide variety of comments were received on each of these items from LGSBA members representing local governments, small businesses, and the communities in general. Further details may be found in the Minutes of meetings where each item was discussed in depth.

List of Items Addressed in 2010

A more complete list of items addressed during 2010 is shown below, with the dates of discussions noted in parenthesis, for reference and further details.

1. Monthly Report on Small Business Assistance Activities (monthly)
3. Implementation of SB 827 (Wright) (January)
4. Summary of the Waxman/Markey and Boxer/Kerry Climate Change Bills (January)
5. Update Regarding Federal Ambient Air Quality Standards (January)
6. Rule 1155 - Particulate Matter (PM) Control Devices (February)
7. Proposed Rule 310 - Amnesty for Unpermitted Equipment (February)
8. Finding From Air Quality Studies at Santa Monica Airport (February)
9. Rule 1144 - Vanishing Oils and Rust Inhibitors (March)
10. Briefing on EPA Tailoring Rule (March)
11. Update on Federal Surface Transportation Reauthorization Bill (March)
12. FY 2010-11 Draft Budget and Work Program (April)
13. AB 2588 – Air Toxics “Hot Spots” Information and Assessment Act of 1987 (April)
14. Update on Proposed Amendment to Rule 1193 – Clean On-Road Residential and Commercial Collection Vehicles (April)
15. Clean Communities Plan (May)
16. Rule 1420.1 - Emissions Standards for Lead from Lead-Acid Battery Recycling Facilities (May)
17. Briefing on New EPA Standards for Light-Duty Vehicles (May)
18. Update on CARB On-Road and Off-Road Regulations (June)
19. Update on Federal Climate Change Bill (June)
20. Rule 2202 Program Status for Calendar Year 2010 (June)
21. Amend Rule 1150.1 – Control of Gaseous Emissions from Municipal Solid Waste Landfills (July)
22. On-Road Heavy Duty Vehicle Voucher Incentive Program (VIP and HVIP) (July)
24. Installation of Air Filtration Systems in the South Coast Air Basin (July)
25. Report on Natural Gas Fueling Infrastructure to Support the Implementation of Rule 1193 - Clean on-Road Residential and Commercial Refuse Collection Vehicles (September)
26. Proposed Regional Greenhouse Gas Emission Reduction Targets (September)
27. Annual Report on AB 2766 Funds from Motor Vehicle Registration Fees from FY 2008-09 (September)
28. Reg XXX - Title V Permits and Reg XVII - Prevention of Significant Deterioration (October)
29. Efforts to Expand Electric Vehicle Charging Infrastructure in the SCAQMD (October)
30. Update on Ports Clean Truck Program and Other Goods Movement Incentives (October)
31. Status Report on 2010 Update to Ports’ Clean Air Action Plan (November)
32. 2010 Ozone Season and Ongoing Air Quality Trends (November)
33. Rule 1143 – Consumer Paint Thinners and Multi-Purpose Solvents (November)
Local Government & Small Business Assistance Advisory Group

Draft 2011 Goals & Objectives

For 2011, it is proposed that the following items be reviewed and discussed at the monthly LGSBA meetings. The approved Minutes, reflecting the discussions, will be forwarded to the Administrative Committee and the Governing Board. Not all items are expected to be covered due to time constraints. The LGSBA Chair may also make further changes to accommodate requests received or cover issues not anticipated at the beginning of the year.

The following items are proposed to be discussed in depth for 2011:

1. Implementation of the Chairman’s Mobile Source Fair Share Initiative
2. Implementation of SB 827 (Wright)
3. Status update on NSR Credit Generation and Regulation XIII
4. Status update on implementation of SB 375
5. Activities Relating to Port Facility Control Measures
7. Implementation of AB 2766 requirements, regarding vehicle registration surcharge funds, which are distributed to local governments for mobile source emission reduction projects.
8. Significant AQMD rule proposals or initiatives as necessary
9. Status update on AQMD’s state and federal legislative agenda at periodic intervals
10. Status update on the health studies related to air pollutants.
12. Update on FY 2011-12 Draft Budget and Work Program.
17. Update on the 2010 Clean Communities Plan

18. Update on the Air Quality Management Plan

19. Update on Proposed Rule 317 - Clean Air Act Emissions Fees for Major Stationary Sources of VOC and NOx

20. CARB SIP implementation regarding AQMD; Monitor EPA and CARB’s off-road emission reduction efforts, including SCAG’s activities.

21. Discussion of new findings about “near Roadway” effects.
LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP
FRIDAY, JANUARY 14, 2011
MEETING MINUTES

MEMBERS PRESENT:
Dennis Yates, AQMD Governing Board Member, LGSBA Chairman
Greg Adams, L.A. County Sanitation District
Felipe Aguirre, Vice Mayor, City of Maywood
Paul Avila, P.B.A. & Associates
Geoffrey Blake, Metal Finishers of Southern California/All Metals
Todd Campbell, Clean Energy
Sergio Carrillo, South Bay Yellow Cab and United Checker Cab
Daniel Cunningham, Metal Finishing Association of Southern California
Jacob Haik, Office of School Board Member Richard Vladovic
Maria Elena Kennedy, Kennedy Communications
Rita Loof, RadTech International
Angelo Logan, East Yard Communities for Environmental Justice
Kelly Moulton, Paralegal
Steve Mugg, South Orange County Representative, City of Mission Viejo

MEMBERS ABSENT:
Ronald Loveridge, AQMD Governing Board Member, LGSBA Vice Chairman
Luis Ayala, City of Alhambra
Lucy Dunn, Orange County Business Council
Samuel Garrison, Los Angeles Area Chamber of Commerce
Mary Ann Lutz, City of Monrovia

OTHERS PRESENT:
Terry Ahn, Orange County Sanitation District
Earl Elrod, Board Member Assistant (Yates)
Kris Flaig, City of Los Angeles
Nicole Nishimura, Board Member Assistant (You)

AQMD STAFF:
Mohan Balagopalan, Air Quality & Compliance Supervisor
Naveen Berry, Planning & Rules Manager
Philip Crabbe, Community Relations Manager
Anupom Ganguli, Asst. Deputy Executive Officer/Public Advisor
Matt Miyasato, Asst. Deputy Executive Officer
Marvin Ignacio, AQ Engineer II
Lori Langrell, Secretary
John Olvera, Principal Deputy District Counsel
Dipankar Sarkar, Planning & Rules Manager
Agenda Item #1 - Call to Order/Opening Remarks
Chair Dennis Yates called the meeting to order at 11:04 a.m.

Agenda Item #2 – Approval of December 10, 2010 Meeting Minutes/Review of Follow-Up/Action Items
Chair Yates called for approval of the meeting minutes.

The December 10, 2010 meeting minutes were approved.

Action Item: Ms. Pria Hidisyan to provide follow up information to the committee members.

✓ The information was received just recently and will be distributed to the members today. Completed.

Action Item: The committee deferred the 2011 Goals & Objectives to the next meeting.

✓ The matter has been agendized for today’s meeting. Completed.

Agenda Item #3 – Status Update on Draft Clean Fuels Program Plan
Mr. Dipankar Sarkar provided an update on the Draft Clean Fuels Program Plan.

Ms. Maria Kennedy asked if there is really an economic savings in owning a hybrid. For example, in her case, to replace the battery pack will cost $5,000.00. Mr. Matt Miyasato indicated that the car makers guarantee the batteries for 100,000 miles or 10 years.

Mr. Todd Campbell asked if there is any priority by staff to combine these types of technologies with low carbon fuels. Mr. Miyasato responded in the affirmative.

Mr. Greg Adams asked what one would do with the green waste. Mr. Sarkar responded that it can be collected and gasified, and then be used to produce fuels.

Mr. Angelo Logan asked, in relation to the discussion of biowaste as fuel, what is the relationship between biowaste and emissions. Mr. Sarkar indicated that the project in Fountain Valley is almost completed and should be final in February or March 2011. The primary biowaste feedstock used is methane, which is turned into energy through fuel cells, and the electricity is used to run the plant and the hydrogen can be used to fuel cars. Mr. Logan further asked if biowaste is used as a fuel for combustion power generation. Mr. Sarkar responded in the negative and indicated that the fuel cell is the device that produces electricity and hydrogen is obtained from the biowaste using methane as a feedstock or digester gas.

Ms. Kelly Moulton asked if there is money available for research and development. Mr. Sarkar replied that about $12 million is annually available. Ms. Moulton further asked how long it took to develop the fuel cell and/or hybrid vehicle that are in place today. Mr. Sarkar indicated there is a phase lag which depends on the type of technology involved, e.g. fuel cell or hydrogen. Depending on the costs involved, the process could take potentially up to seven to eight years. Simpler items like particulate traps take less time; about one and one half to two years.
Mr. Adams asked how long the Clean Fuels Program $1 fee would stay in effect. Mr. Sarkar indicated that there is no sunset date on that fee. Mr. Adams inquired as to which legislation eliminated the sunset date. Mr. Sarkar indicated he was not entirely sure, but would get back to the group on it.

**Action Item:** Provide to the Advisory Group members the bill no. that eliminated the sunset date for the Clean Fuels Program $1 fee.

Mr. Campbell asked about the benefits of hybrid technology for trucks. For example, with long haul trucks there is no brake regeneration, thus possibly no incentive for alternative fuel. Mr. Miyasato indicated that it depends on the situation and that other advanced hybrids are also being looked at, as well as dedicated electrified truck lanes.

**Agenda Item #4 – Facility Information Detail (FIND) Search Program on AQMD Website**
Mr. Mohan Balagopalan provided a demonstration on how the FIND system works in order to get facility information on AQMD’s website.

Mr. Adams asked if Title V facilities are listed in FIND. Mr. Balagopalan indicated that not all such facilities are. Mr. Adams further asked about the search results regarding “status”. Mr. Balagopalan stated that the status category indicates that a facility could be out of business, sold (change of ownership), etc.

Mr. Sergio Carrillo asked why approximately 20% of the facilities are missing. Mr. Balagopalan indicated that if a facility is not geo coded, it may not come up in the search results. Currently, there are approximately 80,000 in the system.

Mr. Adams asked if we post online the semi-annual and annual monitoring compliance report. Mr. Balagopalan indicated that those reports are not posted online.

**Agenda Item #5 – Rule 1415 – Reduction of Refrigerant Emissions from Stationary Refrigeration and Air Conditioning Systems and Rule 1415.1 - Reduction of Refrigerant Emissions from Stationary Refrigeration Systems**
Mr. Naveen Berry made the staff presentation.

Mr. Greg Adams asked about the fee for refrigerants. Mr. Berry indicated it is $115 and there are no current plans on raising them locally.

Mr. Blake asked if someone has a partially charged refrigerant system, what should they do to repair and recharge or replace the unit within the next two years. Mr. Berry indicated that the rule is approximately 30 pages long and there are some exceptions contained within the rule.

**Agenda Item #6 – Local Government & Small Business Assistance Advisory Group 2011 Goals & Objectives**
Dr. Ganguli presented the 2011 Goals & Objectives of the LGSBA Advisory Group.

A motion and second were made on the 2011 LGSBA Advisory Group Goals & Objectives.

Ms. Rita Loof asked if mention could be made in future meetings of major violations and/or settlements (e.g. Lowe’s settlement). Ms. Loof also asked if the committee could be made aware
of the Executive Officer’s Goals & Objectives. Chair Yates indicated that this item would be agendized.

**Action Item:** *Agendize the Executive Officer’s Goals & Objectives.*

Ms. Loof also asked with regard to No. 14 of the LGSBA Advisory Group Goals & Objectives, if the Plug-in Hybrid Technology & Fuel Cells subject could be broader, and include stationary sources, and perhaps also include financial incentives.

The LGSBA Advisory Group 2011 Goals & Objectives were approved, following a voice vote.

**Agenda Item #7 – Monthly Report on Small Business Assistance Activities**
No comments.

**Agenda Item #8 – Update on Climate Change Activities (Written Report)**
No comments.

**Agenda Item #9 - Other Business**
No comments.

**Agenda Item #10 - Public Comment**
No comments.

**Agenda Item #11 - Adjournment**
The meeting adjourned at 12:08 p.m.
Environmental Justice Advisory Group

2010 Accomplishments

Throughout the year the Environmental Justice Advisory Group (EJAG) receives important information and its goals are to advise the AQMD on issues related to environmental justice (EJ), create and sustain a positive and productive relationship between AQMD and community members, better inform AQMD about EJ issues, and contribute to meaningful progress toward the achievement of environmental justice. This was the second year of operation for EJAG since the Board developed a new charter and membership terms to better serve the needs of the AQMD, with a focus on air quality, public health, and environmental justice. During 2010, EJAG met four times – in January, April, July, and October, to hold in-depth discussions and review information.

Key Items Addressed in 2010

The following key items were addressed during 2010, as summarized below. Each item was discussed in depth and reflected in the minutes of the quarterly meetings.

1. The 2010 Goals & Objectives (January)
   Staff discussed the 2010 Goals & Objectives for EJAG and noted the proposal would go to the Administrative Committee for approval. Members expressed their interest in hearing more about work being done with goods movement.

2. A discussion of Opportunities to Improve Land Use Decisions (January)
   Staff provided an overview on AQMD’s authority in general and in relation to land use decisions. There was an extensive discussion on the CEQA Inter Governmental Review program and how the agency reviews documents and comments on siting issues.

3. An update regarding Federal Ambient Air Quality Standards (January)
   Staff provided an update on the US EPA’s review of federal ambient air quality standards. Members expressed interest in knowing if businesses or automobiles pollute more and the status of extending the carpool lane sticker program.

4. Presentation on Spatial Analysis and Air Pollution Risk (January)
   EJAG member Paul Ong presented his research on spatial analysis related to air pollution risk at communities. The research focused on the difference in exposure while at home, compared to being at work or school.

5. Update on the Clean Communities Plan (April)
   Staff provided an overview of the Draft Clean Communities Plan. Members discussed the components of the plan in great depth and made two recommendations to the Board to consider for the CCP.

6. A discussion on Goods Movement (April)
EJAG member Angelo Logan provided a presentation on a railyard campaign related to air pollution from the perspective of a grass roots community organization. Angelo noted that updated information stemming from CARB’s Board Hearing would be available the following month, which staff requested an update of the outcome.

7. **Update on the FY 2010-11 Draft Budget and Work Program (April)**
   Staff provided an overview of the Executive Officer’s proposed budget and work program detailing staffing levels, expenditures, and revenues, required to maintain current program commitments.

8. **Update on CARB Railyard Meetings (July)**
   EJAG member Angelo Logan provided an update on the outcome of CARB’s meetings regarding the proposed MOU’s between CARB, Union Pacific, and Burlington Northern Santa Fe, with a focus on the Commerce railyard.

   Staff discussed proposed Rule 1420.1 which establishes additional requirements for large lead-acid battery recycling facilities to the new NAAQS for lead, in result of the US EPA amending the National Ambient Air Quality Standard for lead from 1.5 µg/m3 to 0.15 µg/m3.

10. **Overview of Incentive Programs for Newer and Cleaner Equipment and Technologies (July)**
    Staff provided an overview of the incentive programs available for newer and cleaner equipment and technologies, including the Carl Moyer Program, Lower – Emission School Bus Program, Proposition 1B – Goods Movement Program, and the Air Quality Investment Program.

11. **General Overview of Asthma (July)**
    EJAG member Afif El-Hasan provided a presentation on the basics of asthma. The presentation was provided to give members an overview of what asthma is, how it affects the economy, what triggers it, how it’s treated, and how it affects children.

12. **Update regarding Goods Movement Policies and Programs for Emissions Reductions (October)**
    Staff discussed the policies and programs related to goods movement, including an update on the Clean Air Action Plan. During the discussion, members expressed interest in the Federal Ambient Air Quality Attainment dates and requested an update on the EPA lawsuit. Better land use decisions was also a elevated interest to members and was requested by members for the Board to consider taking a Legislative approach to siting new schools.

13. **Overview of Railroad Operations and Programs (October)**
    California Environmental Associates representative Darcy Wheeles provided an overview of railroad operations and programs. The presentation was offered to provide a general background about railyard operations that may help answer questions posed by members.

Further details may be found in the Minutes of meeting where each item was discussed in depth.
Environmental Justice Advisory Group

2011 Goals & Objectives

For 2011, it is proposed that the following items be reviewed and discussed at the quarterly EJAG meetings. The approved Meeting Minutes, reflecting the discussions, will be forwarded to the Administrative Committee and the Governing Board. Not all items are expected to be covered due to time constraints. EJAG will provide advice to ensure that communications are clear and understandable by community members.

The following items are proposed for 2011:

1. Implementation of the Clean Communities Plan, including, but not limited to,
   - AQMD Air Quality Complaint Response and Resolution System
   - Enhanced public communication systems including Website updates
2. Policies and other activities related to goods movement
3. Local land use planning guidance
4. EPA’s new school site selection guidance document
5. Update on School Filter Project
6. Briefing on Available technology for major stationary sources
7. Update on health and educational studies and communications related to near roadway exposure.
8. Significant AQMD rule proposals or initiatives, as developed in 2011
9. Update on Air Quality Management Plan
10. Update on CARB’s Diesel Risk Reduction Plan
11. Update on Federal EJ Programs
12. Socio-economic analysis methodologies including health consequences of policy
13. Intergovernmental relations
ENVIRONMENTAL JUSTICE ADVISORY GROUP MEETING
FRIDAY, JANUARY 28, 2011
DRAFT MINUTES

MEMBERS PRESENT:
Dr. Joseph Lyou, AQMD Governing Board Member, EJAG Chairman
Lawrence Beeson, Loma Linda University, School of Public Health
Suzanne Bilodeau, Knott’s Berry Farm
Paul Choe, Korean Drycleaners & Laundry Association
Afif El-Hasan, American Lung Association
Alycia Enciso, Small Business Owner
Mary Figueroa, Riverside Community College
Maria Elena Kennedy, Quail Valley Task Force
Pat Kennedy, Greater Long Beach Interfaith Community
Angelo Logan, East Yard Communities for Environmental Justice
Daniel Morales, National Alliance for Human Rights
Paul Ong, UCLA School of Public Affairs
Neal Richman, Breathe LA
Woodie Rucker-Hughes, NAACP – Riverside Branch
Rafael Yanez, Member of the Public

MEMBERS ABSENT:
Rhetta Alexander, San Fernando Valley Interfaith Council
Detrich Allen, City of Los Angeles Environmental Affairs
Mimi Holt, SEIU Local 121 Registered Nurses
Andrea Hricko, Southern California Environmental Health Sciences
Evelyn Knight, Long Beach Economic Development Commission
Brenda LaMothe, S. Los Angeles Service Representative for L.A. Mayor
Margaret Mapes, St. Joseph Center
John Moretta, Resurrection Church
Elina Nasser, Center for Occupational and Environmental Health, UCLA
William Nelson, OC Signature Properties
Salvador Ramirez, National Hispanic Environmental Council

OTHERS PRESENT:
Earl Elrod, Board Member Assistant (Yates)
Sue Gornich, BP
Jose Gutierrez, City of Los Angeles – Public Works
Nicole Nishimura, Board Member Assistant (Lyou)
Amanda Pyle, AAR
Sarah Weldon, AAR

AQMD STAFF:
Barbara Baird, District Council
Mohan Balagopalan, Air Quality Analysis Compliance Supervisor
Marc Carrel, Program Supervisor
Ruby Fernandez, Deputy District Council II
Agenda Item #1 - Call to Order/Opening Remarks
Chair Dr. Joseph Lyou called the meeting to order at 12:03 PM.

Chair Lyou announced he received two inquiries regarding the deadline for the BP/ARCO settlement funds and asked staff to report back on the status of the funds and the grant process.

Action Item: Have staff provide an update on the status of BP/ARCO settlement funds and grant process.

Chair Lyou also announced the school siting guidance meeting at City Hall in Los Angeles on Tuesday, February 1, 2001 and requested members to contact Nicole Nishimura, his Board Assistant for further information.

Agenda Item #2 – Approval of October 29, 2010 Meeting Minutes
Chair Lyou asked if there were any objections to the October 29, 2010 meeting minutes. Upon hearing no objections, the minutes were approved.

Ms. Lisa Tanaka O’Malley reviewed the action items from the October 29, 2010 meeting.

Agenda Item #3 – Member Updates
Mr. Paul Ong informed members he is working on an initiative with colleagues on how to rigorously evaluate environmental programs and policies to see if their goals are being met and said it is something he would like members’ participation in. Mr. Ong noted the first meeting is potentially in June and is being sponsored by the Environmental Protection Agency (EPA).

Mr. Angelo Logan noted a “Clean Up, Green Up” campaign, which is a collaborative cumulative impact assessment program being worked on by several City of Los Angeles Council Members to look at potential ordinances to address cumulative impacts in pilot project areas, including Boyle Heights, Pacoima, and Wilmington. Chair Lyou added there is a fact sheet on the campaign and asked that it be distributed.

Action Item: Provide the fact sheet for the “Clean Up, Green Up” campaign to members.

Ms. Maria Kennedy said the Quail Valley Task Force along with the Santa Ana Watershed Authority and California State University, San Bernardino are hosting a conference on Prop 84 funding opportunities for disadvantaged communities, scheduled tentatively in June.

Mr. Neal Richman informed members that Breathe LA had a very successful Air Quality Roundtable meeting in Sacramento, which provided an overview of air quality at the Federal, State and Local level.

Mr. Rafael Yanez noted the need to hold community forums and if members notify the group when holding rallies or meetings, they can be supportive of each other’s efforts. Chair Lyoe said members can work through staff to notify the group when events and meetings occur.
Mr. Lawrence Beeson informed members that Loma Linda University has received funding from the District to complete a two year study on cancer assessment and survey of the people living around the Burlington Northern Santa Fe (BNSF) railyards.

Mr. Logan requested to hold EJAG meetings in different communities, if there is a special topic to be discussed. Chair Lyou replied the District is centrally located, but the Charter allows meetings to be held offsite, so it can be discussed for the upcoming year if members are interested.

Mr. Richman mentioned he wanted to inform members about a toxic tour hosted by Communities for a Better Environment, but District staff did not think it was appropriate to distribute the information. Ms. Barbara Baird said generally the Brown Act would not allow serial communication regarding a subject matter that may come before the committee. Chair Lyou asked if it only applies to decision making issues. Ms. Baird responded it also applies to information gathering. Chair Lyou said a brief explanation of what members can and cannot do, would be helpful.

**Action Item:** Provide information to EJAG on the limitations to member communications.

Ms. Alycia Enciso asked how many people the Brown Act applies to. Ms. Baird responded regarding the quorum, but she was unsure of the actual number applicable for EJAG. Chair Lyou said there are 26 members so 14 would be the quorum. Ms. Enciso asked if members can meet as long as it does not involve over 14 members, which Chair Lyou and Ms. Baird affirmed.

**Agenda Item #4 – Review of 2010 Accomplishments and discussion of 2011 Goals & Objectives**

Ms. Lisa Tanaka O’Malley reviewed the Accomplishments of EJAG for 2010, followed by the 2011 Goals & Objectives. Mr. Logan said he feels strongly about presenting formal recommendations to the Board and following through. Chair Lyou said recommendations would go to the Administrative Committee and then to the Board. Chair Lyou noted he is willing to provide a report and is also willing to make the recommendations to the Administrative Committee himself.

Mr. Richman said it would be useful to know what critical decisions the District is going to be facing in the next fiscal year, including the status of the resubmission to the Air Resources Board (ARB). Ms. Baird said there are issues with the changes to the 2007 PM2.5 SIP, which EPA had proposed to disapprove and that the District will be doing a SIP revision in March to address it. Ms. Baird also added in 2011 the District will begin the next SIP proposal for addressing the revised daily PM2.5 standard that will most likely be adopted in 2012. Mr. Richman asked if the proposal will be looked at from an Environmental Justice (EJ) standpoint and if members can play a role. Ms. Baird said in past years the proposals have gone to the group for review.

Chair Lyou noted there are other CCP updates that would be of interest, including the pilot project areas and other measures of interest.

**Action Item:** Include the pilot projects and other CCP measures of interest in the 2011 Goals & Objectives.

Ms. Enciso noted her concern of agencies not working with each other when planning freeways. Chair Lyou confirmed with members they would be interested in discussing inter-governmental relations between the District and other agencies, and how to improve them.

**Action Item:** Address inter-governmental relations in the 2011 EJAG Goals & Objectives.
Mr. Richman said the group needs to think about their time strategically and the agenda needs to be narrowed since meetings are held quarterly. Chair Lyou noted that schools, goods movement, and rail issues are dominant concerns of the group and assumes they will continue to focus on those issues.

Ms. Kennedy noted the Districts involvement with freeways needs to be in the planning phases since they are made years in advance. Chair Lyou said that staff can share with the group what they have done to have a stronger voice in transportation, which includes advocacy in Washington D.C.

Mr. Logan said there are several eligible grantees for the Caltrans Community Planning Grants for community transportation planning that members might want to consider. Chair Lyou said they are large grants and added that it could be requested that Dr. Barry Wallerstein speak with Mr. Logan about opportunities for a partnership and for others to submit a proposal.

Mr. Rafael Yanez said one of the main issues for wanting to join EJAG was for the rendering plants affecting the Boyle Heights area and said he is very hopeful that members will get to address them in the CCP. Chair Lyou said there is a proposal to revise the odor regulation as part of the CCP and it’s on the Agenda.

Mr. Logan asked if they could add bolstering community participation in the pilot project areas. Chair Lyou clarified the two bullet points on the Goals & Objectives were noted because they were the two first items being addressed, but we are not limited to them.

Chair Lyou said given the feedback on the Goals & Objectives, they will move forward with them and circulate them before the next meeting.

**Action Item:** Send members the revised 2011 Goals & Objectives before the next meeting.

Ms. Mary Figueroa commented on the Caltrans grants saying the District should ensure the communities get the money because they are impacted at a higher level. Chair Lyou asked staff to circulate the link to the Caltrans grants application and said when funding such as the BP settlement funds are discussed to make sure the application process is reviewed as to how the District makes decisions and what the priorities are.

**Action Item:** Send members the link to the Caltrans grants application and ensure that the application process for future funding opportunities is reviewed with EJAG.

Mr. Pat Kennedy asked what the process is to narrow the focus of the Agendas. Chair Lyou responded priorities would be identified through the course of the meetings, discussing what to put on the next agenda, and how to make it happen.

Ms. Kennedy asked to consider leveraging relationships with agencies and community organizations to assist with the Caltrans grant applications. Chair Lyou responded he is unsure how far the District can go with providing technical assistance for writing grant proposals.

Mr. Richman stated that if the group wants to play an advisory role, staff needs to frame the issues on the Districts Agenda early enough, have real EJ implications, provide the background, and ask for their recommendations. Chair Lyou said the Agenda can be adjusted to address the issues in a timely manner, and noted it’s also what members bring to the table.
**Agenda Item #5 – Presentation on Facility INformation Detail (FIND) search program on AQMD website**

Mr. Mohan Balagopalan demonstrated the FIND program on the Districts website. Mr. Logan asked if pending violations information can be found under the Hearing Board, which Mr. Balagopalan confirmed.

Ms. Enciso asked if there is a way to overlay air quality in the areas of the facility map search. Mr. Balagopalan responded in the negative, but asserted that there is an air quality map on the homepage.

Mr. Richman asked if FIND can be used to identify EJ communities to study where the pollutant impacts are concentrated geographically. Mr. Balagopalan responded they have a GIS program and have done specific mapping for EJ areas. Mr. Richman asked if it identifies EJ areas that may not have normally been identified. Mr. Balagopalan said based on certain criteria it has to have some spatial component for it to display on the map. Mr. Yanez asked if it’s based on facilities emissions reports and the number of instances. Chair Lyu said there are a few ways it’s been approached by the District, including incentive program money, and establishing certain areas based on addressing communities of color, low income areas, and pollution burden.

Mr. Logan asked if there’s a search category by pounds of pollution, highest to lowest. Mr. Balagopalan responded in the negative but stated that it is possible by going through the Annual Emissions Reporting (AER) and by different emissions category.

**Agenda Item #6 – Update Regarding National Ambient Air Quality Standards**

Dr. Jean Ospital presented an overview of the US EPA’s current review of the National Ambient Air Quality Standards. Chair Lyu asked if there’s a way to characterize what we have to do to achieve the proposed standard. Dr. Ospital responded they have done preliminary estimates, and depending on the level of the standard, that could require 90% reduction in emissions of NOx.

Mr. Logan asked if the design value was the average in 2009. Dr. Ospital said the PM10 standard is met when the 98th percentile of the daily 24-hour averages averaged over three years is below the standard. Chair Lyu asked how the design value relates to that. Dr. Ospital said the design value for PM10 is the highest 98th percentile in the monitoring station. Chair Lyu asked Ms. Baird if one of the differences between Federal and California standards is that Federal standards are enforceable in court and California standards are not enforceable, which Ms. Baird confirmed.

Dr. Afif El-Hasan asked why the standards are being measured in micrograms instead of particles. Dr. Ospital replied it is the traditional way to measure particulate matter collected on a filter. Dr. El-Hasan asked with regards to public health, if it’s the mass of chemical ingested into your body or the number of particles that is important. Dr. Ospital replied it’s the mass which sets the standard. Dr. El-Hasan asked if research shows any difference by reducing the mass and ignoring the number of particles. Dr. Ospital said the methods are historical, and the mass for ultra-fines is so small that it’s difficult to measure using traditional methods, so these are measured by counting the number of particles.

Ms. Woodie Rucker-Hughes asked if there are any visuals that show the correlation of what’s happening to our bodies as we breathe the air. Dr. Ospital said there are and explained PM health risks increase respiratory disease and risk for cardiovascular disease. Chair Lyu added that there is a Children’s Health Study, which showed over time the damage to children’s lung capacity related to exposure to
different air pollutants, and when they moved to cleaner air areas their lungs were able to regain the capacity.

Mr. Logan asked what the cross street is for the Anaheim Street monitor. Dr. Ospital said he was not sure. Chair Lyou asked if it was close to Unocal. Dr. Ospital responded he was not sure but it is located somewhere in Wilmington.

Mr. Kennedy asked why there was a significant difference year to year for some of the local monitoring sites. Dr. Ospital responded for some cases there was no data but for others there are variations year to year due to meteorology and emissions. Mr. Kennedy asked if changes in fuel used on ships are a factor. Dr. Ospital said it could be related to what fuels they’re burning and local sources, but he did not look closely to see what caused the emissions since it was a pilot study.

**Agenda Item #7 – Update Regarding Lawsuit Against EPA for Near Roadway Standards**

Ms. Baird provided an update on the lawsuit against EPA for Near Roadway Standards. Mr. Yanez asked if an analysis was done for the low income housing built near roadways in the Boyle Heights area and what mitigation was done. Ms. Baird said an analysis was done and included minerals from sand and dust, but would not include particles from things such as brakes. Mr. Yanez asked since there was a change in community scale monitoring versus near source monitoring, if the District was against it. Ms. Baird said the District is against interrupting the current plan, not against near source monitoring.

Mr. Richman asked if ultra-fines correlate with larger particles. Dr. Ospital said in terms of ambient monitoring, they are not correlated very well and there are different mechanisms for ultra-fines, including direct emissions from tail pipes, and when gaseous emissions turn into particles, so typically high levels of ultra-fines are found in the eastern portion of the basin.

Ms. Rucker-Hughes asked what caused the Natural Resources Defense Council (NRDC) to file the lawsuit. Ms. Baird said she believes they read the medical studies that discuss the impacts of living near roads and studies that initially correlated higher levels of black carbon to being near roads.

Mr. Kennedy asked if the intermediate level was mentioned. Ms. Baird said the 80 meters was generally in-between the two so there was a gradient. Chair Lyou asked if Ms. Baird knew why they didn’t expect to find PM2.5 near the roadway because of the traffic. Ms. Baird said the difference was up to three micrograms per cubic meter out of 15.

Mr. Yanez asked in terms of how the monitoring was done, what three points were along the 710 freeway, which side of the freeway the monitoring equipment was on, and if it was upwind or downwind. Dr. Ospital said the monitors were along the 710 freeway near where Long Beach Blvd and on the East side because the prevailing wind is to the East. He continued to say the upwind side was at Del Amo School, a few miles to the West. Mr. Yanez asked if it was down at the harbor, which Dr. Ospital clarified it was up from the Harbor. Chair Lyou asked if Dr. Ospital knows when the 710 freeway studies will be finalized. Dr. Ospital said he was unsure and would have to look into it.

Ms. Enciso asked if there’s an effort by the District to inform the entities on how the impacts are affecting the communities. Dr. Ospital responded the information is publicized through the Board and other venues but noted there were studies presented at conferences last year by doctors that showed, depending on the situation, the wall may increase the pollutants near the roadway. Mr. Ospital further said there was a contract recently released to look into technologies available that can absorb or react with these pollutants to provide an active barrier and not a passive barrier.
Chair Lyou asked Ms. Baird if a ruling is expected soon since the case was presented in November. Ms. Baird responded the Federal Districts Courts generally rule within 4-6 months of the argument. Chair Lyou asked what happens if NRDC prevails versus the EPA. Ms. Baird said if NRDC prevails then they will result in the budgets no longer being adequate which means they will no longer be able to be used for future conformity findings. Chair Lyou asked if you have to have conformity findings for a variety of projects to move forward, which Ms. Baird confirmed and said it primarily affects transportation plans and programs, so individual projects already conformed will not be affected.

Agenda Item #8 – Presentation on Proximity to Freeways and Increase in Autism Risk
Dr. El-Hasan gave a brief update on an article related to how asthma affects California’s low-income residents the hardest, followed by a discussion on an article related to proximity to freeways and increase in autism risk.

Mr. Kennedy asked if during the study they looked at pregnancy’s and then followed the women when they moved further from the freeway after the pregnancy. Dr. El-Hasan replied they did but weren’t able to factor in how much the pregnant women were exposed to the freeway since they may have been at work and not home, so there weren’t any definitive conclusions on it.

Mr. Yanez asked what can be done to mitigate the problems of low-income housing near freeways given the circumstances we have right now, including tighter regulation on air emissions. Chair Lyou noted it all comes back around to the standards discussed by Dr. Ospital that EPA is thinking about adopting for Ozone.

Agenda Item #9 – Other Recommendations
Chair Lyou welcomed any recommendations from the members for the next agenda and Mr. Carrel noted two items that are going to be placed on the April Agenda, both regarding school site planning.

Agenda Item #10 – Public Comment
Ms. Sara Weldon commented that the responses to the presentation at the last meeting will be provided to District staff for distribution.

Agenda Item #11 – Adjournment
The meeting adjourned at 2:50 PM.
ERRATA SHEET FOR ITEM # 18
Administrative Committee

Attachment #6 to the March 11, 2011 Administrative Committee Report
January 28, 2011 Draft Environmental Justice Advisory Group Meeting Minutes

Amend the sentence at the bottom of page 5 to read follows:

Chair Lyou added that there is a Children’s Health Study, which showed over time the damage to children’s lung capacity related to exposure to different air pollutants, and when they moved to cleaner air areas their lungs were able unable to regain the capacity.