

LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP MEETING

Advisory Group Members Ben Benoit, Council Member and LGSBA Chairman V. Manuel Perez, Supervisor Janice Rutherford, Supervisor, Second District, San Bernardino County Felipe Aguirre Rachelle Arizmendi, Mayor Pro Tempore, City of Sierra Madre Paul Avila, P.B.A. & Associates Geoffrey Blake, Metal Finishers of Southern California Todd Campbell, Clean Energy LaVaughn Daniel, DancoEN John DeWitt, JE DeWitt, Inc. Bill LaMarr, California Small Business Alliance Rita Loof, RadTech International Eddie Marquez, Roofing Contractors Association Cynthia Moran, Mayor, City of Chino Hills David Rothbart, Los Angeles County Sanitation District

Friday, June 14, 2019 ♦ 11:30 a.m. ♦ Conference Room GB 21865 Copley Drive, Diamond Bar, CA 91765

TELECONFERENCE LOCATION

73-710 Fred Waring Drive Suite 222 Palm Desert, CA 92260

(The public may attend at location listed above.)

Call-in for listening purposes only is available by dialing: Toll Free: 888-850-4523 Listen Only Passcode: 2626876 In addition, a webcast is available for viewing and listening at: <u>http://www.aqmd.gov/home/library/webcasts</u>

AGENDA

Members of the public may address this body concerning any agenda item before or during consideration of that item (Gov't. Code Section 54854.3(a)). Please provide a Request to Address the Committee card to the Committee Secretary if you wish to address the Committee on an agenda item. If no cards are available, please notify South Coast AQMD staff or a Board Member of your desire to speak. All agendas for regular meetings are posted at District Headquarters, 21865 Copley Drive, Diamond Bar, California, at least 72 hours in advance of the regular meeting. Speakers may be limited to three (3) minutes each.

CALL TO ORDER

South Coast AQMD

ACTION ITEMS (Items 1 through 3):

Local Government & Small Business Assistance

- 1. Call to Order/Opening Remarks (No Motion Required)
- 2. Approval of March 8, 2019 Meeting Minutes (Motion Required) [Attachment 1]
- Review of Follow-Up/Action Items Derrick J. Alatorre 3. (No Motion Required) Deputy Executive Officer Staff will review the follow-up/action items identified in the previous Legislative, Public Affairs & meeting.

DISCUSSION ITEMS (Items 4 through 6):

4. Online Subscription Services Staff will present on South Coast AQMD's online subscription services. (No Motion Required) [Attachment 2]

Mark Henninger Information Technology Manager Information Management

Michael Morris Planning & Rules Manager Planning, Rule Development & Area Sources

- Update on AB 2766 5. Staff will provide an update on AB 2766. (No Motion Required) [Attachment 3]
- 6. Public Nuisance *Staff will present an overview of public nuisance enforcement.* (No Motion Required) [Attachment 4]

Carol Gomez Planning & Rules Manager Planning, Rule Development & Area Sources

> Nancy Feldman Principal Deputy District Counsel Legal

Committee Chair

Council Member Ben Benoit

Ben Benoit

Media

WRITTEN REPORT:

 Monthly Report on Small Business Assistance Activities Summary of assistance and outreach activities conducted by South Coast AQMD's Small Business Assistance Office for March, April and May 2019. (No Motion Required) [Attachment 5]

OTHER MATTERS:

8. Other Business

Any member of this body, or its staff, on his or her own initiative or in response to questions posed by the public, may ask a question for clarification, may make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter, or may take action to direct staff to place a matter of business on a future agenda. (Govt. Code Section 54954.2)

9. Public Comment Period

At the end of the regular meeting agenda, an opportunity is provided for the public to speak on any subject within the Local Government and Small Business Assistance Committee's authority that is not on the agenda. Speakers may be limited to three (3) minutes each.

10. Next Meeting Date - Friday, July 19, 2019 at 11:30 a.m.

ADJOURNMENT

Document Availability

All documents (i) constituting non-exempt public records, (ii) relating to an item on an agenda for a regular meeting, and (iii) having been distributed to at least a majority of the Committee after the agenda is posted, are available prior to the meeting for public review at the South Coast Air Quality Management District, Public Information Center, 21865 Copley Drive, Diamond Bar, CA 91765.

Americans with Disabilities Act

The agenda and documents in the agenda packet will be made available, upon request, in appropriate alternative formats to assist persons with a disability (Gov't Code Section 54954.2(a)). Disability-related accommodations will also be made available to allow participation in the Legislative Committee meeting. Any accommodations must be requested as soon as practicable. Requests will be accommodated to the extent feasible. Please contact Elaine-Joy Hills at (909) 396-3967 from 7:00 a.m. to 5:00 p.m., Tuesday through Friday, or send the request to ehills@aqmd.gov.

All



South Coast Air Quality Management District 21865 Copley Drive, Diamond Bar, CA 91765-4178

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DRAFT

LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP FRIDAY, MARCH 8, 2019 MEETING MINUTES

MEMBERS PRESENT:

V. Manuel Perez, Supervisor
Rachelle Arizmendi, Mayor Pro Tempore, City of Sierra Madre
Paul Avila, P.B.A. & Associates
Geoffrey Blake, Metal Finishers of Southern California
John DeWitt, JE DeWitt, Inc.
Bill LaMarr, California Small Business Alliance
Rita Loof, RadTech International
Eddie Marquez, Roofing Contractors Association
David Rothbart, Los Angeles County Sanitation District

MEMBERS ABSENT:

Ben Benoit, Council Member and LGSBA Chairman Dr. Clark E. Parker, Sr., Senate Rules Committee Appointee Janice Rutherford, Supervisor, Second District, San Bernardino County Felipe Aguirre Todd Campbell, Clean Energy LaVaughn Daniel, DancoEN Cynthia Moran, Council Member, City of Chino Hills

OTHERS PRESENT:

Mark Abramowitz, Board Member Consultant

SCAQMD STAFF:

Derrick Alatorre, Deputy Executive Officer Nancy Feldman, Principal Deputy District Counsel Andrea Polidori, Ph.D., Atmospheric Measurements Manager Philip Crabbe III, Public Affairs Manager De Groeneveld, Sr. Information Technology Specialist Van Doan, AQ Inspector II Stacy Garcia, Secretary

<u>Agenda Item #1 - Call to Order/Opening Remarks</u> Mr. V. Manuel Perez called the meeting to order at 11:35 a.m.

Agenda Item #2 – Approval of February 8, 2019 Meeting Minutes/Review of Follow-Up/Action Items

Mr. Perez called for approval of the February 8, 2019 meeting minutes. The minutes were approved.

Agenda Item #3 – Review of Follow Up/Action Items

Mr. Derrick Alatorre stated that the only action item from last month was a presentation on the Voter District Authorization Bill, which is item 5 on today's agenda.

Mr. Alatorre said that last year a request was made for all three Assembly Bill (AB) 617 Community Steering Committee rosters. All rosters were e-mailed to the group on March 1st, 2019.

Mr. Bill LaMarr asked about attendance at working group meetings and if it applies to all working groups. Mr. Alatorre said it does not, but Dr. Lyou has stated that it should be for all advisory groups.

Agenda Item #4 – Updates on MATES V

Dr. Andrea Polidori provided an update on Multiple Air Toxics Exposure Study V (MATES V).

Mr. Paul Avila asked what the difference would be in samples taken before and after the recent rain. Dr. Polidori stated that when it rains, the concentration of pollutants are lower and we have cleaner air. If this year is unusually rainy, there will not be a significant impact on the overall emissions levels.

Mr. John DeWitt asked if the raw data is available. Dr. Polidori responded that the raw data is not available at this time, as they are still collecting samples and data for MATES V. Once the report is published, the information will be made available. Mr. DeWitt asked about cancer risks, to which Dr. Polidori stated that particulate matter is measured using black carbon measurements. Black carbon is used as a surrogate for diesel emissions. There is a direct correlation between decreases in black carbon concentration, diesel particulate matter, exposure, and cancer risk.

Mr. LaMarr referenced Dr. Polidori's slide regarding MATES progression and asked if there is a way to attribute cancer risks to particular sources through the monitors. Dr. Polidori responded that the main purpose is to identify and characterize the regional cancer risk. If there is an anomaly in the data, it may lead to specific sources of emissions. Mr. LaMarr asked if data from low cost sensors may find its way into MATES V and corrupt valid data from other sensors. Dr. Polidori responded that the key is to extract the right amount of information and appropriately interpret the data. If a sensor is not U.S. Environmental Protection Agency (EPA) approved, it cannot be used for compliance action. However, a sensor network provides more information on the spatial and temporal distribution.

Mr. David Rothbart asked about the overall comparison from year to year for the percent reduction risk and method used. Dr. Polidori said that the methodology did not change from MATES III to MATES IV, but he would defer to the Health Effects Officer. Mr. Rothbart asked about additional sensors in non-traditional locations that may yield less accurate results and how the data is representative of the concentrations in the basin. Dr. Polidori said the sensor information will not be taken into account for cancer risk calculations.

Ms. Rita Loof referenced the slide about MATES progression and asked what contaminants attribute to the remaining 1/3 of air toxics cancer risks and if monitors are able to pick up specific contaminants. Dr. Polidori said for the most part they are metals and volatile organic compounds.

Ms. Rachelle Arizmendi asked if there was any other work done related to AB 617. Dr. Polidori said MATES V will be used to make an assessment about potential sources of pollution within AB 617 communities.

Agenda Item #5 – Voting District Authorization Bill for Clean Air

Mr. Philip Crabbe III presented on SCAQMD's Voting District Authorization Bill for Clean Air.

Ms. Arizmendi commended SCAQMD for taking this action.

Mr. Rothbart asked how we will deal with stationary sources and penalties if we do not get the authorization or meet attainment. Mr. Alatorre said that if we shut down every single stationary source, we would not meet attainment. Mr. Rothbart asked why the California Air Resources Board (CARB) and EPA are not held accountable for nonattainment as they have regulatory authority over mobile sources. Mr. Alatorre said that when he presented this item at the San Bernardino County Transportation Authority (SBCTA), Supervisor Rutherford challenged all other cities and agencies to go to Washington, D.C. to suggest giving SCAQMD regulatory authority over the mobile sources. Mr. Rothbart said the dialogue in those discussions needs to be that we will not meet attainment. Mr. Alatorre stated that the EPA said that they will look at the rule to maybe adjust it, but there is a rulemaking process and it will be after the first attainment deadline in 2023.

Mr. LaMarr suggested that there should be a sunset date on the tax tied to an attainment date and strict adherence in regards to the expenditure money. He further added that the tax should be tied to the Air Quality Management Plan (AQMP) and not to other pet projects. The public needs to know the amount spent on projects and what the benefits of attainment are. Mr. Alatorre stated that pollution has no boundaries, a sunset date will not be in the bill, and all projects the money would be used for are in the AQMP.

Mr. Avila asked for clarification on "authorization." Mr. Crabbe said we need to establish a voting district, set up elections officer, and other logistical items. Mr. Avila expressed support for a sunset provision and a citizen oversight committee including one or more members from this group. Mr. Alatorre said some of those things will be up to the Governing Board.

Ms. Loof asked if this is the first step in the process. Mr. Alatorre said the first thing we need to do is create the voting district. Ms. Loof is concerned because mobile sources are the culprits, but if we do not meet attainment, the stationary sources will get penalized. Mr. Alatorre said we are not penalizing stationary sources, but if this bill does not pass, all options will be considered. If the authorization bill passes, it takes the pressure off of stationary sources.

Mr. Eddie Marquez asked if something like this has been implemented elsewhere in the state and how it has worked for them. Mr. Alatorre stated that the Bay Area Air Quality Management District (BAAQMD) has a parcel tax, and Metro has Measure M, which does not have a sunset date.

Ms. Arizmendi asked if there is any opposition to creating a voting district. Mr. Alatorre responded that there was more opposition to a sales tax rather than creating a voting district. Ms. Arizmendi asked for ways to help support the authorization bill. Mr. Alatorre responded that we cannot ask for support, but we can educate. Mr. Alatorre said we have reached out to organizations of which we are members in Ms. Arizmendi's area.

Ms. Loof asked for clarification as to why we are now moving away from a sales tax and towards a voting district authorization. Mr. Crabbe explained that the new language is more of a reassessment of what we are asking for. Ms. Loof asked for a timeline of what to expect after the authorization, if approved. Mr. Alatorre said that either the Governing Board would put it on the ballot or there would be a voter-driven initiative.

Supervisor Perez summarized the discussion on this item.

Agenda Item #6 –Monthly Report on Small Business Assistance Activities

No comments.

Agenda Item #7 - Other Business

Ms. Loof said Rule 1106 is coming up for hearing in April and asked for a presentation. Mr. Alatorre said Rule 1106 will be discussed in the future.

Mr. Alatorre mentioned the upcoming Cesar Chavez Day of Remembrance Event on March 30th at the Museum of Latin American Art and the last date to RSVP is March 21st.

Agenda Item #8- Public Comment

Mr. Harvey Eder made comments regarding solar power.

Agenda Item #9 – Next Meeting Date

The next regular Local Government & Small Business Assistance Advisory Group meeting is scheduled for Friday, April 12, 2019 at 11:30 a.m.

Adjournment

The meeting adjourned at 12:50 p.m.



Public Notification for Rule Development

LGSBA Meeting June 14, 2019

Background

- June 2018: South Coast AQMD sponsored SB 1502 which enabled air districts to modernize communication methods and email public notices for rulemaking activities
- SB 1502 requires air districts to adopt and update procedures for a person to request notices to be sent by mail and to update an email address

Public Notifications for Rulemaking Activities (SB 1502)

Public Notifications for Rulemaking Activities

Current Practice

- Notices for Public Workshops and Public Hearings sent by mail
- Publish Notices for Public Workshops and Public Hearings in newspapers

Future Practice

- Email public notices to all facilities and interested parties who have provided an email address
- Continue to mail public notices unless stakeholder requests notice by email
- Continue to publish notices in newspapers

Email Addresses

South Coast AQMD does not have a complete list of email addresses for permit holders

General Approach and Procedures to Collect Email Addresses and Noticing Preferences

Collect email addresses and noticing preferences through: Information on South Coast AQMD website Information in direct mailings for permit renewal notices, annual emissions reporting, and other public notices Develop electronic Initiate email notifications for smaller rulemaking projects where staff infrastructure to can collect email addresses and ask for noticing preferences collect and update email addresses and for stakeholders to For larger rulemaking projects, continue to mail public notices unless select noticing stakeholders request noticing by email preferences Goal is to begin sending majority of public notices by email by 2022 unless notice preference is by mail

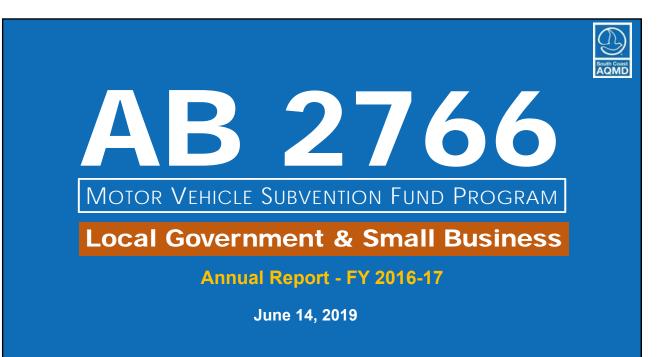
Key Features Required

- Ensure that a designated person at a facility receives rule development notices
 - Include ability to opt-in to receive electronic notification
 - Allow a facility to change the designated person
- Consider feature that informs South Coast AQMD when notices are not being received
- Allow multiple persons at a facility to receive electronic notices

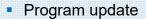
Summary

- SB 1502 allows South Coast AQMD to notify stakeholders of rule development activity by e-mail
- Program designed for facilities to opt-in to receive electronic notification
- Electronic infrastructure being developed to collect e-mails and noticing preference
 - Must ensure that a designated facility representative receives rule development notifications





PURPOSE OF REPORT



- Report to South Coast AQMD Governing Board & CARB
 - Use of fees
 - Program results
- Information for:
 - Local Governments
 - Other stakeholders



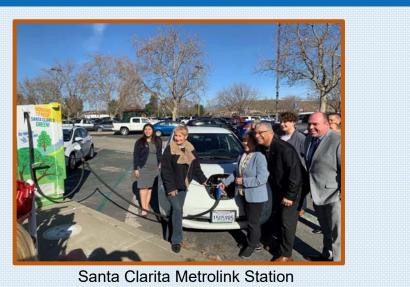
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AB 2766 BACKGROUND

- Adopted in 1990
- Provides revenue to reduce emissions from motor vehicles
- Annual DMV registration surcharge of \$4 per vehicle
- 40% of \$4 distributed to 162 local governments annually by population share
- Jurisdictions report spending in 11 project categories
- Annual Summary Report to Board & CARB

ALT FUELS, ELECTRIC VEHICLES & INFRASTRUCTURE







AQME

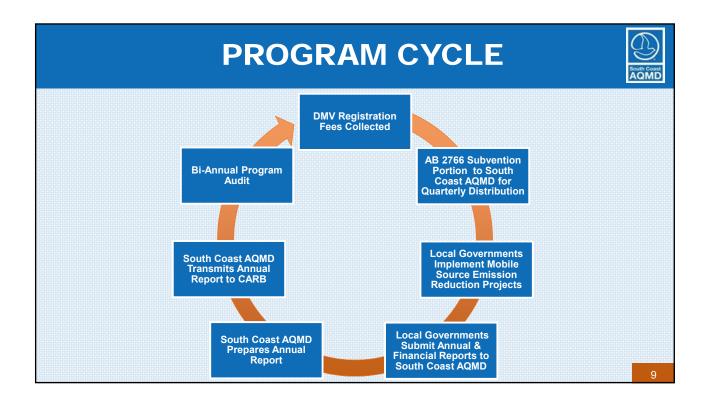
BICYCLE USAGE/FACILITIES



Diamond Bar Bike to Work Day

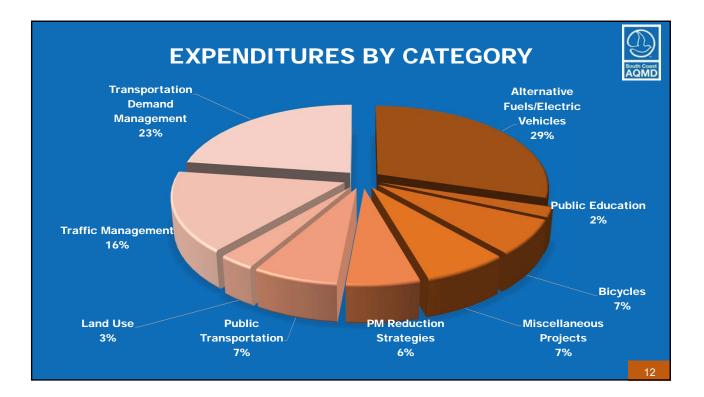
Shoreline Drive, City of Long Beach





PROGRAM SUI	MMARY	6
Participating Jurisdictions	162	
MV Fees Received	\$22.6 M	
Project Spending	\$17.7 M	
Projects Implemented	359	
Projects Quantified	220	
Emissions Reduced	134 tons	
Emissions Breakdown	VOC: 37.8 NOx: 46.0 CO: 37.4 PM 2.5: 12.8	

County	Beginning Balance	Funds Received ¹	Project Spending ²	Ending Balance	Pre- designated Funds	Remaining Undesignated Funds
LA	\$28.1	\$13	\$10.1	\$31.1	\$27.7	\$3.4
Orange	\$13.1	\$4.3	\$3.4	\$13.9	\$11	\$2.9
Riverside	\$5.3	\$3	\$2.4	\$6	\$4.7	\$1.3
San Bernardino	\$6.2	\$2.2	\$1.7	\$6.7	\$5.9	\$.8
Total ³	\$52.7	\$22.6	\$17.7	\$57.6	\$49.3	\$8.4



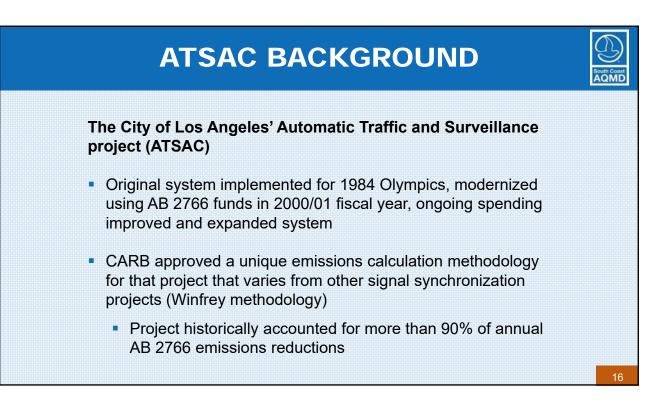
PROJECT IMPLEMENTATION & DEMISSION REDUCTIONS							
Project Category	# of Projects	Projects Quantified	Emissions Reduced (Ibs/yr)	% Projects Quantified	Cost- Effectiveness (\$/lb)		
Transportation Demand Management	65	60	151,000	92%	\$23		
Traffic Management	52	22	38,000	42%	\$8		
Miscellaneous Projects	42	10	25,000	24%	\$23		
Alternative Fuels / Electric Vehicles	99	68	20,000	69%	\$35		
Public Transportation	30	26	18,000	87%	\$51		
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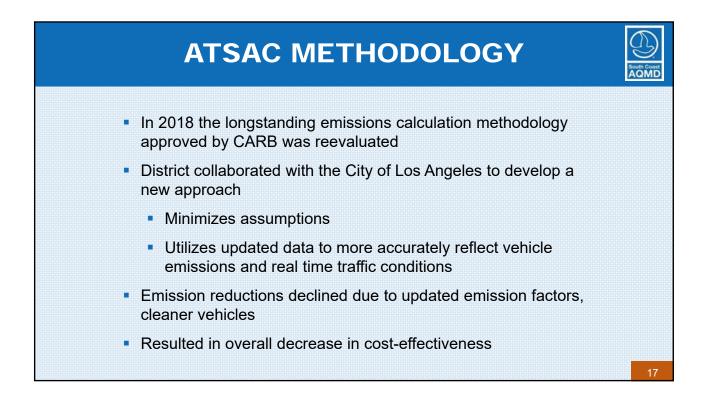
PROJECT IMPLEMENTATION & EMISSION REDUCTIONS (CONT'D)

Project Category	# of Projects	Projects Quantified	Emissions Reduced (Ibs/yr)*	% Projects Quantified	Cost- Effectiveness (\$/lb)*	
PM Reduction Strategies	19	18	15,000	95%	\$44	
Bicycles	25	14	620	56%	\$205	
Vehicle Emissions Abatement	2	2	22	100%	\$186	
Land Use	16	0	0.0	0%	\$0.00	
Public Education	9	0	0.0	0%	\$0.00	
TOTALS	359	220	268,000	61%	\$25	
*Totals may vary due to rounding						

South Coast AQMD

Fiscal Year	Emissions Reduced* (Ibs./yr.)	Emissions Reduced* (tons/yr.)	Cost- Effectiveness** (\$/Ib.)	Cost- Effectiveness** (\$/ton)
FY 2012-13	11,901,177	5,961	\$0.75	\$1,531
FY 2013-14	10,926,821	5,463	\$0.85	\$1,748
FY 2014-15	12,396,710	6,198	\$0.66	\$1,352
FY 2015-16	12,380,133	6,190	\$0.76	\$1,524
FY 2016-17	267,815	134	\$25.37	\$51,580



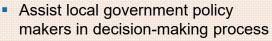


COLLABORATION & FUND LEVERAGING

- MSRC 2017/18 Local Government Partnership Program
- COG Sponsored Projects
 - CVAG Regional Street Sweeping Program
 - WRCOG Clean Cities Coalition Public Education
 - Gateway Cities COG Transportation Plan



PROGRAM OUTREACH



- Provide annual financial summary
- Highlight examples of costeffective projects
- Brief COGs
- Conduct local government training sessions
- Provide guidance on eligible projects
- Encourage fund leveraging



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WORK IN PROGRESS

- Resource Guide
 - Revise program guidelines
 - Clarify project eligibility requirements
 - Align with AQMP goals
- CARB Collaboration
 - Negotiate District management of Microsoft Access reporting software
 - Streamline reporting process



PUBLIC NUISANCE

LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP

JUNE 14, 2019

WHAT IS A PUBLIC NUISANC

Health & Safety Code §41700

- No person shall discharge from any source whatsoever such quantities of air contaminants or other material which can cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property
- Incorporated in District Rule 402

EXCEPTIONS

Health & Safety Code §41705

- Agricultural operations necessary for the growing of crops or raising of animals
- Operations that compost green materials or animal waste derived from agricultural operations

Operations outside of South Coast AQMD's jurisdiction such as light and noise

"CONSIDERABLE NUMBER OF PERSONS"

- General Guidance: Six or more separate households or one business, school or other facility with multiple complainants
- Urban vs. Rural: Geography may impact determination
- Complaint Forms
- No solicitation of complaints

ENFORCEMENT GUIDELI

- Telephone contact: Determine if nuisance is ongoing
- Inspector Confirmation
 - Survey area
 - Verify complaint
 - Determine source
 - Distribute and collect complaint forms

COMMON PUBLIC NUISANCE CASES

- ODOR
 - Landfills
 - Rendering Plants
 - Green Waste Facilities

• DUST

- Real Estate Developments
- Road/Construction Waste Recycling
- Grinding Operations

С

PENALTY AUTHORITY

Health & Safety Code §42400.3 et seg

- Strict Liability / Strict Liability with actual injury
- Negligence / Negligence with great bodily injury
- Knowing / Knowing with great bodily injury
- Willful and intentional / Willful and intentional with great bodily injury



Small Business Assistance Report on March, April & May 2019 Activities for

LG&SBA Advisory Group Meeting of 6/14/2019







Permit Assistance – March

 163 Activities Providing Help with Permit Applications. Examples include:

- 27 Restaurants
- 26 Manufacturing Facilities
- 20 General Contractors/Consultants/Architects
- 12 Auto Body and Repair Shops
- 11 Retail Stores
- 10 Dry Cleaner
- 8 Warehouses (Storage/Distribution)
- 8 Offices

6/14/2018

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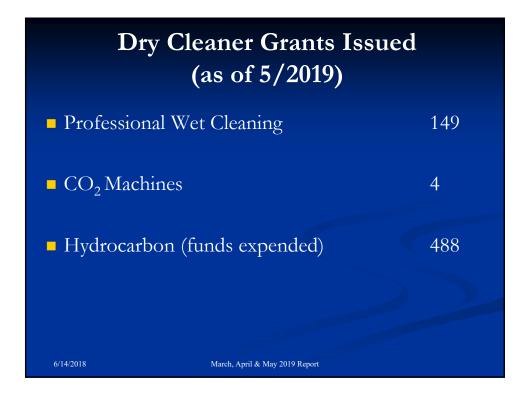
March, April & May 2019 Report











Small Business Activity March 2018 – May 2019

	ACTIVITY	Permit Assistance	On-Site Consultations	Variance Assistance	Fee Review Requests	Air Quality Permit Checklists	
	Mar-2018	276	0	0	2	62	
	Apr-2018	251	14	0	3	62	
	May-2018	259	6	0	0	82	1 1
	Jun-2018	188	4	0	5	62	
	Jul-2018	156	0	0	2	51	
	Aug-2018	182	9	1	3	49	
	Sep-2018	215	6	0	2	68	
	Oct-2018	164	6	0	2	54	
	Nov-2018	139	7	0	4	58	
	Dec-2018	157	11	0	0	60	
	Jan-2019	193	1	0 (2	63	
	Feb-2019	168	2	2	3	72	
	Mar-2019	163	2	0	5	53	
	Apr-2019	228	4	1	6	77	
	May-2019	258	6	1	3	80	
	TOTAL	2997	78	5	42	953	
/14/2018			March, April &	May 2019 Repo	rt		

