

BOARD MEETING DATE: October 3, 2014

AGENDA NO. 24

REPORT: Mobile Source Committee

SYNOPSIS: The Mobile Source Committee met on Friday, September 19, 2014. Following is a summary of that meeting. The next Mobile Source Committee meeting is scheduled for Friday, October 17, 2014 at 9:00 a.m.

RECOMMENDED ACTION:  
Receive and file.

Dr. Clark E. Parker, Sr., Chair  
Mobile Source Committee

EC:fmt

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### **Attendance**

Committee Chair Dr. Clark E. Parker, Sr., and Committee Member Mayor Pro Tem Ben Benoit attended via videoconference. Committee Member Mayor Judith Mitchell attended the meeting at the SCAQMD headquarters. Committee Members Dr. Joseph Lyou and Supervisor Shawn Nelson were absent.

The following items were presented:

### **INFORMATIONAL ITEMS:**

#### **3) CARB's Proposed Update to the 1997 8-Hour Ozone State Implementation Plan for Coachella Valley**

Dr. Philip Fine, Assistant Deputy Executive Officer/Planning, Rule Development & Area Sources, presented information on the Coachella Valley 8-hour ozone SIP update that is being prepared by CARB for submission to U.S. EPA. The SIP changes are a technical update to correct some SIP approvability issues that have arisen from recent court decisions, including a new Reasonable Further Progress demonstration, updated inventories and transportation conformity budgets, VMT offset demonstration and a confirmation of the attainment demonstration.

Dr. Parker inquired about court decisions that lead to corrections, revisions and updates to submitted SIPS. Dr. Fine responded that U.S. EPA often gets sued when they issue guidance, interpretation of rules, or take SIP actions according to their interpretation of the Clean Air Act (CAA). If a court disagrees with their interpretation, U.S. EPA must then implement the CAA in accordance with the Court's ruling.

**4) Rule 2202 Program Status Report for Calendar Year 2013**

Ms. Carol Gomez, Planning & Rules Manager, presented the Calendar Year 2013 Annual Update for Rule 2202 – On-Road Motor Vehicle Mitigation Options. Rule 2202 requires employers with 250 or more employees on a full or part-time basis to implement an emissions reduction program to reduce mobile source emissions generated by employee commutes during peak hours. Over 1,300 worksites were regulated by this program.

Employers may select one of three program options to comply with Rule 2202: an Employee Commute Reduction Program (ECRP), Emissions Reduction Strategies (ERS), or an Air Quality Investment Program (AQIP). The ECRP requires employers to develop and implement an employee trip reduction program to assist in reaching an average vehicle ridership (AVR) goal. If a worksite does not make progress towards their AVR goal, they are required to implement strategies from a menu of trip reduction options. The ERS requires employers to surrender mobile source emission reduction credits; and the AQIP requires payment into a fund that the SCAQMD utilizes to finance mobile source emission reduction projects, such as the leaf blower exchange program. Employer participation in the compliance options was as follows: 37.1% ECRP, 58.0% ERS, and 4.9% AQIP. Tons per day of emissions reduced, was: 2.09 VOC, 1.70 NO<sub>x</sub>, and 17.41 CO.

Ms. Gomez also provided information on the compliance component of the program that includes an audit process, which is triggered by complaints and/or staff requests. Ninety eight audits were conducted in 2013, resulting in 19 Notices to Comply, and 2 Notices of Violation.

Overall, in comparison to 2012, the ECRP option had a slight decrease in AVR attainment. The AQIP option funded 1,500 leaf blowers for the exchange program, and the ERS option received credits from various programs and had a slight increase in program participation. The AVR attained for all compliance options combined had a slight decrease (1.48 to 1.43). In regards to the SCAQMD's own worksite AVR performance; the AVR has increased over the last ten years from 1.76 to 1.86 AVR. Ms. Gomez noted that to follow up on a commitment made during the June 2014 Rule 2202 amendment process, staff recently began stakeholder discussions on potential streamlining and enhancements to Rule 2202's ECRP compliance option.

Dr. Parker asked whether the 250 employee threshold applied to a worksite or to the total employee population for each employer. Ms. Gomez replied that the threshold applies to a worksite. Dr. Parker also asked what the penalties are for non-compliance with Rule 2202. Ms. Barbara Baird, Chief Deputy Counsel, explained that the Health & Safety Code allows penalties up to \$10,000 per day of violation, or higher if there is negligence or intent, and that the facility's compliance history and hardship considerations play an important role in the NOV settlement process. She further noted that when a notice of violation is issued for non-payment of filing fees, the penalties would be lower because the SCAQMD already assesses a late fee penalty (50% of the filing fees) when a program is submitted after the due date. Mayor Pro Tem Benoit commented on the increased use of Electric Vehicles (EVs) by SCAQMD employees over the last 10 years, and referenced the recent Board discussion on this topic. Dr. Parker asked whether the EV's used by SCAQMD employees to commute to work were SCAQMD vehicles or employee-owned to which Ms. Gomez responded that they are employee-owned or leased.

[Mayor Judith Mitchell arrived at the SCAQMD headquarters at 9:16 a.m.]

### **ACTION ITEMS:**

#### **1) Issue RFP to Solicit Proposals for a Marketing and Outreach Campaign for the 2015 Lawn Mower Exchange Program**

Media Relations Manager Sam Atwood presented a proposed item for the October 3, 2014 Board meeting to issue an RFP to Solicit Proposals for a Marketing and Outreach Campaign for the 2015 Lawn Mower Program in an amount up to \$80,000. Mr. Atwood explained that the 2014 lawn mower exchange was the 12<sup>th</sup> annual event and that to date more than 53,000 gas mowers have been exchanged for zero-emission electric models. In recent years SCAQMD has contracted with a public relations firm to help market the program and they have focused the message on the savings available to the consumer due to the deep discounts offered on electric mowers. The RFP will seek qualified public relations, advertising firms or other organizations to plan and execute a comprehensive, integrated marketing campaign for the 2015 lawn mower exchange program.

Mayor Judith Mitchell asked if SCAQMD promoted the program directly to cities such that they could acquire the electric mowers for maintenance of parks and other city properties. Mr. Atwood explained that the lawn mower exchange program is targeted specifically at residents and not commercial landscapers since the mowers offered do not meet operating requirements for commercial work. Dr. Matt Miyasato, Deputy Executive Officer/Science & Technology Advancement, explained that SCAQMD is embarking on a demonstration program of commercial, zero-emission

lawn and garden equipment that will allow cities to use the equipment on a rotating basis.

Mayor Pro Tem Benoit asked if SCAQMD in addition to electric mowers could also offer at a discount additional zero-emission lawn and garden equipment such as string trimmers, edgers, etc. Dr. Miyasato stated that vendors such as Black and Decker in recent years have offered such electric equipment at deep discounts at the SCAQMD mower exchanges.

Moved by Mitchell; seconded by Benoit; and unanimously approved

**2) Approve Annual Report on AB 2766 Subvention Funds from Motor Vehicle Registration Fees for FY 2012-13**

Ms. Kathryn Higgins, Program Supervisor, provided an overview of the FY 2012-13 AB 2766 Subvention Fund usage and program results. AB 2766 was signed into law September 1990, and authorizes a \$4 motor vehicle registration fee surcharge, of which 40% of \$4 of the funds is subvented to local governments to implement projects that reduce mobile source emissions.

Ms. Higgins reported on the Subvention Fund's financial summary, with a \$41.2M beginning balance, \$20.1M funds received, \$18.6M, project spending, and \$30.8M pre-designated funds. She also reported on the number of projects funded and quantified over the prior four fiscal years, and that for FY 2012-13, local governments reported that they funded 319 projects of which 203 were quantified. Expenditures in 10 of the 11 AB 2766 project categories, (there were no Market-Based projects reported), reflected that Alternative Fuels and Transportation Demand Management had the highest spending totals. A total of 5,951 tons of emissions (NOx, ROG, PM10 and CO/7) were reduced through implementation of the 319 projects, and the overall average cost-effectiveness of all projects implemented was reported to be \$0.71/lb.

The summary of local government accomplishments indicated that the key program measurements, such as emission reductions and cost- effectiveness, increased; the percent of pre-designated funds stayed relatively constant; and the percentage of expenditures with quantified emission reductions decreased, but that there was an increase in the number of projects funded. SCAQMD staff has noted that that the most successful jurisdictions receive guidance and leadership from their policy makers, spend their funds on quantifiable projects, leverage funds with neighboring cities and pre-designate their unused funds for future projects. SCAQMD staff provides outreach, including briefing policy makers and COGs and encouraging local government attendance at AB 2766 training sessions.

Dr. Parker inquired about examples of Transportation Demand Management (TDM) Projects and asked if they are incentivized. Ms. Higgins responded that TDM projects are the implementation of policies and programs that lessen the dependence on passenger vehicle commutes, and encourage carpooling, vanpooling, walking, etc. She also stated that TDM programs typically provide monetary participant incentives. Mayor Mitchell asked how long local governments can carry over unused funds, and what types of projects result from fund leveraging. Ms. Higgins stated that the legislation is silent on fund carry overs, and that it is often necessary for jurisdictions to accumulate funds to implement viable projects. Ms. Higgins commented that projects that result from fund leveraging include alternative fuel infrastructure development and signal synchronization. Dr. Parker asked if it is common to have environmental groups advocate on how funds in various jurisdictions should be spent. Ms. Higgins responded that it is not common; however, occasionally a local group or citizen will inquire about city/county expenditures. Mayor Pro Tem Benoit inquired about the approximate amount of money that has been subvented to local governments since the inception of the program. Mr. Michael O'Kelly, Chief Financial Officer, responded that local governments, as a whole, have received hundreds of millions of AB 2766 dollars.

Moved by Mitchell; seconded by Benoit; and unanimously approved

### **WRITTEN REPORTS:**

#### **5) Rule 2202 Activity Report**

The report was received as submitted.

#### **6) Monthly Report on Environmental Justice Initiatives – CEQA Document Commenting Update**

The report was received as submitted.

### **OTHER BUSINESS:**

None

### **PUBLIC COMMENT:**

None

The meeting was adjourned at 9:49 a.m.

### **Attachment**

Attendance Roster

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
MOBILE SOURCE COMMITTEE MEETING  
Attendance Roster- September 19, 2014**

<b>NAME</b>	<b>AFFILIATION</b>
Chair Dr. Clark E. Parker, Sr.	SCAQMD Governing Board
Committee Member Ben Benoit	SCAQMD Governing Board ( <i>via</i>
Committee Member Judith Mitchell	SCAQMD Governing Board
Board Asst/Consultant Marisa Perez	SCAQMD Governing Board (Mitchell)
Curtis Coleman	Southern California Air Quality Alliance
Richard Friedman	Earthguard Environmental Services
David Rothbart	Los Angeles County Sanitation Districts
Susan Stark	Tesoro
Elaine Chang	SCAQMD Staff
Philip Fine	SCAQMD Staff
Barbara Baird	SCAQMD Staff
William Wong	SCAQMD Staff
Matt Miyasato	SCAQMD Staff
Laki Tisopulos	SCAQMD Staff
Chris Marlia	SCAQMD Staff
Michael O'Kelly	SCAQMD Staff
Sam Atwood	SCAQMD Staff
Carol Gomez	SCAQMD Staff
Kathryn Higgins	SCAQMD Staff
Antonio Thomas	SCAQMD Staff
Ernest Lopez	SCAQMD Staff
John Kampa	SCAQMD Staff
Shashi Singeetham	SCAQMD Staff
Kim White	SCAQMD Staff