

BOARD MEETING DATE: May 4, 2018

AGENDA NO. 7

PROPOSAL: Appoint Members to SCAQMD Hearing Board

SYNOPSIS: The terms of office for the Hearing Board Attorney Member and Engineer Member, and their Alternates, expire June 30, 2018. An Advisory Committee was appointed as required by law. The Advisory Committee interviewed attorney member and engineer member candidates at its meeting on April 5, 2018, and selected the top three candidates for attorney member and the top three candidates for engineer member, who were recommended for interview by the Administrative Committee. The Administrative Committee interviewed the candidates at its meeting on April 13, 2018, and made a final recommendation to the full Board to appoint members to fill the new terms.

COMMITTEE: Administrative, April 13, 2018; Recommended for Approval.

**RECOMMENDED ACTION:**

Appoint/reappoint the following individuals to the SCAQMD Hearing Board, effective July 1, 2018, with terms ending June 30, 2021:

Julie Prussack, Attorney Member  
Mohan Balagopalan, Engineer Member

Alternate: Douglas Lofgren  
Alternate: Edward Camarena

Wayne Nastri  
Executive Officer

DG

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**Background**

Health and Safety Code Section 40501.1(b) requires the SCAQMD to appoint a Hearing Board Advisory Committee composed of one representative appointed by each of the Counties of Los Angeles, Orange, Riverside, and San Bernardino, and the City of Los Angeles. The following individuals, with a variety of professional experience, served on the Advisory Committee for this recruitment:

City of Los Angeles	Raymond Regalado, Project Supervisor, County of Los Angeles
County of Los Angeles	Teresa Villegas, Environmental/Public Works Deputy, County of Los Angeles Supervisor Hilda L. Solis
County of Orange	Ben Seybold, Senior Vice President, CBRE
County of Riverside	Buford Crites, Board Consultant to Governing Board Member Marion Ashley
County of San Bernardino	Dr. William Sterling, President, BCM Group, Inc.

The current Attorney Member, Julie Prussack, and the current Engineer Member, Edward Camarena, as well as the Attorney Member Alternate, Douglas W. Lofgren, all requested reappointment.

Based on the criteria developed by the Advisory Committee, the Committee members and selected SCAQMD staff – the Deputy Executive Officer of Science & Technology Advancement and an Assistant Deputy Executive Officer of Planning, Rule Development & Area Sources – evaluated the resumes of 63 attorney member candidates and 23 engineer member candidates, and ranked the individuals according to their scores. Based on the ranking, the Committee then narrowed the candidates to short lists of 5 attorney candidates and 5 engineer candidates who were interviewed by the Advisory Committee. (Alternate Attorney candidate Douglas Lofgren was unavailable for the scheduled interview, but based on his strong application materials and current incumbent alternate member status, the Advisory Committee recommended he be interviewed by the Administrative Committee.) After interviewing all nine (9) candidates, the Advisory Committee deliberated and unanimously agreed upon a recommendation to refer the top three attorney candidates and top four engineer candidates (ranked as enumerated below) to the Administrative Committee for interviews as follows:

Attorney Member Candidates

- 1) Julie Prussack\*
- 2) Douglas Lofgren\*\*
- 3) Phillip Jay

Engineer Member Candidates

- 1) Edward Camarena\*
- 2) Robert Pease
- 3) Mohan Balagopalan
- 4) Traci Minamide^

*\*incumbent member*

*\*\*incumbent alternate*

*^withdrew from consideration*

## **Proposal**

After interviewing each of the six candidates, the Administrative Committee recommended that the Board reappoint Julie Prussack as Attorney Member, reappoint Douglas Lofgren as Alternate Attorney Member, appoint Mohan Balagopalan as Engineer Member, and appoint Edward Camarena as Alternate Engineer Member, for terms commencing July 1, 2018 and ending June 30, 2021. The individuals recommended for appointment were subsequently contacted, and each indicated their willingness to serve. A summary of the qualifications of each is set forth below.

### **Attorney Member**

**Julie Prussack** – Ms. Prussack joined the Hearing Board as the Attorney Member in July 2009; and had ten years of experience as a litigating attorney, most recently serving as a Senior Attorney and the Director of the Southern California Clean Air Program of the Natural Resources Defense Council (NRDC). While at the NRDC, she served as lead counsel on lawsuits brought against air polluters and government agencies, as well as a lawsuit defending important SCAQMD rules. During this time, she also served on a variety of working groups and committees at the SCAQMD and, therefore, became very familiar with the District's rulemaking process. She also served as a Board Consultant to Governing Board Member Dr. Joseph Lyou, and, thus, kept current on air quality issues. Ms. Prussack holds a B.S. in Accounting from the State University of New York at Albany and received her Juris Doctorate from the New York University School of Law.

### **Alternate Attorney Member**

**Douglas W. Lofgren** – Appointed to the Hearing Board in June 2012, Mr. Lofgren has been a practicing attorney for 43 years, as a military lawyer (both prosecutor and defense attorney) in the U.S. Army JAG Corps for three years, a federal prosecutor for seven years, and an in-house corporate litigator for seven years; and has had his own practice specializing in complicated civil litigation and white collar criminal defense for the past 27 years. His cases have included matters involving contaminated soil, state water regulatory issues, and other technical issues. Mr. Lofgren holds an A.B. cum laude in Government from Harvard University and received his Juris Doctorate from the University of Southern California Law School.

### **Engineer Member**

**Mohan Balagopalan** – Mr. Balagopalan brings over 37 years of engineering experience to the Hearing Board, including holding the positions of Senior Air Quality Engineer, Air Quality Analysis and Compliance Supervisor and Senior Permitting Manager at the SCAQMD. After 32 years with the SCAQMD, Mr. Balagopalan began serving as an instructor with the National Air Compliance Training Program teaching courses on air pollution permitting and controls, an extension instructor on air pollution permitting at University of California, Riverside and as a non-tenured Clinical Instructor of Public

Health at Loma Linda University. Mr. Balagopalan holds a B.S. in Mechanical Engineering from Madras University, India and a Masters of Business Administration from Azusa Pacific University.

### **Alternate Engineer Member**

**Edward Camarena** – Mr. Camarena brings over five decades of air pollution experience to the Hearing Board. Prior to beginning his service on the Hearing Board in July 1994, he was Deputy Executive Officer of Operations for the SCAQMD where his responsibilities at various times included the engineering, permitting, enforcement, technical services, information systems, technology development and human resource programs. In addition to his service on the Hearing Board, Mr. Camarena also serves on the SCAQMD's Budget Advisory Committee and has previously served on the SCAQMD's BACT/Scientific Review Committee. After 33 years with the SCAQMD, Mr. Camarena served as an air quality policy and technical consultant to the staff of the World Bank in Latin America, the Mexico City Commission for the Prevention and Control of Air Pollution and the Mexico City Transportation and Roads Commission. Current affiliations include the National Association of Administrative Law Judges and the National Association of Hearing Officials. Past affiliations included the California Air Pollution Control Officers Association, National Society of Professional Engineers, California Society of Professional Engineers, American Chemical Society, American Institute of Chemists, and Orange County Engineering Council. Mr. Camarena holds a B.A. in Chemistry from Occidental College, Los Angeles and a Master of Science in Environmental Engineering from the University of California, Irvine.

### **Fiscal Impacts**

Sufficient funds are budgeted each year to compensate those who serve on the Hearing Board.