

Mojave Desert Air Quality Management District Governing Board Meeting

Agenda

LOCATION

**MOJAVE DESERT AQMD BOARD CHAMBERS
14306 PARK AVENUE VICTORVILLE, CA 92392
MONDAY, FEBRUARY 27, 2017
10:00 AM**

TELECONFERENCE LOCATION(S)

San Bernardino County Government Center
385 N. Arrowhead Ave., Fifth Floor
San Bernardino, CA 92415

Blythe City Hall, Conference Room A
235 N. Broadway
Blythe, CA 92225

IF YOU CHALLENGE ANY DECISION REGARDING ANY OF THE LISTED PROPOSALS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED DURING THE PUBLIC TESTIMONY PERIOD REGARDING THAT PROPOSAL OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE GOVERNING BOARD AT, OR PRIOR TO, THE PUBLIC HEARING.

DUE TO TIME CONSTRAINTS AND THE NUMBER OF PERSONS WISHING TO GIVE ORAL TESTIMONY, PUBLIC COMMENTS ARE LIMITED TO THREE MINUTES PER SPEAKER. YOU MAY WISH TO MAKE YOUR COMMENTS IN WRITING TO ASSURE THAT YOU ARE ABLE TO EXPRESS YOURSELF ADEQUATELY.

Except where noted, all scheduled items will be heard in the Chamber of the Governing Board, Mojave Desert AQMD Offices, 14306 Park Avenue, Victorville, CA and the teleconference location(s). Please note that the Board may address items in the agenda in a different order than the order in which the item has been posted.

CALL TO ORDER 10:00 A.M.

Pledge of Allegiance.

Roll Call.

Items with potential Conflict of Interests - for information only: None.

PUBLIC COMMENT

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Name of Case: Michele Baird vs MDAQMD et. al CIVDS 1612446 San Bernardino County Superior Court (Government Code Section 54956.9)
2. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6). Agency Designated Representatives: Brad Poiriez. Employee Organization: Teamsters Local 1932.

OPEN SESSION

Disclosure of any Reportable action taken in Closed Session; and the Vote and Abstention of every Member Present in the Closed Session

CONSENT CALENDAR

3. [Approve Minutes from Regular Governing Board Meeting of January 23, 2017.](#)
4. [Approve the 2017 Mojave Desert Air Quality Management District \(MDAQMD\) Governing Board Meeting Schedule. Presenter: Brad Poiriez](#)
5. [Ratify the Board Chair's appointment of members to serve on the Budget Committee and the Personnel Committee for calendar year 2017. Presenter: Brad Poiriez](#)
6. [Adopt a budget schedule for FY 2017-18. Presenter: Jean Bracy](#)
7. [Adopt Governing Board Policy 17-01, The Mojave Desert Clean Air Fund. Presenter: Brad Poiriez](#)
8. [Adopt a Resolution to: 1\) establish a commercial revolving bank account for funds designated for eligible clean air projects; 2\) authorize the Executive Director to appoint signatures on the account; 3\) authorize the initial transfer of funds; and 4\) authorize the Executive Director, or designee, to negotiate and execute any](#)

necessary agreements to establish the fund and disbursement mechanisms, approved as to legal form. Presenter: Jean Bracy

9. Amend the Districts Classification Plan to 1) Revise the classification specification for Records Management Specialist and assign a pay range; 2) Revise and update the classification specification for Office Assistant; 3) Revise the classification specification for Executive Assistant to Executive Office Manager and assign a pay range; and 4) Revise classification specification for Air Monitoring Supervisor. Presenter: Brad Poiriez
10. Set date of March 27, 2017 to conduct a public hearing to consider the amendment of Rule 1104 Organic Solvent Degreasing Operations and approval of California Environmental Quality Act (CEQA) documentation. Presenter: Alan De Salvio
11. Adopt a Resolution to nominate Jean Bracy as a candidate for the election of the Special District Risk Management Authority Board of Directors. Presenter: Brad Poiriez
12. Receive and File: The Legislative Report for February 8, 2017. Presenter: Brad Poiriez
13. Receive and file the Financial Report for FY 17, the period November and December 2016 which provides financial information and budget performance concerning the fiscal status of the District. Presenter: Jean Bracy

ITEMS FOR DISCUSSION

14. DEFERRED ITEMS.
15. PUBLIC COMMENT
16. Conduct a public hearing to consider the adoption of the MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area): a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make a determination that the California Environmental Quality Act (CEQA) Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption, adopting the MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area) and directing staff actions. Presenter: Alan De Salvio
17. Reports: Executive Director
18. Board Members Comments and Suggestions for future agenda items.

In compliance with the Americans with Disabilities act, if special assistance is needed to participate in the Board Meeting, please contact Deanna Hernandez, Executive Lead, during regular business hours at 760.245.1661 x6244. Notification received 48 hours prior to the meeting will enable the District to make reasonable accommodations.

I hereby certify, under penalty of perjury, that this agenda has been posted 72 hours prior to the stated meeting in a place accessible to the public. Copies of this agenda and any or all additional materials relating thereto are available at the District Office at 14306 Park Avenue, Victorville, Ca 92392 or by contacting Deanna Hernandez at 760.245.1661 x6244 or by email at dhernandez@mdaqmd.ca.gov .

Mailed & Posted on: Tuesday, February 21, 2017.

Approved:

Deanna Hernandez

The following page(s) contain the backup material for Agenda Item: [Approve Minutes from Regular Governing Board Meeting of January 23, 2017.](#)

**MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
REGULAR GOVERNING BOARD MEETING
MONDAY, JANUARY 23, 2017 - 10:00 A.M.
BOARD CHAMBERS, MDAQMD OFFICES
VICTORVILLE, CA**

MINUTES

Board Members Present:

Robert Lovingood, Chair, San Bernardino County
Jim Cox, Vice-Chair, City of Victorville (absent for supplemental agenda item S-1)
Carmen Hernandez, City of Barstow
Joseph “Joey” DeConinck, City of Blythe
Robert Leone, Town of Yucca Valley
Jeff Williams, City of Needles
Paul Russ, City of Hesperia
Marion Ashley, Riverside County
James Ramos, San Bernardino County (absent for supplemental agenda item S-1)
Barb Stanton, Town of Apple Valley
John Cole, City of Twentynine Palms
Ed Camargo, City of Adelanto
Barbara Riordan, Public Member

Board Members Absent:

None

CALL TO ORDER

Chair **ROBERT LOVINGOOD** called the meeting to order at 10:01 a.m. and asked Board Member **JEFF WILLIAMS** to lead the Pledge of Allegiance.

Chair **ROBERT LOVINGOOD** asked the Clerk to call roll; roll was called.

Chair **ROBERT LOVINGOOD** called for a moment of silence for the passing of Supervisor John J. Benoit.

SUPPLEMENTAL ITEM (to precede swearing-in of new board member)

S-1 Adopt resolution approving agreement for representation of Riverside County on the Mojave Desert Air Quality Management District (MDAQMD) Board.

Upon Motion by Board Member **PAUL RUSS**, Seconded by Board Member **CARMEN HERNANDEZ**, and carried with ten **AYES** votes by Board Members **JOSEPH DECONINCK**, **ROBERT LOVINGOOD**, **PAUL RUSS**, **CARMEN HERNANDEZ**, **BARB STANTON**, **JEFF WILLIAMS**, **ED CAMARGO**, **BARBARA RIORDAN**, **JOHN COLE** and **ROBERT LEONE** the Board adopted **RESOLUTION 17-01**, titled, “**A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT APPROVING AGREEMENT REGARDING REPRESENTATION OF RIVERSIDE COUNTY ON THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT.**”

MOVE TO SWEARING-IN OF NEW BOARD MEMBER SUPERVISOR MARION ASHLEY

Chair **ROBERT LOVINGOOD** moved to the swearing-in of new Board Member **MARION ASHLEY**. The Clerk swore-in new Board Member **MARION ASHLEY**.

Chair **ROBERT LOVINGOOD** called for **PUBLIC COMMENT** – No public comment made.

CLOSED SESSION

Upon Motion by Board Member **ROBERT LEONE**, Seconded by Board Member **CARMEN HERNANDEZ** and carried by unanimous roll call vote, the Board adjourned to Closed Session at 10:07 a.m.

Agenda Item 1 - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Name of Case: Michele Baird vs MDAQMD et. al CIVDS 1612446 San Bernardino County Superior Court (Government Code Section 54956.9).

OPEN SESSION - Disclosure of any Reportable Action(s) taken in Closed Session(s); and the Vote and Abstention of Every Member Present in the Closed Session.

The Governing Board reconvened to open session at 10:23 a.m., and Special Counsel **Piero Dallarda** stated for the record that the Board met in Closed Session on Item #1 and that there is no reportable action.

CONSENT CALENDAR - The following consent items were acted upon by the Board at one time without discussion, upon motion by Board Member **BARB STANTON**, Seconded by Board Member **JEFF WILLIAMS**, and carried by unanimous roll call vote, record to reflect that Board Member **MARION ASHLEY** abstained on Agenda Item #2, as follows:

Agenda Item 2 – Approve Minutes from Regular Governing Board Meeting of October 24, 2016.
Approved the minutes from the Regular Governing Board meeting of October 24, 2016.

Agenda Item 3 – Receive and File: The Finance Report.
Received and filed the Finance Report.

Agenda Item 4 – Receive and File: The financial audit for Fiscal Year 2015-16, with the management letter, is complete and presented for review. Harold Manning, CPA, a partner with Burkey, Cox, Evans & Bradford, Accountancy Corporation will present the results of this audit during the meeting.
Received and filed the financial audit for Fiscal Year 2015-16.

Agenda Item 5 – Receive and file the Financial Report for FY 17 to October 31 which provides financial information and budget performance concerning the fiscal status of the District.
Received and filed the Financial Report for FY 17 to October 31 which provides financial information and budget performance concerning the fiscal status of the District.

Agenda Item 6 – Receive and File: The Legislative Report for January 5, 2017.
Received and filed the Legislative Report for January 5, 2017.

Agenda Item 7 – Reappoint Barbara Cram Riordan to remain as the Public Member on the Governing Board for an additional two year term to expire January 2019.
Reappointed Barbara Cram Riordan to remain as the Public Member on the Governing Board for an additional two year term to expire January 2019.

Agenda Item 8 – Ratify the Air Pollution Control Officer’s new appointments to the Technical Advisory Committee (TAC) and the re-appointments to the TAC.
Ratified the Air Pollution Control Officer’s new appointments to the Technical Advisory Committee (TAC) and the re-appointments to the TAC.

Agenda Item 9 – Set date of February 27, 2017 to conduct a public hearing to consider the adoption of the MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area) and approval of California Environmental Quality Act (CEQA) documentation.
Approved set date of February 27, 2017 to conduct a public hearing to consider the adoption of the MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area) and approval of California Environmental Quality Act (CEQA) documentation.

Agenda Item 10 – Amend Governing Board Policy 11-01, “Ticket and/or Passes Receipt and Distribution.”
Amended Governing Board Policy 11-01, “Ticket and/or Passes Receipt and Distribution.”

Agenda Item 11 – DEFERRED ITEMS:

None

Agenda Item 12 – PUBLIC COMMENT.

None

Agenda Item 13 – Adopt a Resolution to authorize the District to participate in the Public Agencies Post-Employment Benefits Trust administered by Public Agency Retirement System (PARS); Authorize a deposit up to \$1,000,000; Appoint the Executive Director/APCO as the Plan Administrator; and Authorize the Executive Director/APCO to execute the documents to implement the program.

Staff Member Jean Bracy provided background information and staff recommendation. Staff Member Bracy and Mitch Barker, PARS Representative, answered various questions from Board Members. Upon Motion by Board Member **PAUL RUSS**, Seconded by Board Member **JIM COX**, and carried with eleven **AYES** votes by Board Members **JOSEPH DECONINCK, ROBERT LOVINGOOD, PAUL RUSS, CARMEN HERNANDEZ, BARB STANTON, JEFF WILLIAMS, ED CAMARGO, BARBARA RIORDAN, JIM COX, JOHN COLE and ROBERT LEONE** the Board adopted **RESOLUTION 17-02**, titled, “**A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT APPROVING THE ADOPTION OF THE PUBLIC AGENCIES POST-EMPLOYMENT BENEFITS TRUST ADMINISTERED BY PUBLIC AGENCY RETIREMENT SERVICES (PARS)**”; **Authorized** a deposit up to \$1,000,000; **Appointed** the Executive Director/APCO as the Plan Administrator; and **Authorized** the Executive Director/APCO to execute the documents to implement the program

Agenda Item 14 – Reports:

Executive Director Brad Poiriez:

Mr. Poiriez updated the Board of past events:

- Implemented Board approved re-organization steps; filled 3, out of 5, vacant positions, 1 AQS May Mamari and 2 AQ Instrument Techs Chris Wills and Jennifer Eberwein; recruitment for 2 Supervisor positions completed with interviews set-up for first week in February;
- Next phase of the Board approved re-organization will address the Executive Office and bring to the Board in February;
- EPA is proposing to approve the District’s initial 6-yr 15% rate of progress for the 1997 Ozone Standard;
- CARB continues to hold training classes here at the District for District Staff and industry;
- MEEC received a generous donation of \$10,000.00 from Southern California Gas and publicly thanked Southern California Gas;
- Special kudos to Jean Bracy for being elected President of Special District Risk Management Authority (SDRMA) by her peers in addition to being SDRMA’s first female president.

Mr. Poiriez informed the Board of upcoming events:

- January 24th the District will be having a full staff meeting then later in the day be speaking at an air pollution class at Cal State University San Bernardino;
- February 20th – 22nd he will be attending the CAPCOA Medium District meeting in Bakersfield which he has been elected the Chair;
- February 27th the District's 2008 Ozone RACT SIP will be on the agenda.

Agenda Item 15 - Board Member Comments and Suggestions for Future Agenda Items.

- Board Member **JOSEPH DECONINCK** suggested that when the video conferencing is experiencing technical difficulties, staff switch to a phone conference call.
- Board Member **CARMEN HERNANDEZ** would like follow-up information on the natural gas issue – Ivanpah Solar.
- Board Member **BARB STANTON** would like staff to investigate why it seems that at every meeting there's an issue with the sound system when the Board has approved for over \$100,000 to upgrade the system.

Election of Chair and Vice-Chair of the Governing Board for 2017:

Chair **ROBERT LOVINGOOD** called for nominations for Chair of the Governing Board for 2017. Board Member **PAUL RUSS** nominated Board Member **JIM COX** for Chair, Seconded by Board Member **ED CAMARGO**, and being no other nominations, nominations for Chair was closed. By unanimous roll call vote, Board Member **JIM COX** was elected Chair for 2017.

Chair **ROBERT LOVINGOOD** called for nominations for Vice Chair of the Governing Board for 2017. Board Member **JOHN COLE** nominated Board Member **JEFF WILLIAMS** for Vice Chair, Seconded by Board Member **PAUL RUSS**, and being no other nominations, nominations for Vice Chair was closed. By unanimous roll call vote, Board Member **JEFF WILLIAMS** was elected Vice Chair for 2017.

Being no further business, Chair **ROBERT LOVINGOOD** adjourned the meeting at **11:06 a.m.** to the next Regular Meeting of *February 27, 2017*.

The following page(s) contain the backup material for Agenda Item: [Approve the 2017 Mojave Desert Air Quality Management District \(MDAQMD\) Governing Board Meeting Schedule. Presenter: Brad Poiriez](#)

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 4

DATE: February 27, 2017

RECOMMENDATION: Approve the 2017 Mojave Desert Air Quality Management District (MDAQMD) Governing Board Meeting Schedule.

SUMMARY: This proposed item identifies the Governing Board meeting dates for calendar year 2017.

CONFLICT OF INTEREST: None.

BACKGROUND: The MDAQMD Governing Board has established a regular meeting schedule on the fourth Monday of each month, beginning at 10:00 am in the Board Chambers of the MDAQMD office in Victorville, CA.

Although a monthly schedule is adopted, it is acknowledged that when there are not sufficient business items to require a meeting, the meeting will be cancelled. It has also been the practice to modify the meeting date and time when the meeting has been rescheduled due to conflict with other meetings or holiday schedules.

MDAQMD Staff, however, has been directed to make every effort to minimize deviation from the regular schedule to ensure continuity of meetings and participation.

Advanced confirmation of meetings or cancellation notices are part of MDAQMD's standard procedure for meeting preparation. This proposed 2017 meeting schedule conforms to the fourth Monday of each month.

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 4

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REASON FOR RECOMMENDATION: MDAQMD Staff and Governing Board Members are encouraged to calendar these meeting dates to ensure continuity of meetings and participation.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form and by Brad Poiriez, Executive Director on or about February 13, 2017.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Brad Poiriez, Executive Director

2017 Governing Board Meeting Dates

(4th Monday of each month)

- January 23
- February 27
- March 27
- April 24
- May 22 – Meeting cancelled
- June 12 – Budget Hearing
- June 26 – Budget Adoption
- July 24
- August 28
- September 25
- October 23
- November 27
- December 25 – No Meeting

Committee Meetings

are scheduled as needed



**14306 Park Avenue
Victorville, CA 92392
760.245.1661
760.241.3492 FAX
www.mdaqmd.ca.gov**

The following page(s) contain the backup material for Agenda Item: [Ratify the Board Chair's appointment of members to serve on the Budget Committee and the Personnel Committee for calendar year 2017. Presenter: Brad Poiriez](#)

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 5

DATE: February 27, 2017

RECOMMENDATION: Ratify the Board Chair's appointment of members to serve on the Budget Committee and the Personnel Committee for calendar year 2017.

SUMMARY: This item appoints committee members for the Budget Committee in preparation of the budget for FY 2017-18, and the Personnel Committee for personnel matters during the year including the performance evaluation of the Executive Director/APCO; and designates officers from the Governing Board as committee chairs.

CONFLICT OF INTEREST: None.

BACKGROUND: The following Board members have agreed to serve on these committees:

Budget Committee

1. Jeff Williams, *Board Vice Chair*
2. Paul Russ
3. Carmen Hernandez

Personnel Committee

1. Jim Cox, *Board Chair*
2. Barbara Riordan
3. John Cole
4. Barb Stanton

REASON FOR RECOMMENDATION: The Governing Board Chair appoints members to serve on Board committees subject to ratification of the Governing Board.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form on or about February 13, 2017.

FINANCIAL DATA: Any costs that may be incurred during the scheduled meetings are included in the budgets for FY 17 and FY 18.

PRESENTER: Brad Poiriez, Executive Director, on behalf of the Governing Board Chair.

The following page(s) contain the backup material for Agenda Item: [Adopt a budget schedule for FY 2017-18. Presenter: Jean Bracy](#)

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 6

DATE: February 27, 2017

RECOMMENDATION: Adopt a budget schedule for FY 2017-18.

SUMMARY: The budget schedule is prepared to ensure timely delivery and adoption of the District's annual fiscal budget.

CONFLICT OF INTEREST: None.

BACKGROUND: Annually staff presents a schedule of the tasks required to prepare and present the annual fiscal budget for public comment and adoption by the Governing Board.

March 27, 2017	Budget Committee reviews recommendations by staff for proposed budget; committee meets as needed. A proposed budget will be published and permit holders notified by May 12, 2017.
April 24, 2017	

June 12, 2017	Public Hearing – The Governing Board will meet for budget workshop and opportunity for public comment on the proposed budget. The time of the meeting will be set by the Clerk of the Board.
<i>**Note the extra meeting in June</i>	

June 26, 2017	The Budget for FY 2017-18 will be presented for final adoption.
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REASON FOR RECOMMENDATION: This notice is provided for information and planning purposes. Adjustments or modifications by the Governing Board made at the time of the meeting will be implemented by staff.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form and by Brad Poiriez, Executive Director/APCO on or about February 13, 2017.

FINANCIAL DATA: The budget schedule has no direct fiscal impact; costs associated with related meetings are included in the District's budget.

PRESENTER: Jean Bracy, Deputy Director / Administration

The following page(s) contain the backup material for Agenda Item: [Adopt Governing Board Policy 17-01, The Mojave Desert Clean Air Fund. Presenter: Brad Poiriez](#)

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 7

DATE: February 27, 2017

RECOMMENDATION: Adopt Governing Board Policy 17-01, “The Mojave Desert Clean Air Fund.”

SUMMARY: This item adopts a new Governing Board Policy, 17-01, “The Mojave Desert Clean Air Fund.”

CONFLICT OF INTEREST: None

BACKGROUND: From time to time a beneficial project opportunity occurs that, when funded, would provide positive air quality impacts on the local community. The District’s existing grant programs are often too restrictive for smaller, local activities or are too limited in scope or function to use for these projects. An award from the District for these types of projects serves the mission of the District to promote clean air and contribute to a reduction in emissions within the jurisdiction.

Governing Board Policy 17-01 establishes the policy, the scope, and the procedures for The Mojave Desert Clean Air Fund. The policy delegates to the APCO authority to award up to \$10,000 per project subject to the criteria. Individual grant requests exceeding that limit must be presented to the Governing Board for approval. The APCO will periodically report to the Governing Board the awards and status of the fund.

The Mojave Desert Clean Air Fund will be initially funded with funds deemed excess interest as identified by the California Air Resources Board (CARB) and on deposit in the Carl Moyer trust fund.

REASON FOR RECOMMENDATION: The Governing Board action is necessary to approve changes to the policies of the Governing Board.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form on or about February 13, 2017.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Brad Poiriez, Executive Director/APCO

GOVERNING BOARD POLICY
Mojave Desert Air Quality Management District

Policy No: 17-01
Adopted: February 27, 2017

James L. Cox
Governing Board Chair

Brad Poiriez
Executive Director/APCO

SUBJECT: The Mojave Desert Clean Air Fund

POLICY:

It is the policy of the Governing Board of the Mojave Desert Air Quality Management District (District) to support beneficial air quality improvement projects and programs by offering grant funding to projects that have a positive air quality impacts on a local community within the District's jurisdiction.

AMPLIFICATION OF POLICY:

(A) General

The purpose of this fund is to provide grants for projects that provide positive air quality impacts on a local community. An award from the District for such projects serves the mission of the District to promote clean air and contribute to a reduction in emissions within the jurisdiction. The Mojave Desert Clean Air Fund was initially funded with resources identified by the District in cooperation with the California Air Resources Board and the State. Future funding may be recommended and authorized by the Board from time to time either directly or through the budget process.

(B) Scope of Grants

Eligible projects may include but are not limited to purchase(s) of equipment, creation of programs, or construction of projects that upon completion improve air quality by reducing emissions and/or, dust, or increasing energy efficiency. Programs which are duplicative of District efforts are not eligible for funding.

The Mojave Desert Clean Air Fund may not be used to fund projects otherwise eligible for other District grant programs, such as the Mobile Emissions Reduction Program, Carl Moyer,

or other restricted funding sources. Should funds from these existing programs be depleted, the APCO may approve a grant submission to the Mojave Desert Clean Air Fund that would otherwise be eligible for other District grant programs.

(C) Procedure

- a. Grant awards will be made from an interest bearing bank account established for the purpose of funding the Mojave Desert Clean Air Fund.
- b. Requests for grant awards must be made in writing to the APCO, or designee, and must describe the proposed project, provide a budget of the funds requested, an explanation for the requested amount of funds, describe the community which will be impacted by the proposed air quality benefit and outline any in-kind or matching funds available.
- c. Project awards must provide positive air quality impacts and/or education within the community. Project requests must submit an evaluation of the air quality benefit or air quality improvement.
- d. Grant award recommendations and disbursement is delegated to the APCO up to \$10,000 per project; individual grant requests exceeding \$10,000 must be presented to the Governing Board for approval.
- e. Any entity or organization which is not compliant with MDAQMD regulations or are in arrears to the MDAQMD may not be eligible to apply.
- f. The APCO will periodically report to the Governing Board of the awards and the status of the fund.
- g. The APCO may develop additional procedures as needed or direct staff to do so.

Revision History:

Adopted: 02/27/2017

Last review: 02/27/2017

The following page(s) contain the backup material for Agenda Item: [Adopt a Resolution to: 1\) establish a commercial revolving bank account for funds designated for eligible clean air projects; 2\) authorize the Executive Director to appoint signatures on the account; 3\) authorize the initial transfer of funds; and 4\) auth](#)

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 8

DATE: February 27, 2017

RECOMMENDATION: Adopt a Resolution to: 1) establish a commercial revolving bank account for funds designated for eligible clean air projects; 2) authorize the Executive Director to appoint signatures on the account; 3) authorize the initial transfer of funds; and 4) authorize the Executive Director, or designee, to negotiate and execute any necessary agreements to establish the fund and disbursement mechanisms, approved as to legal form.

SUMMARY: This item and its attendant Resolution authorizes establishing a commercial revolving bank account for funds designated for grants awarded for eligible “clean air projects” in the proposed “Mojave Desert Clean Air Fund.”

CONFLICT OF INTEREST: None

BACKGROUND: This action will authorize establishing an interest bearing commercial bank account separate from the General Fund, as described below. The purpose of this fund is to provide grants for projects that provide positive air quality impacts local communities within the District’s jurisdiction. An award from the District for such projects serves the mission of the District to promote clean air and contribute to a reduction in emissions within the jurisdiction. A proposed Governing Board policy (GB Policy 17-01) will provide the scope for such grants and govern the use of the account. The legislative authorization, source of funds, and general program outline for the “Clean Air Fund” is described in Exhibit 1. The initial source of funds is described in Exhibit 2.

REASON FOR RECOMMENDATION: Governing Board authorization and Resolution is required pursuant to Government Code §53952 to establish a revolving account.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel, as to legal form and by Brad Poiriez, Executive Director on or about February 13, 2017.

FINANCIAL DATA: No increase in appropriation is requested.

PRESENTER: Jean Bracy, Deputy Director - Administration

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 8

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Exhibit 1

From time to time a beneficial project opportunity occurs that, when funded, would provide positive air quality impacts on local communities within the District's jurisdiction. The District's existing grant programs are often too restrictive for smaller, local activities or are too limited in scope or function to use for these projects. An award from the District for these types of projects serves the mission of the District to promote clean air and contribute to a reduction in emissions within the jurisdiction. The Mojave Desert Clean Air Fund with policy guidelines and accountability to the Governing Board could serve this wider purpose.

This action recommends authorization to initialize the fund with resources as described below. Future funding may be recommended and authorized by the Governing Board from time to time either directly or through the budget process.

Legislative Authorization

Government Code 53952 authorizes an independent special district to establish, by resolution, a revolving fund in an amount that does not exceed 110% of one-twelfth of the district's adopted budget for the fiscal year for the purpose of paying smaller expenditures more efficiently and expediently than using county resources. Using this legislative authorization, this action would allow the District to establish a commercial revolving bank account. This account will process grant awards based on criteria established by policy approved by the Governing Board.

Funding

The Mojave Desert Clean Air Fund will be initially funded with funds deemed by the California Air Resources Board (CARB) as excess interest payments derived from the Carl Moyer Program. Correspondence from CARB on April 28, 2015 and August 10, 2015 (Exhibit 2), describes the condition of excess interest reported in the District's Carl Moyer trust fund of approximately \$320,000. Cumulative activity from program years 1998 through 2010 contributed to the "excess." CARB determined that \$159,661.38 would be allocated to the grant program, and the balance (approximately \$163,895 with interest to date) is subject to the discretion of the District. Future funding may be recommended and authorized by the Governing Board from time to time either directly or through the budget process.

Carl Moyer Program History

The Carl Moyer program was established about 1998. Named for one of the lead scientists at CARB pursuing mobile emission reduction technologies, this program is funded by an allocation from the State budget.

**MINUTES OF THE GOVERNING BOARD
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VICTORVILLE, CALIFORNIA**

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In the first few program years funds received from CARB were held in the District's General Fund. Without a policy from CARB the interest accrued to the benefit of the District's General Fund. Following an audit by CARB and the Department of Finance (DOF), air districts were directed to deposit Moyer funds into a separate account including interest accrued to the grant program. Staff calculated the pro rata interest earned on the Moyer Funds while deposited in the General Fund. In late 2001 the Governing Board authorized a trust account at the San Bernardino County Auditor/Controller and funds were transferred as directed.

As noted above, CARB and DOF determined that the amount in the account identified as "interest earnings" exceeded their estimates/requirements. On August 10, 2015, CARB provided written notice that \$159,661.38 could be reallocated to eligible projects in the Carl Moyer Fund and to refund the balance to the District. Subsequent interest earnings on this amount have increased the available funds to \$163,894.08 (as of January 31).

The District has complete discretion as to the disposition of those funds. The structure of the Carl Moyer program, however, prevents the District from leaving those funds in the Carl Moyer Program or using them on Moyer-eligible projects when Moyer funds are otherwise available. The District's General Fund is stable and the Executive Director recommends a specific use of the funds that will not impact the resources required for District operations.

This action will authorize staff to request the San Bernardino County Auditor/Controller transfer \$163,894.08 from the Carl Moyer Trust Account (MBE) to new account to be established at Wells Fargo Bank, the institution that holds the District's General Fund.

Administrative Matters

1. The District has a Standard Practice, 5-2, "Internal Controls – District Bank Accounts" which governs the management of banks accounts.
2. The District has had two other separate, revolving type accounts: Payroll Disbursing (established in late 1999 and closed in February 2016) and Petty Cash (established about 1998 and closed May 2015). The activities of these accounts were incorporated into the General Fund and subsequently closed. Experience with those accounts has demonstrated that sufficient controls are in place that District staff is able to properly execute the duties associated with checking and savings accounts.
3. This revolving account will be used for grant awards made at the discretion of the APCO according to a Governing Board Policy (GB Policy 17-01). The policy will set forth the permitted uses of the fund and establish oversight which includes periodic reporting and/or ratification by the Governing Board for grants made from the fund. Current processing methods and procedures remain for special revenue fund accounts such as those associated District grants restricted by statute (e.g. AB 2766 and Moyer).

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4. The District also grants funds to specific projects through designated grant funds, namely the Mobile Emissions Reduction Program (AB 2766) which is regulated by state statute and further by District policy; and the Carl Moyer Fund which is passed through from CARB and regulated by specific statutes.
5. The proposed Mojave Desert Clean Air Fund and its activities are distinctive and different from the Mojave Desert Supplemental Environmental Projects, described in Governing Board Policy 98-01 which uses penalties levied in enforcement actions for environmentally beneficial projects and grant scholarships.
6. This item will authorize the Executive Director to negotiate and execute any necessary agreements and appoint signatures on the account.
7. This action will not change the appointment of San Bernardino County as the District's Treasurer or Auditor Controller and the County will remain the District's General fund custodian.

RESOLUTION _____

A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT TO ESTABLISH A REVOLVING BANK ACCOUNT FOR FUNDS DESIGNATED FOR ELIBIBLE CLEAN AIR PROJECTS.

On _____, on motion by Member _____, seconded by Member _____, and carried, the following resolution is adopted:

WHEREAS, the District desires to establish a Clean Air Fund in a separate, interest bearing account for the purpose of granting funds for eligible clean air projects; and

WHEREAS, San Bernardino County for Treasurer and Auditor Controller pursuant to Health & Safety Code 41245 and 41246 is custodian of funds for the District; and

WHEREAS, Government Code §53952 authorizes an independent special district to establish, by resolution, a revolving fund in an amount that does not exceed 110% of the one-twelfth of the district's adopted budget for the fiscal year can be deposited in the account for the purpose of paying routine expenditures more efficiently and expediently; and

WHEREAS, the District desires to establish a commercial revolving bank account for the purpose of granting funds for eligible clean air projects; and

WHEREAS, the California Air Resources Board (CARB) and Department of Finance (DOF) have determined the District, at a time, or times, in the past, transferred funds in excess of the requirements from the District's General Fund to the Carl Moyer Fund held in trust at San Bernardino County (MBE); and

WHEREAS, the amount of \$159,661.38 plus accumulated interest in the amount of \$4,232.70, for a total of \$163,894.08 has been deemed excess and not eligible for grants to Moyer-eligible projects; and

WHEREAS, this amount must now be returned to a discretionary fund of the District; and

WHEREAS, the Executive Director recommends establishing the Mojave Desert Clean Air Fund to make discretionary award of funds from time to time for grants to beneficial projects that when funded, would provide positive air quality impacts to local communities within the District's jurisdiction; and

WHEREAS, the Executive Director, or designee, will be responsible for authorizing and disbursing grants from such an account according to District policy; and

WHEREAS, the District has written policies governing internal controls for District bank accounts; and

RESOLUTION _____

1 **WHEREAS**, the District will adopt a Governing Board policy that will set forth the permitted use
2 of the Mojave Desert Clean Air Fund and establish oversight for the fund; and

3 **WHEREAS**, the Governing Board may from time to time either by direct action or during its
4 budgetary process add additional funding to the Mojave Desert Clean Air Fund; and

5 **WHEREAS**, the District desires to award funds to projects and activities that serve the mission of
6 the District to promote clean air and contribute to a reduction in emissions within the jurisdiction, and

7 **NOW THEREFORE BE IT RESOLVED**, that the Governing Board of the Mojave Desert Air
8 Quality Management District directs the following actions:

9 1. Authorize the establishment of a commercial revolving bank account for the purpose of
10 granting funds for eligible clean air projects; and

11 2. Authorize the fund limit to be 110% of one-twelfth of the District’s adopted budget for the
12 fiscal year; and

13 3. Authorize the Executive Director to appoint signatures on the account as needed; and

14 4. Authorize the initial transfer of funds from the Carl Moyer custodial account held with San
15 Bernardino County to the new revolving account in an amount not to exceed \$163,894.08; and

16 5. Authorize the Executive Director, or designee, to negotiate and execute any necessary
17 agreements to establish the fund and disbursement mechanisms, approved as to legal form.

18 **BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately upon
19 adoption.

20 **PASSED, APPROVED AND ADOPTED** by the Governing Board of the Mojave Desert Air Quality
21 Management District by the following vote:

22 AYES: MEMBER:
23 NOES: MEMBER:
24 ABSENT: MEMBER:
25 ABSTAIN: MEMBER:

26 \\
27 \\
28)

RESOLUTION _____

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO)
3)

SS:

4 I, _____, Clerk of the Governing Board of the Mojave Desert Air Quality
5 Management District, hereby certify the foregoing to be a full, true and correct copy of the record of the
6 action as the same appears in the Official Minutes of said Governing Board at its meeting of

7
8 _____
9 Clerk of the Governing Board,
10 Mojave Desert Air Quality Management District.

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Air Resources Board



Matthew Rodriguez
Secretary for
Environmental Protection

Mary D. Nichols, Chair
9480 Telstar Avenue, Suite 4
El Monte, California 91731 • www.arb.ca.gov

Edmund G. Brown Jr.
Governor

August 10, 2015

Eldon Heaston
Air Pollution Control Officer
Mojave Desert Air Quality Management District
14306 Park Avenue
Victorville, California 92392

Dear Mr. Heaston:

This letter is a follow-up regarding the Carl Moyer Memorial Air Quality Standards Attainment Program (CMP) interest reported by the Mojave Desert Air Quality Management District (District). The District reported \$320,000 of CMP interest income in its 2010 CMP Yearly Report. This cumulative interest was reported as generated from July 1, 1998, through June 30, 2010.

In discussions with District staff we agreed that, due to the unusual circumstance of this large amount of interest being reported, it would be appropriate to ask staff from the Department of Finance (Finance), Office of State Audit and Evaluations (OSAE) to perform a non-audit service of evaluating of the CMP interest income account balance for the District. The scope for the CMP interest evaluation would be fiscal years 1998-99 through 2009-10 and would include any additional accumulation of interest for those funds.

As a result of the evaluation by Finance, as reflected in their letter dated April 28, 2015 to ARB staff summarizing the results, it was determined that the District held a cash balance of not more than \$159,661.38 in interest as of June 30, 2010. This includes \$64,605.40 in funds available for administration, leaving \$95,055.98 that should be made available as grant funds.

As discussed with your staff, because the value was only recently confirmed, we agreed that remaining interest funds identified would be allocated to the District's Carl Moyer Program Year 18 target. Please update and include the interest funds in the Air Resources Board's (ARB) CARL database, selecting Fiscal Year 2014-15 in the Interest Reporting Form, and entering the project and administration values that total \$159,661.38. Please also include in the comment field a brief description of the interest issue, referencing the dates of the Finance letter and this letter. These interest funds

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

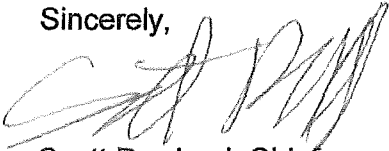
California Environmental Protection Agency

should also be reported in the District's 2015 Yearly Report Certification Form. Please include a line item in the Interest Section (Section 9.) of the report with the additional interest funds and a reference to the Finance letter and this letter.

Thank you for your partnership with ARB. We look forward to working cooperatively with you to ensure the continued success of the CMP to improve air quality.

If you have any questions, please contact David Salardino, Air Resources Supervisor, at (626) 575-6679 or via email at David.Salardino@arb.ca.gov.

Sincerely,



Scott Rowland, Chief
Mobile Source Control Division

cc: Richard R. Sierra, CPA
Chief, Department of Finance
Office of State Audits and Evaluations
915 L Street, 6th Floor
Sacramento, California 95814

David Salardino
Air Resources Supervisor
Mobile Source Control Division

April 28, 2015

Mr. Scott Rowland, Branch Chief
Mobile Source Control Division
California Air Resources Board
9480 Telstar Avenue, Suite 4
El Monte, CA 91731

Dear Mr. Rowland:

Management Letter—Mojave Desert Air Quality Management District, Carl Moyer Program Income Review

The California Air Resources Board (ARB) requested the Department of Finance, Office of State Audits and Evaluations (Finance), to review the Carl Moyer Memorial Air Quality Standards Attainment Program (CMP) income account balance reported by the Mojave Desert Air Quality Management District (District).

In its 2010 CMP Yearly Report, the District reported \$319,158 of net interest income to ARB. This cumulative interest balance was reported for the period July 1, 1998 through June 30, 2010. ARB requested us to evaluate the reasonableness of the reported interest.

Methodology

To perform our review, we requested the District's disbursement ledgers and bank statements, and ARB's disbursement request documents. The District stated such documents could not be retrieved for the period requested. In lieu of the documents requested, the District provided other documents, such as the *Carl Moyer Emission Reduction Grant Program Award Schedule* and the *Carl Moyer Emission Reduction Grant Program Grant Schedule*, which are collectively referred to as the District's records. ARB provided disbursement request documents for the same period.

We used District and ARB documents to prepare the attached CMP Income Analysis Schedule (Attachment 1) and completed our review with the assumption that the interest income balance represents cash available for re-investment or disbursement.

Interest income was computed by averaging year-end cash balances and then applying a simple average historical "Local Agency Investment Fund" (LAIF) rate of return from quarterly rates published on the California State Treasurer's website.¹ For example, the annual average 1999-00 LAIF rate of return of 5.67 percent was determined by averaging the September 1999 rate of 5.21 percent, the December 1999 rate of 5.49 percent, the March 2000 rate of 5.8 percent, and the June 2000 rate of 6.18 percent.

¹ Source: <http://www.treasurer.ca.gov/pmia-laif/historical/quarterly.asp>

Results Summary

Based on our methodology, the calculated gross interest income totaled \$496,426. On the District's Carl Moyer-Emissions Reduction Grant Program Fund Summary (Attachment 2), the District reported a cumulative gross interest income amount of \$433,241. This amount seems reasonable in comparison with our calculated figure.

Attachment 2 also reflects a District cash balance of \$159,661 as of June 30, 2010. This cash balance is comprised of the following amounts:

- A negative net program funding balance of \$224,102
- An administration fund balance of \$64,605
- Net interest earned of \$319,158

Based on our analysis, program and administration receipts and expenditures reported on Attachment 2 were greater by \$450,763 and \$635,241, respectively, than the amounts estimated by us from District and ARB documents (Attachment 1). However, we could not confirm these amounts or the cash balance as of June 30, 2010 because supporting documentation, such as detailed accounting records, were not made available to us.

The management letter is for your information and use. This review was a non-audit service and does not constitute an audit conducted in accordance with generally accepted government auditing standards.

We appreciate the assistance and cooperation of the District and ARB. If you have any questions, please contact Frances Parmelee, Manager, or Robert Scott, Supervisor, at (916) 322-2985.

Sincerely,



Richard R. Sierra, CPA
Chief, Office of State Audits and Evaluations

Attachments

cc: Mr. Doug Thompson, Manager, Incentives Oversight Section, California Air Resources Board
Mr. David Salardino, Manager, Mobile Source Control Division, California Air Resources Board
Ms. Yvonne Sanchez, Engineer, Mobile Source Control Division, California Air Resources Board
Mr. Eldon Heaston, Executive Director, Mojave Desert Air Quality Management District
Ms. Jean Bracy, Director, Administrative Services, Mojave Desert Air Quality Management District
Ms. Holly Noel, Air Quality Specialist, Mojave Desert Air Quality Management District

CMP Income Analysis Schedule
Prepared by California Department of Finance

FY	CMP Year	Transaction Description	Receipts (A)	Expenditures (B)	Balance	Interest Income Balance (C)	Total Cash Balance (D)	Avg Annual Cash Balance (E)	Average LAIF Rate (F)	Interest Income (G)
1998-99	Year 1	Receipts	\$ -							
			0	0		0	0	0.00	n/a	n/a
1999-00	Year 2	Receipts	100,000		100,000					
			100,000	0.00	100,000	0.00	100,000	100,000	5.67%	\$5,670
2000-01	Year 3	Interest Income Estimate				5,670				
		Receipts	2,916,999							
		Expenditures		91,667						
			2,916,999	91,667	2,925,332	5,670	2,931,002	1,515,501	6.12%	92,749
2001-02	Year 4	Interest Income Estimate				92,749				
		Receipts								
		Expenditures		114,805						
			0	114,805	2,810,527	98,419	2,908,946	2,919,974	3.43%	100,155
2002-03	Year 5	Interest Income Estimate				100,155				
		Receipts								
		Expenditures		739,158						
			0	739,158	2,071,369	198,574	2,269,943	2,589,445	2.17%	56,191
2003-04	Year 6	Interest Income Estimate				56,191				
		Receipts	100,000							
		Expenditures		502,291						
			100,000	502,291	1,669,078	254,765	1,923,843	2,096,893	1.53%	32,082
2004-05	Year 7	Interest Income Estimate				32,082				
		Receipts	204,630							
		Expenditures		809,424						
			204,630	809,424	1,064,284	286,847	1,351,131	1,637,487	2.23%	36,516
2005-06	Year 8	Interest Income Estimate				36,516				
		Receipts	739,690							
		Expenditures		1,147,047						
			739,690	1,147,047	656,927	323,363	980,290	1,165,711	3.84%	44,763
2006-07	Year 9	Interest Income Estimate				44,763				
		Receipts	738,344							
		Expenditures		311,853		(95,977)				
			738,344	311,853	1,083,418	272,149	1,355,567	1,167,929	5.11%	59,681
2007-08	Year 10	Interest Income Estimate				59,681				
		Receipts								
		Expenditures		662,756						
			0	662,756	420,662	331,830	752,492	1,054,030	4.37%	46,061
2008-09	Year 11	Interest Income Estimate				46,061				
		Receipts	127,892							
		Expenditures		13,323						
			127,892	13,323	535,231	377,891	913,122	832,807	2.18%	18,155
2009-10	Year 12	Interest Income Estimate				18,155				
		Receipts								
		Expenditures		510,249						
			0	510,249	24,982	396,046	421,028	667,075	0.66%	4,403
Totals Per District & ARB Records			\$ 4,927,555	\$ 4,902,573	\$ 24,982	\$ 400,449	\$ 425,431			\$ 496,426
Totals from Fund Summary (Attachment 2)										
		Program Funding	\$ 5,172,585	\$ 5,396,687						
		Admin Funding	205,733	141,127						
			\$ 5,378,318	\$ 5,537,814		\$ 319,158	\$ 159,661			
		Variance	\$ 450,763	\$ 635,241		\$ (81,291)	\$ (265,770)			

LEGEND:

- A Source of receipt amounts are either from the District's records and/or the ARB disbursement request documents.
- B Source of expenditure amounts are from the District's records.
- C Yearly Interest Income Estimates are based on Finance's calculations shown in Column G plus the prior year's interest income estimate.
- D The year end cash balance is the subtotals of Column A less Column B plus Column C.
- E The Average Annual Cash Balance is arrived at by taking the current year cash balances in Column D plus the prior cash balances in Column D and dividing by 2.
- F The interest rate used to compute interest income is the average of the four quarterly LAIF rates published by the California State Treasurer's Office.
- G Interest Income is computed by multiplying the Average Year End Cash Balance in Column E by the Average LAIF Rate in column F.

Mojave Desert AQMD
 Carl Moyer - Emissions Reduction Grant Program
 Fund Summary (MPB)
 June 30, 2010

Program Funding Received	5,172,585.00	
Program Funding Expended to Date	<u>(5,396,686.58)</u>	
Net Program Funding		(224,101.58)
Admin Funding Received	205,733.00	
Admin Funding Expended to Date	<u>(141,127.60)</u>	
		64,605.40
Interest Earned to Date	433,241.46	
Interest Expended to Date	<u>(114,083.90)</u>	
Net Interest Earned		319,157.56
Reconciled Cash Balance as of June 30, 2010		<u><u>\$ 159,661.38</u></u>
SB County Cash Balance as of June 30, 2010		<u><u>\$ 159,661.38</u></u>
Uncleared/Accrued Transactions (Total Uncleared Transactions from QB Recon Summary)		<u><u>\$ -</u></u>

Grant Funding

Funding Received	5,072,585.00	
Grants Awarded	<u>5,435,687.00</u>	
ARB Funding Available to New Grants		(363,102.00)
<u>Interest Income</u>		
Interest Earned	433,241.46	
Interest Awarded to Grantees	<u>114,083.90</u>	
Interest Available for New Grants		319,157.56
Total Available for New Grants		<u><u>\$ (43,944.44)</u></u>

Administrative Funding/Support

Funding/Support Received	205,733.00	
Funding/Support Awarded	<u>196,594.21</u>	
Admin Funding/Support Available		<u><u>\$ 9,138.79</u></u>

Verify G/L Cash Balance to Reconciled Cash Balance

Grant Funds to be disbursed (from Grants - Program Funds)	95,055.98
Admin Funds to be disbursed (from Grants - Admin Funds)	<u>64,605.40</u>
G/L Cash Balance	<u><u>\$ 159,661.38</u></u>
Reconciled Cash Balance (see above)	<u><u>\$ 159,661.38</u></u>
Variance	<u><u>\$ -</u></u>

The following page(s) contain the backup material for Agenda Item: [Amend the Districts Classification Plan to 1\) Revise the classification specification for Records Management Specialist and assign a pay range; 2\) Revise and update the classification specification for Office Assistant; 3\) Revise the classification specif](#)

**MINUTES OF THE GOVERNING BOARD
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VICTORVILLE, CALIFORNIA**

AGENDA ITEM 9

DATE: February 27, 2017

RECOMMENDATION: Amend the District's Classification Plan to 1) Revise the classification specification for Records Management Specialist and assign a pay range; 2) Revise and update the classification specification for Office Assistant; 3) Revise the classification specification for Executive Assistant to Executive Office Manager and assign a pay range; and 4) Revise classification specification for Air Monitoring Supervisor.

SUMMARY: This action amends the District's Classification Plan with revised classification specifications and assigns a pay range to certain classifications.

CONFLICT OF INTEREST: None.

BACKGROUND: The District periodically adjusts staffing strategies in order to meet the varying challenges of the business and the changing scope of the workforce. The recommendations in this action are, in part, responding to the Organizational Review previously commissioned by the Governing Board and affirmed with the Executive Director. These actions are part of ongoing efforts to address the efficiency and effectiveness of the District operations.

The proposed action restructures the Executive Office which is described in Exhibit 1. Through the reorganization and a recent retirement, the staffing configuration in the Executive Office has been reduced from six full time equivalents ("FTE") to four, with no change in mission or responsibilities. Staff in this office supports the Executive Director, the records management program, the Governing Board, the Hearing Board, the Technical Advisory Committee and a variety of other activities. The recommendations in this action promote incumbents who have assumed additional and more complex assignments due to the staffing reduction. The two vacant exempt positions that resulted from the recent reorganization and a retirement were re-assigned to become the new supervisors in Compliance and Permit Engineering Sections.

This action will approve revised content to the classification specification for the Air Monitoring Supervisor.

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Governing Board Policy 94-1 delegates to the APCO “the authority to hire, dismiss, make assignments, direct, supervise ... District employees.” In addition this policy states “Reclassification or change in the compensation of employees(s) shall be subject to review and approval by the Board.”

MDAQMD Personnel Policies and Procedure (PPP) Rule 3.2 assigns the development and maintenance of the Classification Plan to the Personnel Officer (APCO), subject to Governing Board approval. “A new classification shall not be created and filled on a regular basis until the classification plan has been amended ...”

Management Rights are described in the Memorandum of Understanding (MOU) between the MDAQMD and the Teamsters Local 1932 including the right to “determine job classifications, hire, transfer, promote and demote employees.”

Management has successfully conducted meet and confer with the Teamsters to discuss the impacts of these revisions.

REASON FOR RECOMMENDATION: The Governing Board has the authority to amend and revise the District Classification Plan, approve pay ranges for new or revised classification specifications, and adjust pay ranges for existing positions.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form on or about February 13, 2017.

FINANCIAL DATA: This action assigns new, higher pay ranges to revised classification specifications. The estimated additional cost for FY 17 (through June 30, 2017), is about \$9,600. The District will realize sufficient budget savings from positions budgeted but unfilled for part of the fiscal year.

PRESENTER: Brad Poiriez, Executive Director/APCO

**MINUTES OF THE GOVERNING BOARD
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Proposed Amendments to the District's Classification Plan
Exhibit 1

1. Revise the classification specification for **Records Management Specialist**. This position is assigned to the Executive Office and supports the District's records management program and assists, as needed, the Executive Office Manager. This classification evolved with the previous incumbent who recently retired and was assigned to Exempt Group B. The duties of the position do not meet the duties test to be exempt from overtime under FLSA. The incumbent Records Management Clerk has performed some of these duties since June 2016 (with temporary compensation), and fully performed them since the retirement of the previous incumbent. This recommendation includes promoting the incumbent Records Management Clerk to the Specialist position. The incumbent will be subject to a Probationary Period (MDAQMD PPP Section 3.5). Pay Range 626 is recommended as it aligns with other specialist classifications requiring similar skill sets. Finally, the Records Management Clerk classification will remain in the Classification Plan, but unfilled.
 - a. Classification Description (attached)
 - b. Assign the Classification Specification to the General Unit (from Exempt Group B)
 - c. Recommended Pay Range: 626
 - d. Promote the Records Management Clerk to this Specialist position
 - e. Cost Estimate (balance of fiscal year): \$5,000

2. Revise the classification specification for **Office Assistant** to update references for equipment used, processes practiced, and related duties descriptions. This revision does not effectively change any of the assigned duties or expectations.
 - a. Classification Description (attached)
 - b. Classification is assigned to the General Unit (no change)
 - c. Recommended Pay Range 610 (no change)
 - d. Position is filled with an incumbent
 - e. Cost Estimate: NA

3. Revise the classification specification for Executive Assistant to **Executive Office Manager**. This position is assigned to the Executive Office and supports the Executive Director/APCO, and has oversight for the records management section, and clerk of the board functions. This position is in Exempt Group B. The incumbent has been performing the duties for more than one year (with temporary compensation since July 2016). The proposed action promotes the incumbent and assigns Pay Range 644 (consistent with recently developed supervisor

**MINUTES OF THE GOVERNING BOARD
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VICTORVILLE, CALIFORNIA**

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PAGE 4

positions). The incumbent will be subject to a Probationary Period (MDAQMD PPP Section 3.5).

4. Revise the content of the classification specification for the **Air Monitoring Supervisor**. A classification specification was approved by the Governing Board on October 24, 2016. Subsequent to the action, it was discovered that the content of the Supervisor classification specification was the same content as the Air Quality Instrument Technician. This action will approve appropriate content for the Air Monitoring Supervisor classification.
 - a. Classification Description (attached)
 - b. Recommended Pay Range: 644 (no change)
 - c. Position is filled with an incumbent
 - d. Cost Estimate: NA

Subject to adoption by the Governing Board, these actions will be effective in the next full payperiod (Payperiod 06/17).

CLASS SPECIFICATION

RECORDS MANAGEMENT SPECIALIST

DEFINITION:

Under direction of the Executive Office Manager, the Records Management Specialist plans, organizes, supports and implements the functions of the District's document imaging and content management system. The incumbent is responsible for the receipt, storage, retrieval, and disposition of official District records; works with staff from all departments; provides training to District staff.

Performs a variety of specialized administrative duties, support and assistance for the records management group, Executive Office and the Executive Office Manager; performs related work as required or assigned.

The Executive Office performs duties associated with supporting the Boards of the District, Executive Director, District Counsel, front office reception and records management.

DISTINGUISHING CHARACTERISTICS:

This position is characterized by its responsibility to perform a wide variety of document imaging, content management duties and special work assignments, which requires knowledge of records retention and storage procedures while administering the District's content management system. Information contained in records may be sensitive and as such, discretion must be exercised and maintained.

CLASSIFICATION GROUP: General Unit

ESSENTIAL JOB FUNCTIONS:

Functions may include, but are not limited to, the following:

- Has oversight of all functional aspects of the District's document imaging and content management system.
- Initiate all work orders with the District's content management provider directly and coordinates those work orders with the appropriate District resources.
- Serves as a key member in the records management group; serve as primary contact for end users and clients all in support of Standard Practice 3-3 Records Management Group; performs the duties associated with coordinating the Records Management Group meetings.

CLASS SPECIFICATION

RECORDS MANAGEMENT SPECIALIST

- Provides support to users of the District's document imaging and content management system which includes setting up users; managing security groups; advising users of policies, procedures, and best practices; developing training materials; delivering training remotely or in person; preparing user reference materials; providing phone or e-mail based general support to users; and administering records management components.
- Prepare and recommend clear, concise and appropriate District policies, procedures, documentation and content management protocols.
- Maintains "state of the industry" knowledge level and remains current on the latest industry standards and regulations regarding document imaging and content management systems.
- Interact with the appropriate resources and relevant functional areas to solve problems and recommend courses of action; and to implement retention requirements for the District's document imaging and content management system.
- Ensures the effective implementation of the records retention program; monitors records retention status to determine record destruction status; prepares document destruction requests to management authorizing destruction approval; work includes the exercise of independent decisions based on the knowledge of records retention and storage procedures; manage retention processes for the District's document imaging and content management system.
- Interact with District Counsel to assist with the act of holding from destruction District records that are subject to pending or potential litigation or investigation; conduct or coordinate legal research necessary to assist with identifying those records that need to be preserved based on statutes of limitations.
- Performs duties that support Governing Board Policy No. 93-2 Response to Requests for Public Information and Standard Practice 4-12 Public Records Act Requests, the Executive Office, the Executive Director, District Counsel and the Records Management Group; performs special research projects and prepares reports as required.
- Utilize computer programs, i.e., Windows (Microsoft Work; Excel; etc.), and District's specialized or proprietary computer applications.
- Establish and maintain effective working relationships with those contacted in the course of the work. Maintain positive working relationships with coworkers and management, and interact effectively and professionally under pressure.
- Understand and follow oral and written directions; communicate effectively, both orally and in writing; and understand and work within the scope of authority.
- Maintain a position Procedure Manual of duties related to position.

CLASS SPECIFICATION

RECORDS MANAGEMENT SPECIALIST

- Assist with and provides vacation and temporary duties as needed for the Executive Office.
- Actively pursues continued and current educational training via seminars, webinars, etc.
- Performs related duties as required or assigned.

WORKING CONDITIONS and PHYSICAL ABILITIES:

Work is performed in an office environment in close proximity with other workers and incumbent will be exposed to those conditions normally encountered in a business office environment. Incumbent must be able to perform the essential functions of the job satisfactorily. Physical demands require frequent standing, reaching, leaning, twisting, grasping, lifting and sitting for prolonged periods of time. Must carry moderately heavy boxes and/utilize a hand truck or dolly. The ability to lift, push boxes and equipment or other material weighing up to 50 pounds or so. Incumbent must be able to see and hear in the normal range, with or without correction, and communicate verbally and in written form with great facility and must be able to be understood. Incumbent must be able to drive safely to various District sites. Travel via air or ground transportation is required.

QUALIFICATIONS:

Education/Experience:

Graduation from high school/GED equivalent; increasingly responsible experience with relevant records management, public or business administration or Bachelor's degree or equivalent from an accredited college or university in a closely related field is highly desired; or any combination of education and experience that could provide the desired knowledge, skills and abilities.

Knowledge of:

- Knowledge of technology applications relevant to records management environments.
- Knowledge of computer technology and software programs.
- Principles of records management including records classification and indexing systems.
- Electronic document management technology such as microfilm, conversion systems, and imaging systems.
- Standard administrative support practices, policies, and procedures.
- Applicable federal, state, and local laws, codes, and regulations governing records retention, dissemination, access, and destruction.

CLASS SPECIFICATION

RECORDS MANAGEMENT SPECIALIST

- Customer service methods and communication techniques.
- State and Federal Public Records Act.

Ability to:

- Understand and comply with applicable state laws, District rules, regulations, resolutions, and departmental policies and procedures.
- Prepare, write, organize, and maintain accurate and complete documentation and records.
- Research and compile records and information.
- Identify filing, maintenance, and recording errors and discrepancies.
- Maintain sensitive and confidential information.
- Operate computer using relevant word processing, spreadsheet, database, imaging and other software; entering and retrieving data with speed and accuracy.
- Work independently, taking direction and requiring little supervision.
- Perceive and analyze problems, develop solutions, and make sound decisions.
- Work effectively with others individually or in a group environment.
- Interact and communicate effectively, both orally and in writing.
- Establish, maintain and foster positive, harmonious, and effective working relationships.

Skills:

- Excellent oral and written communication skills.
- Strong proof reading, organization, analytical, and planning skills.
- Outstanding customer service skills.
- Manage multiple projects simultaneously with minimum direction.
- Effectively operate modern office equipment including computer equipment, copier, scanner, fax machine, etc.
- Effectively use Microsoft Word, Excel, Adobe Acrobat, etc.
- Excellent record keeping, report preparation, filing methods and records management techniques.
- Proficiency in organizing work, setting priorities, meeting critical deadlines and following up assignments with minimum direction.
- Interpreting, applying and explaining complex policies and procedures.
- Use tact, discretion, initiative and independent judgment within established guidelines.

CLASS SPECIFICATION

RECORDS MANAGEMENT SPECIALIST

OTHER REQUIREMENTS:

This position requires the possession of, or the ability to obtain, a valid California Class C Driver's License.

Approved:

BRAD POIRIEZ
Executive Director

JEAN BRACY
Deputy Director, Administration

Date: _____

CLASSIFICATION INFO:

Salary Range: 626

FLSA Status: Non-exempt

CLASS SPECIFICATION

OFFICE ASSISTANT

DEFINITION:

Under direction of the Executive Office Manager, the Office Assistant screens and routes incoming calls; responds to a variety of calls, requests and inquiries; greets the public, District associates and potential employees. Provides clerical support for the District's records management system and mail processing; provides extensive clerical support and data entry for the Operations Section and for all other sections of the District as required or assigned.

DISTINGUISHING CHARACTERISTICS:

This position class is characterized by its responsibility for front office reception duties and operation of the phone system and the mail processing for the District.

CLASSIFICATION GROUP: General Unit

ESSENTIAL JOB FUNCTIONS:

Functions may include, but are not limited to, the following:

- Serves as the face of the District, is the first person whom the guests of the District meet.
- Operate the District's phone system. Answer all incoming phone calls; possess excellent telephone etiquette and diplomacy skills as well as the ability to assess the caller's needs and direct the call to the appropriate individual(s) within the District. Maintain the District's internal phone directory.
- Screen calls and take messages for District staff as necessary.
- Respond to a variety of general questions and inquiries from the general public, either by phone or in person.
- Weigh and post all outgoing mail; and open, date-stamp and distribute all incoming mail. Also responsible for distributing incoming faxes.
- Initiate maintenance calls for the copier/printer and fax equipment, and general maintenance calls as necessary for the building (plumbing, electrical, etc.).
- Orders assigned sections office supplies and supplies for District copier/printer and fax equipment as needed.
- Utilize computer programs, i.e., Windows (Microsoft Word; Excel, etc.), and the District's specialized or proprietary computer applications.
- Data entry of inspection reports and other reports as needed.
- Provide clerical support to all sections on an as needed basis.

CLASS SPECIFICATION

OFFICE ASSISTANT

- Performs the duties associated with District mass mailing such as permits, public notices, etc.
- Schedule conference rooms for various meetings, and keep conference room schedules in a central location.
- Maintain a position Procedure Manual of duties related to position.
- Establish and maintain effective working relationships with those contacted in the course of the work. Maintain positive working relationships with coworkers and management, and interact effectively and professionally under pressure.
- Understand and follow oral and written directions; communicate effectively, both orally and in writing; and understand and work within the scope of authority.
- Assist with and provide vacation and temporary duties as needed for the Executive Office.
- Actively pursues continued and current educational training via seminars, webinars, etc.
- Perform related duties as required or assigned.

WORKING CONDITIONS and PHYSICAL ABILITIES:

Work is performed in an office setting. Must be able to perform essential functions of the job. This position requires prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting and stooping in the performance of daily activities. Position requires grasping, repetitive hand-eye coordination and fine-manipulation skills for preparing reports and data using a PC keyboard and various office machinery. This position also requires good listening skills and the occasional need to lift, drag and push files, computer reports or other materials weighing up to 50 pounds. Travel via air and or ground transportation may be required.

QUALIFICATIONS (Knowledge and Abilities):

- Must be able to perform all of the Essential Job Functions satisfactorily.
- Basic organization and function of public agencies, including the role of an elected Governing Board and appointed committees.
- Correct English usage, including spelling, grammar, punctuation, and vocabulary.
- Interpret, apply and explain policies and procedures.
- Use tact, discretion, initiative and independent judgment within established guidelines.
- Organize work, set priorities, meet critical deadlines and follow up on assignments.

CLASS SPECIFICATION

OFFICE ASSISTANT

OTHER REQUIREMENTS:

This position may require the possession of, or the ability to obtain, a valid California Class C Driver's License.

EDUCATION/EXPERIENCE:

A typical way to obtain the knowledge and abilities outlined above is:

- Experience with operating a phone system and knowledge of proper phone procedures and etiquette; proficient in the operation of an office computer and a variety of word processing and software applications.
- Knowledge of modern office practices, methods, and procedures; ability to organize and prioritize work; understand and follow oral and written instructions.
- Ability to work with the public, in person or by phone; establish and maintain effective working relationships with others; remain calm under pressure, and handle rude or demanding callers with diplomacy and tact.
- Any combination equivalent to graduation from high school and one (1) year of clerical experience as a Receptionist that could likely provide the desired knowledge and abilities.

Approved:

BRAD POIRIEZ
Executive Director

JEAN BRACY
Deputy Director, Administration

Date: _____

CLASSIFICATION INFO:

Salary Range: 610

FLSA Status: Non-exempt

CLASS SPECIFICATION

EXECUTIVE OFFICE MANAGER

DEFINITION:

Under the direction of the Executive Director, performs advanced, diversified administrative duties; handles confidential matters and assignments complex in nature; may also provide administrative support of other personnel within the Executive Office.

Plans, organizes, manages and reviews the work of assigned staff; performs a variety of specialized administrative duties, support and assistance for the records management group, Executive Office and the Executive Director; acts in the capacity of Clerk of the Board to the District's Governing Board, Hearing Board, Technical Advisory Committee and other Board Committees as deemed necessary; performs related work as required or assigned.

The Executive Office performs duties associated with supporting the Boards of the District, Executive Director, District Counsel, front office reception and records management.

DISTINGUISHING CHARACTERISTICS:

This position oversees specialized and complex assignments in the Executive Office such as correspondence, calendar, travel plans, expense processing, file maintenance, content management, front office management, and Boards support that require the frequent use of discretion, initiative and independent judgment.

Responsibilities include regular contact with government officials, the District's Governing Board and Hearing Board members, committee members' representatives of business and community organizations, the public and all levels of District personnel to exchange information and explain administrative policies and procedures. Incumbent exercises a high level of independence in providing office management support to the Executive Office staff involving the performance of a broad range of secretarial and administrative clerical tasks.

CLASSIFICATION GROUP: Exempt Group B

ESSENTIAL JOB FUNCTIONS

ADMINISTRATIVE:

Functions may include, but are not limited to, the following:

- Serves as liaison between executives, managers, board members and visitors as required.
- Interprets and relays confidential information as appropriate and keeps management informed.

CLASS SPECIFICATION

EXECUTIVE OFFICE MANAGER

- Acts as a resource for administrative staff members; understands business well enough to provide administrative solutions to issues.
- Takes independent action on handling requests and determines appropriate course of action.
- Handles assigned special projects to carrying out the programs/activities of the functional area; performs and assists with complex administrative projects.
- Provides training, supervision and evaluation to assigned staff; organizes, assigns work, sets priorities and follows up on work to ensure coordination and completion of assigned work.
- Organizes meetings, making room arrangements, preparing agendas and required informational materials; may attend such meetings, hearings, etc., and prepare minutes.
- Relieves executive staff of certain administrative matters by following up on projects, transmitting information and keeping informed of pertinent activities.
- Organizes own work, sets priorities and meets critical deadlines; ensures that such deadlines are met by other staff.
- Prepares reports, correspondence and a variety of written materials; prepares and maintains accurate documentation of activities.
- Learn and understand assigned functional area's activities and programs and acquire an ability to anticipate the support, tools and supplies needed.
- Utilize computer programs, i.e., Windows (Microsoft Word; Excel; etc.), and District's specialized or proprietary computer applications.
- Understand and follow oral and written directions; communicate effectively both orally and in writing; understand and work within the scope of authority.
- Establish and maintain effective working relationships; gets along with coworkers, and management and deal effectively and professionally under pressure.
- Assist with and provides vacation and temporary duties as needed for the Executive Office.
- Maintain a position Procedure Manual of duties related to position.
- Performs related duties as required or assigned.
- Actively pursues continued and current educational training via seminars, webinars, etc.

FRONT OFFICE:

- Manages and oversees all functional aspects of the front office such as front lobby presence, greeting and assisting guests, office supplies, the processing of daily mail, phone calls, and copy room assistance.

RECORDS MANAGEMENT:

- Manages and oversees all functional aspects of the District's document imaging and content management system such as the records management system for storage and

CLASS SPECIFICATION

EXECUTIVE OFFICE MANAGER

retrieval; preservation of official records and the records retention policy; and serves as a key member of the records management group.

BOARDS SUPPORT:

- Perform a variety of complex and responsible duties related to preparation of the District's Governing Board, Hearing Board, Technical Advisory Committee and other committee's agendas; administration and maintenance of official District records and legal documents.
- Handle and coordinate preparation and distribution of the District's Governing Board, Hearing Board, Technical Advisory Committee and other committees agendas; review staff reports, resolutions, ordinances and related items for mathematical, grammatical and procedural adequacy and completeness; track agenda staff reports submitted for Board signature; assist in item placement/order on the agenda.
- Create agenda notifications for various public agencies and to ensure compliance with the appropriate public noticing requirements; assist with the posting of agendas to the District's website; coordinate and track personal computer based linked staff reports/agenda items.
- Attend District's Governing Board, Hearing Board, Technical Advisory Committee meetings, and record actions and prepare official minutes; maintain subject records regarding Governing Board, Hearing Board, Technical Advisory Committee and other committee's actions.
- Coordinate and schedule legal notices for publication according to required time lines; publish and post legal notices related to meetings, public hearing and appeals.
- Make travel arrangements and schedules for the District's Governing Board, Hearing Board and Technical Advisory Committee members as assigned; ensure accurate maintenance of the District's Governing Board, Hearing Board and Technical Advisory Committee member's files, rosters and stipend payments.
- Serve as filing officer for economic interest and campaign disclosure statements and stay current with requirements of the Fair Political Practices Commission.
- Coordinates Board meetings and other meetings as required; prepares meeting rooms for various meetings of the Boards.
- Acts as custodian of the District's records and seal, files and ensures the accurate maintenance of the District's official records of hearings; coordinates the compilation and issuance of official transcripts.
- Ensures appropriate handling of confidential and public correspondence received that is addressed to the Boards.
- Serves as liaison to the Board Members to answer questions, resolve problems, ensure timeliness of stipend payments and travel claims, update and maintain personal information on file.

CLASS SPECIFICATION

EXECUTIVE OFFICE MANAGER

- Provides clerical and administrative support by providing reports, memoranda, and other documents, to the Boards and to individual Board Members in the execution of official duties.
- Provides timely agendas and information to the Boards.
- Assist with duties that support Governing Board Policy No. 93-2 Response to Requests for Public Information and Standard Practice 4-12 Public Records Act Requests, the Executive Office, the Executive Director, District Counsel and the Records Management Group; performs special research projects and prepares reports as required.

WORKING CONDITIONS and PHYSICAL ABILITIES:

Work is performed in an office environment in close proximity with other workers and incumbent will be exposed to those conditions normally encountered in a business office environment. Incumbent must be able to perform the essential functions of the job satisfactorily. Physical demands require frequent standing, reaching, leaning, twisting, grasping, lifting and sitting for prolonged periods of time. The ability to lift, push boxes and equipment or other material weighing up to 50 pounds or so. Incumbent must be able to see and hear in the normal range, with or without correction, and communicate verbally and in written form with great facility and must be able to be understood. Incumbent must be able to drive safely to various District sites. Travel via air and or ground transportation is required.

QUALIFICATIONS

- **Principles of personnel supervision.**
- **Principles of personnel management.**
- **Principles of project management.**

Education/Experience:

- A typical way to obtain the knowledge and abilities outlined above is: Any combination equivalent to graduation from high school including or supplemented by college-level courses in business administration/management and four years increasingly responsible related work experience or any combination of training and/or experience deemed equivalent by the Air Pollution Control Officer that could likely provide the desired knowledge and abilities.

Knowledge and Abilities:

- Principles and practices of office administration relating to executive support, workers' compensation, risk management, safety, and content management.
- Office administration and secretarial practices and procedures, such as business letter writing and the operation of standard office equipment, including a word processor and personal computer.

CLASS SPECIFICATION

EXECUTIVE OFFICE MANAGER

- Basic organization and function of public agencies, including the role of an elected Governing Board and appointed committees.
- Ability to prioritize and adapt to change; knowledge of District business; good communication skills.
- Recordkeeping, report preparation, filing methods and records management techniques.
- Correct English usage, including spelling, grammar, punctuation, and vocabulary.
- Standard business arithmetic, including percentages and decimals.
- Basic budgetary principles and practices.
- Providing varied, responsible, and often confidential secretarial and office administrative assistance to an executive and associated staff and boards.
- Analyze, interpret, evaluate, summarize and explain policies, procedures, laws, rules and regulations and other written materials.
- Using tact, discretion, initiative, confidentiality and independent judgment within established guidelines.
- Analyzing situations, evaluating alternatives and recommending effective courses of action.
- Researching, compiling and summarizing a variety of informational and statistical data and materials.
- Ability to locate reference materials utilizing the Internet, library or other external resources.
- Ability to summarize a variety of disparate information on a topic into a concise, coherent written document.
- Composing correspondence independently or from brief instructions.
- Organizing work, setting priorities, meeting critical deadlines and following up assignments with a minimum of direction.

OTHER REQUIREMENTS:

This position may require possession of a valid California driver's license.

Approved:

BRAD POIRIEZ
Executive Director/ APCO

JEAN BRACY
Deputy Director - Administration

Date: _____

CLASS SPECIFICATION

AIR MONITORING SUPERVISOR

DEFINITION:

Under supervision of a Deputy Director, the Air Monitoring Supervisor supervises the operation of ambient air monitoring equipment in accordance with Federal, State, Mojave Desert AQMD and Antelope Valley AQMD regulations and requirements; develops implements, and manages air quality monitoring programs including data collection and reporting systems in accordance with relevant statutes and regulations; and performs related duties as required.

DISTINGUISHING CHARACTERISTICS:

The Air Monitoring Supervisor supervises and coordinates the Air Monitoring Section within the Mojave Desert AQMD. This position reports to a Deputy Director.

CLASSIFICATION GROUP: Exempt Group B

ESSENTIAL JOB FUNCTIONS:

Functions may include, but are not limited to, the following:

- Plans, coordinates, and evaluates the work of subordinate staff engaged in the operation, service, installation, calibration, repair, and modification of instruments used in monitoring air pollution; reviews and processes all air monitoring data.
- Analyzes, designs, and develops specifications, and implements the installation, operation and maintenance of ambient air monitoring equipment in accordance with local, State and Federal requirements, for shelters, stations, and locations of the equipment in the Mojave Desert AQMD and the Antelope Valley AQMD..
- Plans, develops and implements air monitoring programs for the Mojave Desert AQMD and the Antelope Valley AQMD in accordance with local, State and Federal requirements; monitors state and federal requirements relating to measurement requirements to ensure compliance with state and federal regulations.
- Develops, implements, and maintains data management systems according to statutes and regulations established by USEPA and CARB.
- Reviews and validates raw data for submission to the Environmental Protection Agency's Air Quality System (AQS) in accordance with program requirements.
- Analyze and review raw data to determine accuracy, inconsistencies, and trends within the data over various periods of time.
- Develops and implements appropriate quality assurance and quality control measures for the collection, collation, and transmission of ambient air quality data including meteorological data.

CLASS SPECIFICATION

AIR MONITORING SUPERVISOR

- Prepares and certifies data for EPA's certification letter upon in accordance with federal regulations.
- Meets and corresponds with regional, State and Federal agencies on ambient air monitoring-related issues as needed.
- Responds to requests for information; contacts vendors, contractors, members of the public or District personnel on matters involving station operations, sampling methodologies, and/or instrumentation.
- Responds to emergency service calls as assigned or as the situation requires.
- Assists in preparing administrative or technical testimony for presentation before industry, District Hearing Board, District Governing Board, and/or representatives of governmental and environmental organizations; makes presentations to said groups.
- Testifies as an expert witness in cases heard before public boards.
- Organizes own work, sets priorities and meets critical deadlines; ensures that such deadlines are met.
- Understands and follows both oral and written directions.
- Communicates effectively both orally and in writing.
- Prepares the section budget for supplies, equipment and instrument parts, and fixed assets.
- Establishes and maintains effective working relationships in the course of the work. Communicates effectively, maintains positive working relationships with coworkers and management, and interacts effectively and professionally under pressure.
- Provides temporary relief as required.
- Performs related duties as assigned.

SUPPLEMENTAL INFORMATION (if applicable):

WORKING CONDITIONS and PHYSICAL ABILITIES:

Work is performed in an office setting, with frequent field observational and inspection events. Must be able to perform essential functions of the job. This position requires prolonged sitting, standing, walking, reaching, climbing twisting, turning, kneeling, bending, squatting and stooping in the performance of daily activities. Position requires grasping, repetitive hand-eye coordination and fine-manipulation skills for preparing reports and data using a computer keyboard, computer mouse and various office machinery. This position also requires good listening skills and the occasional need to lift, drag and push files, computer reports or other materials weighing up to 50 pounds. Travel throughout the District, State and county is required.

CLASS SPECIFICATION

AIR MONITORING SUPERVISOR

QUALIFICATIONS (Knowledge and Abilities):

- Principles of technical supervision.
- Principles of personnel management.
- Principles of project management.
- All the qualifications of an Air Quality Instrument Technician.

OTHER REQUIREMENTS:

This position requires possession of a valid California driver's license.

EDUCATION/EXPERIENCE:

A typical way to obtain the knowledge and abilities outlined above is:

At least five years of experience as an Air Quality Specialist or Air Quality Instrument Technician; or any combination of education and experience deemed equivalent by the Air Pollution Control Officer.

Approved:

BRAD POIRIEZ
Executive Director/APCO

JEAN BRACY
Deputy Director - Administration

Date: _____

The following page(s) contain the backup material for Agenda Item: [Set date of March 27, 2017 to conduct a public hearing to consider the amendment of Rule 1104 Organic Solvent Degreasing Operations and approval of California Environmental Quality Act \(CEQA\) documentation. Presenter: Alan De Salvio](#)

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 10

DATE: February 27, 2017

RECOMMENDATION: Set date of March 27, 2017 to conduct a public hearing to consider the amendment of Rule 1104 – *Organic Solvent Degreasing Operations* and approval of California Environmental Quality Act (CEQA) documentation.

SUMMARY: Rule 1104 is proposed for amendment to satisfy 42 U.S.C. §§7511a (Federal Clean Air Act (FCAA) §182) which requires that ozone non-attainment areas implement Reasonably Available Control Technology (RACT) for sources that are subject to Control Technique Guidelines (CTGs) and for major sources of ozone precursors.

CONFLICT OF INTEREST: None

BACKGROUND: The Mojave Desert Air Quality Management District (MDAQMD) has the authority pursuant to California Health and Safety Code (H&S Code) §40702 to adopt, amend or repeal rules and regulations. The MDAQMD is proposing to amend Rule 1104 – *Organic Solvent Degreasing Operations* for inclusion in the current rulebook.

The FCAA requires areas designated non-attainment and classified moderate and above to implement RACT for sources subject to CTG documents issued by United States Environmental Protection Agency (USEPA) and for “major sources” of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) which are ozone precursors. The District adopted the *8-Hour Reasonably Available Control Technology – State Implementation Analysis (RACT SIP Analysis)* in February, 2015 for the 2008 75 ppb ozone National Ambient Air Quality Standards (NAAQS). This document committed to amending current RACT for organic solvent degreasing operations. The MDAQMD has an organic solvent degreasing rule which was approved as RACT into the State Implementation Plan (SIP) in 1996 (61 FR 18962, 04/30/1996). This rule is subject to the CTG entitled *Control of Volatile Organic Emissions from Solvent Metal Cleaning* (EPA-450/2-77-022 November 1977) which is applicable to solvent metal cleaning in three major categories: cold cleaning, open top vapor degreasing and conveyORIZED degreasing. Rule 1104 is also subject to the CTG entitled *Industrial Cleaning Solvents* (EPA-453/R-06-001 September 2006) which is applicable to industries that have to use

**MINUTES OF THE GOVERNING BOARD
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VICTORVILLE, CALIFORNIA**

AGENDA ITEM 10

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Organic solvents for cleaning operations such as mixing vessels (tanks), spray booths, and parts cleaners, where a facility emits at least 15 pounds per day of VOC before consideration of controls in an ozone nonattainment area. The cleaning activities for removal of foreign material from substrate being cleaned include actions (activities) such as wiping, flushing, or spraying. The MDAQMD is now proposing to update Rule 1104 – *Organic Solvent Degreasing Operations* to reflect current federal RACT as determined by CTG requirements, other related national rules and guidance, and the rules of other California nonattainment agencies.

The proposed amendments to Rule 1104 address the *RACT SIP Analysis* commitment. The proposed amendments update rule applicability, definitions, VOC content, control equipment requirements, cleaning equipment requirements, work practices, exemptions, and test methods. The amendments are based on the CTGs and San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) Rule 4663 – *Organic Cleaning, Storage and Disposal* as amended September 20, 2007. SJVUAPCD Rule 4663 was approved into the SIP as RACT at 74 FR 37948, July 30, 2009. Therefore, MDAQMD staff recommends amending Rule 1104 – *Organic Solvent Degreasing Operations*.

A Notice of Exemption, Categorical Exemption (Class8; 14 Cal. Code Reg. §15308) will be prepared by the MDAQMD for the amendment of Rule 1104 pursuant to the requirements of CEQA.

REASON FOR RECOMMENDATION: Health & Safety Code §§40702 and 40703 require the Governing Board to hold a public hearing before adopting rules and regulation. Also, 42 U.S.C. §7410(l) (FCAA §110(l)) requires that all SIP revisions be adopted after public notice and hearing.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form and by Alan De Salvio, Deputy Director – Mojave Desert Operations on or before February 13, 2017.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Alan De Salvio, Deputy Director – Mojave Desert Operations

The following page(s) contain the backup material for Agenda Item: [Adopt a Resolution to nominate Jean Bracy as a candidate for the election of the Special District Risk Management Authority Board of Directors. Presenter: Brad Poiriez](#)

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 11

DATE: February 27, 2017

RECOMMENDATION: Adopt a Resolution to nominate Jean Bracy as a candidate for the election of the Special District Risk Management Authority Board of Directors.

SUMMARY: As a member agency of the Special Districts Risk Management Authority (SDRMA), the District has the opportunity to nominate candidates for the election to that Board of Directors to serve a term from January 1, 2018 through December 31, 2021.

CONFLICT OF INTEREST: None

BACKGROUND: The MDAQMD is a member of SDRMA, a public entity Joint Powers Authority. SDRMA is established to provide cost-effective property/liability and workers' compensation, health benefit coverages, and comprehensive risk management programs for special districts and other public agencies. The District participates in the property/liability and workers compensation risk pools.

As a member agency of SDRMA, the District has the opportunity to nominate and elect members to that Board of Directors. In 2017 four of the seven director positions are due for election. Elected members serve four-year terms. Nominations are tendered by resolution of member agencies' governing bodies. Votes for candidates to be elected to the SDRMA board also require a resolution by the member agencies' governing bodies. This Board will likely participate in the election process at a June Governing Board meeting.

The MDAQMD Governing Board nominated Jean Bracy in 2009 and 2013 and she was subsequently elected to serve both four year terms. In 2015 she served as the Board Secretary, in 2016 the Board Vice President, and in 2017 she is the Board President. The seat she holds is up for re-election this year. If this Board nominates and she is again elected, the term of office will be effective through 2021.

REASON FOR RECOMMENDATION: As a member of the SDRMA Joint Powers Authority, the MDAQMD Governing Board has the authority to present a nomination for the election process, subject to SDRMA's election policies and procedures.

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 11

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REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form February 13, 2017.

FINANCIAL DATA: This action has no financial impact.

PRESENTER: Brad Poiriez, Executive Director/APCO

RESOLUTION NO. ____

A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT NOMINATING JEAN BRACY AS A CANDIDATE FOR ELECTION TO THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY BOARD OF DIRECTORS.

WHEREAS, the Special District Risk Management Authority (SDRMA) is a Joint Powers Authority formed under California Government Code, Section 6500 et.seq., for the purpose of providing risk management and risk financing for California Special Districts and other local government agencies; and

WHEREAS, the Joint Powers Agreement (JPA) and Bylaws of SDRMA set forth director qualifications, terms of office and election requirements; and

WHEREAS, the Board of Directors of SDRMA established procedures and guidelines for the Director Election process; and

WHEREAS, the Board of Directors of SDRMA established a policy requiring candidates seeking election to the SDRMA Board of Directors to be: 1) a member of the agency’s governing body or management employee per SDRMA Election Policy 2017-03, Section 4.1 and be an active member agency of **both** SDRMA’s property/liability and workers’ compensation programs, and 2) be nominated by Resolution of their member agency’s governing body, and 3) each nominated candidate must submit a completed and signed “Statement of Qualifications” on or before the May 5 filing deadline in order for the candidate’s name to be placed on the official ballot.

NOW, THEREFORE, BE IT RESOLVED:

1. The Mojave Desert Air Quality Management District Governing Board nominates **Jean Bracy, its Deputy Director - Administration**, as a candidate for the Board of Directors of the Special District Risk Management Authority.
2. The Mojave Desert Air Quality Management District Governing Board has determined that Jean Bracy is a management employee for purposes of SDRMA Election Policy 2017-03, Section 4.1.
3. The Mojave Desert Air Quality Management District Governing Board further directs that a copy of this Resolution be delivered to SDRMA on or before the May 5, 2017 filing deadline.

ADOPTED this 27th of February, 2017 by the Mojave Desert Air Quality Management District Governing Board by the following roll call votes:

- AYES:
- NAYES:
- ABSTAIN:
- ABSENT:

APPROVED

ATTEST

Governing Board Chair

Clerk of the Board

SDRMA BOARD OF DIRECTORS

ROLE AND RESPONSIBILITIES

Special District Risk Management Authority (SDRMA) is a public entity Joint Powers Authority established to provide cost-effective property/liability, worker’s compensation, health benefit coverages and comprehensive risk management programs for special districts and other public agencies throughout California. SDRMA is governed by a Board of Directors elected from the membership by the programs’ members.

Number of Board Members	7-Board Members: SDRMA Board of Directors consists of seven Board Members, who are elected at-large from members participating in either program.
Board of Directors’ Role	SDRMA Board of Directors provide effective governance by supporting a unified vision, and ensuring accountability, setting direction based on SDRMA’s mission and purpose, as well as establishing and approving policy to ensure SDRMA meets its obligations and commitment to its members.
Board of Directors’ Responsibilities	Board Member responsibilities include a commitment to: serve as a part of a unified governance body; govern within Board of Directors’ policies, standards and ethics; commit the time and energy to be effective; represent and make policy decisions for the benefit, and in the best interest, of all SDRMA members; support collective decisions; communicate as a cohesive Board of Directors with a common vision and voice; and operate with the highest standards of integrity and trust.
Four Seats For this Election	4-Seats: Elections for Directors are staggered and held every two years, four seats during one election and three seats in the following election. Four seats are up for election this year.
Term of Directors	4-Year Terms: Directors are elected for 4-year terms. Terms for directors elected this election begin January 1, 2018 and end on December 31, 2021.
Board Member Travel Reimbursement	Board Members are reimbursed for reasonable travel and lodging in accordance with SDRMA Board Policy Manual 2017-01 and applicable laws and are allowed to claim a stipend of \$195 per meeting day or for each day’s service rendered as a Member of the Board.
Number of Meetings per Year	7-Board Meetings Annually: Generally not more than one meeting per month, with an average of seven board meetings per year.
Meeting Location	SDRMA office in Sacramento, California.
Meeting Dates	Typically the first Wednesday afternoon and Thursday morning of the month.
Meeting Starting Times	3:00 p.m. and 8:00 a.m.: Meetings are from 3:00 p.m. on Wednesday afternoon until 5:30 p.m. and Thursday from 8:00 a.m. to 10:00 a.m.
Meeting Length	4 - 6 hours: Length of meetings on average.
Average Time Commitment	15 - 20 hours: Commitment per month.

“The mission of Special District Risk Management Authority is to provide risk financing and risk management services through a financially sound pool to California public agencies, delivered in a timely and responsive cost efficient manner.”

Special District Risk Management Authority | A Property/Liability, Workers’ Compensation and Health Benefits Program

Special District Risk Management Authority Board of Directors Candidate's Statement of Qualifications

This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates – no attachments will be accepted. No statements are endorsed by SDRMA.

Nominee/Candidate Jean Bracy, SDA
District/Agency Mojave Desert Air Quality Management District
Work Address 14306 Park Ave., Victorville, CA 92392
Work Phone 760-245-1661

Why do you want to serve on the SDRMA Board of Directors?

I have served on the SDRMA Board of Directors since 2010. In 2017 I was elected by the Board to be the **Board President**. The Board strives to provide a variety of avenues for members to be successful and has adopted many important programs and policies aimed to provide members **cost effective coverage**. Each year, the Board **carefully considered** rates for services and from 2009 to 2016 voted to hold rates flat for the property/liability program. Through strategic planning SDRMA has a **strong financial base**. SDRMA has included **Cyber Coverage**; provided a **FREE Law Legal Hotline**; established a **multiple-policy discount** (5%) for each member who belongs to both the property/liability and the workers compensation programs; shares investment earnings with members through a **longevity distribution**; established the **loss prevention allowance funds** which reimburses members for safety-related costs up to \$1,000; launched and enhanced the SDRMA **interactive website**; provided **FREE online training** through Target Solutions; launched a **Safety Specialist Certificate** program; and contracted with Company Nurse to provide **FREE screening services** for work-related injury cases. I have worked closely with **SDRMA for 17 years**. I am attracted to its member-focused, pro-active, and positive mission. I would like to see – and be a part of – SDRMA continue this member-centric approach.

What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization)

I am serving my eighth year on the **SDRMA Board of Directors** and in 2017 I am the Board President. I am serving my fifth year on the Board of Directors for the **Special District Leadership Foundation (SDLF)** and I am the Board Secretary. On this Board I have been part of the continuing expansion of the SDLF programs, including the premier program, **District of Distinction**, also the Special District Administrator Certificate, the Recognition of Special District Governance, and the District Transparency Certificate of Excellence.

My career experience with special districts has helped me to understand the issues specific to smaller organizations. I have learned what it really means for an organization to do more with less. I have also learned that political realities for special districts are distinct from other forms of governments. As the Deputy Director – Administration for the Mojave Desert Air Quality Management District, I am the staff representative to the Governing Board Committees for Budget and Personnel. I am a member of and have chaired the California Air Pollution Control Officers Association (CAPCOA), statewide committees for Fiscal and Human Resource officers. I organized and have chaired the Alternate Fuel Task Force for the Mojave Desert air basin; I have represented the District in the Antelope Valley Clean Cities Coalition.

My working opportunities have crossed several public service types. I served as the Victorville city representative to the Technical Advisory Committee for the Victor Valley Transit Authority and as the City representative and officer on the Executive Committee of the Regional Economic Development Authority. I volunteered four years on the Board of Directors of the Victor Valley Federal Credit Union. For six years, I worked as an adjunct professor at Victor Valley Community College teaching Public Works Administration.

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

What special skills, talents, or experience (including volunteer experience) do you have?

As professional and as a volunteer, I have a wide range of experiences with organizational structures, long term and vision planning, development of staff and volunteers, and resource and program management. My experience of leading organizational activities and implementing change for growth includes bringing together intergenerational and multicultural groups to achieve common goals.

I am an effective manager with expertise in efficient and productive management implementing process improvements in finance, human resources, risk management, and a wide variety of related administrative and organizational functions. I have led highly skilled teams to support the achievement of overall agency goals and objectives.

I earned a Master's Degree in Public Administration from California State University, San Bernardino

I earned the Special District Administrator Certification from the Special Districts Leadership Foundation

I earned the Recognition of Special District Governance from the Special Districts Leadership Foundation

I earned the Masters Certification in Labor Relations from the California Public Employers Labor Relations Association (CALPELRA)

What is your overall vision for SDRMA?

I want to continue contributing my experience and expertise to SDRMA's overall function to further strengthen and enhance the lines of services provided by SDRMA. I want to see members educated to be wise in their management to reduce costs and deliver their very important missions to their communities. I want to be part of the mission to enhance the member's experience through claims management and education that leads to loss prevention.

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature _____ Date _____

The following page(s) contain the backup material for Agenda Item: [Receive and File: The Legislative Report for February 8, 2017. Presenter: Brad Poiriez](#)

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 12

DATE: February 27, 2017

RECOMMENDATION: Receive and file

SUMMARY: The Legislative Report for February 8, 2017

CONFLICT OF INTEREST: None

BACKGROUND: Legislative actions proposed at the federal and state level have the potential to impact the implementation of the District's mission as well as its regulatory operations. An important tool for the District is to monitor the flood of information and its status which allows for comment early in the process and preparation for any changes that may be required. The District contracts this service and receives periodic reports with summaries to help sort the pertinent legislative proposals.

Strategic Partners Group (SPG) is the consultant to the District providing this service to monitor certain legislative and regulatory activities at the state and local level. Staff will direct questions to SPG regarding any of the material presented or follow up on any matter of interest to the Governing Board. Following the table of proposed legislation are several Articles of Interest of relevant information.

REASON FOR RECOMMENDATION: This item is provided for information subject to direction of the Governing Board.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel, as to legal form and by Brad Poiriez, Executive Director, on or about February 9, 2017.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Brad Poiriez, Executive Director



Government Affairs and Communication Consulting

FRANK T. SHEETS, III
LAURIE HANSEN SHEETS

MEMORANDUM

TO: Brad Poiriez

FROM: Frank Sheets
Laurie Hansen

DATE: February 8, 2017

RE: Bill Tracking Report

Following is Strategic Partners Group (SPG) legislative bill tracking report for February. With Legislators focused on the new Trump administration actions since the inauguration, little in the way of substantive action has taken place in Sacramento in the last month. Bill introductions have been slow to trickle in, and a number of bills introduced have been in direct reaction to the immigration situation, sanctuary city status, and federal funding issues.

February 17 is the deadline for bills to be introduced for the 2017 session. Bills must be in print for 30 days before being heard in committee. We expect the calendars for committee hearings to be full by the middle of March. The first deadline for bills must be heard in the policy committees is April 28 so much can happen between March and the end of April.

We are however at this point tracking thirty-three (33) measures we believe the District and Board will find of interest. A few comments on bills we find significant or of interest are as follows:

There are two transportation measures, AB 1 and SB 1 that propose new funding for State transportation projects through increases in gasoline and diesel taxes and increases in vehicle registration fees. AB 20 (Kaira) proposes a divestment of public employee retirement investments from the Dakota Access Pipeline. AB 79 (Levine) further proposes to reduce and ultimately cease the use of coal fired electrical generation in California. Recent media articles (see below) seem to indicate that California has a glut of generation capacity exceeding demand. Should this be the case, we wonder whether it is redundant to legislate a decrease in the consumption of coal fired generation considering California has sufficient capacity (non coal) to meet demand.

Of importance to the Governor, AB 151 will legislate the continuance of the Cap and Trade program. Recall efforts last year to accomplish this goal that were defeated by the oil lobby. This bill would insure the continuance of the program but please recall, there is still a legal challenge to the program which claims that the Cap & Trade program is a tax that was not approved initially by the state.

We also draw your attention to AB 246 (Santiago). The bill seems to imply that AQMD permits are not required by hazardous waste management facilities, in that the bill's provisions require such permits. AB 249 (Reyes) also deals with hazardous waste management facilities, calling for the renewal permit process for such facilities

commence 2 years prior to the expiration of such permits. If our deduction that air quality permits are currently issued to such facilities by air districts, we felt the district would find this relevant.

SB 5 (Deleon) warrants comment as well. The Senator's bill calls for a new, voter approved, \$3 Billion bond measure. The title of the bill "California drought, Water, Parks, Climate, Coastal Protection and Outdoor Access For All Act of 2018" provides all the specifics the bond monies are intended to address.

SB 30, although not an air related issue, proposes California voter approval of Federal infrastructure projects exceeding \$1 Billion. It is quite clear the author intends influence whether the current federal administration follows through with announced goal of putting major infrastructure along the State's southern boarder.

Please also look at SB 41. We feel directions to CARB on how the agency addresses compliance questions is of relevance to the District.

Potentially of significance is Senator Jackson's AB 224 dealing with CEQA baseline conditions. We believe the bill to be a spot bill and will watch future amendments.

And lastly, considering the popularity of off-roading in the district there may be interest in SB 249 dealing with Off-highway motor vehicle recreation.

Should you have any questions, please do not hesitate to contact us.

MDAQMD 2017 bills

Wednesday, February 08, 2017

[AB 1](#)

([Frazier D](#)) Transportation funding.

Current Text: Introduced: 12/5/2016 [Text](#)

Introduced: 12/5/2016

Status: 1/19/2017-Referred to Coms. on TRANS. and NAT. RES.

Location: 1/19/2017-A. TRANS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. The bill would provide for the deposit of various funds for the program in the Road Maintenance and Rehabilitation Account, which the bill would create in the State Transportation Fund.

Notes 1: It appears AB 1 is a new major transportation bill. The bill will form the Road Maintenance and Rehabilitation Program which in turn forms the State Transportation Fund to be funded through increases in fuel taxes and vehicle registration fees. Generically speaking, improvements in transportation funding typically results in improved air quality.

[AB 18](#)

([Garcia, Eduardo D](#)) California Clean Water, Climate, and Coastal Protection and Outdoor Access For All Act of 2018.

Current Text: Introduced: 12/5/2016 [Text](#)

Current Analysis: 02/03/2017 [Assembly Water, Parks And Wildlife \(text 12/5/2016\)](#)

Introduced: 12/5/2016

Status: 2/7/2017-VOTE: Do pass and be re-referred to the Committee on [Appropriations]

Location: 1/19/2017-A. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would enact the California Clean Water, Climate, and Coastal Protection and Outdoor Access For All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$3,005,000,000 pursuant to the State General Obligation Bond Law to finance a clean water, climate, and coastal protection and outdoor access for all program. This bill contains other related provisions.

Vote Events:

02/07/2017 ASM. W.,P. & W. (Y:10 N:5 A:0) (P)

Notes 1: We find AB 18 interesting in that is proposing a \$3 Billion bond measure, but there do not appear to be any specifics issues the author wishes to address with the money.

AB 20

(Kalra D) Public employee retirement systems: divestment: Dakota Access Pipeline.

Current Text: Introduced: 12/5/2016 [Text](#)

Introduced: 12/5/2016

Status: 1/19/2017- Referred to Com. on P.E., R., & S.S.

Location: 1/19/2017-A. P.E.,R. & S.S.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would prohibit the boards of administration of the Public Employees' Retirement System and the State Teachers' Retirement System, on and after January 1, 2018, from making additional investments or renewing investments in a company constructing, or funding the construction of, the Dakota Access Pipeline, as defined. This bill would require the boards, on or before July 1, 2018, to liquidate their investments in a company constructing, or funding the construction of, the Dakota Access Pipeline.

AB 33

(Quirk D) Greenhouse gases from transportation: reduction: fees and rebates on new vehicle purchases.

Current Text: Introduced: 12/5/2016 [Text](#)

Introduced: 12/5/2016

Status: 12/6/2016-From printer. May be heard in committee January 5.

Location: 12/5/2016-A. PRINT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would state the intent of the Legislature to enact legislation to reduce net emissions from greenhouse gases from transportation by imposing fees and granting rebates on sales of new automobiles and light trucks.

Notes 1: Quirk's bill proposes fees on the sales of new higher emitting vehicles while providing new financial incentives on the sale of new low emitting vehicles.

AB 35

(Quirk D) Energy: energy efficiency programs: low-income communities.

Current Text: Introduced: 12/5/2016 [Text](#)

Introduced: 12/5/2016

Status: 12/6/2016-From printer. May be heard in committee January 5.

Location: 12/5/2016-A. PRINT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would state the intent of the Legislature to enact legislation that would require agencies implementing energy efficiency programs to establish metrics and collect and use data systematically across those programs to increase the performance of those programs in low-income communities.

AB 36

(Nazarian D) Eligible fuel cell electrical generating facilities: net energy metering.

Current Text: Introduced: 12/5/2016 [Text](#)

Introduced: 12/5/2016

Status: 12/6/2016-From printer. May be heard in committee January 5.

Location: 12/5/2016-A. PRINT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires that an electrical corporation file with the PUC a standard tariff providing for net energy metering for eligible fuel cell customer-generators and make this tariff available to eligible fuel cell customer-generators upon request, on a first-come-first-served basis, until the total cumulative rated generating capacity of the eligible fuel cell electrical generating facilities receiving service pursuant to the tariff reaches a specified level. Current law provides that a fuel cell electrical generating facility is not eligible for the tariff unless it commences operation on or before December 31, 2021. This bill would make a nonsubstantive change to the above provision.

[AB 79](#)

(Levine D) *Electrical generation: coal-fired generation resources.*

Current Text: Introduced: 1/4/2017 [Text](#)

Introduced: 1/4/2017

Status: 1/19/2017-Referred to Com. on U. & E.

Location: 1/19/2017-A. U. & C.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the Energy Commission to ensure that by January 1, 2019, no more than 6%, and by January 1, 2024, no more than 3%, of the electricity consumed in the state is generated from coal-fired generation resources, and to ensure that by January 1, 2026, no electricity consumed in the state is generated from a coal-fired generation resource. This bill contains other related provisions and other existing laws.

Notes 1: Levine's bill proposes to continue to reduce California's use of electricity derived from coal fired generation until, by 2026, the state uses zero electricity such such sources. Recent media publications seem to indicate California's generation capacity exceeds its consumption by a significant amount. Considering no utility grade generation in California is from coal, perhaps this legislation could be considered unnecessary.

[AB 151](#)

(Burke D) *California Global Warming Solutions Act of 2006: market-based compliance mechanisms.*

Current Text: Introduced: 1/11/2017 [Text](#)

Introduced: 1/11/2017

Status: 1/12/2017-From printer. May be heard in committee February 11.

Location: 1/11/2017-A. PRINT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would state the intent of the Legislature to enact legislation that authorizes the State Air Resources Board to utilize a market-based compliance mechanism after December 31, 2020, in furtherance of the statewide greenhouse gas emissions limit of at least 40% below the 1990 level by 2030. This bill contains other existing laws.

Notes 1: The bill proposes to legislate the continuance of the Cap and Trade program. Ongoing lawsuits challenging the legality of the Cap and Trade program makes this proposed legislation contestable, at minimum.

[AB 188](#)

(Salas D) *Vehicle retirement.*

Current Text: Introduced: 1/19/2017 [Text](#)

Introduced: 1/19/2017

Status: 1/30/2017-Referred to Com. on TRANS.

Location: 1/30/2017-A. TRANS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law creates the enhanced fleet modernization program to provide compensation for the retirement of passenger vehicles and light-duty and medium-duty trucks that are high polluters. This bill would require the State Air Resources Board, no later than March 2018, to update the guidelines for the enhanced fleet modernization program to make applicable to light-duty pickup trucks the same standard for miles per gallon that is applicable to minivans, as specified.

[AB 193](#)

(Cervantes D) *Air Quality Improvement Program: Clean Reused Vehicle Rebate Project.*

Current Text: Introduced: 1/19/2017 [Text](#)

Introduced: 1/19/2017

Status: 1/30/2017-Referred to Com. on TRANS.

Location: 1/30/2017-A. TRANS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the state board to establish the Clean Reused Vehicle Rebate Project, as a part of the Air Quality Improvement Program, to provide rebates or other incentives for the acquisition of an eligible used vehicle, as defined; the replacement or refurbishment of a battery and related components for an eligible used vehicle or an extended warranty for the battery or related components; or an extended service warranty to cover unexpected vehicle repairs not covered by the manufacturer's warranty related to unique problems in eligible used vehicles, as specified.

AB 196

(Bigelow R) Greenhouse Gas Reduction Fund: water supply repairs.

Current Text: Introduced: 1/19/2017 [Text](#)

Introduced: 1/19/2017

Status: 1/30/2017-Referred to Coms. on W.,P., & W. and NAT. RES.

Location: 1/30/2017-A. W.,P. & W.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires moneys from the Greenhouse Gas Reduction Fund to be allocated for the purpose of reducing greenhouse gas emissions in this state and satisfying other purposes. Current law authorizes specified investments, including water use and supply, if the investment furthers the regulatory purposes of the California Global Warming Solutions Act of 2006 and is consistent with law. This bill would authorize the use of the moneys in the fund for water supply repairs if the investment furthers the regulatory purposes of the act and is consistent with law.

AB 246

(Santiago D) Hazardous waste: facilities: permits.

Current Text: Introduced: 1/30/2017 [Text](#)

Introduced: 1/30/2017

Status: 2/6/2017-Referred to Com. on E.S. & T.M.

Location: 2/6/2017-A. E.S. & T.M.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would, as a condition for a new hazardous waste facilities permit or a renewal of a hazardous waste facilities permit, require an applicant to obtain a permit from the air quality management district or local air pollution control district and to maintain compliance with the requirements of that permit. Because a violation of this requirement would be a crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Notes 1: This bill seems of interest in that it calls for operators of hazardous waste facilities to obtain permits from local Air Pollution Control Districts. We question whether this bill duplicates existing authority of air districts to regulate such facilities.

AB 248

(Reyes D) Hazardous waste: facilities: permits.

Current Text: Introduced: 1/30/2017 [Text](#)

Introduced: 1/30/2017

Status: 2/6/2017-Referred to Com. on E.S. & T.M.

Location: 2/6/2017-A. E.S. & T.M.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require, for a hazardous waste facilities permit that will expire on or before July 1, 2020, the owner or operator of a facility intending to extend the term of that permit to submit a complete Part A and Part B application for a permit renewal at least 6 months before the fixed term of the permit expires. The bill would require, for a hazardous waste facilities permit that will expire after July 1, 2020, the owner or operator to submit a complete Part A and Part B application for a permit renewal at least 2 years before the fixed term of the permit expires.

AB 262

(Bonta D) Public contracts: lowest responsive bidder: eligible materials.

Current Text: Introduced: 1/31/2017 [Text](#)

Introduced: 1/31/2017

Status: 2/1/2017-From printer. May be heard in committee March 3.

Location: 1/31/2017-A. PRINT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: *The State Contract Act governs the bidding and award of public works contracts by specific state departments. This bill would require an awarding department to require a prospective bidder to complete a standard form that states the cumulative amount of specified greenhouse gas emissions that were produced in the manufacturing of eligible materials, as defined, to be used on the project, and would provide that a prospective bidder may satisfy this standard by attaching to that form an Environmental Product Declaration, developed in accordance with standards established by the International Organization of Standardization, for that type of product.*

Notes 1: *The bill requires contractors winning state bids to submit affidavits detailing the amount of GHG's generated from the making of raw materials used in such projects.*

AB 277

(Mathis R) *Water and Wastewater Loan and Grant Program.*

Current Text: Introduced: 2/1/2017 [Text](#)

Introduced: 2/1/2017

Status: 2/2/2017-From printer. May be heard in committee March 4.

Location: 2/1/2017-A. PRINT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: *The Safe Drinking Water State Revolving Fund Law of 1997 establishes the Safe Drinking Water State Revolving Fund to provide grants or revolving fund loans for the design and construction of projects for public water systems that will enable those systems to meet safe drinking water standards. This bill would, to the extent funding is made available, authorize the State Water Resources Control Board to establish the Water and Wastewater Loan and Grant Program to provide funding to eligible applicants for specified purposes relating to drinking water and wastewater treatment.*

AB 278

(Steinorth R) *California Environmental Quality Act: exemption: existing transportation infrastructure.*

Current Text: Introduced: 2/2/2017 [Text](#)

Introduced: 2/2/2017

Status: 2/3/2017-From printer. May be heard in committee March 5.

Location: 2/2/2017-A. PRINT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: *Would exempt from the provisions of CEQA a project, or the issuance of a permit for a project, that consists of the inspection, maintenance, repair, rehabilitation, replacement, or removal of, or the addition of an auxiliary lane or bikeway to, existing transportation infrastructure and that meets certain requirements. The bill would require the public agency carrying out the project to take certain actions.*

AB 302

(Gipson D) *Greenhouse Gas Reduction Fund: 3-year investment plan.*

Current Text: Introduced: 2/6/2017 [Text](#)

Introduced: 2/6/2017

Status: 2/7/2017-From printer. May be heard in committee March 9.

Location: 2/6/2017-A. PRINT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: *Current law requires all moneys, except for fines and penalties, collected by the State Air Resources Board from a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature. Current law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. Current law requires appropriations from the fund to be made in the annual Budget Act. This bill would make technical, nonsubstantive changes to those provisions.*

Notes 1: *At this point we are not sure of the goals of this bill. We consider it a spot bill dealing with how monies from the GHG reduction fund will be spent and is therefore important to track.*

AB 311

(Mathis R) *Methane: dairy and livestock.*

Current Text: Introduced: 2/6/2017 [Text](#)

Introduced: 2/6/2017

Status: 2/7/2017-From printer. May be heard in committee March 9.

Location: 2/6/2017-A. PRINT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires the State Air Resources Board, in consultation with the Department of Food and Agriculture, to adopt regulations to reduce methane emissions from livestock manure management operations and dairy manure management operations consistent with the strategy, as specified. This bill would make technical, nonsubstantive changes to those provisions.

AB 321

(Mathis R) Groundwater sustainability plans.

Current Text: Introduced: 2/7/2017 [Text](#)

Introduced: 2/7/2017

Status: 2/7/2017-Read first time. To print.

Location: 2/7/2017-A. PRINT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Sustainable Groundwater Management Act requires that all groundwater basins that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. This bill would require the groundwater sustainability agency to solicit the participation of farmers, ranchers, and other qualified professionals within the groundwater basin prior to and during the development and implementation of the plan.

Notes 1: Although not an air issue, the management of groundwater supplies is of vast importance for the State and therefore we feel it appropriate to include this bill in the Districts bill list.

SB 1

(Beall D) Transportation funding.

Current Text: Amended: 1/26/2017 [Text](#)

Introduced: 12/5/2016

Last Amend: 1/26/2017

Status: 2/3/2017-Set for hearing February 14.

Location: 2/2/2017-S. T. & H.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 2/14/2017 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE TRANSPORTATION AND HOUSING, BEALL, Chair

Summary: Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. This bill contains other related provisions and other existing laws.

Notes 1: SB 1 is another transportation funding bill and appears similar to AB 1 except for different increases in existing gas and diesel taxes as well as increases in registration fees.

SB 4

(Mendoza D) Goods Movement: allocation of federal funds: Goods Movement and Clean Trucks Bond Act.

Current Text: Introduced: 12/5/2016 [Text](#)

Introduced: 12/5/2016

Status: 1/12/2017-Referred to Coms. on T. & H., EQ., and GOV. & F.

Location: 1/12/2017-S. T. & H.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would, subject to voter approval at the June 5, 2018, statewide primary election, enact the Goods Movement and Clean Trucks Bond Act to authorize \$600,000,000 of state general obligation bonds as follows: \$200,000,000 to the California Transportation Commission for projects and programs eligible for funding from the Trade Corridors Improvement Fund; \$200,000,000 to the State Air Resources Board for projects and programs consistent with the Goods Movement Emission Reduction Program; and \$200,000,000 to the State Air Resources Board for projects and programs to expand the use of zero- and near-zero emission trucks in areas of the state that are designated as severe or extreme nonattainment areas for ozone and particulate matter.

SB 5 (**De León D**) *California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.*

Current Text: Introduced: 12/5/2016 [Text](#)

Introduced: 12/5/2016

Status: 1/12/2017-Referred to Coms. on N.R. & W. and GOV. & F.

Location: 1/12/2017-S. N.R. & W.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would enact the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$3,000,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program.

Notes 1: We find DeLeon bond measure of interest in that although it seeks \$3 billion, the bill does not provide specifics how monies would be spent.

SB 30 (**Lara D**) *California-Mexico border: federally funded infrastructure.*

Current Text: Introduced: 12/5/2016 [Text](#)

Introduced: 12/5/2016

Status: 1/12/2017-Referred to Com. on RLS.

Location: 12/5/2016-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law establishes the border between the United States and Mexico, which includes the southern border of California. This bill would require any federally funded infrastructure project along California's southern border that exceeds a cost of \$1 billion to first be approved by a majority of the voters voting on the issue at a statewide general election. The bill also would make related findings and declarations.

Notes 1: We include this bill only because we find it of interest the State is considering federally funded projects in the State require an approval by California voters if the funds exceed \$1 billion.

SB 41 (**Galgiani D**) *State Air Resources Board: regulations.*

Current Text: Introduced: 12/5/2016 [Text](#)

Introduced: 12/5/2016

Status: 1/12/2017-Referred to Com. on EQ.

Location: 1/12/2017-S. E.Q.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the State Air Resources Board to deem a person, as defined, to be in compliance with all applicable rules and regulations of the state board and, notwithstanding the inadequacy of any required equipment, technologies, or practices, would prohibit the state board from requiring a person to expend further moneys to achieve compliance with, or from seeking to enforce against that person, the applicable rules and regulations, if specified conditions are met.

Notes 1: This proposed bill seems to say that if a "person" complies with air quality standards using approved technology and changes in air pollution control technology and equipment are subsequently specified by CARB, CARB cannot make a finding of non-compliance simply because that person does not install the specified equipment while still meeting the air quality emission standards.

SB 53 (**Hueso D**) *Natural gas vehicles.*

Current Text: Introduced: 12/5/2016 [Text](#)

Introduced: 12/5/2016

Status: 1/12/2017-Referred to Com. on T. & H.

Location: 1/12/2017-S. T. & H.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current federal law authorizes a vehicle operated by an engine fueled primarily by natural gas to exceed these weight limits, up to a specified maximum, by an amount equal to the difference between the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle and the weight of a comparable

diesel tank and fueling system. This bill would authorize a vehicle operated by an engine fueled primarily by natural gas to exceed these weight limits, up to a specified maximum, by an amount equal to the difference between the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle and the weight of a comparable diesel tank and fueling system.

[SB 57](#)

(Stern D) Natural gas storage: moratorium.

Current Text: Amended: 2/2/2017 [Text](#)

Current Analysis: 02/07/2017 [Senate Natural Resources And Water \(text 2/2/2017\)](#)

Introduced: 12/8/2016

Last Amend: 2/2/2017

Status: 2/3/2017-Set for hearing February 9.

Location: 1/12/2017-S. N.R. & W.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 2/9/2017 Upon adjournment of Session - Room 3191 SENATE NATURAL RESOURCES AND WATER, HERTZBERG, Chair

Summary: Current law requires the State Oil and Gas Supervisor to continue the prohibition against Southern California Gas Company injecting any natural gas into the Aliso Canyon natural gas storage facility located in the County of Los Angeles until a comprehensive review of the safety of the gas storage wells at the facility is completed. This bill would additionally require the supervisor to continue that prohibition until a specified root cause analysis of the natural gas leak from the facility that started approximately October 23, 2015, has been completed and released in its entirety to the public.

Notes 1: This bill proposes additional steps be taken by Southern California Gas Co. before the company can once store natural gas at its Aliso Canyon facility.

[SB 71](#)

(Wiener D) Electricity: solar energy systems.

Current Text: Introduced: 1/9/2017 [Text](#)

Introduced: 1/9/2017

Status: 1/19/2017-Referred to Com. on RLS.

Location: 1/9/2017-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would express the intent of the Legislature to enact future legislation that would require the installation of solar photovoltaic systems or solar water heating systems in solar zones provided for pursuant to specified regulations.

[SB 80](#)

(Wieckowski D) California Environmental Quality Act: notices.

Current Text: Introduced: 1/11/2017 [Text](#)

Introduced: 1/11/2017

Status: 1/19/2017-Referred to Com. on EQ.

Location: 1/19/2017-S. E.Q.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The California Environmental Quality Act requires the lead agency to mail certain notices to persons who have filed a written request for notices. The act provides that if the agencies offer to provide the notices by email, upon filing a written request for notices, a person may request that the notices be provided to him or her by email. This bill would require the lead agency to post those notices on the agency's Internet Web site. The bill would require the agency to offer to provide those notices by email. Because this bill would increase the level of service provided by a local agency, this bill would impose a state-mandated local program.

Notes 1: Usually, it is our understanding, land use agencies typically are lead agencies for projects. In the event however that an Air District becomes a lead agency under CEQA, these new notice provisions would be applicable to the District.

[SB 146](#)

(Stern D) Natural gas storage: moratorium.

Current Text: Introduced: 1/17/2017 [Text](#)

Introduced: 1/17/2017

Status: 1/26/2017-Referred to Coms. on N.R. & W. and E., U. & C.

Location: 1/26/2017-S. N.R. & W.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires the State Oil and Gas Supervisor to continue the prohibition against Southern California Gas Company injecting any natural gas into the Aliso Canyon natural gas storage facility located in the County of Los Angeles until a comprehensive review of the safety of the gas storage wells at the facility is completed, as specified, the supervisor determines that well integrity has been ensured by the review, the risks of failures identified in the review have been addressed, the supervisor's duty to prevent damage to life, health, property, and natural resources, and other requirements is satisfied, and the Executive Director of the Public Utilities Commission has concurred via letter with the supervisor regarding his or her determination of safety. This bill would additionally require the supervisor to continue that prohibition until a specified root cause analysis of the natural gas leak from the facility that started approximately October 23, 2015, has been completed and released in its entirety to the public.

Notes 1: The Alison Canyon natural gas leakage saga continues into the new session and is very similar to SB 57.

[SB 174](#)

(Lara D) Diesel-fueled vehicles: registration.

Current Text: Introduced: 1/23/2017 [Text](#)

Introduced: 1/23/2017

Status: 2/2/2017-Referred to Coms. on T. & H. and EQ.

Location: 2/2/2017-S. T. & H.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law prohibits a person from driving, moving, or leaving standing upon a highway any motor vehicle, as defined, that has been registered in violation of provisions regulating vehicle emissions. This bill, effective January 1, 2020, would require the Department of Motor Vehicles to confirm, prior to the initial registration or the transfer of ownership and registration of a diesel-fueled vehicle with a gross vehicle weight rating of more than 14,000 pounds, that the vehicle is compliant with, or exempt from, applicable air pollution control technology requirements, pursuant to specified provisions.

[SB 193](#)

(Cannella R) Groundwater sustainability agencies.

Current Text: Introduced: 1/30/2017 [Text](#)

Introduced: 1/30/2017

Status: 1/31/2017-From printer. May be acted upon on or after March 2.

Location: 1/30/2017-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. This bill would make a nonsubstantive change to those provisions. The Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. The act authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin, as prescribed. This bill would make a nonsubstantive change to those provisions.

[SB 224](#)

(Jackson D) California Environmental Quality Act: baseline conditions.

Current Text: Introduced: 2/2/2017 [Text](#)

Introduced: 2/2/2017

Status: 2/3/2017-From printer. May be acted upon on or after March 5.

Location: 2/2/2017-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would prohibit the lead agency, in determining the baseline physical conditions by which a lead agency determines whether a project has a significant effect on the environment, from considering the effects of certain actions on the environment.

Notes 1: We feel this to be another spot bill written by Senator Jackson from Santa Barbara and seems to have far reaching implications to the CEQA process and therefore should be watched closely.

SB 249

(Allen D) Off-highway motor vehicle recreation.

Current Text: Introduced: 2/7/2017 [Text](#)

Introduced: 2/7/2017

Status: 2/7/2017-Introduced. To Com. on RLS. for assignment. To print.

Location: 2/7/2017-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would revise and recast various provisions of the Off-Highway Motor Vehicle Recreation Act of 2003. The bill would expand the duties of the Division of Off-Highway Motor Vehicle Recreation. The bill would require the Director of Parks and Recreation to assemble a science advisory team to advise and assist the department and the division in meeting the natural and cultural resource conservation purposes of the act, as specified.

Notes 1: This bill dealing with off road recreational activity, although at this time not providing specifics, may have air quality implications.

Total Measures: 33

Total Tracking Forms: 33

Article of Interest:

California Republicans ask Trump administration to block bullet train funding

<http://www.latimes.com/local/california/la-me-bullet-train-trump-20170206-story.html>

California’s bullet train could cost taxpayers 50% more than estimated — as much as \$3.6 billion more – according to a confidential federal report obtained by the Los Angeles Times. (Jan. 13, 2017)

Ralph Vartabedian Contact Reporter

California’s House [Republicans](#) have asked the [Trump](#) administration to block a pending federal grant that will ultimately support the state’s [high speed rail project](#) until an audit of the project’s finances is completed.

The letter, signed by all 14 members of the state’s GOP delegation, including House Majority Leader [Kevin McCarthy](#), was sent to Transportation Secretary [Elaine Chao](#). It cites cost increases, reductions in the project’s scope and its failure to attract private financing.

Dated Jan. 24, the letter asks Chao to stop approval of a \$650-million grant that the Transportation Department could make to the Bay Area’s [Caltrain](#) commuter rail agency as early as next week as part of an effort to install an electrical system. The bullet train would eventually use the same line from San Jose to San Francisco.

This latest effort to at least temporarily derail the multibillion-dollar project comes at a particularly tense political moment.

President Trump on Sunday told a [Fox News](#) host that “California in many ways is out of control” and has vowed to cut funds to the state over immigration issues. But he has also said he will massively increase the nation’s infrastructure spending.

Providing additional funding at this time to the (high speed rail) authority would be an irresponsible use of taxpayers dollars.— GOP letter to Transportation Secretary Elaine Chao

Trump's and Chao's view on the bullet train, the nation's largest infrastructure project, is largely unknown. The unified position against further federal funding by the state's own Republican representatives will be an early test of the new administration's direction.

California [Democrats](#) quickly countered the Republicans' letter with one of their own, asking that the grant be approved, and charging that the Republican's letter misstated the fact that the grant was being sought by the rail authority, rather than the Caltrain joint powers board.

A spokesman for House Minority Leader [Nancy Pelosi](#) (D-San Francisco) issued a statement Monday, saying the Republicans' letter was rife with "inaccuracies and innuendo" and arguing that blocking the train would cost California thousands of jobs and make commuting between San Francisco and Silicon Valley, "dirtier, slower and more crowded."

Rep. [Jim Costa](#) (D-Fresno), an early and staunch supporter, called the idea that the project is a waste of tax money "false," adding: "The positive impacts of High Speed Rail construction can be seen in my district and throughout the Central Valley."

The rail authority said in a statement that rail modernization, including the bullet train, will improve mobility in the state. "The electrification of the Caltrain Corridor is an important component of that and of the advancement of high-speed rail in California."

If the administration cuts off related money for the bullet train and attempts to enforce stricter controls on existing multibillion-dollar grants, it could cause significant stress on a project that is already facing increasing costs and schedule delays.

Ultimately, California may have no other choice than to increase its commitment of state tax money to Gov. Jerry Brown's signature project, even as the state faces a projected budget deficit.

The letter notes that the original cost of the bullet train was estimated about \$33 billion for a system that would run from San Diego to Sacramento. Since then the cost has risen to \$64 billion, while the scope of the project has been sharply curtailed.

It also cites a risk analysis by the Federal Railroad Administration projected a potential \$3.5-billion increase in cost for the first segment of the project from Merced to Shafter. The analysis was made public last month by The Times.

The positive impacts of High Speed Rail construction can be seen in my district and throughout the Central Valley.— Rep. Jim Costa (D-Fresno)

The GOP congressional letter, which was obtained by The Times, says "providing additional funding at this time to the authority would be an irresponsible use of taxpayers dollars. In light of the new revelations from the confidential FRA report, we request no further monies be granted to the [California High-Speed Rail] Authority or the state of California for high speed rail until a full and complete audit of the project and its finances can be conducted and those finding be presented to the public."

Rep. [Jeff Denham](#) (R-Turlock), chairman of the House rail subcommittee, has said repeatedly that serious problems in the project were not made public by the Obama Administration and has vowed to stop any future federal funding for a project that he had branded as a fiasco.

The Republican letter did not specify who would conduct the requested audit, but House staffers said it could be the Transportation Department inspector general or the Government Accountability Office. Such wide-ranging audits often take many months and once completed could be subject to congressional review or hearings that would take additional time.

The grant in question is a key part of the \$2-billion electrification project, which would convert Caltrain's system from diesel locomotives to electric-powered cars. It was put into motion in the [Obama Administration's](#) closing days.

It requires a 30-day notice to key members of Congress before it can be approved. That window closes Feb. 17.

If the grant is not funded some time this month, it would have potentially devastating effects on the Caltrain's electrification project, said Seamus Murphy, the rail system's chief communications officer.

The rail system, operated by a joint powers agency on the Peninsula, already has signed contracts that pledge to give a formal notice to begin work by March 1. If the agency fails to provide that notice, it could incur penalties "so severe that we might not be able to do the project," Murphy said.

If the project is not completed, the bullet train agency might have no choice but to electrify the line itself in future years at a cost of about \$2 billion. Murphy called that a "doomsday scenario" that would deny commuters improved service and greater capacity for years.

The argument between Democrats and Republicans pivots on the arcane issue of whether the grant is solely for Caltrain electrification. "It is not a grant associated with high speed rail in any way," Murphy said.

But Republican staffers say the California High-Speed Rail Authority is putting up about \$713 million for the electrification, money that is supposed to come from bonds specifically earmarked for high speed rail. So in their view the electrification grant does support high speed rail — and therefore should be held up until completion of an audit on the bullet train project.

Pelosi's office said it is "unfortunate" that the Republicans, by sending their letter, "chose to take Caltrain electrification hostage."

DAN WALTERS

FEBRUARY 6, 2017 2:53 PM

Guns, union dues and mining: California issues await full U.S. Supreme Court

BY DAN WALTERS

dwalters@sacbee.com



Whenever the U.S. Senate confirms Neil Gorsuch — or some other Donald Trump nominee — to the U.S. Supreme Court, it will face a plethora of issues, and those involving California will be among the most controversial.

Obviously, the legal battles over refugees and immigration loom large for California, a prominent destination of choice for those seeking economic opportunity or refuge from war.

So does an [Illinois case](#), replacing one from California that was stalled by the death of Antonin Scalia a year ago. It could undermine public employee unions' immense political influence by making union dues voluntary.

The court was clearly poised, albeit by a 5-4 margin, to overturn mandatory dues laws in California and other states when Scalia died unexpectedly. The California case fell by the wayside on the remaining 4-4 tie.

It's likely, too, that once a new justice is seated, groups of California gun owners will try to overturn new regulations on guns and ammunition that the Legislature and voters adopted last year.

In the past, the court has tended to favor gun owners and their rights under the Constitution's Second Amendment, declaring that while regulation is not prohibited, it must not unduly burden the law-abiding.

California already had the nation's [strictest firearms laws](#) before the Legislature added some new restrictions, followed by passage of Lt. Gov. Gavin Newsom's ballot measure, Proposition 63.

The uniqueness of the state's gun regulations makes them ripe for legal challenge before a court that will tilt somewhat to the right once Trump's nominee is seated.

Last week, another California case emerged, challenging the state Supreme Court's declaration last year that the state could regulate gold mining on streams flowing through federal land, despite federal law allowing mining on those lands.

The state, while not explicitly prohibiting suction dredging, has imposed a de facto ban, asserting that it damages habitat.

Small-scale prospectors dispute the contention, and one of them, Brandon Rinehart, was arrested five years ago in Plumas County for violating the ban and placed on three years' probation.

A state appeals court ruled that federal mining law superseded state rules, but last year the state Supreme Court [reversed that decision](#), declaring that the federal law did not "guarantee to (dredgers) a right to mine immunized from exercises of the states' police powers."

Last Friday, the Sacramento-based Pacific Legal Foundation, which specializes in defending property rights in environmental disputes, appealed Rinehart's case to the U.S. Supreme Court.

It looms not only as a test of the ban on gold dredging, but of whether federal law more generally trumps – pun intended – state environmental regulations, which could affect a raft of issues in which California has gone beyond the national government.

A final note: Once the vacancy is filled, [Anthony Kennedy](#), the only Californian on the court, will resume his well-established role as its decisive swing vote between four liberals and four conservatives.

Californians are paying billions for power they don't need

<http://www.latimes.com/projects/la-fi-electricity-capacity/>

We're using less electricity. Some power plants have even shut down. So why do state officials keep approving new ones?

By [IVAN PENN](#) AND [RYAN MENEZES](#) | Reporting from Yuba City, Calif.

FEB. 5, 2017

The bucolic orchards of Sutter County north of Sacramento had never seen anything like it: a visiting governor and a media swarm — all to christen the first major natural gas power plant in California in more than a decade.

At its 2001 launch, the Sutter Energy Center was hailed as the nation's cleanest power plant. It generated electricity while using less water and natural gas than older designs.

A year ago, however, the \$300-million plant closed indefinitely, just 15 years into an expected 30- to 40-year lifespan. The power it produces is no longer needed — in large part because state regulators approved the construction of a plant just 40 miles away in Colusa that opened in 2010.

Two other large and efficient power plants in California also are facing closure decades ahead of schedule. Like Sutter, there is little need for their electricity.

California has a big — and growing — glut of power, an investigation by the Los Angeles Times has found. The state's power plants are on track to be able to produce at least 21% more electricity than it needs by 2020, based on official estimates. And that doesn't even count the soaring production of electricity by rooftop solar panels that has added to the surplus.

To cover the expense of new plants whose power isn't needed — Colusa, for example, has operated far below capacity since opening — Californians are paying a higher premium to switch on lights or turn on electric stoves. In recent years, the gap between what Californians pay versus the rest of the country has nearly doubled to about 50%.

This translates into a staggering bill. Although California uses 2.6% less electricity annually from the power grid now than in 2008, residential and business customers together pay \$6.8 billion more for power than they did then. The added cost to customers will total many billions of dollars over the next two decades, because regulators have approved higher rates for years to come so utilities can recoup the expense of building and maintaining the new plants, transmission lines and related equipment, even if their power isn't needed.

How this came about is a tale of what critics call misguided and inept decision-making by state utility regulators, who have ignored repeated warnings going back a decade about a looming power glut.

“In California, we're blinding ourselves to the facts,” said Loretta Lynch, a former president of the California Public Utilities Commission, who along with consumer advocacy groups has fought to stop building plants. “We're awash in power at a premium price.”

California regulators have for years allowed power companies to go on a building spree, vastly expanding the potential electricity supply in the state. Indeed, even as electricity demand has fallen since 2008, California's new plants have boosted its capacity enough to power all of the homes in a city the size of Los Angeles — six times over. Additional plants approved by regulators will begin producing more electricity in the next few years.

The missteps of regulators have been compounded by the self-interest of California utilities, Lynch and other critics contend. Utilities are typically guaranteed a rate of return of about 10.5% for the cost of each new plant, regardless of need. This creates a major incentive to keep construction going: Utilities can make more money

building new plants than by buying and reselling readily available electricity from existing plants run by competitors.

Regulators acknowledge the state has too much power but say they are being prudent. The investment, they maintain, is needed in case of an emergency — like a power plant going down unexpectedly, a heat wave blanketing the region or a wildfire taking down part of the transmission network.

“We overbuilt the system because that was the way we provided that degree of reliability,” explained Michael Picker, president of the California Public Utilities Commission. “Redundancy is important to reliability.”

Some of the excess capacity, he noted, is in preparation for the retirement of older, inefficient power plants over the next several years. The state is building many new plants to try to meet California environmental standards requiring 50% clean energy by 2030, he said.

In addition, he said, some municipalities — such as the Los Angeles Department of Water and Power — want to maintain their own separate systems, which leads to inefficiencies and redundancies. “These are all issues that people are willing to pay for,” Picker said.

Critics agree that some excess capacity is needed. And, in fact, state regulations require a 15% cushion. California surpasses that mark and is on pace to exceed it by 6 percentage points in the next three years, according to the Western Electricity Coordinating Council, which tracks capacity and reliability. In the past, the group has estimated the surplus would be even higher.

Even the 15% goal is “pretty rich,” said Robert McCullough of Oregon-based McCullough Research, who has studied California’s excess electric capacity for both utilities and regulators. “Traditionally, 10% is just fine. Below 7% is white knuckle. We are a long way from white-knuckle time” in California.

Contrary to Picker’s assertion, critics say, customers aren’t aware that too much capacity means higher rates. “The winners are the energy companies,” Lynch said. “The losers are businesses and families.”

The over-abundance of electricity can be traced to poorly designed deregulation of the industry, which set the stage for blackouts during the energy crisis of 2000-2001.

Lawmakers opened the state’s power business to competition in 1998, so individual utilities would no longer enjoy a monopoly on producing and selling electricity. The goal was to keep prices lower while ensuring adequate supply. Utilities and their customers were allowed to buy electricity from new, unregulated operators called independent power producers.

The law created a new exchange where electricity could be bought and sold, like other commodities such as oil or wheat.

Everyone would benefit. Or so the thinking went.

In reality, instead of lowering electricity costs and spurring innovation, market manipulation by Enron Corp. and other energy traders helped send electricity prices soaring.

That put utilities in a bind, because they had sold virtually all their natural gas plants. No longer able to produce as much of their own electricity, they ran up huge debts buying power that customers needed. Blackouts spread across the state.

State leaders, regulators and the utilities vowed never to be in that position again, prompting an all-out push to build more plants, both utility-owned and independent.

“They were not going to allow another energy crisis due to a lack of generation,” said Alex Makler, a senior vice president of Calpine, the independent power producer that owns the Sutter Energy plant not far from Sacramento.

But the landscape was starting to change. By the time new plants began generating electricity, usage had begun a decline, in part because of the economic slowdown caused by the recession but also because of greater energy efficiency.

The state went from having too little to having way too much power.

“California has this tradition of astonishingly bad decisions,” said McCullough, the energy consultant. “They build and charge the ratepayers. There’s nothing dishonest about it. There’s nothing complicated. It’s just bad planning.”

California has this tradition of astonishingly bad decisions.

— Robert McCullough, energy consultant

The saga of two plants — Sutter Energy and Colusa — helps explain in a microcosm how California came to have too much energy, and is paying a high price for it.

Sutter was built in 2001 by Houston-based Calpine, which owns 81 power plants in 18 states.

Independents like Calpine don’t have a captive audience of residential customers like regulated utilities do. Instead, they sell their electricity under contract or into the electricity market, and make money only if they can find customers for their power.

Sutter had the capacity to produce enough electricity to power roughly 400,000 homes. Calpine operated Sutter at an average of 50% of capacity in its early years — enough to make a profit.

But then Pacific Gas & Electric Co., a regulated, investor-owned utility, came along with a proposal to build Colusa.

It was not long after a statewide heat wave, and PG&E argued in its 2007 request seeking PUC approval that it needed the ability to generate more power. Colusa — a plant almost identical in size and technology to Sutter — was the only large-scale project that could be finished quickly, PG&E said.

More than a half-dozen opponents, including representatives of independent power plants, a municipal utilities group and consumer advocates filed objections questioning the utility company. Wasn’t there a more economical alternative? Did California need the plant at all?

They expressed concern that Colusa could be very expensive long-term for customers if it turned out that its power wasn’t needed.

That’s because public utilities such as PG&E operate on a different model.

If electricity sales don’t cover the operating and construction costs of an independent power plant, it can’t continue to run for long. And if the independent plant closes, the owner — and not ratepayers — bears the burden of the cost.

In contrast, publicly regulated utilities such as PG&E operate under more accommodating rules. Most of their revenue comes from electric rates approved by regulators that are set at a level to guarantee the utility recovers all costs for operating the electric system as well as the cost of building or buying a power plant — plus their guaranteed profit.

Protesters argued Colusa was unnecessary. The state’s excess production capacity by 2010, the year Colusa was slated to come online, was projected to be almost 25% — 10 percentage points higher than state regulatory requirements.

The looming oversupply, they asserted, meant that consumers would get stuck with much of the bill for Colusa no matter how little customers needed its electricity.

And the bill would be steep. Colusa would cost PG&E \$673 million to build. To be paid off, the plant will have to operate until 2040. Over its lifetime, regulators calculated that PG&E will be allowed to charge more than \$700 million to its customers to cover not just the construction cost but its operating costs and its profit.

The urgent push by PG&E “seems unwarranted and inappropriate, and potentially costly to ratepayers,” wrote Daniel Douglass, a lawyer for industry groups that represent independent power producers.

The California Municipal Utilities Assn. — whose members buy power from public utilities and then distribute that power to their customers — also complained in a filing that PG&E’s application appeared to avoid the issue of how Colusa’s cost would be shared if it ultimately sat idle. PG&E’s “application is confusing and contradicting as to

whether or not PG&E proposes to have the issue of stranded cost recovery addressed,” wrote Scott Blaising, a lawyer representing the association. (“Stranded cost” is industry jargon for investment in an unneeded plant.)

The arguments over Colusa echoed warnings that had been made for years by Lynch, the former PUC commissioner.

A pro-consumer lawyer appointed PUC president in 2000 by Gov. Gray Davis, Lynch consistently argued as early as 2003 against building more power plants.

“I was like, ‘What the hell are we doing?’ ” recalled Lynch.

She often butted heads with other commissioners and utilities who pushed for more plants and more reserves. Midway through her term, the governor replaced her as president — with a former utility company executive.

One key battle was fought over how much reserve capacity was needed to guard against blackouts. Lynch sought to limit excess capacity to 9% of the state’s electricity needs. But in January 2004, over her objections, the PUC approved a gradual increase to 15% by 2008.

“We’ve created an extraordinarily complex system that gives you a carrot at every turn,” Lynch said. “I’m a harsh critic because this is intentionally complex to make money on the ratepayer’s back.”

With Lynch no longer on the PUC, the commissioners voted 5-0 in June 2008 to let PG&E build Colusa. The rationale: The plant was needed, notwithstanding arguments that there was a surplus of electricity being produced in the market.

PG&E began churning out power at Colusa in 2010. For the nearby Sutter plant, that marked the beginning of the end as its electricity sales plummeted.

In the years that followed, Sutter’s production slumped to about a quarter of its capacity, or just half the rate it had operated previously.

Calpine, Sutter’s owner, tried to drum up new business for the troubled plant, reaching out to shareholder-owned utilities such as PG&E and other potential buyers. Calpine even proposed spending \$100 million to increase plant efficiency and output, according to a letter the company sent to the PUC in February 2012.

PG&E rejected the offer, Calpine said, “notwithstanding that Sutter may have been able to provide a lower cost.”

Asked for comment, PG&E said, “PG&E is dedicated to meeting the state’s clean energy goals in cost-effective ways for our customers. We use competitive bidding and negotiations to keep the cost and risk for our customers as low as possible.” It declined to comment further about its decision to build Colusa or on its discussions with Calpine.

Without new contracts and with energy use overall on the decline, Calpine had little choice but to close Sutter.

During a 2012 hearing about Sutter’s distress, one PUC commissioner, Mike Florio, acknowledged that the plant’s troubles were “just the tip of the proverbial iceberg.” He added, “Put simply, for the foreseeable future, we have more power plants than we need.”

Colusa, meanwhile, has operated at well below its generating capacity — just 47% in its first five years — much as its critics cautioned when PG&E sought approval to build it.

Sutter isn’t alone. Other natural gas plants once heralded as the saviors of California’s energy troubles have found themselves victims of the power glut. Independent power producers have announced plans to sell or close the 14-year-old Moss Landing power plant at Monterey Bay and the 13-year-old La Paloma facility in Kern County.

Put simply, for the foreseeable future, we have more power plants than we need.

— Mike Florio, former PUC commissioner

Robert Flexon, chief executive of independent power producer Dynegy Inc., which owns Moss Landing, said California energy policy makes it difficult for normal market competition. Independent plants are closing early, he said, because regulators favor utility companies over other power producers.

“It’s not a game we can win,” Flexon said.

Since 2008 alone — when consumption began falling — about 30 new power plants approved by California regulators have started producing electricity. These plants account for the vast majority of the 17% increase in the potential electricity supply in the state during that period.

Hundreds of other small power plants, with production capacities too low to require the same level of review by state regulators, have opened as well.

Most of the big new plants that regulators approved also operate at below 50% of their generating capacity.

So that California utilities can foot the bill for these plants, the amount they are allowed by regulators to charge ratepayers has increased to \$40 billion annually from \$33.5 billion, according to data from the U.S. Energy Information Administration. This has tacked on an additional \$60 a year to the average residential power bill, adjusted for inflation.

Another way of looking at the impact on consumers: The average cost of electricity in the state is now 15.42 cents a kilowatt hour versus 10.41 cents for users in the rest of the U.S. The rate in California, adjusted for inflation, has increased 12% since 2008, while prices have declined nearly 3% elsewhere in the country.

California utilities are “constantly crying wolf that we’re always short of power and have all this need,” said Bill Powers, a San Diego-based engineer and consumer advocate who has filed repeated objections with regulators to try to stop the approval of new plants. They are needlessly trying to attain a level of reliability that is a worst-case “act of God standard,” he said.

Even with the growing glut of electricity, consumer critics have found that it is difficult to block the PUC from approving new ones.

In 2010, regulators considered a request by PG&E to build a \$1.15-billion power plant in Contra Costa County east of San Francisco, over objections that there wasn’t sufficient demand for its power. One skeptic was PUC commissioner Dian Grueneich. She warned that the plant wasn’t needed and its construction would lead to higher electricity rates for consumers — on top of the 28% increase the PUC had allowed for PG&E over the previous five years.

The PUC was caught in a “time warp,” she argued, in approving new plants as electricity use fell. “Our obligation is to ensure that our decisions have a legitimate factual basis and that ratepayers’ interest are protected.”

Her protests were ignored. By a 4-to-1 vote, with Grueneich the lone dissenter, the commissioners approved the building of the plant.

Consumer advocates then went to court to stop the project, resulting in a rare victory against the PUC. In February 2014, the California Court of Appeals overturned the commission, ruling there was no evidence the plant was needed.

Recent efforts to get courts to block several other PUC-approved plants have failed, however, so the projects are moving forward.

Business’s battle with liberals returns for a new session

<http://www.sacbee.com/news/politics-government/politics-columns-blogs/dan-walters/article129689779.html>

BY DAN WALTERS

The onset of a new legislative session means renewal of the perpetual war that pits business and employer interests against liberal groups such as labor unions and environmental activists.

The Legislature is overwhelmingly Democratic and mostly liberal, so — not surprisingly — the unions, environmentalists and others, such as consumer advocates and personal injury lawyers play offense while the business groups are on defense.

The former sponsor hundreds of bills to advance their causes, such as better pay and fringe benefits for workers, more regulation of business activities, or making it easier to sue and collect damages.

Lobbyists for the latter devise strategies to either kill bills that business finds offensive or at least force changes to make them more palatable.

The Capitol, it should be noted, is not the only front in the perennial war.

The combatants also fight it out in a handful of key legislative elections, in recent years via the “top-two” primary system that can pit liberal Democrats against more moderate, business-backed Democrats. A “mod squad” of business-friendly Democrats emerged over the last three election cycles, much to the chagrin of liberal groups.

They clash over ballot measures that sidestep the legislative process, they duel in the bureaucracy over regulations to implement legislation, and fight in the courts.

The most obvious battleground, however, is the Legislature, and the new session shapes up as a new version of the same old war.

The Chamber of Commerce signaled that this month when it issued its first list of “job killers” – bills it annually considers the worst.

Although there are just four bills on the list, it will doubtless grow to at least two dozen by spring.

The “job killer” program, initiated nearly two decades ago, has been **remarkably successful**, with fewer than 10 percent of those given the epithet making it into law.

Two of the four, Senate Bills **62** and **63**, are carried by Sen. Hannah-Beth Jackson, D-Santa Barbara, and deal with expanding family leave rights of employees. Both are revivals of measures that made it through the Legislature, only to be vetoed by Gov. Jerry Brown.

The third, **Senate Bill 33** by Sen. Bill Dodd, D-Napa, deals with consumer arbitration contracts and is a little bit surprising since business groups lined up behind Dodd, a former Republican, when he ran for the Senate last year.

The fourth is by Assemblywoman Lorena Gonzalez Fletcher, D-San Diego, who’s made many appearances on past “job killer” lists. A former labor union official, she often carries bills dealing with worker rights and benefits, and has a knack for overcoming “job killer” listing.

Gonzalez Fletcher’s new measure, **Assembly Bill 5**, requires employers to offer part-time workers more hours before hiring additional employees.

She’s carrying another that seems destined for targeting. **Assembly Bill 206** would require workers’ compensation coverage for day laborers, including those hired on the spot by homeowners for minor jobs, and would specifically include undocumented immigrants.

As the White House changes course on climate change, California stubbornly presses forward

<http://www.latimes.com/politics/la-pol-ca-california-climate-resolve-20170129-story.html>

Chris Megerian Contact Reporter

With cheese and shrimp cocktail piled on their plates, guests strolled the exhibit like patrons at an art gallery, sipping beer and pausing to ponder the displays that lined the room. But instead of paintings or sculptures, they were examining scientific charts about climate change at a state environmental agency.

At a time when President Trump’s new administration is ordering federal government scientists to **stop communicating with the public**, the array of data depicting carbon sequestration, ocean acidification and water temperatures at a conference on climate change was for some a political act of defiance.

“We just have to push even harder than before,” said Patricia Hidalgo-Gonzalez, a UC Berkeley student who brought her research on the electricity grid. “Regardless of what happens in the rest of the country, California is going to stick with clean energy. We can be our own little island.”

It’s a stance that will be tested as California doubles down on its climate policies even as Trump steps back from the battle against global warming. And despite the bravado displayed last week at a conference on climate change hosted by state government officials, there was pervasive anxiety about the future as well.

"I'm worried," said a federal scientist at the exhibit who asked to withhold his name because he feared retaliation. Fearful that the Trump administration would strip climate information from government websites, he said he asked his team to start downloading information so they could continue their work.

California has always charted its own course on cleaning up the air, clamping down on tailpipe emissions decades ago to fight smog in Los Angeles before the U.S. Environmental Protection Agency was even created in 1970. But the gap between Sacramento and Washington was growing into a chasm only a week after Trump took the oath of office.

The president is [greenlighting oil pipelines](#) that were rejected by President Obama. He told car manufacturers that regulations are "out of control," and Oklahoma Atty. Gen. Scott Pruitt, his nominee to lead the EPA, [expressed doubts](#) about the severity of climate change during his confirmation hearing.

Meanwhile, California is moving to [dramatically slash](#) its greenhouse gas emissions, and Senate leader Kevin de León (D-Los Angeles) recently floated the possibility of [generating all of the state's electricity](#) from renewable sources such as solar and wind. Major utilities have proposed [a \\$1-billion investment](#) in electrifying the transportation network, including more charging stations for cars.

It's created a sense of dissonance for Californians, who are hunkering down even as they keep a wary eye on what's happening on the opposite side of the country.

"You turn on the TV at night, and you hear these terrible things that are happening," said Kip Lipper, who works on environmental legislation for the state Senate. "I tell my daughter, it's good to be cognizant of that, but this is the best place to be, in California."

California emits only 1% of the world's greenhouse gases, but the state has tried to transform itself into an international model for fighting global warming. While [Trump talks about withdrawing](#) from the Paris climate accord, officials here continue seeking new partners for the state's own, [more ambitious international agreement](#).

Gov. [Jerry Brown](#), in [his State of the State speech](#) Tuesday, said California wouldn't step back from its agenda no matter what happens in Washington, a message repeatedly emphasized by top state leaders at the climate conference.

"This is when you do your best work," said John Laird, secretary of the Natural Resources Agency. "We can't worry about pulling back just to sink with everyone else who isn't moving at all."

The conference was planned before Trump won the presidency, but the results of the election created a charged atmosphere among the hundreds of scientists, government officials and advocates who showed up. Attendees talked about being "resolute in our values," or how there's a "major threat before us," or how strong policies are needed "now more than ever."

"There's a greater seriousness in the room," said Jonathan Parfrey, executive director of Climate Resolve, a Los Angeles-based nonprofit that helped organize the two-day event.

California's climate agenda remains controversial, and some business interests believe the state is putting itself at a competitive disadvantage by ramping up regulations. The state's premiere initiative — the cap-and-trade program, which requires companies to purchase permits to release greenhouse gas emissions into the atmosphere — is the target of an [ongoing legal challenge](#).

But the week's events were also a reminder of how much further the state has moved past the national conversation about climate change. Debates revolve around how global warming should be addressed, not whether it should be, or whether it's even real at all.

Three consecutive state administrations have pushed the state's policies forward. Gov. Gray Davis, a Democrat, approved [the country's first rules](#) for regulating greenhouse gases from vehicle tailpipes. Gov. Arnold Schwarzenegger, a Republican, [signed legislation setting an overall goal](#) for reducing emissions in the state. Last year Brown enacted another law [setting a new, stiffer target](#).

A broad network of organizations — environmentalists, energy entrepreneurs and developers of carbon offset projects — has sprouted and expanded around these policies.

As further evidence, the conference hosted by state officials wasn't even the only event in Sacramento last week dedicated to California's climate agenda. Another gathering across town drew visitors from as far away as Australia to discuss the future of the cap-and-trade program.

No one there expected the state to change course.

“There’s a whole ecosystem built to reduce emissions,” said Jon Costantino, an environmental policy advisor who previously worked at the California Air Resources Board. “There’s investors, there’s businesses, there’s consultants.”

He added, “To pull the rug out from under that would have a dramatic impact.”

Enough Already! More Woe for the High-Speed Rail

<http://www.foxandhoundsdaily.com/2017/01/enough-already-woe-high-speed-rail/>

By **Joel Fox**

Editor of Fox & Hounds and President of the Small Business Action Committee

Tuesday, January 17th, 2017

Anyone who thinks the high-speed rail project will be completed within the cost figures projected by the rail authority, I’ve got a bridge to sell you. Of course, the promise to taxpayers on the cost of the rail was broken ages ago. Remember, voters were told if they supported a nearly \$10-billion bond to help build the bullet train the overall project would cost about \$33 billion with other financial help coming from the private sector (which hasn’t come)?

Low-ball a project cost and the suckers will ante-up.

The cost soared to \$99 billion after the vote for the bond before being readjusted downward to \$68 billion—until a new report just issued from an federal agency says the cost overrun is \$3.6 billion—and that applies only to the first phase of the project. The Federal Railroad Administration risk analysis projected the 118 mile leg from north of Bakersfield to Merced could cost up to \$10 billion instead of the budgeted \$6.4 billion. A deep dive analysis into the progress of the high-speed rail is overdue. Last legislative session, Gov. Brown vetoed a [bill](#) by Assemblyman Jim Patterson that would have required the rail authority to identify financing costs for each segment of the rail system. A request by Sen. Andy Vidak to audit the rail project was turned aside in committee.

The Federal Railroad Administration look at the status of the rail construction, as [reported in the Los Angeles Times](#), indicates that not only does the budget face cost overruns but also that the project completion deadlines are unlikely to be met.

Enough already.

California has an infrastructure problem, no doubt. But the high-speed rail should not be where the infrastructure fix is focused.

The governor’s budget again attempts to bring concern over dilapidated infrastructure to the fore after a failed special session to find ways to fund infrastructure improvements. Concentration should be placed on fixing roads and highways instead of a pie-in-the-sky plan whose projections on ridership and revenue projections are likely as overblown as the cost has been underestimated from the beginning.

The California High Speed Rail Authority pushed back against the new report—weakly. The authority offered a [U.S. Treasury Department report](#) issued the end of last year encouraging infrastructure investment to spur growth. No argument there—but the infrastructure improvements must be made where they will do the most good.

The rail Authority also argued that the train building was creating jobs and pointed to a 50% drop in unemployment in the Fresno area from 18% in 2011 to 9% in 2016. Was it the high-speed rail that caused the drop in unemployment or the improvement in the overall California economy? According to the [U.S. Department of Labor’s Bureau of Labor Statistics](#), unemployment across the entire state of California dropped 56%, from a high of 12% in 2011 to 5.3% today.

Change focus away from the high-speed rail and use funds to stimulate the creation of a real infrastructure improvement program for the roads and highways. Can the rail program be abandoned now that it has begun? Or was the strategy all along to get it started then it cannot be stopped?

The following page(s) contain the backup material for Agenda Item: [Receive and file the Financial Report for FY 17, the period November and December 2016 which provides financial information and budget performance concerning the fiscal status of the District.](#)
[Presenter: Jean Bracy](#)

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 13

DATE: February 27, 2017

RECOMMENDATION: Receive and file.

SUMMARY: Receive and file the Financial Report for **FY 17**, the period **November and December 2016** which provides financial information and budget performance concerning the fiscal status of the District.

CONFLICT OF INTEREST: None

BACKGROUND: The Financial Report provides financial information and budget performance concerning the fiscal status of the District. The included reports reflect the business activities of the District for the period referenced. The target variance for November is 42%; and December is 50% of Fiscal Year 2017.

The December financial statements (most recent available) indicate that the financial position for the District remains strong with sufficient funds available to execute the budget as adopted. Fiscal Year 17 Program Revenue from AB2766 will be received through September 2017, which explains the 34% received to date. Expenditures in the General Fund are on budget (49%) to date and Personnel Expenses (48%) are slightly under target. The Fiscal Year 17 Budget anticipates the use of the unassigned fund balance (\$22,508) *if executed as adopted*. Extraordinary, but manageable, expenses were related to the onboarding of the new Executive Director/APCO. An old case with Verizon/Frontier was cleared with a negotiated payment causing the telephone budget to exceed budget, and an older vehicle and a damaged (minor) vehicle was repaired. The Finance Reports are attached.

REASON FOR RECOMMENDATION: Receive and file.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form and by Brad Poiriez, Executive Director/APCO on or before February 13, 2017.

FINANCIAL DATA: No change in appropriation is required at this time.

PRESENTER: Jean Bracy, Deputy Director / Administration

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

FINANCE REPORT

AGENDA ITEM 13

PAGE 2

BALANCE SHEET – GOVERNMENTAL FUNDS – This report is the District’s financial picture (a “snapshot”) as of the date of report including all funds. “Mobile Emissions” and “Carl Moyer” are totally restricted funds. The “Fiduciary Fund” is the District’s OPEB (Other Post-Employment Benefits) Fund which is held in an irrevocable trust with PARS (Public Agency Retirement Services).

STATEMENT OF REVENUES & EXPENDITURES – This report describes the financial activities for each of the District’s funds during the month indicated.

STATEMENT OF ACTIVITY – This report reflects the revenues received and expenses made in all funds for the month and the year to date against the adopted budget for FY 17. The line items “Program” and “Program Costs” refer to the revenue and those payments made from the District’s grant funds (AB 2766 and Carl Moyer Fund).

Y-T-D Actual Column – The revenue and expenditures to date reflect the activity year to date for the General Fund *together with* the District’s grant funds. When grant funds are expended they may be for amounts greater than what was received year to date because grants are often paid from the funds accumulated over a period of time. The Excess Revenue/Over Expenditures may reflect expenditures for the period exceeding the revenue for the period, creating a negative result that may imply expenses exceeding approved budget for the fiscal year.

This report for December indicates expenses exceeding revenue for FY 17 to date in the amount of (\$178,412.38). When the General Fund is reviewed apart from the grant funds, expenses exceed revenue for FY 17 to date in the amount of (\$275,617.77). As noted in the Background section of this agenda item, about \$150,000 in AB 2766 revenue is yet to be received and recorded as revenue for FY 17. When that revenue is recognized, the calculation for Excess Revenue/Over Expenses is about \$125,617 expenses exceeding revenue at 50% of the fiscal year.

BUDGET ANALYSIS YTD – This report informs regarding the budget performance for Fiscal Year 2017 for all funds.

CHECK REGISTERS – These reports list payments made for goods and services and fund transfers for the following District accounts since the last report to the Board:

WELLS FARGO OPERATING – This report lists the payments made from the District’s primary operating account deposited at Wells Fargo Bank. The District issues payments to

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

FINANCE REPORT

AGENDA ITEM 13

PAGE 3

vendors in-house. Periodically the account is reimbursed from the funds on deposit with the San Bernardino County Auditor/Controller. References to “Credit Card Transaction” indicate Visa payments received via a third party contractor for invoices usually relating to permit application or annual renewal fees.

GENERAL FUND MPA (San Bernardino County) – This account is held by the San Bernardino County Treasurer who is the custodian of District funds. Requests for reimbursement to the District’s other accounts are made through the San Bernardino County Audit/Controller who is appointed the District’s accounting officer, as set forth in the Health & Safety Code (§41245 and §41246).

AB2766 MPE (San Bernardino County) - This report lists the activity and payments made from the District’s Grant Fund Account held in trust at the San Bernardino County. The items on these lists are included on the Statement of Activity as “Program Costs.”

CARL MOYER MPB (San Bernardino County) - This report lists the activity and payments made from the District’s Grant Fund Account held in trust at San Bernardino County. The items on these lists are included on the Statement of Activity as “Program Costs.”

PARS Held in Trust – This reports the activity related to the District’s Other Post Employment Benefit trust.

BANK REGISTERS – DISTRICT CARDS – These reports show the purchases made using the District’s Mastercards. The items on these lists are the expenditure detail for the payments made to BUSINESS CARD as shown on the Check Register Wells Fargo Operating Account.

Mojave Desert AQMD
Balance Sheet - Governmental Funds
As of November 30, 2016

Financial Report

	<u>General Fund</u>	<u>Mobile Emissions</u>	<u>Carl Moyer</u>	<u>Fiduciary Fund</u>	<u>Total</u>
Assets					
Current Assets					
Cash	2,058,773.71	3,218,869.64	472,220.43	581,115.53	6,330,979.31
Cash Held For Other Fund	35,365.82	(0.10)	0.00	(35,365.72)	0.00
Receivables	874,085.07	0.00	1,221,779.00	0.00	2,095,864.07
Pre-Paid	49,940.99	0.00	0.00	0.00	49,940.99
Total Current Assets	3,018,165.59	3,218,869.54	1,693,999.43	545,749.81	8,476,784.37
Total Assets	3,018,165.59	3,218,869.54	1,693,999.43	545,749.81	8,476,784.37
Liabilities and Net Position					
Current Liabilities					
Payables	128,585.77	101,510.78	0.00	0.00	230,096.55
Accruals	147,896.71	0.00	0.00	0.00	147,896.71
Due to Others	665.00	(0.07)	0.00	0.00	664.93
Payroll Taxes Liability	10,232.37	0.00	0.00	0.00	10,232.37
Retirement	(2,181.70)	0.00	0.00	0.00	(2,181.70)
Health	(5,742.88)	0.00	0.00	0.00	(5,742.88)
Other Payroll Deductions	704.49	0.00	0.00	0.00	704.49
Unearned Revenue	0.00	0.00	1,353,798.52	0.00	1,353,798.52
Total Current Liabilities	280,159.76	101,510.71	1,353,798.52	0.00	1,735,468.99
Restricted Fund Balance	0.00	3,058,504.40	338,455.86	539,385.55	3,936,345.81
Cash Reserves	690,000.00	0.00	0.00	0.00	690,000.00
Building Improvements	200,000.00	0.00	0.00	0.00	200,000.00
Litigation Reserves	300,000.00	0.00	0.00	0.00	300,000.00
Budget Stabilization	250,000.00	0.00	0.00	0.00	250,000.00
Retirement Reserves	1,000,000.00	0.00	0.00	0.00	1,000,000.00
Unassigned Fund Balance	335,604.11	0.00	0.00	0.00	335,604.11
Compensated Absences	150,000.00	0.00	0.00	0.00	150,000.00
Pre Paid	49,940.99	0.00	0.00	0.00	49,940.99
Change in Net Position	(237,539.27)	58,854.43	1,745.05	6,364.26	(170,575.53)
Total Liabilities & Net Position	3,018,165.59	3,218,869.54	1,693,999.43	545,749.81	8,476,784.37

Mojave Desert AQMD
Statement of Revenues & Expenditures
For the Period Ending November 30, 2016

Financial Report

	<u>General Fund</u>	<u>Mobile Emissions Program</u>	<u>Carl Moyer Program</u>	<u>Fiduciary Fund</u>	<u>Total Governmental Funds</u>
<u>Revenues</u>					
Antelope Valley Air Quality Mngmnt Contract	105,133.22	0.00	0.00	0.00	105,133.22
Other Contracts	0.00	0.00	0.00	0.00	0.00
Application and Permit Fees	248,143.83	0.00	0.00	0.00	248,143.83
AB 2766 and Other Program Revenues	66,493.88	66,353.87	11,659.00	0.00	144,506.75
Fines	1,600.00	0.00	0.00	0.00	1,600.00
Investment Earnings	0.00	0.00	0.00	5,881.81	5,881.81
Federal and State	0.00	0.00	0.00	0.00	0.00
Other Revenue	0.00	0.00	0.00	0.00	0.00
Total Revenues	421,370.93	66,353.87	11,659.00	5,881.81	505,265.61
<u>Expenditures</u>					
Salaries and Benefits	424,248.21	0.00	0.00	2,530.03	426,778.24
Services and Supplies	71,043.29	33,176.94	9,086.20	434.71	113,741.14
Contributions to Other Participants	0.00	0.00	0.00	0.00	0.00
Capital Outlay Improvements and Equipment	25,594.80	0.00	0.00	0.00	25,594.80
Total Expenditures	520,886.30	33,176.94	9,086.20	2,964.74	566,114.18
Excess Revenue Over (Under) Expenditures	(99,515.37)	33,176.93	2,572.80	2,917.07	(60,848.57)

Mojave Desert AQMD
Statement of Activity - All Funds
For the Period Ending November 30, 2016

Financial Report

	<u>M-T-D</u> <u>Actual</u>	<u>Y-T-D</u> <u>Actual</u>	<u>Y-T-D</u> <u>Budget</u>	<u>% Budget</u> <u>to Actual</u>
Revenues				
Revenue - Permitting	259,415.85	1,684,116.06	4,320,000.00	38.98
Revenue - Programs	144,506.75	516,997.93	2,294,578.00	22.53
Revenue - Application Fees	5,108.00	20,952.79	104,768.00	20.00
Revenue - State	0.00	39,604.87	189,490.00	20.90
Revenue - Federal	0.00	0.00	130,950.00	0.00
Fines & Penalties	1,600.00	23,300.00	45,000.00	51.78
Interest Earned	5,881.81	39,158.58	54,900.00	71.33
Revenue - Contracts & Unidentified	105,650.54	530,394.82	1,300,000.00	40.80
Permit Cancellations	(16,380.02)	(51,041.11)	0.00	0.00
Total Revenues	505,782.93	2,803,483.94	8,439,686.00	33.22
Expenditures				
Office Expenses	10,237.31	58,699.16	206,025.00	28.49
Communications	4,247.33	43,812.49	58,460.00	74.94
Vehicles	5,927.27	32,596.35	85,400.00	38.17
Program Costs	42,263.14	288,420.25	1,555,620.00	18.54
Travel	11,198.32	27,194.26	82,600.00	32.92
Professional Services	19,104.67	61,547.89	134,400.00	45.79
Maintenance & Repairs	4,565.34	29,911.70	75,925.00	39.40
Non-Depreciable Inventory	1,428.45	15,043.35	24,500.00	61.40
Dues & Subscriptions	7,259.03	21,715.38	48,100.00	45.15
Legal	6,854.56	65,005.16	45,000.00	144.46
Miscellaneous Expense	441.86	1,789.37	6,540.00	27.36
Suspense	213.86	1,933.01	0.00	0.00
Capital Expenditures	25,594.80	39,944.80	203,000.00	19.68
Total Expenditures	139,335.94	687,613.17	2,525,570.00	27.23
Salaries & Benefits				
Personnel Expenses	426,778.24	2,286,446.30	5,936,624.00	38.51
Total Salaries & Benefits	426,778.24	2,286,446.30	5,936,624.00	38.51
Excess Revenue Over (Under) Expenditures	(60,331.25)	(170,575.53)	(22,508.00)	757.84

Mojave Desert AQMD

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Bank Register from 11/01/2016 to 11/30/2016

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Wells Fargo Operating

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
ACH110116	11/01/2016	[14296] INTERNAL REVENUE SERVICE-PP22/16 - FWT	19,850.14	0.00	448,794.38
ACH110116	11/01/2016	[14296] INTERNAL REVENUE SERVICE-PP21/16 - FWT	22,950.44	0.00	425,843.94
ACH110116	11/01/2016	[10064] EMPLOYMENT DEVELOPMENT DEPARTMENT-PP22/16 - SWT	5,247.80	0.00	420,596.14
ACH110116	11/01/2016	[10064] EMPLOYMENT DEVELOPMENT DEPARTMENT-PP22/16 - SWT	6,302.24	0.00	414,293.90
20130703	11/02/2016	Credit Card Transaction - Kramer Junction Mining	0.00	292.82	414,586.72
0006059	11/03/2016	[10057] ALLIED ADMIN-Invoices 2016-21, 2016-22, AA116	2,625.53	0.00	411,961.19
0006060	11/03/2016	[10193] ANTELOPE VALLEY AQMD-Mileage Reimbursement for Compliance Activities July - Oct 2016	997.38	0.00	410,963.81
0006061	11/03/2016	[10012] ASSOC OF RECORDS MANAGERS & ADMINISTRATORS-Membership renewal Dec 2016 - Nov 2017 J Rhinehart	215.00	0.00	410,748.81
0006062	11/03/2016	[10021] CAL PUBLIC EMP RETIREMENT SYSTEM-Invoices 2016-20, 2016-21, 2143	34,080.68	0.00	376,668.13
0006063	11/03/2016	[10027] CAPCOA-CAPCOA 2016 Fall Membership Conference registration fee for Karen Nowak.	125.00	0.00	376,543.13
0006064	11/03/2016	[10029] CAPITAL ONE COMMERCIAL-Costco Card Chages Oct 2016	208.81	0.00	376,334.32
EFT	11/03/2016	[14304] JOHN E COLE-Attendance at Governing Board Meeting Monday, October 24, 2016.	199.90	0.00	376,334.32
EFT	11/03/2016	[10065] ENTERPRISE FLEET MANAGEMENT-Fleet Maintenance Sept 2016	3,769.37	0.00	376,334.32
0006065	11/03/2016	[10088] HI DESERT GARDENS INC-Landscape Service Oct 2016	260.00	0.00	376,074.32
0006066	11/03/2016	[10076] HI DESERT WINDOW WASHING-Window Washing Service Oct 16	200.00	0.00	375,874.32
0006067	11/03/2016	[10083] INSIDE CAL/EPA-March 2017 - February 2018 Renewal	715.00	0.00	375,159.32
0006068	11/03/2016	[15003] LINCOLN FINANCIAL GROUP-Annual payment for life insurance policy for B.Poiriez	1,300.00	0.00	373,859.32
EFT	11/03/2016	[10214] MAIL FINANCE-Postage Meter Rental Nov 16	167.34	0.00	373,859.32
EFT	11/03/2016	[10200] MOJAVE DESERT AQMD-Pay Period 22/2016 - FSADed	350.01	0.00	373,859.32
0006069	11/03/2016	[10244] PAUL'S PRECISION MAINTENANCE-Monthly Maintenance Contract Oct 2016	1,500.00	0.00	372,359.32
0006070	11/03/2016	[10109] PHELAN PINON HILLS CSD-Invoices INV02280, INV02295	320.00	0.00	372,039.32
0006071	11/03/2016	[10223] BARBARA RIORDAN-Attendance at Governing Board Meeting Monday, October 24, 2016.	151.84	0.00	371,887.48
0006072	11/03/2016	[01913] RIVERSIDE COUNTY-ACE Cogeneration Company - Issuance of Emission Reduction Credits (shutdown).	50.00	0.00	371,837.48
0006073	11/03/2016	[15002] ROBERT D GOSNEY CONSTRUCTION-Replace three 2x6 structural studs in hallway, repair drywall, patch, full texture and paint. This project is subject to prevailing wage.	7,400.00	0.00	364,437.48
0006074	11/03/2016	[14243] ORLANDO SALINAS DE LA ROSA-Reimbursement Materials for ethernet connection of gas instruments	28.33	0.00	364,409.15
0006075	11/03/2016	[10122] SAN BERNARDINO COUNTY CLERK-ACE Cogeneration Company - Issuance of Emission Reduction Credits (shutdown).	50.00	0.00	364,359.15
0006076	11/03/2016	[10130] SELECT STAFFING-Invoices 84002099644, 8402086541, 8402116230	744.00	0.00	363,615.15
0006077	11/03/2016	[10137] SOUTHWEST GAS CORP-Gas Service Oct 2016	13.72	0.00	363,601.43
0006078	11/03/2016	[10145] STAPLES INC-Office Supplies	671.37	0.00	362,930.06
0006079	11/03/2016	[10148] STRATEGIC PARTNERS GROUP-Legislative services Oct 2016	2,000.00	0.00	360,930.06
0006080	11/03/2016	[10081] VOYA 401(A) ACCT-401(a) Contribution - B. Poiriez	987.50	0.00	359,942.56

Mojave Desert AQMD
Bank Register from 11/01/2016 to 11/30/2016
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<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
EFT	11/03/2016	[10173] VOYAGER FLEET SERVICE-Fuel Card Charges Sept 16	721.78	0.00	359,942.56
0006081	11/03/2016	[14323] VSP-Invoices 2016-21, 2016-22, VSP1016	675.34	0.00	359,267.22
EFT	11/03/2016	[14303] JEFFREY HAYES WILLIAMS-Attendance at Governing Board Meeting Monday, October 24, 2016.	289.00	0.00	359,267.22
20130703	11/03/2016	Credit Card Transaction - Wal-Mart	0.00	288.31	354,058.13
EFT	11/08/2016	Pay period ending 10/28/2016	92,829.25	0.00	261,228.88
ACH110916	11/09/2016	[14296] INTERNAL REVENUE SERVICE-PP23/16 - FWT	20,076.52	0.00	241,152.36
ACH110916	11/09/2016	[10064] EMPLOYMENT DEVELOPMENT DEPARTMENT-PP23/26 SWT	5,270.53	0.00	235,881.83
0006083	11/10/2016	[10263] IN SHAPE HEALTH CLUBS INC-Pay Period 23/2016 - GymDed	193.30	0.00	235,688.53
EFT	11/10/2016	[10200] MOJAVE DESERT AQMD-Pay Period 23/2016 - FSADed	350.01	0.00	235,688.53
0006084	11/10/2016	[10113] QUESTYS SOLUTIONS-Regional User Conference - October 25, 2016, Irvine, CA. Attended by Barbara Hayes, Jennifer Rhinehart and Vilma Landsman.	60.00	0.00	235,628.53
0006085	11/10/2016	[10114] RAINBOW BUILDING MAINTENANCE-Janitorial Service Oct 2016	1,948.00	0.00	233,680.53
EFT	11/10/2016	[10117] RICOH AMERICAS CORP-Copiers lease Oct 15 - Nov 14 2016	1,284.81	0.00	233,680.53
0006086	11/10/2016	[10118] RICOH USA INC-Copy Overages Oct 2016	832.32	0.00	232,848.21
0006087	11/10/2016	[10126] SBCERA-Pay Period 23/2016 - SBCERADefer, SBCERAMatch, SBCERAPickUp, SurvivorInsBen, SurvivorInsDed, RetireCashBen	66,250.99	0.00	166,597.22
0006088	11/10/2016	[10213] SBPEA-Pay Period 23/2016 - GeneralUnitDues	644.28	0.00	165,952.94
0006089	11/10/2016	[15001] SBPIS-Pay Period 23/2016 - GeneralUnitMisc	331.17	0.00	165,621.77
EFT	11/10/2016	[10129] SCOTT MARRIN INC-Invoices D51917, D52630	167.40	0.00	165,621.77
0006090	11/10/2016	[10130] SELECT STAFFING-Extra help CRE w/e 10/30/16	217.00	0.00	165,404.77
0006091	11/10/2016	[10161] UNITED WAY DESERT COMMUNITIES-Pay Period 23/2016 - UnitedWay	5.00	0.00	165,399.77
EFT	11/10/2016	[10082] VOYA FINANCIAL (457)-Pay Period 23/2016 - 457Ded	9,429.65	0.00	165,399.77
FC0916	11/10/2016	[00838] FRONTIER COMMUNICATIONS-Sept 2016 Phone Charges	634.91	0.00	153,532.99
0006082	11/11/2016	[13205] : -PP 24/2016 - Final Check - i	7,751.50	0.00	145,781.49
20130703	11/14/2016	Credit Card Transaction - USMC - NREA	0.00	310.47	146,091.96
	11/14/2016	Service Charge	113.87	0.00	145,978.09
20130705	11/15/2016	Credit Card Transaction - Desert Mechanical	0.00	1,305.00	147,283.09
1116-6460	11/16/2016	[10071] BUSINESS CARD-BofA CC #6460 Oct 2016 Charges	2,155.60	0.00	145,127.49
1116-6731	11/16/2016	[10071] BUSINESS CARD-BofA CC #6731 Oct 2016 Charges	655.33	0.00	144,472.16
1116-6777	11/16/2016	[10071] BUSINESS CARD-BofA CC #6777 Oct 2016 Charges	1,363.33	0.00	143,108.83
1116-5695	11/16/2016	[10071] BUSINESS CARD-BofA CC #5695 Oct 2016 Charges	2,571.32	0.00	140,537.51
0006092	11/17/2016	[14217] BRET BANKS-Travel Claim - CAPCOA Fall Conference	49.68	0.00	140,487.83
0006093	11/17/2016	[10046] CLARK PEST CONTROL-Pest Control Service Nov 16	46.00	0.00	140,441.83
0006094	11/17/2016	[14238] SHERI HAGGARD-AERMOD, BREEZE SOFTWARE, PSD RELATED,	99.36	0.00	140,342.47
EFT	11/17/2016	[10116] IRON MOUNTAIN-Document Destruction	60.40	0.00	140,342.47
0006095	11/17/2016	[10096] MOJAVE ENVIRONMENTAL EDUCATION CONSORTIUM-MDAQMD Staff Registration Fees - CDAWG 2016 - Las Vegas, NV - 11/16-11/17/16	2,505.00	0.00	137,837.47
0006096	11/17/2016	[14218] ROSEANA NAVARRO-BRASINGTON-Invoices PO341-1, PO353-1	254.08	0.00	137,583.39
0006097	11/17/2016	[10591] KAREN NOWAK-Travel Request - Karen Nowak - 2016 CAPCOA Fall Membership Conference Attorneys - Monterey, CA	47.20	0.00	137,536.19
EFT	11/17/2016	[14256] BRAD A POIRIEZ-Invoices 1169, BP11216, PO358-1, PO363-1	290.50	0.00	137,536.19

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<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
EFT	11/17/2016	[10173] VOYAGER FLEET SERVICE-Fuel card charges Oct 2016	900.89	0.00	137,536.19
2017006	11/17/2016	Op Fund Rep #6	0.00	726,506.66	862,791.06
20130706	11/21/2016	Credit Card Transaction - Mojave Auto Collision	0.00	149.00	862,940.06
EFT	11/23/2016	Pay period ending 11/11/2016	92,384.17	0.00	770,555.89
20130707	11/23/2016	Credit Card Transaction - CJC Design	0.00	261.00	770,816.89
20130707	11/25/2016	Credit Card Transaction - AFCEE/CBI	0.00	1,051.16	771,868.05
20130707	11/25/2016	Credit Card Transactions - Lockheed & SBCo	0.00	2,308.02	774,176.07
0006098	11/30/2016	[10007] AIR TECH SERVICES-Removed and replaced reversing valve fix leaks	1,333.00	0.00	772,843.07
0006099	11/30/2016	[10057] ALLIED ADMIN-Invoices 2016-23, 2016-24, AA1216	2,419.79	0.00	770,423.28
0006100	11/30/2016	[10013] AT & T-Complaint Line Charges Oct 2016	39.82	0.00	770,383.46
EFT	11/30/2016	[10017] BEST BEST & KRIEGER LLP-General Counsel Legal Services through	3,033.01	0.00	770,383.46
EFT	11/30/2016	[10017] BEST BEST & KRIEGER LLP-Legal Services through Oct 31 2016	2,495.92	0.00	770,383.46
0006101	11/30/2016	Employee Benefits [10021] CAL PUBLIC EMP RETIREMENT SYSTEM-Invoices	34,080.68	0.00	736,302.78
		10000014865043, 2016-22, 2016-23			
0006102	11/30/2016	[14361] ELK GROVE AUTO-2017 DODGE GRAND CARAVAN per CA State Procurement Contract 1-16-23-23 B Line 13	24,072.80	0.00	712,229.98
EFT	11/30/2016	[10065] ENTERPRISE FLEET MANAGEMENT-Fleet Maintenance Nov 2016	3,769.37	0.00	712,229.98
0006103	11/30/2016	[10076] HI DESERT WINDOW WASHING-Window Washing service Nov 16	200.00	0.00	712,029.98
0006104	11/30/2016	[10263] IN SHAPE HEALTH CLUBS INC-Pay Period 24/2016 - GymDed	193.30	0.00	711,836.68
EFT	11/30/2016	[10116] IRON MOUNTAIN-Document Destruction Nov 2016	60.60	0.00	711,836.68
0006105	11/30/2016	[14275] IRON MOUNTAIN INC (DR SERV)-Doc Retention Service Nov 2016	273.69	0.00	711,562.99
EFT	11/30/2016	[10093] MET ONE INSTRUMENTS-Glass Fiber Filter tape	1,100.00	0.00	711,562.99
0006106	11/30/2016	[10094] MOJAVE COPY & PRINTING-BC imprint D Hernandez	34.20	0.00	711,528.79
EFT	11/30/2016	[10200] MOJAVE DESERT AQMD-Pay Period 24/2016 - FSADed	350.01	0.00	711,528.79
0006107	11/30/2016	[10591] KAREN NOWAK-California Desert Air Working Group (CDAWG) 2016 Conference	180.04	0.00	711,348.75
0006108	11/30/2016	[14212] SAMUEL OKTAY-Attend 2016 CDAWG Meeting in Las Vegas NV	108.00	0.00	711,240.75
0006109	11/30/2016	[10106] PARS-OPEB Trust Admin Sept 2016	300.00	0.00	710,940.75
0006110	11/30/2016	[10244] PAUL'S PRECISION MAINTENANCE-Monthly Maintenance Contract Nov 2016	1,500.00	0.00	709,440.75
0006111	11/30/2016	[11067] VIOLETTE ROBERTS-Reimbursement for porter/bllman charges-\$10 per cart - charge to unload CDAWG materials from auto and move to conference area - Orleans Hotel.	20.00	0.00	709,420.75
0006112	11/30/2016	[10126] SBCERA-Invoices 2016-24, 2016-24	71,117.42	0.00	638,303.33
0006113	11/30/2016	[10213] SBPEA-Pay Period 24/2016 - GeneralUnitDues	644.28	0.00	637,659.05
0006114	11/30/2016	[15001] SBPIS-Pay Period 24/2016 - GeneralUnitMisc	331.17	0.00	637,327.88
0006115	11/30/2016	[10130] SELECT STAFFING-Invoices 8402161698, 8402175533	406.10	0.00	636,921.78
0006116	11/30/2016	[10144] STANDARD INSURANCE-Invoices 2016-22, 2016-23, SI111816	1,167.74	0.00	635,754.04
0006117	11/30/2016	[10145] STAPLES INC-Office Supplies	171.22	0.00	635,582.82
0006118	11/30/2016	[10148] STRATEGIC PARTNERS GROUP - STRATEGIC PARTNERS GROUP- Legislative services Nov 2016	2,000.00	0.00	633,582.82
0006119	11/30/2016	[14245] SARAH STROUT-Invoices PO376-1, PO377-1	418.95	0.00	633,163.87

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<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0006120	11/30/2016	[10161] UNITED WAY DESERT COMMUNITIES-Pay Period 24/2016 - UnitedWay	5.00	0.00	633,158.87
0006121	11/30/2016	[10166] VERIZON BUSINESS-VOIP & Internet Services Nov 16	1,178.27	0.00	631,980.60
0006122	11/30/2016	[10165] VERIZON CONFERENCING-Conferencing Service Oct 2016	33.47	0.00	631,947.13
0006123	11/30/2016	[15004] VILLEGAS AUTO REPAIR SERVICE-Oil Change & Tire Repair 02 Caravan	54.83	0.00	631,892.30
0006124	11/30/2016	[10081] VOYA 401(A) ACCT-401(a) Contribution - B. Poiriez	987.50	0.00	630,904.80
EFT	11/30/2016	[10082] VOYA FINANCIAL (457)-Pay Period 24/2016 - 457Ded	9,429.65	0.00	630,904.80
0006125	11/30/2016	[14228] TRACY WALTERS-CDAWG 2016 Las Vegas	79.50	0.00	630,825.30
20130708	11/30/2016	Credit Card Transaction - Harbro Environmental	0.00	522.00	611,108.74
Total for Report:			590,530.22	732,994.44	

Mojave Desert AQMD
Bank Register from 11/01/2016 to 11/30/2016
General Fund MPA

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
20130696	11/02/2016	SBCo ACH - US Army & Federal Bureau of Prisons	0.00	100,383.71	1,722,393.29
20130699	11/04/2016	SBCo ACH - Mojave National Preserve	0.00	288.31	1,722,681.60
20130698	11/07/2016	SBCo ACH - MDAQMD	0.00	350.01	1,723,031.61
20130700	11/08/2016	SBCo ACH - USMC	0.00	377.20	1,723,408.81
20130701	11/08/2016	SBCo ACH - USMC	0.00	4,585.58	1,727,994.39
20130702	11/08/2016	SBCo ACH - USMC	0.00	838.26	1,728,832.65
0008007	11/08/2016	Daily Deposit	0.00	17,172.40	1,746,005.05
0008008	11/08/2016	Daily Deposit	0.00	5,144.48	1,751,149.53
0008009	11/08/2016	Daily Deposit	0.00	75,866.78	1,827,016.31
	11/08/2016	Service Charge	262.00	0.00	1,826,754.31
20130697	11/09/2016	SBCo ACH - USMC	0.00	2,630.87	1,829,385.18
20130703	11/14/2016	SBCo ACH - MDAQMD	0.00	350.01	1,829,735.19
0008010	11/14/2016	Daily Deposit	0.00	3,474.27	1,833,209.46
0008011	11/14/2016	Daily Deposit	0.00	164,777.98	1,997,987.44
0008012	11/14/2016	Daily Deposit	0.00	6,488.71	2,004,476.15
2017005	11/17/2016	Transfer AB2766 - September 2016	66,353.88	0.00	1,938,122.27
2017006	11/17/2016	Op Fund Rep #6	726,506.66	0.00	1,211,615.61
20130705	11/22/2016	SBCo ACH - USMC NREA	0.00	109,779.25	1,321,394.86
0008013	11/22/2016	Daily Deposit	0.00	50,175.78	1,371,570.64
20130706	11/25/2016	SBCo ACH - NAWS	0.00	100.00	1,371,670.64
0008014	11/29/2016	Daily Deposit	0.00	6,414.98	1,378,085.62
0008015	11/29/2016	Daily Deposit	0.00	61,571.63	1,439,657.25
Total for Report:			793,122.54	610,770.21	

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AB2766 MPE

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
2017005	11/17/2016	Transfer AB2766 - September 2016	0.00	66,353.88	3,218,869.64
Total for Report:			0.00	66,353.88	

Mojave Desert AQMD
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Carl Moyer MPB

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
MPB 17-6	11/17/2016	[10240] ENVIRONMENTAL ENGINEERING STUDIES-Moyer Grant	9,086.20	0.00	472,220.43
Total for Report:			9,086.20	0.00	

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PARS Held in Trust

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
	11/01/2016	Service Charge	134.71	0.00	575,233.72
	11/01/2016	Interest Earned	0.00	5,881.81	581,115.53
Total for Report:			134.71	5,881.81	

Mojave Desert AQMD
Bank Register from 11/01/2016 to 11/30/2016
District Card - Assigned

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
000028	11/16/2016	Nov 2016 Payment	0.00	1,363.33	4,475.73
0000253	11/17/2016	[13961] JEAN BRACY-Framing for "Lisa" graphic	136.62	0.00	4,339.11
0000254	11/17/2016	[13961] JEAN BRACY-Purchase gift cards for employee event - reimbursed with incentive awards	50.00	0.00	4,289.11
0000255	11/17/2016	[13961] JEAN BRACY-Purchase greenery for lobby	17.22	0.00	4,271.89
0000256	11/17/2016	[11809] CHRIS COLLINS-Sunland Ford Maintenance Pool vehicle Fusion	36.20	0.00	4,235.69
0000257	11/17/2016	[11809] CHRIS COLLINS-Pep Boys - Wiper Blades Camry Pool Vehicle	25.90	0.00	4,209.79
0000258	11/17/2016	[11809] CHRIS COLLINS-Home Depot - Paint for GB Conf Room and Chambers	163.70	0.00	4,046.09
0000259	11/17/2016	[11809] CHRIS COLLINS-Competitive Door - Door Closer Weather seal for doors exterior doors	543.37	0.00	3,502.72
0000260	11/17/2016	[11809] CHRIS COLLINS-Home Depot - Materials for GB Conf Room and Chambers Repainting	23.17	0.00	3,479.55
0000261	11/17/2016	[11809] CHRIS COLLINS-Ferguson - Replacement POU water heater	420.03	0.00	3,059.52
0000262	11/17/2016	[11809] CHRIS COLLINS-Home Depot - Boxes and Keys for office move	9.24	0.00	3,050.28
0000263	11/17/2016	[11809] CHRIS COLLINS-Home Depot - Carpet base board adhesive for hallway	39.82	0.00	3,010.46
0000264	11/17/2016	[10591] KAREN NOWAK-Travel Request - Karen Nowak - 2016 CAPCOA Fall Membership Conference Attorneys - Monterey, CA Airfare	171.96	0.00	2,838.50
0000265	11/17/2016	[14256] BRAD A POIRIEZ-Rotary Club of Victorville - Oct 16 Dues	137.00	0.00	2,701.50
0000266	11/17/2016	[14256] BRAD A POIRIEZ-Rotary Club of Victorville - Nov 16 Dues	137.00	0.00	2,564.50
0000267	11/17/2016	[14256] BRAD A POIRIEZ-NACAA 2016 Fall Membership Meeting, Minneapolis, Minnesota. Parking Lodging Transportation	688.24	0.00	1,876.26
0000268	11/17/2016	[14256] BRAD A POIRIEZ-Four Points By Sheraton overnight lodging for High Desert Opportunity, Rancho Cucamonga, CA October 20, 2016.	100.98	0.00	1,775.28
0000269	11/17/2016	[11067] VIOLETTE ROBERTS-Airfare - Ontatio to Oaklad - CAPCOA Public Outreach Committee Meeting - San Francisco - 10/26-10/27/16	182.96	0.00	1,592.32
0000270	11/17/2016	[11067] VIOLETTE ROBERTS-Roundtrip Airfare - Ontarion to San Jose - CAPCOA Fall Membership Meeting - Public Outreach Committee Chair Presentation - Monterey, CA - 11/2/16	186.96	0.00	1,405.36
0000271	11/17/2016	[11067] VIOLETTE ROBERTS-Chair CAPCOA Public Outreach Committee Meeting - 10/26-10/27/16 - BAAQMD - San Francisco - Meals & Lodging	645.71	0.00	759.65
0000272	11/17/2016	[11067] VIOLETTE ROBERTS-Meals & Lodging - CAPCOA Fall Conference - Committee Chair Presentation - 11/1/-11/2/16 - Monterey, CA	269.15	0.00	490.50
0000273	11/17/2016	[11067] VIOLETTE ROBERTS-Chair CAPCOA Public Outreach Committee Meeting - 10/26-10/27/16 - BAAQMD - San Francisco - Uber Transportation: Airport, Hotel, District, Dinner	80.62	0.00	409.88
0000034	11/17/2016	Rebate travel - CRE	0.00	2.07	411.95
0000274	11/17/2016	[14256] BRAD A POIRIEZ-Meeting Expense - Lunch Brad Poiriez & Bret Banks AVAQMD Facility Tours	44.05	0.00	367.90
Total for Report:			4,109.90	1,365.40	

Mojave Desert AQMD
Bank Register from 11/01/2016 to 11/30/2016
District Card- 6404

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0000032	11/16/2016	Nov 2016 Payment	0.00	2,155.60	2,155.60
0000134	11/17/2016	[10044] CITY OF VICTORVILLE-Water Service Sept 2016	258.24	0.00	1,897.36
0000135	11/17/2016	[10044] CITY OF VICTORVILLE-Fire Sprinkler Service Sept 2016	65.13	0.00	1,832.23
0000136	11/17/2016	[14356] CUBESMART-Offsite Storage Lease Oct 2016	250.95	0.00	1,581.28
0000137	11/17/2016	[14356] CUBESMART-Offsite Storage Rental Nov 2016	249.00	0.00	1,332.28
0000138	11/17/2016	[00638] FRONTIER COMMUNICATIONS-Invoices 6460-100416, 6460-100416, 6460-100416, 6460-100516	525.39	0.00	806.89
0000139	11/17/2016	[14218] ROSEANA NAVARRO-BRASINGTON-Capcoa Vapor Recovery - Monterey	131.00	0.00	675.89
0000140	11/17/2016	[14243] ORLANDO SALINAS DE LA ROSA-Ridgecrest stay - ARB Audit 2016	173.53	0.00	502.36
0000141	11/17/2016	[14221] ROBYN SIMPSON-CSDA Annual Meeting - Lodging, Fuel, Meals	419.52	0.00	82.84
0000142	11/17/2016	[10138] SPARKLETTS-Invoices 4296603092116, 4296603101916	82.84	0.00	
Total for Report:			2,155.60	2,155.60	

Mojave Desert AQMD
Bank Register from 11/01/2016 to 11/30/2016
District Card - 5695

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0000029	11/16/2016	Nov 2016 Payment	0.00	2,571.32	2,571.32
0000153	11/17/2016	[10073] GRAINGER-Invoices 9126589127, 9132117947, 9136718351, 9138372108, 91675222524, 9184777937, 9243084291, 9264904252	1,031.50	0.00	1,539.82
0000154	11/17/2016	[10055] HIGH DESERT MEDIA GROUP-Legal notice for publication on 11/04/2016 - S. Oktay	201.70	0.00	1,338.12
0000155	11/17/2016	[14218] ROSEANA NAVARRO-BRASINGTON-Capcoa Vapor Recovery - Monterey Lodging	331.87	0.00	1,006.25
0000156	11/17/2016	[14212] SAMUEL OKTAY-Attend October CAPCOA Engineering Meeting in Ventura, CA	323.78	0.00	682.47
0000157	11/17/2016	[14245] SARAH STROUT-Lodging CAPCOA Enforcement Symposium	476.19	0.00	206.28
0000158	11/17/2016	[10169] VERIZON WIRELESS SERVICES, LLC-Cell Phone Charges Sept 2016	206.28	0.00	
Total for Report:			2,571.32	2,571.32	

Mojave Desert AQMD
Bank Register from 11/01/2016 to 11/30/2016
District Card - 6731

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0000030	11/16/2016	Nov 2016 Payment	0.00	655.33	655.33
0000121	11/17/2016	[14254] LAQUITA COLE-CAPCOA FO Meeting	513.06	0.00	142.27
0000122	11/17/2016	[14218] ROSEANA NAVARRO-BRASINGTON-Capcoa Vapor Recovery - Monterey	48.27	0.00	94.00
0000123	11/17/2016	[14242] JENNIFER RHINEHART-SCIE ARMA Chapter Meeting 10/12/2016 Attendance for Vilma Landsman and Jennifer Rhinehart	40.00	0.00	54.00
0000124	11/17/2016	[14245] SARAH STROUT-Airport Parking CAPCOA Enf Meeting	54.00	0.00	
Total for Report:			655.33	655.33	

Mojave Desert AQMD
Balance Sheet - Governmental Funds
As of December 31, 2016

Financial Report

	<u>General Fund</u>	<u>Mobile Emissions</u>	<u>Carl Moyer</u>	<u>Fiduciary Fund</u>	<u>Total</u>
Assets					
Current Assets					
Cash	1,883,676.99	3,275,544.03	404,557.73	585,637.21	6,149,415.96
Cash Held For Other Fund	35,665.82	(0.10)	0.00	(35,665.72)	0.00
Receivables	1,108,810.91	0.00	1,221,779.00	0.00	2,330,589.91
Pre-Paid	46,014.63	0.00	0.00	0.00	46,014.63
Total Current Assets	3,074,168.35	3,275,543.93	1,626,336.73	549,971.49	8,526,020.50
Total Assets	3,074,168.35	3,275,543.93	1,626,336.73	549,971.49	8,526,020.50
Liabilities and Net Position					
Current Liabilities					
Payables	166,135.21	130,302.90	0.00	1,862.91	298,301.02
Accruals	186,014.87	0.00	0.00	0.00	186,014.87
Due to Others	700.00	(0.08)	0.00	0.00	699.92
Payroll Taxes Liability	11,916.92	0.00	0.00	0.00	11,916.92
Retirement	502.92	0.00	0.00	0.00	502.92
Health	7,881.95	0.00	0.00	0.00	7,881.95
Other Payroll Deductions	1,088.55	0.00	0.00	0.00	1,088.55
Unearned Revenue	0.00	0.00	1,286,135.82	0.00	1,286,135.82
Total Current Liabilities	374,240.42	130,302.82	1,286,135.82	1,862.91	1,792,541.97
Restricted Fund Balance	0.00	3,058,504.40	338,455.86	539,385.55	3,936,345.81
Cash Reserves	690,000.00	0.00	0.00	0.00	690,000.00
Building Improvements	200,000.00	0.00	0.00	0.00	200,000.00
Litigation Reserves	300,000.00	0.00	0.00	0.00	300,000.00
Budget Stabilization	250,000.00	0.00	0.00	0.00	250,000.00
Retirement Reserves	1,000,000.00	0.00	0.00	0.00	1,000,000.00
Unassigned Fund Balance	339,530.47	0.00	0.00	0.00	339,530.47
Compensated Absences	150,000.00	0.00	0.00	0.00	150,000.00
Pre Paid	46,014.63	0.00	0.00	0.00	46,014.63
Change in Net Position	(275,617.17)	86,736.71	1,745.05	8,723.03	(178,412.38)
Total Liabilities & Net Position	3,074,168.35	3,275,543.93	1,626,336.73	549,971.49	8,526,020.50

Mojave Desert AQMD
Statement of Revenues & Expenditures
For the Period Ending December 31, 2016

Financial Report

	<u>General Fund</u>	<u>Mobile Emissions Program</u>	<u>Carl Moyer Program</u>	<u>Fiduciary Fund</u>	<u>Total Governmental Funds</u>
<u>Revenues</u>					
Antelope Valley Air Quality Mngmnt Contract	105,076.92	0.00	0.00	0.00	105,076.92
Other Contracts	0.00	0.00	0.00	0.00	0.00
Application and Permit Fees	413,871.99	0.00	0.00	0.00	413,871.99
AB 2766 and Other Program Revenues	57,619.24	57,584.24	67,662.70	0.00	182,866.18
Fines	700.00	0.00	0.00	0.00	700.00
Investment Earnings	0.00	0.00	0.00	4,790.86	4,790.86
Federal and State	0.00	0.00	0.00	0.00	0.00
Other Revenue	0.00	0.00	0.00	0.00	0.00
Total Revenues	577,268.15	57,584.24	67,662.70	4,790.86	707,305.95
<u>Expenditures</u>					
Salaries and Benefits	553,708.76	0.00	0.00	1,862.91	555,571.67
Services and Supplies	35,846.29	29,701.96	67,662.70	569.18	133,780.13
Contributions to Other Participants	0.00	0.00	0.00	0.00	0.00
Capital Outlay Improvements and Equipment	26,295.56	0.00	0.00	0.00	26,295.56
Total Expenditures	615,850.61	29,701.96	67,662.70	2,432.09	715,647.36
Excess Revenue Over (Under) Expenditures	(38,582.46)	27,882.28	0.00	2,358.77	(8,341.41)

Mojave Desert AQMD
Statement of Activity - All Funds
For the Period Ending December 31, 2016

Financial Report

	<u>M-T-D</u> <u>Actual</u>	<u>Y-T-D</u> <u>Actual</u>	<u>Y-T-D</u> <u>Budget</u>	<u>% Budget</u> <u>to Actual</u>
Revenues				
Revenue - Permitting	422,687.88	2,106,803.94	4,320,000.00	48.77
Revenue - Programs	182,866.18	699,864.11	2,294,578.00	30.50
Revenue - Application Fees	2,498.00	23,450.79	104,768.00	22.38
Revenue - State	0.00	39,604.87	189,490.00	20.90
Revenue - Federal	0.00	0.00	130,950.00	0.00
Fines & Penalties	700.00	24,000.00	45,000.00	53.33
Interest Earned	4,790.86	43,949.44	54,900.00	80.05
Revenue - Contracts & Unidentified	105,581.48	635,976.30	1,300,000.00	48.92
Permit Cancellations	(11,313.89)	(62,355.00)	0.00	0.00
Total Revenues	707,810.51	3,511,294.45	8,439,686.00	41.60
Expenditures				
Office Expenses	8,196.13	66,895.29	206,025.00	32.47
Communications	9,543.20	53,355.69	58,460.00	91.27
Vehicles	5,552.32	38,148.67	85,400.00	44.67
Program Costs	97,364.66	385,784.91	1,555,620.00	24.80
Travel	1,518.20	28,712.46	82,600.00	34.76
Professional Services	1,410.02	62,957.91	134,400.00	46.84
Maintenance & Repairs	4,478.29	34,389.99	75,925.00	45.29
Non-Depreciable Inventory	422.49	15,465.84	24,500.00	63.13
Dues & Subscriptions	642.00	22,357.38	48,100.00	46.48
Legal	2,831.60	67,836.76	45,000.00	150.75
Miscellaneous Expense	837.97	2,627.34	6,540.00	40.17
Suspense	983.25	2,916.26	0.00	0.00
Capital Expenditures	26,295.56	66,240.36	203,000.00	32.63
Total Expenditures	160,075.69	847,688.86	2,525,570.00	33.56
Salaries & Benefits				
Personnel Expenses	555,571.67	2,842,017.97	5,936,624.00	47.87
Total Salaries & Benefits	555,571.67	2,842,017.97	5,936,624.00	47.87
Excess Revenue Over (Under) Expenditures	(7,836.85)	(178,412.38)	(22,508.00)	792.66

Mojave Desert AQMD

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Bank Register from 12/01/2016 to 12/31/2016

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Wells Fargo Operating

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
ACH120116	12/01/2016	[10047] COLONIAL INSURANCE-Supplemental Insurance Premium Dec 2016	684.48	0.00	610,424.26
1116-1012	12/01/2016	[10071] BUSINESS CARD-BofA CC #1042 Oct 2016 Charges	171.96	0.00	610,252.30
1116-0357	12/01/2016	[10071] BUSINESS CARD-BofA CC #0357 Oct 2016 Charges	203.84	0.00	610,048.46
1116-7885	12/01/2016	[10071] BUSINESS CARD-BofA CC #7885 Oct 2016 Charges	906.12	0.00	609,142.34
1116-9404	12/01/2016	[10071] BUSINESS CARD-BofA CC #9404 Oct 2016 Charges	1,261.43	0.00	607,880.91
20130708	12/02/2016	Credit Card Transaction - DNJ Const	0.00	261.00	608,141.91
20130708	12/05/2016	Credit Card Transactions - CH2M Hill & Walmart CBI	0.00	4,414.21	612,556.12
EFT	12/07/2016	Pay period ending 11/25/2016	90,437.82	0.00	522,118.30
1216-6460	12/08/2016	[10071] BUSINESS CARD-BofA CC #6460 Nov 2016 Charges	3,754.01	0.00	518,364.29
1116-6731	12/08/2016	[10071] BUSINESS CARD-BofA CC #6731 Nov 2016 Charges	1,376.32	0.00	516,987.97
1216-5695	12/08/2016	[10071] BUSINESS CARD-BofA CC #5695 Nov 2016 Charges	2,007.91	0.00	514,980.06
ACH120816	12/08/2016	[14296] INTERNAL REVENUE SERVICE-PP24/16 - SWT	3,905.47	0.00	511,074.59
0006126	12/09/2016	[10007] AIR TECH SERVICES-Faulty Thermostat Repair	399.90	0.00	510,674.69
EFT	12/09/2016	[10017] BEST BEST & KRIEGER LLP-Gen Counsel Legal Services through 11/30/16	935.60	0.00	510,674.69
EFT	12/09/2016	[10017] BEST BEST & KRIEGER LLP-Legal Services Employee Benefits through 11/30/16	1,629.80	0.00	510,674.69
0006127	12/09/2016	[13961] JEAN BRACY-Cell phone purchase reimbursement per Standard Practice 4-16	250.00	0.00	510,424.69
0006128	12/09/2016	[10025] CALIFORNIA SPECIAL DISTRICTS ASSOCIATION-Agency Membership Dues 2017	6,485.00	0.00	503,939.69
0006129	12/09/2016	[10029] CAPITAL ONE COMMERCIAL-Invoices 18025, 48861	126.18	0.00	503,813.51
0006130	12/09/2016	[10044] CITY OF VICTORVILLE-Street Lighting Assessment for FY17	65.99	0.00	503,747.52
0006131	12/09/2016	[10046] CLARK PEST CONTROL-Pest control service Dec 2016	46.00	0.00	503,701.52
0006132	12/09/2016	[10825] ALAN DE SALVIO-Emp Reimbursement Meeting Supplies	15.90	0.00	503,685.62
0006133	12/09/2016	[10067] ENTERPRISE RENT A CAR-Car rentals Nov 16	752.51	0.00	502,933.11
0006134	12/09/2016	[10088] HI DESERT GARDENS INC-Landscape Service Nov 2016	260.00	0.00	502,673.11
0006135	12/09/2016	[10263] IN SHAPE HEALTH CLUBS INC-Pay Period 25/2016 - GymDed	193.30	0.00	502,479.81
0006136	12/09/2016	[10087] KNIGHT GUARD ALARM-Alarm monitoring 2nd qrtr FY 17	240.00	0.00	502,239.81
EFT	12/09/2016	[10214] MAIL FINANCE-Postage Meter Rental Dec 16 2016 - Jan 15 2017	167.34	0.00	502,239.81
EFT	12/09/2016	[10200] MOJAVE DESERT AQMD-Credit Card Transactions Transfer - November 2016	6,487.78	0.00	502,239.81
EFT	12/09/2016	[10200] MOJAVE DESERT AQMD-Pay Period 25/2016 - FSADed	347.85	0.00	502,239.81
0006137	12/09/2016	[10109] PHELAN PINON HILLS CSD-Electric use fee Nov 16	160.00	0.00	502,079.81
EFT	12/09/2016	[14256] BRAD A POIRIEZ-California Desert Air Working Group (CDAWG) 2016 Conference	79.50	0.00	502,079.81
0006138	12/09/2016	[10114] RAINBOW BUILDING MAINTENANCE-Custodial Servoce Nov 2016	1,948.00	0.00	500,131.81
EFT	12/09/2016	[10117] RICOH AMERICAS CORP-Copiers Lease 11/15/16 - 12/14/16	1,284.81	0.00	500,131.81
0006139	12/09/2016	[10118] RICOH USA INC-Copy overages Nov 2016	335.72	0.00	499,796.09
0006140	12/09/2016	[10126] SBCERA-Pay Period 25/2016 - SBCERADefer, SBCERAMatch, SBCERAPickUp, SurvivorInsBen, SurvivorInsDed, RetireCashBen	64,354.51	0.00	435,441.58
0006141	12/09/2016	[10213] SBPEA-Pay Period 25/2016 - GeneralUnitDues	644.28	0.00	434,797.30
0006142	12/09/2016	[15001] SBPIS-Pay Period 25/2016 - GeneralUnitMisc	331.17	0.00	434,466.13
EFT	12/09/2016	[10129] SCOTT MARRIN INC-Demurrage Nov 2016	84.00	0.00	434,466.13

Mojave Desert AQMD
Bank Register from 12/01/2016 to 12/31/2016
Wells Fargo Operating

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0006143	12/09/2016	[10130] SELECT STAFFING-Invoices 8402190308, 8402209887	186.00	0.00	434,280.13
0006144	12/09/2016	[10136] SOUTHERN CALIF EDISON-Electric Service Nov 2016	1,849.47	0.00	432,430.66
0006145	12/09/2016	[10137] SOUTHWEST GAS CORP-Gas Service Nov 2016	115.73	0.00	432,314.93
0006146	12/09/2016	[14269] TEK TIME SYSTEMS INC-Year wheel replacement	160.14	0.00	432,154.79
0006147	12/09/2016	[10149] TELEDYNE ADVANCED POLLUTION INSTRUMENTATION-NOX Dryer and NOX Rebuild Kit	1,344.45	0.00	430,810.34
0006148	12/09/2016	[10150] THE COUNSELING TEAM-EAP Hours Oct 2016	240.00	0.00	430,570.34
0006149	12/09/2016	[10161] UNITED WAY DESERT COMMUNITIES-Pay Period 25/2016 - UnitedWay	5.00	0.00	430,565.34
0006150	12/09/2016	[10163] USPS/NEOPOST-Replenish postage account	3,000.00	0.00	427,565.34
EFT	12/09/2016	[10082] VOYA FINANCIAL (457)-Pay Period 25/2016 - 457Ded	9,429.65	0.00	427,565.34
EFT	12/09/2016	[10173] VOYAGER FLEET SERVICE-Fuel card charges Nov 16	1,103.60	0.00	427,565.34
0006151	12/09/2016	[14323] VSP-Invoices 2016-23, 2016-24, 2016-24, VSP1216	627.07	0.00	426,938.27
1216-9404	12/09/2016	[10071] BUSINESS CARD-BofA CC #9404 Nov 2016 Charges	1,037.80	0.00	404,350.54
1216-0357	12/09/2016	[10071] BUSINESS CARD-BofA CC #0357 Nov 2016 Charges	2,122.35	0.00	402,228.19
1216-6777	12/09/2016	[10071] BUSINESS CARD-BofA CC #6777 Nov 2016 Charges	285.68	0.00	401,942.51
1216-6251	12/09/2016	[10071] BUSINESS CARD-BofA CC #6251 Nov 2016 Charges	10.76	0.00	401,931.75
1216-7885	12/09/2016	[10071] BUSINESS CARD-BofA CC #7885 Nov 2016 Charges	531.66	0.00	401,400.09
20130710	12/09/2016	Credit Card Transaction - Protech	0.00	8,000.00	409,400.09
ACH120916	12/09/2016	[14296] INTERNAL REVENUE SERVICE-PP25/16 - FITW, FICA Med	19,306.75	0.00	390,093.34
ACH120916	12/09/2016	[14296] INTERNAL REVENUE SERVICE-PP24/16 - FITW, FICA Med	18,599.08	0.00	371,494.26
ACH120916	12/09/2016	[10064] EMPLOYMENT DEVELOPMENT DEPARTMENT-PP24/16 - SWT	5,137.89	0.00	366,356.37
ACH120916	12/09/2016	[10064] EMPLOYMENT DEVELOPMENT DEPARTMENT-PP25/16 - SWT	5,031.26	0.00	361,325.11
ACH120916	12/09/2016	[10064] EMPLOYMENT DEVELOPMENT DEPARTMENT-PP24/16 - Final Check M.Baird SWT	1,209.46	0.00	360,115.65
20130710	12/12/2016	Credit Card Transation - FAA	0.00	292.82	360,408.47
0006282	12/12/2016	[00638] FRONTIER COMMUNICATIONS-Dist Phone Charges October, November 2016	1,277.58	0.00	359,130.89
	12/12/2016	Service Charge	279.37	0.00	358,851.52
0006152	12/15/2016	[10075] HAWTHORN SUITES HOTEL VICTORVILLE-GB Member JW Lodging - Gb Meeting 10/24/16	95.23	0.00	358,756.29
0006153	12/15/2016	[10591] KAREN NOWAK-Travel Request - Karen Nowak - 2016 CAPCOA Fall Membership Conference Attorneys - Monterey, CA	595.26	0.00	358,161.03
20130715	12/16/2016	Credit Card Transactions - FAA & Alaska USA	0.00	591.26	358,659.41
2017007	12/20/2016	Op Fund Rep #6	0.00	379,104.20	737,763.61
EFT	12/21/2016	Pay period ending 12/09/2016	128,016.69	0.00	609,746.92
0006155	12/22/2016	[14349] CPAC INC- SuperMicro Server per quote from CPAC 11/10/2016	14,438.52	0.00	595,401.28
0006156	12/22/2016	[10007] AIR TECH SERVICES-Qrtly HVAC AV Service	330.00	0.00	595,071.28
0006157	12/22/2016	[10057] ALLIED ADMIN-Invoices 2016-25, 2016-26, AA0117	2,501.34	0.00	592,569.94
0006158	12/22/2016	[10013] AT & T-Complaint Line Charges Novemembr 2016	39.65	0.00	592,530.29
0006159	12/22/2016	[10068] CAL DEPT PUBLIC HEALTH-REHS Biennial Renewal/Tracy Walters REHS # 5476	175.00	0.00	592,355.29

Mojave Desert AQMD
Bank Register from 12/01/2016 to 12/31/2016
Wells Fargo Operating

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0006160	12/22/2016	[10068] CAL DEPT PUBLIC HEALTH-REHS Biennial Renewal C. Anderson REHS # 7288	175.00	0.00	592,180.29
0006161	12/22/2016	[10050] COMPUTERWORKS NFP SOLUTIONS-AccuFund Implementation Hrs & Training - Grants, Timekeeping Module	1,522.00	0.00	590,658.29
EFT	12/22/2016	[10065] ENTERPRISE FLEET MANAGEMENT-Fleet maintenance/ leases Nov 2016	3,769.37	0.00	590,658.29
0006162	12/22/2016	[10067] ENTERPRISE RENT A CAR-Vehicle Rentals October 2016	156.26	0.00	590,502.03
0006163	12/22/2016	[10283] GOVT FINANCE OFFICERS ASSN-Invoices 0100625, 1264	300.00	0.00	590,202.03
0006164	12/22/2016	[10079] HIGH DESERT LASER GRAPHICS-Retirement plaque - for retiring employee	71.82	0.00	590,130.21
0006165	12/22/2016	[10263] IN SHAPE HEALTH CLUBS INC-Pay Period 26/2016 - GymDed	193.30	0.00	589,936.91
0006166	12/22/2016	[14275] IRON MOUNTAIN INC (DR SERV)-Document storage (physical documents).	273.69	0.00	589,663.22
EFT	12/22/2016	[10200] MOJAVE DESERT AQMD-Credit Card Transactions Transfer - October 2016	1,595.68	0.00	589,663.22
EFT	12/22/2016	[10200] MOJAVE DESERT AQMD-Pay Period 26/2016 - FSADed	224.77	0.00	589,663.22
0006167	12/22/2016	[14298] NEHA-Fee for online course participation certification	30.00	0.00	589,633.22
0006168	12/22/2016	[10106] PARS-OPEB Trust Admin Oct 2016	300.00	0.00	589,333.22
0006169	12/22/2016	[10550] VICTOR RAMIREZ-Trona Inspections	149.08	0.00	589,184.14
0006170	12/22/2016	[11067] VIOLETTE ROBERTS-Invoices 1269, 1270	92.88	0.00	589,091.26
0006171	12/22/2016	[10126] SBCERA-Pay Period 26/2016 - SBCERADefer, SBCERAMatch, SBCERAPickUp, SurvivorInsBen, SurvivorInsDed, RetireCashBen	90,812.44	0.00	498,278.82
0006172	12/22/2016	[10213] SBPEA-Pay Period 26/2016 - GeneralUnitDues	644.28	0.00	497,634.54
0006173	12/22/2016	[15001] SBPIS-Pay Period 26/2016 - GeneralUnitMisc	331.17	0.00	497,303.37
0006174	12/22/2016	[10136] SOUTHERN CALIF EDISON-Electric Service Dec 2016	2,072.11	0.00	495,231.26
0006175	12/22/2016	[10145] STAPLES INC-Office Supplies	723.32	0.00	494,507.94
0006176	12/22/2016	[10150] THE COUNSELING TEAM-EAP Hours November 2016	420.00	0.00	494,087.94
0006177	12/22/2016	[10161] UNITED WAY DESERT COMMUNITIES-Pay Period 26/2016 - UnitedWay	5.00	0.00	494,082.94
0006178	12/22/2016	[10166] VERIZON BUSINESS-VOIP & Internet Service Dec 2016	1,176.66	0.00	492,906.28
EFT	12/22/2016	[10171] VISION INTERNET-Website redesign and web hosting for FY17	6,306.00	0.00	492,906.28
EFT	12/22/2016	[10082] VOYA FINANCIAL (457)-Pay Period 26/2016 - 457Ded	9,247.75	0.00	492,906.28
20130716	12/23/2016	Credit Card Transaction - Swinerton	0.00	261.00	472,023.71
20130717	12/29/2016	Credit Card Transaction - SBCo Fleet Mngmt	0.00	848.43	472,872.14
Total for Report:			532,009.52	393,772.92	

Mojave Desert AQMD
Bank Register from 12/01/2016 to 12/31/2016
General Fund MPA

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0008016	12/01/2016	Daily Deposot	0.00	2,790.96	1,442,448.21
0008017	12/01/2016	Daily Deposit	0.00	4,986.18	1,447,434.39
	12/01/2016	Service Charge	208.60	0.00	1,447,225.79
20130707	12/02/2016	SBCo ACH - MDAQMD	0.00	350.01	1,447,575.80
0008018	12/06/2016	Daily Deposit	0.00	17,963.02	1,465,538.82
	12/06/2016	[10181] APPLICANT-Returned Check :Refer to Maker"	261.00	0.00	1,465,277.82
20130708	12/08/2016	SBCo ACH - USMC	0.00	42,931.55	1,508,209.37
20130709	12/12/2016	SBCo ACH - MDAQMD	0.00	6,835.63	1,515,045.00
0008019	12/13/2016	Daily Deposit	0.00	6,082.16	1,521,127.16
0008020	12/13/2016	Daily Deposit	0.00	182,210.77	1,703,337.93
0008021	12/19/2016	Daily Deposit	0.00	4,334.27	1,707,672.20
0008022	12/19/2016	Daily Deposit	0.00	2,243.39	1,709,915.59
2017008	12/19/2016	Transfer AB2766 - October 2016	57,584.24	0.00	1,652,331.35
0008023	12/20/2016	Daily Deposit	0.00	11,288.80	1,663,620.15
2017007	12/20/2016	Op Fund Rep #6	379,104.20	0.00	1,284,515.95
20130713	12/21/2016	SBCo ACH - Unicor	0.00	4,570.02	1,289,085.97
0008024	12/21/2016	Daily Deposit	0.00	14,880.69	1,303,966.66
20130714	12/23/2016	SBCo ACH - MDAQMD	0.00	1,820.45	1,305,787.11
20130715	12/28/2016	Daily Deposit	0.00	98,884.59	1,404,671.70
Total for Report:			437,158.04	402,172.49	

Mojave Desert AQMD
Bank Register from 12/01/2016 to 12/31/2016
AB2766 MPE

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
MPE 2017-	12/05/2016	[10001] 4 IMPRINT-AB2766 Grant	909.85	0.00	3,217,959.79
2017008	12/19/2016	Transfer AB2766 - October 2016	0.00	57,584.24	3,275,544.03
Total for Report:			909.85	57,584.24	

Mojave Desert AQMD
Bank Register from 12/01/2016 to 12/31/2016
Carl Moyer MPB

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
MPB 17-7	12/19/2016	[10240] ENVIRONMENTAL ENGINEERING STUDIES-Moyer Grant	2,450.00	0.00	469,770.43
MPB 17-8	12/19/2016	[15009] HINKLEY DAIRY-Moyer Grant	27,286.10	0.00	442,484.33
MPB 17-9	12/19/2016	[15009] HINKLEY DAIRY-Moyer Grant	37,926.60	0.00	404,557.73
Total for Report:			67,662.70	0.00	

Mojave Desert AQMD
Bank Register from 12/01/2016 to 12/31/2016
District Card - Assigned

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0000029	12/01/2016	Nov 2016 2nd Payment	0.00	2,543.35	2,911.25
0000030	12/01/2016	Nov Statement Credit -0357 Staff Meeting Supplies	0.00	50.00	2,961.25
0000031	12/09/2016	Dec 2016 Payment	0.00	3,988.25	6,949.50
0000035	12/09/2016	Fuel Rebate	0.00	0.16	6,949.66
0000275	12/16/2016	[13961] JEAN BRACY-Gas Station Stickers MDAQMD Contact info	338.10	0.00	6,611.56
0000276	12/16/2016	[13961] JEAN BRACY-Purchase gift certificates for employee service awards 1st and 2nd quarter 2017	1,834.25	0.00	4,777.31
0000277	12/16/2016	[11809] CHRIS COLLINS-Sierra Instruments Replacement Partsflow Calibrator	160.86	0.00	4,616.45
0000278	12/16/2016	[11809] CHRIS COLLINS-Walmart - Cleaner for AM instruments	8.74	0.00	4,607.71
0000279	12/16/2016	[11809] CHRIS COLLINS-Teledyne Advanced Intrument Training II - San Diego , California	868.34	0.00	3,739.37
0000280	12/16/2016	[10825] ALAN DE SALVIO-Home Depot - Replacement Batteries for Car Remote	10.76	0.00	3,728.61
0000281	12/16/2016	[14256] BRAD A POIRIEZ-CAPCOA Fall Membership Conference 2016, Monterey, CA.	531.66	0.00	3,196.95
0000282	12/16/2016	[11067] VIOLETTE ROBERTS-Parking CAPCOA Fall Membership Meeting	27.00	0.00	3,169.95
0000283	12/16/2016	[11067] VIOLETTE ROBERTS-CDAWG - Conference Expenses	258.84	0.00	2,911.11
Total for Report:			4,038.55	6,581.76	

Mojave Desert AQMD
Bank Register from 12/01/2016 to 12/31/2016
District Card - 5695

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0000030	12/08/2016	Dec 2016 Payment	0.00	2,007.91	2,007.91
0000159	12/16/2016	[10055] HIGH DESERT MEDIA GROUP-Legal notice for publication on 11/13/2016 - D. Hernandez	276.63	0.00	1,731.28
0000160	12/16/2016	[10055] HIGH DESERT MEDIA GROUP-Legal notice for publication on 11/13/2016 - S. Oktay SCGC Needles Compressor Station.	331.30	0.00	1,399.98
0000161	12/16/2016	[14243] ORLANDO SALINAS DE LA ROSA-Teledyne/API - Equipment Training NOVEMBER 2016	1,289.18	0.00	110.80
0000162	12/16/2016	[10169] VERIZON WIRELESS SERVICES, LLC-Sim Card for Wifi Hotspot	10.80	0.00	100.00
0000163	12/16/2016	[10169] VERIZON WIRELESS SERVICES, LLC-Pre-Paid MiFi hot spot for use at CDAWG conference. Will provide internet access to CDAWG attendees.	100.00	0.00	
Total for Report:			2,007.91	2,007.91	

Mojave Desert AQMD

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Bank Register from 12/01/2016 to 12/31/2016

Page: 1

District Card- 6404

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0000033	12/08/2016	Dec 2016 Payment	0.00	3,754.01	3,754.01
0000143	12/12/2016	[10044] CITY OF VICTORVILLE-Water Service October 2016	293.19	0.00	3,460.82
0000144	12/12/2016	[10044] CITY OF VICTORVILLE-Fire Sprinkler Service October 2016	68.39	0.00	3,392.43
0000145	12/12/2016	[14356] CUBESMART-Offsite Storage Rental Dec 2016	249.00	0.00	3,143.43
0000146	12/12/2016	[10070] FEDERAL EXPRESS CORPORATION-Courier Charges Nov 2016	29.67	0.00	3,113.76
0000147	12/12/2016	[10070] FEDERAL EXPRESS CORPORATION-Courier Charges August 2016	250.11	0.00	2,863.65
0000148	12/12/2016	[10070] FEDERAL EXPRESS CORPORATION-Courier Charges Oct 2016	215.47	0.00	2,648.18
0000149	12/12/2016	[14211] DEANNA HERNANDEZ-CSDA Board Secretary/Clerk Conference & Certificate Program.	770.95	0.00	1,877.23
0000152	12/12/2016	[14221] ROBYN SIMPSON-Payment for craigslist AQI Tech recruitment ad	70.00	0.00	1,609.95
0000153	12/12/2016	[10138] SPARKLETTS-Water Delivery Service Nov 2016	79.50	0.00	1,530.45
0000154	12/13/2016	[10033] CHARTER BUSINESS-Internet and Cable Service Nov 2016	1,727.73	0.00	-197.28
Total for Report:			3,754.01	3,754.01	

Mojave Desert AQMD
Bank Register from 12/01/2016 to 12/31/2016
District Card - 6731

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0000031	12/08/2016	Dec 2016 Payment	0.00	1,376.32	1,376.32
0000032	12/08/2016	Dec 2016 Statement Credit from rewards for holiday staff meeting supplies	0.00	961.97	2,338.29
0000125	12/16/2016	[14227] CHRISTIAN ANDERSON-FlySpeed SQL Query Desktop version	24.90	0.00	2,313.39
0000126	12/16/2016	[14238] SHERI HAGGARD-AERMOD, BREEZE SOFTWARE, PSD RELATED,	518.90	0.00	1,794.49
0000127	12/16/2016	[10200] MOJAVE DESERT AQMD-Staff Meeting Supplies Decermber 19	961.67	0.00	832.82
0000128	12/16/2016	[14218] ROSEANA NAVARRO-BRASINGTON-AERMOD, BREEZE SOFTWARE, PSD RELATED, 25% AV, 75% MD	563.90	0.00	268.92
0000129	12/16/2016	[10550] VICTOR RAMIREZ-Trona Inspections Lodging	268.62	0.00	0.30
Total for Report:			2,337.99	2,338.29	

The following page(s) contain the backup material for Agenda Item: [Conduct a public hearing to consider the adoption of the MDAQMD Federal 75 ppb Ozone Attainment Plan \(Western Mojave Desert Nonattainment Area\): a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make](#)

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 16

DATE: February 27, 2017

RECOMMENDATION: Conduct a public hearing to consider the adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)*: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make a determination that the California Environmental Quality Act (CEQA) Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption, adopting the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* and directing staff actions.

SUMMARY: The *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* is proposed for adoption to satisfy Federal Clean Air Act (FCAA) requirements that the MDAQMD develop a plan to attain the 0.075 part per million (ppm) 8-hour ozone National Ambient Air Quality Standard (NAAQS). Once adopted, this plan will update the 2008 *MDAQMD Federal 8-Hour Ozone Attainment Plan (Western Mojave Desert Non-attainment Area)*.

CONFLICT OF INTEREST: None

BACKGROUND: The Mojave Desert Air Quality Management District (MDAQMD) was designated nonattainment and classified severe-17 (portions of the MDAQMD outside the Southeast Desert Modified Air Quality Management Area (AQMA) are designated unclassified/attainment) for ozone under the then effective federal one-hour ozone standard. The MDAQMD adopted both state and federal attainment plans for all standards within its jurisdiction.

On March 9, 2006, USEPA shifted the ozone standard from measurement on a one-hour basis to an eight hour basis (8-hour ozone standard). The USEPA designated the Western Mojave Desert area as nonattainment for the 8-hour ozone NAAQS pursuant to the provisions of the FCAA. A portion of the MDAQMD is included in the Western Mojave Desert nonattainment area. The MDAQMD adopted the 2008 *MDAQMD Federal 8-Hour Ozone Attainment Plan (Western Mojave Desert Non-attainment Area)* to satisfy the planning requirements under this standard.

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 16

PAGE 2

On March 27, 2008, USEPA set the 8-hour primary and secondary ozone NAAQS to a level of 0.075 parts per million (75 parts per billion (ppb)). The USEPA then designated the Western Mojave Desert area as nonattainment for the 75 ppb 8-hour ozone NAAQS. The MDAQMD has prepared the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* to satisfy the planning requirements under this newer standard. This plan, when adopted, will update all previously submitted federal ozone plans. However, portions of the previously adopted and approved plans will remain in effect until the region has been designated attainment for the relevant prior standard.

A Notice of Exemption, Categorical Exemption (Class 8; 14 Cal. Code Reg. §15308) will be prepared by the MDAQMD for the adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* pursuant to the requirements of CEQA.

REASON FOR RECOMMENDATION: Health & Safety Code §§40702 and 40703 require the Governing Board to hold a public hearing before adopting rules and regulation. Also, 42 U.S.C. §7410(1) (FCAA §110(1)) requires that all State Implementation Plan (SIP) revisions be adopted after public notice and hearing.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form and by Alan De Salvio, Deputy Director – Mojave Desert Operations on or about February 13, 2017.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Alan De Salvio, Deputy Director – Mojave Desert Operations

RESOLUTION _____

A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING THE NOTICE OF EXEMPTION, ADOPTING THE MDAQMD 75 PPB OZONE ATTAINMENT PLAN (WESTERN MOJAVE DESERT NONATTAINMENT AREA) AND DIRECTING STAFF ACTIONS.

On February 27, 2017, on motion by Member Board Member Name, seconded by Member Board Member Name, and carried, the following resolution is adopted:

WHEREAS, the Mojave Desert Air Quality Management District (MDAQMD) has authority pursuant to California Health and Safety Code (H&S Code) §§40702, 40725-40728 to adopt, amend or repeal rules and regulations; and

WHEREAS, the MDAQMD was designated nonattainment and classified severe-17 (portions of the MDAQMD outside the Southeast Desert Modified Air Quality Management Area (AQMA) are designated unclassified/attainment) for ozone under the then effective federal one-hour ozone standard; and

WHEREAS, the MDAQMD adopted both state and federal attainment plans for all standards within its jurisdiction; and

WHEREAS, on March 9, 2006, USEPA shifted its ozone standard from measurement on a one-hour basis to an eight hour basis (8-hour ozone standard); and

WHEREAS, USEPA designated the Western Mojave Desert area as nonattainment for the 8-hour ozone National Ambient Air Quality Standards (NAAQS) pursuant to the provisions of the Federal Clean Air Act (FCAA); and

WHEREAS, a portion of the MDAQMD is included in the Western Mojave Desert nonattainment area; and

WHEREAS, the MDAQMD adopted the 2008 *MDAQMD Federal 8-Hour Ozone Attainment Plan (Western Mojave Desert Non-attainment Area)* to satisfy the planning requirements under this standard; and

WHEREAS, on March 27, 2008, USEPA set the 8-hour primary and secondary ozone NAAQS to a level of 0.075 parts per million (75 parts per billion (ppb)); and

WHEREAS, USEPA then designated the Western Mojave Desert area as nonattainment for the 75 ppb 8-hour ozone NAAQS; and

RESOLUTION _____

1 **WHEREAS**, the MDAQMD has prepared the *MDAQMD Federal 75 ppb Ozone Attainment Plan*
2 (*Western Mojave Desert Nonattainment Area*) to satisfy the planning requirements under this newer
3 standard; and

4 **WHEREAS**, this plan, when adopted, will update all previously submitted federal ozone plans;
5 and

6 **WHEREAS**, portions of the previously adopted and approved plans will remain in effect until the
7 region has been designated attainment for the relevant prior standard; and

8 **WHEREAS**, the proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan*
9 (*Western Mojave Desert Nonattainment Area*) is necessary to comply with the provisions of the FCAA
10 and include the latest planning assumptions regarding population, vehicle activity and industrial activity;
11 addresses all existing and forecast ozone precursor-producing activities within the jurisdiction of the
12 MDAQMD through the year 2027; and contains all necessary information to allow general and
13 transportation conformity findings to be made within the jurisdiction of the MDAQMD; and

14 **WHEREAS**, the MDAQMD has the authority pursuant to H&S Code §40702 to do such acts as
15 may be necessary or proper to execute the powers and duties granted to, and imposed upon, the District by
16 this division and other statutory provisions; and

17 **WHEREAS**, the proposed adoption is clear in that the meaning can be easily understood by the
18 persons impacted by the plan; and

19 **WHEREAS**, the proposed adoption is in harmony with, and not in conflict with, or contradictory
20 to existing statutes, court decisions, or state or federal regulations because the Western Mojave Desert
21 area (as defined in 40 CFR 81.305) was designated nonattainment for the NAAQS for ozone by USEPA
22 effective on July 20, 2012, and this nonattainment area includes part of the San Bernardino County
23 portion of the MDAQMD, as well as the Antelope Valley portion of Los Angeles County, and the
24 MDAQMD has experienced ambient ozone concentrations in excess of the 8-hour ozone NAAQS; and

25 **WHEREAS**, this plan: (1) demonstrates that the MDAQMD will meet the primary required
26 Federal ozone planning milestone, attainment of the 75 ppb 8-hour ozone NAAQS, by July 2026; (2)
27 presents the progress the MDAQMD will make towards meeting all required ozone planning milestones;
28 and (3) discusses the newest 70 parts per billion 8-hour ozone NAAQS, preparatory to an expected

RESOLUTION _____

1 nonattainment designation for the new NAAQS; and this document satisfies 42 U.S.C. §§7410, 7502,
2 7504 and 7511a (FCAA §§110, 172, 174, and 182) regarding implementation plans, nonattainment plan
3 provisions, planning procedures, and ozone plan submissions and requirements for the 75 ppb 8-hour
4 NAAQS; and

5 **WHEREAS**, the proposed plan does not impose the same requirements as any existing state or
6 federal regulation because the USEPA designated the Western Mojave Desert area as nonattainment for
7 the March 2008 (75 ppb) 8-hour ozone NAAQS pursuant to the provisions of the FCAA and a portion of
8 the MDAQMD is included in the Western Mojave Desert Nonattainment area, and this plan addresses all
9 federal attainment planning requirements for the 75 ppb federal 8-hour ozone standard; as a result, this
10 document updates the June 2008 *MDAQMD Federal 8-Hour Ozone Attainment Plan (Western Mojave*
11 *Desert Non-attainment Area)*; and

12 **WHEREAS**, the proposed plan is needed because this document includes the latest planning
13 assumptions regarding population, vehicle activity and industrial activity; addresses all existing and
14 forecast ozone precursor-producing activities within the jurisdiction of the MDAQMD through the year
15 2027; and includes all necessary information to allow general and transportation conformity findings to be
16 made within the jurisdiction of the MDAQMD; and

17 **WHEREAS**, a public hearing has been properly noticed and conducted, pursuant to H&S Code
18 §40725, concerning the proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan*
19 *(Western Mojave Desert Nonattainment Area)*; and

20 **WHEREAS**, a Notice of Exemption, a Categorical Exemption (Class 8, 14 CCR §15308) for the
21 proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert*
22 *Nonattainment Area)*, completed in compliance with the California Environmental Quality Act (CEQA),
23 has been presented to the MDAQMD Board; each member having reviewed, considered and approved the
24 information contained therein prior to acting on the proposed adoption of the *MDAQMD Federal 75 ppb*
25 *Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)*, and the Governing Board of the
26 MDAQMD having determined that the proposed adoption of the plan will not have any potential for
27 resulting in any adverse impact upon the environment; and

28 //

RESOLUTION _____

1 **WHEREAS**, the Governing Board of the MDAQMD has considered the evidence presented at the
2 public hearing; and

3 **NOW, THEREFORE, BE IT RESOLVED**, that the Governing Board of the MDAQMD finds
4 that the proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave*
5 *Desert Nonattainment Area)* is necessary, authorized, clear, consistent, non-duplicative and properly
6 referenced; and

7 **BE IT FURTHER RESOLVED**, that the Governing Board of the MDAQMD hereby makes a
8 finding that the Class 8 Categorical Exemption (14 CCR §15308) applies and certifies the Notice of
9 Exemption for the proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western*
10 *Mojave Desert Nonattainment Area)*; and

11 **BE IT FURTHER RESOLVED**, that the Governing Board of the MDAQMD does hereby adopt,
12 pursuant to the authority granted by law, the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western*
13 *Mojave Desert Nonattainment Area)*, as set forth in the attachments to this resolution and incorporated
14 herein by this reference; and

15 **BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately upon adoption,
16 that the Executive Assistant is directed to file the Notice of Exemption in compliance with the provisions
17 of CEQA.

18 **PASSED, APPROVED AND ADOPTED** by the Governing Board of the Mojave Desert Air Quality
19 Management District by the following vote:

20 AYES: MEMBER:

21 NOES: MEMBER:

22 ABSENT: MEMBER:

23 ABSTAIN: MEMBER:

24
25 STATE OF CALIFORNIA)
26 COUNTY OF SAN BERNARDINO)
27)

SS:

RESOLUTION _____

1 I, Deanna Hernandez, Administrative Assistant of the Governing Board of the Mojave Desert Air
2 Quality Management District, hereby certify the foregoing to be a full, true and correct copy of the record
3 of the action as the same appears in the Official Minutes of said Governing Board at its meeting of
4 February 27, 2017.

5 _____
6 Administrative Assistant,
7 Mojave Desert Air Quality Management District.
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MDAQMD
Federal 75 ppb Ozone Attainment Plan
(Western Mojave Desert
Nonattainment Area)

Proposed for Adoption on
2/27/2017

Mojave Desert Air Quality Management District
14306 Park Avenue
Victorville, CA 92392-2310

This document was prepared by the MDAQMD Planning and Rule-making section, with input from the entire MDAQMD staff. Significant portions of this document were prepared by, or are based on work done by, the California Air Resources Board and the South Coast Air Quality Management District staffs. The MDAQMD staff greatly appreciates the assistance of those agencies in the preparation of this document.

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Abbreviations and Acronyms

AQAP.....	Air Quality Attainment Plan
AQMA	Air Quality Management Area
AQMP.....	Air Quality Management Plan
CALGRID.....	California Photochemical Grid Model
CARB.....	California Air Resources Board
CCAA	California Clean Air Act
CO	Carbon Monoxide
ERC.....	Emission Reduction Credit
FCAA.....	Federal Clean Air Act
FMVCP.....	Federal Motor Vehicle Control Program
FONA.....	Federal Ozone Nonattainment Area
MDAQMD.....	Mojave Desert Air Quality Management District
MPO.....	Metropolitan Planning Organization
MPR.....	Model Performance Ratio
NAAQS.....	National Ambient Air Quality Standard
NO _x	Oxides of Nitrogen
NSR.....	New Source Review
O ₃	Ozone
ppb.....	Parts per billion
RACM.....	Reasonably Available Control Measure
RACT	Reasonably Available Control Technology
ROG	Reactive Organic Gases
ROP.....	Rate of Progress
RRF.....	Relative Reduction Factor
SAAQS	State Ambient Air Quality Standard
SBCAPCD	San Bernardino County Air Pollution Control District
SCAB	South Coast Air Basin
SCAG.....	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCAQS87.....	1987 Southern California Air Quality Study
SCOS97.....	1997 Southern California Ozone Study
SDMAQMA.....	Southeast Desert Modified Air Quality Management Area
SIP.....	State Implementation Plan
SSAB.....	Salton Sea Air Basin
TCM.....	Transportation Control Measure
tpaad.....	Tons per Annual Average Day
tposd.....	Tons per Ozone Seasonal Day
UAM	Urban Airshed Model
USEPA.....	United States Environmental Protection Agency
VMT.....	Vehicle Miles Traveled
VOC	Volatile Organic Compounds
WMDONA.....	Western Mojave Desert Ozone Nonattainment Area

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Executive Summary

The United States Environmental Protection Agency (USEPA) designated the Western Mojave Desert Nonattainment Area (WMDONA) as nonattainment for the March 2008 75 ppb 8-hour ozone National Ambient Air Quality Standard (NAAQS) pursuant to the provisions of the Federal Clean Air Act (FCAA). A portion of the Mojave Desert Air Quality Management District (MDAQMD) is included in the WMDONA. This plan addresses all Federal attainment planning requirements for the 75 ppb federal 8-hour ozone standard.

The MDAQMD has reviewed and updated all elements of the ozone plan. The portion of the MDAQMD designated as a Federal 8-hour ozone nonattainment area will be in attainment of the 75 ppb ozone NAAQS by July 2027.

This document includes the latest planning assumptions regarding population, vehicle activity and industrial activity. This document addresses all existing and forecast ozone precursor-producing activities within the MDAQMD through the year 2026. This document includes all necessary information to allow general and transportation conformity findings to be made within the MDAQMD.

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CHAPTER 1 – Introduction and Background

Purpose

Regulatory History

Statement of Issues

Federal Legal Requirements

Pollutant Descriptions and Health Effects

Setting

Ozone Trend

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INTRODUCTION

Purpose

The Western Mojave Desert nonattainment area (as defined in 40 CFR 81.305) was designated nonattainment for the NAAQS for ozone by USEPA effective on July 20, 2012. The Western Mojave Desert Ozone Non-attainment Area (WMDONA) includes part of the San Bernardino County portion of the MDAQMD, as well as the Antelope Valley portion of Los Angeles County. The MDAQMD has experienced ambient ozone concentrations in excess of the 8-hour ozone NAAQS. This document: (1) demonstrates that the MDAQMD will meet the primary required Federal ozone planning milestone, attainment of the 75 ppb 8-hour ozone NAAQS, by July 2027; (2) presents the progress the MDAQMD will make towards meeting all required ozone planning milestones; and (3) discusses the 2015 70 ppb 8-hour ozone NAAQS, preparatory to an expected non-attainment designation for the new NAAQS. This document satisfies 42 U.S.C. §§7410, 7502, 7504 and 7511a (FCAA §§110, 172, 174, and 182) regarding implementation plans, non-attainment plan provisions, planning procedures, and ozone plan submissions and requirements for the 75 ppb 8-hour NAAQS.

BACKGROUND

Regulatory History

The USEPA designated a portion of the southwestern desert part of San Bernardino County as nonattainment and classified it as Severe for the 8-hour standard. This area was classified based on an ozone design value calculated from 2008 through 2010 concentrations in the region. The Severe classification requires attainment of the 8-hour ozone NAAQS by July 2027, fifteen years after the date of designation.

The MDAQMD was established on July 1, 1993, pursuant to H&SC §41200 et seq (Statutes 1992 ch. 642). The MDAQMD was a successor agency to the San Bernardino County Air Pollution Control District (SBCAPCD), which had jurisdiction over the desert portions of San Bernardino County commencing in February 1977 through the formation of the MDAQMD. The Palo Verde Valley portion of eastern Riverside County was annexed by the MDAQMD from the South Coast Air Quality Management District (SCAQMD) effective July 1, 1994, pursuant to provisions of H&SC §41210(c) and MDAQMD Resolution 94-03.

Initial air quality planning for the region was the 1991 Air Quality Attainment Plan (AQAP) which was adopted by the SBCAPCD on August 26, 1991 in response to the State of California ozone planning requirements. Additional ozone plans were adopted by the MDAQMD to address Federal ozone planning requirements, including the MDAQMD 2004 Ozone Attainment Plan adopted on April 26, 2004 and the Federal 8-hour Ozone Attainment Plan adopted on June 9, 2008 (revision adopted January 25, 2010). This document replaces or updates all previously submitted federal ozone plans.

Regional Ozone Planning Chronology

1989 - CARB designates SEDAB as non-attainment for ozone SAAQS
1990 - CARB classifies the SEDAB as moderate ozone non-attainment
November 1990 - Adoption of Federal Clean Air Act Amendments
August 26, 1991 - Adoption of the 1991 Air Quality Attainment Plan (State) by SBCAPCD
July 1, 1993 - Formation of Mojave Desert Air Quality Management District
March 24, 1994 - Adoption of Rate-Of-Progress Plan (Federal) by MDAQMD
July 1, 1994 - Annexation of Palo Verde Valley portion of Riverside County
October 26, 1994 - Adoption of Attainment Demonstration Plan (Federal) by MDAQMD
1996 - SEDAB is subdivided into the Mojave Desert Air Basin (MDAB) and the Salton Sea Air Basin (SSAB)
January 22, 1996 - Adoption of Triennial Revision to 1991 AQAP (State)
April 26, 2004 - Adoption of MDAQMD 2004 Ozone Attainment Plan
June 9, 2008 - Adoption of MDAQMD Federal 8-hour Ozone Attainment Plan (Severe-17)
January 25, 2010 - Adoption of MDAQMD Federal 8-hour Ozone Attainment Plan (Severe-15)
July 20, 2012 - USEPA designates 75 ppb 8-hour nonattainment areas

Statement of Issues

The MDAQMD is downwind of the Los Angeles basin, and to a lesser extent, is downwind of the San Joaquin Valley. Prevailing winds transport ozone and ozone precursors from both regions into and through the Mojave Desert Air Basin (MDAB) during the summer ozone season. These transport couplings have been officially recognized by CARB.¹ Local MDAQMD emissions contribute to exceedances of both the national and state ambient air quality standards for ozone, but photochemical ozone modeling conducted by the SCAQMD and CARB indicates that the MDAB would be in attainment of both standards without the influence of this transported air pollution from upwind regions.

Federal Legal Requirements

The MDAQMD must adopt a plan that provides for the implementation, maintenance and enforcement of the NAAQS within three years after promulgation of the NAAQS. The plan is to include enforceable emission limitations, provide for a monitoring program, provide for a permit program (including a New Source Review program), contingency measures, and air quality modeling (42 U.S.C. §7410(a); FCAA §110(a)). The MDAQMD most recently met this requirement with the MDAQMD 2008 Ozone Attainment Plan. This document represents an update to that plan. The MDAQMD has adopted enforceable emission limitations, has a monitoring system in place throughout the populated portions of the Federal Ozone Nonattainment Area (FONA), maintains a permit program (including a New Source Review program with an ambient air quality modeling requirement), and has performed an attainment demonstration using air quality modeling. This document identifies a contingency measure – see chapter 3.

¹ “Ozone Transport: 2001 Review,” April 2001, CARB identifies the South Coast Air Basin as having an overwhelming and significant impact on the Mojave Desert Air Basin (which includes the Mojave Desert) and the San Joaquin Valley as having an overwhelming impact on the MDAB.

This document incorporates all reasonably available control measures (RACT - all such measures have already been adopted for the FONA or are being committed to adoption in this plan). This document includes a comprehensive, accurate and current inventory of actual emissions (42 U.S.C. §7502(c)(3), 7511a(a)(1); FCAA §§172(c)(3), 182(a)(1)).

This document discusses reasonable further progress (42 U.S.C. §§7502(c)(2), 7511a(b)(1); FCAA §§172(c)(2), 182(b)(1)) for the applicable periodic milestone dates (2008, 2011, 2014, 2017 and 2020) (42 U.S.C. §7511a(g); FCAA §182(g)).

This document has been coordinated with the transportation planning process (42 U.S.C. §7504; FCAA §174). The document includes an emission budget for the FONA, and also includes the on-road mobile source emission budget for the WMDONA.

This document updates the MDAQMD emissions inventory (42 U.S.C. 7511a(a)(1); FCAA §182(a)(1)).

The MDAQMD has an enhanced non-attainment pollutant monitoring program, requires reasonably available control technology (RACT) within the FONA, has a vehicle inspection and maintenance program, a De Minimis rule, and a gasoline vapor recovery rule. The District participates in the State's Clean-Fuel Vehicle Program, and performs periodic transportation activity consistency demonstrations (including a review of vehicle miles traveled growth) in conjunction with the Southern California Association of Governments (SCAG). The MDAQMD controls oxides of nitrogen (NO_x) in addition to Volatile Organic Compounds (VOC) within the FONA, and is addressing both pollutants in this document. The MDAQMD New Source Review (NSR) program defines sources emitting 25 tons per year or more as major and requires offsets at a 1.3 to 1 ratio (42 U.S.C. §§7511a(d), 7511a(d)(2); FCAA §§182(d) 182(d)(2)). Employer trip rules (42 U.S.C. §7511a(d)(1); FCAA §182(d)(1)) have been shown to be not cost-effective for the FONA due to low population density.

Pollutant Description and Health Effects

Ozone (O₃) is a colorless gas that is a highly reactive form of oxygen. It has a strong odor when highly concentrated. Ozone can occur naturally but can also be formed from other compounds through photochemistry, a complex system of reactions with hydrocarbons and oxides of nitrogen in the presence of sunlight (ultraviolet). The MDAB experiences ozone concentrations in excess of the state and Federal ambient air quality standards.

Ozone can cause respiratory irritation and discomfort, making breathing more difficult during exercise. Ozone can reduce the respiratory system's ability to remove inhaled particles, increase pulse rate, decrease blood pressure and reduce the body's ability to fight infection. After six hours of exposure a healthy person can have significant reduction of lung function. It is an irritant towards the skin, eyes, upper respiratory system, and mucous membranes, although symptoms disappear after exposure. It may also be a carcinogen.

Setting

The MDAQMD includes the desert portion of San Bernardino County and a portion of eastern Riverside County commonly known as the Palo Verde Valley. A portion of the MDAQMD has been designated nonattainment for the 8-hour ozone NAAQS by USEPA as a portion of the WMDONA in 40 CFR 81.305. The ozone design value classifies the area as a Severe nonattainment area with 2027 as the required attainment year (42 U.S.C. 7511(a)(2); FCAA §181(a)(2)). The nonattainment area includes the communities of Phelan, Hesperia, Adelanto, Victorville, Apple Valley, Barstow, Joshua Tree, Yucca Valley and Twentynine Palms (the southwestern portion of the MDAQMD).

The entire MDAQMD covers more than 20,000 square miles and included 359,551 persons as of the 1990 census (approximately 555,000 in 2015). The region is characterized by hot, dry summers and cool winters, with little precipitation. The National Training Center at Fort Irwin, the Marine Corps Air Ground Combat Center, and portions of Edwards Air Force Base and the China Lake Naval Air Weapons Station are in the MDAQMD. The MDAQMD also includes the Mojave National Preserve and portions of Death Valley National Park and Joshua Tree National Park.

The primary roadways in the MDAQMD are Interstate 15, Interstate 40, State Route 58 and United States Route 395. All of these highways carry a significant amount of transiting heavy duty truck traffic, and Interstate 15 carries a substantial amount of commute traffic into the greater Los Angeles Basin.

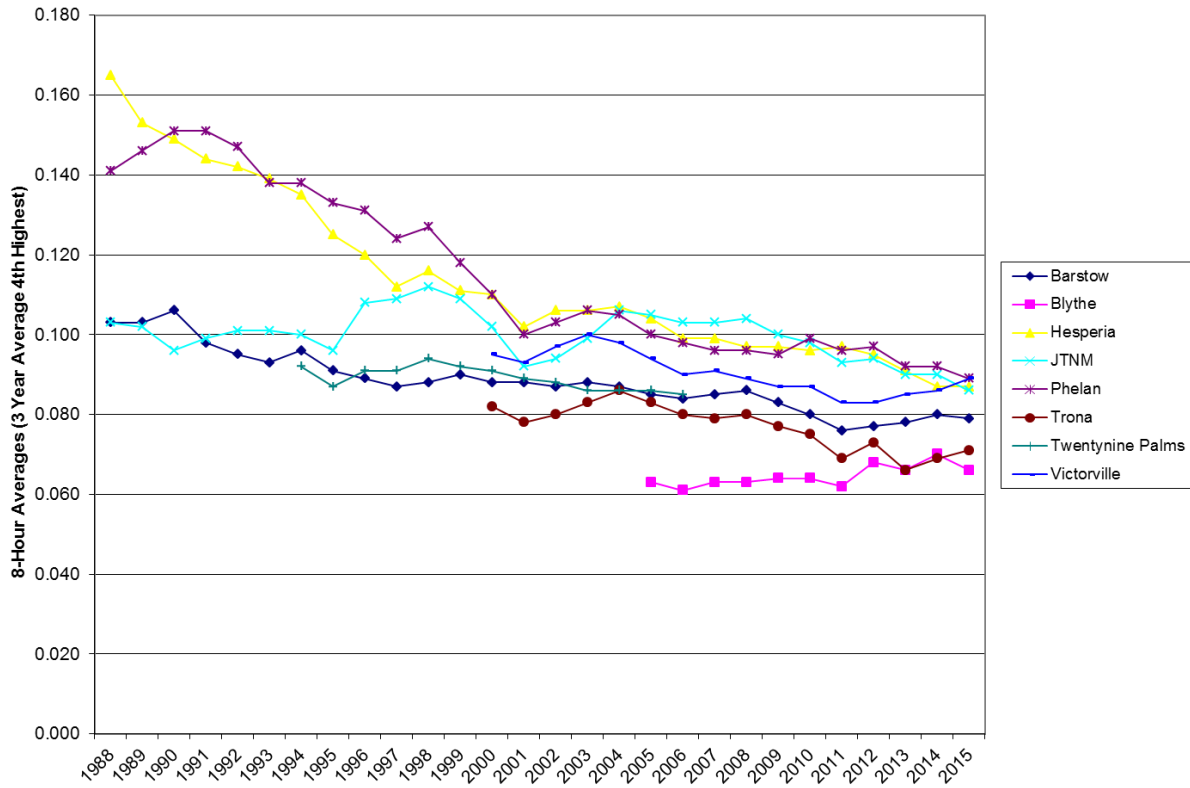
The MDAQMD includes railroad track connecting the Ports of Los Angeles and Long Beach with the rest of the continental United States, as well as large diameter high pressure natural gas transmission pipelines delivering the majority of the natural gas consumed within the State of California.

The MDAQMD is a growing bedroom community for the greater Los Angeles area, but does have significant mining and military activity.

Ozone Trend

The MDAQMD has experienced a substantial reduction in maximum 8-hour ozone concentrations, as displayed in Figure 1 (Trona and Blythe are not within the ozone nonattainment area but are shown for comparison). Note that the three stations closest to the South Coast Air Basin (the source of the majority of transported ozone and ozone precursors) have the highest historical ozone concentrations: Phelan, Hesperia and the Joshua Tree National Monument. The more distant or isolated stations (Barstow) have lower concentrations.

Figure 1 - Federal 8-Hour Ozone Design Value Trend



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CHAPTER 2 – Emission Inventories

General

Modeled Emission Inventory and Sub-Region Inventory

FONA Base Year Emission Inventory

Future Year Emission Inventories

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General

Ozone planning requirements call for the use of seasonal inventories representing emissions during a typical summer day (since ozone concentrations are typically highest under summer weather conditions). This document includes ozone seasonal day inventories, in units of tons per ozone seasonal day (tposd), unless otherwise indicated. All emissions presented in this document have been adjusted or calculated in terms of ozone seasonal day emissions.

Federal ozone planning requirements call for emissions in terms of Volatile Organic Compounds (VOC), while State ozone planning requirements call for emissions in terms of Reactive Organic Gases (ROG). Due to changes in each definition, there is no effective difference between the two terms (for example, ethane is now excluded from both definitions). For purposes of this document and attainment planning, the MDAQMD considers these terms interchangeable.

Modeled Emission Inventory and Sub-Region Inventory

The emission inventory for the FONA sub-region of the MDAQMD is provided in Appendix A of this document. Complete documentation for San Bernardino County emissions, including emission inventory calculation methodologies, are available from the following web address:

<http://www.arb.ca.gov/ei/maps/basins/abmdmap.htm>

CARB developed a list of the stationary source facilities in the 2012 inventory for San Bernardino County and submitted the list to MDAQMD staff for review to determine whether the facilities are located in the FONA. MDAQMD made this assessment and submitted the FONA facility list to CARB.

Stationary aggregated, areawide, on-road and other mobile sources emission sector types are all treated like area sources when assessing emissions in the FONA portion of San Bernardino County. MDAQMD evaluated the San Bernardino County area source inventory to determine the relative fractions that should be assigned to the San Bernardino FONA for these sectors. In most cases, the fractions span major emission category groups (as defined by EIC summary code). For a few categories, the fractions are specific to the Emission Inventory Code (EIC).

The California Emission Forecasting System (CEFS) was used to generate future year emission estimates for Stationary Point, Stationary Aggregated, and Areawide category sectors. These future year estimates are based on anticipated socioeconomic growth rates, and control factors that estimate the impacts of local and state control regulations. For stationary point sources, CEFS projections were run based on the 2012 emission inventory only for the facilities located in the FONA as previously determined. For Stationary Aggregated and Areawide sources, the fractions described above were applied to the San Bernardino County inventory developed for CEFS and saved as part of the FONA inventory.

Emissions for On-Road sources (for all calendar years) were imported to CEFS directly from EMFAC2014. Emissions for off-road mobile sources (for all calendar years) were imported to CEFS directly from OFFROAD. To calculate the FONA portion, the appropriate fractions were applied to CEFS and saved as part of the FONA inventory as described above.

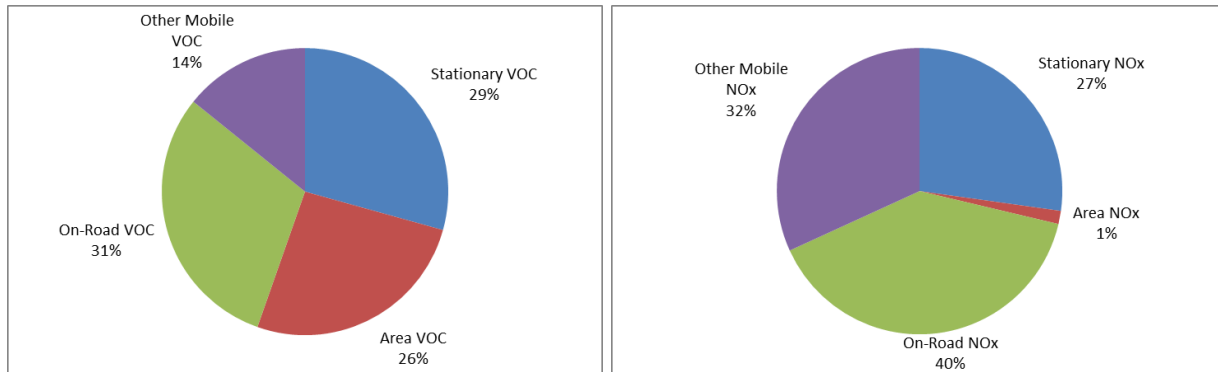
Federal Ozone Non-Attainment Area Base Year Emission Inventory

The initial Federal base year for emission inventory purposes is 2012. The base year inventory used for all growth scenarios in this document is 2012. The base year emission inventory is presented in Appendix A; a summary is presented in Table 1 below. Figure 2 presents the base year source category contributions in basic pie chart format (VOC on the left, NO_x on the right). Mobile sources were the primary emitters in the FONA in 2012.

Table 1 - 2012 Base Year Summary

	2012 VOC	2012 NO _x
Point	12.81	27.51
Area	11.40	1.50
Other Mobile	13.28	39.93
On-Road Mobile	6.21	32.16
Totals:	43.70	101.10
(tons per ozone seasonal day)		

Figure 2 - 2012 Base Year Pie Charts (FONA)



Future Year Emission Inventories

Future year or forecasted emission inventories are estimated by multiplying a base year value for each category by a 'growth code' for a given future year. The 'growth code' is indexed to the base year (2012 for this document), so that its value for the base year is 1.00. This allows the growth code to estimate future activity in terms of emissions; if the growth code for the year 2017 is 1.50, activity in that category (and resulting emissions) is expected to be 50 percent greater than in 2012. The growth codes used to forecast point sources are available from CARB. Forecasted FONA VOC and NO_x inventory summaries for each year of interest are presented in Figures 3 and 4 respectively (the base year is included in each figure for reference). Future year emission inventories are presented in Appendix B.

Figure 3 - Forecasted VOC Emission Inventories (FONA)

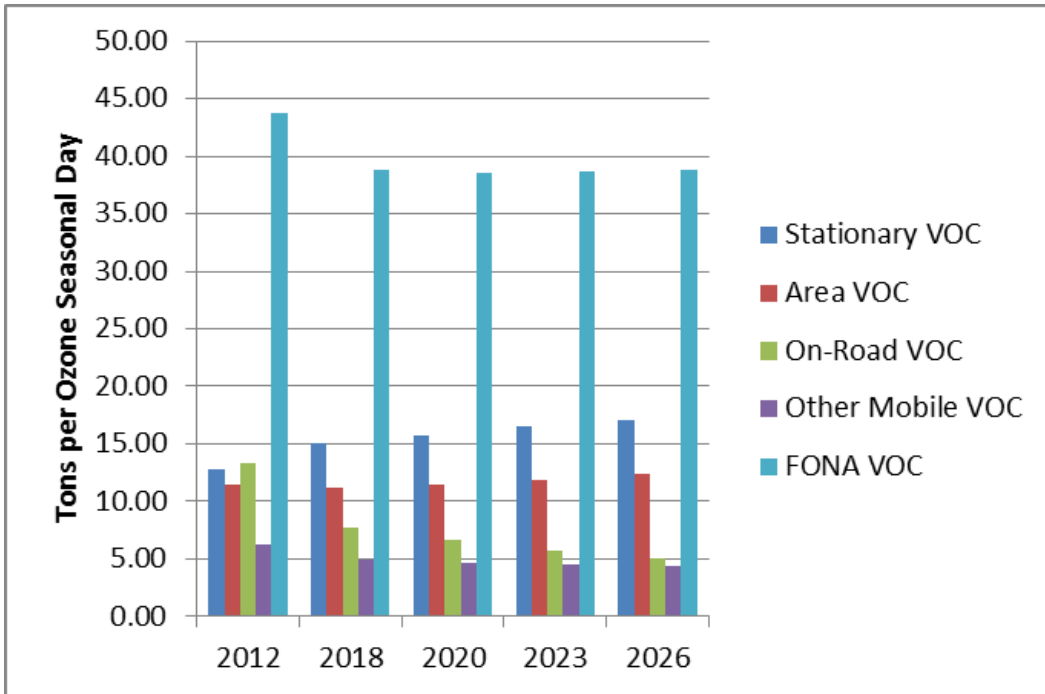
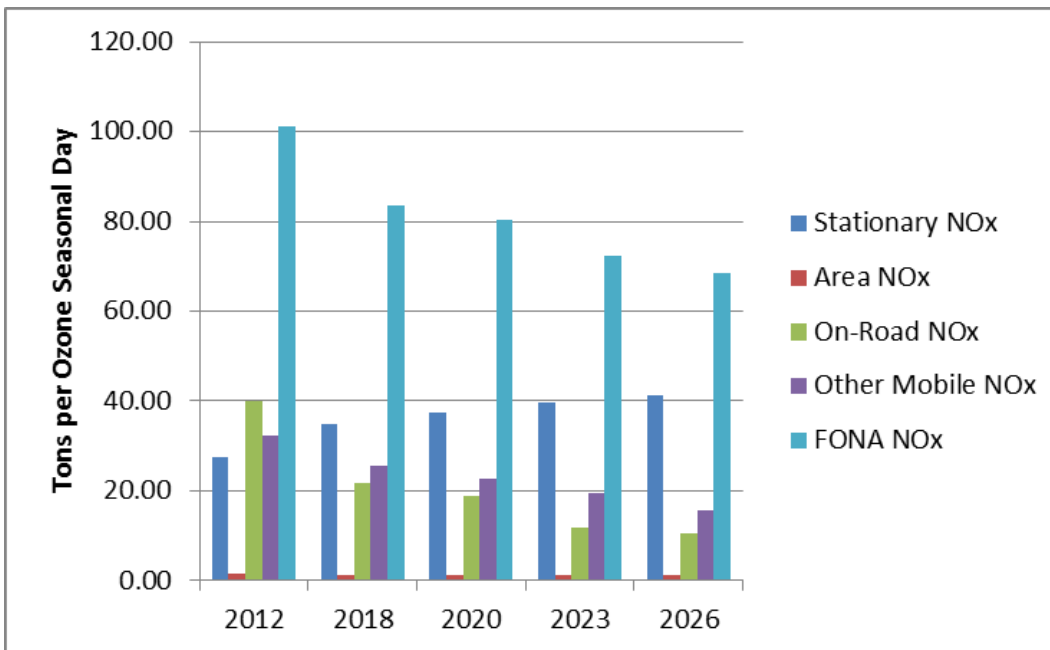


Figure 4 - Forecasted NO_x Emission Inventories (FONA)



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CHAPTER 3 – Control and Contingency Measures

Existing Control Measures
Reasonably Available Control Measures
Proposed Control Measures
Local Rule Adoption Schedule
Contingency Measures
Required Progress
Controlled Emission Inventories
Conformity Budgets
Transportation Conformity
VMT Offset Demonstration

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Existing Control Measures

The current MDAQMD rules and regulations represent a broad set of control measures for MDAQMD sources. The MDAQMD has in place Reasonably Available Control Technology (RACT) requirements for the majority of sources (including gasoline dispensing vapor control), as well as an NSR program with a 25 ton per year major source level and a 1.3:1 offset ratio requirement.

Reasonably Available Control Measures

Federal law specifies that attainment plans provide for the adoption of all reasonably available control measures as expeditiously as possible. In addition to specific local rules meeting the RACT requirement, the State of California has found that the California mobile source control program meets the Federal reasonably available control measure requirement for the Western Mojave (see Appendices F and G).

Proposed Control Measures

The MDAQMD is not proposing to adopt any additional control measures for direct ozone precursor reduction purposes. However, the MDAQMD is committed to adopting all applicable Federal RACT rules. In addition, the MDAQMD will experience additional future emission reductions resulting from existing and proposed Federal and State control measures affecting mobile and area sources as discussed under Required Progress below. The existing State of California control measures with direct or indirect applicability to the MDAQMD are presented in Appendix F.

Local Rule Adoption Schedule

In 2006 and 2015, the MDAQMD reviewed all applicable Federal RACT categories.²³ The MDAQMD committed to adopting a variety of RACT rules as a result of that review – the MDAQMD is updating the adoption schedule for eleven pending rulemaking actions. The rule actions identified in Table 3 below are expected to have some positive effect on ozone precursor emissions, although the magnitude of that effect is currently unquantified.

Table 2 - MDAQMD Rule Adoption Schedule

Rule Title	Rule Nature	Adoption Date
1106 – Marine Coating Operations	Federal RACT Update	10/24/2016
1158 – Electric Utility Operations	Federal RACT Update	2/27/2017
1104 – Organic Solvent Degreasing	Federal RACT Update	3/2017
461 – Gasoline Transfer and Dispensing	Federal RACT Update	5/2017
462 – Organic Liquid Loading	Federal RACT Update	5/2017
463 – Storage of Organic Liquids	Federal RACT Update	5/2017
1115 – Metal Parts and Product Coating Operations	Federal RACT Update	5/2017
1162 – Polyester Resin Operations	Federal RACT Update	9/2017
1157 – Boilers and Process Heaters	Federal RACT Update	9/2017
1160 – Internal Combustion Engines	Federal RACT Update	10/2017

² “8-Hour Reasonably Available Control Technology – State Implementation Plan Analysis (RACT SIP Analysis),” August, 2006

³ “2015 8-Hour Reasonably Available Control Technology – State Implementation Plan Analysis (2015 RACT SIP Analysis),” February 2015

Rule Title	Rule Nature	Adoption Date
1161 – Portland Cement Kilns	Federal RACT Update	10/2017

Contingency Measures

The MDAQMD reaffirms the use of the State Enhanced Inspection and Maintenance (I&M) Program as a contingency measure. The MDAQMD would implement the State of California’s version of Enhanced I&M should a contingency measure be triggered by failure to attain the Federal 8-hour ozone standard.

Required Progress

Federal Clean Air Act (FCAA) §172(c)(2) and §182(b)(1) require attainment plans to provide for reasonable further progress (RFP). RFP is defined in FCAA §171(1) as annual incremental reductions for the purpose of ensuring attainment by the attainment year. This requirement to show steady progress in emission reductions between the baseline year and attainment date ensures that areas will not delay implementation of emission control programs until immediately before the attainment deadline.

There are two separate requirements for nonattainment areas depending upon their classification. The first is a one-time requirement for a 15 percent reduction in ROG emissions between the years of 1990 and 1996 for nonattainment areas classified as moderate or above (FCAA §182(b)(1)). The second is an additional three percent per year reduction of ozone precursor emissions until attainment for ozone nonattainment areas classified as serious or higher (section 182(c)(2)(B)).

In addition to the RFP requirements, FCAA §172(c)(9) requires that plans provide for contingency measures in case the area fails to make RFP. USEPA has interpreted this requirement to represent one year’s worth of emission reduction progress, amounting to 3 percent reductions, from measures that are already in place or that would take effect without further rulemaking action.

Fifteen Percent ROG-only Rate of Progress Requirement

The March 2015 USEPA implementation rule (Rule) for the 2008 8-hour ozone standard interprets the FCAA RFP requirements, establishing requirements for RFP that depend on the area’s classification and whether the area has an approved 15 percent ROG-only reduction plan for a previous ozone standard that covers all of the 2008 8-hour ozone nonattainment area (80 FR 12264). EPA has proposed approval of a 15 percent rate of progress plan for the Western Mojave Desert 1997 8-hour ozone standard covering the entire nonattainment area for the 2008 8-hour ozone standard. As a result, the 15 percent ROG-only requirement has been met for the WMDONA.

Reasonable Further Progress Requirements

Per the Rule, the WMDONA must demonstrate an 18 percent reduction in ozone precursor emissions for the first six years of the attainment planning period, and an average emission reduction of three percent per year after that until the attainment date (80 FR 12264). As detailed in FCAA §182(b)(1)(C), these emission reductions must be achieved through existing programs.

The WMDONA RFP demonstration is achieved by forecasted emission reductions from existing control regulations as shown in the planning inventory. Both ROG and NO_x emission reductions are needed to meet the RFP reduction targets. The NO_x substitution is used on a percentage basis to cover any percentage shortfall in ROG reduction.

Table 3 below demonstrates that the WMDONA meets the RFP targets in the milestone years of 2018, 2021, 2024, and 2026 with a three percent contingency set-aside in 2018 and carried through to 2026 per the requirements of the Rule.

Table 3 - WMDONA 2008 8-hour Ozone NAAQS Reasonable Further Progress

(summer planning inventory, tons per day)

Year	2012	2018	2021	2024	2026
ROG (with existing measures)*	46.8	40.9	40.4	40.3	40.7
Required % change since previous milestone year (ROG or NOx)		18%	9%	9%	6%
Required % change since 2012 (ROG or NOx)		18%	27%	36%	42%
Target ROG levels		38.4	34.9	31.8	29.9
Shortfall (-)/ Surplus (+) in ROG reductions needed to meet target		-2.6	-5.5	-8.6	-10.8
Shortfall (-)/ Surplus (+) in ROG reductions needed to meet target, %		-5.5%	-11.8%	-18.3%	-23.1%
ROG reductions since 2012 used for contingency in this milestone year, %		0.0%	0.0%	0.0%	0.0%
ROG reductions shortfall previously provided by NOx substitution, %		0.0%	5.5%	11.8%	18.3%
Actual ROG reductions Shortfall (-)/ Surplus (+), %		-5.5%	-6.3%	-6.5%	-4.8%
Year	2012	2018	2021	2024	2026
NOx (with existing measures)*	98.9	82.6	78.0	70.9	68.7
Change in NOx since 2012		16.3	21.0	28.1	30.2
Change in NOx since 2012, %		16.5%	21.2%	28.4%	30.5%
NOx reductions since 2012 already used for ROG substitution & contingency through last milestone year, %		0.0%	8.5%	14.8%	21.3%
NOx reductions since 2012 available for ROG substitution & contingency in this milestone year, %		16.5%	12.7%	13.5%	9.3%
NOx reductions since 2012 used for ROG substitution in this milestone year, %		5.5%	6.3%	6.5%	4.8%
NOx reductions since 2012 used for contingency in this milestone year, %		3.0%	0.0%	0.0%	0.0%
NOx reductions since 2012 surplus after meeting ROG substitution & contingency needs in this milestone year, %		8.0%	6.4%	7.1%	4.4%
RFP shortfall (-) in reductions needed to meet target, if any, %		0.0%	0.0%	0.0%	0.0%
Total shortfall (-) for RFP and Contingency, if any, %		0.0%	0.0%	0.0%	0.0%
RFP Met?		YES	YES	YES	YES
Contingency Met?		YES	YES	YES	YES

Controlled Emission Inventories

As the MDAQMD is not proposing any additional local control measures with quantified emission reductions, the controlled emission inventory is identical to the forecasted emission inventory.

Conformity Budgets

The forecasted emission inventories presented in this document are the emission budgets for general conformity purposes, as no additional control measures with quantified emission reductions are proposed. A project subject to the general conformity test must be demonstrated to conform with the applicable portion of the forecasted emission inventory. For a project that falls between forecasted years, a linearly interpolated inventory may be calculated. For a project that falls after 2026, use 2026.

Transportation Conformity

Section 176(c) of the FCAA establishes transportation conformity requirements which are intended to ensure that transportation activities do not interfere with air quality progress. The CAA requires that transportation plans, programs, and projects that obtain federal funds or approvals be consistent with, or *conform to* applicable state implementation plans (SIPs) before being approved by a Metropolitan Planning Organization (MPO). Conformity to the SIP means that proposed transportation activities must not:

- (1) Cause or contribute to any new violation of any standard,
- (2) Increase the frequency or severity of any existing violation of any standard in any area, or
- (3) Delay timely attainment of any standard or any required interim emission reductions or other milestones in any area.

A SIP analyzes the region's total emissions inventory from all sources necessary to demonstrate RFP, attainment, or maintenance of the National Ambient Air Quality Standards (NAAQS). The portion of the total emissions inventory from on-road highway and transit vehicles which provides RFP and attainment or maintenance of the NAAQS in these analyses becomes the "motor vehicle emissions budget".⁴ Motor vehicle emissions budgets are the mechanism for ensuring that transportation planning activities conform to the SIP. Budgets are set for each criteria pollutant or its precursors that the area does not attain and it is set for each RFP milestone year and the attainment year.

Requirements for Demonstrating Conformity

The Southern California Association of Governments (SCAG), the MPO in Southern California, in consultation with the Los Angeles and San Bernardino County Transportation Commissions, prepares a long range regional transportation plan (RTP) at least every four years and a short range funding program, or regional transportation improvement program (RTIP) every two

⁴ Federal transportation conformity regulations are found in 40 CFR Parts 51 and 93 – Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and Projects Developed, Funded or Approved Under Titles 23 or 49 of the United States Code.

years. Content of both the RTP and RTIP are specified in federal transportation law found at Titles 23 and 49 of the Code of Federal Regulations (CFR) and applicable sections of California transportation planning law.

Before adopting the RTP/RTIP, SCAG prepares a regional emissions analysis using the proposed plan and program as specified in the Federal conformity regulation and compares those emissions to the emission budgets in the SIP. The MPO may determine the RTP/RTIP conforms if the emissions from the proposed actions are less than the emissions budgets in the SIP. The conformity determination also signifies that the MPO has met other transportation conformity requirements such as interagency consultation and financial constraint.

Conformity Budgets in the 2016 AQMP

The 2016 Air Quality Management Plan (AQMP) establishes transportation conformity emissions budgets for 2018, 2021, 2024 and 2026 for the ozone precursors VOC and NO_x in the WMDONA. The WMDONA consists of portions of Los Angeles and San Bernardino counties. The budgets are consistent with the emissions inventory used in the progress and attainment demonstrations.

The emissions budgets presented below use EMFAC2014 with SCAG modeled vehicle miles travelled (VMT) and speed distributions. The VMT and speed distribution data are from the 2016 RTP/SCS adopted by SCAG in April 2016. CARB staff released a revised emission rate program, EMFAC2014, which updates the emission rates and planning assumptions used in calculating conformity budgets. EMFAC2014 was approved for use in SIPs and transportation conformity by USEPA on December 14, 2015.

The federal conformity rule allows a SIP to create a safety margin in an emissions budget (See the CFR §93.101 and §93.118(e)(4)(vi)). A safety margin is defined as the difference between projected emissions and the emissions necessary to demonstrate progress or attainment. This plan creates a safety margin of 0.2 tons/day of VOC and 0.2 tons/day of NO_x in 2026 only. These budgets are consistent with the demonstrations of progress and attainment.

Calculation Methodology

All the budgets in this plan have been constructed in consultation with SCAG and USEPA using emissions for a summer average day consistent with the ozone attainment and progress demonstrations using the following method:

- 1) Calculate the on road motor vehicle emissions totals for VOC and NO_x from EMFAC2014.
- 2) Sum each pollutant and round each total up to the nearest ton for VOC and NO_x.

Table 4 below contains the emissions budgets for the WMDONA.

**Table 4 - Transportation Conformity Budgets
for the 2008 8-hour Ozone standard in the
Western Mojave Desert Ozone Nonattainment Area***

Western Mojave Desert (tons per summer day)	2018		2021		2024		2026	
	VOC	NOx	VOC	NOx	VOC	NOx	VOC	NOx
Baseline Emissions	9.00	20.32	7.46	15.99	6.39	10.56	5.98	9.84
Safety Margin							0.20	0.20
Total	9.00	20.32	7.46	15.99	6.39	10.56	6.18	10.04
Conformity Budget	10	21	8	16	7	11	7	11

*Budgets calculated with EMFAC2014 using SCAG 2016 RTP activity. Budgets are rounded up to the nearest ton.

VMT Offset Demonstration

In August 2012, U.S. EPA issued guidance titled “Implementing Clean Air Act Section 182(d)(1)(A): Transportation Control Measures and Transportation Control Strategies to Offset Growth in Emissions Due to Growth in Vehicle Miles Travelled”. Among other things, USEPA’s guidance points out that subsequent court decisions regarding previous VMT offset demonstrations omitted any reference to “transportation control strategies” (TCS). TCSs, which are not defined in the FCAA or USEPA regulation, are eligible to offset growth in emissions due to growth in VMT. The USEPA’s new guidance indicates that technology improvements such as vehicle technology improvements, motor vehicle fuels, and other control strategies that are transportation-related could be used to offset increases in emissions due to VMT. USEPA’s revised guidance sets forth a method of calculating the actual growth in emissions due to growth in VMT. Essentially, the state would compare projected attainment year emissions assuming no new control measures and no VMT growth with projected actual attainment year emissions (including new control measures and VMT growth). If the latter number is smaller than the former, no additional transportation control measures or strategies would be required. If additional transportation control measures and transportation control strategies are required, they should be clearly identified and distinguished from the measures included in the initial calculations for the base year and the three scenarios identified for the attainment year.

In addition, the guidance recommends that the base year used in the demonstration be the base year used in the attainment demonstration for the ozone standard. To address USEPA’s guidance, 2012 is used in this demonstration as the base year for the 2008 8-hour standard. Consistent with USEPA guidance, emissions of VOC are used to determine compliance with the VMT offset requirement.

Transportation Control Strategies and Transportation Control Measures

By listing them separately, the FCAA (§182(d)(1)(A)) differentiates between TCS and TCM, and thus provides for a wide range of strategies and measures as options to offset growth in emissions from VMT growth. In addition, the example TCMs listed in §108(f)(1)(A) of the FCAA include measures that reduce emissions by reducing VMT, reducing tailpipe emissions, and removing dirtier vehicles from the fleet. California’s motor vehicle control program

includes a variety of strategies and measures including new engine standards and in-use programs (e.g., smog check, vehicle scrap, fleet rules, idling restrictions). TCMs developed by SCAG provide additional reductions. In addition, SCAG prepares a report every two years that reports on the status of implementation of TCMs.

Based on the provisions in FCAA §182(d)(1)(A) and the clarifications provided in the USEPA guidance, any combination of transportation control strategies and TCMs may be used to meet the requirement to offset growth in emissions resulting from VMT growth. Since 1990 when this requirement was established, California has adopted more than sufficient enforceable transportation strategies and measures to meet the requirement to offset the growth in emissions from VMT growth. For the 2008 8-hour ozone standard offset demonstration, 2012 controls are used as the base case control level since 2012 is the base year of the SIP.

Emissions Due to VMT Growth

As discussed above, the USEPA guidance does provide a recommended calculation methodology that could be done to determine if sufficient transportation control strategies and TCMs have been adopted and implemented to offset the growth in emissions due solely to growth in VMT. As such, any increase in emissions solely from VMT increases in the future attainment year from the base year (assuming that there are no further motor vehicle control programs implemented after the base year) would need to be offset. In addition, a calculation is needed to show the emissions levels if VMT had remained constant from the base year to the future attainment year. As discussed earlier, a comparison of the projected attainment year emissions assuming no new control measures and no VMT growth with projected actual attainment year emissions (including new control measures and VMT growth) would be made. If the latter number is smaller than the former, no additional transportation control measures or strategies would be required.

Methodology

The following calculations are based on the USEPA guidance recommended calculation methodology. As shown for the 8-hour ozone standard, 2012 is the base year used for the attainment demonstration and 2026 is the attainment year.

This analysis uses California's approved motor vehicle emissions model, EMFAC. The EMFAC model estimates the emissions from two combustion processes: running exhaust and start exhaust, and four evaporative processes: hot soak, running losses, diurnal, and resting losses.

Emissions from running exhaust, start exhaust, hot soak, and running losses are a function of how much a vehicle is driven. Emissions from these processes are directly related to VMT, trips, and starts. These processes are included in the calculation of the emissions levels used in the VMT offset demonstration. Emissions from resting loss and diurnal loss processes are not related to VMT, trips or vehicle starts and are not included in the analysis because these emissions occur regardless if the vehicle makes a trip (i.e., a start) or not.

EMFAC combines trip-based VMT from the regional transportation planning agencies, starts data based on household travel surveys, and vehicle population data from the Department of Motor Vehicles with corresponding emission rates to calculate emissions.⁵

With the EMFAC model, the calculation of emissions growth and whether it is offset is simplified to a comparison of future year emissions with “no growth” in VMT or new control strategies to future emissions with VMT growth and new control strategies. This follows U.S. EPA’s 2012 guidance and is consistent with the court’s interpretation of FCAA §182(d)(1)(A).

Analysis Using 2012 as the Base Year for the 2008 8-hour Ozone Standard with Attainment Year of 2026.

Step 1. Provide the emissions level for the base year.

The following table shows the VOC emissions, VMT, starts, and vehicle population for calendar year 2012 from the EMFAC2014 model.

Summary of 2012 Base Year Transportation Activity

	VMT (thousand miles/day)	Starts (thousands/day)	Vehicle Population (thousands)	VOC Emissions* (tons/day)
2012 Base Year	26,536	4,470	706	12.4

* Does not include diurnal or resting loss emissions.

Step 2. Calculate three emissions levels in the attainment year.

For the attainment year,

- (1) Calculate emissions level with the motor vehicle control program frozen at 2012 levels and with projected VMT, starts, and vehicle population for the attainment year. This represents what the emissions in the attainment year would have been if transportation control strategies and TCMs had not been implemented after 2012;
- (2) Calculate emissions level with the motor vehicle control program frozen at 2012 levels and assuming VMT, starts, and vehicle population do not increase from 2012 levels; and
- (3) Calculate an emissions level that represents emissions with full implementation of all transportation control strategies and TCMs since 2012 and which represents the projected future year baseline emissions inventory using the VMT, starts, and vehicle population for the attainment year.

Calculation 1. Calculate the emissions in the attainment year assuming no new measures since the base year, and including growth in VMT, starts, and vehicle population.

To perform this calculation, CARB staff identified the on-road motor vehicle control programs adopted since 2012 and adjusted EMFAC2014 to reflect the VOC emissions levels in 2026

⁵ More information on data sources can be found in the EMFAC technical document which is located on the web at: <https://www.arb.ca.gov/msei/downloads/emfac2014/emfac2014-vol3-technical-documentation-052015.pdf>

without the benefits of the post-2012 control programs. The projected VOC emissions are 6.5 tons/day.

Calculation 2. Calculate the emissions with no growth in VMT, starts, or vehicle population.

In this calculation, the VOC emission levels in calendar year 2026 without benefit of the post 2012 control program are calculated. EMFAC2014 allows a user to input different VMT, starts, and vehicle population than default. For this calculation, EMFAC2014 was run without the benefit of the post 2012 control program for calendar year 2026 with the 2012 level of VMT of 26,535,577 miles per day, the 2012 level of starts at 4,469,778 per day, and the 2012 level of population at 706,039 vehicles. The VOC emissions associated with 2012 VMT, starts, and vehicle population in calendar year 2026 are 5.3 tons/day.

Calculation 3. Calculate emission reductions with full Implementation of Transportation Control Strategies & TCMs.

The VOC emission levels for 2026 assuming the benefits of the post-2012 motor vehicle control program and the projected VMT, starts, and vehicle population in 2026 are calculated using EMFAC2014. The projected VOC emissions level is 4.6 tons/day. VOC emissions for the three sets of calculations described above are summarized in the following table.

As provided in the U.S. EPA guidance, to determine compliance with the provisions of FCAA §182(d)(1)(A), the emissions levels calculated in Calculation 3 should be less than the emissions levels in Calculation 2:

VOC: 4.6 < 5.3 tons/day

Summary of 2026 Attainment Year Emissions Levels

Description	VMT* (1000 miles/day)	Starts (1000/day)	Vehicle Population (1000s)	VOC Emissions** (tons/day)
(1) Emissions with Motor Vehicle Control Program Frozen at 2012 Levels. (VMT, starts and vehicle population at 2026 levels.)	34,724	5,238	843	6.5
(2) Emissions with Motor Vehicle Control Program Frozen at 2012 Levels. (VMT, starts, and vehicle population at 2012 levels)	26,536	4,470	706	5.3

(3) Emissions with Full Motor Vehicle Control Program in Place (VMT, starts and vehicle population at 2026 levels)	34,724	5,238	843	4.6
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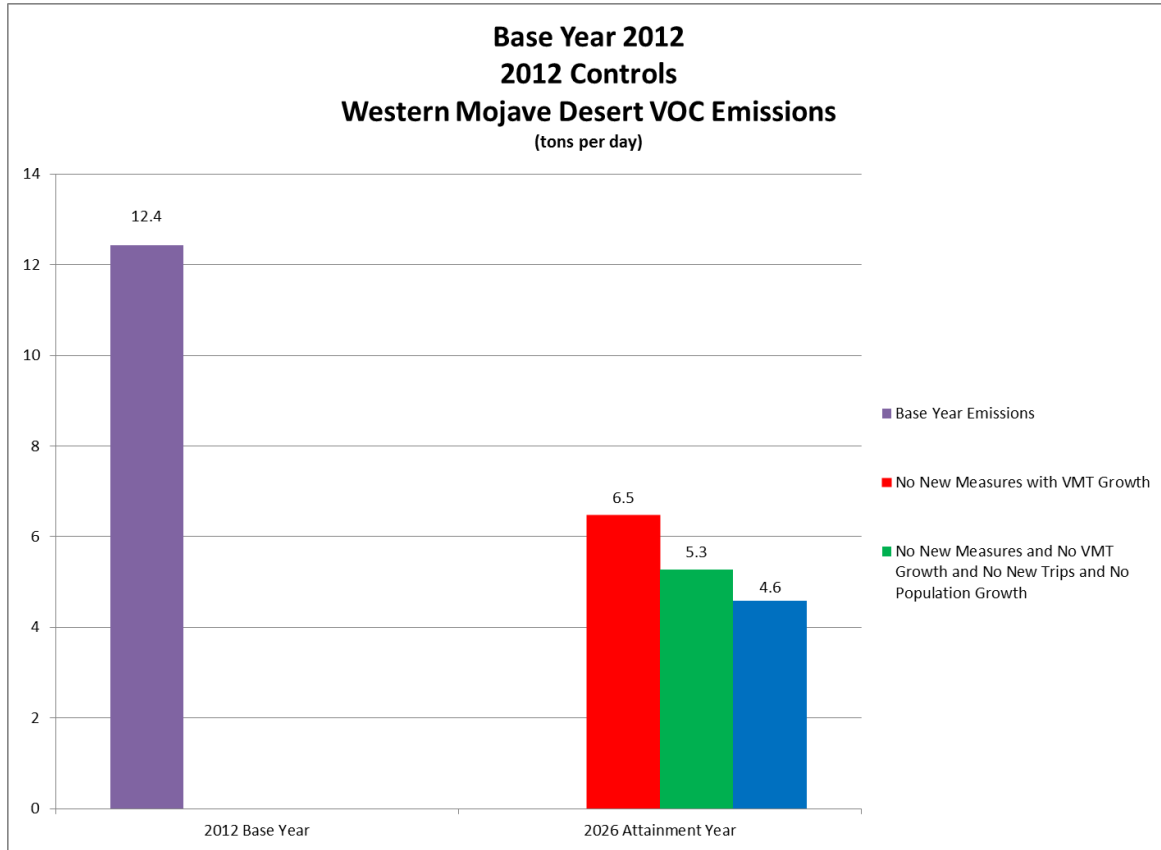
* CY 2026 VMT based on the SCAG 2016 RTP

** Does not include diurnal or resting loss emissions.

Summary

The previous sections provide an analysis to demonstrate compliance with the provisions of FCAA §182(d)(1)(A). To further illustrate the demonstration, Figure 5 below show graphically the emissions benefits of the motor vehicle control programs in offsetting VOC emissions due to increased VMT, starts, and vehicle population in the WMDONA for the 2008 8-hour ozone standard (2012 base year). The left bar (in purple) shows the emissions in the base year with base year controls. The three bars on the right in each figure show the emissions levels in the attainment year for the three calculations identified above: the red bar shows attainment year emissions with base year controls and attainment year VMT, starts, and vehicle population, the green bar shows attainment year emissions with base year controls, VMT, starts, and vehicle population, and the blue bar shows attainment year emissions with attainment year controls, VMT, starts, and vehicle population. Based on the USEPA guidance, if the blue bar is lower than the green bar, then the identified transportation control strategies and TCMs are sufficient to offset the growth in emissions.

**Figure 5 - VOC Emissions from WMDONA On-Road Mobile Sources
(2012 Base Year)***



* Does not include resting or diurnal loss emissions

CHAPTER 4 – Attainment Demonstration

Modeling Approach Overview

Modeling Domain

Model Inputs

Modeling Results

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ATTAINMENT DEMONSTRATION

This chapter paraphrases and reiterates information from the most recent SCAQMD/CARB ozone model runs, the runs performed for the 2016 SCAQMD AQMP. For further information, please refer to Appendix V of that document.⁶

The FCAA required the use of photochemical air quality modeling to evaluate whether a proposed control strategy will result in attainment of the applicable ozone standard. Recognizing the uncertainty inherent in large-scale air quality models, recent Federal guidance has also required an evaluation of supplementary data, known as a weight of evidence analysis. A weight of evidence analysis can also be used to support an attainment demonstration if photochemical modeling indicates that the control strategy will result in future ozone concentration that will approach but not quite reach the standard - CARB will include a weight of evidence analysis in the State of California adoption staff report.

Modeling Approach Overview

The WMDONA, which includes a portion of the MDAQMD, is a small portion of the complex greater Southern California airshed. Ozone and ozone precursors are known to flow (or be transported), under the influence of winds, throughout Southern California. The most technically accurate method of evaluating ozone concentrations, ozone emissions, and future ozone behavior is through a large modeling project that includes all of the affected areas in Southern California (and a portion of northern Mexico). The modeling effort has been performed as a joint project by all of the air districts in the region and CARB, with SCAQMD and CARB staff and resources doing the primary work. This regional modeling effort has allowed the most accurate understanding and prediction of future ozone concentrations for Southern California.

The modeled attainment demonstration in this plan was prepared using photochemical dispersion and meteorological tools developed in response to USEPA modeling guidelines, and recommendations from air quality modeling experts. The Urban Airshed Model (UAM) is the regional modeling system preferred by USEPA and CARB for analyzing ozone non-attainment areas. The UAM predicts future ambient ozone concentrations under historical conditions that led to high ambient ozone concentrations. These conditions are typically multi-day ‘episodes’ in which the State and Federal ozone standards were exceeded. The UAM also evaluates ozone precursor emissions, local and regional meteorology, and regional topography to calculate ozone concentrations. These calculations are performed on an hourly basis throughout the modeled episode, thus allowing the UAM to stimulate changing conditions (i.e. night, day and wind).

Meteorological fields were generated using the Weather Research and Forecasting (WRF) meteorological model, and the required modeling emissions inventories were developed by CARB and SCAQMD staff. The ozone air quality modeling utilized the Comprehensive Air Quality Model with Extensions (CAMx) model and SAPRC99 chemistry, with initial and boundary conditions based on estimates of clean-air concentrations. Analysis of the model outputs included the estimation of 1-hour and 8-hour ozone concentrations for each ozone monitoring site within the domain, as well as statistical measures comparing observed and

⁶ “2016 AQMP Appendix V - Modeling and Attainment Demonstrations,” SCAQMD, December 2016

simulated ozone concentrations. These analyses were used to evaluate model performance by sub-region within the domain.

Modeling Domain

The modeling domain is based on the domain defined for the 1997 Southern California Ozone Study and includes the SCAB and the surrounding coastal, desert and mountain areas, including the MDAQMD. This model domain includes the upwind sources within SCAQMD, which are responsible for the overwhelming ozone transport into the MDAQMD. The northern boundary of the model extends into Santa Barbara and Kern counties, while the southern boundary extends in Mexico. The eastern boundary of the modeling domain extends into the desert portions of San Bernardino and Riverside counties, while the western boundary extends into the Pacific Ocean. The domain horizontal grid is 154 by 102 cells, with a cell resolution of four kilometers. The domain has a vertical resolution of 18 layers.

Model Inputs

SCAQMD performed the UAM attainment demonstration using data maintained by CARB and MDAQMD. The emissions inventory used for the UAM is consistent with the emissions inventory presented in the appendices to this document.

Modeling Results

Future years are simulated twice using the UAM: first, using the uncontrolled emissions inventory; and second, using a reduced emissions inventory controlled by the proposed ozone control strategy. Comparing the uncontrolled and controlled ambient ozone concentrations identifies the effectiveness of the proposed ozone control strategy. Attainment year ambient ozone concentrations using the reduced emissions inventory controlled by the proposed ozone control strategy should achieve the ozone standard.

As required by federal guidance, a relative reduction factor (RRF) approach was used in projecting future design values. The RRF reflects the ratio between the future year model prediction (in this case the end of 2026) and the reference year model prediction (in this case 2012). A reference or base year design value is then multiplied by the RRF to project a future year design value. The modeling satisfies the minimum five episode requirement for use in developing a site-specific RRF for most sites, as recommended by the USEPA guidance for modeling 8-hour ozone design values.

Table 5 presents the photochemical ozone modeling results for the FONAs, including sites within the MDAQMD.

Table 5 - 2026 Federal Ozone Attainment Demonstration

(all values ozone in ppb)

Station		Baseline 2012	Modeled	
			Forecast 2026	Controlled 2023
Phelan	0012	93.7	83.6	75.9
Joshua Tree National Monument	9002	91.3	79.7	74.3
Hesperia	4001	91.0	81.7	73.8
Lancaster	9033	88.3	73.5	67.0
Victorville	0306	84.7	77.6	71.0
Barstow	0001	78.3	67.9	64.8

The modeling results show that the MDAQMD will attain the 8-hour ozone NAAQS (75 ppb) prior to the July 2027 attainment deadline for Severe ozone nonattainment areas.

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Appendices

- A - Base Year Emission Inventory
- B - Future Year Emission Inventories
- C - Annual Ambient Monitoring Data Summary
- D - Mojave Desert Modeling Analyses
- E - Ozone RACM Assessment
- F - ARB Adopted Mobile Source Programs

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APPENDIX A - BASE YEAR EMISSION INVENTORY

All emissions are presented in tons per ozone seasonal day for the 2012 base year

	VOC	NOx
Stationary		
ELECTRIC UTILITIES	0.05	1.24
COGENERATION	0.00	0.00
MANUFACTURING AND INDUSTRIAL	0.29	3.87
FOOD AND AGRICULTURAL PROCESSING	0.01	0.09
SERVICE AND COMMERCIAL	0.19	1.45
OTHER (FUEL COMBUSTION)	0.07	0.73
SEWAGE TREATMENT	0.12	0.00
LANDFILLS	0.16	0.02
INCINERATORS	0.00	0.06
OTHER (WASTE DISPOSAL)	0.05	0.00
DEGREASING	3.41	0.00
COATINGS AND RELATED PROCESS SOLVENTS	1.79	0.00
PRINTING	0.03	0.00
ADHESIVES AND SEALANTS	0.07	0.00
OTHER (CLEANING AND SURFACE COATINGS)	0.01	0.00
PETROLEUM MARKETING	5.52	0.00
CHEMICAL	0.50	0.01
FOOD AND AGRICULTURE	0.01	0.00
MINERAL PROCESSES	0.34	17.96
METAL PROCESSES	0.00	0.48
ELECTRONICS	0.01	0.00
OTHER (INDUSTRIAL PROCESSES)	0.18	1.60
Stationary Subtotal	12.81	27.51
Area-Wide		
CONSUMER PRODUCTS	4.49	0.00
ARCHITECTURAL COATINGS AND RELATED PROCESS SOLVENTS	2.45	0.00
PESTICIDES/FERTILIZERS	0.13	0.00
ASPHALT PAVING / ROOFING	0.31	0.00
RESIDENTIAL FUEL COMBUSTION	0.55	1.11
FARMING OPERATIONS	2.06	0.00
FIRES	0.02	0.00
MANAGED BURNING AND DISPOSAL	0.95	0.39
COOKING	0.45	0.00
Area-Wide Subtotal	11.40	1.50

On-Road Mobile		
LIGHT DUTY PASSENGER (LDA)	4.34	3.64
LIGHT DUTY TRUCKS - 1 (LDT1)	1.45	1.06
LIGHT DUTY TRUCKS - 2 (LDT2)	1.94	2.40
MEDIUM DUTY TRUCKS (MDV)	1.74	2.72
LIGHT HEAVY DUTY GAS TRUCKS - 1 (LHDV1)	0.72	0.95
LIGHT HEAVY DUTY GAS TRUCKS - 2 (LHDV2)	0.06	0.10
MEDIUM HEAVY DUTY GAS TRUCKS (MHDV)	0.14	0.22
HEAVY HEAVY DUTY GAS TRUCKS (HHDV)	0.04	0.08
LIGHT HEAVY DUTY DIESEL TRUCKS - 1 (LHDV1)	0.09	3.82
LIGHT HEAVY DUTY DIESEL TRUCKS - 2 (LHDV2)	0.03	1.12
MEDIUM HEAVY DUTY DIESEL TRUCKS (MHDV)	0.09	1.90
HEAVY HEAVY DUTY DIESEL TRUCKS (HHDV)	1.07	19.60
MOTORCYCLES (MCY)	1.35	0.46
HEAVY DUTY DIESEL URBAN BUSES (UB)	0.07	1.10
HEAVY DUTY GAS URBAN BUSES (UB)	0.04	0.11
SCHOOL BUSES - GAS (SBG)	0.02	0.02
SCHOOL BUSES - DIESEL (SBD)	0.02	0.26
OTHER BUSES - GAS (OBG)	0.02	0.06
OTHER BUSES - MOTOR COACH - DIESEL (OBC)	0.00	0.05
ALL OTHER BUSES - DIESEL (OBD)	0.00	0.05
MOTOR HOMES (MH)	0.04	0.19
On-Road Mobile Subtotal	13.28	39.93
Other Mobile		
AIRCRAFT	1.47	1.36
TRAINS	1.78	28.42
RECREATIONAL BOATS	0.27	0.05
OFF-ROAD RECREATIONAL VEHICLES	0.75	0.04
OFF-ROAD EQUIPMENT	1.57	2.16
FARM EQUIPMENT	0.03	0.12
FUEL STORAGE AND HANDLING	0.35	0.00
Other Mobile Subtotal	6.21	32.16
WMDONA Total	43.70	101.10

APPENDIX B - FUTURE YEAR EMISSION INVENTORIES

(all emissions in tons per ozone seasonal day unless otherwise indicated)

VOC:

SUB CATEGORY	2012	2018	2020	2023	2026
ELECTRIC UTILITIES	0.05	0.04	0.04	0.05	0.05
MANUFACTURING AND INDUSTRIAL	0.29	0.36	0.39	0.41	0.43
FOOD AND AGRICULTURAL PROCESSING	0.01	0.00	0.01	0.01	0.01
SERVICE AND COMMERCIAL	0.19	0.30	0.35	0.41	0.45
OTHER (FUEL COMBUSTION)	0.07	0.07	0.07	0.07	0.08
SEWAGE TREATMENT	0.12	0.14	0.15	0.16	0.17
LANDFILLS	0.16	0.17	0.17	0.18	0.19
INCINERATORS	0.00	0.01	0.01	0.01	0.01
OTHER (WASTE DISPOSAL)	0.05	0.05	0.06	0.06	0.06
DEGREASING	3.41	4.62	5.07	5.69	6.19
COATINGS AND RELATED PROCESS SOLVENTS	1.79	2.32	2.52	2.76	2.95
PRINTING	0.03	0.05	0.05	0.06	0.07
ADHESIVES AND SEALANTS	0.07	0.10	0.11	0.12	0.13
OTHER (CLEANING AND SURFACE COATINGS)	0.01	0.01	0.01	0.01	0.01
PETROLEUM MARKETING	5.52	5.45	5.31	5.04	4.73
CHEMICAL	0.50	0.67	0.73	0.79	0.83
FOOD AND AGRICULTURE	0.01	0.02	0.02	0.02	0.02
MINERAL PROCESSES	0.34	0.44	0.47	0.50	0.52
ELECTRONICS	0.01	0.01	0.01	0.02	0.02
OTHER (INDUSTRIAL PROCESSES)	0.18	0.16	0.15	0.16	0.17
CONSUMER PRODUCTS	4.49	4.38	4.47	4.68	4.89
ARCHITECTURAL COATINGS AND RELATED PROCESS SOLVENTS	2.45	2.08	2.15	2.26	2.37
PESTICIDES/FERTILIZERS	0.13	0.20	0.20	0.20	0.20
ASPHALT PAVING / ROOFING	0.31	0.47	0.52	0.57	0.62
RESIDENTIAL FUEL COMBUSTION	0.55	0.54	0.54	0.54	0.54
FARMING OPERATIONS	2.06	2.06	2.06	2.06	2.06
FIRES	0.02	0.02	0.02	0.02	0.02
MANAGED BURNING AND DISPOSAL	0.95	0.96	0.96	0.97	0.98
COOKING	0.45	0.54	0.57	0.61	0.65
LIGHT DUTY PASSENGER (LDA)	4.34	2.30	1.95	1.65	1.47
LIGHT DUTY TRUCKS - 1 (LDT1)	1.45	0.71	0.59	0.47	0.38
LIGHT DUTY TRUCKS - 2 (LDT2)	1.94	1.12	0.94	0.80	0.71
MEDIUM DUTY TRUCKS (MDV)	1.74	1.33	1.16	0.93	0.78
LIGHT HEAVY DUTY GAS TRUCKS - 1 (LHDV1)	0.72	0.54	0.51	0.44	0.39
LIGHT HEAVY DUTY GAS TRUCKS - 2 (LHDV2)	0.06	0.04	0.04	0.03	0.02
MEDIUM HEAVY DUTY GAS TRUCKS (MHDV)	0.14	0.05	0.04	0.04	0.03
HEAVY HEAVY DUTY GAS TRUCKS (HHDV)	0.04	0.01	0.01	0.01	0.01
LIGHT HEAVY DUTY DIESEL TRUCKS - 1 (LHDV1)	0.09	0.07	0.07	0.05	0.04
LIGHT HEAVY DUTY DIESEL TRUCKS - 2 (LHDV2)	0.03	0.02	0.02	0.01	0.01
MEDIUM HEAVY DUTY DIESEL TRUCKS (MHDV)	0.09	0.04	0.02	0.01	0.01
HEAVY HEAVY DUTY DIESEL TRUCKS (HHDV)	1.07	0.21	0.20	0.14	0.16
MOTORCYCLES (MCY)	1.35	1.12	1.08	1.03	0.98
HEAVY DUTY DIESEL URBAN BUSES (UB)	0.07	0.04	0.03	0.02	0.02
HEAVY DUTY GAS URBAN BUSES (UB)	0.04	0.03	0.03	0.02	0.01
SCHOOL BUSES - GAS (SBG)	0.02	0.00	0.00	0.00	0.00
SCHOOL BUSES - DIESEL (SBD)	0.02	0.00	0.00	0.00	0.00
OTHER BUSES - GAS (OBG)	0.02	0.01	0.01	0.01	0.01
MOTOR HOMES (MH)	0.04	0.01	0.01	0.01	0.00
AIRCRAFT	1.47	1.47	1.47	1.51	1.56
TRAINS	1.78	0.90	0.70	0.61	0.49
RECREATIONAL BOATS	0.27	0.20	0.18	0.15	0.13
OFF-ROAD RECREATIONAL VEHICLES	0.75	0.65	0.63	0.59	0.57
OFF-ROAD EQUIPMENT	1.57	1.40	1.38	1.41	1.45
FARM EQUIPMENT	0.03	0.02	0.02	0.02	0.01
FUEL STORAGE AND HANDLING	0.35	0.25	0.24	0.22	0.20
Overall totals:	43.69	38.82	38.49	38.61	38.87

NOx:

SUB CATEGORY	2012	2018	2020	2023	2026
ELECTRIC UTILITIES	1.24	0.98	0.98	1.06	1.08
MANUFACTURING AND INDUSTRIAL	3.87	4.44	4.67	4.72	4.74
FOOD AND AGRICULTURAL PROCESSING	0.09	0.05	0.06	0.06	0.06
SERVICE AND COMMERCIAL	1.45	2.15	2.46	2.83	3.09
OTHER (FUEL COMBUSTION)	0.73	0.79	0.78	0.83	0.87
LANDFILLS	0.02	0.02	0.03	0.03	0.03
INCINERATORS	0.06	0.08	0.08	0.09	0.10
CHEMICAL	0.01	0.01	0.01	0.01	0.01
MINERAL PROCESSES	17.96	24.38	26.53	28.22	29.33
METAL PROCESSES	0.48	0.48	0.47	0.51	0.55
OTHER (INDUSTRIAL PROCESSES)	1.60	1.41	1.32	1.41	1.53
RESIDENTIAL FUEL COMBUSTION	1.11	0.92	0.91	0.90	0.89
MANAGED BURNING AND DISPOSAL	0.39	0.39	0.40	0.40	0.40
LIGHT DUTY PASSENGER (LDA)	3.64	2.00	1.64	1.28	1.04
LIGHT DUTY TRUCKS - 1 (LDT1)	1.06	0.47	0.37	0.27	0.19
LIGHT DUTY TRUCKS - 2 (LDT2)	2.40	1.15	0.88	0.65	0.50
MEDIUM DUTY TRUCKS (MDV)	2.72	1.60	1.28	0.86	0.61
LIGHT HEAVY DUTY GAS TRUCKS - 1 (LHDV1)	0.95	0.63	0.57	0.46	0.37
LIGHT HEAVY DUTY GAS TRUCKS - 2 (LHDV2)	0.10	0.07	0.06	0.05	0.04
MEDIUM HEAVY DUTY GAS TRUCKS (MHDV)	0.22	0.12	0.10	0.08	0.06
HEAVY HEAVY DUTY GAS TRUCKS (HHDV)	0.08	0.05	0.05	0.05	0.05
LIGHT HEAVY DUTY DIESEL TRUCKS - 1 (LHDV1)	3.82	2.60	2.29	1.75	1.33
LIGHT HEAVY DUTY DIESEL TRUCKS - 2 (LHDV2)	1.12	0.68	0.56	0.38	0.25
MEDIUM HEAVY DUTY DIESEL TRUCKS (MHDV)	1.90	1.14	0.83	0.44	0.50
HEAVY HEAVY DUTY DIESEL TRUCKS (HHDV)	19.60	9.71	8.87	4.41	4.60
MOTORCYCLES (MCY)	0.46	0.38	0.37	0.36	0.35
HEAVY DUTY DIESEL URBAN BUSES (UB)	1.10	0.61	0.48	0.35	0.25
HEAVY DUTY GAS URBAN BUSES (UB)	0.11	0.08	0.07	0.05	0.04
SCHOOL BUSES - GAS (SBG)	0.02	0.01	0.01	0.00	0.00
SCHOOL BUSES - DIESEL (SBD)	0.26	0.23	0.21	0.17	0.14
OTHER BUSES - GAS (OBG)	0.06	0.04	0.03	0.02	0.02
OTHER BUSES - MOTOR COACH - DIESEL (OBC)	0.05	0.03	0.03	0.01	0.01
ALL OTHER BUSES - DIESEL (OBD)	0.05	0.03	0.02	0.01	0.01
MOTOR HOMES (MH)	0.19	0.11	0.09	0.06	0.04
AIRCRAFT	1.36	1.37	1.37	1.41	1.46
TRAINS	28.42	22.03	19.41	16.36	12.54
RECREATIONAL BOATS	0.05	0.04	0.04	0.04	0.04
OFF-ROAD RECREATIONAL VEHICLES	0.04	0.05	0.05	0.06	0.06
OFF-ROAD EQUIPMENT	2.16	1.98	1.86	1.54	1.33
FARM EQUIPMENT	0.12	0.09	0.09	0.07	0.06
Overall totals:	101.09	83.40	80.29	72.24	68.56

APPENDIX C - ANNUAL AMBIENT MONITORING DATA SUMMARY

	Maximum One Hour Ozone (ppm)							8-Hour Trend (FONA)		
									Max	3-Yr Av 4th H
								1986	0.225	0.168
	Barstow	Blythe	Hesperia	JTNM	Phelan	Trona	Victorville	1987	0.161	0.163
1988	0.15		0.27	0.14	0.19	0.12	0.18	1988	0.167	0.165
1989	0.14		0.21	0.14	0.22	0.10	0.17	1989	0.161	0.153
1990	0.13		0.27	0.13	0.24	0.11	0.18	1990	0.198	0.151
1991	0.13		0.19	0.13	0.24	0.12	0.19	1991	0.173	0.151
1992	0.13		0.23	0.14	0.19	0.10	0.19	1992	0.165	0.147
1993	0.13		0.17	0.14	0.20	0.10	0.16	1993	0.147	0.139
1994	0.13		0.18	0.17	0.19	0.10	0.16	1994	0.155	0.138
1995	0.12		0.17	0.15	0.24	0.09	0.15	1995	0.170	0.137
1996	0.13		0.17	0.15	0.18	0.10	0.16	1996	0.146	0.131
1997	0.12		0.18	0.15	0.19	0.10	0.15	1997	0.133	0.124
1998	0.11		0.16	0.14	0.20	0.11	0.16	1998	0.144	0.127
1999	0.12		0.13	0.14	0.14	0.10	0.12	1999	0.122	0.118
2000	0.11		0.16	0.13	0.14	0.09	0.14	2000	0.132	0.110
2001	0.10		0.12	0.11	0.15	0.09	0.11	2001	0.117	0.102
2002	0.11		0.15	0.13	0.15	0.11	0.13	2002	0.123	0.106
2003	0.11	0.08	0.16	0.14	0.14	0.10	0.15	2003	0.130	0.106
2004	0.10	0.08	0.14	0.14	0.12	0.11	0.11	2004	0.119	0.107
2005	0.10	0.08	0.14	0.13	0.15	0.09	0.13	2005	0.123	0.105
2006	0.11	0.08	0.15	0.13	0.14	0.09	0.14	2006	0.124	0.103
2007	0.10	0.09	0.13	0.13	0.12	0.09	0.11	2007	0.109	0.103
2008	0.10	0.07	0.13	0.14	0.13	0.10	0.11	2008	0.110	0.104
2009	0.10	0.07	0.12	0.12	0.12	0.08	0.11	2009	0.104	0.100
2010	0.10	0.07	0.12	0.12	0.14	0.09	0.11	2010	0.114	0.099
2011	0.09	0.07	0.13	0.12	0.12	0.08	0.10	2011	0.113	0.097
2012	0.09	0.08	0.12	0.11	0.12	0.09	0.11	2012	0.108	0.097
2013	0.10	0.07	0.10	0.10	0.11	0.08	0.12	2013	0.097	0.092
2014	0.09	0.09	0.12	0.11	0.14	0.08	0.12	2014	0.100	0.092
2015	0.09	0.07	0.13	0.10	0.13	0.08	0.13	2015	0.105	0.090

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APPENDIX D – WESTERN MOJAVE DESERT MODELING ANALYSES

(prepared by SCAQMD staff)

Statistical Evaluation

The statistics used to evaluate 8-hour average CMAQ ozone performance include the following:

Statistic for O₃

Definition

Daily-Max Bias Error Unpaired

Average of the differences in observed and predicted daily maximum values. Negative values indicate under-prediction.

$$BiasError = \frac{1}{N} \sum (Obs - Pred)$$

Daily-Max Bias Error Paired

Average of the differences in daily maximum observed value and the corresponding predicted concentration at the hour that the observational maximum was reached. Negative values indicate under-prediction.

$$BiasError = \frac{1}{N} \sum (Obs - Pred)$$

Daily-Max Gross Error Unpaired

Average of the absolute differences in observed and predicted daily maximum values

$$GrossError = \frac{1}{N} \sum |Obs - Pred|$$

Daily-Max Gross Error Paired

Average of the absolute differences in daily maximum observed value and the corresponding predicted concentration at the hour that the observational maximum was reached.

$$GrossError = \frac{1}{N} \sum |Obs - Pred|$$

Normalized Daily-Max Bias Error Unpaired

Average of the quantity: difference in observed and predicted daily maximum values normalized by the observed daily maximum values. Negative values indicate under-prediction.

$$NormBiasError = \frac{1}{N} \sum \left(\frac{Obs - Pred}{Obs} \right) \cdot 100$$

Normalized Daily-Max Bias Error Paired

Average of the quantity: difference in daily maximum observed value and the corresponding predicted concentration at the hour that the observational maximum was reached normalized by the observed daily maximum concentration. Negative values indicate under-prediction.

$$NormBiasError = \frac{1}{N} \sum \left(\frac{Obs-Pred}{Obs} \right) \cdot 100$$

Normalized Daily-Max Gross Error Unpaired Average of the quantity: absolute difference in observed and predicted daily maximum values normalized by the observed daily maximum concentration

$$NormGrossError = \frac{1}{N} \sum \left| \frac{Obs-Pred}{Obs} \right| \cdot 100$$

Normalized Daily-Max Gross Error Paired Average of the quantity: absolute difference in daily maximum observed value and the corresponding predicted concentration at the hour that the observational maximum was reached normalized by the observed daily maximum concentration

$$NormGrossError = \frac{1}{N} \sum \left| \frac{Obs-Pred}{Obs} \right| \cdot 100$$

Peak Prediction Accuracy Unpaired Difference in the maximum of the observed daily maximum and the maximum of the predicted daily maximum normalized by the maximum of the observed daily maximum

$$PPA = \frac{\text{maximum}(Pred) - \text{maximum}(Obs)}{\text{maximum}(Pred)}$$

Predicted concentrations are extracted from model output in the grid cell that each monitoring station resides.

We evaluated the base year average regional model performance for May through September 2012 for days when Basin maximum 8-hour ozone levels were at least 60 ppb. Ozone performance criteria are presented in Table 1. Only stations with more than 74.5% (EPA's data completeness requirement) of the hourly measurements during each month of the ozone season were included in the analysis.

Ozone measurements from monitors in Blythe, Black Rock Canyon (Joshua Tree National Monument), Hesperia, Kelso (Mojave National Preserve), Victorville, Phelan, and Barstow were compiled for the analysis.

TABLE 1

2012 Base Year 8-Hour Average Ozone Performance for Days When Regional 8-Hour Maximum ≥ 60 ppb

Region Mojave_Desert

Month	Mean Pred. [ppb]	Mean Obs. [ppb]	Number of Daily Max > 60 ppb	Daily-Max Mean Pred. Unpaired [ppb]	Daily-Max Mean Pred. Paired [ppb]	Daily-Max Mean Obs. [ppb]	Daily-Max Bias Err. Unpaired [ppb]	Daily-Max Bias Err. Paired [ppb]	Daily-Max Gross Err. Unpaired [ppb]	Daily-Max Gross Err. Paired [ppb]	Norm Daily-Max Bias Err. Unpaired [%]	Norm Daily-Max Bias Err. Paired [%]	Norm Daily-Max Gross Err. Unpaired [%]	Norm Daily-Max Gross Err. Paired [%]	Peak Predict. Accuracy Unpaired [ppb]
May	56.2	58.8	210	66.4	64.6	70.7	-4.3	-6	6.6	7.7	-7.1	-10.3	10.2	12.6	-2.4
Jun	52	56.6	210	64.1	62.1	69.5	-5.4	-7.4	8.8	9.7	-10.3	-14.1	15.2	17.5	-1.5
Jul	47.4	52	207	58.5	54.9	64.2	-5.3	-8.7	10.2	12	-10.5	-18.2	18.9	24.2	-19.1
Aug	48.3	49.9	217	61	57.5	63.5	-2.5	-6	7.9	9.6	-5.4	-12.2	14.4	18.5	-12.3
Sep	42.6	43.8	175	53.5	50.7	57	-3.5	-6.3	8.9	10.4	-8.8	-17.6	18.7	25.5	-3.4

Density scatter plots displaying all 25,047 eight-hour ozone measurements from all monitors in the region is shown in Figure 1.

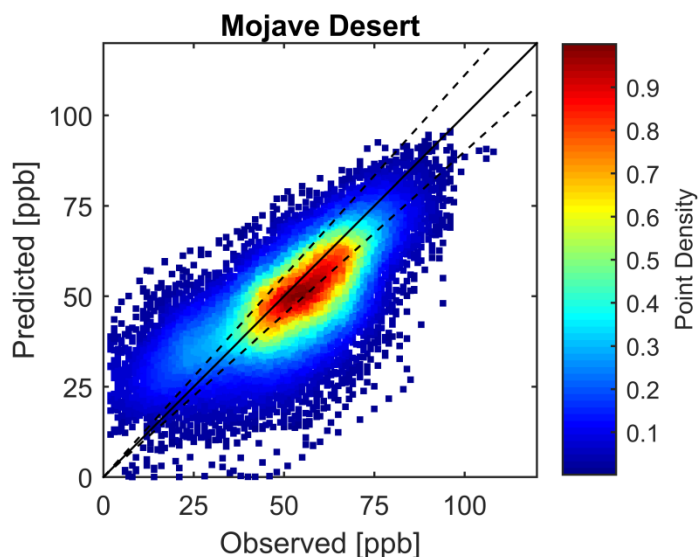


Figure 1: Density scatter plot of all 8-hour ozone values in the air district. Dashed lines indicate the bounds of 10% agreement

The model predicts 8-hour measurements well. Some values are slightly under-predicted between 40 and 65 ppb. However, performance is relatively robust at higher observational values. Since the ozone standards are based on the daily maximum ozone values, model prediction of higher concentrations is more consequential. Figure 2 illustrate the model performance of daily maximum 8-hour ozone.

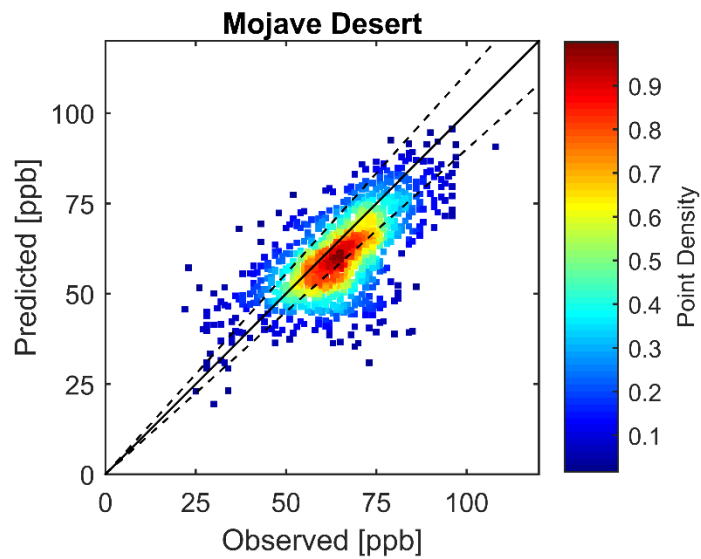


Figure 2: Density scatter plot of 8-hour daily maximum values in the air district. Dashed lines indicate the bounds of 10% agreement.

Daily maxima are slightly under-predicted, but most of the data lie within 10% of the measured values.

The model performance of 8-hour ozone at each specific station in the air basin is illustrated in Figures 3-9.

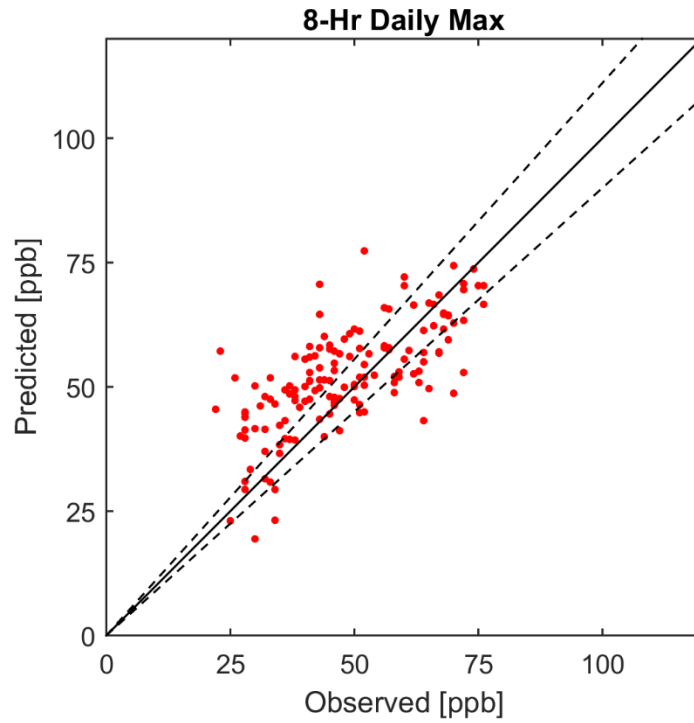


Figure 3: Eight-hour ozone daily maxima model performance at Blythe (06-065-9003).

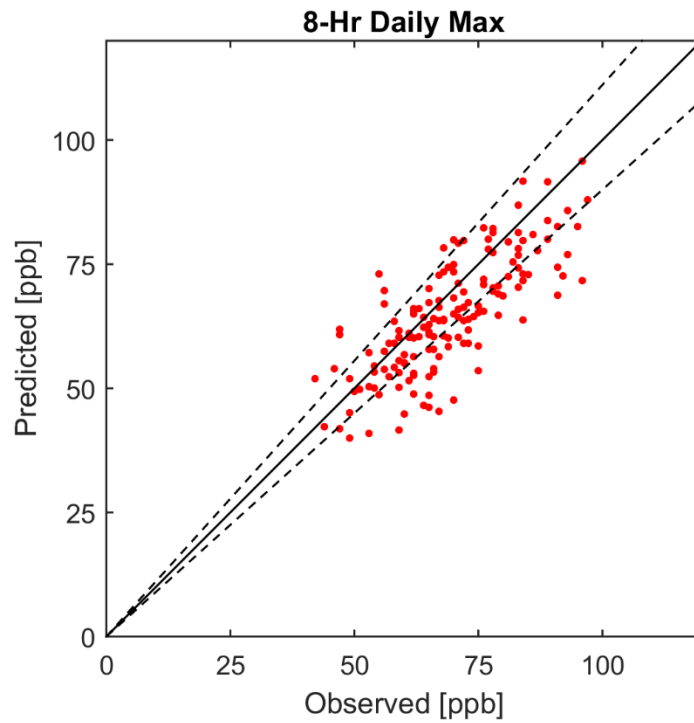


Figure 4: Eight-hour ozone daily maxima model performance at Black Rock Canyon (06-071-9002).

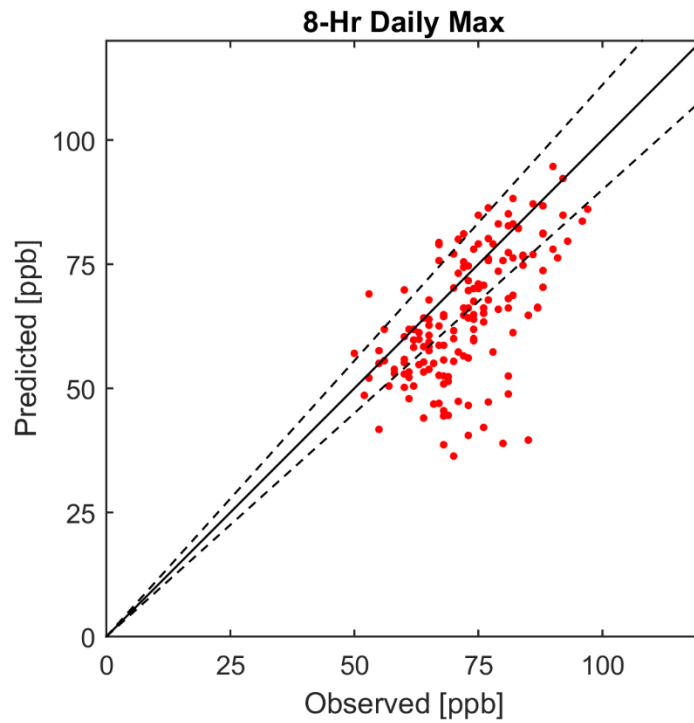


Figure 5: Eight-hour daily maxima model performance at Hesperia (06-071-4001).

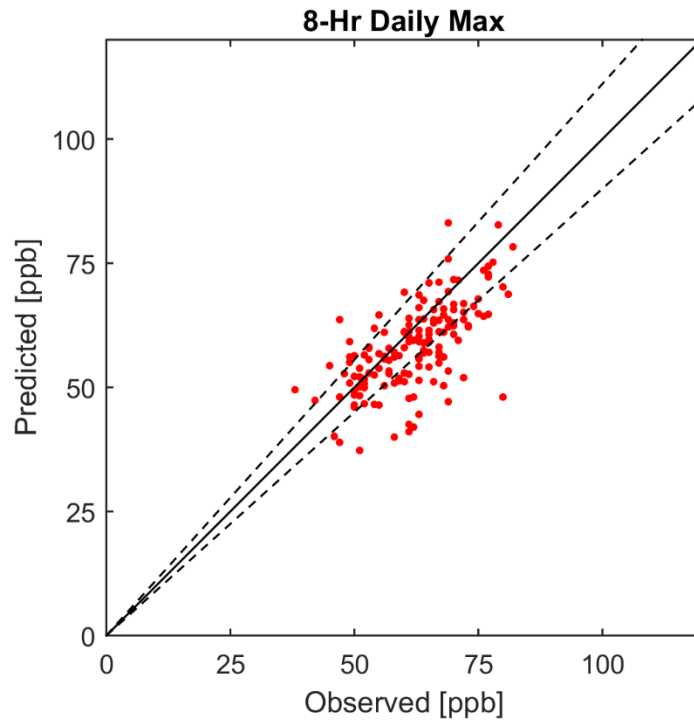


Figure 6: Eight-hour daily maxima model performance at Kelso (06-071-1001).

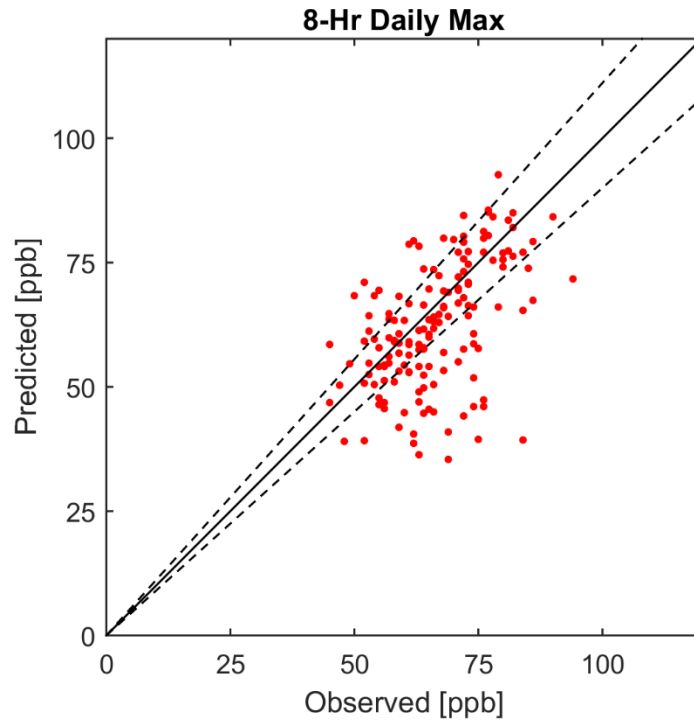


Figure 7: Eight-hour daily maxima model performance at Victorville (06-071-0306).

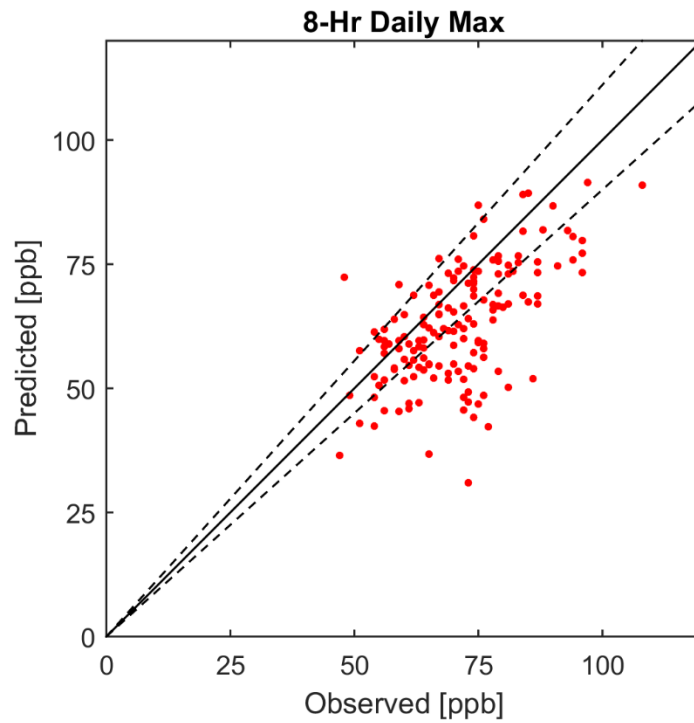


Figure 8: Eight-hour daily maxima model performance at Phelan (06-071-0012).

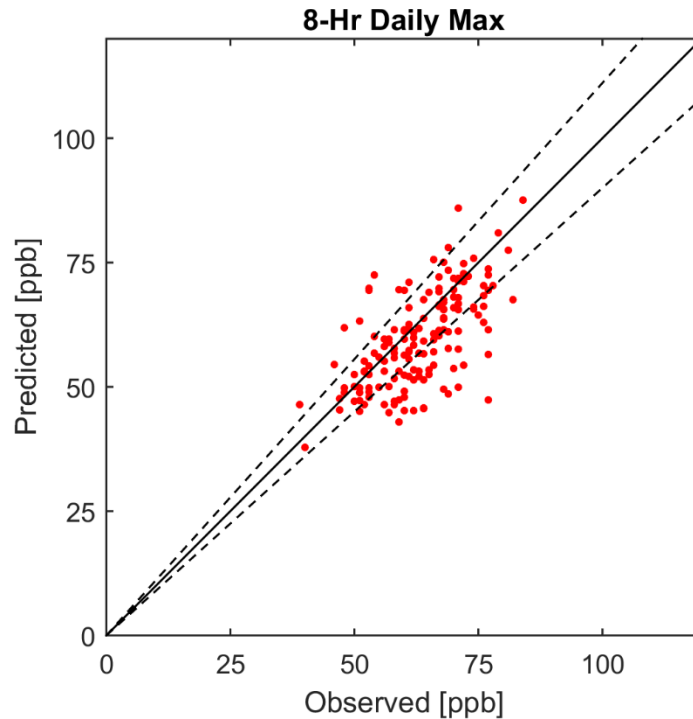


Figure 9: Eight-hour daily maxima model performance at Barstow (06-071-0001).

Base and Future Year Design Values

Table 2 details the base and future year design values for all stations with design values that meet the data completeness criteria. The base design value represents the 5-year weighted 8-hr ozone design value from 2012. Future design values were determined with comprehensive meteorological and chemical transport modelling and spatially resolved emissions projections. The Western Mojave Desert stations are expected to exceed the 75 ppb 8-hour ozone standard in 2026 if no additional emission reductions are introduced beyond already adopted controls. However, if emission reductions required to attain the 80 ppb 1997 8-hour ozone standard are implemented in 2023 in the South Coast Air Basin, the ozone in the Western Mojave Desert is expected to attain the 75 ppb standard. Detailed ozone concentrations in the base year (2012) and future milestone years (2023 and 2026) are presented in Table 2.

TABLE 2
Base Year and Future Year Design Values

Station Name	Station Number	2012 Design Value	2026 Design Value	2023 with controls in the South Coast Air Basin
Barstow	06-071-0001	78.3	67.9	64.8
Phelan-Beekley Road and Phelan Road	06-071-0012	93.7	83.6	75.9
Victorville-14306 Park Ave	06-071-0306	84.7	77.6	71.0
Hesperia-Olive Street	06-071-4001	91.0	81.7	73.8
Joshua Tree-National Monument	06-071-9002	91.3	79.7	74.3
Lancaster-43301 Division Street	06-037-9033	88.3	73.5	67.0

Unmonitored Area Analysis

An unmonitored area analysis was conducted to estimate 8-hour ozone design values in unmonitored locations. This analysis uses both the measurement design values and the modelled ozone profiles throughout the modeling domain. Details of this analysis are presented in Appendix 5, Chapter 5 of the 2016 SCAQMD AQMP. The same procedures and methodology were used for the South Coast Air Basin unmonitored area analysis.

The same interpolation scheme was used to calculate the spatial distribution of design values throughout the Mojave Desert Air Pollution Management District. Figure 1 illustrates the interpolated measured design value field.

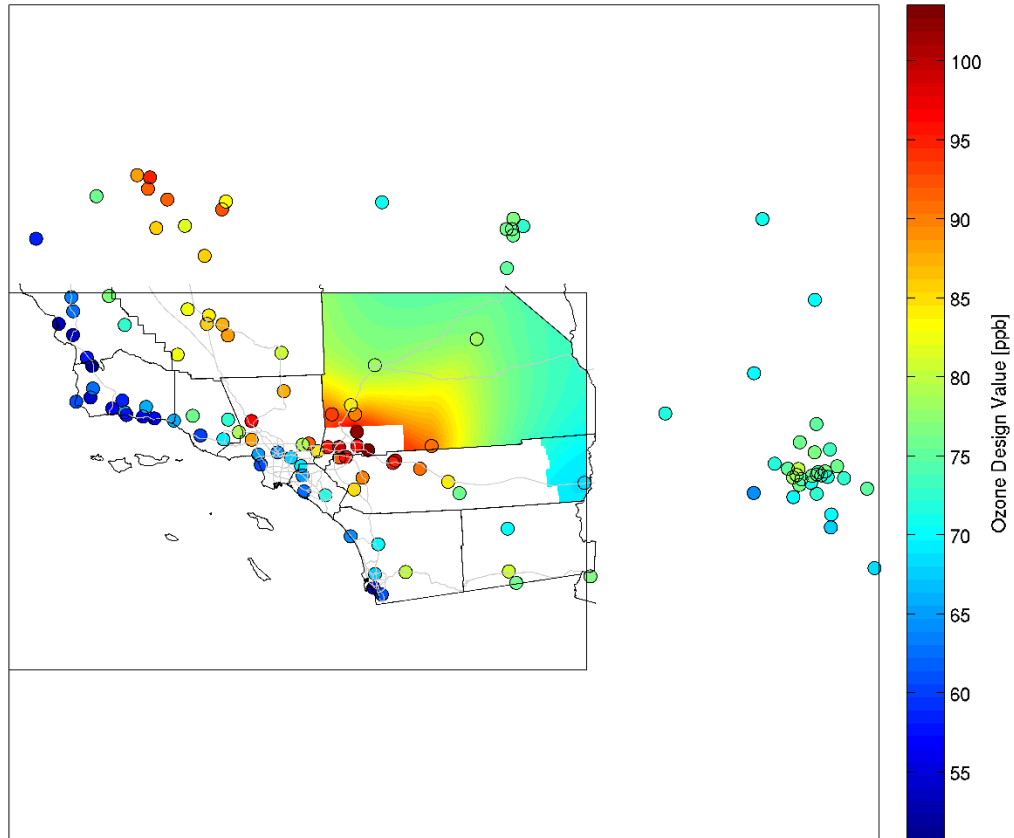


Figure 1: Interpolated 5-year weighted 2012 design values

The relative response factors representing the ratio between the 2023 simulated ozone and the base-year (2012) simulated ozone are presented below in Figure 2.

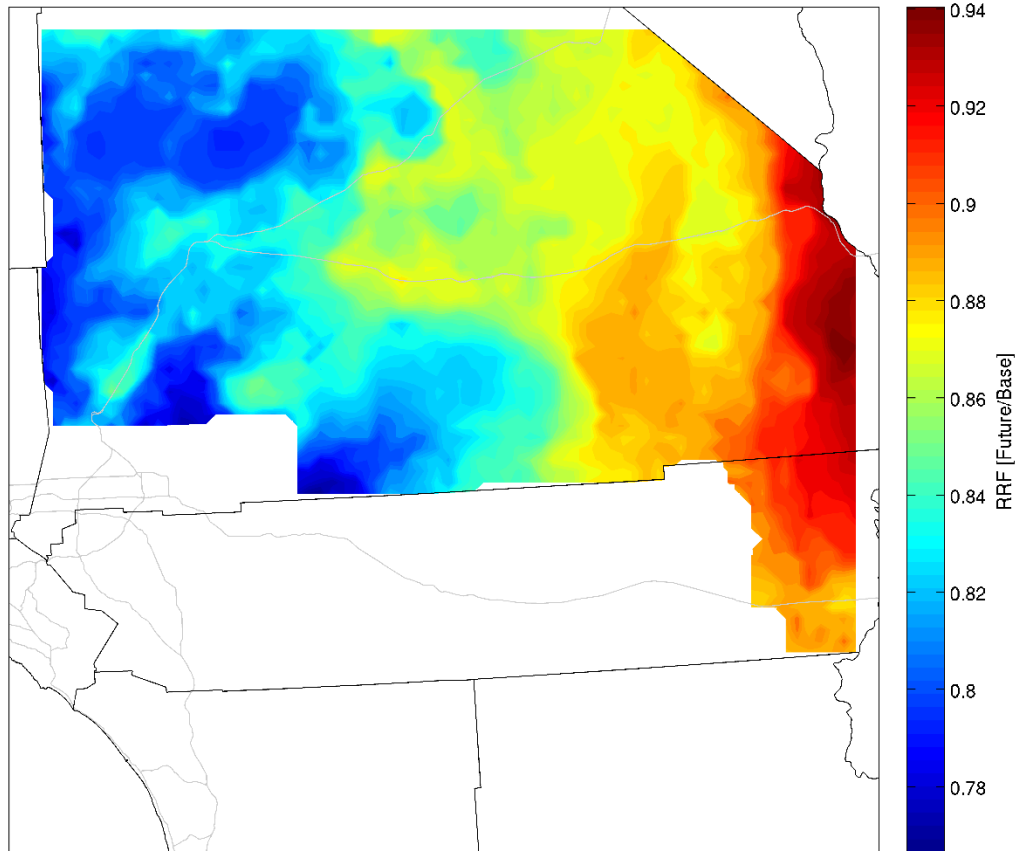


Figure 2: 2023 RRF Fields

The relative response factors suggest that ozone will decrease faster in western areas of the air basin. The western portions of the district along the Arizona border will exhibit the slowest decrease in future ozone concentrations.

The calculated RRF field is then used to project the interpolated measurement field to simulate future year concentrations. Figure 3 shows the predicted future ozone concentrations for 2023 in the Mojave Desert Air Basin.

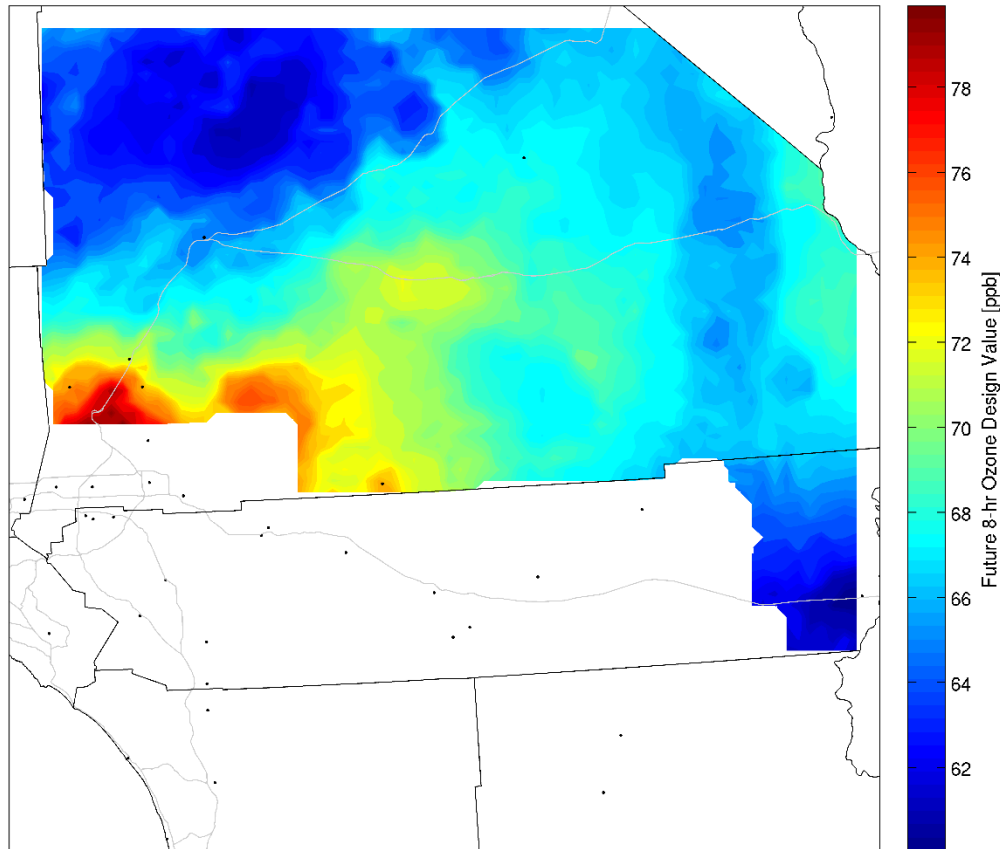


Figure 3: 2023 Predicted 8-hr Ozone Design Values. Monitoring stations are notated with black dots.

The southwestern corner of the Mojave Desert Air Basin bordering the South Coast Air Basin is projected to exhibit the highest concentrations. The maximum ozone design value is projected to be 80.2 ppb.

APPENDIX E - OZONE RACM ASSESSMENT

(prepared by CARB staff)

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California Mobile Source Control Program Ozone Reasonable Available Control Measures Assessment

Overview

To fulfill Clean Air Act (the Act) control measure requirements for ozone nonattainment areas an assessment of control measures in the SIP must be performed. For ozone nonattainment areas, the control measures must be shown to be Reasonable Available Control Measures (RACM). Since ARB is responsible for measures to reduce emissions from mobile sources needed to attain the national ambient air quality standards (standards), this chapter will discuss how California's mobile source measures meet RACM.

Given the severity of California's air quality challenges, ARB has implemented the most stringent mobile source emissions control program in the nation. ARB's comprehensive strategy to reduce emissions from mobile sources includes stringent emissions standards for new vehicles, in-use programs to reduce emissions from existing vehicle and equipment fleets, cleaner fuels that minimize emissions, and incentive programs to accelerate the penetration of the cleanest vehicles beyond that achieved by regulations alone. Taken together, California's mobile program meets RACM requirements in the context of ozone nonattainment.

RACM Requirements

Subpart 1, section 172(c)(1) of the Act requires SIPs to provide for the implementation of RACM as expeditiously as practicable. U.S. EPA has interpreted RACM to be those emission control measures that are technologically and economically feasible and when considered in aggregate, would advance the attainment date by at least one year.

ARB developed its State SIP Strategy through a multi-step measure development process, including extensive public consultation, to develop and evaluate potential strategies for mobile source categories under ARB's regulatory authority that could contribute to expeditious attainment of the standard. First, ARB developed a series of technology assessments for heavy-duty mobile source applications and the fuels necessary to power them⁷ along with ongoing review of advanced vehicle technologies for the light-duty sector in collaboration with U.S. EPA and the National Highway Traffic Safety Administration. ARB staff then used a scenario planning tool to examine the magnitude of technology penetration necessary, as well as how quickly technologies need to be introduced to meet attainment of the standard.

ARB staff released a discussion draft Mobile Source Strategy⁸ for public comment in October 2015. This strategy specifically outlined a coordinated suite of proposed

⁷ Technology and Fuel assessments <http://www.arb.ca.gov/msprog/tech/tech.htm>

⁸ 2016 Mobile Source Strategy <http://www.arb.ca.gov/planning/sip/2016sip/2016mobsr.htm>

actions to not only meet federal air quality standards, but also achieve greenhouse gas emission reduction targets, reduce petroleum consumption, and decrease health risk from transportation emissions over the next 15 years. ARB staff held a public workshop on October 16, 2015 in Sacramento, and on October 22, 2015, ARB held a public Board meeting to update the Board and solicit public comment on the Mobile Source Strategy in Diamond Bar.

Staff continued to work with stakeholders to refine the measure concepts for incorporation into related planning efforts including the 75 ppb 8-hour ozone SIPs. On May 16, 2016, ARB released an updated Mobile Source Strategy and on May 17, 2016 ARB released the proposed State SIP strategy for a 45-day public comment period.

The current mobile source program and proposed measures included in the State SIP Strategy provide attainment of the ozone standard as expeditiously as practicable and meet RFP requirements.

Waiver Approvals

While the Act preempts most states from adopting emission standards and other emission-related requirements for new motor vehicles and engines, it allows California to seek a waiver or authorization from the federal preemption to enact emission standards and other emission-related requirements for new motor vehicles and engines and new and in-use off-road vehicles and engines that are at least as protective as applicable federal standards, except for locomotives and engines used in farm and construction equipment which are less than 175 horsepower (hp).

Over the years, California has received waivers and authorizations for over 100 regulations. The most recent California standards and regulations that have received waivers and authorizations are Advanced Clean Cars (including ZEV and LEV III) for Light-Duty vehicles, and On-Board Diagnostics, Heavy-Duty Idling, Malfunction and Diagnostics System, In-Use Off-Road Diesel Fleets, Large Spark Ignition Fleet, Mobile Cargo Handling Equipment for Heavy-Duty engines. Other Authorizations include Off-Highway Recreational Vehicles and the Portable Equipment Registration Program.

Finally, ARB obtained an authorization from U.S. EPA to enforce adopted emission standards for off-road engines used in yard trucks and two-engine sweepers. ARB adopted the off-road emission standards as part of its "Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen and Other Criteria Pollutants from In-Use Heavy-Duty Diesel-Fueled Vehicles," (Truck and Bus Regulation). The bulk of the regulation applies to in-use heavy-duty diesel on-road motor vehicles with a gross vehicle weight rating in excess of 14,000 pounds, which are not subject to preemption under section 209(a) of the Act and do not require a waiver under section 209(b).

Light- and Medium-Duty Vehicles

Light- and medium-duty vehicles are currently regulated under California's Advanced Clean Cars program including the Low-Emission Vehicle III (LEV III) and Zero-Emission Vehicle (ZEV) programs. Other California programs such as the 2012 Governor Brown Executive Order to put 1.5 million zero-emission vehicles on the road by 2025, and California's Reformulated Gasoline program (CaRFG) will produce substantial and cost-effective emission reductions from gasoline-powered vehicles.

ARB is also active in implementing programs for owners of older dirtier vehicles to retire them early. The "car scrap" programs, like the Enhanced Fleet Modernization Program, and Clean Vehicle Rebate Project provide monetary incentives to replace old vehicles with zero-emission vehicles. The Air Quality Improvement Program (AQIP), is a voluntary incentive program to fund clean vehicle.

Taken together, California's emission standards, fuel specifications, and incentive programs for on-road light- and medium-duty vehicles represent all measures that are technologically and economically feasible within California.

Heavy-Duty Vehicles

California's heavy-duty vehicle emissions control program includes requirements for increasingly tighter new engine standards and address vehicle idling, certification procedures, on-board diagnostics, emissions control device verification, and in-use vehicles. This program is designed to achieve an on-road heavy-duty diesel fleet with 2010 engines emitting 98 percent less NOx and PM2.5 than trucks sold in 1986.

Most recently in the ongoing efforts to go beyond federal standards and achieve further reductions, ARB adopted the Optional Reduced Emissions Standards for Heavy-Duty Engines regulation in 2014 that establishes the new generation of optional NOx emission standards for heavy-duty engines.

The recent in-use control measures include On-Road Heavy-Duty Diesel Vehicle (In-Use) Regulation, Drayage (Port or Rail Yard) Regulation, Public Agency and Utilities Regulation, Solid Waste Collection Vehicle Regulation, Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation, ATCM to Limit Diesel-Fueled Commercial Motor Vehicle Idling, Heavy-Duty Diesel Vehicle Inspection Program, Periodic Smoke Inspection Program, Fleet Rule for Transit Agencies, Lower-Emission School Bus Program, and Heavy-Duty Truck Idling Requirements. In addition, ARB's significant investment in incentive programs provides an additional mechanism to achieve maximum emission reductions from this source sector.

Taken together, California's emission standards, fuel specifications, and incentive programs for heavy-duty vehicles represent all measures that are technologically and economically feasible within California.

Off-Road Vehicles and Engines

California regulations for off-road equipment include not only increasingly stringent standards for new off-road diesel engines, but also in-use requirements and idling restrictions.

The Off-Road Regulation is an extensive program designed to accelerate the penetration of the cleanest equipment into California's fleets, and impose idling limits on off-road diesel vehicles. The program goes beyond emission standards for new engines through comprehensive in-use requirements for legacy fleets.

Engines and equipment used in agricultural processes are unique to each process and are often re-designed and tailored to their particular use. Fleet turnover to cleaner engines is the focus for these engines.

Taken together, California's comprehensive suite of emission standards, fuel specifications, and incentive programs for off-road vehicles and engines represent all measures that are technologically and economically feasible within California and when considered in aggregate, would advance the attainment date by at least one year.

Other Sources and Fuels

The emission limits established for other mobile source categories, coupled with U.S. EPA waivers and authorization of preemption establish that California's programs for motorcycles, recreational boats, off-road recreational vehicles, cargo handling equipment, and commercial harbor craft sources meet the requirements for RACM.

Cleaner burning fuels also play an important role in reducing emissions from motor vehicles and engines as ARB has adopted a number of more stringent standards for fuels sold in California, including the Reformulated Gasoline program, low sulfur diesel requirements, and the Low Carbon Fuel Standard. These fuel standards, in combination with engine technology requirements, ensure that California's transportation system achieves the most effective emission reductions possible.

Taken together, California's emission standards, fuel specifications, and incentive programs for other mobile sources and fuels represent all measures that are technologically and economically feasible within California.

Summary

California's long history of comprehensive and innovative emissions control has resulted in the most stringent mobile source control program in the nation. U.S. EPA has previously acknowledged the strength of the program in their approval of ARB's regulations and through the waiver process. In its 2014 approval of the Western Mojave

Desert's 8-hour ozone plan, which included the State's current mobile source control program, U.S. EPA found that there were no further reasonably available control measures that would advance attainment of the standard in the Western Mojave Desert.

Since then, ARB has continued to substantially enhance and accelerate reductions from our mobile source control programs through the implementation of more stringent engine emissions standards, in-use requirements, incentive funding, and other policies and initiatives as described in the preceding sections.

ARB finds that with the current mobile source control program, there are no additional reasonable available control measures that would advance attainment of the 75 ppb 8-hour ozone standard in the Western Mojave Desert. There are no reasonable regulatory control measures excluded from use in this plan; therefore, there are no emissions reductions associated with unused regulatory control measures. As a result, California's mobile source control programs fully meet the requirements for RACM.

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APPENDIX F - CARB ADOPTED MOBILE SOURCE PROGRAMS
(prepared by CARB staff)

Key Mobile Source Regulations and Programs Providing Emission Reductions

Given the severity of California's air quality challenges and the need for ongoing emission reductions, the Air Resources Board (ARB) has implemented the most stringent mobile source emissions control program in the nation. ARB's comprehensive program relies on four fundamental approaches:

- stringent emissions standards that minimize emissions from new vehicles and equipment;
- in-use programs that target the existing fleet and require the use of the cleanest vehicles and emissions control technologies;
- cleaner fuels that minimize emissions during combustion; and,
- incentive programs that remove older, dirtier vehicles and equipment and pay for early adoption of the cleanest available technologies.

This multi-faceted approach has spurred the development of increasingly cleaner technologies and fuels and achieved significant emission reductions across all mobile source sectors that go far beyond national programs or programs in other states. These efforts extend back to the first mobile source regulations adopted in the 1960s, and pre-date the federal Clean Air Act Amendments (Act) of 1970, which established the basic national framework for controlling air pollution. In recognition of the pioneering nature of ARB's efforts, the Act provides California unique authority to regulate mobile sources more stringently than the federal government by providing a waiver of preemption for its new vehicle emission standards under Section 209(b). This waiver provision preserves a pivotal role for California in the control of emissions from new motor vehicles, recognizing that California serves as a laboratory for setting motor vehicle emission standards. Since then, the ARB has consistently sought and obtained waivers and authorizations for its new motor vehicle regulations. ARB's history of progressively strengthening standards as technology advances, coupled with the waiver process requirements, ensures that California's regulations remain the most stringent in the nation. A list of regulatory actions ARB has taken since 1985 is provided at the end of this analysis to highlight the scope of ARB's actions to reduce mobile source emissions.

Recently, ARB adopted numerous regulations aimed at reducing exposure to diesel particulate matter and oxides of nitrogen, from freight transport sources like heavy duty diesel trucks, transportation sources like passenger cars and buses, and off-road sources like large construction equipment. Phased implementation of these regulations will produce increasing emission reduction benefits from now until 2020 and beyond, as the regulated fleets are retrofitted, and as older and dirtier portions of the fleets are replaced with newer and cleaner models at an accelerated pace.

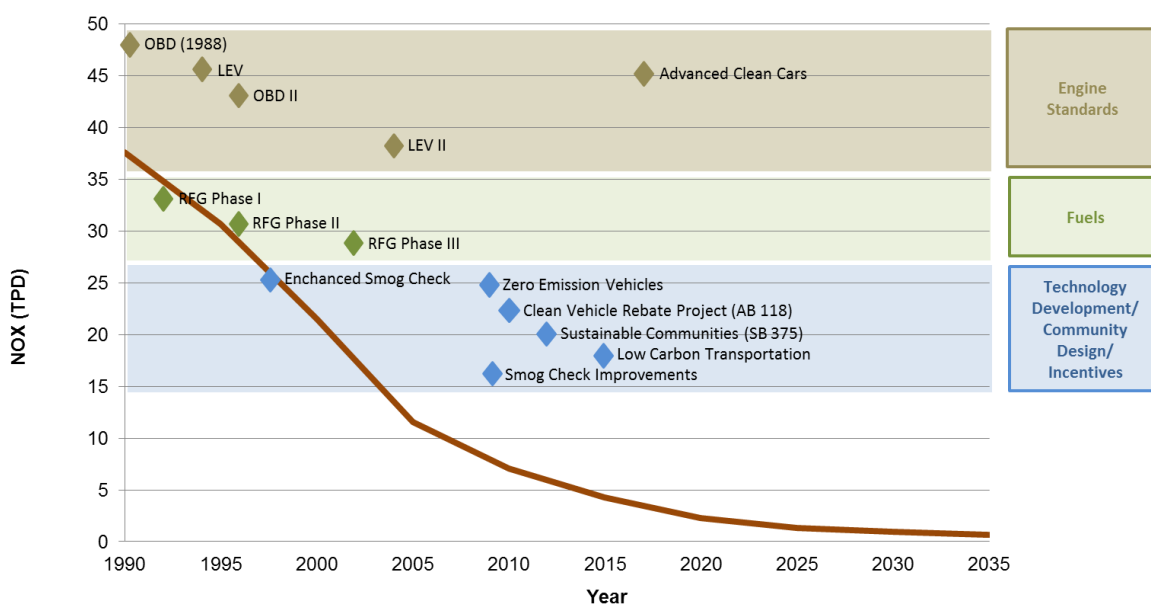
Further, ARB, Mojave Desert AQMD, and Antelope Valley AQMD staffs work closely on identifying and distributing incentive funds to accelerate cleanup of engines. Key

incentive programs include: the Carl Moyer Program; the Goods Movement Program; the Lower-Emission School Bus Program; and the Air Quality Improvement Program (AQIP). These incentive-based programs work in tandem with regulations to accelerate deployment of cleaner technology.

Light-Duty Vehicles

Figure 1 illustrates the trend in NOx emissions from light-duty vehicles and key programs contributing to those reductions. As a result of these efforts, light-duty vehicle emissions in the Western Mojave Desert have been reduced significantly since 1990 and will continue to go down through 2020 due to the benefits of ARB’s longstanding light-duty mobile source program. Key light-duty programs include Advanced Clean Cars, On-Board Diagnostics, Reformulated Gasoline, Incentive Programs, and the Enhanced Smog Check Program.

Figure 1: Key Programs to Reduce Light-Duty NOx Emissions



Since setting the nation’s first motor vehicle exhaust emission standards in 1966 that led to the first pollution controls, California has dramatically tightened emission standards for light-duty vehicles. Through ARB regulations, today’s new cars pollute 99 percent less than their predecessors did thirty years ago. In 1970, ARB required auto manufacturers to meet the first standards to control NOx emissions along with hydrocarbon emissions. The simultaneous control of emissions from motor vehicles and fuels led to the use of cleaner-burning reformulated gasoline (RFG) that has removed the emissions equivalent of 3.5 million vehicles from California’s roads. Since ARB first adopted it in 1990, the Low Emission Vehicle Program (LEV and LEV II) and

Zero-Emission Vehicle (ZEV) Program have resulted in the production and sales of hundreds of thousands of zero-emission vehicles (ZEVs) in California.

Advanced Clean Cars

ARB's groundbreaking Advanced Clean Cars (ACC) program is now providing the next generation of emission reductions in California, and ushering in a new zero emission passenger transportation system. The success of these programs is evident: California is the world's largest market for Zero Emission Vehicles (ZEVs), with over 21 models available today, and a wide variety are now available at lower price points, attracting new consumers. As of January 2015, Californians drive 40 percent of all ZEVs on the road in the United States, while the U.S. makes up about half of the world market. This movement towards commercialization of advanced clean cars has occurred due to ARB's ZEV regulation, part of ACC, which affects passenger cars and light-duty trucks.

ARB's ACC Program, approved in January 2012, is a pioneering approach of a 'package' of regulations that although separate in construction, are related in terms of the synergy developed to address both ambient air quality needs and climate change. The ACC program combines the control of smog, soot causing pollutants and greenhouse gas emissions into a single coordinated package of requirements for model years 2015 through 2025. The program assures the development of environmentally superior cars that will continue to deliver the performance, utility, and safety vehicle owners have come to expect.

The ACC program approved by ARB in January 2012 also included amendments affecting the current ZEV regulation through the 2017 model year in order to enable manufacturers to successfully meet 2018 and subsequent model year requirements. These ZEV amendments are intended to achieve commercialization through simplifying the regulation and pushing technology to higher volume production in order to achieve cost reductions. The ACC Program benefits will increase over time as new cleaner cars enter the fleet displacing older and dirtier vehicles.

On Board Diagnostics

California's first OBD regulation required manufacturers to monitor some of the emission control components on vehicles starting with the 1988 model year. In 1989, ARB adopted OBD II, which required 1996 and subsequent model year passenger cars, light-duty trucks, and medium-duty vehicles and engines to be equipped with second generation OBD systems. OBD systems are designed to identify when a vehicle's emission control systems or other emission-related computer-controlled components are malfunctioning, causing emissions to be elevated above the vehicle manufacturer's specifications. ARB subsequently strengthened OBD II requirements and added OBD II specific enforcement requirements for 2004 and subsequent model year passenger cars, light-duty trucks, and medium-duty vehicles and engines.

Reformulated Gasoline

Since 1996, ARB has been regulating the formulation of gasoline resulting in California gasoline being the cleanest in the world. California's cleaner-burning gasoline regulation is one of the cornerstones of the State's efforts to reduce air pollution and cancer risk. Reformulated gasoline is fuel that meets specifications and requirements established by ARB. The specifications reduced motor vehicle toxics by about 40 percent and reactive organic gases by about 15 percent. The results from cleaning up fuel can have an immediate impact as soon as it is sold in the State. Vehicle manufacturers design low-emission emission vehicle to take full advantage of cleaner-burning gasoline properties.

Incentive Programs

There are a number of different incentive programs focusing on light-duty vehicles that produce extra emission reductions beyond traditional regulations. The incentive programs work in two ways, encouraging the retirement of dirty older cars and encouraging the purchase of a cleaner vehicle.

Voluntary accelerated vehicle retirement or "car scrap" programs provide monetary incentives to vehicle owners to retire older, more polluting vehicles. The purpose of these programs is to reduce fleet emissions by accelerating the turnover of the existing fleet and subsequent replacement with newer, cleaner vehicles. Both State and local vehicle retirement programs are available.

California's voluntary vehicle retirement program is administered by the Bureau of Automotive Repair (BAR) and provides \$1,000 per vehicle and \$1,500 for low-income consumers for unwanted vehicles that have either failed or passed their last Smog Check Test and that meet certain eligibility guidelines. This program is referred to as the Consumer Assistance Program.

The Enhanced Fleet Modernization Program (EFMP) was approved by the AB 118 legislation to augment the State's existing vehicle retirement program. Approximately \$30 million is available annually through 2015 to fund the EFMP via a \$1 increase in vehicle registration fees. ARB developed the program in consultation with BAR. The program is jointly administered by both BAR for vehicle retirement, and local air districts for vehicle replacement.

Other programs, in addition to vehicle retirement programs, help to clean up the light-duty fleet. The AQIP, established by AB 118, is an ARB voluntary incentive program to fund clean vehicle and equipment projects. The Clean Vehicle Rebate Project (CVRP) is one of the current projects under AQIP. CVRP, started in 2009, is designed to accelerate widespread commercialization of zero-emission vehicles and plug-in hybrid electric vehicles by providing consumer rebates up to \$2,500 to partially offset the higher cost of these advanced technologies. The CVRP is administered statewide by the California Center for Sustainable Energy. In Fiscal Years 2009-2012,

\$26.1 million, including \$2 million provided by the California Energy Commission, funded approximately 8,000 rebates. In June 2012, the ARB allocated up to \$15-21 million to the CVRP as outlined in the AQIP FY2012-2013 Funding Plan.

California Enhanced Smog Check Program

BAR is the state agency charged with administration and implementation of the Smog Check Program. The Smog Check Program is designed to reduce air pollution from California registered vehicles by requiring periodic inspections for emission-control system problems, and by requiring repairs for any problems found. In 1998, the Enhanced Smog Check program began in which Smog Check stations relied on the BAR-97 Emissions Inspection System (EIS) to test tailpipe emissions with either a Two-Speed Idle (TSI) or Acceleration Simulation Mode (ASM) test depending on where the vehicle was registered. For instance, vehicles registered in urbanized areas received an ASM test, while vehicles in rural areas or received a TSI test.

In 2009, the following requirements were added in to improve and enhance the Smog Check Program, making it more inclusive of motor vehicles and effective on smog reductions:

- Low pressure evaporative test;
- More stringent pass/fail cutpoints;
- Visible smoke test; and
- Inspection of light- and medium-duty diesel vehicles.

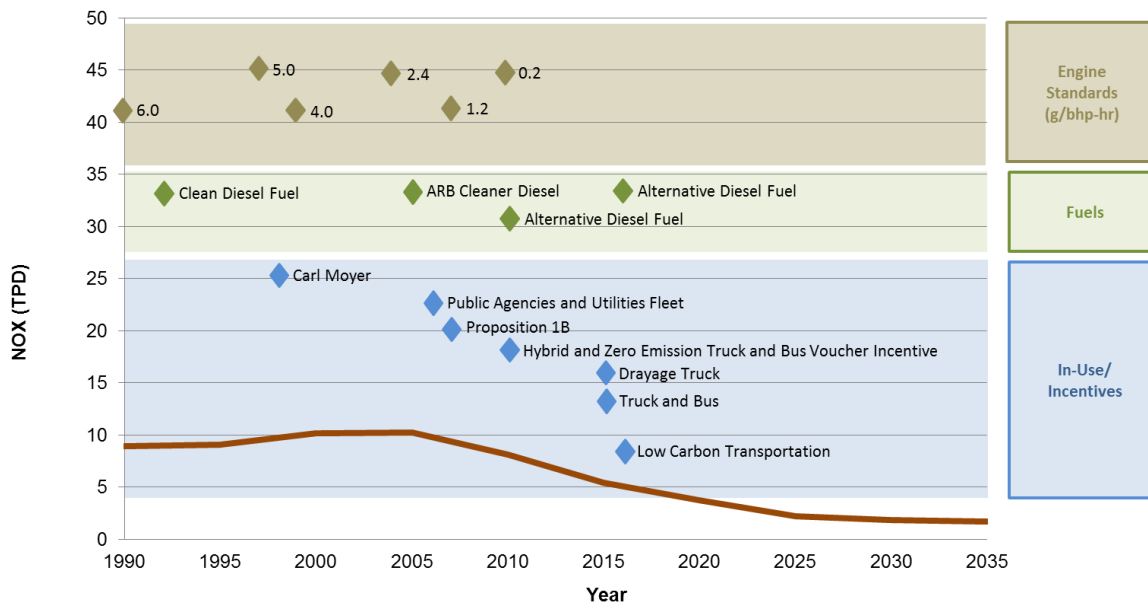
The next major change was due to AB 2289, adopted in October 2010, a new law restructuring California's Smog Check Program, streamlining and strengthening inspections, increasing penalties for misconduct, and reducing costs to motorists. This new law sponsored by ARB and BAR, promised faster and less expensive Smog Check inspections by taking advantage of OBD software installed on all vehicles since 2000. The new law also directs vehicles without this equipment to high-performing stations, helping to ensure that these cars comply with current emission standards. This program will reduce consumer costs by having stations take advantage of diagnostic software that monitors pollution-reduction components and tailpipe emissions. Beginning mid-2013, testing of passenger vehicles using OBD was required on all vehicles model years 2000 or newer.

Heavy-Duty Trucks

Figure 2 illustrates the trend in NO_x emissions from heavy-duty vehicles and key programs contributing to those reductions. As a result of these efforts, heavy-duty vehicle emissions in the Western Mojave Desert have also been reduced significantly since 1990 and will continue to go down through 2020 due to the benefits of ARB's longstanding heavy-duty mobile source program. Key programs include Heavy-Duty

Engine Standards, Clean Diesel Fuel, Truck and Bus Regulation and Incentive Programs.

Figure 2: Key Programs to Reduce Heavy-Duty Emissions



Heavy-Duty Engine Standards

Since 1990, heavy-duty engine NOx emission standards have become dramatically more stringent, dropping from 6 grams per brake horsepower-hour (g/bhp-hr) in 1990 down to the current 0.2 g/bhp-hr standard, which took effect in 2010. In addition to mandatory NOx standards, there have been several generations of optional lower NOx standards put in place over the past 15 years. Most recently in 2015, engine manufacturers can certify to three optional NOx emission standards of 0.1 g/bhp-hr, 0.05 g/bhp-hr, and 0.02 g/bhp-hr (i.e., 50 percent, 75 percent, and 90 percent lower than the current mandatory standard of 0.2 g/bhp-hr). The optional standards allow local air districts and ARB to preferentially provide incentive funding to buyers of cleaner trucks, to encourage the development of cleaner engines.

Clean Diesel Fuel

Since 1993, ARB has required that diesel fuel have a limit on the aromatic hydrocarbon content and sulfur content of the fuel. Diesel powered vehicles account for a disproportionate amount of the diesel particulate matter which is considered a toxic air contaminant. In 2006, ARB required a low-sulfur diesel fuel to be used not only by on-road diesel vehicles but also for off-road engines. The diesel fuel regulation allows

alternative diesel formulations as long as emission reductions are equivalent to the ARB formulation.

Cleaner In-Use Heavy-Duty Trucks (Truck and Bus Regulation)

The Truck and Bus Regulation was first adopted in December 2008. This rule represents a multi-year effort to turn over the legacy fleet of engines and replace them with the cleanest technology available. In December 2010, ARB revised specific provisions of the in-use heavy-duty truck rule, in recognition of the deep economic effects of the recession on businesses and the corresponding decline in emissions.

Starting in 2012, the Truck and Bus Regulation phases in requirements applicable to an increasingly larger percentage of the truck and bus fleet over time, so that by 2023 nearly all older vehicles would need to be upgraded to have exhaust emissions meeting 2010 model year engine emissions levels. The regulation applies to nearly all diesel-fueled trucks and buses with a gross vehicle weight rating (GVWR) greater than 14,000 pounds that are privately or federally owned, including on-road and off-road agricultural yard goats, and privately and publicly owned school buses. Moreover, the regulation applies to any person, business, school district, or federal government agency that owns, operates, leases or rents affected vehicles. The regulation also establishes requirements for any in-state or out-of-state motor carrier, California-based broker, or any California resident who directs or dispatches vehicles subject to the regulation. Finally, California sellers of a vehicle subject to the regulation would have to disclose the regulation's potential applicability to buyers of the vehicles. Approximately 170,000 businesses in nearly all industry sectors in California, and almost a million vehicles that operate on California roads each year are affected. Some common industry sectors that operate vehicles subject to the regulation include: for-hire transportation, construction, manufacturing, retail and wholesale trade, vehicle leasing and rental, bus lines, and agriculture.

ARB compliance assistance and outreach activities that are key support of the Truck and Bus Regulation include:

- The Truck Regulations Upload and Compliance Reporting System, an online reporting tool developed and maintained by ARB staff;
- The Truck and Bus regulation's fleet calculator, a tool designed to assist fleet owners in evaluating various compliance strategies;
- Targeted training sessions all over the State; and
- Out-of-state training sessions conducted by a contractor.

ARB staff also develops regulatory assistance tools, conducts and coordinates compliance assistance and outreach activities, administers incentive programs, and actively enforces the entire suite of regulations. Accordingly, ARB's approach to ensuring compliance is based on a comprehensive outreach and education effort.

Incentive Programs

There are a number of different incentive programs focusing on heavy-duty vehicles that produce extra emission reductions beyond traditional regulations. The incentive programs encourage the purchase of a cleaner truck

Several State and local incentive funding pools have been used historically -- and remain available -- to fund the accelerated turnover of on-road heavy-duty vehicles. Since 1998, the Carl Moyer Program (Moyer Program) has provided funding for replacement, new purchase, repower and retrofit of trucks. Beginning in 2008, the Goods Movement Emission Reduction Program funded by Proposition 1B has funded cleaner trucks for the region's transportation corridors; the final increment of funds will implement projects through 2018.

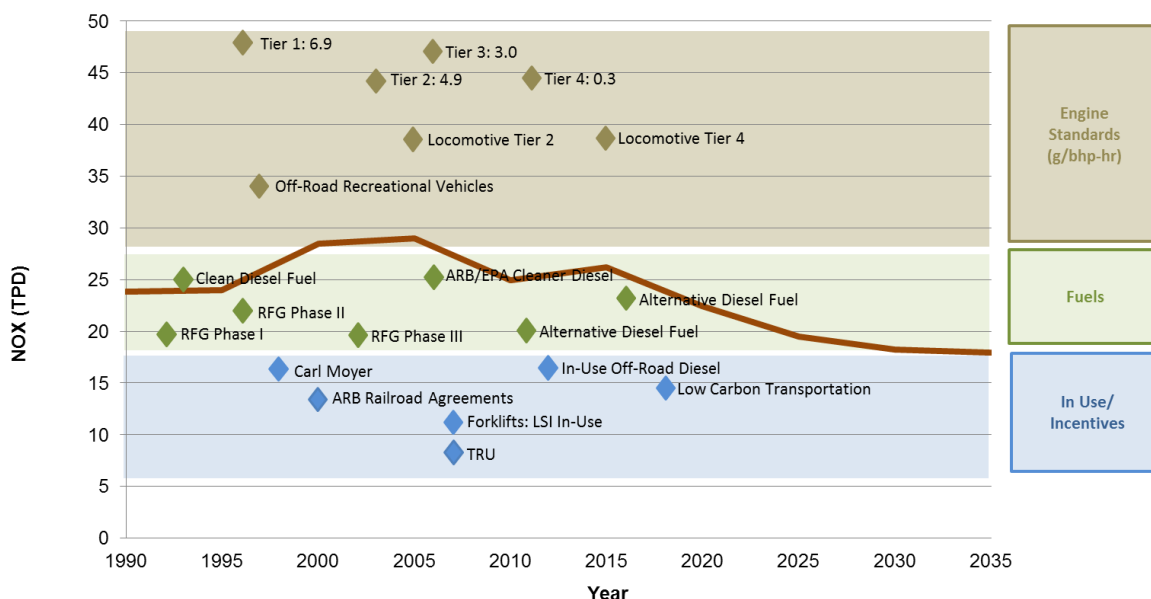
The Air Quality Improvement Program has funded the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP) since 2010, and continued Mojave Desert and Antelope Valley participation is expected. ARB has also administered a Truck Loan Assistance Program since 2009.

Off-Road Sources

Off-road sources encompass equipment powered by an engine that does not operate on the road. Sources vary from ships to lawn and garden equipment and for example, include sources like locomotives, aircraft, tractors, harbor craft, off-road recreational vehicles, construction equipment, forklifts, and cargo handling equipment.

Figure 3 illustrates the trend in NO_x emissions from off-road equipment and key programs contributing to those reductions. As a result of these efforts, off-road emissions in the Western Mojave Desert have been reduced significantly since 1990 and will continue to go down through 2020 due to the benefits of ARB's and U.S. EPA longstanding programs. Key programs include Off-Road Engine Standards, Locomotive Engine Standards, Clean Diesel Fuel, Cleaner In-Use Off-Road Regulation and In-Use LSI Fleet Regulation.

Figure 3: Key Programs to Reduce Off-Road Emissions



Off-Road Engine Standards

The Clean Air Act preempts states, including California, from adopting requirements for new off-road engines less than 175 HP used in farm or construction equipment. California may adopt emission standards for in-use off-road engines pursuant to Section 209(e)(2), but must receive authorization from U.S. EPA before it may enforce the adopted standards.

The Board first approved regulations to control exhaust emissions from small off-road engines (SORE) such as lawn and garden equipment in December 1990 with amendments in 1998 and 2003. These regulations were implemented through three tiers of progressively more stringent exhaust emission standards that were phased in between 1995 and 2008.

Manufacturers of forklift engines are subject to new engine standards for both diesel and Large Spark Ignition (LSI) engines. Off-road diesel engines were first subject to engine standards and durability requirements in 1996 while the most recent Tier 4 Final emission standards were phased in starting in 2013. Tier 4 emission standards are based on the use of advanced after-treatment technologies such as diesel particulate filters and selective catalytic reduction. LSI engines have been subject to new engine standards that include both criteria pollutant and durability requirements since 2001 with the cleanest requirements phased-in starting in 2010.

Locomotive Engine Standards

The Clean Air Act and the U.S. EPA national locomotive regulations expressly preempt states and local governments from adopting or enforcing “any standard or other requirement relating to the control of emissions from new locomotives and new engines used in locomotives” (U.S. EPA interpreted new engines in locomotives to mean remanufactured engines, as well). U.S. EPA has approved two sets of national locomotive emission regulations (1998 and 2008). In 1998, U.S. EPA approved the initial set of national locomotive emission regulations. These regulations primarily emphasized NO_x reductions through Tier 0, 1, and 2 emission standards. Tier 2 NO_x emission standards reduced older uncontrolled locomotive NO_x emissions by up to 60 percent, from 13.2 to 5.5 g/bhphr.

In 2008, U.S. EPA approved a second set of national locomotive regulations. Older locomotives upon remanufacture are required to meet more stringent particulate matter (PM) emission standards which are about 50 percent cleaner than Tier 0-2 PM emission standards. U.S. EPA refers to the PM locomotive remanufacture emission standards as Tier 0+, Tier 1+, and Tier 2+. The new Tier 3 PM emission standard (0.1 g/bhphr), for model years 2012-2014, is the same as the Tier 2+ remanufacture PM emission standard. The 2008 regulations also included new Tier 4 (2015 and later model years) locomotive NO_x and PM emission standards. The U.S. EPA Tier 4 NO_x and PM emission standards further reduced emissions by approximately 95 percent from uncontrolled levels.

Clean Diesel Fuel

Since 1993, ARB has required that diesel fuel have a limit on the aromatic hydrocarbon content and sulfur content of the fuel. Diesel powered vehicles account for a disproportionate amount of the diesel particulate matter which is considered a toxic air contaminant. In 2006, ARB required a low-sulfur diesel fuel to be used not only by on-road diesel vehicles but also for off-road engines. The diesel fuel regulation allows alternative diesel formulations as long as emission reductions are equivalent to the ARB formulation.

Cleaner In-Use Off-Road Equipment (Off-Road Regulation)

The Off-Road Regulation which was first approved in 2007 and subsequently amended in 2010 in light of the impacts of the economic recession. These off-road vehicles are used in construction, manufacturing, the rental industry, road maintenance, and airport ground support and landscaping. In December 2011, the Off-Road Regulation was modified to include on-road trucks with two diesel engines.

The Off-Road Regulation will significantly reduce emissions of diesel PM and NO_x from the over 150,000 in-use off-road diesel vehicles that operate in California. The

regulation affects dozens of vehicle types used in thousands of fleets by requiring owners to modernize their fleets by replacing older engines or vehicles with newer, cleaner models, retiring older vehicles or using them less often, or by applying retrofit exhaust controls.

The Off-Road Regulation imposes idling limits on off-road diesel vehicles, requires a written idling policy, and requires a disclosure when selling vehicles. The regulation also requires that all vehicles be reported to ARB and labeled, restricts the addition of older vehicles into fleets, and requires fleets to reduce their emissions by retiring, replacing, or repowering older engines, or installing verified exhaust retrofits. The requirements and compliance dates of the Off-Road Regulation vary by fleet size.

Fleets will be subject to increasingly stringent restrictions on adding older vehicles. The regulation also sets performance requirements. While the regulation has many specific provisions, in general by each compliance deadline, a fleet must demonstrate that it has either met the fleet average target for that year, or has completed the Best Available Control Technology requirements. The performance requirements of the Off-Road Regulation are phased in from January 1, 2014 through January 1, 2019.

Compliance assistance and outreach activities in support of the Off-Road Regulation include:

- The Diesel Off-road On-line Reporting System, an online reporting tool developed and maintained by ARB staff.
- The Diesel Hotline (866-6DIESEL), which provides the regulated public with questions about the regulations and access to ARB staff. Staff is able to respond to questions in English, Spanish and Punjabi.
- The Off-road Listserv, providing equipment owners and dealerships with timely announcement of regulatory changes, regulatory assistance documents, and reminders for deadlines.

LSI In-Use Fleet Regulation

Forklift fleets can be subject to either the LSI fleet regulation, if fueled by gasoline or propane, or the off-road diesel fleet regulation. Both regulations require fleets to retire, repower, or replace higher-emitting equipment in order to maintain fleet average standards. The LSI fleet regulation was originally adopted in 2007 with requirements beginning in 2009. While the LSI fleet regulation applies to forklifts, tow tractors, sweeper/scrubbers, and airport ground support equipment, it maintains a separate fleet average requirement specifically for forklifts. The LSI fleet regulation requires fleets with four or more LSI forklifts to meet fleet average emission standards.

Mojave Desert
Air Quality Management District



Draft
Staff Report
Proposed Adoption of
MDAQMD Federal 75 ppb Ozone Attainment Plan
(Western Mojave Desert Nonattainment Area)

For adoption on
February 27, 2017

14306 PARK AVE, VICTORVILLE, CA 92392-2310
PHONE: (760) 245-1661
FAX: (760) 245-2699

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STAFF REPORT
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(Western Mojave Desert Nonattainment Area)

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List of Acronyms

AQMA	Air Quality Management Area
BARCT	Best Available Retrofit Control Technology
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
FCAA	Federal Clean Air Act
H&S Code	California Health & Safety Code
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
NAAQS	National Ambient Air Quality Standards
Ppb	parts per billion
SBCAPCD	San Bernardino Air Pollution Control District
SAAQS	State Ambient Air Quality Standards
SCAQMD	South Coast Air Quality Management District
SEDAB	Southeast Desert Air Basin
SIP	State Implementation Plan
SSAB	Salton Sea Air Basin
USEPA	United States Environmental Protection Agency
WMDONA	Western Mojave Desert Ozone Nonattainment Area

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STAFF REPORT
MDAQMD Federal 75 ppb Ozone Attainment Plan
(Western Mojave Desert Nonattainment Area)

I. PURPOSE OF STAFF REPORT

A staff report serves several discrete purposes. Its primary purpose is to provide a summary and background material to the members of the Governing Board. This allows the members of the Governing Board to be fully informed before making any required decision. It also provides the documentation necessary for the Governing Board to make any findings, which are required by law to be made prior to the approval or adoption of a document. In addition, a staff report ensures that the correct procedures and proper documentation for approval or adoption of a document have been performed. Finally, the staff report provides evidence for defense against legal challenges regarding the propriety of the approval or adoption of the document.

II. EXECUTIVE SUMMARY

The Mojave Desert Air Quality Management District (MDAQMD) was designated nonattainment and classified severe-17 (portions of the MDAQMD outside the Southeast Desert Modified Air Quality Management Area (AQMA) are designated unclassified/attainment) for ozone under the then effective federal one-hour ozone standard. The MDAQMD adopted both state and federal attainment plans for all standards within its jurisdiction.

On March 9, 2006, USEPA shifted the ozone standard from measurement on a one-hour basis to an eight hour basis (8-hour ozone standard). The USEPA designated the Western Mojave Desert area as nonattainment for the 8-hour ozone National Ambient Air Quality Standards (NAAQS) pursuant to the provisions of the Federal Clean Air Act (FCAA). A portion of the MDAQMD is included in the Western Mojave Desert nonattainment area. The MDAQMD adopted the 2008 *MDAQMD Federal 8-Hour Ozone Attainment Plan (Western Mojave Desert Non-attainment Area)* to satisfy the planning requirements under this standard.

On March 27, 2008, USEPA set the 8-hour primary and secondary ozone NAAQS to a level of 0.075 parts per million (75 parts per billion (ppb)). The USEPA then designated the Western Mojave Desert area as nonattainment for the 75 ppb 8-hour ozone NAAQS. The MDAQMD has prepared the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* to satisfy the planning requirements under this newer standard. This plan, when adopted, will update all previously submitted federal ozone plans. However, portions of the previously adopted and approved plans will remain in effect until the region has been designated attainment for the relevant prior standard.

III. STAFF RECOMMENDATION

MDAQMD staff and the Technical Advisory Committee recommend that the Governing Board of the Mojave Desert Air Quality Management District (District) adopt the proposed *MDAQMD*

Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area) and approve the appropriate California Environmental Quality Act (CEQA) documentation. This action is necessary because the MDAQMD has been designated ozone nonattainment and classified moderate for the 8-hour ozone standard, therefore the MDAQMD must submit the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* to the USEPA pursuant to the FCAA.

IV. LEGAL REQUIREMENTS CHECKLIST

The findings and analysis as indicated below are required for the procedurally correct adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)*. Each item is discussed, if applicable, in Section V. Copies of related documents are included in the appropriate appendices.

FINDINGS REQUIRED FOR RULES & REGULATIONS:

- Necessity
- Authority
- Clarity
- Consistency
- Non-duplication
- Reference
- Public Notice & Comment
- Public Hearing

REQUIREMENTS FOR STATE IMPLEMENTATION PLAN SUBMISSION (SIP):

- Public Notice & Comment
- Availability of Document
- Notice to Specified Entities (State, Air Districts, USEPA, Other States)
- Public Hearing
- Legal Authority to adopt and implement the document.
- Applicable State laws and regulations were followed.

ELEMENTS OF A FEDERAL SUBMISSION:

- Elements as set forth in applicable Federal law or regulations.

CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS (CEQA):

- Ministerial Action
- Exemption
- Negative Declaration
- Environmental Impact Report
- Appropriate findings, if necessary.
- Public Notice & Comment

SUPPLEMENTAL ENVIRONMENTAL ANALYSIS (RULES & REGULATIONS ONLY):

- Environmental impacts of compliance.
- Mitigation of impacts.
- Alternative methods of compliance.

OTHER:

- Written analysis of existing air pollution control requirements
- Economic Analysis
- Public Review

V. DISCUSSION OF LEGAL REQUIREMENTS

A. REQUIRED ELEMENTS/FINDINGS

This section discusses the State of California statutory requirements that apply to the proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)*. These are actions that need to be performed and/or information that must be provided in order to amend the rule in a procedurally correct manner.

1. State Findings Required for Adoption of Rules & Regulations:

Before adopting, amending, or repealing a rule or regulation, the MDAQMD Governing Board is required to make findings of necessity, authority, clarity, consistency, non-duplication, and reference based upon relevant information presented at the hearing. The information below is provided to assist the Governing Board in making these findings.

a. Necessity:

The proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* is necessary to comply with the provisions of the FCAA and include the latest planning assumptions regarding population, vehicle activity and industrial activity. This document addresses all existing and forecast ozone precursor-producing activities within the jurisdiction of the MDAQMD through the year 2027. This document contains all necessary information to allow general and transportation conformity findings to be made within the jurisdiction of the MDAQMD.

b. Authority:

The District has the authority pursuant to California Health and Safety Code (H&S Code) §40702 to do such acts as may be necessary or proper to execute the powers and duties granted to, and imposed upon, the District by this division and other statutory provisions.

c. Clarity:

The proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* is clear in that it is written so that the persons subject to the plan can easily understand the meaning.

d. Consistency:

The proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* is in harmony with, and not in conflict with or contradictory to any State law or regulation, federal law or regulation, or court decisions. The Western Mojave Desert nonattainment area (as defined in 40 CFR 81.305) was designated nonattainment for the NAAQS for ozone by USEPA effective on July 20, 2012. The Western Mojave Desert Ozone Nonattainment Area (WMDONA) includes part of the San Bernardino County portion of the MDAQMD, as well as the Antelope Valley portion of Los Angeles County. The MDAQMD has experienced ambient ozone concentrations in excess of the 8-hour ozone NAAQS. This document: (1) demonstrates that the MDAQMD will meet the primary required Federal ozone planning milestone, attainment of the 75 ppb 8-hour ozone NAAQS, by July 2026; (2) presents the progress the MDAQMD will make towards meeting all required ozone planning milestones; and (3) discusses the newest 70 parts per billion 8-hour ozone NAAQS, preparatory to an expected nonattainment designation for the new NAAQS. This document satisfies 42 U.S.C. §§7410, 7502, 7504 and 7511a (FCAA §§110, 172, 174, and 182) regarding implementation plans, nonattainment plan provisions, planning procedures, and ozone plan submissions and requirements for the 75 ppb 8-hour NAAQS.

e. Non-duplication:

The proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* does not impose the same requirements as an existing state or federal law or regulation. The USEPA designated the Western Mojave Desert Nonattainment Area as nonattainment for the March 2008 (75 ppb) 8-hour ozone NAAQS pursuant to the provisions of the FCAA. A portion of the MDAQMD is included in the Western Mojave Desert Nonattainment Area. This plan addresses all federal attainment planning requirements for the 75 ppb federal 8-hour ozone standard. As a result, this document updates the June 2008 *MDAQMD Federal 8-Hour Ozone Attainment Plan (Western Mojave Desert Non-attainment Area)*.

f. Reference:

The District has the authority pursuant to H&S Code §40702 to do such acts as may be necessary or proper to execute the powers and duties granted to, and imposed upon, the District by this division and other statutory provisions.

g. Public Notice & Comment, Public Hearing:

Notice for the public hearing for the proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* was published January 27, 2017. See Appendix “B” for a copy of the public notice. See Appendix “C” for copies of comments, if any, and District responses.

2. Federal Elements (SIP Submittals, Other Federal Submittals).

Submittals to USEPA are required to include various elements depending upon the type of document submitted and the underlying federal law that requires the submittal. The information below indicates which elements are required for the proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* and how they were satisfied.

a. Satisfaction of Underlying Federal Requirements:

The adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* is subject to all the requirements for a SIP submittal because the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* is to be included in the MDAQMD State Implementation Plan (SIP). The criteria for determining completeness of SIP submissions are set forth in 40 CFR Part 51, Appendix V, 2.0.

b. Public Notice and Comment:

Notice for the public hearing for the proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* was published January 27, 2017. See Appendix “B” for a copy of the public notice. See Appendix “C” for copies of comments, if any, and District responses.

c. Availability of Document:

Copies of the proposed *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* and the accompanying draft staff report were made available to the public on January 25, 2017. The proposed plan was also reviewed on February 2, 2017 by the Technical Advisory Committee (TAC), a committee consisting of a variety of regulated industry and local governmental entities. The TAC recommended approval for adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)*.

d. Notice to Specified Entities:

Copies of the proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* and the accompanying draft staff report were sent to all affected agencies. The proposed amendments were sent to the California Air Resources Board (CARB) and USEPA on or before January 27, 2017.

e. Public Hearing:

A public hearing to consider the proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* has been set for February 27, 2017.

f. Legal Authority to Adopt and Implement:

The District has the authority pursuant to H&S Code §40702 to adopt, amend, or repeal rules and regulations and to do such acts as may be necessary or proper to execute the duties imposed upon the District.

g. Applicable State Laws and Regulations Were Followed:

Public notice and hearing procedures pursuant to H&S Code §§40725-40728 have been followed. See Section (V)(A)(1) above for compliance with state findings required pursuant to H&S Code §40727. See Section (V)(B) below for compliance with the required analysis of existing requirements pursuant to H&S Code §40727.2. See Section (V)(C) for compliance with economic analysis requirements pursuant to H&S Code §40920.6. See Section (V)(D) below for compliance with provisions of the California Environmental Quality Act (CEQA).

B. WRITTEN ANALYSIS OF EXISTING REQUIREMENTS

H&S Code §40727.2 requires air districts to prepare a written analysis of all existing federal air pollution control requirements that apply to the same equipment or source type as the rule proposed for modification by the district. The proposed *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* includes the latest planning assumptions regarding population, vehicle activity and industrial activity. This document addresses all existing and forecast ozone precursor-producing activities within the jurisdiction of the MDAQMD through the year 2027. This document includes all necessary information to allow general and transportation conformity findings to be made within the jurisdiction of the MDAQMD. Therefore the preparation of a written analysis of existing pollution control requirements that apply to the same equipment or source type is not required.

C. ECONOMIC ANALYSIS

1. General

Not applicable, as no local control measures are proposed as part of the proposed action.

2. Incremental Cost Effectiveness

Pursuant to H&S Code §40920.6, incremental cost effectiveness calculations are required for rules and regulations which are adopted or amended to meet the California Clean Air Act requirements for Best Available Retrofit Control Technology (BARCT) or “all feasible measures” to control volatile compounds, oxides of nitrogen or oxides of sulfur. The proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* is not subject to incremental cost effectiveness calculations because this plan does not impose BARCT or “all feasible measures”.

D. ENVIRONMENTAL ANALYSIS (CEQA)

Through the process described below, it was determined that a Notice of Exemption would be the appropriate CEQA process for the proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)*.

1. The proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* meets the CEQA definition of “project”. They are not “ministerial” actions.

2. The proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* is exempt from CEQA review because there is not potential that the adoption might cause the release of additional air contaminants or create any adverse environmental impacts. The proposed plan is being promulgated in response to the new 75 ppb ozone standard. As a result, this document replaces the previous 2008 *MDAQMD Federal 8-Hour Ozone Attainment Plan (Western Mojave Desert Non-Attainment Area)*. Copies of the documents relating to CEQA can be found in Appendix “D”.

E. SUPPLEMENTAL ENVIRONMENTAL ANALYSIS

1. Potential Environmental Impacts

There are no potential negative environmental impacts of compliance with the proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* as no local control measures are proposed as part of the proposed action.

2. Mitigation of Impacts

N/A

3. Alternative Methods of Compliance

N/A

F. PUBLIC REVIEW

See Staff Report Section (V)(A)(1)(g) and (2)(b), as well as Appendix “B”

VI. TECHNICAL DISCUSSION

The Western Mojave Desert area (as defined in 40 CFR 81.305) was designated nonattainment for the NAAQS for ozone by USEPA on July 20, 2012. The Western Mojave Desert Ozone Nonattainment Area (WMDONA) includes part of the San Bernardino County portion of the MDAQMD, as well as the Antelope Valley portion of Los Angeles County. The MDAQMD has experienced ambient ozone concentrations in excess of the 8-hour ozone NAAQS. This document: (1) demonstrates that the MDAQMD will meet the primary required Federal ozone planning milestone, attainment of the 75 ppb 8-hour ozone NAAQS, by July 2026; (2) presents the progress the MDAQMD will make towards meeting all required ozone planning milestones; and (3) discusses the newest 70 parts per billion 8-hour ozone NAAQS, preparatory to an expected nonattainment designation for the new NAAQS. This document satisfies 42 U.S.C. §§7410, 7502, 7504 and 7511a (FCAA §§110, 172, 174, and 182) regarding implementation plans, nonattainment plan provisions, planning procedures, and ozone plan submissions and requirements for the 75 ppb 8-hour NAAQS.

A. SIP HISTORY

Regional Ozone Planning Chronology

- 1989 - CARB designates Southeast Desert Air Basin (SEDAB) as nonattainment for ozone SAAQS
- 1990 - CARB classifies the SEDAB as moderate ozone nonattainment
- November, 1990 - Adoption of FCAA Amendments
- August 26, 1991 - Adoption of the 1991 Air Quality Attainment Plan (State) by SBCAPCD
- July 1, 1993 - Formation of MDAQMD
- July 1, 1994 - Annexation of Palo Verde Valley portion of Riverside County
- March 24, 1994 - Adoption of Rate-Of-Progress Plan (Federal) by MDAQMD
- October 26, 1994 - Adoption of Attainment Demonstration Plan (Federal) by MDAQMD
- 1996 - SEDAB is subdivided into the Mojave Desert Air Basin (MDAB) and the Salton Sea Air Basin (SSAB)
- January 22, 1996 - Adoption of Triennial Revision to 1991 AQAP (State)
- April 26, 2004 - Adoption of MDAQMD 2004 Ozone Attainment Plan
- June 9, 2008 – Adoption of MDAQMD Federal 8-hour Ozone Attainment Plan (Severe-17)
- January 25, 2010 – Adopted of MDAQMD Federal 8-hour Ozone Attainment Plan (Severe-15)
- July 20, 2012 – USEPA designates 75 ppb 8-hour nonattainment areas

1. SIP History.

On July 1, 1993 the MDAQMD was formed pursuant to statute. On July 1, 1994 the area commonly known as the Palo Verde Valley in Riverside County, including the City of Blythe, left South Coast Air Quality Management District (SCAQMD) and joined the MDAQMD. The MDAQMD is the agency that adopts plans for the entire geographical area within its jurisdiction.

Under the federal one-hour Ozone standard, the MDAQMD was nonattainment and classified Severe-17 (the portion of the MDAQMD outside the Southeast Desert Modified AQMA was unclassified/attainment for the one-hour standard). The *MDAQMD 2004 Ozone Attainment Plan (State and Federal)* was adopted in response to the one-hour ozone standard. The *MDAQMD 2004 Ozone Attainment Plan (State and Federal)* has been found adequate for transportation conformity by USEPA at 69 FR 30641 (05/28/2004).

On March 9, 2006, USEPA shifted the ozone standard from measurement on a one-hour basis to an eight-hour basis (8-hour ozone standard). The USEPA designated the Western Mojave Desert nonattainment area as nonattainment for the 8-hour ozone NAAQS pursuant to the provisions of the FCAA. A portion of the MDAQMD is included in the Western Mojave Desert nonattainment area. Under the federal 8-hour ozone standard the MDAQMD is nonattainment and classified Moderate (the portion of the MDAQMD outside the Southeast Desert Modified AQMA is unclassified/attainment for the 8-hour standard). The MDAQMD prepared the *MDAQMD Federal 8-Hour Ozone Attainment Plan (Western Mojave Desert Non-attainment Area)* to satisfy the planning requirements under this standard.

In 2008, USEPA reduced the 8-hour NAAQS from 84 ppb to 75 ppb. The Western Mojave Desert nonattainment area was again designated nonattainment for the 75 ppb NAAQS pursuant to provisions of the FCAA. A portion of the MDAQMD is included in the Western Mojave Desert nonattainment area. Under the federal 75 ppb 8-hour ozone standard the MDAQMD is nonattainment and classified Moderate (the portion of the MDAQMD outside the Southeast Desert Modified AQMA is unclassified/attainment for the 8-hour standard). The MDAQMD has prepared the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* to satisfy the planning requirements under this standard. When adopted, this plan will update all previously submitted federal ozone plans.

2. SIP Analysis.

The *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* will be submitted to the USEPA for inclusion into the SIP to replace the *2008 MDAQMD Federal 8-Hour Ozone Attainment Plan (Western Mojave Desert Non-Attainment Area)*. However, portions of the previously adopted and approved plans will remain in effect until the region has been designated attainment for the relevant prior standard.

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Appendix “A”
MDAQMD Federal 75 ppb Ozone Attainment Plan
(Western Mojave Desert Nonattainment Area) Iterated Version

The iterated version is provided so that the changes to an existing rule may be easily found. The manner of differentiating text is as follows:

1. Underlined text identifies new or revised language.
2. ~~Lined-out text~~ identifies language which is being deleted.
3. Normal text identifies the current language of the rule which will remain unchanged by the adoption of the proposed amendments.
4. *[Bracketed italicized text]* is explanatory material that is not part of the proposed language. It is removed once the proposed amendments are adopted.

This section is not applicable.

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Appendix “B”
Public Notice Documents

1. Proof of Publication – Daily Press
2. Proof of Publication – Riverside Press Enterprise

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PROOF OF PUBLICATION

(2015.5 C.C.P.)

**STATE OF CALIFORNIA,
County of San Bernardino**

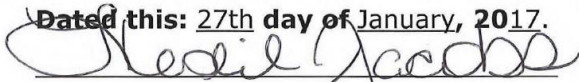
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the publisher of the DAILY PRESS, a newspaper of general circulation, published in the City of Victorville, County of San Bernardino, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of San Bernardino, State of California, under the date of November 21, 1938, Case number 43096, that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

January 27

All in the year 2017.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated this: 27th day of January, 2017.



Signature

Leslie Jacobs

This space is the County Clerk's Filing Stamp

**FILED
MOJAVE DESERT AQMD
CLERK OF THE BOARD**

JAN 31 2017

BY 

**Proof of Publication of
NOTICE OF HEARING**

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Governing Board of the Mojave Desert Air Quality Management District (MDAQMD) will conduct a public hearing on February 27, 2017 at 10:00 A.M. to consider the proposed adoption of the MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area).

SAID HEARING will be conducted in the Governing Board Chambers located at the MDAQMD offices 14306 Park Avenue, Victorville, CA 92392-2310 where all interested persons may be present and be heard. Copies of the proposed MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area) and the Staff Report are on file and may be obtained from the Executive Assistant at the MDAQMD Offices. Written comments may be submitted to Brad Polriez, APCO at the above office address. Written comments should be received no later than February 23, 2017 to be considered. If you have any questions you may contact Tracy Walters at (760) 245-1661 extension 6122 for further information. Traducción esta disponible por solicitud.

On March 27, 2008, the United States Environmental Protection Agency (USEPA) set the 8-hour primary and secondary ozone National Ambient Air Quality Standards (NAAQS) to a level of 0.075 parts per million (75 parts per billion (ppb)). The USEPA designated the Western Mojave Desert area as nonattainment for the 75 ppb 8-hour ozone NAAQS. The MDAQMD is preparing the MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area) to satisfy the planning requirements under this standard. This plan, when adopted, will supersede and update all previously submitted federal ozone plans.

Pursuant to the California Environmental Quality Act (CEQA) the MDAQMD has determined that a Categorical Exemption (Class 8 - 14 Cal. Code Reg §15308) applies and has prepared a Notice of Exemption for this action.

Deanna Hernandez
Executive Assistant
Mojave Desert Air Quality
Management District

Published in the
Daily Press
January 27, 2017
(F-77)

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MDAQMD

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Riverside, CA 92507
951-684-1200
951-368-9018 FAX

PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.:


I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

01/27/2017

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: Jan 27, 2017

At: Riverside, California


Legal Advertising Representative, The Press-Enterprise

MOJAVE DESERT AQMD
14306 PARK AVE
VICTORVILLE, CA 92392

Ad Number: 0010231572-01

P.O. Number:

Ad Copy:

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Governing Board of the Mojave Desert Air Quality Management District (MDAQMD) will conduct a public hearing on February 27, 2017 at 10:00 A.M. to consider the proposed adoption of the MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area).

SAID HEARING will be conducted in the Governing Board Chambers located at the MDAQMD offices 14306 Park Avenue, Victorville, CA 92392-2310 where all interested persons may be present and be heard. Copies of the proposed MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area) and the Staff Report are on file and may be obtained from the Executive Assistant at the MDAQMD Offices. Written comments may be submitted to Brad Poiriez, APCO at the above office address. Written comments should be received no later than February 23, 2017 to be considered. If you have any questions you may contact Tracy Walters at (760) 245-1661 extension 6122 for further information. Traducción esta disponible por solicitud.

On March 27, 2008, the United States Environmental Protection Agency (USEPA) set the 8-hour primary and secondary ozone National Ambient Air Quality Standards (NAAQS) to a level of 0.075 parts per million (75 parts per billion (ppb)). The USEPA designated the Western Mojave Desert area as nonattainment for the 75 ppb 8-hour ozone NAAQS. The MDAQMD is preparing the MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area) to satisfy the planning requirements under this standard. This plan, when adopted, will supersede and update all previously submitted federal ozone plans.

Pursuant to the California Environmental Quality Act (CEQA) the MDAQMD has determined that a Categorical Exemption (Class 8 - 14 Cal. Code Reg §15308) applies and has prepared a Notice of Exemption for this action.

Deanna Hernandez
Executive Assistant
Mojave Desert Air Quality Management District 1/27

FILED
MOJAVE DESERT AQMD
CLERK OF THE BOARD

FEB 02 2017

BY 

Appendix “C”
Public Comments and Responses

No comments received to date.

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Appendix “D”
California Environmental Quality Act
Documentation

1. Draft Notice of Exemption – San Bernardino County
2. Draft Notice of Exemption – Riverside County

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NOTICE OF EXEMPTION

TO: County Clerk
San Bernardino County
385 N. Arrowhead, 2nd Floor
San Bernardino, CA 92415

FROM: Mojave Desert
Air Quality Management District
14306 Park Ave
Victorville, CA 92392-2310

X MDAQMD Clerk of the Governing Board

PROJECT TITLE: Adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)*

PROJECT LOCATION – SPECIFIC: San Bernardino County portion of the Mojave Desert Air Basin and Palo Verde Valley portion of Riverside County.

PROJECT LOCATION – COUNTY: San Bernardino and Riverside Counties

DESCRIPTION OF PROJECT: The Mojave Desert Air Quality Management District (MDAQMD) is proposing to adopt the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* to satisfy Federal Clean Air Act (FCAA) requirements that the MDAQMD develop a plan to attain the 75 parts per billion ozone National Ambient Air Quality Standard (NAAQS) on or before 2027. Once adopted, this plan will update the 2008 *MDAQMD Federal 8-Hour Ozone Attainment Plan (Western Mojave Desert Non-Attainment Area)*.

NAME OF PUBLIC AGENCY APPROVING PROJECT: Mojave Desert AQMD

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Mojave Desert AQMD

EXEMPT STATUS (CHECK ONE)

Ministerial (Pub. Res. Code §21080(b)(1); 14 Cal Code Reg. §15268)

Emergency Project (Pub. Res. Code §21080(b)(4); 14 Cal Code Reg. §15269(b))

X Categorical Exemption – Class 8 (14 Cal Code Reg. §15308)

REASONS WHY PROJECT IS EXEMPT: The proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* is exempt from CEQA review because there is not potential that the adoption might cause the release of additional air contaminants or create any adverse environmental impacts. The proposed plan is being promulgated in response to the new 75 ppb ozone standard. As a result, this document updates the previous 2008 *MDAQMD Federal 8-Hour Ozone Attainment Plan (Western Mojave Desert Non-Attainment Area)*. However, portions of the previously adopted and approved plans will remain in effect until the region has been designated attainment for the relevant prior standard.

LEAD AGENCY CONTACT PERSON: Brad Poiriez **PHONE:** (760) 245-1661

SIGNATURE: _____ **TITLE:** Executive Director **DATE:** 02/27/2017

DATE RECEIVED FOR FILING:

NOTICE OF EXEMPTION

TO: Clerk/Recorder
Riverside County
3470 12th St.
Riverside, CA 92501

FROM: Mojave Desert
Air Quality Management District
14306 Park Ave
Victorville, CA 92392-2310

MDAQMD Clerk of the Governing Board

PROJECT TITLE: Adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)*

PROJECT LOCATION – SPECIFIC: San Bernardino County portion of the Mojave Desert Air Basin and Palo Verde Valley portion of Riverside County.

PROJECT LOCATION – COUNTY: San Bernardino and Riverside Counties

DESCRIPTION OF PROJECT: The Mojave Desert Air Quality Management District (MDAQMD) is proposing to adopt the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* to satisfy Federal Clean Air Act (FCAA) requirements that the MDAQMD develop a plan to attain the 75 parts per billion ozone National Ambient Air Quality Standard (NAAQS) on or before 2027. Once adopted, this plan will update the 2008 *MDAQMD Federal 8-Hour Ozone Attainment Plan (Western Mojave Desert Non-Attainment Area)*.

NAME OF PUBLIC AGENCY APPROVING PROJECT: Mojave Desert AQMD

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Mojave Desert AQMD

EXEMPT STATUS (CHECK ONE)

Ministerial (Pub. Res. Code §21080(b)(1); 14 Cal Code Reg. §15268)

Emergency Project (Pub. Res. Code §21080(b)(4); 14 Cal Code Reg. §15269(b))

Categorical Exemption – Class 8 (14 Cal Code Reg. §15308)

REASONS WHY PROJECT IS EXEMPT: The proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)* is exempt from CEQA review because there is not potential that the adoption might cause the release of additional air contaminants or create any adverse environmental impacts. The proposed plan is being promulgated in response to the new 75 ppb ozone standard. As a result, this document updates the previous 2008 *MDAQMD Federal 8-Hour Ozone Attainment Plan (Western Mojave Desert Non-Attainment Area)*. However, portions of the previously adopted and approved plans will remain in effect until the region has been designated attainment for the relevant prior standard.

LEAD AGENCY CONTACT PERSON: Brad Poiriez **PHONE:** (760) 245-1661

SIGNATURE: _____ **TITLE:** Executive Director **DATE:** 02/27/2017

DATE RECEIVED FOR FILING:

Appendix “E” Bibliography

The following documents were consulted in the preparation of this staff report for the proposed adoption of the *MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area)*:

1. 2008 *MDAQMD Federal 8-Hour Ozone Attainment Plan (Western Mojave Desert Non-Attainment Area)*
2. Mojave Desert Modeling Analysis, prepared by SCAQMD staff.
3. Ozone RACM Assessment, prepared by CARB staff.

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The following page(s) contain the backup material for Agenda Item: [Reports: Executive Director](#)



Community Relations & Education

District Activity Report

February 2017

Cox Elected MDAQMD Board Chair, Williams Named Vice-Chair

Congratulations to Victorville Mayor Pro Tem Jim Cox, who was unanimously elected Chair of the MDAQMD's Governing Board during the agency's first meeting of 2017, and to City of Needles Vice Chair Jeff Williams, who was elected Vice Chair. Cox has served on the District's Board since 2013. Williams first served on the Governing Board from 2009 to 2011. He was reappointed to the Board in 2015 and has served consecutively since that time. The District is also proud to welcome Fifth District Supervisor Marion Ashley to the MDAQMD Board as Riverside County's representative.

District Recognizes Outstanding Environmental Science Projects at Local Schools

The District is once again partnering with MEEC and the Mojave Desert Chapter of the Air & Waste Management Association to recognize outstanding environmentally-themed science projects entered in school science fairs held throughout the MDAQMD's jurisdiction. Winners of local competitions receive \$25 gift cards, a blue ribbon and a certificate, while winners of District and regional science fairs receive \$50 gift cards along with the other amenities. Schools scheduled to participate this year include Galileo Academy in Victorville, Apple Valley High School, Krystal School of Math in Hesperia, and Heritage School of Math in Phelan. The District is also slated to participate in the Apple Valley Unified School District Fair, and the San Bernardino and Riverside County Regional events.

ARB to Present Compliance Training Courses in Victorville

During March 2016, the Air Resources Board and the MDAQMD will join forces to present two stationary source compliance training courses for environmental professionals at the District's headquarters. On March 30, CARB will present "Basics of New Source Review (NSR) and Title V Permitting," a one day class which provides an overview and discussion of the requirements of NSR and Title V permitting programs. "Advanced NSR & Title V," scheduled for March 31, will provide attendees with hands-on exercises aimed at the processes and considerations associated with NSR and Title V permit application, submittal, review and processing. For more information, or to register free of charge, visit www.arb.ca.gov/training

Public Outreach Update

On January 27, CRE and Operations staff participated in the American Association of University Women's 2016 Celebrating Women in Mathematics and Science conference at Victor Valley College, which was attended by about 350 High Desert girls. During the annual event, MDAQMD staffers presented a workshop on air quality and enlightened attendees about the many STEM career opportunities available to women in this field. On February 1, 15 members of Silverado High School's Hawk STEM Action Team and their advisors toured the MDAQMD's Clean Power Education Center (CPEC) and met with a member of Engineering staff to brainstorm future plans for their school's solar array installation. The field trip was sponsored through an EnvirobusBuck Field trip grant provided by MEEC. On February 16, 30 6-8 grade girls from Melva Davis Academy of Excellence/Adelanto toured the MDAQMD's CPEC and air monitoring station and learned about STEM career opportunities available to women in air quality management from a female District engineer and inspector. The field trip was sponsored through a special grant to the San Geronio Girl Scouts Council aimed at providing STEM opportunities to at-risk girls while fueling their interest in joining the Girl Scouts.

For more information on activities/projects listed above, contact the MDAQMD's Community Relations & Education Office at (760) 245-1661, ext. 6104.