

**Mojave Desert Air Quality Management District**  
**Brad Poiriez, Executive Director**  
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**REGULAR GOVERNING BOARD MEETING  
MONDAY, SEPTEMBER 26, 2022 - 10:00 A.M.  
MDAQMD OFFICES, BOARD CHAMBERS  
VICTORVILLE, CA**

MINUTES

Board Members Present:

Merl Abel, Town of Yucca Valley, **Chair**  
Elizabeth Becerra, City of Victorville  
Brigit Bennington, City of Hesperia  
Paul Cook, San Bernardino County, 1<sup>st</sup> District Supervisor  
Joseph “Joey” DeConinck, City of Blythe – *via Teleconference*  
Stevevonna Evans, City of Adelanto  
Kari Leon, Town of Apple Valley, **Vice Chair**  
Dan Mintz, Sr., City of Twentynine Palms  
Barbara Riordan, Public Member  
Tim Silva, City of Barstow

Board Members Absent:

V. Manuel Perez, Riverside County, 4<sup>th</sup> District Supervisor  
Dawn Rowe, San Bernardino County, 3<sup>rd</sup> District Supervisor  
Jeff Williams, City of Needles

**CALL TO ORDER**

Chair **MERL ABEL** called the meeting to order at 10:00 am and asked Executive Director **BRAD POIRIEZ** to lead the Pledge of Allegiance.

Chair **MERL ABEL** called for Roll Call – Deanna Hernandez, Senior Executive Analyst, called roll.

Items with potential Conflict of Interests – If you believe you have a conflict of interest, please recuse yourself at the appropriate time. If you have a question regarding a potential conflict of interest, please contact District Counsel. Chair **MERL ABEL** asked if any members wished to

indicate a conflict of interest in regards to any agenda items. No Members did so.

**Special Announcement/Presentation** – The Governing Board recognized staff members for longevity of service.

**PUBLIC COMMENT** – The public may comment on any item not listed on the agenda. For comments relating to a specific item, please use the public comment card and specify the number of the item on which you wish to speak and submit it to the Clerk.

*In compliance with the Brown Act, the Governing Board may not discuss or take action on non-agenda items or engage in question and answer sessions with the public. The Governing Board may ask brief questions for clarification, provide a reference to staff or other reference for factual information and or direct staff to add an item to a subsequent meeting.*

Chair **MERL ABEL** called for **PUBLIC COMMENT**. No public comment made in person or electronically, so being none, Chair **ABEL** moved onto the **CONSENT CALENDAR**.

**CONSENT CALENDAR** – Chair **MERL ABEL** polled the Board to determine if any member wished pull an item on the consent calendar for discussion. No member did so. The following consent items were acted upon by the Board at one time without discussion. Upon motion by Board Member **BARBARA RIORDAN**, seconded by Vice Chair **KARI LEON**, and carried by the following roll call vote, with ten **AYES** votes by Board Members, **MERL ABEL, ELIZABETH BECERRA, BRIGIT BENNINGTON, PAUL COOK, JOSEPH “JOEY” DECONINCK, STEVEVONNA EVANS, KARI LEON, DANIEL MINTZ, Sr., BARBARA RIORDAN, and TIM SILVA with Board Members V. MANUEL PEREZ, DAWN ROWE and JEFF WILLIAMS absent**, on the Consent Calendar, as follows:

Agenda Item 1 – Approve Minutes from Regular Governing Board Meeting of August 22, 2022.  
**Approved** Minutes from Regular Governing Board Meeting of August 22, 2022.

Agenda Item 2 – Receive and file the District Activity Report.  
Presenter: Brad Poiriez, Executive Director/APCO.  
**Received and filed** the District Activity Report.

Agenda Item 3 – Receive and file Financial Reports through July 2022.  
Presenter: Brad Poiriez, Executive Director/APCO .  
**Received and filed** Financial Reports through July 2022.

Agenda Item 4 – Receive and file the Legislative Report for September 2022.  
Presenter: Brad Poiriez, Executive Director/APCO.  
**Received and filed** the Legislative Report for September 2022.

Agenda Item 5 – Set Date of October 24, 2022 to conduct a public hearing to consider the rescission of South Coast Air Quality Management District *Rule 443 — Labeling of Solvents*, as it appears in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District (MDAQMD or District) in Riverside County and replace it with the current MDAQMD *Rule 443 — Labeling of Solvents*.  
Presenter: Alan De Salvio, Deputy APCO.

**Date set** of October 24, 2022 to conduct a public hearing to consider the rescission of South Coast Air Quality Management District *Rule 443 — Labeling of Solvents*, as it appears in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District (MDAQMD or District) in Riverside County and replace it with the current MDAQMD *Rule 443 — Labeling of Solvents*.

Agenda Item 6 – Set a date of October 24, 2022, to conduct a public hearing to consider the amendment of District *Rule 1160 — Internal Combustion Engines*.

Presenter: Alan De Salvio, Deputy APCO.

**Date set** of October 24, 2022, to conduct a public hearing to consider the amendment of District *Rule 1160 — Internal Combustion Engines*.

Agenda Item 7 – DEFERRED ITEMS.

None.

Agenda Item 8 – Conduct a public hearing to consider to consider the rescission of Rule 480 – *Natural Gas fired Control Devices*, its removal State Implementation Plan and approve California Environmental Quality Act (CEQA) documentation. 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, rescinding the rule requesting removal of prior versions of the Rule from the SIP and directing staff actions.

Presenter: Alan De Salvio, Deputy APCO.

Chair **MERL ABEL** opened the public hearing. Brad Poiriez, Executive Director/APCO, provided the staff report and answered questions from the Board. After discussion Chair **MERL ABEL** called for public comment, no public comment was made in person or electronically, being none, Chair **MERL ABEL** closed the public hearing, made the determination that the CEQA Categorical Exemption applies, and waved reading of the resolution. Upon motion by Board Member **DANIEL MINTZ, Sr.**, seconded by Board Member **ELIZABETH BECERRA**, and carried by the following roll call vote, with ten **AYES** votes by Board Members, **MERL ABEL, ELIZABETH BECERRA, BRIGIT BENNINGTON, PAUL COOK, JOSEPH “JOEY” DECONINCK, STEVEVONNA EVANS, KARI LEON, DANIEL MINTZ, Sr., BARBARA RIORDAN, and TIM SILVA** with Board Members **V. MANUEL PEREZ, DAWN ROWE** and **JEFF WILLIAMS** absent, the board, adopted **Resolution 22-19, “A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING THE NOTICE OF EXEMPTION, REQUESTING RESCISSION OF RULE 480 – NATURAL GAS FIRED CONTROL DEVICES, ITS REMOVAL FROM THE STATE IMPLEMENTATION PLAN AND DIRECTING STAFF ACTIONS.”**

Agenda Item 9 – Conduct a public hearing to consider the amendment of Rule 701 – General and rescission of the remaining rules in Regulation VII – Emergencies and approve California Environmental Quality Act (CEQA) documentation.: 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, amending the Rule and directing staff actions.

Presenter: Alan De Salvo, Deputy APCO.

Chair **MERL ABEL** opened the public hearing. Brad Poiriez, Executive Director/APCO, provided the staff report and answered questions from the Board. After discussion Chair **MERL ABEL** called for public comment, no public comment was made in person or electronically, being none, Chair **MERL ABEL** closed the public hearing, made the determination that the CEQA Categorical Exemption applies, and waved reading of the resolution. Upon motion by Board Member **BRIGIT BENNINGTON**, seconded by Board Member **BARBARA RIORDAN**, and carried by the following roll call vote, with ten **AYES** votes by Board Members, **MERL ABEL, ELIZABETH BECERRA, BRIGIT BENNINGTON, PAUL COOK, JOSEPH "JOEY" DECONINCK, STEVEVONNA EVANS, KARI LEON, DANIEL MINTZ, Sr., BARBARA RIORDAN, and TIM SILVA with Board Members V. MANUEL PEREZ, DAWN ROWE and JEFF WILLIAMS absent**, the board, **adopted Resolution 22-20, "A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING THE NOTICE OF EXEMPTION, CONSOLIDATION OF REGULATION VII - EMERGENCIES AND DIRECTING STAFF ACTIONS."**

Agenda Item 10 – Executive Director Reports:

**Miscellaneous:**

- ❖ Staff, this month, has been very busy trying to wrap up the many aspects of the transition of the contract between MD and AV; the contract will terminate on Sept. 30<sup>th</sup>. There will be some ancillary items that will require us to still provide assistance to AV for a short period of time after that date such as: Lancaster air monitoring station relocation, upcoming fiscal audits, and probably a few other items that are unforeseen at this time.
- ❖ Sept. 16<sup>th</sup> – The Governor signed AB2836 which extends the Carl Moyer/923 programs for an additional 10 years. MDAQMD was very active in the lengthy process and effort to get this across the finish line. We give out roughly \$1.5-2M in Carl Moyer grants annually.
- ❖ October 8<sup>th</sup> we hope to do a community project called Clean Air Room Pilot program for Hinkley and Barstow residents only, providing a free air filtration unit to qualifying applicants while supplies last. This will be funded through the District's Clean Air Fund.

**Mr. Poiriez updated the Board of past events:**

- Sept. 7<sup>th</sup> – Attended the State of the County
- Sept. 13<sup>th</sup> – Guest speaker at CSUSB air quality class. Several District staff will be guest speakers as well for this semester.
- Sept. 21<sup>st</sup> – Participated in the MEEC Board meeting.
- Sept. 21<sup>st</sup> - Participated in the AAPCA Local Government Committee Call
- Sept. 22<sup>nd</sup> – Participated in First Responder Coordination Seminar at City of Victorville.

**Mr. Poiriez updated the Board of coming events:**

- Sept. 26-27<sup>th</sup> – Participate (remotely) in parts of the CAPCOA Legislative Retreat and Board meeting. Topics included: Draft FY 22-23 Budget; Energy Issues update, Inflation Reduction Act funding, Topics for Fall Membership meeting in October. CARB's new Executive Officer – Steve Cliff and other Executive staff will join to discuss multiple issues including the above.
- Sept. 28-30<sup>th</sup> – Attending AAPCA's fall conference.
- Oct. 4-6<sup>th</sup> – Attending CAPCOA's Medium Section APCO meeting

