

Mojave Desert Air Quality Management District
Brad Poiriez, Executive Director
14306 Park Avenue, Victorville, CA 92392-2310
760.245.1661 • Fax 760.245.2699
www.MDAQMD.ca.gov • [@MDAQMD](https://twitter.com/MDAQMD)



REGULAR GOVERNING BOARD MEETING
MONDAY, OCTOBER 24, 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, 1st District Supervisor
Kari Leon, Town of Apple Valley, **Vice Chair**
Dan Mintz, Sr., City of Twentynine Palms
V. Manuel Perez, Riverside County, 4th District Supervisor – *via teleconference*
Barbara Riordan, Public Member
Dawn Rowe, San Bernardino County, 3rd District Supervisor – *via teleconference*
Tim Silva, City of Barstow

Board Members Absent:

Joseph “Joey” DeConinck, City of Blythe
Stevevonna Evans, City of Adelanto
Jeff Williams, City of Needles

CALL TO ORDER

Chair **MERL ABEL** called the meeting to order at 10:00 am and asked Board Member **TIM SILVA** 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.
- Brad Poiriez, Executive Director/APCO, and the Governing Board recognized Board Member Tim Silva, City of Barstow, for his commitment and service to the Mojave Desert Air Quality Management District Governing Board.

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 **BRIGIT BENNINGTON**, 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, KARI LEON, DANIEL MINTZ, Sr., V. MANUEL PEREZ, BARBARA RIORDAN, DAWN ROWE and TIM SILVA with Board Members JOSEPH “JOEY” DECONINCK, STEVEVONNA EVANS and JEFF WILLIAMS absent**, on the Consent Calendar, as follows:

Agenda Item 1 – Approve Minutes from Regular Governing Board Meeting of September 26, 2022.

Approved Minutes from Regular Governing Board Meeting of September 26, 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 August 2022.

Presenter: Brad Poiriez, Executive Director/APCO .

Received and filed Financial Reports through August 2022.

Agenda Item 4 – Receive and file the Legislative Report for October 2022.

Presenter: Brad Poiriez, Executive Director/APCO.

Received and filed the Legislative Report for October 2022.

Agenda Item 5 – Receive and file Policies and Procedures Manual for the District’s Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program.

Presenter: Jorge Camacho, Support Services Supervisor.

Received and filed Policies and Procedures Manual for the District’s Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program.

Agenda Item 6 – Authorize the encumbrance of AB2766 grant funds for disbursement in Fiscal Year 24 as described in the amended Mobile Source Emission Reductions Program (MSERP) Workplan in Exhibit A; and authorize the Executive Director/APCO to revise the budget accordingly.

Presenter: Jorge Camacho, Support Services Supervisor.

Authorized the encumbrance of AB2766 grant funds for disbursement in Fiscal Year 24 as described in the amended Mobile Source Emission Reductions Program (MSERP) Workplan in Exhibit A; and **authorized** the Executive Director/APCO to revise the budget accordingly.

Agenda Item 7 – DEFERRED ITEMS.

None.

Agenda Item 8 – Conduct a public hearing to consider the rescission of SCAQMD Rule 443 — *Labeling of Solvents* from the SIP for the Blythe/Palo Verde Valley portion of the MDAQMD in Riverside County and replace it with current MDAQMD Rule 443 – *Labeling of Solvents*: 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 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 **V. MANUEL PEREZ**, 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, KARI LEON, DANIEL MINTZ, Sr., V. MANUEL PEREZ, BARBARA RIORDAN, DAWN ROWE and TIM SILVA** with Board Members **JOSEPH “JOEY” DECONINCK, STEVEVONNA EVANS** and **JEFF WILLIAMS** absent, the board, adopted Resolution 22-21, “**A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING THE NOTICE OF EXEMPTION, RESCISSION OF THE SCAQMD SIP RULE 443 – LABELING OF SOLVENTS FOR THE BLYTHE/PALO VERDE VALLY PORTION OF THE MDAQMD IN RIVERSIDE COUNTY AND REPLACE IT WITH THE CURRENT MDAQMD RULE 443 – LABELING OF SOLVENTS, AND DIRECTING STAFF ACTIONS.**”

Agenda Item 9 – Conduct a public hearing to consider the amendment of Rule 1160 – *Internal Combustion Engines* and approval of California Environmental Quality Act (CEQA) documentation: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Continue public hearing to January 23, 2023.

Presenter: Alan De Salvio, Deputy APCO.

Chair **MERL ABEL** opened the public hearing. Brad Poiriez, Executive Director/APCO, provided the staff report, requested that this item be continued to January 23, 2023 Governing Board Meeting 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. Upon motion by Board Member **TIM SILVA**, seconded by Board Member **BRIGIT BENNINGTON**, and carried by the following roll call vote, with ten **AYES** votes by Board Members, **MERL ABEL, ELIZABETH BECERRA, BRIGIT BENNINGTON, PAUL COOK, KARI LEON, DANIEL MINTZ, Sr., V. MANUEL PEREZ, BARBARA RIORDAN, DAWN ROWE and TIM SILVA with Board Members JOSEPH “JOEY” DECONINCK, STEVEVONNA EVANS and JEFF WILLIAMS absent**, the board, continued this item to January 23, 2023 Governing Board Meeting.

Agenda Item 10 – Discuss formation of new Governing Board Committee and direct staff action.

Presenter: Brad Poiriez, Executive Director/APCO.

Brad Poiriez, Executive Director/APCO, presented the background information and answered questions from the Board. It was the consensus of the Board that the formation of an Executive Committee is desirable. Chair **MERL ABEL** directed staff action to proceed with the formation of a new Governing Board Committee at the January meeting and requested that any Board Members interested in serving on this committee contact Mr. Poiriez.

Agenda Item 10 – Executive Director Reports:

Miscellaneous:

- ❖ Sept. 29th – County of SB Public Health issued a Cease and Desist order to Nursery Products until such time as the correct the deficiencies they identified.
- ❖ Oct. 5th – Was California Clean Air Day – we participated via social media sites.
- ❖ Oct. 8th - Conducted a community project called Clean Air Room Pilot program for Hinkley and Barstow residents only, providing a free air filtration unit to qualifying applicants. Like to thank my staff Jorge, Truong, Martial and Ralph who gave up their Saturday to work the event, and a special thanks to City of Barstow and their staff for helping set up and assistance to make this effort a success.
- ❖ Oct. 24th – auditors are on-site this week to begin a financial audit.

Mr. Poiriez updated the Board of past events:

- Sept. 26-27th – Participated in the CAPCOA Legislative retreat and Board meeting. Items included: Welcoming new CARB Executive Officer – Steve Cliff; 2022 Legislative review (successful year overall), SIP updates/concerns, Mobile Source program updates, Energy reliability, Enforcement Coordination; 2023 Priorities.
- Sept. 28-30th – Attended the AAPCA Fall Conference. Was selected as co-chair of the Local Government Committee. Speakers included: Tomas Carbonell, Deputy Asst. Administrator for Stationary Sources, US EPA Office of Air and Radiation – I brought up again the Ozone FIP and EPA headquarters broad approach which is troubling (Cement Kilns and Natural Gas Compression are two source categories called out). They plan to finalize by end of March

2023. Scott Mathias, Director, Air Quality Policy Division, OAQPS : discussed current issues like NAAQS reviews, etc. Also had speakers from EPA on CAA 111 updates, Grid planning, Monitoring, Modeling, Planning, and more.

- Oct. 3rd – met with staff to go over the MSERP (Mobile Source Emission Reductions Program) to discuss program and state incentives outflows.
- Oct. 4-6th – Attended the Medium APCO section meeting. Items discussed: CDAWG, Incentive programs, Wildfire updates, SIP updates/concerns, more and appointed new Medium Section Chair – Ventura County.
- Oct. 7th - staff and I had discussions with EPA regarding rule 1160 – ICE engine rule, hence reason for continuing hearing.
- Oct. 11th – Met with City of Barstow representatives and BNSF representative regarding their recent development announcement of Barstow International Gateway (BIG).
- Oct. 12th- CAPCOA Special Legislative call
- Oct. 12th – Martial(MDAQMD) hosted the High Desert Public Relations Coalition meeting.
- Oct. 19th – Participated in MEEC Board meeting
- Oct. 19-20th - Participated via Zoom the NACAA Fall Conference.
- Oct. 20th - Participated in the AAPCA Air Directors call
- Oct. 21st – Attended the High Desert Economic Summit at VVC

Mr. Poiriez updated the Board of coming events:

- Next Board meeting will be next year January 23rd. This meeting the Board will need to appoint the new Chair and Vice Chair, and also select Committee members. As customary I will send out a brief November and December update, for those of you who may get air quality news withdrawal. Don't forget CDAWG will be Nov. 2 & 3rd.
- Mr. Poiriez informed the Board that Board Member Jeff Williams is not seeking reelection and that the District will be recognizing Mr. Williams for his 8 years of service to the Governing Board and ensure that Mr. Williams receives a service award plaque.

Agenda Item 11 - Board Member Comments and Suggestions for Future Agenda Items.

- Board Members **ABEL, BENNINGTON, BECERRA and LEON** congratulated those staff members recognized for their years of service.
- Board Member **RIORDAN** inquired if the Clean Air Room Pilot program, air filtration unit, for Hinkley and Barstow residents provides for a maintenance follow-up. Ms. Riordan suggested that a public service announcement be made prior to the one-year recommend filter change. Ms. Riordan wished all Happy Holidays.
- Board Member **SILVA** commented that the Barstow International Gateway project is 95% rail to rail. Mr. Silva thanked the Board for the service award recognition.

Being no further business, Chair **MERL ABEL** adjourned the meeting at **10:36 a.m.** to the next Regular Meeting of **January 23, 2023.**

ACTION OF THE GOVERNING BOARD

APPROVED

Upon Motion by **DANIEL MINTZ, Sr.**, seconded by **MERL ABEL**, as approved by the following **roll call vote**:

Ayes: **10** **ABEL, BECERRA, BENNINGTON, COOK, LEON, MCCORKLE, MINTZ, PEREZ, RIORDAN, ROWE**

Noes:

Absent: **1** **DECONINCK**

Abstain: **2** **REYES, HERNANDEZ**

DEANNA HERNANDEZ, SENIOR EXECUTIVE ANALYST

BY *Deanna Hernandez*

Dated: January 23, 2023