

Air Pollution Control District Governing Board
San Diego County Air Pollution Control District
AGENDA ITEM # 02

DATE: **November 4, 2021**

TO: Air Pollution Control District Governing Board

SUBJECT:
AIR POLLUTION CONTROL DISTRICT ADVISORY COMMITTEE

REQUESTED ACTION:
Discontinue the Air Pollution Control District Advisory Committee.

OVERVIEW:
The Air Pollution Control District (District) Advisory Committee (Committee) was created on June 22, 1988 by the San Diego County Board of Supervisors, sitting as the Air Pollution Control Board. The Committee was structured to have nine members: five public members appointed by each of the five Supervisors, two environmental group representatives, and two business representatives. The Committee was tasked with making recommendations to the District and the Air Pollution Control Board on matters relating to the “District’s annual budget, permit fees, annual progress reports, and regulatory changes.” Over time, the Committee membership has dwindled to as few as two or three members, and occasionally failed to make quorum. The Committee has not met since January 13, 2021, and has only three members at this time.

In July 2020, the California State Auditor (Auditor) released its final audit of the District. The audit noted the many long-standing vacancies on the Committee, and noted that the restructuring of the District Governing Board pursuant to AB 423 (Gloria, 2019) included the appointment of public members to the Governing Board. As a result, the Auditor recommended that, “Because the new district board will include additional stakeholders who represent some of the interests that the advisory committee was intended to represent, the district board should determine whether the advisory committee is still necessary.”

District staff recommends that the Governing Board discontinue the Advisory Committee for several reasons. First, as the Auditor noted, it has been difficult to fill vacancies on the Committee over the last several years. Also, the Governing Board now has public members representing health professional, environmental justice, and technical viewpoints, which are some of the interests that the Committee was designed to represent. Most importantly, APCD has other, more effective avenues to obtain stakeholder input on policy matters. These include regular public workshops for rule amendments, fees, and budget adoption, in addition to monthly meetings of the Portside Environmental Justice Steering Committee, separate quarterly meetings with the APCD/ Industrial Working Group and the Navy, as well as stakeholder outreach. Additionally, the District is developing a public participation plan which will further inform these processes. As a result, staff recommends that the Advisory Committee be discontinued in existence.

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FISCAL IMPACT:

N/A

ENVIRONMENTAL STATEMENT:

The requested action is not a project subject to the California Environmental Quality Act (“CEQA”). CEQA Guidelines Section 15378(b)(5) provides that the definition of project does not include, “Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.”

PREVIOUS RELEVANT BOARD ACTIONS:

N/A

PUBLIC ENGAGEMENT AND OUTREACH:

District Staff consulted with representatives from the Industrial Environmental Association and the Environmental Health Coalition regarding the necessity of the Advisory Committee, as well as staff’s recommendation that it be discontinued. The representatives did not express concerns, due to the other ongoing forms of public outreach, including public workshops for District rule and budget actions, and the regular meetings of the Portside Environmental Justice Steering Committee and the APCD/Industrial Working Group.

ATTACHMENT(S):

Attachment A – Air Pollution Control Board Resolution Amending the Resolution Establishing the Air Pollution Control District Advisory Committee, adopted May 28, 1991.

SUBMITTED BY:

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