

Antelope Valley Air Quality Management District Governing Board Regular Meeting

Agenda

LOCATION

**ANTELOPE VALLEY AQMD District Office
43301 Division Street, Suite 206
Lancaster, CA 93535
661.723.8070**

**TUESDAY, DECEMBER 17, 2019
10:00 A.M.**

BOARD MEMBERS

Marvin Crist, Chair, City of Lancaster
Austin Bishop, Vice Chair, City of Palmdale
Ron Hawkins, Los Angeles County
Howard Harris, Los Angeles County
Ken Mann, City of Lancaster
Steven Hofbauer, City of Palmdale
Newton Chelette, Public Member

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 FIVE 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 DISTRICT OFFICE OF THE GOVERNING BOARD, 43301 DIVISION STREET, SUITE 206, LANCASTER, CA 93535 AND THE TELECONFERENCE LOCATION(S), IF APPLICABLE. 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.

PUBLIC COMMENTS ON ANY AGENDA ITEM WILL BE HEARD AT THE TIME OF DISCUSSION OF THE AGENDA ITEM. PUBLIC COMMENTS NOT PERTAINING TO AGENDA ITEMS WILL BE HEARD DURING THE PUBLIC COMMENT PERIOD BELOW.

CALL TO ORDER 10:00 A.M.

Pledge of Allegiance.

Roll Call

Election of Chair and Vice Chair for 2020.

PUBLIC COMMENT

CONSENT CALENDAR

The following consent items are expected to be routine and non-controversial and will be acted upon by the Board at one time without discussion unless a Board Member requests an item be held for discussion under DEFERRED ITEMS.

1. [Approve Minutes from Regular Governing Board Meeting of November 19, 2019.](#)
2. [Monthly Grant Funding Summary. Receive and file. Presenter: Bret Banks, Executive Director/APCO.](#)
3. [Monthly Activity Report. Receive and file. Presenter: Bret Banks, Executive Director/APCO.](#)
4. [Approve payment to MDAQMD in the total amount of \\$132,821.79, subject to availability of funds, for services provided during the month of October 2019. Presenter: Bret Banks, Executive Director/APCO.](#)
5. [Receive and file the Financial Report. The Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at October 31, 2019, which provides financial information and budget performance concerning the current fiscal status of the District. Presenter: Bret Banks, Executive Director/APCO.](#)

ITEMS FOR DISCUSSION

DEFERRED ITEMS

NEW BUSINESS

6. [Conduct a public hearing to consider the adoption of the Federal Negative Declaration for One Control Techniques Guideline\(CTG\) Source Category \(Oil and Natural Gas Industry\): 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, adoption of the Federal Negative Declaration for One CTG Source Category \(Oil and Natural Gas Industry\) and directing staff actions. Presenter: Barbara Lods, Operations Manager.](#)
7. [1\) Approve the FY 19-20 Application for Carl Moyer Program Year 22 Funds and authorize its submission to the California Air Resources Board \(CARB\); 2\) Allocate a maximum of 15 percent of Mobile Source Emissions Reduction \(MSER\)](#)

Program funds to serve as the required match funding for the Carl Moyer Memorial Air Quality Standards Attainment Program (the Moyer Program); and 3) Authorize the Executive Director/APCO and staff to execute the agreement, approved as to legal form. Presenter: Julie McKeehan, Grants Analyst.

8. 1) Allocate \$25,000 in Mobile Source Emissions Reduction Program funds (AB 2766) in support of public transit programs in the Antelope Valley; and 2) Authorize the Executive Director/APCO and staff to negotiate target time frames, technical project details and agreements, approved as to legal form by the Office of District Counsel. Presenter: Bret Banks, Executive Director/APCO.
9. Presentation Community Air Protection Grant. Presenter: Bret Banks, Executive Director/APCO.
10. Reports: Governing Board Counsel, Executive Director/APCO, Staff.
11. Board Member Reports and Suggestions for Future Agenda Items.
12. Adjourn to Regular Governing Board Meeting of Tuesday, January 21, 2020.

In compliance with the Americans with Disabilities Act, if special assistance is needed to participate in the Board Meeting, please contact the Executive Director during regular business hours at 661.723.8070 x22. 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 43301 Division Street, Suite 206, Lancaster, CA 93535 or by contacting Deanna Hernandez at 760.245.1661 x6244 or by email at dhernandez@mdaqmd.ca.gov .

Mailed & Posted on: Tuesday, December 10, 2019.

Deanna Hernandez

Deanna Hernandez

The following page(s) contain the backup material for Agenda Item: [Approve Minutes from Regular Governing Board Meeting of November 19, 2019.](#)

Please scroll down to view the backup material.

**ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
GOVERNING BOARD MEETING
TUESDAY, NOVEMBER 19, 2019
ANTELOPE VALLEY DISTRICT OFFICE
LANCASTER, CA**

Draft Minutes

Board Members Present:

Marvin Crist, Chair, City of Lancaster
Austin Bishop, Vice Chair, City of Palmdale
Howard Harris, Los Angeles County
Ron Hawkins, Los Angeles County
Steven Hofbauer, City of Palmdale
Raj Malhi, City of Lancaster

Board Members Absent:

Newton Chelette, Public Member

CALL TO ORDER

Chair **CRIST** called the meeting to order at 10:01 a.m. Chair **CRIST** asked Board Member Ron Hawkins to lead the Pledge of Allegiance. Roll call was taken.

PUBLIC COMMENT

❖ None.

CONSENT CALENDAR

Agenda Item #1 – Approve Minutes from Regular Governing Board Meeting of October 15, 2019.

Upon Motion by **HARRIS**, seconded by **MALHI**, and carried unanimously, the Board **Approved** Minutes from Regular Governing Board Meeting of October 15, 2019.

Agenda Item #2 – Monthly Grant Funding Summary. Receive and file.

Presenter: Bret Banks, Executive Director/APCO.

Upon Motion by **HARRIS**, seconded by **MALHI**, and carried unanimously, the Board **Received and Filed** Monthly Grand Funding Summary.

Agenda Item #3 – Monthly Activity Report. Receive and file.

Presenter: Bret Banks, Executive Director/APCO.

Upon Motion by **HARRIS**, seconded by **MALHI**, and carried unanimously, the Board **Received and Filed** Monthly Activity Report.

Agenda Item #4 – Approve payment to MDAQMD in the total amount of \$127,589.02, subject to availability of funds, for services provided during the month of September 2019.

Presenter: Bret Banks, Executive Director/APCO.

Upon Motion by **HARRIS**, seconded by **MALHI**, and carried unanimously, the Board, **approved** payment to MDAQMD in the total amount of \$127,589.02, subject to availability of funds, for services provided during the month of September 2019.

Agenda Item #5 – Receive and file the Financial Report. The Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at September 30, 2019, which provides financial information and budget performance concerning the current fiscal status of the District.

Presenter: Bret Banks, Executive Director/APCO.

Upon Motion by **HARRIS**, seconded by **MALHI**, and carried unanimously, the Board, **received and filed** the Financial Report. The Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at September 30, 2019, which provides financial information and budget performance concerning the current fiscal status of the District.

ITEMS FOR DISCUSSION

DEFERRED ITEMS

None.

NEW BUSINESS

Agenda Item #6 – Conduct a public hearing to consider the amendment of Rule 300 – Delinquency Penalty; a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make a determination that the CEQA Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption, amending Rule 300 and directing staff actions.

Presenter: Bret Banks, Executive Director/APCO.

Chair **CRIST** opened the public hearing. Executive Director/APCO Bret Banks presented the staff report and answered questions from the Board. Chair **CRIST** called for public comment, being none, Chair **CRIST** closed the public hearing, made the determination that the CEQA Categorical Exemption applies, and waived reading of the resolution. Chair **CRIST** directed staff to provide statics for the Board. After discussion and upon Motion by **HARRIS**, seconded by **MALHI**, and carried with five **AYES** votes by Board Members **MARVIN CRIST, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and RAJ MALHI**, the Board, **Adopted Resolution 19-04, “A RESOLUTION OF THE GOVERNING BOARD OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING THE NOTICE OF EXEMPTION, AMENDING RULE 300 – DELINQUENCY PENALTY AND DIRECTING STAFF ACTIONS.”**

Agenda Item #7 – 1) Authorize the acceptance of Community Air Protection (CAP) Funds; 2) Accept the terms and conditions for the funds; and 3) Authorize the Executive Director/APCO and staff to execute the agreement, approved as to legal form, and to negotiate and execute agreements for eligible projects.

Presenter: Bret Banks, Executive Director/APCO.

Executive Director/APCO Bret Banks presented the staff report and answered questions from the Board. After discussion and upon Motion by **HARRIS**, seconded by **HOFBAUER**, and carried with five **AYES** votes by Board Members **MARVIN CRIST, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and RAJ MALHI**, the Board, 1) **Authorized** the acceptance of Community Air Protection (CAP) Funds; 2) **Accepted** the terms and conditions for the funds; and 3) **Authorized** the Executive Director/APCO and staff to execute the agreement, approved as to legal form, and to negotiate and execute agreements for eligible projects.

Agenda Item #8 – 1) Allocate an amount not to exceed \$120,000 in Mobile Source Emission Reduction Program (AB 923) funds for assisting local business owners in replacing older, heavy-duty diesel vehicles with newer, cleaner engine technology; and 2) Authorize the Executive Director/APCO and staff to

negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel, and pending review by the Governing Board Chairman.

Presenter: Julie McKeehan, Grants Analyst.

Grant Analyst Julie McKeehan presented the staff report and answered questions from the Board. After discussion, and upon Motion by **HOFBAUER**, seconded by **BISHOP**, and carried with six **AYES** votes by Board Members **MARVIN CRIST, AUSTIN BISHOP, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and RAJ MALHI**, the Board, 1) **Allocated** an amount not to exceed \$120,000 in Mobile Source Emission Reduction Program (AB 923) funds for assisting local business owners in replacing older, heavy-duty diesel vehicles with newer, cleaner engine technology; and 2) **Authorized** the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel, and pending review by the Governing Board Chairman.

Agenda Item #9 – 1) Award an amount not to exceed \$13,158 in Mobile Source Emission Reductions Program (AB 923) funds to Antelope Valley Chevrolet for an electric vehicle charging station; and 2) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details, and execute an agreement approved as to legal form by the Office of District Counsel.

Presenter: Julie McKeehan, Grants Analyst.

Grant Analyst Julie McKeehan presented the staff report and answered questions from the Board. After discussion, and upon Motion by **HOFBAUER**, seconded by **BISHOP**, and carried with six **AYES** votes by Board Members **MARVIN CRIST, AUSTIN BISHOP, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and RAJ MALHI**, the Board, 1) **Awarded** an amount not to exceed \$13,158 in Mobile Source Emission Reductions Program (AB 923) funds to Antelope Valley Chevrolet for an electric vehicle charging station; and 2) **Authorized** the Executive Director/APCO and staff to negotiate target time frames and technical project details, and execute an agreement approved as to legal form by the Office of District Counsel.

Agenda Item #10 – Presentation: Managing Public Safety Power Shutoffs.

Presenter: Bret Banks, Executive Director/APCO.

Executive Director/APCO Bret Banks presented the Managing Public Safety Power Shutoffs. Chair **CRIST** directed staff to develop a program to provide generators to those who may qualify and to research legislative annexation of Acton. No action required of the Board, this item was informational only.

Agenda Item #11 – Reports.

Governing Board Counsel –

- Wished all a Happy Thanksgiving.

Executive Director/APCO –

- Informed the Governing Board of the Trump Administration decision to attempt to revoke California's waiver to set pollution limits for cars and light trucks.
- Publicly recognized Board Member and Mayor of Palmdale Steven Hofbauer for completing the League of California Cities' prestigious Torch Program's Level III. The Torch Level III is the highest achievement level offered by the League through their education program for mayors and council members who are seeking continuing education to enhance their knowledge and skills in order to better serve the public.
- Publicly recognized the City of Lancaster for receiving the Los Angeles County Economic Development Corporation Eddy Award as the most business-friendly city with a population greater than 50,000 in Los Angeles County. This was the third time City of Lancaster has been recognized with an Eddy Award.
- Publicly recognized staff member Julie McKeehan for 10 years of service.

- Publicly recognized staff member Jason Mentry for receiving the Rodney Swatzenruber Outstanding Inspector Award during a ceremony at the Enforcement Managers Committee's Fall Conference of the California Air Pollution Control Officers Association (CAPCOA).

Staff –

- None.

Agenda Item #12 – Board Member Reports and Suggestions for Future Agenda Items.

- None.

Agenda Item #13 – Adjourn to Regular Governing Board Meeting of Tuesday, December 17, 2019.

Being no further business, the meeting adjourned at 10:53 a.m. to the next regularly scheduled Governing Board Meeting of Tuesday, December 17, 2019.

The following page(s) contain the backup material for Agenda Item: [Monthly Grant Funding Summary. Receive and file. Presenter: Bret Banks, Executive Director/APCO.](#)
Please scroll down to view the backup material.

Item #2 – Grant Funds Project Summary

November 2019

AB 2766 (\$4 DMV Fee)

\$426,500 Annually by Monthly Distribution

These fees fund the District’s Mobile Source Emission Reductions (MSER) Grant Program. The funds must be used “to reduce air pollution from motor vehicles and for related planning, monitoring, enforcement, and technical studies necessary for the implementation of the California Clean Air Act of 1988”.

Funding Limits: No surplus emission reductions or cost-effectiveness limit requirements.

Current Balance: \$ 106,205.00

PROPOSED PROJECTS

<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
Dec-19	Public Transit Programs-Member Agencies	25,000.00	
BALANCE PENDING APPROVAL		\$ 81,205.00*	

*Balance does not include the 3 pending to LBC

AB 2766 Approved Funding Awards			
<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
Feb-18	Kyle & Kyle Ranches On-road Vehicle Project	\$ 68,016.00	paid
Feb-18	LBC – Bus Replacement Project #1 of 7	71,848.00	paid
Feb-18	LBC – Bus Replacement Project #2 of 7	74,733.00	paid
Feb-18	LBC – Bus Replacement Project #3 of 7	69,121.00	paid
Feb-18	LBC – Bus Replacement Project #4 of 7	69,121.00	paid
Feb-18	LBC – Bus Replacement Project #5 of 7	83,860.00	pending*
Feb-18	LBC – Bus Replacement Project #6 of 7	83,860.00	pending*
Feb-18	LBC – Bus Replacement Project #7 of 7	83,860.00	pending*
Mar-18	Kyle & Kyle Ranches On-road Vehicle Project	31,984.00	paid
Mar-18	2018 Lawn Mower Exchange Program	10,000.00	paid
May-18	AFV Program Add'l Funds	15,000.00	paid
May-18	LBC – Bus Replacement Project #1 of 7	66,516.00	paid
Aug-18	AFV Program Add'l Funds	15,000.00	paid
Aug-18	Antelope Valley College - Student Pass Program	80,000.00	paid
Aug-18	Heritage Sign Company Vehicle Replacement Project	8,720.00	paid
Oct-18	LBC - Bus Replacement Project #1 of 7	5,332.00	paid
Oct-18	American Plumbing Services Vehicle Replacement	10,810.00	paid
Nov-18	UAV Vehicle Replacement Project	27,869.00	paid
Nov-18	AFV Program Add'l Funds	15,000.00	paid
Dec-18	AFV Program Add'l Funds	15,000.00	paid
Dec-18	Paraclete High School Vehicle Replacement Project	35,000.00	partial paid
Dec-18	LA County Sheriff's Palmdale Bio Diesel Truck Project	50,000.00	paid
Mar-19	AFV Program Add'l Funds	15,000.00	paid
Apr-19	AFV Program Add'l Funds	30,000.00	paid
Apr-19	Curb Crafters Vehicle Replacement	19,029.00	pending
July-19	AFV Program Add'l Funds	20,000.00	paid
Sept-19	AFV Program Add'l Funds	50,000.00	paid
Oct-19	Kyle & Kyle Ranches HD Truck Replacement Project	40,000.00	pending

AB 923 (\$2 DMV Fee)**\$609,500 Annually by Monthly Distribution**

These fees fund the District's Mobile Source Emission Reductions (MSER) Grant Program. The funds must be used to remediate air pollution harms created by motor vehicles.

Funding Limits: Carl Moyer eligible projects; unregulated agriculture vehicles and equipment; school bus projects; light-duty vehicle retirement program; and alternative fuel and electric infrastructure projects. Surplus emission reductions required. Subject to cost-effectiveness limit.

Current Balance: \$ 227,442.00

PROPOSED PROJECTS

<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
BALANCE PENDING APPROVAL		\$ 227,442.00	

AB 923 Approved Funding Awards			
<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
Jan-18	Wilsona School District EV School Bus Charging Project	\$ 49,976.00	paid
Feb-18	Vehicle Retirement Program Add'l Funds	47,000.00	paid
Mar-18	2018 Lawn Mower Exchange Program	10,000.00	paid
Mar-18	Robertsons Palmdale Honda EV Charging Project	86,000.00	paid
May-18	Home2 Suites by Hilton Palmdale EV Charging Project	15,200.00	paid
May-18	Sierra Commons EV Charging Project	30,640.00	paid
Sep-18	AV Harley-Davidson EV Charging Project	20,000.00	paid
Nov-18	Vehicle Retirement Program Add'l Funds	50,000.00	paid
Dec-18	High Desert Dairy Equipment Replacement Project	54,918.00	paid
Dec-18	AVTA EV Charging Project	50,000.00	pending
Dec-18	AVSTA (3) New Electric School Buses	28,669.00	pending
June-19	Waste Management-AV CNG Station	279,515.00	pending
June-19	City of Lancaster EV Charging City-MOAH	10,000.00	pending
July-19	Waste Management-AV CNG Station add'l funds	70,000.00	pending
July-19	Learn 4 Life EV Charging Project	47,591.00	pending
Sept-19	AVSTA CNG Fueling Station Project	104,000.00	pending
Oct-19	XL Hybrid Plug-In Truck Pilot Project	164,694.00	pending
Nov-19	Truck and Bus Replacement Project	120,000.00	pending

Carl Moyer Program**\$701,500 Annually**

Carl Moyer Program (CMP) funds provide incentives to gain early or extra emission reductions by retrofitting, repowering, or replacing older more polluting engines with newer, cleaner engines including zero and near zero emission technologies. CMP funding categories include on-road heavy-duty vehicles, off-road equipment, locomotives, marine vessels, light-duty passenger vehicles, lawn mower replacement and alternative fuel infrastructure projects. Surplus emission reductions required. Subject to cost-effectiveness limit.

Current Balance: \$ 0.00

PROPOSED PROJECTS

<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
	none	0.00	
BALANCE PENDING APPROVAL		\$ 0.00	

Carl Moyer Program Approved Funding Awards			
<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
Apr-18	McWhirter Steel Forklift Replacement Project	\$ 185,943.00	paid
May-18	McCarthy Steel Forklift Replacement Project	59,155.00	paid
June-18	Gall Brothers Engineering Equipment Replacement Proj	94,211.00	paid
Jul-18	Fine Grade Equipment Replacement Project	240,850.00	paid
Aug-18	Heritage Sign Company Vehicle Replacement Project	23,545.00	paid
Oct-18	American Plumbing Service Vehicle Replacement Proj	14,112.00	paid
Dec-18	Bills Landscaping Equipment Replacement Project	94,700.00	paid
Dec-18	High Desert Dairy Equipment Replacement Project	45,082.00	paid
Deposit	Carl Moyer Program Yr. 21 FY 18-19	661,741.00	received
Mar-19	Commercial Lawn and Garden Exchange Program	200,000.00	paid
Apr-19	AV Fair Assoc. ERP Aerial Lift Proj. 4	93,140.00	paid
Apr-19	Curb Crafters On-road Replacement Project	14,363.00	pending
June-19	Alameda Metals Corporation ERP	214,111.00	paid
Deposit	Carl Moyer Program Interest FY 18-19	15,179.00	received
Oct-19	XL Plug-In Hybrid Truck Pilot Project	115,306.00	pending

AB 617 Community Air Protection (CAP) Implementation**\$79,305 FY 18/19 Allocation**

The purpose of AB 617 is to reduce emission sources in disadvantaged and low income communities by community-based air monitoring and local emission reduction programs. Funding is allocated to Air Districts to implement and administer all aspects of AB 617. These funds support community collaborative/community involved programs such as the deployment of air monitoring systems (i.e. Purple Air Sensors) and supporting local emission reductions programs. As a result, the AVAQMD is able to create new and enhance existing programs (i.e. lawn and garden equipment replacement, vehicle retirement, light-duty alternative fuel vehicle purchase incentive and residential electric vehicle charging) suggested by individual residents and group members as programs that best serve emission reductions within the community).

Current Balance: \$ 0.00**PROPOSED PROJECTS**

<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
	none	0.00	
BALANCE PENDING APPROVAL		\$ 0.00	

AB 617 CAP Admin. Approved Funding Awards			
<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
June-18	AB 617 CAP Implementation Funds FY 17-18 (Initial)	\$ 65,569.00	received
Oct-18	AB 617 CAP Implementation Funds FY 17-18 (Amend)	75,000.00	received
Feb-19	Lawn Mower Exchange Events 2019	45,000.00	paid
Mar-19	Admin Support Costs	15,489.00	paid
Mar-19	Commercial Lawn and Garden Program	75,000.00	paid
Apr-19	Air Quality Sensors	4,440.00	paid
Deposit	AB 617 CAP Implementation Funds FY 18-19	79,305.00	received
Aug-19	CAP AFV Incentive Program	75,000.00	paid
Oct-19	Admin Support Costs	11,145.00	paid

AB 134 Community Air Protection (CAP) Projects**\$1,088,281 FY 18/19 Allocation**

The purpose of AB 134 funds is to implement projects under the Carl Moyer Program specifically for projects that meet the goals of AB 617. These funds are focused on replacing older polluting engines operating in disadvantaged and low-income communities with newer, cleaner engines prioritizing zero-emission projects. CMP funding categories include on-road heavy-duty vehicles, off-road equipment, locomotives, marine vessels, light-duty passenger vehicles, lawn mower replacement and alternative fuel infrastructure projects. Surplus emission reductions required. Subject to cost-effectiveness limit.

Current Balance: \$ 1,088,281.00

PROPOSED PROJECTS

<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
	none	0.00	
BALANCE PENDING APPROVAL		\$ 1,088,281.00	

AB 134 CAP Projects Approved Funding Awards			
<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
June-18	AB 134 CAP through Carl Moyer	\$ 468,750.00	received
Dec-18	AVSTA (3) New Electric School Buses	-468,750.00	pending
Deposit	CAP Interest FY 17/18	2581.00	received
Dec-19	AVSTA (3) New Electric School Buses	-2581.00	pending

NOx Remediation Measure (NRM)**\$53,644 FY 18/19 Allocation**

The purpose of NOx Remediation funds are to remediate any potential past emissions attributed to the Low Carbon Fuel Standard (LCFS) Regulation through a new NOx Remediation Measure (NRM) that replace diesel engines with low-NOx engines and tracks the progress of the NRM. Eligible projects are those eligible under the Carl Moyer Program with significant NOx emission reductions at a cost-effective limit of \$10,000/ton or less.

Current Balance: \$ 0.00

PROPOSED PROJECTS

<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
	none	0.00	
BALANCE PENDING APPROVAL		\$ 0.00	

NRM Approved Funding Awards			
<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
May-18	NOx Remediation Measure Funds (Initial)	\$ 26,634.00	received
June-18	NOx Remediation Measure Funds (Amend)	27,010.00	received
Jul-18	Fine Grade Equipment Replacement Project	53,644.00	paid

The following page(s) contain the backup material for Agenda Item: [Monthly Activity Report. Receive and file. Presenter: Bret Banks, Executive Director/APCO.](#)
Please scroll down to view the backup material.

Item #3 Monthly Activity Report – November 2019

	<u>NOV 2019</u>	<u>NOV 2018</u>	<u>YTD (7/1/20)</u>
Complaints	0	0	4
Complaint Investigations	0	0	4
Asbestos Notifications	14	13	41
Asbestos Inspections	0	0	0
Permit Inspections	246	197	756
Permit Inspections in Compliance (%)	100	100	100
Notice of Violation (NOV)	0	0	0

***Outstanding NOVs**

- AV00000210, Issued 03/2018
- AV00000219 Issued 06/2019

Number of Active Companies: 284
Number of Active Facilities: 516
Number of Active Permits: 1105

Project Comment Letters – November 2019

Attached

Agenda Item #3

	A	B	C	D	E	F	G
1			AVAQMD CEQA PROJECTS				
2			BOARD MEETING				
3			12/17/2019				
4							
5	Date Rec'd	Location	Project Name	Description	Comment	Date Due	Date Sent
6	11/4/2019	Lancaster	TPM 82826-William J. Barnes Ave	Tentative Parcel Map 82826 located along William J. Barnes Avenue between 45 th Street West and 47 th Street West. The proposed project is to subdivide a parcel into 16 lots for a previously approved cannabis cultivation facility (CUP 17-16).	No Comment	12/1/2019	11/5/2019
7	11/6/2019	Lancaster	TTM 82777	Tentative Tract Map 82777 located at the southwest corner of Avenue J-8 and 65 th Street West (APN: 3203-018-114) on approximately 4.3 acres. The proposed project is to subdivide a parcel into 36 single family lots.	No Comment	12/6/2019	11/12/2019
8	11/7/2019	Palmdale	TTM 60431	Tentative Tract Map 60431 Major Modification Determination of Application Completeness/Condition Setting to subdivide 75 acres into 155 residential lots to be located at Avenue M-8 between 70 th and 75 th Street West	DCP CARB Equipment	11/19/2019	11/8/2019
9	11/7/2019	Palmdale	Avenue S Storage Partners, LLC	Site Plan Review 19-015 Determination of Application Completeness/Condition Setting to construct six buildings with an attached office/apartment for a commercial use to an existing self-storage facility located at the northeast corner of Avenue S and 10 th Street East (APN: 3010-024-036)	Rule 403 Rule 219 CARB Equipment	11/19/2019	11/8/2019
10	11/7/2019	Palmdale	10th Street Apartments	Pre-Application 17-039 Conceptual Review to develop a 1.07 acre parcel into a 30 unit apartment complex totaling 33,932 square feet to be located on the west side of 10 th Street East between Avenues Q-4 and Q-5 (APNs 3008-038-011, -013, -015, -019, -034, and -037)	Rule 403 Rule 219 CARB Equipment	11/19/2019	11/8/2019

	A	B	C	D	E	F	G
1			AVAQMD CEQA PROJECTS				
2			BOARD MEETING				
3			12/17/2019				
4							
5	Date Rec'd	Location	Project Name	Description	Comment	Date Due	Date Sent
11	11/21/2019	Palmdale	Boulevard Storage East	Pre-Application 19-027 Conceptual Review. The request to develop a 10 acre parcel into 15 commercial buildings (storage facility and gasoline station with mini-mart) totaling 65,675 square feet to be located at the northeast corner of Palmdale Boulevard and 52 nd Street East.	DCP CARB Equipment Rule 461-Permits	12/3/2019	11/22/2019
12	11/21/2019	Palmdale	Sam Yellen Park Expansion	Conditional Use Permit 11-006 Major Modification-Determination of Application Completeness/Condition Setting, for the expansion of Sam Yellen Park by approximately 12 acres into Phase 2 of the community park including one building totaling 1,500 square feet to be located at 5100 East Avenue S (APN: 3051-015-905).	DCP CARB Equipment	12/3/2019	11/22/2019
13	11/21/2019	Palmdale	Rancho Vista Community Park	Site Plan Review 1-02-1 Major Modification-Determination of Application Completeness/Condition Setting for the request to develop approximately 3.5 acres into a community park including one building totaling 350 square feet to be located at the northwest corner of Town Center Drive and 35 th Street West (APN:3001-003-913 and 918) within the Rancho Vista Specific Plan	No Comment	12/3/2019	11/22/2019
14	11/21/2019	Palmdale	TPM 74075	Tentative Parcel Map 74075 Time Extension No. 1-Determination of application Completeness/Condition Setting requesting a three-year time extension to a previously approved parcel map to subdivide 80 acres into four industrial lots to be located south of Avenue L, west of 40 th Street East	No Comment	12/3/2019	11/22/2019

	A	B	C	D	E	F	G
1			AVAQMD CEQA PROJECTS				
2			BOARD MEETING				
3			12/17/2019				
4							
5	Date Rec'd	Location	Project Name	Description	Comment	Date Due	Date Sent
15	11/21/2019	Palmdale	Sierra Industrial Park	Site Plan Review 19-017 (previously Pre-Application 18-024) Determination of Application Completeness/Condition Setting to construct two commercial/industrial buildings on approximately 5.72 acres located on the west side of Sierra Highway approximately 1,700 feet south of Avenue M (APNs:3128-015-092 and -093)	DCP CARB Equipment	12/17/2019	11/22/2019

The following page(s) contain the backup material for Agenda Item: [Approve payment to MDAQMD in the total amount of \\$132,821.79, subject to availability of funds, for services provided during the month of October 2019. Presenter: Bret Banks, Executive Director/APCO.](#)

Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM #4

DATE: December 17, 2019

RECOMMENDATION: Approve payment to MDAQMD in the total amount of \$132,821.79.

SUMMARY: The District contracts for services with MDAQMD; invoices for services are presented for payment.

BACKGROUND: Key Expenses: Staffing costs \$111,500.00 and audit costs \$4,486.00.

REASON FOR RECOMMENDATION: The AVAQMD Governing Board must authorize all payments to the MDAQMD.

REVIEW BY OTHERS: This item was reviewed by Allison Burns, Special Counsel as to legal form; and by Bret Banks, Executive Director/APCO, on or before November 27, 2019.

FINANCIAL DATA: The contract and direct expenditure amounts are part of the approved District budget for FY 20. No change in appropriations is anticipated as a result of the approval of this item.

PRESENTER: Bret Banks, Executive Director/APCO



Mojave Desert AQMD
 14306 Park Avenue
 Victorville, CA 92392
 760.245.1661

Due Date **DUE UPON RECEIPT**
 Invoice Date **10/31/2019**
 Invoice Number **42429**

INVOICE

Bill To :
ANTELOPE VALLEY AQMD 43301 DIVISION ST. SUITE 206 LANCASTER, CA 93535
Company ID 10193

FY20	Amount
Program Staff	111,500.00
Overhead	16,311.45
Professional Services	4,494.83
Travel & Training	95.00
Vehicles Expenses	420.51
<p>TO INSURE PROPER CREDIT - PLEASE INCLUDE A COPY OF THE INVOICE WITH YOUR PAYMENT</p> <p>FOR CREDIT CARD PAYMENTS PLEASE VISIT www.mdaqmd.ca.gov</p>	
	Invoice Total 132,821.79 Amount Paid 0.00
MAKE CHECKS PAYABLE TO MOJAVE DESERT AQMD PLEASE INCLUDE THE INVOICE NUMBER ON THE CHECK	Balance Due 132,821.79

**Mojave Desert AQMD
Expenditures AVAQMD
For Period Ending 10/31/2019**

Financial Report

	<u>Monthly YTD</u>	<u>Actual YTD</u>	<u>Annual Budget</u>	<u>% of Budget</u>
<u>Services & Supplies</u>				
Professional Services				
Payroll Contract	8.83	(446.30)	350.00	(1.28)
Financial Services	4,486.00	5,236.00	20,000.00	0.26
Research Studies	0.00	488.23	0.00	0.00
Total Professional Srvc	4,494.83	5,277.93	20,350.00	0.26
Office Expenses				
Software	0.00	0.00	10,700.00	0.00
Supplies	0.00	500.00	500.00	1.00
Postage	0.00	0.00	1,000.00	0.00
Meeting Expenses	0.00	0.00	150.00	0.00
Total Office Expenditures	0.00	500.00	12,350.00	0.04
Communications				
Dues & Subscriptions				
Travel				
Training	0.00	0.00	500.00	0.00
Recruitment	95.00	915.44	0.00	0.00
Total Travel	95.00	915.44	500.00	1.83
Program Costs				
Legal				
Maintenance & Repairs				
Vehicles				
Vehicle Lease	420.51	819.37	0.00	0.00
Gas & Oil	0.00	1,086.08	1,500.00	0.72
Maintenance	0.00	0.00	50.00	0.00
Repairs	0.00	440.00	0.00	0.00
Total Vehicles Expenses	420.51	2,345.45	1,550.00	1.51
Non-Depreciable Inventory				
Miscellaneous Expense				
Suspense				
Total Services & Supplies	5,010.34	9,038.82	34,750.00	0.26
<u>Capital Expenditures</u>				
Total Expenditures	5,010.34	9,038.82	34,750.00	0.26

The following page(s) contain the backup material for Agenda Item: [Receive and file the Financial Report. The Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at October 31, 2019, which provides financial information and budget performance concerning the current fiscal status of the District. Presenter: Bret Banks, Executive Director/APCO.](#)

Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM #5

DATE: December 17, 2019

RECOMMENDATION: Receive and file.

SUMMARY: The Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at October 31, 2019.

BACKGROUND: The Financial Reports provide financial and budget performance information for the District for the period referenced.

BALANCE SHEET. The balance sheet summarizes the District's financial position as of October 31, 2019.

STATEMENT OF REVENUES & EXPENDITURES. A fund accounting report of all District revenue and related expenditures incurred in the day to day administration of District Operations.

STATEMENT OF ACTIVITY. The target variance for October is 33% of FY20.

District Wide reports details revenue and expenses for the District's operating account and grant funds. *Contracted Services* reports the expenses made by the (MDAQMD) and passed through to the District. *Report Recap* is consolidates both reports.

BANK REGISTERS. This report details the Districts bank activity.

DISTRICT CARDS. This report details purchases made using the District's credit cards.

REASON FOR RECOMMENDATION: Receive and file.

REVIEW BY OTHERS: This item was reviewed by Allison Burns, Special Counsel as to legal form and by Bret Banks, Executive Director/APCO (AVAQMD) on or about November 27, 2019.

PRESENTER: Bret Banks, Executive Director/APCO.

Antelope Valley AQMD
Balance Sheet - Governmental Funds
As of October 31, 2019

Financial Report

	<u>General Fund</u>	<u>AB2766 Mobile Emissions</u>	<u>AB923 Mobile Emissions</u>	<u>Carl Moyer</u>	<u>Total</u>
Assets					
Current Assets					
Cash	2,729,154.88	227,431.73	1,189,471.74	521,736.74	4,667,795.09
Cash Held For Other Fund	(28,722.82)	6,737.06	(49,131.24)	71,117.00	0.00
Receivables	120,822.43	0.00	0.00	0.00	120,822.43
Pre-Paid	11,806.58	0.00	0.00	0.00	11,806.58
Total Current Assets	2,833,061.07	234,168.79	1,140,340.50	592,853.74	4,800,424.10
Total Assets	2,833,061.07	234,168.79	1,140,340.50	592,853.74	4,800,424.10
Liabilities and Net Position					
Current Liabilities					
Payables	265,131.22	0.00	0.00	71,117.00	336,248.22
Accruals	183.89	0.00	0.00	0.00	183.89
Due to Others	700.00	0.00	0.00	0.00	700.00
Unearned Revenue	0.00	0.00	0.00	454,699.82	454,699.82
Total Current Liabilities	266,015.11	0.00	0.00	525,816.82	791,831.93
Restricted Fund Balance	0.00	367,812.06	1,055,552.13	66,331.49	1,489,695.68
Cash Reserves	487,785.00	0.00	0.00	0.00	487,785.00
Unassigned Fund Balance	2,475,331.99	0.00	0.00	0.00	2,475,331.99
Pre-Paid	4,367.68	0.00	0.00	0.00	4,367.68
Change in Net Position	(400,438.71)	(133,643.27)	84,788.37	705.43	(448,588.18)
Total Liabilities & Net Position	2,833,061.07	234,168.79	1,140,340.50	592,853.74	4,800,424.10

Antelope Valley AQMD
Statement of Revenues & Expenditures
For the Period Ending October 31, 2019

Financial Report

	<u>General Fund</u>	<u>AB2766 Mobile Emissions Program</u>	<u>AB923 Mobile Emissions Program</u>	<u>Carl Moyer Program</u>	<u>Total Governmental Funds</u>
Revenues					
Application and Permit Fees	35,558.85	0.00	0.00	0.00	35,558.85
AB 2766 and Other Program Revenues	54,114.87	53,818.73	53,818.73	0.00	161,752.33
Fines	1,687.01	0.00	0.00	0.00	1,687.01
Investment Earnings	0.00	279.73	1,585.11	986.39	2,851.23
Federal and State	0.00	0.00	0.00	0.00	0.00
Miscellaneous Income	0.00	0.00	0.00	0.00	0.00
Total Revenues	91,360.73	54,098.46	55,403.84	986.39	201,849.42
Expenditures					
Program Staff	111,500.00	0.00	0.00	0.00	111,500.00
Services and Supplies	38,297.53	20,000.00	23,895.30	800.00	82,992.83
Contributions to Other Participants	0.00	0.00	0.00	0.00	0.00
Capital Outlay Improvements and Equipment	0.00	0.00	0.00	0.00	0.00
Total Expenditures	149,797.53	20,000.00	23,895.30	800.00	194,492.83
Excess Revenue Over (Under) Expenditures	(58,436.80)	34,098.46	31,508.54	186.39	7,356.59

Antelope Valley AQMD
Statement of Activity - MTD, MTM and YTD
For 10/31/2019

00 District Wide

	M-T-D Actual	Y-T-D Actual	Y-T-D Budget	% Budget to Actual
Revenues				
Permitting	35,739.53	327,927.31	1,072,500.00	(0.31)
Programs	161,752.33	642,459.88	2,570,566.00	(0.25)
Application Fees	7,590.00	29,842.50	30,000.00	(0.99)
State Revenue	0.00	81,320.00	206,305.00	(0.39)
Fines & Penalties	220.01	1,740.02	9,000.00	(0.19)
Interest Earned	2,851.23	23,037.77	22,435.00	(1.03)
Adjustments to Revenue	(6,303.68)	(388,345.79)	0.00	0.00
Total Revenues	201,849.42	717,981.69	3,910,806.00	(0.18)
Expenses				
Office Expenses	8,203.81	28,249.33	102,575.00	0.28
Communications	1,431.19	5,524.76	20,500.00	0.27
Vehicles	8.75	439.56	10,000.00	0.04
Program Costs	44,995.30	591,735.77	2,060,266.00	0.29
Travel	969.45	3,707.73	10,150.00	0.37
Professional Services				
Research Studies	0.00	0.00	6,000.00	0.00
Consulting Fees	0.00	0.00	3,000.00	0.00
Stipends	600.00	2,500.00	8,400.00	0.30
Maintenance & Repairs	225.00	900.00	6,500.00	0.14
Non-Depreciable Inventory	321.86	(238.14)	10,000.00	(0.02)
Dues & Subscriptions	3,946.00	7,945.95	20,500.00	0.39
Legal	969.68	5,019.38	19,000.00	0.26
Miscellaneous Expense	0.00	(76.42)	915.00	(0.08)
Suspense	0.00	598.97	0.00	0.00
Capital Expenditures	0.00	0.00	95,000.00	0.00
Total Expenses	61,671.04	646,306.89	2,372,806.00	0.27
Program Staff				
Excess Revenue Over (Under) Expenditures	140,178.38	71,674.80	1,538,000.00	(0.05)

Antelope Valley AQMD
Statement of Activity - MTD, MTM and YTD
For 10/31/2019

10 Contracted Services

	M-T-D Actual	Y-T-D Actual	Y-T-D Budget	% Budget to Actual
<u>Revenues</u>				
<u>Expenses</u>				
Office Expenses	0.00	500.00	0.00	0.00
Vehicles	420.51	2,345.45	0.00	0.00
Travel	95.00	95.00	0.00	0.00
Professional Services				
Payroll Contract	8.83	53.70	0.00	0.00
Financial Audit & Actuarial Svcs	20,797.45	69,127.95	200,000.00	0.35
Research Studies	0.00	500.00	0.00	0.00
Consulting Fees	0.00	1,640.88	0.00	0.00
Total Expenses	21,321.79	74,262.98	200,000.00	0.37
<u>Program Staff</u>				
Program Staff	111,500.00	446,000.00	1,338,000.00	0.33
Total Program Staff	111,500.00	446,000.00	1,338,000.00	0.33
Excess Revenue Over (Under) Expenditures	(132,821.79)	(520,262.98)	(1,538,000.00)	(0.34)

Antelope Valley AQMD
Statement of Activity - MTD, MTM and YTD
For 10/31/2019

Report Recap

	M-T-D Actual	Y-T-D Actual	Y-T-D Budget	% Budget to Actual
Revenues				
Permitting	35,739.53	327,927.31	1,072,500.00	(0.31)
Programs	161,752.33	642,459.88	2,570,566.00	(0.25)
Application Fees	7,590.00	29,842.50	30,000.00	(0.99)
State Revenue	0.00	81,320.00	206,305.00	(0.39)
Fines & Penalties	220.01	1,740.02	9,000.00	(0.19)
Interest Earned	2,851.23	23,037.77	22,435.00	(1.03)
Adjustments to Revenue	(6,303.68)	(388,345.79)	0.00	0.00
Total Revenues	201,849.42	717,981.69	3,910,806.00	(0.18)
Expenses				
Office Expenses	8,203.81	28,749.33	102,575.00	0.28
Communications	1,431.19	5,524.76	20,500.00	0.27
Vehicles	429.26	2,785.01	10,000.00	0.28
Program Costs	44,995.30	591,735.77	2,060,266.00	0.29
Travel	1,064.45	3,802.73	10,150.00	0.37
Professional Services				
Payroll Contract	8.83	53.70	0.00	0.00
Financial Audit & Actuarial Svcs	20,797.45	69,127.95	200,000.00	0.35
Research Studies	0.00	500.00	6,000.00	0.08
Consulting Fees	0.00	1,640.88	3,000.00	0.55
Stipends	600.00	2,500.00	8,400.00	0.30
Maintenance & Repairs	225.00	900.00	6,500.00	0.14
Non-Depreciable Inventory	321.86	(238.14)	10,000.00	(0.02)
Dues & Subscriptions	3,946.00	7,945.95	20,500.00	0.39
Legal	969.68	5,019.38	19,000.00	0.26
Miscellaneous Expense	0.00	(76.42)	915.00	(0.08)
Suspense	0.00	598.97	0.00	0.00
Capital Expenditures	0.00	0.00	95,000.00	0.00
Total Expenses	82,992.83	720,569.87	2,572,806.00	0.28
Program Staff				
Program Staff	111,500.00	446,000.00	1,338,000.00	0.33
Total Program Staff	111,500.00	446,000.00	1,338,000.00	0.33
Excess Revenue Over (Under) Expenditures	7,356.59	(448,588.18)	0.00	0.00

Antelope Valley AQMD
Bank Register from 10/01/2019 to 10/31/2019
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>
0000001	10/02/2019	Credit Card Transaction - Jessie Albor	0.00	829.00	296,383.98
0003965	10/03/2019	[10815] ASBESTOS INSTANT RESPONSE INC-Refund: Refund - Not in our District - Demo/Reno Fee - 136 First Street Moorpark CA	829.00	0.00	295,554.98
0003966	10/03/2019	[10039] SPARKLETTS-Water Delivery Service	50.97	0.00	295,504.01
0003967	10/03/2019	[10455] STRADLING YOCCA CARLSON & RAUTH-Gen Counsel Legal Services For July 2019	1,399.70	0.00	294,104.31
0000001	10/07/2019	Credit Card Transactions - NASA	0.00	3,795.00	297,899.31
0000001	10/21/2019	Credit Card Transaction - Lockheed Martin	0.00	759.00	298,658.31
0003968	10/22/2019	[10006] BANK OF THE WEST-Credit Card Charges	1,145.51	0.00	297,512.80
0003969	10/22/2019	[10518] AUSTIN BISHOP-Attendance Governing Board Meeting Tuesday, October 15, 2019.	100.00	0.00	297,412.80
0003970	10/22/2019	[10007] BOHN'S PRINTING-Letterhead	142.35	0.00	297,270.45
0003971	10/22/2019	[10011] CALIFORNIA SPECIAL DISTRICTS ASSOCIATION-2020 CSDA Membership	1,446.00	0.00	295,824.45
0003972	10/22/2019	[10405] CANON FINANCIAL SERVICES-Copier Lease	306.91	0.00	295,517.54
0003973	10/22/2019	[10055] NEWTON CHELETTE-Attendance Governing Board Meeting Tuesday, October 15, 2019.	100.00	0.00	295,417.54
0003974	10/22/2019	[10057] MARVIN CRIST-Attendance Governing Board Meeting Tuesday, October 15, 2019.	100.00	0.00	295,317.54
0003975	10/22/2019	[10502] DIGITAL DEPLOYMENT INC-Webhosting	200.00	0.00	295,117.54
0003976	10/22/2019	[10599] HOWARD HARRIS-Attendance Governing Board Meeting Tuesday, October 15, 2019.	100.00	0.00	295,017.54
0003977	10/22/2019	[10058] RONALD HAWKINS-Attendance Governing Board Meeting Tuesday, October 15, 2019.	100.00	0.00	294,917.54
0003978	10/22/2019	[10503] STEVEN D HOFBAUER-Attendance Governing Board Meeting Tuesday, October 15, 2019.	111.60	0.00	294,805.94
0003979	10/22/2019	[10070] BARBARA LODS-Invoices 1067, 1082	241.19	0.00	294,564.75
0003980	10/22/2019	[10071] MAIL FINANCE-Postage Meter Lease	77.75	0.00	294,487.00
0003981	10/22/2019	[10068] JASON MENTRY-Per diem for Enforcement Symposium, Sacramento-10/1-10/4-2019 10/1- L/D \$45 10/2-L/D \$45 10/3-D \$28	135.00	0.00	294,352.00
0003982	10/22/2019	[10026] MOJAVE DESERT AQMD-AUG FY20	130,683.59	0.00	163,668.41
0003983	10/22/2019	[10260] QCS BUILDING SERVICES-Custodial Services	225.00	0.00	163,443.41
0003984	10/22/2019	[10592] SPECTRUM BUSINESS-Internet Service	770.00	0.00	162,673.41
0003985	10/22/2019	[10455] STRADLING YOCCA CARLSON & RAUTH-Legal Counsel Aug 2019	1,250.00	0.00	161,423.41
0003986	10/22/2019	[10045] VERIZON BUSINESS-VOIP Service	427.75	0.00	160,995.66
0003987	10/22/2019	[10046] VERIZON CALIFORNIA-Long Distance Charges	33.44	0.00	160,962.22
0003988	10/24/2019	[10817] BUCKROFF, NICK-AB617 Grant	300.00	0.00	160,662.22
0003989	10/24/2019	[10070] BARBARA LODS-Board Meeting 04/17/2018	18.60	0.00	160,643.62
0003990	10/24/2019	[00069] SOUTHERN CALIFORNIA EDISON-Electric service	817.36	0.00	159,826.26
0003488	10/25/2019	[10070] BARBARA LODS-Void check 0003488	0.00	18.60	159,844.86
0000001	10/28/2019	Credit Card Transaction - Ferrellgas	0.00	880.04	160,724.90

Antelope Valley AQMD
Bank Register from 10/01/2019 to 10/31/2019
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>
0000001	10/28/2019	Wells Fargo ACH - Lockheed Martin	0.00	71,157.53	231,882.43
0000001	10/30/2019	Credit Card Transaction - Deluxe Mfg	0.00	880.04	232,762.47
0003991	10/31/2019	[10076] ANTELOPE VALLEY AQMD-Credit Card Transactions - September 2019	3,394.02	0.00	229,368.45
0003992	10/31/2019	[10610] ANTELOPE VALLEY HARLEY DAVIDSON ANIMAL HOUSE-Sponsorship of AV Animal House Buyers Association for 2019 AV Fair Auction.	1,650.00	0.00	227,718.45
0003993	10/31/2019	[10069] BRET BANKS-Reimbursement for Uber to the Sacramento Airport to attend the CAPCOA Enforcement Symposium	77.05	0.00	227,641.40
0003994	10/31/2019	[10020] GREATER ANTELOPE VALLEY ECONOMIC ALLIANCE-Annual membership renewal to the Greater Anelope Valley Economic Alliance.	2,500.00	0.00	225,141.40
0003995	10/31/2019	[10039] SPARKLETTS-Water Delivery Service	61.71	0.00	225,079.69
0003996	10/31/2019	[10050] WOELFL FAMILY TRUST-Office Lease Nov 19	4,613.71	0.00	220,465.98
Total for Report:			153,408.21	78,319.21	

Antelope Valley AQMD
Bank Register from 10/01/2019 to 10/31/2019
LA County General Fund P6A

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0082866	10/03/2019	Transfer AB923 - July 2019	55,086.54	0.00	2,341,064.08
0082867	10/03/2019	Transfer AB2766 - July 2019	55,086.54	0.00	2,285,977.54
0000352	10/15/2019	Daily Deposit	0.00	39,634.24	2,325,611.78
0000353	10/21/2019	Daily Deposit	0.00	167,210.81	2,492,822.59
0082860	10/23/2019	Carl Moyer Admin FY 19	0.00	71,117.00	2,563,939.59
0082868	10/24/2019	Transfer AB923 - August 2019	53,818.73	0.00	2,510,120.86
0082869	10/24/2019	Transfer AB2766 - August 2019	53,818.73	0.00	2,456,302.13
0000354	10/24/2019	Daily Deposit	0.00	30,802.13	2,487,104.26
0000355	10/29/2019	Daily Deposit	0.00	12,634.58	2,499,738.84
0000001	10/31/2019	Daily Deposit	0.00	7,428.82	2,507,167.66
Total for Report:			217,810.54	328,827.58	

Antelope Valley AQMD
Bank Register from 10/01/2019 to 10/31/2019
LA County AB2766 U5R

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
	10/01/2019	Interest Earned	0.00	279.73	138,526.46
0082867	10/03/2019	Transfer AB2766 - July 2019	0.00	55,086.54	193,613.00
M20-31	10/15/2019	[10818] CHAE, ISAAC-AB2766 Grant	500.00	0.00	193,113.00
M20-32	10/15/2019	[10819] VANKIRK, MIKE-AB2766 Grant	500.00	0.00	192,613.00
M20-33	10/15/2019	[10820] WILLIAM, OGIE-AB2766 Grant	500.00	0.00	192,113.00
M20-34	10/15/2019	[10821] RAMIREZ, ANDRES-AB2766 Grant	500.00	0.00	191,613.00
M20-35	10/15/2019	[10822] GREENE, KERON-AB2766 Grant	500.00	0.00	191,113.00
M20-36	10/15/2019	[10823] FRIEDMAN, ADAM-AB2766 Grant	500.00	0.00	190,613.00
M20-37	10/15/2019	[10824] DESBOINE, BRADON-AB2766 Grant	500.00	0.00	190,113.00
M20-38	10/15/2019	[10825] OZUNA, DAVID-AB2766 Grant	500.00	0.00	189,613.00
M20-39	10/15/2019	[10826] ALEXON, ANI-AB2766 Grant	1,000.00	0.00	188,613.00
M20-40	10/15/2019	[10827] PACHECO, JOSHUA A-AB2766 Grant	1,000.00	0.00	187,613.00
M20-41	10/15/2019	[10828] MEGUERDICHIAN, STEPHAN-AB2766 Grant	500.00	0.00	187,113.00
0082869	10/24/2019	Transfer AB2766 - August 2019	0.00	53,818.73	240,931.73
M20-44	10/28/2019	[10829] ESTRADA, ADRIANA REYES-AB2766 Grant	1,000.00	0.00	239,931.73
M20-45	10/28/2019	[10830] BRISENO, EDDIE-AB2766 Grant	500.00	0.00	239,431.73
M20-46	10/28/2019	[10831] GARCIA, NESTOR-AB2766 Grant	1,000.00	0.00	238,431.73
M20-47	10/28/2019	[10832] GARNER, REGINALD-AB2766 Grant	1,000.00	0.00	237,431.73
M20-48	10/28/2019	[10833] MORLEE, MATTHEW-AB2766 Grant	1,000.00	0.00	236,431.73
M20-49	10/28/2019	[10834] CHAPA, GINA-AB2766 Grant	1,000.00	0.00	235,431.73
M20-50	10/28/2019	[10835] YATES, WILLIAM-AB2766 Grant	500.00	0.00	234,931.73
M20-51	10/28/2019	[10015] CITY OF PALMDALE-AB2766 Grant	7,500.00	0.00	227,431.73
Total for Report:			20,000.00	109,185.00	

Antelope Valley AQMD
Bank Register from 10/01/2019 to 10/31/2019
LA County AB923

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
	10/01/2019	Interest Earned	0.00	1,585.11	1,104,461.77
0082866	10/03/2019	Transfer AB923 - July 2019	0.00	55,086.54	1,159,548.31
M20-42	10/15/2019	[10652] ANTELOPE VALLEY HARLEY DAVIDSON-AB923 Grant	19,895.30	0.00	1,139,653.01
M20-43	10/15/2019	[10084] ENVIRONMENTAL ENGINEERING STUDIES VAVR-AB923 Grant	4,000.00	0.00	1,135,653.01
0082868	10/24/2019	Transfer AB923 - August 2019	0.00	53,818.73	1,189,471.74
		Total for Report:	23,895.30	110,490.38	

Antelope Valley AQMD
Bank Register from 10/01/2019 to 10/31/2019
LA County Carl Moyer U5S

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
	10/01/2019	Interest Earned	0.00	986.39	593,653.74
C20-05	10/15/2019	[10084] ENVIRONMENTAL ENGINEERING STUDIES VAVR-Moyer Grant	800.00	0.00	592,853.74
0082860	10/23/2019	Carl Moyer Admin FY 19	71,117.00	0.00	521,736.74
Total for Report:			71,917.00	986.39	

The following page(s) contain the backup material for Agenda Item: Conduct a public hearing to consider the adoption of the Federal Negative Declaration for One Control Techniques Guideline(CTG) Source Category (Oil and Natural Gas Industry): 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, adoption of the Federal Negative Declaration for One CTG Source Category (Oil and Natural Gas Industry) and directing staff actions. Presenter: Barbara Lods, Operations Manager. Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM #6

PAGE 1

DATE: 12/17/2019

RECOMMENDATION: Conduct a public hearing to consider the adoption of the *Federal Negative Declaration for One Control Techniques Guideline(CTG) Source Category (Oil and Natural Gas Industry)*: 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, adoption of the *Federal Negative Declaration for One CTG Source Category (Oil and Natural Gas Industry)* and directing staff actions.

SUMMARY: The proposed adoption of the *Federal Negative Declaration for One CTG Source Category* is necessary because this source category is not represented within the AVAQMD, and the AVAQMD has been designated nonattainment for ozone and its precursors. For these sources, USEPA requires the submission of a FND certifying that these sources are not present.

BACKGROUND: Effective October 26, 2015 (80 FR 65292), the United States Environmental Protection Agency (USEPA) lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.075 parts per million (ppm) to 0.070 ppm. For those CTG source categories not represented within the area designated non-attainment for ozone, USEPA requires the submission of a FND certifying that those sources are not present. The AVAQMD has been designated nonattainment for ozone and its precursors and is required to provide regulation of major sources in a variety of categories. For these sources, USEPA requires the submission of a FND certifying that these sources are not present. The *FND for One CTG Source Category (Oil and Natural Gas Industry)* must be adopted to account for this source category that has not addressed in any previous action.

This action will adopt the *FND for One CTG Source Category (Oil and Natural Gas Industry)*. This FND is different from the Negative Declarations associated with the California Environmental Quality Act (CEQA). Instead, this FND, once adopted by the Governing

cc: Barbara Lods

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM #6

PAGE 2

Board, will serve as official certification to the United States Environmental Protection Agency (USEPA) that there are no stationary sources or emitting facilities in the specified source category that are subject to the applicability threshold of a CTG located within the area designated as non-attainment for ozone within the AVAQMD.

The adoption does not satisfy any other state or federal requirements imposed upon the District. There are no emission reductions associated with this action; no existing rules or regulations are being changed. A Notice of Exemption, Categorical Exemption (Class 8; 14 Cal. Code Reg. §15308) will be prepared by the AVAQMD for the adoption of the *FND for One CTG Source Category (Oil and Natural Gas Industry)* pursuant to the requirements of CEQA.

Notice for the public hearing for the proposed adoption of the *FND for One CTG Source Category (Oil and Natural Gas Industry)* will be published on 11/15/2019.

REASON FOR RECOMMENDATION:

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form and by Bret Banks, Executive Director/APCO on or before 12/06/2019.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Barbara Lods, Operations Manager

Antelope Valley
Air Quality Management District



Draft
Staff Report

Proposed Adoption of the
*Federal Negative Declaration for
One Control Techniques Guidelines Source Category
(Oil and Natural Gas Industry)*

For adoption on
12/17/2019

43301 DIVISION ST., SUITE 206,
LANCASTER, CALIFORNIA 93535-4649
PHONE (661) 723-8070

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STAFF REPORT

Federal Negative Declaration for One Control Techniques Guidelines Source Category (Oil and Natural Gas Industry)

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 Antelope Valley Air Quality Management District (AVAQMD) Governing Board is being requested to conduct a public hearing, make findings, and then adopt a resolution adopting the *Federal Negative Declaration for Control Techniques Guidelines (CTG) for the Oil and Natural Gas Industry Source Category* and directing staff actions. The “Federal Negative Declaration” (FNDs) are different from the Negative Declarations associated with the California Environmental Quality Act (CEQA). Instead, this FND, once adopted by the Governing Board, will serve as official certification to the United States Environmental Protection Agency (USEPA) that there are no stationary sources or emitting facilities in the specified source category that are subject to the applicability threshold of a Control Techniques Guideline (CTG) located within the area designated as non-attainment for ozone within the AVAQMD. The AVAQMD has been designated nonattainment for ozone and its precursors and is required to provide regulation of major sources in a variety of categories. For these sources, USEPA requires the submission of a Federal Negative Declaration (FND) certifying that these sources are not present. The Federal Negative Declaration for the *Control Techniques Guideline for the Oil and Natural Gas Industry* must be adopted to account for an additional source category not addressed in a previous action, at the request of USEPA.

The Federal Clean Air Act (FCAA) requires areas designated non-attainment for ozone and classified moderate and above to adopt, maintain rules requiring certain sources of air pollution to implement Reasonably Available Control Technology (RACT). Rules are required for all sources of Volatile Organic Compounds (VOCs) and Oxides of Nitrogen (NO_x) in source categories covered by a Control Techniques Guideline (CTG) document issued by the United States Environmental Protection Agency (USEPA) and for any other major stationary sources of VOCs located within the affected area (42 U.S.C. §7511a(b)(2); FCAA 182(b)(2)). If a RACT rule is unnecessary because a source category does not exist within the affected area USEPA requires the submission of a Federal Negative Declaration (FND) to certify that those sources are not present. On March 9, 2006, USEPA shifted its ozone standard from measurement on a one-hour basis, to 0.084 ppm measured on an eight-hour basis (8-hour ozone standard). Effective May 27, 2008, USEPA lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.084 parts per million (ppm) to 0.075 ppm (2008 8hr

Standard). On October 26, 2015, USEPA lowered the primary ozone NAAQS from 0.075 ppm to 0.070 ppm (2015 8hr Standard). For purposes of the FCAA, the District has been designated non-attainment for ozone and classified as Severe for the 2008 8hr Standard and the 2015 8hr Standard. As a result of these designations USEPA has required non-attainment areas submit an updated RACT SIP Analysis and adopt any additional FNDs not previously adopted which certify the lack of sources in the particular source category.

On July 1, 1997 the Antelope Valley Air Pollution Control District (AVAPCD) was formed, pursuant to statute (former Health & Safety Code §40106, Ch. 542 Stats. 1996), with a jurisdiction of the Los Angeles County portion of South Coast Air Quality Management District (SCAQMD) that was not within the South Coast Air Basin (SCAB). The SCAQMD rules in effect in the AVAPCD remained in effect until the AVAPCD Governing Board superseded or amended them. On January 1, 2002 the AVAQMD was formed pursuant to statute to replace the AVAPCD (Health & Safety Code §§41300 et seq.). The rules of the AVAPCD remained in effect until the AVAQMD Governing Board superseded or amended them. Thus, the AVAQMD is required to either retain RACT rules or to submit a FND to certify that there are no such sources in the particular source category within its jurisdiction.

The CTG for the Oil and Natural Gas Industry was finalized in 2016 (EPA 453/B-16-001, October 2016). This CTG covers emission sources in the oil and natural gas industry in the onshore production and processing segments of the oil and natural gas industry (i.e. pneumatic controllers, pneumatic pumps, compressors, equipment leaks, fugitive emissions) and storage vessel VOC emissions in all segments (except distribution) of the oil and natural gas industry. Thus, a rule or FND was required to be submitted no later than 10/27/2108 in response to the CTG for the Oil and Natural Gas Industry for the 2008-8 hour ozone standard. The FND was not adopted at that time pursuant to EPA direction due to a possibility of the CTG being withdrawn (83 FR 10478, March 9, 2018). To date, the Oil and Natural Gas CTG has not been withdrawn and the required FND is now being adopted and submitted for both the 2008 8hr ozone standard as well as the 2015 8hr ozone standard.

The AVAQMD has examined its permit files, emissions inventory and other documentation and has determined that there are no sources in the CTG source category for the *Oil and Natural Gas Industry*, located within the jurisdiction of the AVAQMD and none are anticipated in the near future.

Adoption of the FND will satisfy the specific federal requirement described below. The adoption does not satisfy any other state or federal requirements imposed upon the District. There are no emission reductions associated with this action because it does not change any existing rules or regulations.

III. STAFF RECOMMENDATION

Staff recommends that the Governing Board of the AVAQMD, after conducting a public hearing, adopt the *Federal Negative Declaration for One CTG Source Category*. Such action is necessary to satisfy the federal requirements for submission of FNDs for each source category not represented within the District meeting the applicability threshold of a CTG or which meets the definition of a major source.

IV. LEGAL REQUIREMENTS CHECKLIST

The findings and analysis as indicated below are required for the procedurally correct adoption of the *Federal Negative Declaration for One CTG Source Category*. Each item is discussed, if applicable, in Section V below. Copies of documents are included in the appropriate Appendix.

FINDINGS REQUIRED FOR RULES & REGULATIONS

- X Necessity
- X Authority
- X Clarity
- X Consistency
- X Non-duplication
- X Reference
- X Public Notice & Comment
- X Public Hearing

REQUIREMENTS FOR STATE IMPLEMENTATION PLAN SUBMISSION (SIP):

- X Public Notice & Comment
- X Availability of Document
- X Notice to Specified Entities (State, Air Districts, USEPA, Other States)
- X Public Hearing
- X Legal Authority to adopt and implement the document.
- X Applicable State laws and regulations were followed.

CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS (CEQA):

- N/A Ministerial Action
- X Exemption
- N/A Negative Declaration
- N/A Environmental Impact Report
- X Appropriate findings, if necessary.
- X Public Notice & Comment

SUPPLEMENTAL ENVIRONMENTAL ANALYSIS (RULES & REGULATIONS ONLY):

- X Environmental impacts of compliance.
- N/A Mitigation of impacts.
- N/A Alternative methods of compliance.

OTHER:

- X Written analysis of existing air pollution control requirements
- X Economic Analysis
- X Public Review

ELEMENTS OF A FEDERAL SUBMISSION

- X Elements as set forth in applicable Federal law or regulations.

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 *Federal Negative Declaration for One CTG Source Category* (Specifically: Oil and Natural Gas Industry). Since this document is required to be adopted pursuant to public notice and other requirements under 42 USC 7410(a)(2), the District considers the rule adoption process pursuant to H&S Code §40702 to be a proper way to meet these requirements. Therefore, these are actions, that need to be performed, and/or information that must be provided, in order to adopt this document in a procedurally correct manner.

1. State Findings Required for Adoption of Rules & Regulations:

Before adopting, amending, or repealing a rule or regulation, the AVAQMD 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 *Federal Negative Declaration for One CTG Source Category* is necessary because this source category is not represented within the AVAQMD, and the AVAQMD has been designated nonattainment for ozone and its precursors. For these sources, USEPA requires the submission of a FND certifying that these sources are not present.

b. Authority:

AVAQMD has the authority pursuant to California Health and Safety Code (H&S Code) §40702, 40725-40728 to adopt, amend or repeal rules and regulations and to do such actions that are necessary or proper to execute the powers and duties granted to and imposed upon AVAQMD. While this action is not specifically a rule or regulation, it is a document necessary to execute the powers and duties granted to and imposed upon the AVAQMD.

c. Clarity:

The adoption is clear in that it is written so that the persons can easily understand the scope and necessity of the FND.

d. Consistency:

The proposed adoption of the *Federal Negative Declaration for One CTG Source Category* is in harmony with, and not in conflict with or contradictory to any state law or regulation, federal law or regulation, or court decisions. This

document is required to be developed pursuant to the FCAA and the regulations promulgated thereunder.

e. Nonduplication:

The proposed adoption of the *Federal Negative Declaration for One CTG Source Category* does not impose the same requirements as an existing state or federal law or regulation because federal law requires the adoption and certification of “Negative Declarations” for those source categories not represented within the area designated non-attainment for ozone which are covered by a CTG and meet the CTG applicability threshold, or which meet the definition of a major source.

f. Reference:

AVAQMD has the authority pursuant to H&S Code §40702 to adopt, amend or repeal rules and regulations and other documents required to execute the powers and duties granted to and imposed upon the AVAQMD.

g. Public Notice & Comment, Public Hearing:

Notice for the public hearing for the proposed adoption of the *Federal Negative Declaration for One CTG Source Category* will be published November 15, 2019 for the December 17, 2019 Governing Board Meeting. See Appendix “B” for a copy of the public notice. See Appendix C for copies of comments, if any, and AVAQMD 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 which requires the submittal. The information below indicates which elements are required for the proposed adoption of the *Federal Negative Declaration for One CTG Source Category* and how they were satisfied.

a. Satisfaction of Underlying Federal Requirements:

The adoption of the *Federal Negative Declaration for One CTG Source Category* is subject to all the requirements for a SIP submittal because the “Negative Declarations” will be included in the AVAQMD 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 *Federal Negative Declaration for One CTG Source Category* will be published November 15, 2019. See Appendix “B” for a copy of the public notice.

c. Availability of Document:

Copies of the proposed adoption of the *Federal Negative Declaration for One CTG Source Category* and the accompanying draft staff report will be made available to the public on or before November 15, 2019.

d. Notice to Specified Entities

Copies of the proposed adoption of the *Federal Negative Declaration for One CTG Source Category* and the accompanying draft staff report will be sent to all affected agencies, including but not limited to CARB and USEPA. The proposed amendments will be sent to CARB and USEPA on or before November 2, 2019.

e. Public Hearing:

A public hearing to consider the proposed adoption of the *Federal Negative Declaration for One CTG Source Category* has been set for the December 17, 2019 Governing Board Meeting.

f. Legal Authority to Adopt and Implement:

The AVAQMD 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 AVAQMD.

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 adoption of the

Federal Negative Declaration for One CTG Source Category is required to adopt and certify FNDs for those source categories not represented within the area designated non-attainment for ozone.

C. ECONOMIC ANALYSIS

1. General

Adoption of the FNDs will identify CTG source categories not represented within the area designated non-attainment. The adoption will have no economic impact.

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 *Federal Negative Declaration for One CTG Source Category* is not subject to incremental cost effectiveness calculations because this rule 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 *Federal Negative Declaration for One CTG Source Category*.

1. The proposed adoption of the *Federal Negative Declaration for One CTG Source Category* meets the CEQA definition of “project.” They are not “ministerial” actions.
2. The proposed adoption of the *Federal Negative Declaration for One CTG Source Category* is exempt from CEQA review because it will not create any adverse impacts on the environment since there are no sources in this category and this document merely certifies this fact. Because there is no potential that the adoption might cause the release of additional air contaminants or create any adverse environmental impacts, a Class 8 categorical exemption (14 Cal. Code Reg. §15308) applies.

E. SUPPLEMENTAL ENVIRONMENTAL ANALYSIS

1. Potential Environmental Impacts

There are no potential negative environmental impacts of compliance with the proposed adoption of the FND.

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

USEPA required that all non-attainment areas submit an updated RACT SIP Analysis. The purpose of the RACT SIP Analysis is to ensure that District rules adequately address current RACT requirements.

The *Federal Negative Declaration for One CTG Source Category* must be adopted to account for a source category that was not included in a previous adoption. This FND is being adopted for the 2008 and 2015 Ozone Standards. .

A. SIP HISTORY

1. SIP History.

The AVAPCD came into existence pursuant to statute on July 1, 1997 Health & Safety Code 40106, A.B. 266-Knight Ch. 542, statutes of 1996). The rules and regulations of the SCAQMD remain in effect within the AVAPCD until the AVAPCD Governing Board adopts, amends or rescinds new ones Health & Safety Code 40106(e)). Since the SIP applies to the territory for which it was approved at the time it was approved, the AVAPCD also inherited the SCAQMD SIP applicable to the Los Angeles County portion of the South East Desert Air Basin (now called the Mojave Desert Air Basin) prior to July 1, 1997. On January 1, 2002 the AVAQMD was created pursuant to statute H&S Code 41300 et seq.) to replace the AVAPCD. Once again the SIP in effect at the time of the change remained in effect until the AVAQMD Governing Board superseded, amended or rescinded it.

2. SIP Analysis.

The District will request CARB to submit the proposed *Federal Negative Declaration for One Source Category* to the USEPA for inclusion into the SIP.

APPENDIX "A"
Federal Negative Declaration for One CTG Source Category

1. Antelope Valley Air Quality Management District Federal Negative Declaration for One Control Techniques Guideline Source Category, 10/25/2019

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Antelope Valley Air Quality Management District
Federal Negative Declaration (8-hour Ozone Standards) for
One Control Techniques Guideline Source Category (Oil and Natural Gas Industry)

The Federal Clean Air Act (FCAA) requires areas designated non-attainment for ozone and classified moderate and above to adopt, maintain rules requiring certain sources of air pollution to implement Reasonably Available Control Technology (RACT). Rules are required for all sources of Volatile Organic Compounds (VOCs) and Oxides of Nitrogen (NO_x) in source categories covered by a Control Techniques Guideline (CTG) document issued by the United States Environmental Protection Agency (USEPA) and for any other major stationary sources of VOCs located within the affected area (42 U.S.C. §7511a(b)(2); FCAA 182(b)(2)). If a RACT rule is unnecessary because a source category does not exist within the affected area USEPA requires the submission of a Federal Negative Declaration (FND) to certify that those sources are not present. On March 9, 2006, USEPA shifted its ozone standard from measurement on a one-hour basis, to 0.084 ppm measured on an eight-hour basis (8-hour ozone standard). Effective May 27, 2008, USEPA lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.084 parts per million (ppm) to 0.075 ppm (2008 8hr Standard). On October 1, 2015, USEPA lowered the primary ozone NAAQS from 0.075 ppm to 0.070 ppm (2015 8hr Standard). For purposes of the FCAA, the District has been designated non-attainment for ozone and classified as Severe for the 2008 8hr Standard and the 2015 8hr Standard. As a result of these designations USEPA has required non-attainment areas submit an updated RACT SIP Analysis and adopt any additional FNDs not previously adopted which certify the lack of sources in the particular source category.

On July 1, 1997 the Antelope Valley Air Pollution Control District (AVAPCD) was formed, pursuant to statute (former Health & Safety Code §40106, Ch. 542 Stats. 1996), with a jurisdiction of the Los Angeles County portion of South Coast Air Quality Management District (SCAQMD) that was not within the South Coast Air Basin (SCAB). The SCAQMD rules in effect in the AVAPCD remained in effect until the AVAPCD Governing Board superseded or amended them. On January 1, 2002 the AVAQMD was formed pursuant to statute to replace the AVAPCD (Health & Safety Code §§41300 et seq.). The rules of the AVAPCD remained in effect until the AVAQMD Governing Board superseded or amended them. Thus, the AVAQMD is required to either retain RACT rules or to submit a FND to certify that there are no such sources in the particular source category within its jurisdiction.

The CTG for the Oil and Natural Gas Industry was finalized in 2016 (EPA 453/B-16-001, October 2016). This CTG covers emission sources in the oil and natural gas industry in the onshore production and processing segments of the oil and natural gas industry (i.e, pneumatic controllers, pneumatic pumps, compressors, equipment leaks, fugitive emissions) and storage vessel VOC emissions in all segments (except distribution) of the oil and natural gas industry. Thus, a rule or FND was required to be submitted no later than 10/27/2018 in response to the CTG for the Oil and Natural Gas Industry for the 2008-8 hour ozone standard. The FND was not adopted at that time pursuant to EPA direction due to a possibility of the CTG being withdrawn (83 FR 10478, March 9, 2018). To date, the Oil and Natural Gas CTG has not been

withdrawn and the required FND is now being adopted and submitted for both the 2008 8hr ozone standard as well as the 2015 8hr ozone standard.

The AVAQMD has examined its permit files, emissions inventory and other documentation and has determined that there are no sources in the CTG source category for the *Oil and Natural Gas Industry*, located within the jurisdiction of the AVAQMD and none are anticipated in the near future.

I certify on behalf of the AVAQMD that, to my knowledge, the AVAQMD does not have any major stationary sources in the referenced category located within the jurisdiction of the District. Therefore the AVAQMD requests the USEPA to approve this FND for the 8-hour 0.075 ppm and the 8-hour 0.070 ppm Ozone Standards and include it in the State Implementation Plan for the AVAQMD.

Bret Banks
Executive Director

Date

APPENDIX "B"
PUBLIC NOTICE DOCUMENTS

1. Draft Proof of Publication - Antelope Valley Press, November 15, 2019

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NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Governing Board of the Antelope Valley Air Quality Management District (AVAQMD) will conduct a public hearing on December 17, 2019 at 10:00 A.M. to consider the proposed adoption of the *Federal Negative Declaration (FND) for One Control Techniques Guidelines Source Category (Oil and Natural Gas Industry)*.

SAID HEARING will be conducted in the Governing Board Chambers located at the 43301 Division Street, Suite 206, Lancaster, CA 93535-4649 where all interested persons may be present and be heard. Copies of the proposed adoption of FND for the *Control Techniques Guidelines for the Oil and Natural Gas Industry* and the Staff Report are posted on the AVAQMD website at www.avaqmd.ca.gov and are also available at the AVAQMD office at 43301 Division Street, Suite 206, Lancaster, CA 93535. Written comments may be submitted to Bret Banks, APCO, at the above office address. Written comments must be received no later than December 16, 2019 to be considered. Traducción esta disponible por solicitud.

The Federal Negative Declaration (FND) for *Control Techniques Guidelines (CTG) for the Oil and Natural Gas Industry* is proposed for adoption. This FND is different from the Negative Declarations associated with the California Environmental Quality Act (CEQA). Instead, this FND, once adopted by the Governing Board, will serve as official certification to the United States Environmental Protection Agency (USEPA) that there are no stationary sources or emitting facilities in the specified source category that are subject to the applicability threshold of a CTG located within the area designated as non-attainment for ozone within the AVAQMD. The AVAQMD has been designated nonattainment for ozone and its precursors and is required to provide regulation of major sources in a variety of categories. For these sources, USEPA requires the submission of a FND certifying that these sources are not present. The FND for the *CTG for the Oil and Natural Gas Industry* must be adopted to account for this source category that has not addressed in any previous action.

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.

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APPENDIX "C"
PUBLIC COMMENTS AND RESPONSES

1. N/A

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APPENDIX "D"
CALIFORNIA ENVIRONMENTAL QUALITY ACT
DOCUMENTATION

1. Draft Notice of Exemption – Los Angeles County

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NOTICE OF EXEMPTION

TO: Los Angeles County Clerk
12400 E. Imperial Hwy, #1001
Norwalk, CA 90650

FROM: Antelope Valley
Air Quality Management District
43301 Division Street, Suite 206
Lancaster, CA 93535-4649

AVAQMD Clerk of the Governing Board

PROJECT TITLE: Adoption of the *Federal Negative Declaration for One Control Techniques Guidelines Source Category (Oil and Natural Gas Industry)*

PROJECT LOCATION – SPECIFIC: Los Angeles County portion of the Mojave Desert Air Basin.

PROJECT LOCATION – COUNTY: Los Angeles County

DESCRIPTION OF PROJECT: Effective October 26, 2015 (80 FR 65292), USEPA lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.075 parts per million (ppm) to 0.070 ppm (70 ppb). The Federal Clean Air Act (FCAA) requires areas designated non-attainment and classified moderate and above to implement RACT for sources subject to Control Technique Guidelines (CTG) documents issued by the USEPA for “major sources” of volatile organic compounds (VOCs) and oxides of nitrogen (NOX) which are ozone precursors. The CTG for the Oil and Natural Gas Industry was finalized in 2016 (EPA 453/B-16-001, October 2016). This CTG covers emission sources in the oil and natural gas industry in the onshore production and processing segments of the oil and natural gas industry (i.e. pneumatic controllers, pneumatic pumps, compressors, equipment leaks, fugitive emissions) and storage vessel VOC emissions in all segments (except distribution) of the oil and natural gas industry. Thus, a rule or FND was required to be submitted no later than 10/27/2108 in response to the CTG for the Oil and Natural Gas Industry for the 2008-8 hour ozone standard. The FND was not adopted at that time pursuant to EPA direction due to a possibility of the CTG being withdrawn (83 FR 10478, March 9, 2018). To date, the Oil and Natural Gas CTG has not been withdrawn and the required FND is now being adopted and submitted for both the 2008 8hr ozone standard as well as the 2015 8hr ozone standard.

NAME OF PUBLIC AGENCY APPROVING PROJECT: Antelope Valley AQMD

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Antelope Valley 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 *Federal Negative Declaration for One CTG Source Category* is exempt from CEQA review because it will not create any adverse impacts on the environment since there are no sources in this one category and this document merely certifies this fact. Because there is no potential that the adoption might cause the release of additional air contaminants or create any adverse environmental impacts, a Class 8 categorical exemption (14 Cal. Code Reg. §15308) applies.

LEAD AGENCY CONTACT PERSON: Bret Banks **PHONE:** (661) 723-8070

SIGNATURE: _____ **TITLE:** Executive Director **DATE:** December 17, 2019

DATE RECEIVED FOR FILING:

APPENDIX "E" BIBLIOGRAPHY

The following documents were consulted in the preparation of this staff report and the proposed adoption of the *Federal Negative Declaration for One CTG Source Category*:

1. EPA – Control Techniques Guidelines for the Oil and Natural Gas Industry, EPA-453/B-16-001, October 2016

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Antelope Valley Air Quality Management District
Federal Negative Declaration (8-hour Ozone Standards) for
One Control Techniques Guideline Source Category

The Federal Clean Air Act (FCAA) requires areas designated non-attainment for ozone and classified moderate and above to adopt, maintain rules requiring certain sources of air pollution to implement Reasonably Available Control Technology (RACT). Rules are required for all sources of Volatile Organic Compounds (VOCs) and Oxides of Nitrogen (NO_x) in source categories covered by a Control Techniques Guideline (CTG) document issued by the United States Environmental Protection Agency (USEPA) and for any other major stationary sources of VOCs located within the affected area (42 U.S.C. §7511a(b)(2); FCAA 182(b)(2)). If a RACT rule is unnecessary because a source category does not exist within the affected area USEPA requires the submission of a Federal Negative Declaration (FND) to certify that those sources are not present. On March 9, 2006, USEPA shifted its ozone standard from measurement on a one-hour basis, to 0.084 ppm measured on an eight-hour basis (8-hour ozone standard). Effective May 27, 2008, USEPA lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.084 parts per million (ppm) to 0.075 ppm (2008 8hr Standard). On October 1, 2015, USEPA lowered the primary ozone NAAQS from 0.075 ppm to .070 ppm (2015 8hr Standard). For purposes of the FCAA, the District has been designated non-attainment for ozone and classified as Severe for the 2008 8hr Standard and the 2015 8hr Standard. As a result of these designations USEPA has required non-attainment areas submit an updated RACT SIP Analysis and adopt any additional FNDs not previously adopted which certify the lack of sources in the particular source category.


On July 1, 1997 the Antelope Valley Air Pollution Control District (AVAPCD) was formed, pursuant to statute (former Health & Safety Code §40106, Ch. 542 Stats. 1996), with a jurisdiction of the Los Angeles County portion of South Coast Air Quality Management District (SCAQMD) that was not within the South Coast Air Basin (SCAB). The SCAQMD rules in effect in the AVAPCD remained in effect until the AVAPCD Governing Board superseded or amended them. On January 1, 2002 the AVAQMD was formed pursuant to statute to replace the AVAPCD (Health & Safety Code §§41300 et seq.). The rules of the AVAPCD remained in effect until the AVAQMD Governing Board superseded or amended them. Thus, the AVAQMD is required to either retain RACT rules or to submit a FND to certify that there are no such sources in the particular source category within its jurisdiction.

The CTG for the Oil and Natural Gas Industry was finalized in 2016 (EPA 453/B-16-001, October 2016). This CTG covers emission sources in the oil and natural gas

industry in the onshore production and processing segments of the oil and natural gas industry (i.e.) pneumatic controllers, pneumatic pumps, compressors, equipment leaks, fugitive emissions) and storage vessel VOC emissions in all segments (except distribution) of the oil and natural gas industry. Thus, a rule or FND was required to be submitted no later than 10/27/2108 in response to the CTG for the Oil and Natural Gas Industry for the 2008-8 hour ozone standard. The FND was not adopted at that time pursuant to EPA direction due to a possibility of the CTG being withdrawn (83 FR 10478, March 9, 2018). To date, the Oil and Natural Gas CTG has not been withdrawn and the required FND is now being adopted and submitted for both the 2008 8hr ozone standard as well as the 2015 8hr ozone standard.

The AVAQMD has examined its permit files, emissions inventory and other documentation and has determined that there are no sources in the CTG source category for the *Oil and Natural Gas Industry*, located within the jurisdiction of the AVAQMD and none are anticipated in the near future.

I certify on behalf of the AVAQMD that, to my knowledge, the AVAQMD does not have any major stationary sources in the referenced category located within the jurisdiction of the District. Therefore the AVAQMD requests the USEPA to approve this FND for the 8-hour 0.075 ppm and the 8-hour .070 ppm Ozone Standards and include it in the State Implementation Plan for the AVAQMD.



Bret Banks
Executive Director

12/4/19
Date

RESOLUTION _____

A RESOLUTION OF THE GOVERNING BOARD OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING THE NOTICE OF EXEMPTION, ADOPTING THE FEDERAL NEGATIVE DECLARATION FOR ONE SOURCE CATEGORY AND DIRECTING STAFF ACTIONS.

On December 17, 2019, on motion by Member Board Member Name, seconded by Member Board Member Name, and carried, the following resolution is adopted:

WHEREAS, the Antelope Valley Air Quality Management District (AVAQMD) 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, once again the rules in effect at the time of the change remained in effect until the AVAQMD Governing Board superseded or amended them

WHEREAS, the Antelope Valley Air Quality Management District (AVAQMD) Governing Board is being requested to conduct a public hearing, make findings, and then adopt a resolution adopting the *Federal Negative Declaration for Control Techniques Guidelines (CTG) for the Oil and Natural Gas Industry Source Category* and directing staff actions; and

WHEREAS, the “Federal Negative Declaration” (FNDs) are different from the Negative Declarations associated with the California Environmental Quality Act (CEQA); and

WHEREAS, instead, this FND, once adopted by the Governing Board, will serve as official certification to the United States Environmental Protection Agency (USEPA) that there are no stationary sources or emitting facilities in the specified source category that are subject to the applicability threshold of a Control Techniques Guideline (CTG) located within the area designated as non-attainment for ozone within the AVAQMD; and

WHEREAS, the AVAQMD has been designated nonattainment for ozone and its precursors and is required to provide regulation of major sources in a variety of categories; and

WHEREAS, for these sources, USEPA requires the submission of a Federal Negative Declaration (FND) certifying that these sources are not present; and

WHEREAS, the Federal Negative Declaration for the *Control Techniques Guideline for the Oil and Natural Gas Industry* must be adopted to account for an additional source category not addressed in a previous action, at the request of USEPA; and

RESOLUTION _____

1 **WHEREAS**, the Federal Clean Air Act (FCAA) requires areas designated non-attainment for
2 ozone and classified moderate and above to adopt, maintain rules requiring certain sources of air pollution
3 to implement Reasonably Available Control Technology (RACT); and

4 **WHEREAS**, rules are required for all sources of Volatile Organic Compounds (VOCs) and
5 Oxides of Nitrogen (NO_x) in source categories covered by a Control Techniques Guideline (CTG)
6 document issued by the United States Environmental Protection Agency (USEPA) and for any other
7 major stationary sources of VOCs located within the affected area (42 U.S.C. §7511a(b)(2); FCAA
8 182(b)(2)); and

9 **WHEREAS**, if a RACT rule is unnecessary because a source category does not exist within the
10 affected area USEPA requires the submission of a Federal Negative Declaration (FND) to certify that
11 those sources are not present; and

12 **WHEREAS**, on March 9, 2006, USEPA shifted its ozone standard from measurement on a one-
13 hour basis, to 0.084 ppm measured on an eight-hour basis (8-hour ozone standard); and

14 **WHEREAS**, effective May 27, 2008, USEPA lowered the primary ozone National Ambient Air
15 Quality Standard (NAAQS) from 0.084 parts per million (ppm) to 0.075 ppm (2008 8hr Standard); and

16 **WHEREAS**, on October 26, 2015, USEPA lowered the primary ozone NAAQS from 0.075 ppm
17 to 0.070 ppm (2015 8hr Standard); and

18 **WHEREAS**, for purposes of the FCAA, the District has been designated non-attainment for
19 ozone and classified as Severe for the 2008 8hr Standard and the 2015 8hr Standard; and

20 **WHEREAS**, as a result of these designations USEPA has required non-attainment areas submit
21 an updated RACT SIP Analysis and adopt any additional FNDs not previously adopted which certify the
22 lack of sources in the particular source category; and

23 **WHEREAS**, on July 1, 1997 the Antelope Valley Air Pollution Control District (AVAPCD) was
24 formed, pursuant to statute (former Health & Safety Code §40106, Ch. 542 Stats. 1996), with a
25 jurisdiction of the Los Angeles County portion of South Coast Air Quality Management District
26 (SCAQMD) that was not within the South Coast Air Basin (SCAB); and

27 **WHEREAS**, the SCAQMD rules in effect in the AVAPCD remained in effect until the AVAPCD
28 Governing Board superseded or amended them; and

RESOLUTION _____

1 **WHEREAS**, on January 1, 2002 the AVAQMD was formed pursuant to statute to replace the
2 AVAPCD (Health & Safety Code §§41300 et seq.); and

3 **WHEREAS**, the rules of the AVAPCD remained in effect until the AVAQMD Governing Board
4 superseded or amended them; and

5 **WHEREAS**, thus, the AVAQMD is required to either retain RACT rules or to submit a FND to
6 certify that there are no such sources in the particular source category within its jurisdiction; and

7 **WHEREAS**, the CTG for the Oil and Natural Gas Industry was finalized in 2016 (EPA 453/B-16-
8 001, October 2016); and

9 **WHEREAS**, this CTG covers emission sources in the oil and natural gas industry in the onshore
10 production and processing segments of the oil and natural gas industry (i.e. pneumatic controllers,
11 pneumatic pumps, compressors, equipment leaks, fugitive emissions) and storage vessel VOC emissions
12 in all segments (except distribution) of the oil and natural gas industry; and

13 **WHEREAS**, thus, a rule or FND was required to be submitted no later than 10/27/2018 in
14 response to the CTG for the Oil and Natural Gas Industry for the 2008-8 hour ozone standard; and

15 **WHEREAS**, the FND was not adopted at that time pursuant to EPA direction due to a possibility
16 of the CTG being withdrawn (83 FR 10478, March 9, 2018); and

17 **WHEREAS**, to date, the Oil and Natural Gas CTG has not been withdrawn and the required FND
18 is now being adopted and submitted for both the 2008 8hr ozone standard as well as the 2015 8hr ozone
19 standard; and

20 **WHEREAS**, the AVAQMD has examined its permit files, emissions inventory and other
21 documentation and has determined that there are no sources in the CTG source category for the *Oil and*
22 *Natural Gas Industry*, located within the jurisdiction of the AVAQMD and none are anticipated in the
23 near future; and

24 **WHEREAS**, adoption of the FND will satisfy the specific federal requirement described below;
25 and

26 **WHEREAS**, the adoption does not satisfy any other state or federal requirements imposed upon
27 the District; and

28 //

RESOLUTION _____

1 **WHEREAS**, there are no emission reductions associated with this action because it does not
2 change any existing rules or regulations

3 **WHEREAS**, the proposed adoption is in harmony with, and not in conflict with, or contradictory
4 to existing statutes, court decisions, or state or federal regulations because H&S Code §§41512.7 and
5 42311(a) provide that an air district may adopt a schedule of annual fees for the evaluation, issuance, and
6 renewal of permits to cover the cost of district programs related to stationary sources; and

7 **WHEREAS**, the proposed adoption does not impose the same requirements as any existing State
8 or federal regulation because H&S Code 42311 and various other sections merely authorize the
9 imposition of such fees but do not specify the types and amounts of fees to be imposed; and

10 **WHEREAS**, the proposed adoption is needed to circumvent the disruption of anticipated revenue
11 that is created when a major facility is late paying their permit fees; and

12 **WHEREAS**, a public hearing has been properly noticed and conducted, pursuant to H&S Code
13 §40725, concerning the proposed adoption of the Federal Negative Declaration for Control Techniques
14 Guidelines (CTG) for the Oil and Natural Gas Industry Source Category and

15 **WHEREAS**, a Notice of Exemption, a Categorical Exemption (Class 8, 14 CCR §15308) for the
16 proposed adoption of the Federal Negative Declaration for Control Techniques Guidelines (CTG) for the
17 Oil and Natural Gas Industry Source Category, completed in compliance with the California
18 Environmental Quality Act (CEQA), has been presented to the AVAQMD Board; each member having
19 reviewed, considered and approved the information contained therein prior to acting on the proposed
20 adoption the Federal Negative Declaration for Control Techniques Guidelines (CTG) for the Oil and
21 Natural Gas Industry Source Category, and the AVAQMD Board having determined that the proposed
22 adoption will not have any potential for resulting in any adverse impact upon the environment; and

23 **WHEREAS**, the Board has considered the evidence presented at the public hearing; and

24 **NOW, THEREFORE, BE IT RESOLVED**, that the Governing Board of the AVAQMD finds
25 that the proposed adoption of the Federal Negative Declaration for Control Techniques Guidelines (CTG)
26 for the Oil and Natural Gas Industry Source Category is necessary, authorized, clear, consistent, non-
27 duplicative and properly referenced; and

28 //

RESOLUTION _____

1 **BE IT FURTHER RESOLVED**, that the Governing Board of the AVAQMD hereby makes a
2 finding that the Class 8 Categorical Exemption (14 CCR §15308) applies and certifies the Notice of
3 Exemption for the proposed adoption of Federal Negative Declaration for Control Techniques Guidelines
4 (CTG) for the Oil and Natural Gas Industry Source Category; and

5 **BE IT FURTHER RESOLVED**, that the Board of the AVAQMD does hereby adopt, pursuant to
6 the authority granted by law, the proposed adoption of the Federal Negative Declaration for Control
7 Techniques Guidelines (CTG) for the Oil and Natural Gas Industry Source Category, as set forth in the
8 attachments to this resolution and incorporated herein by this reference; and

9 **BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately upon adoption,
10 that the Clerk of the Board is directed to file the Notice of Exemption in compliance with the provisions
11 of CEQA.

12 **PASSED, APPROVED AND ADOPTED** by the Governing Board of the Antelope Valley Air Quality
13 Management District by the following vote:

14 AYES: MEMBER:
15 NOES: MEMBER:
16 ABSENT: MEMBER:
17 ABSTAIN: MEMBER:

18 STATE OF CALIFORNIA)
19)
20 COUNTY OF LOS ANGELES) SS:
21

22 I, Deanna Hernandez, Senior Executive Analyst of the Governing Board of the Antelope Valley
23 Air Quality Management District, hereby certify the foregoing to be a full, true and correct copy of the
24 record of the action as the same appears in the Official Minutes of said Governing Board at its meeting of
25 December 17, 2019.

26 _____
27 Senior Executive Analyst
28 Antelope Valley Air Quality Management District.

The following page(s) contain the backup material for Agenda Item: [1\) Approve the FY 19-20 Application for Carl Moyer Program Year 22 Funds and authorize its submission to the California Air Resources Board \(CARB\); 2\) Allocate a maximum of 15 percent of Mobile Source Emissions Reduction \(MSER\) Program funds to serve as the required match funding for the Carl Moyer Memorial Air Quality Standards Attainment Program \(the Moyer Program\); and 3\) Authorize the Executive Director/APCO and staff to execute the agreement, approved as to legal form. Presenter: Julie McKeehan, Grants Analyst.](#)
Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM #7

DATE: December 17, 2019

RECOMMENDATION: 1) Approve the FY 19-20 Application for Carl Moyer Program Year 22 Funds and authorize its submission to the California Air Resources Board (CARB); 2) Allocate a maximum of 15 percent of Mobile Source Emissions Reduction (MSER) Program funds to serve as the required match funding for the Carl Moyer Memorial Air Quality Standards Attainment Program (the Moyer Program); and 3) Authorize the Executive Director/APCO and staff to execute the agreement, approved as to legal form.

SUMMARY: This agenda item the Governing Board formally approves the District's continued participation in the Moyer Program, and the acceptance of funds allocated and awarded to the District for eligible projects and program administration for FY 19-20. The District will comply with the terms and conditions of the current Moyer Guidelines and the District's Moyer Program Policies and Procedures Manual. This agenda item also authorizes the District to accept and enter into agreement funding for "Rural District Assistance Program" (RAP), State Reserve and Community Air Protection (CAP) funds all administered through the Carl Moyer Program, including the acceptance of Moyer Program funds through inter-district transfer; and allocates District funds, under budget authority or fiduciary control, for the required match up to 15 percent of the awarded Moyer Program funds. In addition, this item authorizes the Executive Director/APCO and staff to execute agreements with CARB which binds the parties to the terms and conditions set forth in the application and the current Moyer Program Guidelines.

BACKGROUND: The purpose of the program is to reduce emissions by providing financial incentives to both the public and private sectors to implement eligible projects to reduce emissions from on-road and off-road engines and equipment including construction and agricultural, forklifts, transit and school buses, an accelerated vehicle retirement program, alternative fuel and electric infrastructure projects, and lawn mower equipment replacement. The state legislature authorized continuing funding for statewide implementation of the Moyer Program for FY 19-20. The AVAQMD has successfully implemented the program in past years to reduce emissions through clean air projects. On occasion the District may have projects that qualify for the "Rural District Assistance Program" (RAP), State Reserve and Community Air Protection (CAP) portion of Moyer Program funds. The District will also solicit any available Moyer Program funds accessible through inter-district transfer.

cc: Jean Bracy
Laquita Cole
Michelle Powell
Julie McKeehan

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM #7

PAGE 2

REASON FOR RECOMMENDATION: The Moyer Program Guidelines require that the Governing Board formally approve District application, allocate match funds and authorize the Executive Director/APCO and staff to execute the agreement with CARB.

REVIEW BY OTHERS: This item was reviewed by Allison E. Burns Special Counsel to the Governing Board as to legal form and by Bret Banks, Executive Director/APCO – Antelope Valley Operations on or before December 3, 2019.

FINANCIAL DATA: Carl Moyer Program funds are supplementary to the AVAQMD budget. Staff estimates sufficient funds to be available in the MSER Program (AB 2766 and/or AB 923 revenues) grant pools to meet the required match funding commitment which will be allocated to the grant program as needed. The distribution of these funds is included in the FY 19-20 budget.

PRESENTER: Julie McKeehan, Grants Analyst.

The following page(s) contain the backup material for Agenda Item: [1\) Allocate \\$25,000 in Mobile Source Emissions Reduction Program funds \(AB 2766\) in support of public transit programs in the Antelope Valley; and 2\) Authorize the Executive Director/APCO and staff to negotiate target time frames, technical project details and agreements, approved as to legal form by the Office of District Counsel. Presenter: Bret Banks, Executive Director/APCO.](#)

Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM #8

DATE: December 17, 2019

RECOMMENDATION: 1) Allocate \$25,000 in Mobile Source Emissions Reduction Program funds (AB 2766) in support of public transit programs in the Antelope Valley; and 2) Authorize the Executive Director/APCO and staff to negotiate target time frames, technical project details and agreements, approved as to legal form by the Office of District Counsel.

SUMMARY: This item continues the District's 50 percent contribution for costs incurred by any of the Antelope Valley Transit Authority (AVTA) member agencies and/or Antelope Valley College (AVC) who contribute funding to support public transit programs in the Antelope Valley.

BACKGROUND: In June 2015, the AVAQMD allocated \$200,000 in Mobile Source Emissions Reduction Program funds (AB 2766) in support of public transit programs such as electric infrastructure, electric bus purchase and/or programs to increase ridership, including but not limited to fare subsidies for seniors and disabled persons. In September 2016 the program was modified to reimburse the AVTA member agencies and/or AVC to implement programs to subsidize public transit passes that can be matched with each entity's contributed funds. Upon receipt of proof of expenses already incurred, as well as authorization for the provision of the funds from the AVTA member agencies and/or AVC, the AVAQMD will provide 50 percent as match funds to each member per year. The agency is responsible for providing documentation to the AVAQMD on the use of the funds along with related reports.

Pursuant to the District's Mobile Source Emissions Reduction Program Work plan, AB 2766 funds can be used to fund projects that reduce vehicle emissions such as subsidizing transit fares.

cc: Jean Bracy
Laquita Cole
Michelle Powell
Julie McKeehan

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM #8

PAGE 2

REASON FOR RECOMMENDATION: Governing Board approval is needed award Mobile Source Emissions Reduction Program funds (AB 2766). Additionally, Governing Board authorization is needed for the Executive Director/APCO to negotiate and execute an agreement with the grant recipient.

REVIEW BY OTHERS: This item was reviewed by Allison E. Burns, Special Counsel to the Governing Board as to legal form and by Bret Banks, Executive Director/APCO – Antelope Valley Operations on or before December 3, 2019.

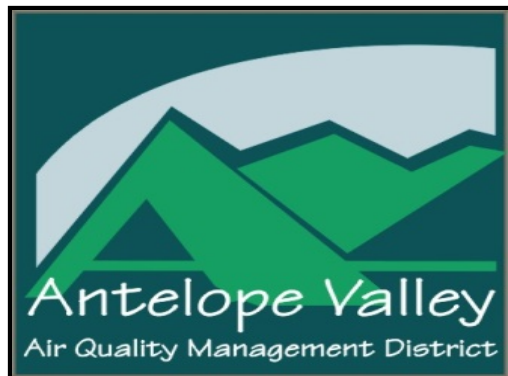
FINANCIAL DATA: Sufficient funds are available from the District’s Mobile Source Emissions Reduction Program (AB 2766) funds.

PRESENTER: Bret Banks, Executive Director/APCO.

The following page(s) contain the backup material for Agenda Item: [Presentation Community Air Protection Grant. Presenter: Bret Banks, Executive Director/APCO.](#)
Please scroll down to view the backup material.

Community Air Protection Program

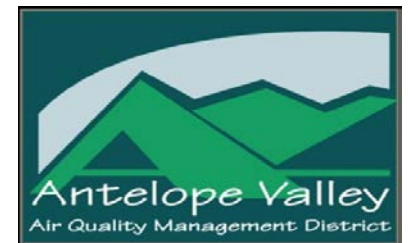
SB 535 / AB 1550



December 17, 2019

Senate Bill 535 and Assembly Bill 1550 Implementation

- Senate Bill (SB) 535 (De León) directs State and local agencies to make investments that benefit California's disadvantaged communities. It also directs the California Environmental Protection Agency (CalEPA) to identify disadvantaged communities for the purposes of these investments based on geographic, socio-economic, public health, and environmental hazard criteria.
- Assembly Bill (AB) 1550 (Gomez) increased the percent of funds for projects located in disadvantaged communities and added a focus on investments in low-income communities and households.



Community Air Protection Program Grant Funds

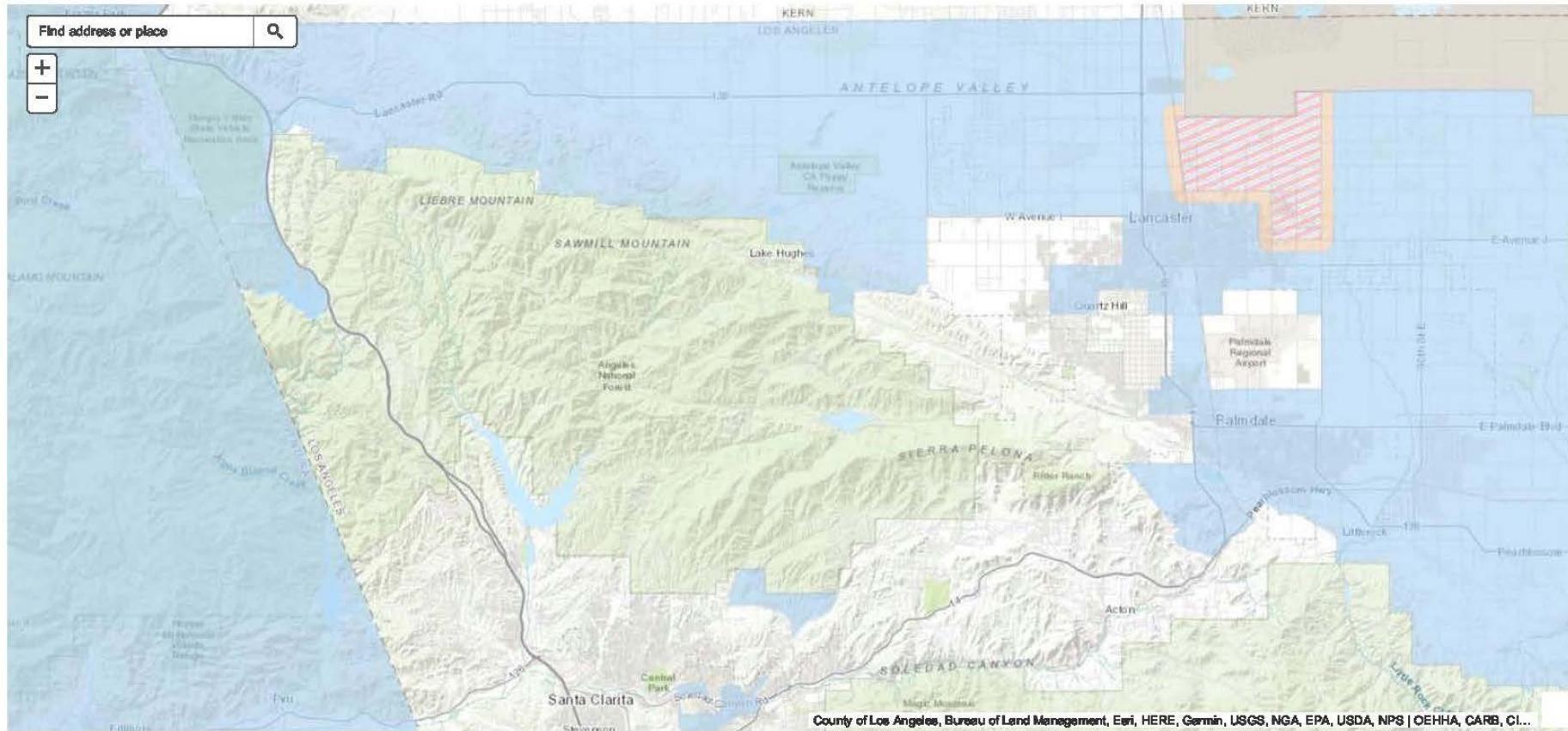
- Funds available: \$1,088,000.
- Community Steering Committee.
- Initial focus on PurpleAir Sensors and Battery Electric Equipment replacement projects.
- Must report Community Outreach involvement.

Antelope Valley Designated Areas

SB 535 / AB 1550

12/17/2018

California Greenhouse Gas Reduction Fund Project Map—BETA



Antelope Valley Designated Areas

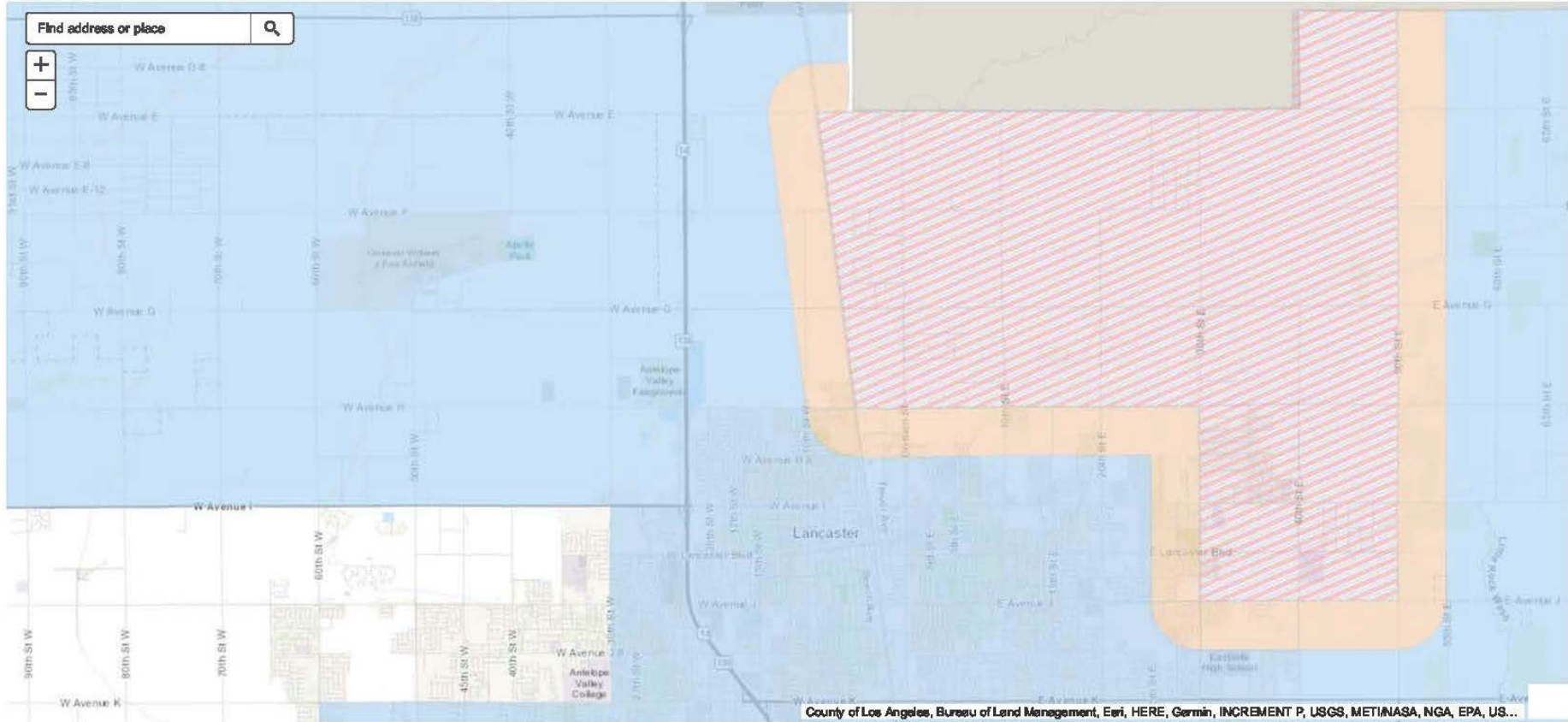
SB 535 / AB 1550

SB 535

North - E. Avenue E
South - E. Avenue J-8
East - 55th St. E
West - 10th St. W

12/17/2018

California Greenhouse Gas Reduction Fund Project Map—BETA



Antelope Valley Designated Areas

Google Earth Map Overlay