

MEETING
BEFORE THE
CALIFORNIA AIR RESOURCES BOARD

ORIGINAL

BOARD HEARING ROOM
2020 L STREET
SACRAMENTO, CALIFORNIA

THURSDAY, MAY 30, 1996

9:40 A.M.

Nadine J. Parks
Shorthand Reporter

MEMBERS PRESENT

John D. Dunlap, III, Chairman
Eugene A. Boston, M.D.
Lynne T. Edgerton
M. Patricia Hilligoss
John S. Lagarias
Jack C. Parnell
Barbara Riordan
Ron Roberts
James W. Wilva
Doug Vagim

Staff Present and Participating:

Jim Boyd, Executive Officer
Tom Cackette, Chief Deputy Executive Officer
Mike Scheible, Deputy Executive Officer
Mike Kenny, General Counsel

Artavia Edwards, Regulations Coordinator
Vicky Davis, Staff Counsel, Office of Legal Affairs

David Ipps, Staff, Technical Support Division
Terry McGuire, Chief, TSD
Rich Bradley, Chief, Air Quality Data Branch, TSD
Debbie Popejoy, Manager, Air Quality Analysis Section, TSD
Judith Tracy, Staff Counsel, Office of Legal Affairs

John Holmes, Ph.D., Chief, Research Division
Bob Barham, Assistant Chief, Research Division
Tony Van Curen, Research Division
Manjit Ahuja, Research Division

Patricia Hutchens, Board Secretary
Wendy Grandchamp, Secretary
Bill Valdez, Administrative Services Division

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1 item. All those in favor of Resolution 96-19, please say
2 aye?

3 (Ayes.)

4 CHAIRMAN DUNLAP: Any opposed? Very well. Motion
5 carries.

6 Thank you, staff, very much. Mr. Kenny, thank you
7 to you and your team.

8 The second item today is 96-4-2. It's a public
9 hearing to consider amendments to divide the Southeast
10 Desert Air Basin into two air basins, and to modify the
11 boundary of the South Coast Air Basin, and amendments to the
12 related agricultural burning regulations.

13 In this item, the staff is proposing that the
14 Board establish two new air basins. The staff's proposal is
15 in response to Assembly Bill 421 of 1995, which directs the
16 Board to divide the Southeast Desert Air Basin into two
17 parts.

18 Also, the South Coast Air Quality Management
19 District has asked the Board to make a slight change in the
20 boundary between the South Coast and Southeast Desert Air
21 Basins.

22 The staff, as directed by law, has examined the
23 existing basin boundaries and recommends that the Board
24 create two new air basins to replace the Southeast Desert
25 Air Basin.

1 In addition, staff concurs with the suggestions of
2 the South Coast District and recommends that the Board
3 modify slightly the boundary of that South Coast Air Basin.

4 At this point, I'd like to ask Mr. Boyd to
5 introduce the item and also at the proper junction to cover
6 the related ag burning reg reference as well.

7 Mr. Boyd.

8 MR. BOYD: Thank you, Mr. Chairman. As the
9 Chairman mentioned, we are proposing amendments to air basin
10 boundaries in the State of California.

11 The aforementioned Assembly bill did indeed
12 require the Air Resources Board adopt regulations by January
13 1 of 1997, to divide the Southeast Desert Air Basin. And,
14 as indicated, we are proposing two new air basins and
15 proposing to retire the name of the Southeast Desert Air
16 Basin.

17 Unrelated to the requirements of this legislation,
18 the South Coast Air Quality Management District has made a
19 written request asking that the Air Resources Board realign
20 air basin boundaries to make the San Geronio Pass area a
21 part of the South Coast Air Basin.

22 The area is already a part of the district, and it
23 shares the same air mass as the South Coast Air Basin
24 itself; therefore, we propose that the Board concur with the
25 district's request and make the realignment.

1 And, as indicated, we're also proposing minor
2 updates to the related agricultural burning regulations to
3 make these regulations consistent with the new boundary
4 definitions.

5 As part of the presentation, the staff will
6 briefly discuss how the boundary change would affect air
7 quality planning in the general Mojave Desert area.

8 And with that introduction, I'd like to call upon
9 Mr. David Ipps of the Air Quality Analysis Section of our
10 Technical Support Division to make the presentation.

11 Mr. Ipps?

12 MR. IPPS: Thank you, Mr. Boyd. Good morning,
13 Chairman Dunlap and members of the Board.

14 As Mr. Boyd mentioned, there are two separate
15 reasons that bring us here today. First, Assembly Bill 421
16 requires that the Air Resources Board divide the Southeast
17 Desert Air Basin into two air basins.

18 Second, the South Coast Air Quality Management
19 District has requested that the ARB realign air basin
20 boundaries.

21 I'll discuss each of these two reasons in just a
22 moment. But first, let's go over some basics.

23 As required by Health and Safety Code, California
24 is divided geographically into air basins for the purpose of
25 studying the State's air quality on a regional basis. Areas

1 within an air basin are considered to share the same air
2 masses and therefore expected to have similar air quality.

3 There are currently 14 air basins in California.
4 An air basin may consist of one or more counties or portions
5 of counties. And a number of counties in the State have
6 portions in two or three air basins.

7 Two of the air basins in the State -- the
8 Southeast Desert and the South Coast -- are affected by our
9 proposal today. This map shows their current boundaries.
10 The Southeast Desert Air Basin, as shown on this map in
11 pink, currently consists of a portion each of Kern, Los
12 Angeles, San Bernardino, and Riverside Counties, and all of
13 Imperial County.

14 Besides air basins, the State is also divided into
15 34 air pollution control districts and air quality
16 management districts. I'll refer to them as "air districts"
17 for short.

18 Air districts are county or regional governing
19 authorities that have primary responsibility for controlling
20 air pollution from stationary sources. Air district
21 boundaries are often, but not always, drawn along the
22 boundary lines of counties and air basins. Some districts
23 are responsible for a single county, while other districts
24 are responsible for several counties.

25 This map shows the jurisdictions of air districts

1 in the Southeast Desert Air Basin, which include the Mojave
2 Desert and South Coast Air Quality Management Districts and
3 the Imperial County and Kern County Air Pollution Control
4 Districts.

5 The areas under the jurisdiction of the Mojave
6 Desert District, as shown in yellow on this map, currently
7 include the Southeast Desert Air Basin portion of San
8 Bernardino County and an easterly segment of the desert
9 portion of Riverside County. The remainder of Riverside
10 County is under the jurisdiction of the South Coast
11 District.

12 Keep in mind that the air basin boundaries and air
13 district boundaries are independent of each other. Changes
14 in air basin boundaries, for example, do not necessarily
15 have any impact directly on the boundaries of air districts.

16 In addition, air basins may not necessarily be
17 used as the basis for determining the designations and
18 classifications of areas. A given area's designation
19 indicates whether the area meets the air quality standards.

20 An area would have a designation of nonattainment
21 if the area does not meet the standards. Nonattainment
22 areas are further grouped into different classifications,
23 which indicate the level of severity of nonattainment,
24 degrees of emission controls needed, and the required time
25 frame for attainment.

1 The geographical boundaries of nonattainment areas
2 and their classifications are determined by many different
3 factors and are not limited to air basin boundaries.
4 Federal nonattainment areas and classifications are
5 promulgated in the federal law, and any changes must be made
6 at the federal level and are beyond the jurisdiction of the
7 State Air Resources Board.

8 Now that we have covered the basic terms and
9 concepts, let's take a look at Assembly Bill 421. The bill
10 was authored by Assemblyman Olberg and signed into law by
11 Governor Wilson last year.

12 The bill added Section 39606.1 to the Health and
13 Safety Code. In the remainder of my presentation, I will
14 just refer to this section of the Code simply as "the Olberg
15 bill."

16 The Olberg bill requires that the ARB divide the
17 Southeast Desert Air Basin into air basins. It also
18 specifies that one of the two air basins be named the Mojave
19 Desert Air Basin, which must include at least the Southeast
20 Desert portions of Kern and Los Angeles Counties and all
21 areas under the jurisdiction of the Mojave Desert Air
22 Quality Management District.

23 The Olberg bill also authorizes the ARB to include
24 into the new Mojave Desert Air Basin any additional areas
25 contiguous to the areas I mentioned earlier that the ARB

1 determines as appropriate, based on similar meteorological
2 and geographical conditions, and consideration for political
3 boundary lines.

4 Those areas of the current Southeast Desert Air
5 Basin that are not included by the ARB in the new Mojave
6 Desert Air Basin would form a second new air basin. The
7 Olberg bill simply indicates that these areas would remain
8 in the Southeast Desert Air Basin.

9 A close look at the Southeast Desert Air Basin
10 reveals that it consists of two distinct geographical
11 regions -- the high desert and the low desert. This table
12 shows that there are distinguishable differences between the
13 two regions of the air basin. As the names imply, areas in
14 the high desert are typically at elevations several thousand
15 feet higher than most areas in the low desert.

16 In terms of meteorology, while the entire air
17 basin is dry, the high desert receives twice as much
18 precipitation as the low desert.

19 The high desert is also about 10 degrees cooler
20 than the low desert, measured in terms of either the maximum
21 temperatures in the summer or the minimum temperatures in
22 the winter.

23 In terms of air quality, all or most of the basin
24 is currently designated as nonattainment of the State and
25 national ambient air quality standards for both ozone and

1 PM10. Comparing the high desert and the low desert, ozone
2 concentrations are higher in the high desert, but PM10
3 concentrations are higher in the low desert.

4 The patterns in air pollution emissions are
5 similar. Emissions of the ozone precursors, oxides of
6 nitrogen and reactive organic gases, are both higher in the
7 high desert. However, emissions of direct PM10 are much
8 higher in the low desert.

9 The data we have seen demonstrate that there is a
10 perceptible difference between the high desert and the low
11 desert regions of the Southeast Desert Air Basin.

12 Therefore, the staff believes that it would be most
13 appropriate to divide the existing air basin along a
14 geographical line that best separates the high desert from
15 the low desert.

16 Under the guidelines of the Olberg bill, the staff
17 has determined that the current Southeast Desert portions of
18 San Bernardino, Kern, and Los Angeles Counties can be
19 considered as completely within the high desert, and all of
20 Imperial County can be considered as within the low desert.

21 However, the Southeast Desert portions of
22 Riverside County is less straightforward, because the
23 eastern part of the county belongs to the high desert, while
24 the western part belongs to the low desert.

25 Now, these two parts of the desert portion of

1 Riverside County are quite different from each other. The
2 eastern half has a mixed terrain of valleys and mountain
3 ranges, with elevations ranging from about 500 feet to about
4 5,000 feet. It has a small population and a low level of
5 pollutant emissions.

6 In contrast, the western half consists mainly of
7 the low desert of Coachella Valley, with elevations that are
8 mostly around sea level. It has a string of well-populated
9 desert communities and a relatively high level of associated
10 emissions.

11 After reviewing the available geographical lines
12 in the area, the staff believes that a hydrologic unit
13 boundary line in central Riverside County would best
14 separate the high desert and the low desert and, therefore,
15 most appropriately serve as a border between the new -- the
16 two new air basins.

17 Hydrologic unit boundary lines are determined by
18 the U.S. Geological Survey, and are based on its study of
19 the water drainage patterns in the United States.

20 Hydrologic boundary lines are suitable for use in
21 defining air basins, because the concept of a hydrologic
22 unit is similar to the concept of an air basin. Unlike
23 water, which always flows downhill, air masses sometimes
24 move upwards and into other air basins. However, since
25 hydrologic unit boundary lines are drawn along the ridge

1 lines of mountains, they also define the probable barriers
2 separating the air masses of different regions of the State.

3 The hydrologic unit boundary line that the staff
4 is proposing to use is related to the geographical features
5 of the area. It connects the ridge lines of the Little San
6 Bernardino Mountains and the Chuckwalla Mountains in
7 Riverside County.

8 The line runs generally in a northwest to
9 southeast direction, and it divides the desert portion of
10 the county into two approximately equal parts.

11 This boundary line is also the same as the eastern
12 boundary line of the Federal Planning Area of Coachella
13 Valley -- used for the national PM10 standards. Having an
14 air basin boundary which is the same as the planning area
15 boundary will facilitate air quality planning efforts for
16 the State and national standards.

17 With this boundary line, the staff proposes to
18 include that part of Riverside County, which lies east of
19 this line, in the Mojave Desert Air Basin; and that part of
20 the desert portion of Riverside County, which lies west of
21 this line, in the air basin representing the low desert.

22 We have now divided the Southeast Desert Air
23 Basin, but you might notice that we haven't got a name for
24 the air basin in the low desert. Recall that the Olberg
25 bill specifies the name of "Mojave Desert Air Basin" for the

1 lines of mountains, they also define the probable barriers
2 separating the air masses of different regions of the State.

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4 is proposing to use is related to the geographical features
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19 this line, in the Mojave Desert Air Basin; and that part of
20 the desert portion of Riverside County, which lies west of
21 this line, in the air basin representing the low desert.

22 We have now divided the Southeast Desert Air
23 Basin, but you might notice that we haven't got a name for
24 the air basin in the low desert. Recall that the Olberg
25 bill specifies the name of "Mojave Desert Air Basin" for the

1 high desert, but only indicates that the other areas would
2 remain in the Southeast Desert Air Basin.

3 The staff believes that using the name of
4 "Southeast Desert Air Basin" to represent the low desert
5 could potentially cause ambiguity and confusion, because the
6 new name -- because the name now refers to a different area
7 than before. Therefore, the staff proposes that the Board
8 adopt a new name for this second air basin.

9 The staff proposes to use the name of "Salton Sea
10 Air Basin" for the new air basin representing the low
11 desert. The Salton Sea is the largest geographical feature
12 in this new air basin. The staff believes that this name
13 would uniquely identify this area of the State.

14 Now that we have seen the first reason why we're
15 here, let's go on to the second reason.

16 In a November, 1995, letter, the South Coast Air
17 Quality Management District requested that the Board realign
18 air basin boundaries, such that the San Geronio Pass area,
19 which is currently located in the Southeast Desert Air
20 Basin, would become a part of the South Coast Air Basin.

21 The South Coast District's rationale for this
22 request is that the San Geronio Pass area is more similar,
23 in terms of both geography and meteorology, to adjacent of
24 the South Coast Air Basin than to areas in the Southeast
25 Desert Air Basin.

1 The district's conclusion is based on an analysis
2 of the topography and climate of these areas.

3 The San Gorgonio Pass is shown as the shaded area
4 on this map. The blue line indicates the current air basin
5 boundary between the Southeast Desert Air Basins. The South
6 Coast District requests that the basin boundary be realigned
7 to be the north and south line that marks the eastern
8 boundary of the San Gorgonio Pass area, as indicated by the
9 dash line on this map.

10 The San Gorgonio Pass is a small canyon in
11 northwestern Riverside County and is one of three major
12 mountain passes between the South Coast and Southeast Desert
13 Air Basins. It is located about halfway between the City of
14 Riverside to the west and the City of Palm Springs to the
15 east. The area includes the incorporated cities of Banning
16 and Beaumont and a number of smaller communities.

17 The staff has reviewed the district's request and
18 the supporting data and analysis. The staff has determined
19 that while the San Gorgonio Pass area is not completely
20 similar to either the South Coast or the Southeast Desert
21 Air Basin, it is more similar to the South Coast. And since
22 the ARB is mandated to divide the State into air basins by
23 grouping together contiguous areas that have similar
24 geography and meteorology, the staff proposes that the Board
25 support the South Coast District's request and make the San

1 Gorgonio Pass area a part of the South Coast Air Basin.

2 Now that I have completed describing the proposed
3 changes to the air basin boundaries, let's take a look at
4 four other related items:

5 In a 1991 federal regulation, all of Kern County
6 was incorrectly included in the San Joaquin Valley ozone
7 nonattainment area. Ozone concentrations in the desert
8 portion of Kern County are not as high as those in the San
9 Joaquin Valley portion.

10 The staff supports the Kern County District's
11 efforts to make the desert portion of the county a separate
12 federal nonattainment area from the San Joaquin Valley.
13 Upon your approval of the proposed boundary changes, the
14 desert portion of Kern County would be a part of the Mojave
15 Desert Air Basin.

16 Two other related regulations -- the area
17 designations for the State standards and the transport
18 couple identification and mitigation -- would be affected by
19 the proposed boundary changes.

20 The staff plans to propose amendments to the
21 regulations in both of these areas to incorporate the name
22 changes at a public hearing later this year.

23 The fourth related area is the agricultural
24 burning regulations, to which the staff is proposing minor
25 changes today.

1 The Board's agricultural burning regulations
2 establish meteorological criteria for the purpose of
3 declaring permissive burn days in each air basin of the
4 State. These ag burn criteria are specific to each air
5 basin.

6 Since we are making changes to the air basin
7 boundaries, we must also update the ag burn regulations in
8 order to provide a set of criteria for each of the new air
9 basins.

10 The staff is proposing only minor changes to the
11 text of the regulations, mainly to make them consistent with
12 the new air basins. We are not proposing any substantive
13 changes to the criteria.

14 Most of the agricultural activities in the
15 Southeast Desert Air Basin occur in the areas that would now
16 become the Salton Sea Air Basin. Therefore, the staff
17 proposes to use the existing criteria of the Southeast
18 Desert Air Basin in their entirety, without any changes, for
19 the new Salton Sea Air Basin.

20 For the new Mojave Desert Air Basin, the staff
21 also proposes to use the existing criteria of the Southeast
22 Desert Air Basin, except to delete one criterion on wind
23 direction that does not apply to the high desert.

24 The change in the South Coast Air Basin's boundary
25 is relatively minor, and the staff does not propose any

1 changes in the existing ag burn criteria for that air basin.

2 Now that you have heard all the proposed changes,
3 I would like to go over the comments that the staff has
4 received. The staff held a public consultation meeting at
5 Victorville in February, 1996, to present the draft
6 proposal.

7 At that meeting, a majority of the participants
8 who gave oral comments were in support of the staff
9 proposal. The staff also received other comments in writing
10 after the meeting. Those who have expressed support for the
11 staff proposal include Assemblyman Olberg's office, the
12 Mojave Desert District, the South Coast District, the
13 Coachella Valley Association of Governments, the Sierra
14 Club, and a number of others.

15 There are two issues that might suggest a
16 deviation from the staff proposal. First, several
17 individuals requested that the Big Bear Lake area, which is
18 currently in the South Coast Air Basin, be made a part of
19 the new Mojave Desert Air Basin.

20 They believe that the area is more similar to the
21 Mojave Desert than the South Coast in terms of the
22 mountainous terrain, sparse population, and other factors.
23 This request is unrelated to fulfilling the requirements of
24 the Olberg bill, but they believe that this is an
25 opportunity to change air basin boundaries.

1 The second issue is that the City of Banning
2 passed a resolution to oppose making Banning a part of the
3 South Coast Air Basin. Among the reasons cited in the
4 resolution, the city council that Banning has such unique
5 topography and meteorology that the city should be in its
6 own air basin, and that placing Banning in the South Coast
7 Air Basin would stigmatize the city and impede its economic
8 development.

9 In response to the Big Bear Lake boundary issue,
10 the staff believes that there is not a compelling case for
11 changing the current boundary for a number of reasons.

12 This map shows the location of the Big Bear Lake
13 area. The blue line indicates the current air basin
14 boundary, which approximates the boundary line of the
15 hydrologic unit -- which, in turn, is indicated by the red
16 line.

17 As this map shows, the Big Bear Lake area is
18 completely within the same watershed as the San Bernardino
19 area of the South Coast Air Basin. The geographical
20 features that guide the drainage of water would also channel
21 the interchange of air masses between the Big Bear Lake area
22 and the rest of the South Coast Air Basin.

23 Further, based on available information, the Big
24 Bear Lake area is more of a receptor area of emission
25 sources in the South Coast Air Basin than of sources in the

1 Mojave Desert. It is appropriate to associate the area with
2 the air basin which contributes the most to its air quality.

3 In addition, the Big Bear Lake area is more
4 similar to areas in the South Coast Air Basin than to the
5 Mojave Desert Air Basin. Its geography is similar to areas
6 such as Crestline and Lake Arrowhead in the South Coast Air
7 Basin. Its annual average precipitation is much higher than
8 those (sic) in the desert and is more similar to the
9 precipitation in the South Coast Air Basin.

10 Because of these reasons, the staff does not
11 recommend that the Board support the request to change the
12 air basin boundary around the Big Bear Lake area.

13 In response to the Banning issue, the staff
14 recommends that the Board support the South Coast District's
15 request, despite the opposition by the City of Banning, for
16 the following reasons:

17 First, a study of the map shows that the City of
18 Banning is located on the South Coast Air Basin side of a
19 straight line drawn between the summit of San Geronio
20 Mountain and the summit of San Jacinto Mountain.

21 Second, although precipitation and other
22 meteorological factors for Banning may not be exactly the
23 same as either the South Coast area or the desert, the area
24 is more similar to adjacent areas of the South Coast in
25 terms of temperature and precipitation.

1 The adjacent area of the -- the adjacent area in
2 the desert is the Coachella Valley, which is much warmer and
3 much drier than the Banning area.

4 Finally, the air quality of the Banning area is
5 more impacted by emissions from the South Coast area than
6 the desert area. The Banning area is more of a downwind
7 area of the South Coast Air Basin. Further, most residents
8 in the Banning area work and commute to and from Los Angeles
9 or other areas of the South Coast Air Basin rather than the
10 Coachella Valley or any other area of the desert.

11 Thus, the area is more affected by the emissions
12 of transportation sources in the South Coast Air Basin than
13 those in the desert.

14 Because of the above reasons, the staff proposes
15 that the Board approve the South Coast District's request to
16 include the San Geronio Pass area in the South Coast Air
17 Basin in spite of the opposition by the City of Banning.

18 This action would not change district boundaries,
19 because Banning is already under the jurisdiction of the
20 South Coast District.

21 This map shows -- summarizes the staff's proposed
22 boundaries for the two new air basins and the modified South
23 Coast Air Basin.

24 The new Mojave Desert Air Basin, as shown here in
25 orange, would consist of the previous Southeast Desert Air

1 Basin portions of Kern, Los Angeles, and San Bernardino
2 Counties, and also that segment of the desert portion of
3 Riverside County that lies to the east of the hydrologic
4 unit boundary line in central Riverside County.

5 The new Salton Sea Air Basin, as shown here in
6 pink, would consist of all of Imperial County and that
7 segment of the Desert portion of Riverside County that lies
8 to the west of the same hydrologic unit boundary line up to
9 the South Coast Air Basin boundary.

10 The modified South Coast Air Basin, as shown here
11 in green, would consist of all of the current territories
12 plus the San Geronio Pass area.

13 Incidentally, the staff proposal would put
14 Riverside County in three air basins, which is similar to
15 the situation currently in Placer County in Northern
16 California.

17 Now that you have heard the staff proposal, let's
18 take a look at how the proposed boundary changes would
19 relate to the air quality planning efforts in the desert
20 area.

21 As you may know, Assemblyman Olberg authored AB
22 421 at the request of the Mojave Desert District. The
23 district believes that its classification of Severe-17 for
24 the national ozone standard is unreasonable. Much of the
25 high desert is included in the same federal ozone

1 nonattainment area as the low desert portion of Riverside
2 County.

3 High ozone concentrations recorded in Riverside
4 County contributed to the area's current federal
5 classification. The district feels that it is being
6 unfairly penalized for the poor air quality of its
7 neighbors.

8 The district believes that the Olberg bill, by
9 placing the high desert in a different air basin than the
10 low desert, would signal that the high desert should be
11 considered a separate nonattainment area from the low
12 desert. The district has indicated its support for the
13 staff's proposal today.

14 The staff shares the Mojave Desert District's
15 concern about the federal regulatory burden on the district
16 and supports the district's efforts in seeking a more
17 appropriate federal classification that acknowledges
18 intrastate transport. However, changes in the federal
19 classification are beyond the jurisdiction of the Air
20 Resources Board.

21 Your approval of the staff's proposal today on the
22 air basin boundary changes would accomplish an initial step,
23 which is within the legal authority of the State Board. We
24 recommend that the Board prevail upon the U.S. EPA to
25 recognize intrastate transport for federal classification

1 purposes.

2 I would also like to report that the staff is
3 undertaking other efforts to address the district's concerns
4 regarding the requirements of a severe classification. But
5 before that, let's review the district's current status.

6 Mojave Desert is designated as nonattainment for
7 the State and national ozone standards. For the State
8 standard, the area is classified as moderate, after removing
9 those violations caused by interbasin transport, as allowed
10 by the California Clean Air Act.

11 In contrast, the federal classification process
12 does not account for transport within the State. As a
13 result, the area is classified as Severe-17 for the national
14 standard.

15 Current efforts to address the severe
16 classification requirements occur in the following areas:

17 Federal nonattainment areas are required to
18 prepare a State Implementation Plan, or SIP, for attaining
19 the standard. The current SIP for the desert area, although
20 not directly recognizing interbasin transport, bases its
21 attainment on the emission reductions that will occur in the
22 South Coast Air Basin.

23 Because of this strategy, the emission sources in
24 the local desert area are subject only to existing control
25 programs.

1 In addition, the ARB has requested a federal
2 waiver of the rate-of-progress requirements for the desert
3 area. Also, the requirements for mandatory trip reductions
4 have been eliminated. Further, the staff has also been
5 working with the federal agencies to obtain increased
6 flexibility in the permitting requirements.

7 On the technical level, the staff is conducting
8 similar -- conducting studies to further evaluate the
9 contribution of transport to the ozone problem in the
10 desert, such as using radar profilers to better understand
11 transport aloft.

12 We will also participate in a future revision of
13 the South Coast attainment plan to determine its impacts on
14 the desert's attainment prospects.

15 In conclusion, I would like to summarize the
16 staff's proposal today, which is threefold.

17 One, to divide the Southeast Desert Air Basin into
18 two air basins called the Mojave Desert Air Basin and the
19 Salton Sea Air Basin. Upon your approval, there would be a
20 total of 15 air basins in California, and there would no
21 longer be an air basin called the Southeast Desert Air
22 Basin; two, to slightly change the boundary of the South
23 Coast Air Basin so that it also includes the San Geronio
24 Pass area; and, three, to update the related agricultural
25 burning regulations to make them consistent with the new air

1 basins.

2 That concludes my presentation. Ms. Debbie
3 Popejoy will now summarize the comments that we have
4 received since we sent out the public notice on this item.

5 Staff will be available to answer questions after
6 Ms. Popejoy concludes her summary. Debbie?

7 MS. POPEJOY: Thank you, David. We have received
8 four comment letters during the public notice period. We
9 have received one letter from Mr. Fryxell, the Air Pollution
10 Control Officer of the Mojave Desert AQMD, and one letter
11 from Mr. Rothschild, the Chairman of the Mojave Desert Air
12 Quality Management District Governing Board.

13 Both Mr. Fryxell and Mr. Rothschild, at that time,
14 had requested the Board to delay action on the staff's
15 proposal, because they believe there were still two
16 unresolved issues that needed further consideration.

17 These issues are: (1) The Big Bear Lake area
18 request be part of the new Mojave Desert Air Basin; and (2)
19 failure to implement the intent of Assembly Bill 421.

20 I believe the staff has reviewed all the available
21 technical information with regards to the Big Bear Lake area
22 and a delay would not provide more information to consider.

23 In addition, we heard from some commenters at the
24 workshop that they did not want the Big Bear Lake issue to
25 delay implementation of Assembly Bill 421.

1 Regarding the failure the implement the intent of
2 Assembly Bill 421, the district feels that the bill was
3 supposed to address the inappropriateness of the district's
4 Severe-17 classification for the national ozone standard.

5 Staff believes that the proposed resolution you
6 have before you today should satisfy the district's
7 concerns.

8 The third letter we received is from a Ms. Rusche,
9 a resident of Chiriaco Summit, a small community in
10 Riverside County.

11 Staff's proposal would include this community in
12 the Salton Sea Air Basin. Ms. Rusche believes that the
13 Chiriaco Summit should be on the eastern side of the
14 hydrologic boundary, placing it in the Mojave Desert Air
15 Basin.

16 We have double-checked the hydrologic boundary
17 line, which is determined by the U.S. Geological Survey, and
18 this community is, in fact, west of the boundary line and
19 appropriately placed in the Salton Sea Air Basin.

20 The fourth letter is from Mr. Billheimer from the
21 City of Riverside. He is in support of the staff's proposal
22 to divide the Southeast Desert Air Basin. He is also in
23 support of including the Big Bear Lake area in the new
24 Mojave Air Basin.

25 He believes that further review of other areas,

1 such as Lake Arrowhead and Crestline, would warrant
2 inclusion of these areas also in the Mojave Desert Air
3 Basin.

4 As stated in the presentation, staff does not
5 believe that the technical information warrants changes to
6 the air basin boundaries to include the Big Bear Lake area
7 in the Mojave Desert Air Basin.

8 If you have any questions, we'd be happy to answer
9 them.

10 CHAIRMAN DUNLAP: Okay. Any questions of staff?
11 If not, we'll hop into the witness list.

12 Okay. Thank you. I know there's a lot of
13 information there.

14 Jim, at some point -- maybe after we hear from the
15 witnesses -- if you would maybe give us a couple minutes'
16 historical overview of what you've kind of seen happening
17 relative to air basin boundaries over the last couple
18 decades, I think it'd be helpful for some of the newer
19 members to hear that.

20 Mr. Rothschild -- Chairman Rothschild of the
21 Mojave District, please come forward. Mr. Mac Iver and Mr.
22 Wilcox, if you'd move to the forward row of seats, we'll
23 have you follow Chairman Rothschild.

24 Good morning. Welcome to Sacramento.

25 MR. ROTHSCCHILD: Thank you, Chairman Dunlap and

1 members of the Board. I'm pleased to be here to represent
2 the Mojave Desert Air Quality Management District. I have
3 served as Chairman for the last three years. And in that
4 process, the learning curve has been tremendous as I imagine
5 it would be at this level as well.

6 About three years ago, when I first came on board,
7 I knew I breathed the air up there, but I didn't know quite
8 what I was getting into. But, very quickly, we realized
9 that there was some serious problems that needed to be
10 addressed, one of which was the nature of the air quality
11 designation in the high desert as opposed to, say, Los
12 Angeles.

13 When we started looking around at our stationary
14 sources, we realized that much of our problem had to do with
15 transport air -- a term that I had learned coming on the
16 board as well.

17 And, at that time, about three years ago, I asked
18 what could we do about it. Can we -- is there any way to
19 create a new basin? I understood the difference between
20 district and basin, but I also realized that we didn't have
21 a unique basin in the high desert region.

22 Staff indicated that there was a lot that needed
23 to be done, but, yes, you could create this basin.
24 Fortunately, we had Assemblyman Olberg work closely with us,
25 and we helped create the basin bill, which was signed into

1 law by Governor Wilson last year. And now we're in Phase 2
2 of that process: You're designating our boundaries for us.

3 But to the heart of that issue is the -- the issue
4 of the culpability of the Severe 17 that was imposed on us
5 as opposed to the uniqueness of our high desert, and that's
6 where the work came in with your Board and your staff here.
7 And before I get into just touch on the heart of that point,
8 I do want to thank this Board for its fast and efficient
9 work. I can't imagine you addressing an issue as
10 complicated in such a short period of time. And I can't
11 give you thanks without obviously giving the staff thanks.

12 I know that your attorney -- is it Mr. Kenny? --
13 and Lynn Terry, and Paul Buttner, all three worked many
14 hours on the technical aspects and the legal aspects of
15 this. It could not have happened without their work and
16 time invested in that process.

17 And the thing I want to really emphasize the most
18 is that, as we move down the line and move towards working
19 with the EPA, which may be even a far greater challenge than
20 what we've got before us today, is that we all recognize
21 that there are two levels of concerns here. One is the
22 emission inventory that we have in the high desert. And I
23 submit that, if you took the worst polluting industry in the
24 Los Angeles Basin and parked it in the high desert region,
25 we would still be a full attainment district -- basin,

1 inasmuch as we've got some 20,000 square miles to disperse
2 that type of air problem.

3 So, the issue is really are we an attainment area;
4 and, if so, give us a fair chance to grow in that
5 environment and not in the more restrictive environment that
6 Los Angeles has to work in.

7 And so, in conclusion, not to belabor the point --
8 I think technical staff and the presentation was excellent,
9 and I do agree with the conclusions, the concluding comments
10 of staff on the two points of my letter that I'd sent about
11 two weeks ago; I agree with both of them -- that we want to
12 emphasize emission inventory for the high desert and less
13 the technical data of the transport problem that we have
14 coming out of Los Angeles, and emphasize that to the EPA,
15 that that problem needs to be recognized.

16 And our Board has not taken an official position
17 on the Big Bear issue. So, I am not prepared to stand here
18 and suggest anything to you, other than what staff has
19 suggested to you at this time.

20 So, with that, again, I want to again offer the
21 board's thanks, Assemblyman Olberg's thanks in his years on
22 this (sic), and hope that we can move ahead working with the
23 EPA for Phase 3 of getting a more moderate rating for the
24 high desert region.

25 CHAIRMAN DUNLAP: Okay. Thank you, Mr. Chairman.

1 Supervisor Riordan, do you have anything to add?

2 SUPERVISOR RIORDAN: Well, I just would couple on
3 our Chairman's remarks for staff working with us, and we
4 really appreciate that. It seems to me this is a
5 complicated procedure. It is technical and somewhat
6 political.

7 But I would remind the Board that the measurements
8 that were taken to give to the Mojave area its designation
9 were taken in the Banning Pass. And that, in and of itself,
10 creates the big problem, because they are so nonrelated. I
11 mean, if you have any sense of what we call -- the natives
12 call it the Banning Pass. Those of you who look at it from
13 afar, it's the San Gorgonio Pass. But it's very much
14 separated from what I would call the Mojave Air Quality --
15 the Mojave Air Basin.

16 So, the staff recommendation to move that is, I
17 think, a significant step in reevaluating the Mojave Air
18 Quality District issues and what we have before us.

19 So, that, in and of itself, is very helpful to us
20 out there, as well as, again, I want to thank the staff.
21 Thank you.

22 CHAIRMAN DUNLAP: Okay. Well done. Thank you.

23 Mr. Mac Iver, followed again by Mr. Wilcox.

24 MR. MAC IVER: Thank you, Mr. Chairman. I'd like
25 to ask your staff to move this easel up where you can see

1 it. I have a couple of maps there that I think shed some
2 light that would be interesting to you.

3 My name is Doug Mac Iver. I'm here as a private
4 citizen representing myself. I am semi-retired. I do have
5 a consulting business on the side.

6 I worked for Southwestern Cement, which has been
7 succeeded by Southdown (phonetic) for many years. I was,
8 when I retired, the manager of environmental engineering for
9 Southdown.

10 Way back in -- we got in the air pollution control
11 business back about 1970, and I was on the advisory
12 committee for the San Bernardino Air Pollution Control
13 District at the time.

14 And the Air Resources Board -- I don't know how it
15 came about -- proposed the State law to draw these air basin
16 boundaries. At that time, San Bernardino County was all in
17 one district, the whole county -- the desert and the basin.

18 I went up to South Lake Tahoe to an ARB meeting at
19 that time -- I think it was in the early seventies; I'm not
20 sure of the date -- and asked the ARB at that time to
21 separate the desert part of the county from the Los Angeles
22 Basin part of the county. And they did that.

23 And that's, in part, how we come about the
24 Southeast Desert Air Basin.

25 I have served on the Scientific and Technical

1 Advisory Committee for several iterations of these districts
2 as applied to San Bernardino County. I'm not on the
3 Technical Advisory Committee for the Mojave Desert Air
4 Quality Management District.

5 I did send a letter in. It's in your Board
6 package now. And what I'm asking is that the Air Resources
7 Board move the present boundaries of the Southeast Desert
8 Air Basin to the south to include the Big Bear Lake Valley
9 when they determine the boundaries of the South Coast Air
10 Basin and the New Mojave Desert Air Basin.

11 This can be conveniently done by moving the basin
12 south six miles to the east/west line common to Township 1
13 North and 2 North, and continuing it west about 12 miles to
14 the North-South line between Range 1 West and 2 West, and
15 thence north to their present boundaries.

16 And I'd like to show you that on this map, on this
17 lower --

18 CHAIRMAN DUNLAP: So, you're talking about a
19 six-mile shift; is that --

20 MR. MAC IVER: Yes.

21 CHAIRMAN DUNLAP: Okay.

22 MR. MAC IVER: A six-mile shift to the south and
23 12 miles -- this is the present boundary here (indicating on
24 map). After I ask the -- and some others -- the ARB way
25 back then to draw the boundaries, I didn't pay any more

1 attention to how they drew the boundaries, and I don't know
2 how that came about as a matter of fact.

3 But they did draw the boundaries across here in a
4 straight line (indicating).

5 (Thereupon, the reporter requested the
6 witness speak into the microphone.)

7 CHAIRMAN DUNLAP: We're having a --

8 MR. MAC IVER: I'm sorry. I have trouble reaching
9 this. Can we get that a little closer? Oh, that'd be
10 great.

11 (Thereupon, a wireless microphone was
12 provided to the witness.)

13 MR. MAC IVER: Hear me now? This slide is 60
14 miles here straight across over on the other side of Los
15 Angeles County, goes right over the top of Mount San
16 Antonio, probably the high point in the San Gorgonio or the
17 San Gabriel range here, and continues to the west, and it
18 jogs up like this (indicating) on the other mountains.

19 This is the area that I would say should be -- I
20 propose that you change. Not a major change overall.

21 The hydrologic boundary they showed early on the
22 map, you can see right about here, the Big Bear Airport,
23 water flows to the west or to the east into the Southeast
24 Desert or Mojave Desert Air Basin. This does flow to the
25 west.

1 So, we have a confusing picture on hydrologic
2 boundaries. And I would like to quote to you the State law
3 that doesn't say anything about hydrologic boundaries, but
4 it does say -- where did it go here -- Part 39606 says
5 (reading) the state board shall (a) based on similar
6 meteorological and geographic conditions, and consideration
7 for political boundary lines wherever practicable, divide
8 the State into air basins to fulfill the purposes of this
9 division.

10 And part of the old Board bill (sic), 39606.1,
11 Part (a)(4), says (reading) Any area, contiguous to the
12 areas indicated in paragraphs 1 to 3 inclusive, that the
13 Board determines by a preponderance of evidence is
14 appropriate for inclusion (sic).

15 So, on this map under "political considerations,"
16 there are several special districts in Big Bear Lake. This
17 is the boundaries of the municipal water district. That
18 southern boundary here is essentially what I've listed on
19 here. I think that's along Township -- I've got to look it
20 up. I can't remember that. 1 North and 2 South, or it's in
21 my letter to the staff under "Proposal A" anyway.

22 CHAIRMAN DUNLAP: Okay.

23 MR. MAC IVER: And it comes along here. These are
24 the range lines and the township lines that are easy to
25 define geographically or legally. It could also be --

1 define a boundary like this, the special district boundary.
2 That's easy to do as well. And those are available for
3 several districts here that could be defined.

4 One of our special districts is the Big Bear Area
5 Regional Wastewater Agency. They have proposed to build a
6 waste to energy plant in the Big Bear area. It'd be a small
7 plant. Big Bear Lake is at 6750 feet approximately. That's
8 a mile above San Bernardino. Any emissions from this basin
9 are very low and have no practical effect on either Mojave
10 Desert Air Basin or the South Coast Air Basin.

11 Here's their landfill site right up here just
12 across into the Mojave Desert Air Basin now, and are in the
13 Mojave Desert AQMD. And they've talked with those people
14 about building this plant. And they've come to Big Bear.

15 Okay. The Big Bear Lake Valley and South Coast
16 Air Basin really have very little in common. Big Bear is
17 sparsely populated, does not have any heavy industry. It's
18 basically a mountain recreation area. It does not have the
19 severe inversion layer that is found during parts of the
20 year in the relatively low lying South Coast Air Basin,
21 which ranges from sea level in the west to about 1500 feet
22 in elevation east of San Bernardino, not including the
23 surrounding mountains, which enclose the South Coast Air
24 Basin.

25 And, in fact, as I said, Big Bear is more than a

1 mile high above San Bernardino. There are many features of
2 Big Bear which are more similar to the high desert than the
3 South Coast, especially the elevation of the mountain
4 boundaries, such as at Holcomb Valley (phonetic), which is
5 right up here, the area of Wrightwood, which is on over
6 here. It doesn't show on this map.

7 There are many areas -- well, Wrightwood's right
8 in here, this high area of mountains here.

9 The areas along the mountain boundaries of the San
10 Gabriel Mountains, the Tehachapi Mountains, the eastern
11 flank of the Sierra Nevada Mountains all have elevations
12 equal or higher than in Big Bear.

13 CHAIRMAN DUNLAP: Can I ask you to go back and
14 cover a point for me?

15 MR. MAC IVER: Sure.

16 CHAIRMAN DUNLAP: Go back to the hydrologic
17 boundary again. Is that the full six mile shift? How much
18 of that is shifted?

19 MR. MAC IVER: The hydrologic boundary, as I can
20 see here, it comes right --

21 CHAIRMAN DUNLAP: That's primarily the
22 unincorporated area, correct?

23 MR. MAC IVER: Well, that's right.

24 CHAIRMAN DUNLAP: Okay.

25 MR. MAC IVER: But there are several special

1 districts in that area.

2 CHAIRMAN DUNLAP: But those special districts have
3 no bearing on the hydrologic boundary, though, do they?

4 MR. MAC IVER: That's true.

5 CHAIRMAN DUNLAP: Okay.

6 MR. MAC IVER: That's right.

7 CHAIRMAN DUNLAP: So, characterize for me orally,
8 if you can, what kind of a shift we're talking about to
9 follow the true hydrologic boundary.

10 MR. MAC IVER: Well --

11 CHAIRMAN DUNLAP: Can you characterize it for me?

12 MR. MAC IVER: I think it would come right across
13 here, and this eastern part of the boundary (indicating)
14 would be on the -- would flow into the --

15 CHAIRMAN DUNLAP: Mojave.

16 MR. MAC IVER: -- Mojave Desert Air Basin or
17 SEDAB.

18 CHAIRMAN DUNLAP: Okay.

19 MR. MAC IVER: The eastern part does flow into the
20 San Bernardino or Santa Ana River.

21 CHAIRMAN DUNLAP: South Coast. Okay.

22 MR. MAC IVER: No doubt about that. If you look
23 up here at this map -- I would invite you to come look at
24 this close, if you would -- you can see that Big Bear is up
25 there kind of like an island sitting up there above most of

1 this down here (indicating).

2 CHAIRMAN DUNLAP: Okay. Big Bear City would be in
3 the South Coast Air Basin if you followed the hydrologic
4 boundary, correct?

5 MR. MAC IVER: Well, I'm not absolutely sure about
6 that. Mel Zelden, who's here from the South Coast AQMD, had
7 a map when he was up at Big Bear Lake --

8 CHAIRMAN DUNLAP: Okay. Mel?

9 MR. MAC IVER: -- that showed Big Bear sitting on
10 one side and Big Bear Lake -- City of Big Bear Lake on the
11 other side of that boundary.

12 CHAIRMAN DUNLAP: Okay. May we ask Mr. Zelden to
13 join on your nickel, sir?

14 MR. MAC IVER: Sure.

15 CHAIRMAN DUNLAP: Mel, why don't you introduce
16 yourself for our court reporter.

17 MR. ZELDEN: Okay. My name is Mel Zelden. I'm
18 Planning Manager with the South Coast Air Quality Management
19 District, and I'm glad to be here this morning.

20 I believe that one of the charts that David Ipps
21 had presented showed the boundary of the hydrologic unit
22 superimposed on the existing air basin boundary, and that's
23 probably as good a picture as can be drawn.

24 CHAIRMAN DUNLAP: Okay. Can staff characterize or
25 can you, Mel, the distance shift.

1 MR. ZELDEN: The boundary itself includes much of
2 the Big Bear area within the South Coast drainage unit.
3 It's a funny type of hydrologic boundary. And I think the
4 graph probably depicts it better than anything I can
5 describe. I don't know if it's possible, perhaps, to put it
6 back up on the screen.

7 But areas such as Crestline, Running Springs exist
8 in the Mojave -- not the Mojave, excuse me -- the Southeast
9 Desert drainage basin; whereas, Big Bear is in the South
10 Coast drainage basin.

11 CHAIRMAN DUNLAP: Is that different or consistent
12 with the hydrologic boundary?

13 MR. ZELDEN: That is the hydrologic boundary.

14 CHAIRMAN DUNLAP: Okay.

15 MR. ZELDEN: It does not exactly parallel the
16 existing basin boundary divider, which is more or less a
17 straight line for -- probably for convenience purposes
18 rather than having some sort of jagged line defining the
19 difference between the two air basins.

20 CHAIRMAN DUNLAP: I guess -- think it's my mike
21 that's doing that (speaking of microphone cutting in and
22 out). So, I'll just have to speak loud then.

23 There needs to be a logic presented here that we
24 can grasp readily relative to deviating from the staff
25 recommendation. There's a lot of information here about --

1 that you're presenting about hydrologic boundaries and other
2 such considerations.

3 But if you can concisely summarize it and give us
4 some logic behind it, we'll be happy to discuss it and
5 consider it. But I'm having a hard time getting my arms
6 around it right now.

7 So, staff, or Mr. Mac Iver, or Mel, if you could
8 help with that, I'd be grateful.

9 MR. ZELDEN: Let me just say that I believe the
10 staff has been able to put up that map again.

11 The areas included in Big Bear Lake south and west
12 of that red line are part of the South Coast hydrologic
13 drainage basin. And areas to the north and east of that red
14 line are in the Southeast Desert drainage basin. And you
15 can see the blue line, which represents the current boundary
16 and how that relates to the hydrologic boundary.

17 But Big Bear Lake, Big Bear City, by hydrologic
18 unit, is in the South Coast drainage.

19 CHAIRMAN DUNLAP: Okay.

20 SUPERVISOR RIORDAN: I'm going to interrupt, Mr.
21 Chairman, if I might, through you, the Chair.

22 You know, I'm going to disagree with you. And I'm
23 not in any way a hydrologist. But I would tell you, as the
24 representative of that area and up there a great deal of the
25 time -- plus looking at the USGS maps -- if, indeed -- and

1 you'll have to help me -- for instance, Baldwin Lake, if it
2 drained -- which it really doesn't, because it's sort of in
3 and of itself -- but if it drained, it's going to go down
4 the Mojave side of those mountains. And, in fact, if you
5 look at some of the USGS maps, you could come almost to
6 Greenway to see where that drainage goes down.

7 And I can't tell by this map. And tell me, is
8 Baldwin Lake on this map, staff?

9 MS. POPEJOY: No.

10 SUPERVISOR RIORDAN: Where would Baldwin Lake be?

11 MR. MC GUIRE: It is not on this map. It is on a
12 smaller, more detailed map that I'm looking at. It is north
13 and east of Big Bear and, in fact, is right on the
14 hydrologic boundary.

15 SUPERVISOR RIORDAN: Right. So, I guess what I --
16 because I don't know that this is a map that we'd ever say
17 is to scale, am I right or am I wrong?

18 MR. MC GUIRE: That's correct. That's for
19 illustration purposes.

20 SUPERVISOR RIORDAN: That's for illustration
21 purposes. And I think what I'd like to tell the Board is
22 that probably Mr. Mac Iver's map, which is difficult to see
23 at best right now, would actually take that red line back
24 to a short part of what is called Big Bear Lake, that blue
25 area that appears to be the lake.

1 And it would kind of cut off a tip of that, not a
2 very big tip. But that's really where that hydrologic line
3 is according to the USGS maps that I've seen.

4 So, I just want to draw your attention. I'm not
5 trying to be argumentative, but I think this is more just
6 sort of an illustration. And if we really want to get
7 technical, it comes down a little bit.

8 CHAIRMAN DUNLAP: Mr. McGuire?

9 MR. MC GUIRE: The map is indeed accurate and is
10 drawn to scale with respect to the USGS boundaries. The
11 hydrologic boundary is exactly there, and Big Bear is
12 clearly south and west of it from the more detailed map that
13 we have.

14 SUPERVISOR RIORDAN: Well, then, where would
15 Baldwin Lake be?

16 MR. MC GUIRE: Baldwin Lake would be located just
17 about up there where the blue line intersects that little
18 tip on the right of the red line.

19 In other words, Baldwin Lake is -- according to
20 the map that I'm looking at -- just at the boundary. And it
21 would be not illogical to expect it to drain almost either
22 direction from the scale of the map that I see.

23 SUPERVISOR RIORDAN: All right. Okay. Well, so,
24 what you're saying is that the -- then, coming into the lake
25 area, that wouldn't drain that way either, just a short

1 portion of it?

2 MR. MC GUIRE: Big Bear Lake, according to the
3 USGS, would drain to the south and the west; in other words,
4 to the South Coast Air Basin.

5 SUPERVISOR RIORDAN: Well, the lake does. I agree
6 with you. The lake does. But there is a portion of that
7 lake that is closest to Baldwin that, in my opinion, would
8 never drain down the other side.

9 First of all, there's some impediment, but that it
10 just sort of seeps down. It's just kind of a -- it doesn't
11 actually drain out of that area.

12 MR. MC GUIRE: The map scale, it is about --
13 David, correct me if I am wrong.

14 CHAIRMAN DUNLAP: Terry? Terry, hold a moment,
15 please. We need to change the court reporter's tape.

16 (Thereupon, there was a brief pause in
17 the proceedings.)

18 MR. MAC IVER: Mr. Chairman?

19 CHAIRMAN DUNLAP: Terry? Oh, I'm sorry. Who was
20 speaking? Mr. Mac Iver?

21 MR. MC GUIRE: If you're ready, I would just like
22 to say, for purpose of scale, it is probably about three
23 miles from the tip of Big Bear Lake up to the red line,
24 which is the hydrologic boundary.

25 I would like to mention one other thing that could

1 be germane to your consideration, too, and that is, if this
2 boundary line were changed, as being proposed, because of
3 the way that the Olberg bill is drafted, it would change the
4 boundary lines between the South Coast District and the
5 Mojave Desert District, such that not only would Big Bear be
6 in the Desert Air Basin, it would also become a part of the
7 Mojave Desert District.

8 CHAIRMAN DUNLAP: Which would be governed then by
9 their local regulations?

10 MR. MC GUIRE: Governed by the Mojave Desert
11 District rather than the South Coast District.

12 CHAIRMAN DUNLAP: Mr. Lagarias?

13 Will you yield to Mr. Lagarias, Supervisor?

14 SUPERVISOR RIORDAN: Oh, certainly.

15 CHAIRMAN DUNLAP: Okay.

16 MR. LAGARIAS: Doug? Mr. Mac Iver, we've been
17 hearing about the hydrological boundaries, but we're really
18 primarily concerned with the air basin boundary. Are there
19 any emissions that go from this area into the South Coast,
20 or are the predominant emissions coming from the South Coast
21 to this area?

22 MR. MAC IVER: Well, to answer your question, the
23 predominant emissions come from the South Coast to the Big
24 Bear Valley, where the same situation that most of the
25 Mojave Desert AQMD sees in Phelan, and Hesperia, and

1 Victorville, and Barstow. It's the massive transport of
2 pollutants from the South Coast Air Basin. And that's why I
3 think that the Big Bear Valley is more properly in the
4 Mojave Desert Air Basin than in the South Coast Air Basin,
5 because they are affected just the same way as those desert
6 communities are with the transport through the Cajon Pass
7 and so forth.

8 I'd like to bring to your attention one thing
9 again. The State law that I read to you a minute ago, it
10 does not say anything about hydrologic boundaries. But it
11 does talk about political subdivisions, and I think that may
12 be a more overriding thing for this Board to consider.

13 You also got to remember that, although the air
14 may flow up through drainages, it also can go straight over
15 the mountains, and it does at times.

16 You want me to proceed, or do you have more
17 questions?

18 MR. LAGARIAS: Go ahead.

19 CHAIRMAN DUNLAP: Please, continue.

20 MR. MAC IVER: Can I get a light (speaking of
21 house lights).

22 I'm sorry I don't have nice slides like the staff
23 has presented to you here, but I'm doing this on my own time
24 at my own expense, and I just ran out of things. And this
25 last map here, I just did last night before I came here.

1 CHAIRMAN DUNLAP: You're doing fine.

2 MR. MAC IVER: Thank you. Okay. Let's see. We
3 covered some of these.

4 The South Coast AQMD has recognized that the Big
5 Bear Valley is different and is in a different situation by
6 granting special exemption to the South Coast Rule 1110.2,
7 emissions from internal combustion engines for the ski
8 resort operators.

9 They also exempted the ski resort operators from
10 the South Coast AQMD's regional clean air market, or
11 RECLAIM, program. If Big Bear stays in the South Coast, are
12 we supposed to go down there every time a new regulation is
13 adopted and ask for the Big Bear area to be exempted?

14 It seems to me that that is -- well, they say
15 they've made special dispensations to those operators, and
16 some of those have big diesel generators that they operate.
17 They're seasonal in the wintertime. It's not fulltime. But
18 that's a consideration.

19 Precipitation was mentioned by the staff.
20 Precipitation varies widely in Big Bear from down at the dam
21 here, which is the heaviest. Out to the west is relatively
22 low. And the precipitation at the west end of the -- or the
23 east end of the valley is very similar to that of the
24 adjoining parts of the Mojave Desert Air Basin and the many
25 other areas of same elevation.

1 I think I mentioned that Big Bear is
2 geographically very similar to areas in the Southeast Desert
3 Air Basin or the new Mojave Desert Air Basin, notably those
4 along the east slope of the Sierras (sic) and Tehachapis,
5 the San Gabriel Mountains, and the Wrightwood area.

6 Public support -- last Tuesday, just this week,
7 June 28th (sic), the Big Bear Community Service District
8 adopted a resolution supporting this change. The following
9 special districts have placed proposed resolutions on their
10 agenda for consideration. Big Bear Municipal Water District
11 -- and that's this boundary here -- on June 20th (sic); the
12 Airport District, June 6th (sic); the Big Bear Lake Chamber
13 of Commerce Board of Directors, representing about 520
14 businesses has sent a letter to the ARB, and it's in your
15 Board package, supporting this move.

16 Business reasons -- the Mojave Desert AQMD, if we
17 get into that, we could still be into the Mojave Desert Air
18 Basin in the South Coast AQMD, although maybe that's not
19 what -- that's not what they're saying.

20 You get into one, you get into both; is that
21 right?

22 MS. TRACY: I can talk about that a little bit.
23 That's specific to these two air districts and the
24 definitions of the air districts in the Health and Safety
25 Code, because the South Coast -- because the South Coast

1 District is defined as -- it includes those portions of San
2 Bernardino County that are within the South Coast Air Basin
3 as that air basin is described in our own regulations in
4 Title 17.

5 CHAIRMAN DUNLAP: You need to state your name,
6 please, for the court reporter. She doesn't see a
7 nameplate.

8 MS. TRACY: I'm sorry. My name is Judy Tracy from
9 the Office of Legal Affairs.

10 And the Mojave Desert District is also defined in
11 the Health and Safety Code to include those portions of San
12 Bernardino County that are not in the South Coast District.

13 So, for these two districts, if the air basin
14 boundary change was in effect, then that would change the
15 district boundaries as well.

16 CHAIRMAN DUNLAP: Okay. Mr. Mac Iver, can you
17 wrap this up?

18 MR. MAC IVER: Yeah. Okay. There would be
19 advantages to the businesses to be in the Mojave Desert
20 AQMD. They have no emission fees, permit fees are lower,
21 less stringent rules. That's not necessarily true, but I
22 think future rules will be less stringent.

23 CHAIRMAN DUNLAP: Well, it does sound on that
24 point, it does sound as if the South Coast has bent perhaps
25 over backwards to try to accommodate them, from a regulatory

1 perspective, relative to providing exemptions and special
2 consideration, right? Is that --

3 MR. MAC IVER: I would agree with that, yeah.

4 CHAIRMAN DUNLAP: Okay. All right.

5 MR. MAC IVER: It's much easier for somebody from
6 Big Bear Lake to get to the Mojave Desert AQMD headquarters
7 to process permits or whatever. It's 54 miles from my
8 house, and I live at the west end of Big Bear Lake, the
9 hardest way to get there. It's 80 or 90 miles to Diamond
10 Bar through a lot of traffic.

11 CHAIRMAN DUNLAP: But, as I recall, there's a
12 permit assistance center in Ontario, not far from the Cajon
13 Pass area. It's a fully functioning --

14 MR. MAC IVER: (Interjecting) Well, it's 60 miles
15 to Ontario.

16 CHAIRMAN DUNLAP: Okay.

17 MR. MAC IVER: And Big Bear has low emissions.
18 They're high up, so they don't bother anybody. They could
19 drift either way.

20 Emissions, there's been no monitoring station at
21 Big Bear since 1985. They did get some high ozone readings.

22 CHAIRMAN DUNLAP: Right.

23 MR. MAC IVER: But they're lower than they get at
24 Crestline; and perhaps more significantly, they had many
25 fewer hours of high ozone readings.

1 That's what I have to say, except I would ask the
2 Board to seriously consider moving the Big Bear Valley into
3 the Mojave Desert Air Basin.

4 CHAIRMAN DUNLAP: Okay.

5 MR. MAC IVER: Be glad to answer any questions.

6 CHAIRMAN DUNLAP: All right. Thank you very much.
7 I appreciate your comments.

8 Supervisor Riordan.

9 SUPERVISOR RIORDAN: Just a quick question, Mr.
10 Mac Iver. Do you know whether or not the City of Big Bear
11 Lake went on record with any request? I'm unaware, but I
12 thought maybe you might know, living there.

13 MR. MAC IVER: I think they made a request to the
14 Mojave Desert AQMD.

15 SUPERVISOR RIORDAN: No. No.

16 MR. MAC IVER: Well, they had to put it on the --

17 SUPERVISOR RIORDAN: That was the Community
18 Services District that spoke to --

19 MR. MAC IVER: No.

20 SUPERVISOR RIORDAN: -- Mojave, but not the city.

21 MR. MAC IVER: I thought they talked to the -- I
22 thought Russ Carlson came down and talked to the Board
23 perhaps in April. I couldn't be there. I had a knee
24 operation. You were there. I wasn't.

25 SUPERVISOR RIORDAN: Yeah.

1 MR. MAC IVER: But Big Bear Lake has not done
2 anything.

3 SUPERVISOR RIORDAN: Okay.

4 MR. MAC IVER: They are on the matter of getting
5 their budget together and that's taking all their time and
6 energy.

7 CHAIRMAN DUNLAP: Okay. Thank you very much.

8 MR. MAC IVER: You're welcome.

9 CHAIRMAN DUNLAP: Our final witness, Mr. Wilcox.
10 Mr. Wilcox, I know that I have a letter from you here that
11 I've had an opportunity to read, and I know my Board member
12 colleagues do as well.

13 MR. WILCOX: I gave you a written statement, which
14 I hope that you've examined.

15 CHAIRMAN DUNLAP: Okay.

16 MR. WILCOX: Mr. Chairman, Barbara Riordan, my
17 Supervisor; members of the Board, staff, thank you for
18 letting me speak to you.

19 I live in Big Bear Lake. My name is Ron Wilcox.
20 I live at 898 Andrew Lane, Big Bear Lake. And I'm coming
21 here as a private resident, although a number of my
22 neighbors and friends are very much against this proposal to
23 take the Big Bear Valley out of the South Coast Air Quality
24 Management District.

25 There was a lot of thought here about -- and talk

1 about the -- where the water runs. Water doesn't run
2 uphill. Big Bear Valley is a highland valley at the 6700 to
3 7,000 feet. Most of the people that live there live above
4 7,000 feet.

5 We have some information here in the staff's
6 proposal to divide the Southeast Desert, and it brings up
7 about removing Big Bear Lake from the South Coast Air
8 District.

9 The thing I want to bring out about this --
10 there's three letters in the back of the book. I think it's
11 about F-7 or something like that. One is from Mr. Mac Iver,
12 one is from the Cushenberry Mine Trust, which was formally
13 Kaiser Steel, and one is from the Big Bear Chamber of
14 Commerce.

15 There are a lot of inaccuracies in there. They're
16 suggesting that Big Bear Lake has more in common with the
17 high desert than it does with the South Coast Air Basin.
18 That's patently wrong.

19 Big Bear Lake, to start with, is at 6747 feet.
20 Most of the residents between the distance of 6700 to 7,500
21 feet above sea level. They say that it's sparsely
22 populated. We have 16,000 fulltime residents, 5,000
23 part-time residents. And I just checked with the Chamber of
24 Commerce last week, and they said that we have an average of
25 5 million visitors a year to Big Bear Valley.

1 Now, that's hardly sparsely populated.

2 In talking about the valley where the water flows,
3 all the water flows down the Bear Canyon Creek to the Santa
4 Ana River watershed. It doesn't run uphill. There's a
5 ridge line between Big Bear Valley and the Mojave Desert.
6 It's just a cup up in the mountains.

7 And the ridge line east of Baldwin Lake is much
8 higher than Baldwin Lake. So, Baldwin Lake, if it were to
9 ever fill up, which it doesn't -- sometimes it's dry -- it
10 would flow into Big Bear Lake and down the valley to --
11 through San Bernardino/Riverside.

12 There are some other inaccuracies there. Big Bear
13 Valley is much more similar to San Bernardino and the many
14 groves and fruit trees down there than it is to the Mojave
15 Desert. The mountains are forested with Jeffrey pines.
16 That's that tree that has a vanilla flavor when you put your
17 nose to the bark.

18 The South Coast Air Quality District has many
19 groves and trees. There's a lot of similarity there.

20 The air also flows down -- it's cold mountain air,
21 and it flows down the mountainside into San Bernardino and
22 Riverside, Redlands, and that area. And, yes, we do get an
23 inversion; temperatures come up and bring the smog up into
24 the valley.

25 Sometimes what is not said is maybe more important

1 than what is said. I haven't heard anywhere here mentioning
2 about an incinerator being built in Big Bear Valley to burn
3 the trash and the sewer sludge.

4 These things are infamously dirty. Of the 60 some
5 that have been built in the State of California, there's
6 only maybe six or eight still in operation today.

7 I ask you to deny this request and not take Big
8 Bear Valley out of the South Coast Air Quality District,
9 because they have the personnel and the experience that the
10 Mojave Desert doesn't have in controlling pollution.

11 In my closing remarks, I'd like to state to you
12 that I want to compliment you on the fantastic job that
13 you've done in reducing pollution in Southern California.
14 Although I do want to bring to your attention where you're
15 falling down on the job, and that's not informing the public
16 of the good job that you're doing.

17 I absolutely get sick and tired of hearing on the
18 talk radio shows, in the newspapers, at the Chamber of
19 Commerce meetings that you're killing jobs. I came to
20 Southern California and settled in Glendale in 1954. If I
21 didn't have a map, I wouldn't know that the San Gabriel
22 Mountains were behind Glendale.

23 Today, most of the year, you can see the
24 mountains, you can see clear across the valley. I admit
25 there's some bad days. We have a lot of problems and a long

1 way to go. Back then -- now, we have maybe three times the
2 population, at least four times the vehicular traffic, yet
3 our air is so much cleaner. And we have you folks to thank
4 for that, and particularly the strict enforcement of the
5 South Coast Air Quality District.

6 And I do thank you. And I ask that you not take
7 the valley out of the South Coast District. Thank you.

8 CHAIRMAN DUNLAP: Thank you, sir, for your
9 comments.

10 MR. WILCOX: By the way, while I'm here, I might
11 as well do a little public relations. Big Bear Lake is a
12 fantastic place. In fact, it's the most unique place in the
13 State of California, if not in the world.

14 Now, you folks take vacations, don't you?

15 CHAIRMAN DUNLAP: We try to.

16 MR. WILCOX: I invite you to come down. Now, if
17 you can't find a hotel or motel, come to my house. We have
18 room. The first 12 people get the beds and the rest sleep
19 on the floor.

20 CHAIRMAN DUNLAP: Thank you.

21 MR. WILCOX: Come down. It'll be the best tourist
22 dollar that you ever spent. And I assure you, when it's
23 winter, we have the best ski areas. Snow Summit is one of
24 the most unique skiing resorts in the nation. So, come
25 visit us.

1 CHAIRMAN DUNLAP: Thank you.

2 MR. WILCOX: You know, people in the South say,
3 you all come.

4 CHAIRMAN DUNLAP: All right. Appreciate it. I
5 visited the Holcomb Valley Boy Scout Ranch a couple of
6 times, and it's beautiful up there.

7 DR. BOSTON: May we adjourn and meet there
8 tomorrow?

9 (Laughter.)

10 CHAIRMAN DUNLAP: I think Supervisor Roberts is
11 going to have some competition for the tourist dollar it
12 appears.

13 Thank you, sir.

14 Well, we have heard from the witnesses. We've
15 heard the summary from staff of the written comments. Does
16 staff have any further comments?

17 Jim, I asked you to take a minute. I don't want
18 you to -- and I know you won't -- I don't want you to
19 confuse the issue, but I want you to give a little bit of a
20 history relative to what you've seen over the couple of
21 decades with boundaries being drawn.

22 Would you do that for us?

23 MR. BOYD: Thank you, Mr. Chairman. I'll try to
24 be brief.

25 You got some history from some of the previous

1 witnesses. But in the beginning, which was the year 1969,
2 the new Air Resources Board divided the State up into 11 air
3 basins. But one must remember that, in the beginning, there
4 were fewer than 20 million of us in the State as well.

5 There haven't been a lot of changes, and air basin
6 boundaries don't change often. In the mid-70s, we created
7 the Mountain Counties Air Basin, Lake Tahoe, and Lake County
8 Air Basins. In the later seventies, we did some adjustments
9 to San Diego and the northeast plateau, and the South Coast,
10 South Central Coast, and minor changes in the San Joaquin
11 Valley-Southeast Desert as late as last year.

12 But these have all been very minor.
13 Traditionally, air basin boundaries, as you've heard, are
14 set around meteorological criteria that tend to govern the
15 movement and containment of air masses. And that's the
16 business we're in.

17 As you've heard today, almost excessively, is the
18 fact that there is consideration with regard to hydrologic
19 issues, and certainly topographic and geographic issues
20 enter into it; and the topographic/geographic issues
21 certainly influence meteorology.

22 But there's a correlation, of course, amongst them
23 all. There have been considerations, although very minor
24 considerations, in the past to what I will choose to call
25 geopolitical issues, and that really has been when a

1 resolution of an air basin boundary could lead to helping
2 solve air quality issues or expedite the resolution of air
3 quality issues by one area or another being able to provide
4 better organizational responsibility for an area's air
5 quality.

6 And those are the only instances I can remember in
7 the last couple of decades where a boundary change might
8 have been made just to facilitate additional activities for
9 air quality. Otherwise, meteorology has been the key issue,
10 and I think meteorology is certainly the key issue in the
11 discussion of Big Bear, Banning, and what have you.

12 That's just kind of a quick capsule summary, not a
13 lot of traffic in dealing with that; a little more activity
14 in dealing with the creation of districts and how they would
15 address issues. And the South Coast Air Basin once included
16 Ventura County. But because of geopolitical issues that I
17 mentioned, it was carved off. Ventura County was authorized
18 to pursue its own issue, because it demonstrated ability to
19 have an aggressive program and to deal with the local folks.

20 Those are the four instances that we've had in the
21 past.

22 CHAIRMAN DUNLAP: Okay.

23 MR. LAGARIAS: Mr. Chairman?

24 CHAIRMAN DUNLAP: Thank you, Mr. Boyd. Mr.
25 Lagarias.

1 MR. LAGARIAS: Mr. Chairman, I have a couple
2 questions, that would help me understand this better, of the
3 staff.

4 The proposed or suggested change involves moving
5 an area by geological boundaries, county lines; is that
6 correct?

7 MR. MC GUIRE: Actually, it would be moving air
8 basin lines.

9 MR. LAGARIAS: An area of how many square miles
10 are we talking about?

11 MR. MC GUIRE: Is this the Big Bear?

12 MR. LAGARIAS: The Big Bear issue.

13 MR. MC GUIRE: An area of about -- let's see,
14 about 6 x 18 miles, say a hundred and some-odd square miles.

15 MR. LAGARIAS: All right. Now, in your response
16 to the Big Bear Lake issue, you raised three points, saying
17 that the current -- changing the boundary is not warranted,
18 and the first one is that the area is in the same watershed
19 as the South Coast Air Basin. But we're really talking
20 about the air basin rather than the watershed. Is that
21 correct?

22 MR. MC GUIRE: That is correct.

23 MR. LAGARIAS: So, those are just general
24 guidelines.

25 MR. MC GUIRE: Yeah. Other than we do believe

1 that the law says we are supposed to consider geographic and
2 I believe topographic features. And certainly, we think
3 that the ridges are the most compelling of those.

4 MR. LAGARIAS: All right. And then you say the
5 receptor area of emission sources is in the South Coast.
6 What exactly do you mean?

7 Do you mean that this area is impacting on the
8 South Coast are the South Coast is impacting on it?

9 MR. MC GUIRE: Both. We believe both.

10 The emissions in this area are probably very small
11 compared to the South Coast. But what is emitted in the Big
12 Bear area during the time that the 5 million tourists are up
13 there is surely moving back into the South Coast. But even
14 probably importantly, the Big Bear area is a receptor of
15 emissions from the South Coast.

16 MR. LAGARIAS: Well, everybody knows the South
17 Coast is an 1100 pound gorilla, and it's going to impact
18 more than anything else.

19 So, really, I don't understand what you're saying.
20 What difference does it make?

21 MR. MC GUIRE: Well, typically, we try and make an
22 air basin include the sources and the receptor areas so that
23 they can be treated together. And certainly, that can't be
24 done with bright lines, but we believe that it does make a
25 lot better sense to include the Big Bear area with the South

1 Coast rather than with the --

2 MR. LAGARIAS: Well, it's going to hit anyway.
3 But it would be transport rather than emission sources
4 within the South Coast.

5 MR. MC GUIRE: That's true.

6 MR. LAGARIAS: And then you say it's similar
7 geography and meteorology as the South Coast. I envision
8 the South Coast, when we generally talk about it, as a huge
9 downtown, heavily populated area that dominates our thinking
10 in terms of air quality.

11 I don't see how you can say it's similar to the
12 South Coast.

13 MR. MC GUIRE: It would be more accurate, I think,
14 to have said that, as you move to the easterly parts of the
15 South Coast Air Basin, as shown by Mr. Mac Iver's
16 topographic relief map, it's our view that there is a pretty
17 distinct change when you go from the low desert across that
18 hydrologic boundary into the high desert.

19 MR. LAGARIAS: You're saying it's more similar to
20 the high desert than it is to the --

21 MR. MC GUIRE: No. We think that there is a
22 fairly abrupt change as you go across the hydrologic
23 boundary, so that things that are in the high desert, in our
24 view, are topographically quite a bit different from what we
25 find in the Big Bear area.

1 MR. LAGARIAS: All right.

2 MR. MC GUIRE: In other words, they're just on the
3 other side of the hydrologic divide. That's sort of the
4 point where we believe that if you had to say, "Here's where
5 the high desert. . ." --

6 MR. LAGARIAS: We're in a gray area.

7 MR. MC GUIRE: Yes, we are.

8 MR. LAGARIAS: But the question is, is the Bear
9 Lake area more similar to the Mojave area than it is to the
10 South Coast Area?

11 MR. MC GUIRE: Deborah, would you like to --

12 MR. LAGARIAS: Because that's what you're saying.

13 MS. POPEJOY: Well, the South Coast area is really
14 diverse. But you have a lot of foothill or mountain
15 communities in the South Coast that are very similar to the
16 Big Bear area. We've got Hemet. You've got Crestline.
17 You've got Baldy Village. You've got Lake Arrowhead.
18 You've got The Rim of the World. So, we're not talking
19 about it being similar to Ontario or Azusa. But it's more
20 similar to the other mountain communities in the South
21 Coast, more so than the communities in the Southeast Desert.

22 MR. LAGARIAS: All right. And I haven't heard
23 anything from the South Coast on the Bear Lake issue. Is
24 there --

25 CHAIRMAN DUNLAP: I'll call Mel. Mel, can we put

1 you on the spot yet again? Jack, you'll recognize him.
2 This is Mel Zelden, who's one of the Planning Managers, and
3 has become over the years quite the expert on particulate
4 matter. So, we'll be working closely with him in a few
5 short months.

6 Mel, can you?

7 MR. ZELDEN: Yes. I wasn't really prepared to
8 offer any direct testimony. I just want to say that our
9 staff supports fully the staff report presented by ARB
10 staff. Our board has not taken any position on this.

11 However, Councilman Paulitz, who represents the
12 Cities of San Bernardino County on our district board, has
13 examined the relevant material on meteorology, topography,
14 and he also believes that it's appropriate to leave the Big
15 Bear area within the current boundaries within the South
16 Coast.

17 The other thing I would like to draw out. Staff
18 had indicated that it's hard to single out Big Bear from the
19 mountain communities in general. When you look at a basin,
20 the mountains ring the basin. And the question is, do you
21 include that ring within or without, and how can you say one
22 specific spot is out, but the others are in?

23 And consistently, I believe, the ARB has, in
24 looking at mountains and how it relates to air basins, has
25 included the mountains as part of the basin area itself.

1 Again, looking at air basin boundaries, if you look at the
2 Southern Sierras (sic), those are included, for example,
3 within the San Joaquin Valley. They're not part of the
4 desert portion, but they're part of the San Joaquin Valley
5 because of the same types of analogies and determinations
6 that show that the mountain areas really belong within the
7 basin that they ring rather than the exterior of that basin.

8 MR. LAGARIAS: All right. So, apparently, the
9 South Coast Air Quality Management District has recognized
10 the uniqueness of the Big Bear Lake area by giving them
11 special recognition in the regulations they adopt.

12 MR. ZELDEN: That's correct, because --

13 MR. LAGARIAS: So, they already have a mechanism.

14 MR. ZELDEN: That is correct.

15 MR. LAGARIAS: Thank you.

16 CHAIRMAN DUNLAP: Mel, have you guys been doing
17 some outreach, working with the Chamber and the business
18 groups up there in particular? You've been doing some --

19 MR. ZELDEN: We have. We've met with the City
20 Council, made a presentation to the City Council about a
21 month ago, and answered their questions that they had on
22 that.

23 CHAIRMAN DUNLAP: Okay. There's always a concern,
24 Mel, as I know you know, with any board or commission about
25 the policies. Maybe a more friendly policy shown towards a

1 given area or a certain segment of a business community. Do
2 you see kind of some staying power for this special
3 consideration that the South Coast District has given the --

4 MR. ZELDEN: (Interjecting) I think the district
5 in general will look at unique areas, as we have already
6 done for the ski resorts, and certain allowances for the
7 rules, because they operate in the wintertime, primarily
8 when pollution levels are not high at all.

9 And those sorts of considerations have been done
10 in the past, and I would presume, where appropriate, they'll
11 be done again in the future.

12 CHAIRMAN DUNLAP: Okay. So, there weren't any
13 comments like this is the last time we're going to do
14 anything unique, or special, or unusual for you?

15 MR. ZELDEN: No.

16 CHAIRMAN DUNLAP: Okay. So, the door is open, and
17 people are traversing back and forth. Okay.

18 MR. ZELDEN: That's correct.

19 SUPERVISOR VAGIM: Mr. Chairman?

20 CHAIRMAN DUNLAP: Supervisor Vagim.

21 SUPERVISOR VAGIM: Thank you. This is definitely
22 an issue that's on the cusp. And so, don't walk too far
23 away. We talked about the topography and the hydrological
24 drainage, and we did talk a little bit about the wind
25 currents.

1 Can you give me more definitive -- where are the
2 wind currents? I mean, typically, when I look at the map, I
3 see these little arrows. I don't see it on this particular
4 item.

5 MR. ZELDEN: Typically, the mountain areas are
6 receptor sites for the South Coast Air Basin.

7 SUPERVISOR VAGIM: And the prevailing winds don't
8 come down from the desert?

9 MR. ZELDEN: They go primarily from the ocean,
10 sweep across the South Coast, move up the mountain slopes,
11 escape or vent through the pass areas into the deserts.
12 Sometimes they actually go up and over the tops of the
13 crests of the mountains.

14 SUPERVISOR VAGIM: And so, typically, when you
15 stand in the deserts or anyplace in California, the winds
16 are coming from the north to the southeast, and that doesn't
17 happen here?

18 MR. ZELDEN: Moving from the north, they will on
19 occasion, primarily in the fall and the winter when we have
20 offshore flows that sweep down --

21 SUPERVISOR VAGIM: (Interjecting) They come up
22 from the desert down ---

23 MR. ZELDEN: -- desert, across the mountains, and
24 then down into the --

25 SUPERVISOR VAGIM: (Interjecting) Is that 50

1 percent of the year, or 25 percent of the year, or --

2 MR. ZELDEN: (Interjecting) I would say
3 prevailing winds, probably about 60 to 70 percent of the
4 time come in off the ocean and sweep up the slopes and into
5 the mountains.

6 In the wintertime, primarily because of cold air,
7 which tends to pool and flow downhill, you can get flows
8 from the mountains coming down into the basin, but they're
9 generally weak. And it's during the time of the year that
10 we generally don't have a lot of pollution.

11 SUPERVISOR VAGIM: Right. Thank you very much.

12 CHAIRMAN DUNLAP: Any other questions? Supervisor
13 Silva.

14 (Thereupon, there was a pause in the
15 proceedings to allow the reporter to
16 replenish her Stenograph paper.)

17 CHAIRMAN DUNLAP: Go ahead, Jim.

18 SUPERVISOR SILVA: Over the -- actually the years
19 of my life, Big Bear's always been a nice recreational area
20 for Southern California, and I've enjoyed skiing up there,
21 and water skiing. As a kid, my family took vacations up
22 there.

23 And in this situation, I think that I would
24 probably have to refer to Director Paulitz on AQMD Board,
25 and also our Director here. Barbara, you know the area much

1 better than any of us here. And I would really defer to
2 your recommendations.

3 SUPERVISOR RIORDAN: Thank you, Supervisor Silva.
4 I appreciate that.

5 CHAIRMAN DUNLAP: There's some real heat on you
6 right now, Supervisor.

7 SUPERVISOR RIORDAN: I think it is a very
8 difficult one. And I think Mr. Boyd summed it up very well,
9 that you have topographical issues, and you have geographic
10 issues, and you have meteorologic issues, and then you have
11 political issues.

12 And we're dealing with an area that is really
13 quite removed geographically from the basin, probably has
14 few major polluters. The biggest sources of pollution in
15 this area probably are from the generators that make snow
16 during the winter months when we have the cleanest part of
17 the air, and then you have the regular businesses, service
18 stations, et cetera.

19 What it is, I think, is a perception. The people
20 who reside in Big Bear physically are so much closer to the
21 desert -- and Mr. Mac Iver, I think, brought that up. And
22 while that doesn't seem significant to you, because of, you
23 know, say 50 miles versus 60 miles, some of those miles are
24 pretty rugged miles. And it is a long way to travel. And
25 you are but a very small dot in a very big South Coast Air

1 Basin, because you have huge, huge industries and multiple
2 numbers of sources that need to be regulated.

3 And let me tell you how regulation works. And it
4 is true that South Coast has made some very nice concessions
5 to particularly the ski industry there in our mountains.
6 But it doesn't hurt that the Chair of South Coast is my
7 immediate neighbor in the logic of offices in the districts,
8 because the Supervisor of the 2nd District of the County of
9 San Bernardino is the Chairman of South Coast Air Quality
10 District.

11 So, I can go next door and I can say, "Gee,
12 Supervisor Michaels, you need to help my ski resorts,
13 because they are unique and suffering." And so, therefore,
14 we have some very nice reciprocity in terms of trying to
15 help one another.

16 And I do believe, though, that when Mr. Zelden
17 said that would go on, my hope is it really go on. But it
18 is very nice that I can have that intimate conversation
19 with the head of the South Coast Air Quality Board.

20 We've got some problems here. We're absent a
21 resolution by the city council. We're somewhat absent
22 because it was not a big issue with the Mojave Air Quality
23 District Board. And the Chairman testified to that today.

24 We are not on record taking a position. While
25 we're sympathetic to, I think, Big Bear, I still disagree

1 with this hydrologic boundary slightly. And I think what
2 happens is it basically levels out over there by Baldwin
3 Lake and drains nowhere probably.

4 But I think probably my recommendation -- back to
5 Supervisor Silva -- is to adopt the staff recommendation to
6 acknowledge some uniqueness in that Big Bear area; that the
7 lines still remain somewhat the same -- well, you are saying
8 they remain the same. I would like you to bring them about
9 two miles in, but that's only my opinion.

10 And that we extend to maybe Big Bear the
11 opportunity -- because, as I understand, you could always
12 make a request for --

13 CHAIRMAN DUNLAP: Redesignation.

14 SUPERVISOR RIORDAN: -- redesignation in terms of
15 the air basin, and maybe it would be more organized through
16 maybe the political entities that are in Big Bear.

17 We are absent that. And that's unfortunate.
18 While the business community is on record, the public
19 agencies are not on record. And I suspect part of that is
20 because, Supervisor Silva, there were concessions made to
21 those ski resorts, which I thank you for.

22 SUPERVISOR ROBERTS: I'm aware of that.

23 SUPERVISOR RIORDAN: I thank you very much for
24 that.

25 CHAIRMAN DUNLAP: I am comfortable with the way

1 you've summed it up; and while leaving that door open with
2 us that, if they get organized and they present a case and
3 fill in some gasps which are very apparent relative to the
4 local political jurisdiction -- and I think, too, there's a
5 lack of consensus. I applaud Mojave District for showing
6 restraint and being above board, and appreciate Chairman
7 Rothschild coming here and saying, "Hey, we haven't -- you
8 know, we've discussed it. We're interested, but we don't
9 have a position."

10 And I appreciate that.

11 So, staff, I guess what I would ask, and if my
12 colleagues would support, would be that there be some
13 communication back to the local jurisdictions, work closely
14 with Mr. Zelden and the South Coast District, Supervisor
15 Silva, and Supervisor Riordan to ensure that we get the
16 right folks and say, "Hey, look. This was an issue at our
17 Board meeting. We spent considerable time considering your
18 plight. There's some gaps. We need to hear from you
19 further to determine whether or not this is an option you
20 desire or not." And then we'll consider it at the proper
21 time should they respond more completely.

22 So, with that, are there any -- I thank you,
23 Supervisor Riordan and Jim, thanks for kind of tying it all
24 together.

25 Any other comments? Jim, thanks for the summary

1 on the air basins. That helped me.

2 Any other questions, comments from staff? All
3 right.

4 SUPERVISOR RIORDAN: Mr. Chairman, I'll move the
5 resolution, unless we have to disclose any --

6 CHAIRMAN DUNLAP: Well, yes. Let me thank you for
7 that. Is there any ex parte communication we need to
8 disclose on this item?

9 SUPERVISOR RIORDAN: I would simply say that Mr.
10 Mac Iver met approximately one week ago for just a short
11 conversation on the testimony that he made today. Points
12 were all raised in that conversation that were made here at
13 the podium.

14 CHAIRMAN DUNLAP: Okay. Then before you
15 officially made the motion, I will close the record. The
16 Board has not granted an extension of the comment period, so
17 I'll officially close the record on this portion of Agenda
18 Item No. 96-4-2. Written or oral comments received after
19 the comment period has been closed will not be accepted. We
20 covered ex parte communication. Thank you.

21 And we have a resolution before us that we've had
22 for some time. Are there any suggested changes to that
23 resolution?

24 SUPERVISOR RIORDAN: Mr. Chairman, I don't know
25 that it needs to be embodied in the resolution, but I

1 considered, if I were to make the motion to adopt, that I
2 would also add an addendum onto that motion just to say
3 that, as you so capably stated, that we continue to open the
4 door for conversations and discussions about the location of
5 the Big Bear Valley, whether it be in the South Coast Basin
6 or the Mojave Air Quality Basin.

7 CHAIRMAN DUNLAP: Okay. That's certainly
8 acceptable to me. There's a motion. Is there a second?

9 SUPERVISOR SILVA: Second.

10 CHAIRMAN DUNLAP: Supervisor Silva. Any
11 discussion before we vote on Resolution 96-20?

12 SUPERVISOR SILVA: Mr. Chairman, I, too, have
13 discussed the issue with Supervisor Michaels and Director
14 Paulitz.

15 CHAIRMAN DUNLAP: Okay. Very good. Two members
16 of the South Coast Board.

17 All right. We'll do this via voice vote. All
18 those in favor, say aye?

19 (Ayes.)

20 Any opposed? Okay. Motion carries. Thank you.

21 All right. Jim, thank you, your team, Terry.
22 Appreciate very much the work on this item.

23 SUPERVISOR RIORDAN: Yes. We are appreciative.

24 CHAIRMAN DUNLAP: Okay. The third agenda item,
25 96-4-3, public meeting to consider a report to the Board on