

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
TUESDAY, OCTOBER 08, 2024**

MINUTE ORDER NO. 12

SUBJECT: EXPANSION OF EMERGENCY AIR QUALITY AND IMPROVEMENT RELIEF: PROCUREMENT AND DISTRIBUTION OF AIR PURIFIERS RELATED TO THE TIJUANA RIVER POLLUTION CRISIS AND A-72 WAIVER (DISTRICT: 1)

OVERVIEW

For decades, South County communities have endured significant impacts from transboundary pollutants, including sediment, trash, and raw sewage that flow across the border into the Tijuana River Valley and neighboring areas like Imperial Beach, Nestor and San Ysidro. The combination of inadequate aging infrastructure and increasingly frequent climate-related emergencies has resulted in severe environmental, economic, and property damage from persistent cross-border sewage pollution and contaminated ocean waters.

Recognizing the urgency of this crisis, I have led the charge to secure relief for impacted communities. Under my leadership, the Board of Supervisors declared a local emergency on June 27, 2023, and directed staff to pursue all available federal and state funding sources. I have also spearheaded efforts to collaborate with federal, state, and local agencies, as well as stakeholders, to develop projects and innovative solutions to address the root causes of pollution.

As part of these efforts, I secured funding from the U.S. Environmental Protection Agency (EPA) to provide an additional disbursement of California Air Resources Board (CARB)-certified air purifiers for the Emergency Air Quality and Improvement Relief pilot program in collaboration with the San Diego Air Pollution Control District (APCD) and the County of San Diego. This funding is for the purchase of air purifiers, for eligible participants of the County's pilot program. This pilot program, originally approved by the Board on June 4, 2024 (19), provided air purifiers to impacted residents to mitigate the odors caused by sewage flows in the most affected communities.

On September 12, 2024, as a member of the APCD Governing Board, I introduced a motion to direct the Air Pollution Control Officer, as the lead agency for protecting the air quality for all residents in the South County region, to return back to the San Diego County Air Pollution Control District Governing Board on November 14, 2024, with the following item:

- Develop a plan for the APCD to continue funding, procurement and distribution of the appropriate air purifiers or filters, and/or personal protective equipment. Funding options to explore include expanding grant eligibility for the AB617 program, reallocation of funds from state/federal agencies, and the use of the projected operating fund balance of the APCD Operating Fund.

Today's action requests Board approval to authorize the Chief Administrative Officer (CAO) to collaborate with the San Diego Air Pollution Control District (APCD) for the transfer of U.S. EPA funds from the APCD to the County of San Diego and enter into an agreement for acceptance of these funds. These funds would benefit the procurement and distribution of more air purifiers to mitigate the odors caused by sewage flows in partnership with APCD.

RECOMMENDATION(S)
CHAIRWOMAN NORA VARGAS

1. Waive Board Policy A-72 Agenda and Related Process, Section 2.k.ii, which establishes required timelines for review when preparing a Board Letter.
2. Find that the proposed actions are not subject to the California Environmental Quality Act (CEQA) because the recommended actions are administrative in nature and not a project as defined in CEQA Guidelines Section 15378(b)(5).
3. Pursuant to Government Code section 26227, and subject to the availability of funding:
 - a. Authorize the Chief Administrative Officer to negotiate and execute a Memorandum of Understanding with the San Diego County Air Pollution Control District (APCD) regarding funding for air purifiers, including the receipt and expenditure of funding pursuant to grant terms from the Environmental Protection Agency (EPA), including sole source procurement pursuant to 2 CFR 200.320, as well as reimbursement for County expenditures to support emergency air quality and improvement relief efforts such as equipment and program administration costs
 - b. Direct the Chief Administrative Officer to conduct one or more rounds of distribution of air purifiers for eligible participants of the emergency air quality and improvement relief pilot program approved by the Board on June 4, 2024 (19), and authorize the Chief Administrative Officer to take any necessary actions to implement this initiative, and
 - c. Authorize the Director, Department of Purchasing and Contracting to procure air purifiers in support of such a program.
4. Establish appropriations of up to \$ 2,360,000 in the Land Use and Environment Executive Office, based on funds received from APCD for the purchase of air purifiers **(4 VOTES)**.
5. Direct staff to support the APCD by exploring future partnerships and providing information on the County’s pilot program as APCD develops future programs to purchase and distribute air purifiers and/or protective equipment for residents impacted by air pollution and ambient odors.

EQUITY IMPACT STATEMENT

The proposed efforts to continue providing immediate relief from the Tijuana River pollution crisis in the form of procurement for air purifiers will result in a positive, immediate impact on the residents affected by the gases emanating from the sewage pollution crisis.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to accept funds and continue providing immediate relief in the form of air purifiers will contribute to the health and overall well-being of South County residents, an underserved community, that has limited access to recreational activities due to the current pollution crisis affecting South County Beaches and protected areas.

FISCAL IMPACT

Funds for this action are not included in the Fiscal Year 2024-25 Operational Plan for the Land Use and Environment Executive Office. If approved, this request will result in estimated costs and revenue of approximately \$2,360,000 to support emergency air quality and improvement relief efforts, including

equipment and program administration costs, contingent on program requirements and funding availability for the Air Pollution Control District (APCD). The funding source is revenue from the APCD, which is anticipating receiving funding from the United States Environmental Protection Agency (EPA) and the California Air Resources Board (CARB), which have both committed to support the procurement of air purifiers on an emergency basis.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Vargas, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

State of California)
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ANDREW POTTER
Clerk of the Board of Supervisors



Signed
by Andrew Potter