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# Assembly California Legislature



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ASSEMBLYMEMBER, SEVENTY-EIGHTH DISTRICT

COMMITTEES  
AGING AND LONG-TERM CARE  
GOVERNMENTAL ORGANIZATION  
HOUSING AND COMMUNITY  
DEVELOPMENT  
VETERANS AFFAIRS  
WATER, PARKS, AND WILDLIFE

July 11, 2019

Honorable Rudy Salas, Jr., Chair  
Joint Legislative Audit Committee  
1020 N Street, Room 107  
Sacramento, CA 95814

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**SUBJECT: JLAC Request – San Diego Air Pollution Control District**

Dear Chair Salas and Members of the Committee:

I respectfully request that the Joint Legislative Audit Committee approve an audit of the San Diego Air Pollution Control District (SDAPCD) in an effort to increase transparency and ensure that San Diego can have the cleanest air possible. The SDAPCD has been a part of the County of San Diego since its inception, and the governing board is the San Diego County Board of Supervisors. As such, the finances, official actions, and activities of the SDAPCD are fully embedded in the County's, and are therefore difficult to extract and examine.

## BACKGROUND

The SDAPCD represents over three million people across eighteen cities. It is the only governing board of a large metropolitan area in California that is governed solely by the County Board of Supervisors, excluding local cities from having a seat on the Board. The only other county air districts that are governed as such are smaller, primarily rural counties with fewer large air pollution sources. The SDAPCD's current structure does not reflect the diversity of San Diego County's residents; it is antiquated and leaves out the valuable perspectives and insight into local air pollution sources that cities and stakeholders could provide.

San Diego is one of the top-five air districts in terms of both population and pollution sources. Addressing air pollution, especially as a component of climate change, is a pressing issue that is vital to the health and future of San Diego. In an effort to better address and improve our air quality, this year, I authored AB 423 which seeks to restructure the SDAPCD board in a manner that includes cities and other key stakeholders.

AB 423 proposes to create a governing board similar to the other large air districts in the state. This new board should have complete information regarding the SDAPCD to consider as they assume their responsibilities. If AB 423 does not pass, it is still important for SDAPCD's information to be separated from the County budget to enable the public to understand the financial and programmatic function of the agency; increasing and maintaining transparency in this regard is critical to upholding accountability as we continue to address air pollution.

## **SCOPE OF AUDIT**

I respectfully request the Joint Legislative Audit Committee approve an audit that explores the SDAPCD's revenue and expenses, the potential "mission creep" of the SDAPCD and its staff, and what information the SDAPCD relies upon to make decisions on important environmental and public health regulations. Specifically, I request the State Auditor to examine the following:

### Questions on Financial Information:

The current budget sheet for SDAPCD is part of the County budget and includes only 6 expenditure line items. As an example, one line item, 'other charges', was budgeted for \$22 million in 2016-17 and for \$5.9 million in 2019-20.

1. What expenditures are included in the aforementioned line item?
2. Why is there such a significant reduction in this line item in 3 years?
3. Revenue line items are equally vague. For instance, 'intergovernmental revenues' are listed as \$20 million for 2019-20. What are the sources of these revenues?
4. What is the explanation for the above? Why does SDAPCD not have a separate budget that shows the district's overhead?

### Questions on Program Activity Related to Finances:

SDAPCD's budget report does not provide a clear description of the relationship between the various funding sources and the expenditures. For example, the budget description states that about \$8.8 million in 'licenses, permits & franchise' revenue is anticipated for 2019-20.

5. How much money is expended in facility inspections and enforcement and do facility and equipment permit fees cover these expenditures?
6. Do facility and equipment permit fees cover the related expenditures?
7. SDAPCD staff seem to provide support for activities in the Land Use and Environment Group as they are structurally part of this unit. Are these services paid for by the County or another funding source? Are they related to the APCD's stated mission and in fulfillment of their regulatory and statutory responsibilities?
8. Is staff time being properly used to serve the district's mission? A review of timesheets with specific descriptions of time expenditures, work calendars of SDAPCD staff, and other documentation that identifies time expended on specific projects should be included in the audit.

9. What role does SDAPCD play in making financial decisions and how is their budget prepared in relation to the county budget?
10. How is the SDAPCD budget separated from the County's budget?
11. What points of financial intersection or overlap between the SDAPCD and County budgets are there?
12. Which grants have they applied for or complied with?

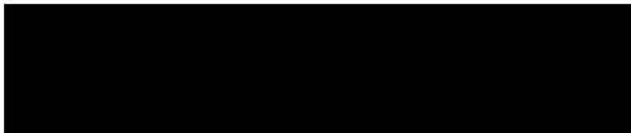
Questions on Decision-Making Information:

I respectfully request the audit provide information about the decision-making process SDAPCD and the County follow, and how information is obtained and considered.

13. Do the SDAPCD and County have adequate information from the public to make decisions? More specifically, how does the SDAPCD's public participation, engagement, and capacity compare to the other large air districts?
14. How are impacted communities (residents and businesses) informed about pending permits and enforcement actions?
15. Does the SDAPCD hold public meetings on a regular basis to provide information to the public?
16. Is the SDAPCD available to respond to public inquiries, including complaints, in multiple languages and during non-business hours?
17. Are there staff dedicated to community outreach that are qualified to conduct those activities?

Thank you for your consideration of this request. If you require additional information, please contact my staff, Puja Navaney, at (916) 319-2078

Sincerely,



ROBB GLENN  
Assemblymember, 78<sup>th</sup> District

TG:pn