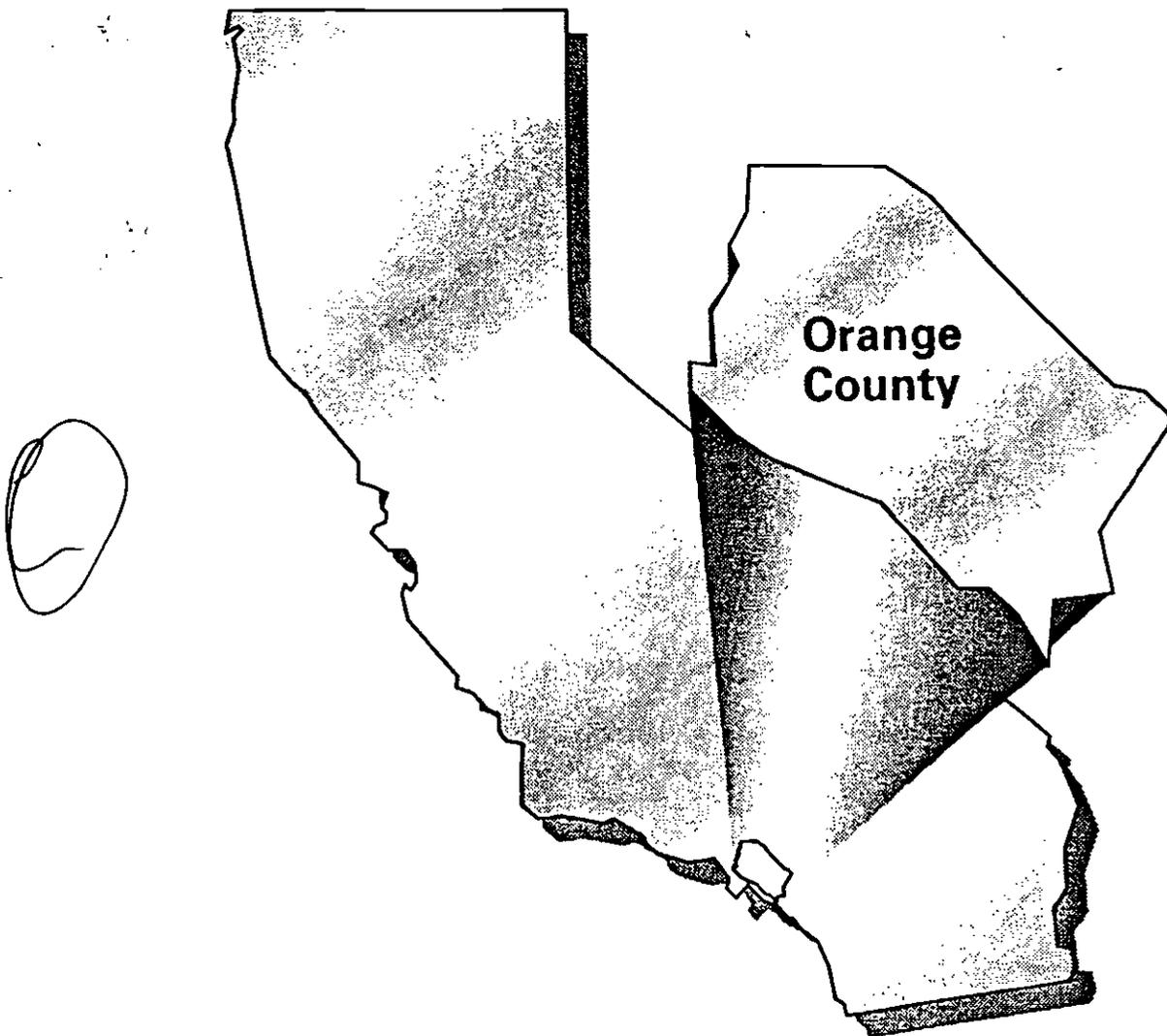


Private Sector Task Force Report to The Regional Advisory and Planning Council

The Air Quality Management Plan Transportation Control Measures



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June 1992

INTRODUCTION

Background, Purpose, and Composition of the PSTF

In June 1991, the Orange County Board of Supervisors directed the establishment of the Private Sector Task Force (PSTF) to work hand-in-hand with elected officials in Orange County in developing an air quality compliance plan.

The PSTF was directed to focus on Air Quality Management Plan strategies for reducing mobile source emissions and to evaluate market-based alternatives.

In directing the formation of the PSTF, the County expressed its commitment to the concept of public/private partnerships and to a strong economic base for the County. The Task Force mission has thus been three-fold:

1. To direct private sector input and resources toward the process of developing the Countywide Strategy for Implementation of the Air Quality Management Plan (AQMP)
2. To evaluate and advocate market-based strategies as alternatives to traditional "command and control" regulations for meeting air quality goals
3. To work to preserve the strength of Orange County's business environment through efforts to influence the decisionmaking process on the implementation of the AQMP.

The Task Force comprises 20 business and community leaders, listed in Attachment A.

In establishing the Task Force, every effort was made to provide for a balance of large and small businesses, geographical representation across the county, major business and industry organization representation, and representation of other interests who would be impacted by air quality compliance decisions. Businesses and industries most likely to be impacted by such decisions were specifically targeted for representation on the Task Force.

EXECUTIVE SUMMARY

The PSTF Process

Commencing in October 1991, the Task Force met intensively over a seven-month period to study the adopted Transportation Control Measures (TCMs) and their likely impact on Orange County. During this period, the Task Force also investigated and discussed alternatives to the TCMs in the form of market-based strategies. Task Force members and alternates volunteered over 500 hours to this process.

The Task Force developed nine principles which it believes should direct public policy on air quality and which it believes should represent the characteristics of a successful overall strategy for meeting air quality goals. These principles are detailed in Attachment B.

The Task Force then applied its principles to the TCMs in the 1991 AQMP and to market-based strategies on air quality. The results of these evaluations are detailed in Committee Reports to the PSTF, and resulted in the Evaluations of the TCMs, Attachment C, as well as this report.

EXECUTIVE SUMMARY

The Private Sector Task Force, established in June 1991, met intensively over a seven-month period (October 1991 - April 1992) to evaluate the TCMs in the AQMP and market-based strategies for reducing vehicle emissions.

PSTF meetings provided an overview of state and federal air quality law, emission reduction mandates facing local governments and employers, strategy approaches for compliance, and current available research on air quality emissions reduction.

Findings:

1. Existing data fails to validate the effectiveness of the indirect-approach TCMs in the current AQMP
2. Direct-approach strategies, such as enhanced inspection and maintenance and direct market-based strategies, have the potential to attain higher emission reductions and deserve consideration as accepted compliance strategies, in preference to the adopted indirect measures.

Overall Recommendations:

1. Public policy should promote the concept of direct accountability for individual and corporate decisions which create pollution
2. Laws and regulations should promote the most cost-effective strategies for meeting air quality goals: those with the lowest cost/benefit ratios
3. Technological advances in all areas of emissions control should be identified and factored into mid- and longer-range air quality management plans

DISCUSSION OF RECOMMENDATIONS

Specific recommendations of the PSTF relative to mobile source emission reduction strategies:

1. Achieve direct accountability through enhanced inspection and maintenance programs and direct market-based approaches
2. Educate the public on personal responsibility to reduce vehicle emissions
3. Ensure worthwhile emissions benefits from adopted compliance strategies
4. Emphasize technology solutions to transportation emissions
5. Actively engage the regulated community in the development of TCMs and other compliance strategies
6. To the extent that TCMs may be retained, consolidate duplicative, overlapping, or conflicting TCMs to achieve optimum implementation
7. Position beneficial but disruptive measures as contingency measures
8. Improve the methods of economic analysis of the TCMs to produce accurate assessments of public and private sector implementation costs

DISCUSSION OF RECOMMENDATIONS

Three key themes emerged from the Task Force's review of the TCMs and market-based strategies. These are that:

1. Public policy should promote the concept of direct accountability for individual and corporate decisions which create pollution
2. Laws and regulations should promote the most cost-effective strategies for meeting air quality goals
3. Technological advances in all areas of emissions control should be identified and factored into mid- and longer-range air quality management plans

Consistent with these themes are the eight specific recommendations of the PSTF relative to mobile source emission reduction strategies for Orange County:

1. Achieve Direct Accountability Through Market Approaches

The recommendation that any and all compliance strategies reflect the concept of **direct accountability** is the primary recommendation of this Task Force report. The Task Force urges that public policy in air quality be directed toward this end and guided by this concept.

DISCUSSION OF RECOMMENDATIONS

In this era of fiscal constraint, local governments and employers should not be expected to regulate or control the pollution-generating behavior of their constituencies or employees. The decision to rideshare or not to rideshare is not a condition of employment and should not become a financial burden to companies providing jobs for Orange County residents. Thus, emission reduction strategies, including TCMs, should address the polluter directly.

Of course, public policy adopted at the local level should be consistent with air quality goals. The private sector's responsibility is to incorporate an air quality consciousness into their corporate cultures and to support the emissions-reduction efforts of their employees. As with stationary source emissions, businesses must be held accountable for the emissions of their fleet operations.

The PSTF believes, and new research tends to confirm, that market mechanisms provide the greatest opportunity to achieve direct accountability and maximum benefits at the least cost. In view of the urgent need to reduce emissions, demonstration projects to evaluate and quantify pricing strategies should be developed and commenced as soon as possible. These measures should be revenue-neutral; revenues generated should be earmarked for mitigating negative social, administrative, and economic impacts and/or for providing emissions-reducing transportation facilities.

Both SCAG and SCAQMD left the impression that market-based incentive programs were unacceptable under federal law. The PSTF recommends that federal and state regulatory interpretations be obtained in order to both clarify the situation and enable prompt implementation of the market-based incentives approach.

Pending such clarification, the PSTF suggests that market-based programs consistent with the premise of direct accountability be implemented as pilot projects. The following are direct, market-based approaches believed by the PSTF to merit further review on a pilot project basis:

- a. *Direct emissions pricing.* Virtually all new vehicles come equipped with on-board computers to monitor the performance of the emission control equipment. This straight forward, technical capability enables monitoring of emissions. The vehicle operator can thus be held accountable for his/her contribution to air pollution through fees based on the level of pollution and miles driven.
- b. *Prompt ticketing of gross polluters.* An inexpensive and efficient technology exists to directly monitor emissions on the road and simultaneously record the license number of gross-polluting vehicles. Senator Hart's legislation before the State Senate would use this technology to identify and ticket "gross polluters" on the spot. Illegally-altered vehicles could be identified immediately.
- c. *Old vehicle buy-back.* Data suggests that 10% of the vehicles contribute 50% of all auto emissions, and that older vehicles, especially those that are poorly maintained or illegally modified, make major contributions to air pollution. Old vehicle buy-back programs, such as the Unocal program, have demonstrated substantial reductions in

DISCUSSION OF RECOMMENDATIONS

emissions at reasonable prices. Higher than fair-market values for old cars can encourage sellers to move to newer and therefore cleaner cars.

- d. *Emission-based vehicle registration.* Current state law relative to vehicle registration discourages the purchase of new, cleaner vehicles. A state policy consistent with air quality goals would base the annual fee for vehicles on emission performance and the number of miles driven, as suggested in "a", above.
- e. *Deregulation of private transit.* This would allow for the evolution of jitneys similar to the airport transit systems.
- f. *Congestion pricing.* Priced access to the freeways during peak hours would provide an incentive to shift time-movable trips out of the congested periods and would reduce emissions from idling vehicles.

2. Educate the Public on Personal Responsibility to Reduce Vehicle Emissions

The public must be informed about individual responsibility for driving decisions and their air quality consequences. A full-fledged, ongoing educational program is needed to instill a sense of personal responsibility for driving decisions.

Public education programs on health and safety issues can, of course, be successful, as evidenced by similar programs on seat belts, anti-smoking, and recycling.

3. Ensure Worthwhile Emissions Benefits from Adopted Compliance Strategies

The Task Force believes that public policy should emphasize only those approaches, TCM or otherwise, with the greatest emission reduction potential.

No measure should be adopted by SCAG or SCAQMD until it is shown to produce clear and worthwhile emissions reductions. TCMs with negligible emission benefits or unmeasurable benefits should be eliminated.

Every effort should be made to identify unintended consequences of all measures under consideration. If legislation or further action is needed before a measure can be implemented, the measure should be added to the AQMP only after such authorization is secured.

Measures should be formulated for ease of local government implementation.

Lastly, adopted TCMs should contain a "sunset clause" which provides for the review of their effectiveness, and for their replacement, as necessary, by more effective approaches.

4. Emphasize Technology Solutions to Transportation Emissions

Public policy should actively support the pursuit of technology-based measures to reduce transportation emissions more efficiently.

The PSTF recommends an independent study to identify the areas where technologies can help solve the problems of mobile sources of air pollution, to define the status of those technologies, and to identify the steps that must be taken to make them commercially available. Several examples, not intended to be all inclusive, would be on-board emissions monitoring, clean fuels or electric cars, and efficient catalytic converter pre-heat systems to reduce cold start emissions.

5. Actively Engage the Regulated Community in the Development of the TCMs and Other Compliance Strategies

The PSTF encourages SCAG and the SCAQMD to build an early and close working relationship with the implementors of any new measure (local governments, the private sector) and those impacted by the new measure (those entities who are regulated), well in advance of developing draft rules or control measures. The TCM Advisory Working Group convened by the two agencies is a good starting point. In the past, traditional workshops have been inadequate to involve the public and private sectors in detailed discussions about TCMs that they must implement.

SCAG and SCAQMD should establish a working group in the development of every proposed rule and plan measure, and should fully involve affected industries.

6. To the Extent that TCMs may be Retained, Consolidate Duplicative, Overlapping, or Conflicting TCMs to Achieve Optimum Implementation

In some cases, SCAG and SCAQMD have proposed competitive or duplicative measures. These measures must be combined or revised to eliminate overlaps, duplications, and the attendant confusion among local governments that results from such.

7. Position Beneficial but Disruptive Measures as Contingency Measures

As stated previously, the PSTF believes the Plan should rely to the greatest extent on measures that are readily achievable and which ensure worthwhile emissions benefits. Measures that are economically or socially disruptive, such as parking management and truck scheduling programs, should be positioned as contingency measures.

8. Improve the Economic Analysis of All Costs Incurred by the Private and Public Sectors in Complying with the TCMs

Neither the socio-economic analysis nor the cost-effectiveness calculations performed by SCAQMD provide assessments of direct cost/benefit ratios for the TCMs. The specific information required is the direct costs imposed on the private and public sectors, compared to the emissions reductions projected in the analysis. The PSTF feels that such an understanding is essential for those involved in the development of public policy.

Specifically, cost and cost-effectiveness in real, immediate, and measurable dollars on the industry(s) affected must be determined for all rules and regulations. The Socio-Economic Report for the 1991 Air Quality Management Plan attempts to categorize the economic impact by SIC code, but the model used is a large-scale, macroeconomic one aimed at large-

scale effects on the economy. Orange County's perspective must be the regional economy in which the regulations will be applied.

Private sector data indicates that the cost to business to implement the TCMs is very high. At the same time, the JHK study conducted as part of the Countywide Strategy for Implementing the AQMP (Attachment D: "Effectiveness of Local Government Control Measures") strongly suggests that implementation of the TCMs here will produce very little return in air quality emissions reduction.

The PSTF suggests that the imposition of minimally beneficial but costly TCMs in our region, to the detriment of jobs and the cost of consumer goods, is not only ineffectual in meeting air quality goals, but is a serious detriment to the credibility of the regulatory process. The County and the municipalities are being asked to enact and enforce ordinances in the hope that they will be effective in reducing emissions, but the available data challenges this effectiveness.

Clearly, then, there is a need for: 1) an improved method of economic analysis of the TCMs and all compliance strategies, 2) pilot projects on compliance strategies to prove out effectiveness and cost-benefit, and 3) permanent adoption only of those strategies that are proven as to effectiveness and cost-benefit.

INCORPORATING PSTF RECOMMENDATIONS INTO THE AQMP

The Private Sector Task Force urges the County of Orange to actively propose and support the foregoing recommendations through the following air quality efforts:

1. Encourage regional, state and federal decisionmakers to consider changes in laws and regulations, shifting the public policy emphasis on air quality from indirect to direct strategies, including:
 - Enhanced inspection and maintenance of vehicles through the smog check program and gross-polluter identification
 - Acceptance, on a trial basis, of market-based strategies consistent with the goal of personal accountability for driving decisions (with permanent adoption upon the successful completion of the trial period)
 - The reexamination of Regulation XV and other indirect AQMP strategies against cost-benefit data and principles of direct accountability
2. Encourage state and federal decisionmakers to redirect air quality funding toward efforts that promote the concept of direct accountability. For example, provide funds for market-based strategy demonstration projects.

CONCLUSION

3. Examine AQMP policies in view of socio-economic impact assessments and strive to link air quality policies with regional mobility goals and other public policy goals to avoid public policies that are at cross-purposes.
4. Incorporate PSTF findings and recommendations into current processes aimed at revising and improving AQMD's administration of state and federal law, including the Special Commission on Air Quality and the Economy.
5. As part of the ongoing Countywide Strategy to Implement the AQMP, direct the Private Sector Task Force to continue to:
 - Review compliance alternatives under consideration by the County
 - Identify private-sector-preferred compliance strategies and communicate those to local, regional, state, and federal officials, in coordination with the County
 - Support and facilitate public information programs on air quality
 - Identify and support worthwhile research opportunities and pilot projects in the areas of technological advancement and market-based strategies.

CONCLUSION

It will not be easy to meet the air quality challenge facing Southern California. The political decisions associated with meeting air quality goals will be extremely difficult, and the impact upon corporations and individuals may be both costly and painful. Equity issues for the less fortunate will need to be addressed.

At the same time, the issue is here to stay; state and federal law require prompt action to reduce emissions. The Task Force will thus support emission reduction strategies that will be both effective and practical.

The Task Force believes that the only equitable way to achieve the goals of effectiveness and practicality will be to adopt strategies consistent with the concept of direct accountability and to ensure a strong base of public understanding concerning the costs and methods of meeting our air quality challenge.

ATTACHMENT A

PSTF Member Roster

Chair:

William R. Jones, Ph.D.
O.C. Transportation Coalition
(Hughes Aircraft)

Steering Committee:

| | |
|--------------------------------|--|
| Brian Bennett | Southern California Edison |
| Donald R. Booth, Ph.D. | Chapman University |
| Jeanette C. Justus | Commercial Industrial Development Asso. (The Irvine Co.) |
| John E. McDonald, Ph.D. | Industrial League of Orange County (PDA Engineering) |
| Donald E. Moe | Building Industry Asso. of Orange County (Santa Margarita Co.) |
| Lynn Sonntag | Entertainment and Events Center Coalition (The Walt Disney Co.) |

Members:

| | |
|-----------------------------|--|
| John Cuervo | Hispanic Chamber of Commerce |
| Frank Quevedo | Orange County Chamber of Commerce |
| Michael S. Potts | Building and Construction Trades Council of O.C. |
| Gary Dahl | Lucky Stores |
| Mike Daley | McDonald's |
| Frank M. Reid | Federated Chambers of Commerce of O.C. |
| Laura De Farkas | Calif. Automotive Technicians |
| Malcolm Ross | C.J. Segerstrom & Sons |
| W. James Edwards III | Edwards Theatres Circuit |
| Greg Smith | Motorsport Industries |
| George W. Kessinger | Goodwill Industries |
| Gary Symons | South Coast Medical Center |
| Steve McCaughey | Irvine Spectrum TMA |
| Linda Uman | McDonnell Douglas |

Facilitator:

| | |
|-----------------------|--------------|
| Julie Froeberg | JFConsulting |
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PSTF ALTERNATES

Each PSTF member selected a peer alternate to step in when scheduling difficulties precluded member attendance. Active alternates who attended PSTF meetings and/or collaborated in this report included:

Susan Ambrose, Coastal Motion (Bill Jones)
John Barclay, Attorney at Law (Frank Reid)
Anne Belyea, South Coast Metro TMA (Steve McCaughey)
Phil Bettencourt, The Preview Co. (Don Moe)
Chuck Crockett, Jack in the Box (Mike Daley)
Manny Puentes, The Automobile Club of So. CA (Frank Quevedo)
Grant Ruff, Teamsters Local 952 (Mike Potts)
Stuart Samberg and Bruce Stewart, Goodwill Industries, (George Kessinger)
Rod Van Bebber, Lucky Stores (Gary Dahl)
Dan Winton, Commercial Industrial Development Asso. (Jeanette Justus)

ATTACHMENT B

Principles

Since air quality measures can have significant impact on the economic health of local governments and the private sector, we recommend that all air quality measures reflect the following principles:

- **Ensure Worthwhile Emission Benefits**
Adopt only measures with significant, measurable and enforceable emissions benefit in the AQMP.
- **Resort to Severe Measures Only As "Fall-Back" Contingency Measures**
Measures that involve severe economic impact or other disruption should be limited to a contingency role and used only if other measures fail to achieve adequate emission reductions.
- **Provide Implementation Flexibility Where Appropriate**
Local jurisdictions should retain maximum flexibility over implementation of measures they are responsible for accomplishing, except for measures which could disrupt the regional economy.
- **Emphasize Direct Accountability**
Measures should address the polluting behavior and source as directly as possible, not through a surrogate.
- **Eliminate Land Use and Transportation Project Delays**
As part of SCAQMD's "New Directions" commitment, land use, transportation, and indirect source measures should not result in project delays due to air quality measure requirements – especially for projects that involve voter approval and funding commitments.
- **Apply Market Approaches**
Market incentives and approaches should be applied to implementing land use, transportation and indirect source measure instead of command and control regulation whenever possible.
- **Rely on Established Local Government and Transportation Agencies**
AQMP measures should be streamlined using existing planning and implementation processes established by local government and transportation agencies as much as possible to avoid duplication and reduce bureaucracy and costs.
- **Minimize Intrusion of Air Quality Measures**
Regulation XV demonstrates that AQMP implementation can intrude into industrial relations, and requires excessive reporting. Intrusions and bureaucracy should be avoided in favor of streamlined requirements.
- **Provide Balanced Evaluation of Air Quality Costs and Benefits**
No measure should be evaluated on the basis of air quality benefits alone. Measures should be evaluated according to a full range of quality of life factors, including affordable housing; the cost of food and consumer goods; and other environmental factors such as water supply.

ATTACHMENT C

ORANGE COUNTY PRIVATE SECTOR TASK FORCE EVALUATIONS OF TCMs FOR AIR QUALITY EMISSIONS REDUCTION

Criteria

The PSTF evaluated the TCMs included in the 1991 AQMP and market-based strategies against the following criteria:

- Effectiveness in reducing emissions
- Direct vs. indirect
- Implementation feasibility
- Monitoring/administration burden
- Fairness/equity to the private sector
- Cost to the private sector
- Political acceptability

On the basis of the above criteria, the Task Force classified the 1991 AQMP TCMs into three categories:

1. Direct measures, more acceptable to the private sector than the indirect measures, with a reasonable emissions reduction potential
2. Indirect measures, which should be modified for greater ease of implementation and cost-effectiveness and replaced by direct strategies wherever feasible
3. Beneficial but disruptive measures: position as contingency measures.

Category I

Work Week Adjustments

Data shows that the emission reduction potential of work week adjustments is low. Work week adjustments are more a congestion management tool than an air quality emissions reduction tool. While more acceptable to employers in some cases than other TCMs, its success varies from business to business. Some businesses experience a loss of productivity as a result of work week adjustments. The PSTF recommends consideration of the direct, market-based strategies such as congestion pricing, smog fees, enhanced inspection and maintenance, and old auto buy-back, as well as parking management, as alternatives to work week adjustments.

Teleconferencing/Telecommunications

As technology continues to develop in this area, the desire for productivity and maximizing employee time will make the use of teleconferencing and telecommunications more attractive to Southern California businesses. Smog fees and parking management could bring forth the same results.

Traffic Flow Improvements

Traffic flow improvements would benefit transit and rideshare vehicles as well as single-occupancy vehicles. The PSTF strongly supports the implementation of traffic flow improvements, believing that, in enhancing traffic flow and thus reducing emissions from idling, there will also be a more realistic reliance upon transit for air quality emission reductions.

Transit Enhancements

Statistics show that most transit riders are transit dependent; that is, they do not have an alternative travel mode. Transit must become more efficient and convenient; linkages must be established between transit systems so that the public will be willing to utilize it. Due to the high cost of such improvements, the PSTF recognizes that direct, market-based incentives to encourage commuters into ridesharing are more reliable strategies for meeting air quality requirements in the immediate future.

Category 2

Employee Trip Reduction

There is much controversy over employee trip reduction mandates. Although the potential exists for high emissions reduction, the cost to the employer is extremely high. Since employer costs can impede job creation and retention, the PSTF recommends more direct measures such as congestion pricing or parking management.

Auto Use Restrictions

Auto use restrictions, implemented by merchants and special events centers, are extremely indirect; the implementing individuals or organizations have no control whatsoever over the driving decisions of their customers. The PSTF believes that the availability of transit alternatives would greatly enhance mobility alternatives for those visiting shops or special events centers while discouraging single-occupant trips. The PSTF thus recommends directly influencing the pollution-generating activities through congestion pricing or other direct, market-based incentives, to subsidize the creation and maintenance of such transit alternatives.

Category 3

Parking Management

Parking management is command-and-control oriented as well as market-based. It is consistent with the concept of direct accountability. However, due to the disruptive nature of parking management, the PSTF recommends that parking management strategies be positioned as contingency measures. If implemented, such measures should be implemented regionally to preclude economic disadvantages to implementing communities.

Growth Management

Growth management TCMs are extremely indirect in their orientation and may at times conflict with other public policy goals, such as affordable housing. The AQMD rates growth management TCMs as low in emissions reduction potential. Once again, the PSTF recommends as an alternative, the more direct concept of congestion pricing and/or smog fees.

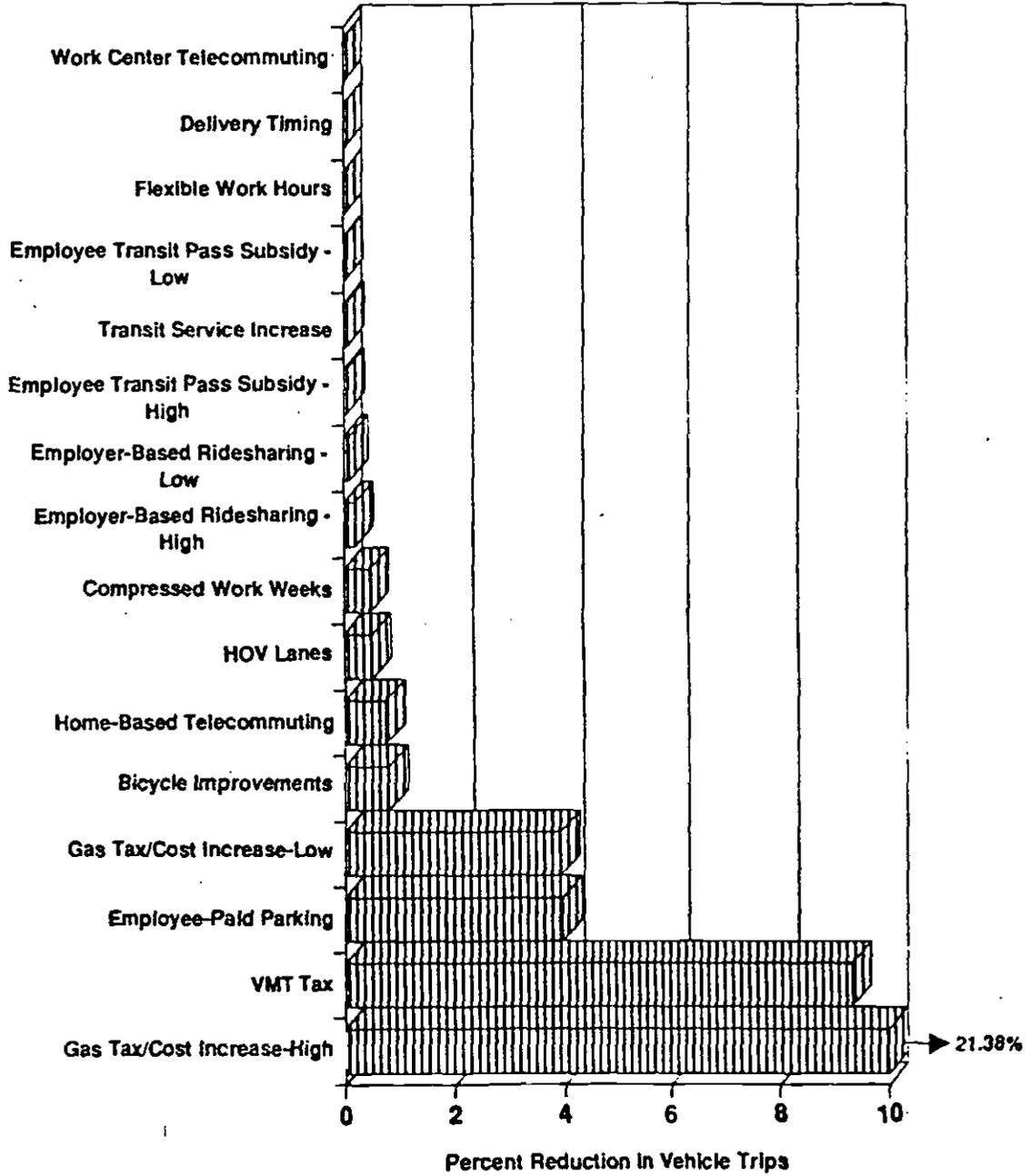
Truck Scheduling

Truck scheduling brings with it significant cost impacts to the consumer, since most consumer goods are delivered by trucks and additional restrictions on truck travel could increase warehousing, labor, and other costs to business. The PSTF suggests that public policymakers evaluate truck scheduling TCMs against enhanced inspection and maintenance programs which include large rigs. The PSTF committee report on this TCM also points out the other public policy priorities which need to be evaluated against the air quality priority: noise and congestion management.

ATTACHMENT D

Effectiveness of Control Measures

EFFECTIVENESS OF CONTROL MEASURES

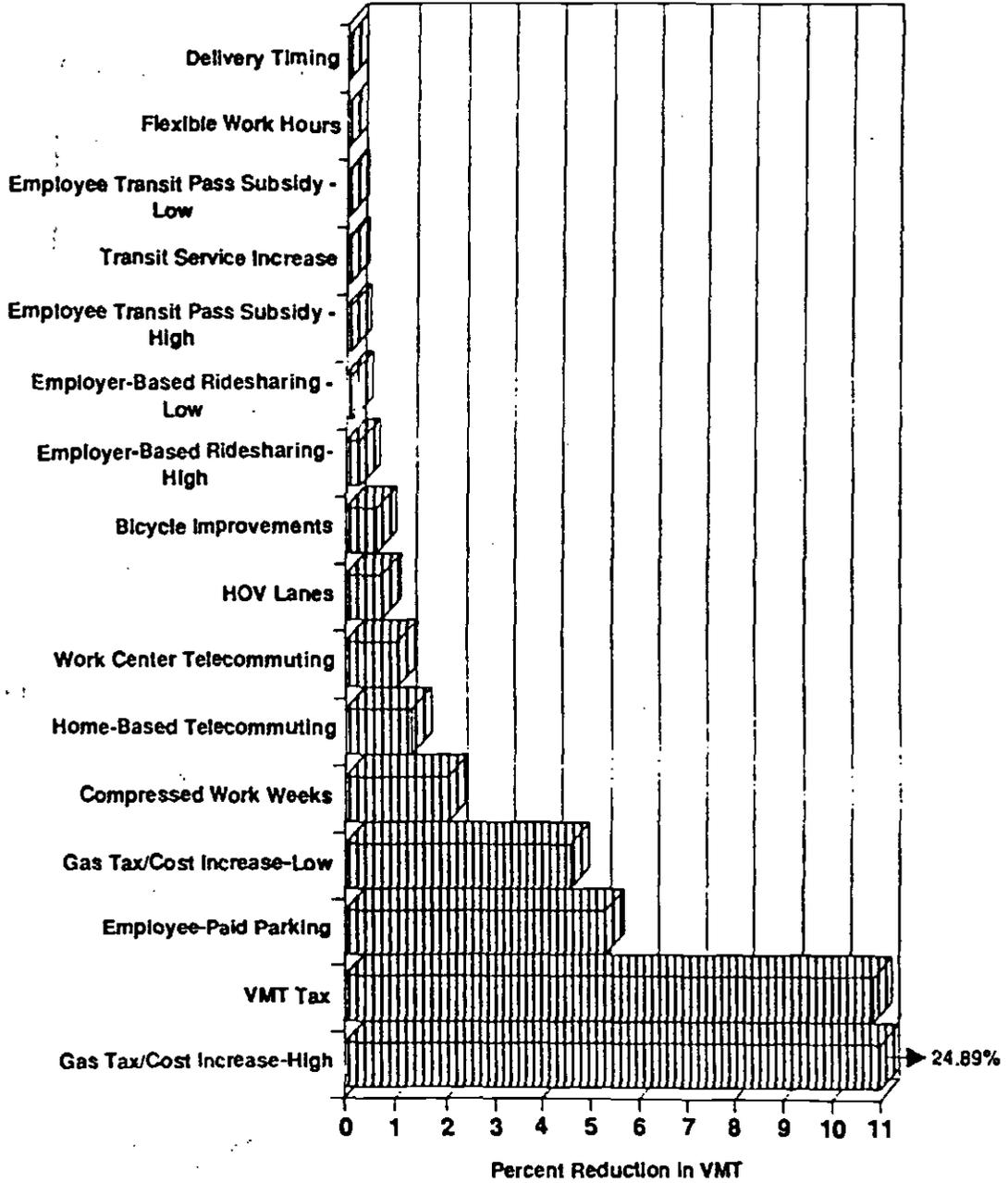


TCM Vehicle Trip Reduction (Percent Decrease from Base Case)

The Planning Center

Air Quality Technical Assistance Program

EFFECTIVENESS OF CONTROL MEASURES

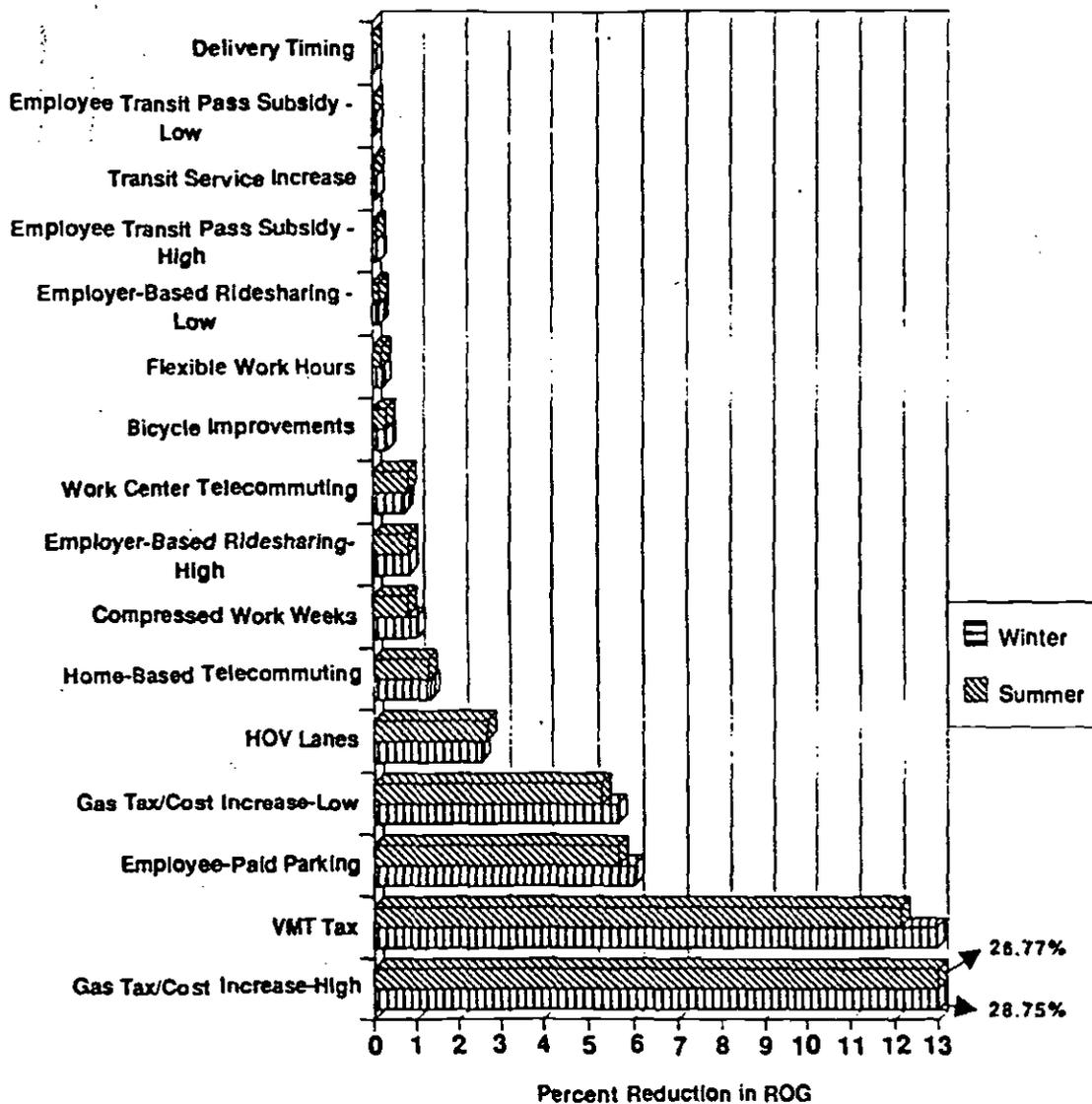


TCM VMT Reduction (Percent Decrease from Base Case)

The Planning Center

Air Quality Technical Assistance Program

EFFECTIVENESS OF CONTROL MEASURES



TCM ROG Reduction (Percent Decrease from Base Case)

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