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Los Angeles County
Department of Beaches & Harbors
Caring for Your Coast

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

June 7, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTION OF RESOLUTION ACCEPTING GRANT FUNDS FROM THE CALIFORNIA AIR RESOURCES BOARD FOR REPLACEMENT AND RETROFIT OF OFF-HIGHWAY EQUIPMENT
(3rd and 4th DISTRICTS)
(4 VOTES)

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that this action is exempt from the provisions of the California Environmental Quality Act.

2. Adopt the attached Resolution (Attachment I) authorizing the acceptance of a grant in the amount of $1,300,686 from the California Air Resources Board (ARB) for replacement and retrofit of off-highway equipment.

3. Authorize the Director of the Department of Beaches and Harbors (Department) to sign all necessary documents to accept the grant for the purpose of funding the replacement and retrofit of the equipment and to act as lead agent for the County when conducting business with the ARB on any and all matters related to the grant, including committing to the project implementation plans reflected in the grant application, subject to prior approval of the grant documents by County Counsel.

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PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Department applied for and was awarded a grant from the ARB in the amount of $1,300,686, under the $25 Million for Purchase of Low-Emission Construction Equipment by Public Agencies Grant Program. A total of $1,054,702 was awarded to assist the Department in replacing and subsequently exhaust retrofitting four pieces of off-highway equipment over ten years old. The remaining balance of $245,984 was awarded to apply exhaust retrofits to an additional ten pieces of off-highway equipment less than ten years old.

Approval of this grant is consistent with the County's Clean Fuels Policy and will allow the Department to cost-effectively help reduce the amount of harmful emissions in the atmosphere. Additionally, the Department will be taking proactive measures to comply with the ARB's current proposed regulation to reduce emissions from in-use off-road diesel vehicles by requiring retrofits, as well as the acceleration of a turnover of existing diesel fleets to newer, cleaner engines. Rather than incurring a total estimated cost of $1,662,273 to replace and retrofit the off-highway equipment, the Department will only incur a cost of $361,587 or under 22% of the total project cost.

Implementation of Strategic Plan Goals

The acceptance of this grant in the amount of $1,300,686 to assist with the replacement of four and exhaust retrofit of fourteen pieces of off-highway equipment supports the County's Strategic Plan Goals 4 and 7, "Fiscal Responsibility" and "Health and Mental Health". It supports Fiscal Responsibility, as the Department has secured grant funds to cover the majority of costs to replace and retrofit pieces of off-highway equipment. It supports Health and Mental Health, as the new and retrofitted equipment will reduce harmful emissions into the atmosphere.

FISCAL IMPACT/FINANCING

The total project cost for replacing and retrofitting the off-highway equipment is $1,662,273. ARB will reimburse the County $1,300,686 of the total cost, and the Department will be required to fund the balance of $361,587. The Department will request a $1,300,686 appropriation and revenue budget adjustment in its FY 2007-08 Supplemental Budget Request to the Chief Administrative Office; the Department has sufficient appropriation in its FY 2007-08 to fund its portion, $361,587, of the cost.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The fourteen pieces of off-highway equipment being replaced and exhaust retrofitted include three crawler loaders, three bulldozers, and eight wheel loaders, which the Department relies on for beach maintenance. The bulldozers and crawler loaders are used to build and take down sand berms or sand walls, which are used to prevent raw sewage from entering into the ocean when there are sewage spills and to protect public facilities from high tides during storms. They are also used for beach contouring. The wheel loaders are used for moving lifeguard towers and retrieving beached vessels and planes that have crashed into the ocean.

According to the ARB, this equipment and all other in-use off-road diesel equipment and vehicles emit large amounts of soot or particulate matter and nitrogen oxides, which are toxic and cause adverse health impacts. ARB reports that, in 2005, approximately 1,100 premature deaths in California were associated with baseline uncontrolled emissions from in-use off-road diesel vehicles.

The ARB must encumber all funds under the $25 Million for Purchase of Low-Emission Construction Equipment by Public Agencies Program by June 30, 2007.

In order to obtain the awarded grant funds, your Board must authorize the Director of the Department of Beaches and Harbors to sign all necessary documents to obtain and accept the grant. All documents required for acceptance of the requested grant and authorized by the requested Resolution will be subject to prior approval by County Counsel. County Counsel has reviewed and approved the attached Resolution as to form.

ENVIRONMENTAL DOCUMENTATION

This action is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15308 of Title 14 of the California Code of Regulations, and pursuant to Class 8 of the County's Environmental Document Reporting Procedures and Guidelines, adopted by your Board on November 17, 1987.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The adoption of the Resolution will have no negative effect on the Department's current projects.

CONCLUSION

Authorize the Executive Officer of the Board to send four conformed copies of the Resolution to the Department of Beaches and Harbors, along with three approved copies of this letter.

Respectfully submitted,

Stan Wisniewski

Stan Wisniewski
Director

SW:DJ:LMN

Attachment: (1)

c. Chief Administrative Officer
County Counsel

ATTACHMENT I

RESOLUTION OF THE LOS ANGELES COUNTY BOARD OF SUPERVISORS ACCEPTING A GRANT IN THE AMOUNT OF $1,300,686 FROM THE CALIFORNIA AIR RESOURCES BOARD

WHEREAS, the Department of Beaches and Harbors (Department) has off-highway equipment that needs to be replaced and/or retrofitted;

WHEREAS, the County supports funding for projects that improve air quality by reducing toxic particulate matter emissions from diesel engines through the replacement or retrofit of diesel-powered vehicles and equipment;

WHEREAS, the State Air Resources Board (ARB) has proposed an in-use off-road diesel vehicle rule, which will require both public and private fleets to apply exhaust retrofits that capture pollutants before they are emitted to the air and to accelerate turnover of fleets to newer, cleaner engines;

WHEREAS, the Department submitted a grant application through the ARB to obtain the maximum funding assistance available from the $25 Million For Purchase of Low-Emission Construction Equipment By Public Agencies Program to replace and/or retrofit off-highway equipment;

WHEREAS, the Department has been awarded the subject grant and, in order to secure reimbursement of funds spent for work covered by the grant, the ARB requires the Department to designate a representative to negotiate and execute the grant contract and any amendments, and to certify grant invoices on behalf of the Department; and

WHEREAS, the $25 Million for Purchase of Low-Emission Construction Equipment by Public Agencies Program, administered by the ARB, provides grants to local agencies, non-profit organizations, and public agencies to help them implement projects that improve air quality; and

WHEREAS, the Department will enter into a contract with the ARB for the $1,300,686.

NOW, THEREFORE, BE IT RESOLVED that the Los Angeles County Board of Supervisors accepts the grant award of $1,300,686 to fund the replacement and retrofit of off-highway equipment.

BE IT FURTHER RESOLVED that the Director of the Department is authorized to sign all necessary documents to accept the grant for the purpose of funding the replacement and retrofit of off-highway equipment and to act as lead agent for the County of Los Angeles when conducting business with the ARB on any and all matters related to the

grant, including committing to the project implementation plans reflected in the grant applications.

The foregoing Resolution (for contract number G06-PA43) was adopted on the 19TH day of JUNE 2007, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and the authorities for which said Board so acts.

Sachi A. Hamai
Executive Officer-Clerk
of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By: _____
Deputy