

In a move that shocked the environmental advocacy community and [low-income communities of color that suffer most](#) from the impacts of poor air quality in Los Angeles, the governing board of the South Coast Air Quality Management District [fired its longtime executive officer Barry Wallerstein](#) today, voting 7-6 in closed session to remove him from his post. [Dr. Wallerstein](#) has been at the helm of the agency since 1997 and has led successful efforts to improve air quality throughout the region as well as for the most vulnerable communities. Observers have noted that [there is now a Republican majority on the board](#), and this action seems clearly to stem from the will of that new majority; there is no serious question that the action will surely make the AQMD more friendly to regulated industries.

The [SCAQMD](#), which is responsible for regulation of stationary sources of air pollution throughout much of southern California, is among the most important public health protection agencies in the country. [AQMD's authority](#) is wide-ranging and significant: it administers both the federal and state permitting programs for factories and smaller industrial sources in the region; it is responsible for developing the southern California component of the [State Implementation Plan](#) that ensures attainment of the federal Clean Air Act's National Ambient Air Quality Standards; and it makes and enforces rules to ensure compliance with state air quality laws, standards, and regulations in the region. Together with the California Air Resources Board, which regulates mobile sources of pollution such as cars and trucks and ultimately approves our state implementation plan, AQMD has largely been responsible for the dramatic gains in air quality in Los Angeles since the 1970s.

The chart in [this article](#) provides a snapshot of how ozone levels have decreased over time, and [this article](#) has a good, well-sourced summary of the decline of smog-alert days in California, including this information about the very worst days:

In rising order of seriousness, smog alerts for southern California start with health advisories and move upwards to stage 1, stage 2 and stage 3. The [last stage 3](#) smog alert came in 1974 — so long ago that Ronald Reagan was still governor. The [last stage 2](#) alert came in 1988, and there has been only one [stage 1 alert](#) since 1998 (it came in 2003).

Attaining our national ambient air quality standards is a daunting task, and although we have not yet achieved attainment for all pair pollutants, the AQMD has at least kept us on track. A less aggressive approach may put our implementation into disarray, allowing air quality to deteriorate and harming people exposed to higher levels of particulate matter,

ozone, and other pollutants. It also could lead to jeopardizing federal funding for the region if our plans do not meet federal requirements.

At least as importantly, AQMD has been working to address hazardous air pollutants and other impacts on the individuals and communities who live nearest to pollution sources. While ambient air standards measure air quality broadly throughout the region, those standards do not provide an adequate or accurate measure of the burdens that pollution imposes on particular communities that are located closest to the major sources - mostly low-income communities of color. Even though AQMD has not always succeeded in protecting these communities, it has at least done its work in good faith in recent years.

AQMD has had its share of criticism from environmental advocates, to be sure. Many activists believe that the agency should be doing far more to address both local and regional pollution. For example, the controversial [RECLAIM](#) nitrogen-oxide emissions trading program has been a flashpoint for critics of the agency. While regulated industries and the AQMD itself have claimed significant benefits from the program, environmental justice advocates and other commentators have long [criticized it](#) for failing to guarantee emissions reductions and for failing to ensure that air quality improves for the most vulnerable communities - those closest to major polluters. But AQMD has been improving, at least at the staff level. Unfortunately, at the same time, the governing board has gotten worse. A few months ago, given an [opportunity to improve RECLAIM](#), the AQMD board, voting against its staff's recommendation and in favor of an alternative proposal supported by the Western States Petroleum Association, failed to do so, prompting widespread [criticism](#) including a [letter from the executive officer](#) of the California Air Resources Board, which said the new plan does "not appear to meet the minimum emissions control requirements in California law."

Some observers, including speakers at the public hearing at which the vote was announced, have noted parallels between Dr. Wallerstein's removal and the [recent ouster of Charles Lester](#) from his position as executive director of the California Coastal Commission. Indeed, it's hard not to make the comparison, since both actions were taken within a few weeks of one another, were taken in the face of virtually unanimous public support for the executive being removed, were done without real explanation by the board or commission, and were widely viewed as weakening environmental protections.

On the other hand, there are differences. The Coastal Commission's action may in some sense have been the culmination of a simmering conflict between some Commissioners and Commission staff about the balance of authority in the agency (albeit, [as I have noted](#), a dispute that was resolved by a staggeringly poor decision, in the face of virtually unanimous

Another California Regulatory Agency in Crisis: Southern California's Air Quality Management District Fires Longtime Executive Officer | 3

public and staff opposition, from which the agency will struggle to recover). This decision, by contrast, cannot be explained other than as a coup by regulated industries seeking to impede basic public health protection for our most vulnerable communities, slow or reverse the dramatic air-quality progress our region has made over the past several decades, and provide a boost to polluting industries that do not want to internalize the costs they impose on society. Based on the AQMD's [recent decision](#) to adopt major regulated industries' weakened rules against its staff's recommendation, the current AQMD board seems poised, with Dr. Wallerstein's removal, to continue down the path of regulating less and of failing to meet standards required by both state and federal law. It seems unlikely, to say the least, that the new board will hire a new executive officer committed to the level of regulation and enforcement necessary to follow these laws, much less protect our residents' health.