

BOARD MEETING DATE: December 2, 2016

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the November 4, 2016 meeting.

RECOMMENDED ACTION:

Approve Minutes of the November 4, 2016 Board Meeting.

Denise Garzaro,
Clerk of the Boards

DG

FRIDAY, NOVEMBER 4, 2016

Notice having been duly given, the regular meeting of the South Coast Air Quality Management District Board was held at District Headquarters, 21865 Copley Drive, Diamond Bar, California. Members present:

William A. Burke, Ed.D., Chairman
Speaker of the Assembly Appointee

Council Member Ben Benoit, Vice Chairman
Cities of Riverside County

Supervisor Michael D. Antonovich
County of Los Angeles

Council Member Joe Buscaino
City of Los Angeles

Mayor Pro Tem Michael A. Cacciotti
Cities of Los Angeles County – Eastern Region

Dr. Joseph K. Lyou
Governor's Appointee

Mayor Larry McCallon
Cities of San Bernardino County

Council Member Judith Mitchell
Cities of Los Angeles County – Western Region

Supervisor Shawn Nelson (arrived at 10:05 a.m.)
County of Orange

Dr. Clark E. Parker, Sr.
Senate Rules Committee Appointee

Council Member Dwight Robinson
Cities of Orange County

Supervisor Janice Rutherford
County of San Bernardino

Member absent:

Supervisor John J. Benoit
County of Riverside

CALL TO ORDER: Chairman Burke called the meeting to order at 9:05 a.m.

- Pledge of Allegiance: Led by Councilman Robinson.
- Opening Comments

Councilwoman Mitchell. Announced that she attended a meeting of CAPCOA, along with two fellow CARB Board Members, where she had the opportunity to explain to the CAPCOA Executive Officers the challenges that the South Coast region is faced with and how the District works in conjunction with CARB on addressing those issues.

Councilman Cacciotti. Explained that Measure M will be considered by voters in Los Angeles County on November 8, 2016, which seeks to provide much-needed funding for increased public transit projects; noted that he met, along with Mr. Nastri, with the American Lung Association regarding the AQMP; and asked staff for a report on the study funded by the Board through UCLA regarding the impacts from exposure to CNG.

Dr. Parker. Noted that he participated in the CaFCP Executive Board meeting in Sacramento on October 18, 2016; and explained the progress that has been made towards availability of hydrogen-fueled vehicles and hydrogen fueling infrastructure.

Councilman Robinson. Commented that he had the opportunity to meet with Dr. Samuelson at UCI and learn about his National Fuel Cell Research Institute which was very informative; and thanked Chairman Burke for appointing him to the CNG Vehicle Partnership.

Chairman Burke. Announced that he attended the Taste of Soul event on October 15, 2016 in South Los Angeles, which was attended by well over 350,000 people. He expressed appreciation to staff for providing information to attendees regarding air quality issues.

Mr. Nastri. Noted that an errata sheet amending a portion of the October 7, 2016 Minutes was distributed to Board members and copies made available to the public.

CONSENT CALENDAR

1. Approve Minutes of October 7, 2016 Board Meeting, subject to changes described in the errata sheet

An errata sheet containing an amendment to pages 3 and 13 of the October 7, 2016 Minutes was provided to the Board Members and copies

made available to the public. The changes are as follows:

Add the following at the beginning of Page 3 (after Opening Comments):

- **Presentation of Retirement Award to Sandra McDaniel**

Chairman Burke presented a retirement award to Sandra McDaniel, Clerk of the Boards, in recognition of 32 years of dedicated District service.

Modify the fourth and fifth paragraphs on Page 13 (on Item 33) to read:

Supervisor Rutherford noted that the visit to the Bay Area AQMD yielded an understanding of how to more effectively implement technology in the permitting process; and acknowledged that while introducing new technology comes with its challenges, it will be beneficial in the long run. **She commented that the Bay Area staff does not sweat the small stuff; they spend the bulk of their effort and public resources on dealing with the bigger issues and the bigger polluters. She encouraged the right attitude moving forward, advising we can get to the low hanging fruit on the backlog to get it cleared out, then focus on getting systems in place, our attitude in place, to then get to the bigger stuff that is going to be harder. She advised patience, as it would take a while.**

~~Supervisor Nelson expressed appreciation for staff for taking steps to address the longstanding backlog.~~

Supervisor Nelson expressed his heartfelt thanks, adding his appreciation to staff for proving things do not have to be done a certain way just because that is the way they were done a year ago, and he thanked everyone for their comments.

Budget/Fiscal Impact

2. Execute Contracts for Conducting Studies With Sensors and Advanced Optical Remote Sensing Technologies
3. Execute Contracts to Develop Eco-Friendly Intelligent Transportation System Strategies, Optimize Load-Balancing Strategies for Cargo Freight and Conduct Market Analysis for Zero Emission Heavy-Duty Trucks **E**
4. Execute Contract to Study Electrification Options of Energy Services for Environmental Justice Communities and Non-Attainment Areas **E**
5. Approve Additional Funds for Replacement of Onboard CNG Fuel Tanks on School Buses and Transfer Funds **E**
6. Issue RFP for AB 2588 Consultant Assistance

7. Amend Contracts for Legislative Representation in Washington, D.C.
8. Amend Contracts for Legislative Representation in Sacramento, California
9. Appropriate Funds and Execute Contract for Strategic Consulting Services
10. Amend Contracts to Provide Systems Development Services for Online Permitting Systems Implementation
11. Establish Los Angeles Department of Water and Power Variance Special Revenue Fund

Action Item/No Fiscal Impact

12. Establish Board Meeting Schedule for Calendar Year 2017
13. Annual Report on 457 Deferred Compensation Plan and Appoint Member to Deferred Compensation Plan Committee
14. Update to Facility Prioritization Procedures and Supplemental Guidelines for AB 2588 Program

Items 15 through 21 - Information Only/Receive and File

15. Legislative and Public Affairs Report
16. Hearing Board Report
17. Civil Filings and Civil Penalties Report
18. Lead Agency Projects and Environmental Documents Received by SCAQMD
19. Rule and Control Measure Forecast
20. Report of RFPs Scheduled for Release in November

21. Status Report on Major Projects for Information Management Scheduled to Start During First Six Months of FY 2016-17

BOARD CALENDAR

23. Administrative Committee
24. Legislative Committee
25. Mobile Source Committee
26. Stationary Source Committee
27. Technology Committee
28. Mobile Source Air Pollution Reduction Review Committee
29. California Air Resources Board Monthly Report

Councilman Buscaino announced his abstention on Item No. 9 because he has received campaign contributions from John A. Perez.

Dr. Lyou announced his abstention on Item No. 3 because UCR (CE-CERT) and Volvo are potential sources of income to him; and on Item No. 11 because Los Angeles Department of Water and Power is a potential source of income to him.

Councilman Robinson and Councilman Benoit announced that they serve on the Transportation Committee for SCAG which is involved with Item No. 10.

Agenda Items 19 and 28 were withheld for discussion.

MOVED BY B. BENOIT, SECONDED BY CACCIOTTI, AGENDA ITEMS 1 THROUGH 18, 20 THROUGH 27 AND 29, APPROVED AS RECOMMENDED, ADOPTING RESOLUTION NO. 16-15, SETTING THE TIME AND PLACE OF REGULAR MEETINGS, WITH THE MODIFICATION TO ITEM 1 AS NOTED ON THE ERRATA SHEET AND SET FORTH ABOVE, RECEIVING AND FILING THE COMMITTEE AND CARB REPORTS, BY THE FOLLOWING VOTE:

AYES: Antonovich, B. Benoit, Burke, Buscaino (*except Item #9*), Cacciotti, Lyou (*except Items #3 and #11*), McCallon, Mitchell, Parker, Robinson and Rutherford.

NOES: None.

ABSTAIN: Buscaino (*Item #9 only*) and Lyou (*Items #3 and #11 only*).

ABSENT: J. Benoit and Nelson.

22. Items Deferred from Consent Calendar

19. Rule and Control Measure Forecast

Dr. Lyou expressed disappointment that Rules 1304.2 and 1304.3 are on the Rule Forecast report for consideration in January 2017, while there are more pressing matters to address including the finalization of the AQMP and the need for a rule to address toxics related to chrome plating facilities.

MOVED BY ROBINSON, SECONDED BY B. BENOIT, AGENDA ITEM 19 APPROVED AS RECOMMENDED, BY THE FOLLOWING VOTE:

AYES: Antonovich, B. Benoit, Burke, Buscaino, Cacciotti, McCallon, Mitchell, Parker, Robinson and Rutherford.

NOES: Lyou.

ABSENT: J. Benoit and Nelson.

28. Mobile Source Air Pollution Reduction Review Committee

Dr. Lyou noted that the Committee's incentive proposal to fund heavy duty near-zero natural gas engines for transit buses and refuse trucks has been undersubscribed and suggested encouraging MSRC to alter the program to allow for the purchase of new cleaner refuse trucks with the remaining funds rather than simply funding repowering of older trucks.

Councilman Benoit confirmed that there are underutilized funds in the program; and noted that he would share Dr. Lyou's suggestion with the Committee.

Mayor Pro Tem Cacciotti suggested meeting with the local waste management companies to make them aware of the MSRC program and available funds.

MOVED BY LYOU, SECONDED BY B. BENOIT, AGENDA ITEM 28 APPROVED AS RECOMMENDED, RECEIVING AND FILING THE MSRC REPORT, BY THE FOLLOWING VOTE:

AYES: Antonovich, B. Benoit, Burke, Buscaino, Cacciotti, McCallon, Mitchell, Parker, Robinson and Rutherford.

NOES: None.

ABSENT: J. Benoit and Nelson.

Staff Presentation/Board Discussion

30. Advanced Technologies for Measuring Air Pollution: Status Update on SCAQMD's AQ-SPEC Sensor Testing Program

Andrea Polidori, Quality Assurance Manager, gave a presentation regarding the status of the program established to evaluate commercially available "low-cost" air quality sensors.

Supervisor Antonovich inquired whether this type of technology would work for Aliso Canyon residents.

Dr. Polidori explained that there currently is not a low-cost methane sensor available but there is the potential for similar monitoring in the future.

Chairman Burke commented that earlier in his term on the Board he had envisioned that technology would be so advanced by this point in time, that there would be wireless monitoring systems at key locations in the District with resulting information available on an instant basis.

Mr. Nastri acknowledged that the District is on the cusp of a technological revolution, adding that there are challenges to address including 1) how to handle the amount of voluminous data that would result in relation to health impacts as well as attainment; and 2) the lack of quality control and checks in place once monitors are available on a widespread basis.

Dr. Lyou commented that the Coalition for Clean Air has deployed some of these devices and will continue to do so; and acknowledged that there are concerns with how to manage and properly interpret the data.

(Supervisor Nelson arrived at 10:05 a.m.)

Chairman Burke mentioned that Dr. Parker was the assistant to the Chairman of the Board of IBM so he may have some insight on this topic; and suggested that staff connect with IBM to see if they might be able to provide useful information to address these questions.

Mr. Nastri confirmed that staff would reach out to IBM; and would welcome input from Dr. Parker on the subject.

INFORMATION ONLY; NO ACTION NECESSARY.

PUBLIC HEARING

31. Amend Rule 1325 – Federal PM2.5 New Source Review Program and Amend Rule 1302 - Definitions

Tracy Goss, Planning and Rules Manager, gave the staff presentation on Item 31.

The public hearing was opened, and there being no requests to speak, the public hearing was closed.

MOVED BY B. BENOIT, SECONDED BY PARKER, AGENDA ITEM NO. 31 APPROVED AS RECOMMENDED, ADOPTING RESOLUTION NO. 16-16, DETERMINING THAT THE PROPOSED AMENDMENTS TO RULE 1302 AND RULE 1325 ARE EXEMPT FROM THE REQUIREMENTS OF CEQA, AND AMENDING RULE 1302 – DEFINITIONS AND RULE 1325 – FEDERAL PM2.5 NEW SOURCE REVIEW PROGRAM, BY THE FOLLOWING VOTE:

AYES: Antonovich, B. Benoit, Burke, Cacciotti, Lyou, McCallon, Mitchell, Nelson, Parker, Robinson and Rutherford.

NOES: None.

ABSENT: J. Benoit and Buscaino.

PUBLIC COMMENT PERIOD – (Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3)

Daryl Gale, Los Angeles resident, cautioned against the dangers of climate change.

Harvey Eder, Public Solar Power Coalition, commented on the economic impacts of premature deaths; and urged the District to focus on immediate total solar conversion.

Peter Herzog, BizFed/NAIOP, acknowledged the strides that have been made to achieve better air quality; stressed that mobile sources are a key component to reaching attainment; and highlighted the benefits of providing incentives for businesses to utilize up-to-date technology.

CLOSED SESSION

The Board recessed to closed session at 10:25 a.m., pursuant to Government Code sections:

- 54956.9(a) and 54956.9(d)(1) to confer with its counsel regarding pending litigation which has been initiated formally and to which the SCAQMD is a party. The actions are:

Browning-Ferris Industries of California, Inc. v. South Coast Air Quality Management District, et al., Los Angeles Superior Court Case No. BS163753 (Sunshine Canyon Landfill);

In the Matter of SCAQMD v. Browning-Ferris Industries of California, Inc. dba Sunshine Canyon Landfill, Hearing Board Case No. 3448-14;

In the Matter of SCAQMD v. Southern California Gas Company, Aliso Canyon Storage Facility, SCAQMD Hearing Board Case No. 137-76 (Order for Abatement);

People of the State of California, ex rel SCAQMD v. Southern California Gas Company, Los Angeles Superior Court Case No. BC608322; Judicial Council Coordinated Proceeding No. 4861; and

In the Matter of SCAQMD v. Torrance Refining Company, LLC, SCAQMD Hearing Board Case No. 6060-5 (Order for Abatement).

Following closed session, Chief Deputy Counsel Barbara Baird announced that there were no reportable actions taken in closed session.

ADJOURNMENT

There being no further business, the meeting was adjourned by Barbara Baird at 11:00 a.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on November 4, 2016.

Respectfully Submitted,

Denise Garzaro
Clerk of the Boards

Date Minutes Approved: _____

Dr. William A. Burke, Chairman

ACRONYMS

AQ-SPEC= Air Quality Sensor Performance Evaluation Center
AQMP = Air Quality Management Plan
CaFCP = California Fuel Cell Partnership
CAPCOA = California Air Pollution Control Officers Association
CARB = California Air Resources Board
CEQA = California Environmental Quality Act
CE-CERT= College of Engineering-Center for Environmental Research and Technology
EV = Electric Vehicle
FY = Fiscal Year
NOx = Oxides of Nitrogen
PM2.5 = Particulate Matter \leq 2.5 microns
RFP = Request for Proposals
SCAG = Southern California Associated Governments
U.S. EPA = United States Environmental Protection Agency