

BOARD MEETING DATE: March 3, 2017

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the February 3, 2017 meeting.

RECOMMENDED ACTION:

Approve Minutes of the February 3, 2017 Board Meeting.

Denise Garzaro,
Clerk of the Boards

DG

FRIDAY, FEBRUARY 3, 2017

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

Mayor Pro Tem Ben Benoit, Vice Chairman
Cities of Riverside County

Supervisor Marion Ashley
County of Riverside

Council Member Joe Buscaino
City of Los Angeles

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

Supervisor Sheila Kuehl
County of Los Angeles

Dr. Joseph K. Lyou
Governor's Appointee

Mayor Pro Tem Larry McCallon
Cities of San Bernardino County

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

Supervisor Shawn Nelson (Arrived at 9:30 a.m.)
County of Orange

Dr. Clark E. Parker, Sr. (Left at 10:30 a.m.)
Senate Rules Committee Appointee

Council Member Dwight Robinson
Cities of Orange County

Supervisor Janice Rutherford
County of San Bernardino

CALL TO ORDER: Chairman Burke called the meeting to order at 9:00 a.m.

- Pledge of Allegiance: Led by Chairman Burke.
- Opening Comments

Dr. Lyou. Reported that he attended the Annual Meeting of the National Academy of Sciences Transportation Research Board in Washington, D.C. on January 9, 2017, where he served on a panel with the topic of the next steps towards zero deaths from traffic. He noted that transportation planners are now recognizing that traffic safety is related to both car accidents and also from the impacts of air pollution on public health. He asked staff to investigate claims made by CARB during a presentation at that conference showing that heavy-duty diesel trucks, although certified to the 2010 standard, were actually emitting up to nine times as much when driving at slow speeds. He noted that he also attended the Ports Clear Air Action Plan Workshop on January 24, 2017 where he had a chance to view a one-of-a-kind ultra-low NOx heavy-duty truck which includes a 12 liter engine and holds the potential to assist greatly in meeting future attainment goals.

Chairman Burke. Announced that he attended the Martin Luther King, Jr. Day of Service Forum in Los Angeles on January 14, 2017, where the keynote speaker was Muhammad Ali's oldest daughter, Maryum Ali, who did an excellent job of relating to the audience. He spoke about his experience attending the memorial services for Supervisor Benoit and expressed appreciation to all of those who attended.

Mayor Pro Tem Benoit. Expressed gratitude to those who have supported him and his family during the time surrounding the loss of his father; and thanked District staff who compiled the video clip that was shown at the January 6 Board Meeting in his honor.

Dr. Parker. Noted that he traveled to Washington, D.C. in January and met with Senator Jim Inhofe, Chairman of the Senate Environment Committee, who expressed an interest in working with the District to address the unique challenges that California faces. He explained that he also spoke with additional legislators who were grateful for the information he shared with them. He added that, unfortunately, he would not be able to stay to participate in the discussion of the AQMP as he needed to travel to a funeral for a family member and acknowledged all of the individuals who were in attendance to speak about the proposed Plan.

- Swearing In of Newly Appointed Board Member Marion Ashley

Chairman Burke administered the oath of office to Supervisor Marion Ashley, who was appointed by the Riverside County Board of Supervisors, for a term ending January 15, 2018.

CONSENT CALENDAR

1. Approve Minutes of January 6, 2017 Board Meeting
2. Set Public Hearings March 3, 2017 to Consider Adoption of and/or Amendments to SCAQMD Rules and Regulations

Adopt Rule 1430 – Control of Emissions from Metal Grinding Operations at Metal Forging Facilities

Budget/Fiscal Impact

3. Execute Contracts to Conduct In-Use PM Emission Study for Gasoline Direct Injection Vehicles and Establish Renewable Natural Gas Research Center **E**
4. Recognize Revenue and Execute Contract for Development of Ultra-Low Emission Diesel Engine for On-Road Heavy-Duty Vehicles
5. Renew SCAQMD's Membership in CaFCP for Calendar Year 2017, Provide Office Space for CaFCP, and Receive and File California Fuel Cell Partnership Executive Board Meeting Agenda and Quarterly Updates **E**
6. Recognize, Transfer and Appropriate Revenue, Amend and Execute Contracts, and Approve Eligible Participant Vouchers to Continue Implementation of Enhanced Fleet Modernization Program
7. Issue Program Announcement for Ships at Berth and Cargo Handling Equipment Projects Under Proposition 1B-Goods Movement Program **E**
8. Amend Contract for Consultant Services for SCAQMD Environmental Justice Outreach and Initiatives
9. Approve Contract Modification Approved by MSRC

Items 10 through 16 - Information Only/Receive and File

10. Legislative, Public Affairs and Media Report
11. Hearing Board Report
12. Civil Filings and Civil Penalties Report
13. Lead Agency Projects and Environmental Documents Received by SCAQMD
14. Rule and Control Measure Forecast
15. Report of RFPs Scheduled for Release in February
16. Status Report on Major Ongoing and Upcoming Projects for Information Management

Dr. Lyou announced his abstention on Item No. 3 because the University of California Riverside, UCR CE-CERT and Southern California Gas Company are potential sources of income to him; and on Item No. 6 because Gladstein, Neandross and Associates is a potential source of income to him.

Supervisor Ashley noted his abstention on Item No. 1 as he was not present at the January 6, 2017 Board Meeting.

Mayor Pro Tem McCallon announced that he serves on the Board of Directors of Metrolink which is involved with Item No. 9.

Agenda Items 2, 3, 7, 13, 14 and 16 were withheld for comment and discussion.

MOVED BY MITCHELL, SECONDED BY BENOIT, AGENDA ITEMS 1, 4 THROUGH 6, 8 THROUGH 12 AND 15, APPROVED AS RECOMMENDED, BY THE FOLLOWING VOTE:

AYES: Ashley (*except Item #1*), Benoit, Burke, Buscaino, Cacciotti, Kuehl, Lyou (*except Item #6*), McCallon, Mitchell, Parker Robinson and Rutherford

NOES: None

ABSTAIN: Ashley (*Item #1 only*) and Lyou (*Item #6 only*)

ABSENT: Nelson


17. Items Deferred from Consent Calendar

2. Set Public Hearings March 3, 2017 to Consider Adoption of and/or Amendments to SCAQMD Rules and Regulations

Adopt Rule 1430 – Control of Emissions from Metal Grinding Operations at Metal Forging Facilities

John Carver, City of Paramount, addressed the Board on Agenda Item 2 noting that the City of Paramount submitted a letter in support of Proposed Rule 1430 that was signed by the city council. The city council appreciates the scientific approach and process that AQMD has exhibited throughout this rulemaking process, as well as the fact that a hearing was held in the city to bring the process to local residents. He urged the Board to move expeditiously toward implementation of the rule to protect public health and improve air quality across the region.

(Supervisor Nelson arrived at 9:30 a.m.)

3. Execute Contracts to Conduct In-Use PM Emission Study for Gasoline Direct Injection Vehicles and Establish Renewable Natural Gas Research Center 

Dr. Lyou left the room during discussion of Item No. 3.

Mayor Cacciotti requested a brief report by staff on this project and what it seeks to achieve.

Matt Miyasato, DEO/Science and Technology Advancement, explained that this request consists of two projects at the University of California, Riverside CE-CERT. The first will look at in-use emissions from light-duty gasoline direct injection vehicles, and the second project is to fund a renewable natural gas center to look at viable pathways, including an economic analysis, to achieve renewable natural gas.


Mayor Cacciotti expressed excitement for the possibility of utilizing a renewable source of fuel for heavy duty vehicles which would potentially provide much needed innovation to the industry.

Harvey Eder, Public Solar Power Coalition, noted his opposition to the District involvement with this project and commented on the hazards associated with natural gas.

Mayor Cacciotti noted that the Board is expecting to receive a report in the coming months on the results of a study performed at UCLA that looked at the impacts of natural gas emissions on human cells.

Chairman Burke explained that as a result of Mr. Eder's persistent urging for solar conversion, he is asking staff to convene a public working group to develop a new SCAQMD Solar Technologies Initiative, so that the issues can be looked at in depth and potential, cost-effective ways to include solar in implementing the AQMP can be found. He asked that a report on the progress of the Initiative be provided within six months.

Mayor Cacciotti described the contents of an article that recently ran in the Pasadena Star News regarding a new installation at Southern California Edison's Mira Loma Substation in Ontario which utilizes Tesla lithium batteries. He explained that the plant was built in 88 days and has the ability to power 15,000 homes. He expressed optimism for more widespread use of this technology in the future.

7. Issue Program Announcement for Ships at Berth and Cargo Handling Equipment Projects Under Proposition 1B-Goods Movement Program 

Dr. Tom Williams, Citizens Coalition for a Safe Community, stressed the importance of increased efficiency at the Ports, and utilizing railways to reduce the amount of pollution from truck traffic.

13. Lead Agency Projects and Environmental Documents Received by SCAQMD

Richard Rojas, City of Carson, shared the contents of a letter written by Mayor Albert Robles requesting that the Board refer the Tesoro Refinery Integration Project to the Environmental Justice Review Board and Stationary Source Committee and explained that the project will integrate the Carson Tesoro Refinery with the Wilmington Refinery adding eight new large storage tanks at a total capacity of 3.6 million barrels of petroleum and will create the largest refinery west of the Mississippi River. As the lead agency, the AQMD will review and analyze the environmental impacts from

this refinery project. The final EIR is of utmost importance as it guides the City of Carson's review of and determinations related to the project. The City has a concern for its residents and the environmental impacts from the Tesoro Project. The City has made comments on the draft EIR and has met with AQMD staff twice. He requested further review and a public hearing in the City of Carson prior to the issuance of the final EIR.

Dr. Lyou asked staff to comment on the request to hold a public hearing in the community.

Barbara Baird, Chief Deputy Counsel, explained that a public hearing on the Title V permit was held in the City of Carson and testimony was received from various stakeholders. She added that staff had not previously received a request to hold a public hearing of this nature in the City of Carson, however, staff would review the potential to accommodate that request.

Dr. Lyou commented that he understands that the current request is for a hearing to be held in the community relative to the CEQA document, as well as for the Environmental Justice Advisory Group (EJAG) to review this issue. He asked staff to place the item on the agenda for the next EJAG meeting as it falls in line with their 2017 goals and objectives.

Mr. Nastri stated that staff would take that into consideration.

- 14. Rule and Control Measure Forecast
- 16. Status Report on Major Ongoing and Upcoming Projects for Information Management

Dr. Tom Williams, Citizens Coalition for a Safe Community and Save Porter Ranch, addressed the Board on Agenda Items 14 and 16 explaining that Rule 1148.3 is scheduled to be heard in three months, but there has yet to be a draft of the rule released; and he suggested better utilizing electronic resources to allow for interactive rulemaking and public input.

MOVED BY CACCIOTTI, SECONDED BY ROBINSON, AGENDA ITEM 2, 3, 7, 13, 14 AND 16 APPROVED AS RECOMMENDED, BY THE FOLLOWING VOTE:

AYES: Ashley, Benoit, Burke, Buscaino, Cacciotti, Kuehl, Lyou (*except Item #3*), McCallon, Mitchell, Nelson, Parker, Robinson and Rutherford

NOES: None

ABSTAIN: Lyou (*Item #3 only*)

ABSENT: None

BOARD CALENDAR

- 18. Administrative Committee
- 19. Legislative Committee
- 20. Mobile Source Committee
- 21. Stationary Source Committee
- 22. Technology Committee
- 23. Mobile Source Air Pollution Reduction Review Committee
- 24. California Air Resources Board Monthly Report

MOVED BY MITCHELL, SECONDED BY CACCIOTTI, AGENDA ITEMS 18, 19, AND 21 THROUGH 24, APPROVED AS RECOMMENDED, RECEIVING AND FILING THE COMMITTEE MSRC AND CARB REPORTS AND APPROVING THE FOLLOWING POSITION ON LEGISLATION, BY THE FOLLOWING VOTE:

AYES: Ashley, Benoit, Burke, Buscaino, Cacciotti, Kuehl, Lyou, McCallon, Mitchell, Nelson, Parker, Robinson and Rutherford

NOES: None

ABSENT: None

Agenda Item

Recommendation

SB4 (Mendoza) Goods Movement:
Allocation of Federal Funds:
Goods Movement and Clean
Trucks Bond Act

Support and Work
with Author

20. Mobile Source Committee

Dr. Tom Williams, Citizens Coalition for a Safe Community and Save Porter Ranch, stressed the importance of converting port operations to rail to alleviate the large amounts of mobile source pollution that result from goods movement.

MOVED BY BENOIT, SECONDED BY CACCIOTTI, AGENDA ITEM 20, APPROVED AS RECOMMENDED, RECEIVING AND FILING THE MOBILE SOURCE COMMITTEE REPORT, BY THE FOLLOWING VOTE:

AYES: Ashley, Benoit, Burke, Buscaino, Cacciotti, Kuehl, Lyou, McCallon, Mitchell, Nelson, Parker, Robinson and Rutherford

NOES: None

ABSENT: None

PUBLIC HEARING

25. Adopt 2016 Air Quality Management Plan

Dr. Philip Fine, DEO/Planning and Rules, gave the staff presentation on Agenda Item 25.

Chairman Burke acknowledged the tremendous stakeholder input that was provided throughout the process of the Plan's development.

The public hearing was opened and the following individuals addressed the Board on Agenda Item 25.

VERONICA ZENDEJAS, Representing Speaker Anthony Rendon

Urged the Board to adopt a Plan that not only protects public health, but works cooperatively with industry to ensure that measurable air quality benefits are achieved. She added that indirect source rules should be developed simultaneously in the event that voluntary measures fall short of the needed emissions reduction. She commented on incentives and supported appropriate use without burdening communities. She also expressed support for adopting proposed Rule 1430 and urged more stringent monitoring requirements and expansion of the rule to other grinding sources. (Submitted Written Comments)

MAHA RIZVI, Representing Assemblymember Eloise Reyes Gomez

Stressed the importance of the Board's role to protect public from the harms of air pollution; noted the enormous impact that warehouse distribution centers have on neighboring communities; and highlighted the importance of setting clear emission reduction standards and benchmarks that will result in measurable emission reductions. Urged immediate work on indirect source rules, simultaneously with work on voluntary measures. (Submitted Written Comments)

GENE SEROKA, Port of Los Angeles

Noted the Port's shared interest in cleaning the air and meeting federal air quality standards as evidenced by their efforts to increase efficiency. He explained that the Clean Air Action Plan has resulted in 85 percent reduction in diesel particulate matter, 51 percent reduction in NOx and 97 percent in SOx emissions all while reducing GHGs by 12 percent, 9 years ahead of target. He urged the Board to avoid measures such as MOB-01 which threatens job creation; and expressed an interest in continued collaboration with the District.

*TRACY HERNANDEZ, BizFed

Explained that mobile source emission reductions are needed to meet emission reduction goals, noted that any significant amendments to the proposed plan, including indirect source regulations, will undermine the significant, transparent public process that has occurred, and asked that the Board direct staff undertake a comprehensive evaluation of the modeling underlying the AQMP which has consistently over predicted future ozone levels in the past. *(Submitted Written Comments)

ELIZABETH HAWLEY, Valley Industry Commerce Association

Expressed support for the AQMP as proposed, acknowledged the extensive public process that occurred throughout the Plan's development, and spoke against the inclusion of rules targeted at indirect sources.

CAROL BANNER, Realtors Committee on Air Quality

Expressed support for the proposed AQMP and stressed the need for solutions for clean air and affordable housing.

(Dr. Parker left at 10:30 a.m.)

EVELYN KNIGHT, Sierra Club
ALAN HERNANDEZ, Sierra Club
SELENE HERNANDEZ
MARINA BARRAGAN, Sierra Club
YVONNE WATSON
PENNY NEWMAN, Center for Community Action and Environmental Justice
IGNACIO OCHOA
CHRISTIAN GARZA
RAUL ZENDEJAS

MICHELE HASSON, Center for Community Action and Environmental Justice

RAVI CHOUDHURI, American Lung Association

*ALLIS DRUFFEL, Interfaith Power and Light

AGUSTIN CABRERA, Los Angeles Alliance for New Economy

ALEX PORTILLO

ESTHER PORTILLO, Center for Community Action and Environmental Justice

MATT ABUKARACJ-MACIAS, California League of Conservation Voters

MARY ANN RUIZ, Sierra Club

LARRY DOZIER, St. John's United Methodist Church

MARCUS CREWS, Center for Community Action and Environmental Justice

JEAN KAYANO, Center for Community Action and Environmental Justice

KIM FLOYD

DIANA ROZENDAAL, Sierra Club

LIZETTE HERNANDEZ, Sierra Club

ADA TRUJILLO, Center for Community Action and Environmental Justice

JASON MARTINEZ, Sierra Club

ANDREW REICH, Earthjustice

LORENA RODARTE, Center for Community Action and Environmental Justice

THELMY PEREZ, LA CAN

ANGEL RODRIGUEZ, Center for Community Action and Environmental Justice

GRACELIA LARES, Center for Community Action and Environmental Justice

LANA MORANO

MILTON PAEZ, Sierra Club

KYMBERLY FROLICK, Agoura Hills resident

KEENAN SHEEDY, SEIU Local 721

NAOMI CURLAND

DANIEL LEE, Sierra Club – Clean Break Committee

MICHELLE WEINER, Sierra Club – Clean Break Committee

SUSAN DEMBOWSKI, Sierra Club and SoCal 350

ASHER JONES, Sierra Club

ALICIA HECHT, Sierra Club and Clean Air Better Technology

KAY BENITEZ, Sierra Club

MARK LOPEZ, East Yard Communities for Environmental Justice

DR. LESLIE TAMPPARI

DARYL GALE, Sierra Club

*JOE MCLAUGHLIN, Sierra Club

DEBORAH JOE

AARON CRUZ, Fellowship of Active Philosophers

FABI LAO, Coalition for Clean Air

GUSTAVO REYES RAMIREZ

Described the negative health impacts that they have witnessed among their family and friends, and stressed the importance of adopting a strong AQMP which includes enforceable mechanisms to ensure much needed emissions reductions are made. *(Submitted Written Comments)

OLIVIA BREBES, Sierra Club

Spoke against the proposed Plan, which seems skewed to benefit oil companies, noted failures of the RECLAIM program, and asked the Board to do all they can to protect public health.

RICARDO ROCONCIO

Explained that cleaning the air does not have to result in job loss and that there are jobs available in the green energy sector.

BILL QUINN, California Council for Environmental and Economic Balance

Noted support for the Plan as proposed that includes regulatory actions along with incentive-based measures; and expressed the need to fully analyze any changes to the RECLAIM program before they are made.

MIKE TUNNELL, American Trucking Associations

Requested the Board to direct staff to perform a thorough evaluation of the air quality and emissions modeling that is used in development of the Plan.

JOHN HEINTZ, Regulatory Flexibility Group

Expressed support for the continued evaluation of the RECLAIM program, while preserving effective elements of program that have led to significant emissions reductions over the past 20 years; and noted their willingness to partner with the District to help identify and secure funding to identify surplus emission reductions.

ANGELA JOHNSON MESZAROS, Earthjustice

*ALICIA RIVERA, Communities for a Better Environment

ANGELICA GONZALEZ, Sierra Club

MARTA SEGURA, Center for Biological Diversity

*ADRIAN MARTINEZ, Earthjustice

SARA HUEZO

Stressed the importance of ending the RECLAIM program, implementing strict indirect source regulations, fixing emissions inventories, and making polluters responsible to bear the financial burden of cleaning the air. *(Submitted Written Comments)

DR. JIM STEWART, Sierra Club

Explained that communities surrounding the ports are extremely burdened by harmful pollution, and commented on the lack of enforceable measures over the ports in the proposed Plan.

*MARTHA ARGUELLO, Physicians for Social Responsibility – Los Angeles

TAYLOR THOMAS, East Yard Communities for Environmental Justice

MIKE CHATTOM, City of Watts resident

ANDREA LEON-GROSSMAN, Food and Water Watch

HERON CARRILLO

HILDA DUENAS, South Bay resident
MARIA REYES, East Yard Communities for Environmental Justice
FATIMA CARRERA, East Yard Communities for Environmental Justice

Explained that low income communities are severely impacted by pollution from goods movement, and urged the Board to take action to protect public health.
*(Submitted Written Comments)

STEPHEN WHITNEY

Acknowledged the improvements to air quality that have been realized as a result of the SCAQMD's efforts, and requested that those efforts to clean the air continue.

AL SATTLER

Explained that a number of his family and friends had been diagnosed with Alzheimer's disease, and noted that results from a recent study link Alzheimer's disease with air quality.

Chairman Burke noted that the District is working with Dr. Keith Black, through the Brain & Lung Tumor and Air Pollution Foundation, on a study relative to Alzheimer's disease.

DAN SCHUEPBACH, Sierra Club and Invention Solutions

Offered to provide staff with solutions to clean the air.

ERLINDA MURILLO, Center for Community Action and Environmental Justice

Explained that there are natural gas storage tanks at a bus depot very close to her home, and she has been diagnosed with multiple tumors over the years she has resided there. She added that their requests for assistance have not been adequately addressed.

Dr. Lyou noted that he was under the understanding that there had been some resolution to this matter, and confirmed that he would like to visit the location as requested by Ms. Murillo.

Mayor McCallon explained that OmniTrans is in the process of replacing fuel tanks with a direct pipeline, so that will hopefully provide resolution to these concerns.

ERICKA FLORES, Center for Community Action and Environmental Justice

Explained that she resides near the intermodal center in San Bernardino, and shared that her family members have been affected by asthma and cancer. She urged the Board to regulate indirect sources to do more to protect public health.

JOHN HUSING, Inland Empire Economic Partnership
TERRI HEATH

Stressed the importance of logistics and distribution jobs and expressed support for incentive-based methods in regards to indirect sources.

GEORGE MINTER, Southern California Gas Company

Expressed support for the proposed AQMP, acknowledged the challenges associated with mobile source emissions, and stressed the importance of incentivizing low emission heavy-duty trucks. (Submitted Written Comments)

TOM GROSS, Southern California Edison

Explained that Edison is currently working on transportation electrification projects and programs to advance zero-emission transportation technologies.

CURTIS COLEMAN, Southern California Air Quality Alliance

Expressed support for the adoption of the 2016 AQMP as proposed; acknowledged the coordination amongst stakeholders that occurred throughout the development process, and noted their commitment to working with staff to investigate the objectives outlined in the plan relative to the RECLAIM program.

GEOFFREY BLAKE, Metal Finishers Association and California Small Business Alliance

BRAD JENSEN, San Gabriel Valley Economic Partnership

JAMES JACK, Coalition for Responsible Transportation

THOMAS JELENIC, Pacific Merchant Shipping Association

*WESTON LABAR, Harbor Truck Association, Harbor Association of Industry & Commerce, and Foreign Trade Association

ELIZABETH WARREN, Future Ports

*DAN HOFFMAN, Wilmington Chamber, South Bay Association of Chambers

RICHARD LAMBROS, Southern California Leadership Council

MIKE WILLIAMS, International Warehouse Logistics Association

CHRIS SHIMODA, California Trucking Association

BRYAN PALMARO, Coastal Energy Alliance

PETER HERZOG, NAIOP

CARLA WALECKA, Realtors Committee on Air Quality

RICH DINES

LEVI JAVIER, Harbor Association

Expressed support for the Plan as proposed, and acknowledged the work of various stakeholders in the development of the Plan. *(Submitted Written Comments)

JAMES BRIGHTLING, Construction Industry Air Quality Coalition

Stressed that incentive-based programs do work and provided examples of the Carl Moyer and SOON programs. (Submitted Written Comments)

DAVID PETTIT, Natural Resources Defense Council

Commented that the Board would need authority over mobile sources to

make a true impact to the region's air quality, and added that indirect source rules should be included in the Plan. (Submitted Written Comments)

BILL LAMARR, California Small Business Alliance

DAVID ROTHBART, Southern California Alliance of Publicly Owned Treatment Works

ALLISON TORRES, Eastern Municipal Water District

SARAH RASCON, Los Angeles Area Chamber of Commerce

PATTY SENECA, Western States Petroleum Association

Expressed appreciation for the collaboration that has occurred throughout the Plan's development, and stressed that stationary sources have done their fair share and in order to reach attainment, action will need to be taken for those sources that fall under state and federal jurisdiction.

RITA LOOF, Radtech

Explained that comments she made during the Advisory Committee meetings were not reflected in Appendix 4A of the Plan, and provided an example of LED technology not being included in the energy efficiency section. (Submitted Written Comments)

BOB TERRY, People Over Pollution

CHUCK PARKER, People Over Pollution

Commented on the negative impacts created by power plants such as the Sentinel plant in the Coachella Valley; and stressed the need for a plan that is health-friendly not business-friendly.

TOM HIBBISON

Commented that in his experience as a long-shoreman, there are a number of technological advances that have been put in place and could continue to be implemented, to improve operations at the Ports, however utilizing railways would not work at the local Ports.

HARVEY EDER, Public Solar Power Coalition

Stated that the evaluation of solar in the Plan was not sufficient and stressed that solar is cost-effective and can be used in multiple applications to produce needed emission reductions.

Mayor Cacciotti noted that community choice aggregation programs are being deployed in Los Angeles County to allow for the potential to utilize solar technologies instead of electric power.

Chairman Burke commented on his support for implementing the use of solar water heaters.

*RICK CAMERON, Port of Long Beach
CHRIS CANNON, Port of Los Angeles
DAVID SERRATO, ILWU Local 13

Highlighted the successes that the Ports have seen through utilizing advanced technologies, and noted their commitment to further collaboration to meet attainment goals. *(Submitted Written Comments)

DR. RUDAYNA GHABASH

Commented that as a veterinarian she has witnessed negative health effects in animals seemingly related to air pollution; and stressed the need for innovation.

FLORENCE GHARIBIAN, Del Amo Action Committee

Stressed the importance of protecting communities that have been unfairly impacted by large sources of pollution.

PROFESSOR MICHAEL SALMAN, UCLA

Expressed support for CMB-01 and CMB-03 to address gas flaring that occurs throughout the region.

LADONNA DICAMILLO, BNSF Railway & Union Pacific Railroad

Expressed support for the AQMP as proposed, spoke against the inclusion of indirect source rules, and noted their interest in participating in an incentive funding working group to work collaboratively on finding solutions.

MARK MORRIS, Save Porter Ranch

Explained that his experience with the Aliso Canyon gas leak has made him unable to trust industry, and stressed the need for enforceable regulations.

DARRELL PARK

Urged the Board to start over with a new plan, and stated that industry has been too involved in the development process.

PAUL SCOTT, Santa Monica resident

Stressed the importance of ending reliance on fossil fuels and utilizing renewable energy.

KURT KARPEROS, California Air Resources Board

Expressed appreciation to District staff for their collaboration in designing the mobile source strategies and measures in the AQMP and the complimented strategies that CARB has worked on. The actions of both agencies on regulations will be needed to achieve large mobile source emission reductions. He noted that CARB will be considering the AQMP and also voting on CARB commitments for adopting standards for cleaner cars and truck at their Board meeting in March.

MAGDALENA GUILLEN, Paramount Community Coalition

Urged the Board to adopt a strong AQMP to hold companies accountable to use the best available control technologies to protect community members. She also expressed support for adopting proposed Rule 1430 to address hexavalent chromium emissions.

Written Comments Submitted by:

Jane Affonso, Redondo Beach resident
Patricia Appel, Laguna Beach resident
Elvira Arias, Harbor City resident
Charles B., Tarzana resident
Christa Babst, West Hollywood resident
Marybeth Bangert, Santa Ana resident
Miriam Baum, Rancho Cucamonga resident
Ann Bein, Los Angeles resident
Karen Berger, Montrose resident
Sherrie Berlin, Playa Del Rey resident
Andrea Bonnett, Altadena resident
Kyle Bracken, Los Angeles resident
Victoria Brandon, Northridge resident
Robert Burk, Los Angeles resident
Christina Burton, Apple Valley resident
Jamie Castaneda, Sierra Madre resident
Marian Carter, West Covina resident
Carina Chadwick, Pasadena resident
Phyllis Chavez, Santa Monica resident
Jean G. Cochran, Pomona resident
Elizabeth Connor, San Juan Capistrano resident
Joseph Dadgari, Los Angeles resident
Susan Davenport, Simi Valley resident
Ellen Davis, Los Angeles resident
Javier Del Valle, Montebello resident
Arthur Delgadillo, Lakewood resident
Carolyn Dennison, Garden Grove resident
Karla Devine, Manhattan Beach resident
John Edman, Morgan Hill resident
Dan Esposito, Manhattan Beach resident
Tony Fadale, Redondo Beach resident
Sandra Fernandez, Los Angeles resident
Tom Fray, Downey resident
Jan Freed, Glendale resident
Mercedes Garcia-Balboa, Riverside resident
Gene Golden, Rancho Santa Margarita resident
Yazmin Gonzalez, Bellflower resident
Fred Granlund
Rosemary Graham-Gardner, Manhattan Beach resident
Joyce Greene, Tarzana resident
Holly Hall, Temecula resident
Lois Harris, Claremont resident
James Hartung, Santa Monica resident
Laura Herndon, Burbank resident
Paula Hollie, Laguna Woods resident

Katherine McKalip, Costa Mesa resident
Donna Malbon, Long Beach resident
Larry Margo, Valley Village resident
Sharon Markenson, Canoga Park resident
Mary M Mason, Huntington Beach resident
Mary Meehan, Los Angeles resident
Ron Melin, Torrance resident
Linda Mellen, Newport Beach resident
Kent Minault, Sherman Oaks resident
Jason Mott, Huntington Beach resident
Tom Nulty Jr., Dana Point resident
Beatriz Pallanes, Santa Ana resident
Anne Parzick, Corona Del Mar resident
Robert Porter, Los Angeles resident
Susan Porter, Pasadena resident
Fiona Priskich, Swan View resident
Ivy Rappaport, Los Angeles resident
F. Carlene Reuscher, Costa Mesa resident
Merilie Robertson, West Hills resident
Ann Rushton, Sherman Oaks resident
Arthur St. Clair, Santa Monica resident
Donald Sage Mackay, South Pasadena resident
Marguerite Shuster, Sierra Madre resident
Marc Silverman, Los Angeles resident
Twikie Simms, Anaheim resident
Joan Sitnick, Encino resident
Neal Steiner, Los Angeles resident
Joseph Szabo, Los Angeles resident
Barbara Trees, Tujunga resident
Julia Vetrie, Canyon Country resident
Kari Walters, Pacific Palisades resident
Susan Watts, Riverside resident
Jacqueline Welsh, Inglewood resident
Lillian Wilkinson, Porter Ranch resident
Kevin Wightman, Sylmar resident
Jenny Wilder, Apple Valley resident
Mary Will, Upland resident
Barbara Williamson, Costa Mesa resident
Tessa Williamson, Canyon Country resident
Maggie Wineburgh-Freed, Los Angeles resident
Laura Wright, Los Angeles resident
Jessica Wodinsky, Los Angeles resident
Jennifer Kim Zeller, Pacific Palisades resident
AQMD Environmental Justice Advisory Committee
Members
Douglas S. DeLong, DDU Enterprises, Inc.

Marianne Hunter, Rancho Palos Verdes resident
Darynne Jessler, Valley Village resident
Alena Jorgensen, Temple City resident
Diane Joyce, Temecula resident
Joan Kelly, Rancho Palos Verdes resident
Barbara King, Los Angeles resident
John Lamb, Sierra Madre resident
Bill Leshner, Claremont resident
Lauren Linda, Laguna Woods resident
Dale McCart, Irvine resident
Stas Margaronis
John Yi, American Lung Association
George T. Boyle, Quik Pick Express, LLC
John DeWitt, John DeWitt, Inc.
Jimi Reed, PTS Staffing Solutions
James Jack, Coalition for Responsible
Transportation
Liz Shapiro
Tanya Niu, Americas Radcure
James E. Enstrom, UCLA and Scientific Integrity
Institute
4,962 Sierra Club Members and Supporters

Dene H. Taylor, Specialty Paper & Films Inc.
Steve Troth
Mike Boretz
Sandy Cajas, Regional Hispanic Chamber of
Commerce
George Nichol, Arena Painting Contractors, Inc.
Dr. Antonie K. Churg
William Jordan
Bruce Campbell, Los Angeles resident
Matthew Palmer, Long Beach resident
John McCabe, MEHS Consulting
Sara Lamm, Los Angeles resident
Eliza Howard, Los Angeles resident
Heather Fogarty, Los Angeles resident
Dawn McIntosh, Port of Long Beach
Michael Johnson, Roly's Trucking Inc.
David Chiu, Krisda Inc.
Jerry Mow, Three Rivers Trucking
Roger Ostergaard
Paul Conrad, Total American Investment
Company

There being no further public testimony on this item, the public hearing was closed.

Mayor Cacciotti asked staff to elaborate on the options under consideration for transitioning out of the RECLAIM program, and questioned whether it would be possible to remove a particular industry from the program and focus on that industry in a different fashion than the others.

Dr. Fine responded that there are numerous concepts that could be considered and they will be fully vetted by a working group of all stakeholders. He explained that there are a variety of ways in which certain facilities could be handled, and cautioned that due to the complexity of the program, sun-setting it will take a large effort. The proposed Plan commits to reductions of 5 tons per day by the year 2031, however the District is obligated by state law to achieve those reductions as early as possible to maintain equivalency with command and control.

Mayor Cacciotti commented that the proposed transition period is too long and that the transition should be done as expeditiously as possible to reduce emissions.

Mr. Nastri replied that the date given in the plan is simply an initial estimate while the intention remains to obtain the 5 tons of NOx reductions as expeditiously as practicable. The proposed working group will be able to address the various challenges that will be involved and determine the proposed timeline for the reductions. He anticipates a report on the working group's progress can be presented to the Board within 4 to 6 months of the Plan's adoption.

COUNCILMAN ROBINSON MOVED TO APPROVE THE 2016 AIR QUALITY MANAGEMENT PLAN, AS RECOMMENDED. THE MOTION WAS SECONDED BY SUPERVISOR NELSON.

Supervisor Kuehl acknowledged the years of work that stakeholders put into the Plan's development, expressed concern with the lack of enforceable measures present in the proposed Plan, and commented on the need to regulate indirect sources to reach emission reduction targets. She proposed amendments to measures MOB-01, MOB-03, MOB-04, MOB-07 and MOB-08 to address indirect sources and the District's ability to regulate fleets.

Councilwoman Mitchell questioned whether postponing the item to the March Board meeting would affect the ability of CARB to place the matter on their March Board meeting agenda as planned. She noted her intention to bring a motion regarding CMB-05, the RECLAIM portion of the Plan, to accelerate the 5 tons per day NOx emission reduction commitment to no later than 2025 and to transition the RECLAIM program to a command-and-control regulatory structure requiring the BARCT level controls as soon as practicable, recognizing that unwinding that RECLAIM program is very complicated and will require a working group to determine how the process will proceed. She suggested the potential to approve the remainder of the Plan and continue those sections that have been proposed to be amended by Supervisor Kuehl and herself for further discussion.

Councilman Robinson explained that he understands the importance of balancing environmental stewardship with job retention, and he feels the proposed Plan does that. He acknowledged the efforts of all stakeholders involved in the process of development of the Plan and urged adoption of the Plan as proposed to move forward in meeting the region's attainment goals. He asked staff to clarify what the Plan includes in the event the voluntary measures relative to the Ports do not work.

Mr. Nastri explained that specifically regarding the Ports, there is a series of processes and steps that are described in the Plan, including convening a working group which will look at the inventory and the technology available, and although it is similar to what is done in a rulemaking process, it is meant to be a collaborative effort to gauge progress on how the voluntary measures are working. He added that in the event progress stalls, the process could quickly pivot to a rulemaking effort as all of the groundwork has been laid for that process.

Councilmember Robinson noted that the incentive-based measures in the Plan may do more to spur innovation as they promote collaborative action between the Ports and the District to meet needed reductions, as opposed to creating a culture where litigation is imminent if the proper actions are not taken. He expressed concerns with further delay of the Plan, which should be implemented

as soon as possible. He added that incentives help small businesses to stay competitive and grow.

Supervisor Nelson acknowledged that while the proposed Plan may not be a total solution to the challenges ahead, it is an appropriate Plan that will promote forward progress, and urged for an expeditious adoption so that work can begin on putting measures in place.

Supervisor Rutherford expressed support for the comments made by Supervisor Nelson, and asked if the plan is continued to the March meeting, staff could address the concerns about modeling that were raised by several speakers and in written comments. She also asked whether written comments could still be submitted since the public hearing was closed.

Dr. Lyou acknowledged all the efforts involved in developing the AQMP, and explained that the implementation of all of the various aspects of the Plan will be the biggest challenge. He added that since the document is so complex and the Board has not previously had an opportunity to provide input on the Plan as a whole, it might be prudent to postpone a decision on the item until Dr. Parker can be present. He suggested the addition of a paragraph dedicating the Plan to Supervisor Benoit.

MAYOR CACCIOTTI MOVED TO CONTINUE THE CONSIDERATION OF ADOPTION OF THE 2016 AIR QUALITY PLAN TO THE MARCH 3, 2017 BOARD MEETING. THE MOTION WAS SECONDED BY SUPERVISOR KUEHL AND CARRIED BY THE FOLLOWING VOTE:

AYES: Ashley, Benoit, Burke, Cacciotti, Kuehl, Lyou, Mitchell, Robinson, Rutherford

NOES: Buscaino, McCallon and Nelson

ABSENT: Parker

OTHER BUSINESS

26. Approve Schedule of Activities to Implement Draft Financial Incentives Funding Action Plan for 2016 AQMP

AGENDA ITEM 26 WAS CONTINUED TO THE MARCH 3, 2017 BOARD MEETING AT STAFF'S RECOMMENDATION AND WITH THE CHAIRMAN'S CONCURRENCE.

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

Dr. Tom Williams, Citizens Coalition for a Safe Environment and Save Porter Ranch, expressed concern about what emissions actually came out of the leaking well at the Aliso Canyon gas storage facility, and commented on proposed Rule 1148.3 regarding underground gas storage which is scheduled to be heard by the Board in the coming months.

Harvey Eder, Public Solar Power Coalition, spoke about the need for obtaining funding for low income individuals to receive solar-power systems.

Yvonne Watson inquired about the vehicle mileage tax being investigated as part of the AQMP Funding Plan.

Tom Hibbison questioned whether written comments would still be accepted as part of the record for the AQMP. He explained that maintaining economic balance in implementing air quality regulations is key.

Kurt Wiese confirmed that written comments could still be submitted prior to the next Board meeting.

Dan Schuepbach, Sierra Club and Invention Solutions, expressed a desire to work with the Board to achieve air quality goals.

CLOSED SESSION

The Board recessed to closed session at 2:25 p.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:

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

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.

Following closed session, District Counsel Kurt Wiese announced that there were no reportable actions taken in closed session.¹

ADJOURNMENT

There being no further business, the meeting was adjourned by Kurt Wiese at 2:45 p.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on February 3, 2017.

Respectfully Submitted,

Denise Garzaro
Clerk of the Boards

Date Minutes Approved: _____

Dr. William A. Burke, Chairman

¹ The action taken in Closed Session has since become reportable and a report of that action is on file with the Clerk of the Board's office.

ACRONYMS

AQMP = Air Quality Management Plan

BARCT = Best Available Retrofit Control Technologies

CaFCP = California Fuel Cell Partnership

CARB = California Air Resources Board

CE-CERT =College of Engineering-Center for Environmental Research and Technology

CEQA = California Environmental Quality Act

DEO = Deputy Executive Officer

EIR = Environmental Impact Report

EJ = Environmental Justice

FY = Fiscal Year

MSRC = Mobile Source (Air Pollution Reduction) Review Committee

NOx = Oxides of Nitrogen

PM = Particulate Matter

RECLAIM = REgional CLean Air Incentives Market

RFP = Request for Proposals

U.S. EPA = United States Environmental Protection Agency