

BOARD MEETING DATE: November 6, 2020

AGENDA NO. 1

MINUTES: Governing Board Meetings

SYNOPSIS: Attached are the Minutes of the October 2, 2020 meeting and October 27, 2020 special meeting.

RECOMMENDED ACTION:

Approve Minutes of the October 2, 2020 Board Meeting and October 27, 2020 Special Board Meeting.

Faye Thomas
Clerk of the Boards

FRIDAY, OCTOBER 2, 2020

Notice having been duly given, the regular meeting of the South Coast Air Quality Management District Board was conducted remotely via video conferencing and telephone. Members present:

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

Council Member Ben Benoit, Vice-Chairman
Cities of Riverside County

Supervisor Kathryn Barger
County of Los Angeles

Supervisor Lisa A. Bartlett
County of Orange

Council Member Joe Buscaino
City of Los Angeles

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

Senator Vanessa Delgado (Ret.)
Senate Rules Committee Appointee

Gideon Kracov
Governor's Appointee

Mayor Larry McCallon
Cities of San Bernardino County

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

Supervisor V. Manuel Perez
County of Riverside

Council Member Carlos Rodriguez
Cities of Orange County

Supervisor Janice Rutherford
County of San Bernardino

Members absent: None

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

- Pledge of Allegiance: Led by Vice-Chairman Benoit
- Roll Call

Supervisors Barger and Bartlett were absent for roll call. Supervisor Barger joined the meeting at approximately 9:05 a.m. and Supervisor Bartlett joined the meeting at approximately 10:35 a.m.

- Opening Comments

Board Member Kracov requested that Item No. 27 be taken out of order due to the number of public speakers wishing to comment.

Chairman Burke noted that Item No. 26 is a short presentation; therefore, it is not necessary to change the order of the agenda.

CONSENT CALENDAR

1. Approve Minutes of September 4, 2020 Board Meeting
2. Set Public Hearings to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations

October 27, 2020:

- A. Determine That Proposed Amendments to Rule 445 – Wood-Burning Devices, Are Exempt from CEQA and Amend Rule 445

November 6, 2020:

- B. Determine That Proposed Amendments to Rule 1178 – Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities, Are Exempt from CEQA and Amend Rule 1178

Budget/Fiscal Impact

3. Execute Contract to Develop Model for Connected Network of Microgrids
4. Execute Contract to Develop and Demonstrate Natural Gas and Propane Conversion Systems for Medium-Duty Vehicles

5. Transfer and Appropriate Funds for Rule 1180 Program, Execute Purchase Orders and/or Contracts and Issue Solicitation
6. Issue Program Announcement for Lower Emission School Bus Program
7. Execute Lease Contract for Mailing Equipment
8. Amend South Coast AQMD Salary Resolution to Add Designated Deputy Position
9. Issue Purchase Order for Ingres Relational Database Management System Software Support
10. Appoint Alternate Public Member to Hearing Board

Items 11 through 18 – Information Only/Receive and File

11. Legislative, Public Affairs and Media Report
12. Hearing Board Report
13. Civil Filings and Civil Penalties Report
14. Lead Agency Projects and Environmental Documents Received
15. Rule and Control Measure Forecast
16. Status Report on Major Ongoing and Upcoming Projects for Information Management
17. South Coast AQMD 2019-2020 Why Healthy Air Matters Program End-of-Year Report
18. Annual Progress Report for AB 617 Community Emissions Reduction Plans

Council Member Mitchell noted that she has no financial interest in Item No. 6 but is required to identify for the record that she is a Board Member of CARB, which is involved in this item.

Due to requests to speak and Board member questions on Consent Calendar Items 6 and 8, the vote on the Consent Calendar was deferred until after those comments were made.

19. Items Deferred from Consent Calendar

6. Issue Program Announcement for Lower Emission School Bus Program

Council Member Cacciotti expressed support for the program and noted the success of the program in replacing older diesel, high-emitting public school buses with new alternative fuel and zero emission buses. He inquired about outreach efforts to inform school districts of the solicitation.

Matt Miyasato, Chief Technologist/Science and Technology Advancement, explained that the notice of solicitation is sent to all school districts in the Basin. Additionally, staff promotes awareness of the program and does outreach to major school bus manufacturers. The program is popular and is usually oversubscribed but the key challenge for school districts is the high cost for electric buses; therefore, the decision of what type of bus to purchase is left to the school districts.

Ranji George, a member of the public, commented on the history and early efforts to promote the Lower Emission School Bus Program and thanked Dr. Burke for his leadership and vision. He urged staff to negotiate with vendors to lower the cost of electric school buses.

Emily Spokes, North East Los Angeles (NELA) Climate Collective, expressed support for the program and zero emission buses; and suggested that agenda items be displayed on the screen during Zoom meetings so that the public knows which item is being discussed.

Adrian Martinez, Earthjustice
Todd Campbell, Clean Energy
Katie Covell, NELA Climate Collective
Marth Dina Arguello, Physicians for Social Responsibility
Los Angeles (PSR-LA)

Expressed support for the program and moving toward zero emission vehicles; encouraged staff to look at other programs throughout the nation where a larger number of electric school buses are being deployed for less money and to work with the CEC to help schools get the needed infrastructure; and thanked the Board for pioneering the efforts to lower emissions from school buses.

Chairman Burke provided historical context and commented on the condition of school buses when the program first started, noting that there were more diesel emissions from the engines entering the bus cabin than at the tailpipe. He commended the progress achieved.

Written Comments Submitted by:

Los Angeles County Electric Truck & Bus Coalition

18. Annual Progress Report for AB 617 Community Emissions Reduction Plans

Board member Kracov noted that this item was presented to the Stationary Source Committee and commented on his participation in several AB 617 community steering committee meetings. He emphasized the significance of the program and thanked staff for their hard work and for building positive relationships with the community steering committees during development of the Community Emissions Reduction Plans (CERPs).

Council Member Mitchell commented on the collaborative efforts between CARB and South Coast AQMD staff and the program's effectiveness in focusing on communities most impacted by air pollution. CARB has reviewed the first three CERPs within the South Coast AQMD as well as communities in Northern and Central California. She noted that there is no sunset to the program but there is no guarantee of consistent funding by the Legislature. Due to the pandemic, CARB staff prepared videos of the communities for viewing at the CARB Board meeting. She noted the significance of the program to the air quality mission and encouraged Board members to attend the community steering committee meetings to hear the concerns of the communities.

Chairman Burke commented on the importance of the program for these communities but expressed concern about the availability of funding for the program.

Council Member Rodriguez commented on the importance of the program and the community-based focus. He expressed appreciation for Council Member Mitchell's leadership on the CARB Board and the program's collaborative approach. He asked whether minority business owners participate on the community steering committees and have a vote at the table.

Mr. Nastri explained that CARB's Community Air Protection Blueprint (Blueprint) specifies that the community steering committees include community members who live, work or own businesses within the community but a majority must be community residents. Community residents have a majority vote on matters that come before the community steering committee, but staff works closely and conducts outreach with all

businesses within the communities. Minority business owners may have direct involvement in some communities; however, in other communities the local chamber of commerce provides representation for the business community. The program is evolving, and CARB's staff is currently working with the AB 617 Consultation Group, community members, air districts, and stakeholders to revise and update the Blueprint. South Coast AQMD is a member of the AB 617 Consultation Group and it is expected that the revised Blueprint will be available in three months.

Council Member Mitchell noted that the Blueprint was established to provide guidelines for AB 617 implementation, including the community steering committee membership. However, each committee decides how they want to operate, and each community has different challenges. CARB recognizes that small business owners are important to the community and that the participation of businesses in the community steering committee is needed to implement the emissions reductions.

Senator Delgado expressed concerns about available funding to implement the CERPs. She inquired whether there could be a process to make the community steering committee members aware of the amount of available funding.

Supervisor Perez expressed concerns about unfunded mandates and emphasized the need to reach out to legislators and develop an action plan through the South Coast AQMD Legislative Committee to ensure future funding. He participated in a couple of the Eastern Coachella Valley AB 617 meetings and noted that collaboration at every level of government is important to develop long-term solutions. The community steering committee of Eastern Coachella Valley approved its charter and is committed to developing a CERP by the December 2020 deadline. He suggested scheduling community steering committee meetings twice a month to meet the deadline. Mr. Nastri responded that staff is equally committed to meeting the deadline and will schedule meetings twice a month.

Council Member Mitchell noted that the South Coast AQMD has the most AB 617 communities in the state and commented on the amount of work required of staff. She further noted the challenge in securing funding due to the state's current economic uncertainties and the decrease in revenue from the cap and trade auctions. However, there are other funding sources, such as the Carl Moyer program, that can be directed towards AB 617 communities.

Mr. Harvey Eder, Public Solar Power Coalition, expressed concerns about the time allotted for public comments, difficulties he encountered filing legal documents, climate change, the fires in California and the COVID-19 pandemic.

Angie Balderas, Sierra Club
Yassi Kavezade, Sierra Club
Adrian Martinez, Earthjustice

Emphasized the importance of allowing the community members to take the lead in the process; noted the expansion of warehouses and railyards in the San Bernardino/Muscoy community and expressed support for indirect source rules that complement efforts of the AB 617 program to reduce emissions; and encouraged Board members to attend San Bernardino/Muscoy AB 617 meetings.

Todd Campbell, Clean Energy, commented on his work many years ago in support of the Lower Emission School Bus program to protect children from diesel emissions. He noted the recent action by Governor Newsom requiring sales of all new passenger vehicles in the state to be zero emissions by 2035 and expressed support for indirect source rules that could accelerate the transition away from diesel; however, he emphasized the need for a multi-pronged approach to achieve clean air milestones.

Chris Chavez, Coalition for Clean Air, expressed concern about continued funding for AB 617 and stressed the need to demonstrate the successes of the program to the state legislature. He recommended implementing indirect source rules, strong rulemaking and enforcement that results in emissions reductions in those impacted communities as well as ensuring compliance with MOUs. He commended staff and the Board for their hard work and efforts.

Council Member Rodriguez reiterated the importance for community members to reach out to their state Senate and Assembly representatives to express their concerns about continued funding.

Council Member Mitchell thanked Angie Balderas for attending today's Board meeting and commended her for being a facilitator for the San Bernardino/Muscoy community. She also commented on the importance of keeping the needs of AB 617 communities in mind when regulatory measures come before the Board.

(Council Member Buscaino left the meeting at approximately 10:10 a.m.)

(Senator Delgado left the meeting during the discussion of this item.)

MOVED BY BENOIT, SECONDED BY CACCIOTTI, AGENDA ITEMS 1 THROUGH 18 APPROVED AS RECOMMENDED, BY THE FOLLOWING VOTE:

AYES: Barger, Benoit, Burke, Cacciotti, Kracov, McCallon, Mitchell, Perez, Rodriguez and Rutherford

NOES: None

ABSENT: Bartlett, Buscaino and Delgado

(Senator Delgado rejoined the meeting.)

BOARD CALENDAR

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

MOVED BY CACCIOTTI, SECONDED BY BARGER, AGENDA ITEMS 20 THROUGH 25, APPROVED AS RECOMMENDED, RECEIVING AND FILING THE COMMITTEE, MSRC AND CARB REPORTS, BY THE FOLLOWING VOTE:

AYES: Barger, Benoit, Burke, Cacciotti, Delgado, Kracov, McCallon, Mitchell, Perez, Rodriguez and Rutherford

NOES: None

ABSENT: Bartlett and Buscaino

(Council Member Buscaino rejoined the meeting at approximately 10:30 a.m.)

Staff Presentation/Board Discussion

26. Budget and Economic Outlook Update (*Presentation In Lieu of Board Letter*)

Jill Whynot, Chief Operating Officer, gave the presentation on Item No. 26.

Chairman Burke inquired about potential action by the San Bernardino County Employees' Retirement Association (SBCERA) that may cause additional employees to abruptly retire and what plans are in place to address the resulting vacancies.

Ms. Whynot noted that the decision is pending but staff is working closely with SBCERA. She provided information on the number of employees that could be affected by the potential action and noted that management is actively looking at filling some vacancies through open recruitments as well as implementing succession planning strategies in case there is an increase in abrupt retirements.

Council Member Rodriguez inquired about the number of permits that may potentially expire and asked if the Administrative Committee considered any flexibility in the payment of these fees.

Ms. Whynot explained that staff has been reaching out and notifying businesses about their fee payment deadline as well as payment options to extend the payment over a six-month period. The majority of permits are typically paid within 30 to 60 days of being late. The information presented at the Administrative Committee meeting did not include the September data but there was discussion about staff focusing their efforts on providing payment plan options to businesses. Of the 529 potentially expiring permits last month, 150 of them are from one company, two other companies each have 20-25 permits and the rest are small companies. Staff continues to work with these companies and will keep the Board apprised.

Ranji George expressed concern about the potential SBCERA action related to the Alameda case and urged the Board to continue working on a solution for South Coast AQMD employees. He noted that additional loss of benefits would make it difficult to attract qualified employees.

Chairman Burke inquired about staff efforts in working with SBCERA to clarify the ruling in the Alameda case.

Bayron Gilchrist, General Counsel, stated that outside counsel had been retained to assist.

RECEIVE AND FILE; NO ACTION NECESSARY

(Supervisor Bartlett joined the meeting at approximately 10:35 a.m.)

27. Recommendation for Year 3 Implementation of Assembly Bill 617

Dr. Jo Kay Ghosh, Director of Community Air Programs/Health Effects Officer, gave the presentation on Item No. 27.

Council Member Buscaino announced his support for the recommendation of the South Los Angeles community for the AB 617 Year 3 Implementation and commented on the historical environmental inequities this community has faced. He expressed concern for continued funding but noted the strong coalition that has been built with community-based organizations, elected officials and environmental justice groups who are committed to working together to secure the necessary funding. He commended the efforts of the community for making this happen and thanked his colleagues on the L.A. City Council and Assembly Member Mike Gipson for their efforts and support.

Council Member Mitchell expressed her support for the selection of South Los Angeles. She commented on a bus tour of the South Los Angeles neighborhood that she participated in a few years ago with CARB staff and Board. During the tour, they observed multiple oil wells located in close proximity to nearby sensitive receptors like schools and homes.

Senator Delgado expressed her support for the selection of South Los Angeles and noted that the area is 65 percent Latinx/Hispanic and expressed the need to provide appropriate Spanish language support at meetings in the community.

Chairman Burke commented on his family's roots in the community and the environmental and pollution inequities that have been experienced in that community for decades. He expressed strong support for the inclusion of South Los Angeles as an AB 617 community.

Paula Torrado, PSR-LA, thanked the Board for efforts in reducing pollution in environmental justice communities and for the selection of South Los Angeles as an AB 617 community. She shared information about PSR-LA's community efforts, key partnerships, commitment, and readiness to work toward achieving tangible emission reductions.

Mr. Eder expressed support for low income subsidies for solar power, encouraged the South Coast AQMD and CARB to support solar energy, and expressed concerns about COVID-19 and other pandemics.

Erika Blyther, City of Los Angeles Office of Petroleum and Natural Gas

Roberto Perez, Representing Los Angeles City Council Member

Marqueece Harris-Dawson

Ruth Andrade, Strategic Concepts in Organizing and Policy Education
(SCOPE) and PSR-LA Air Quality Ambassador

Hugo Garcia, Esperanza Community Housing

Iretha, PSR-LA Air Quality Ambassador

Sonja Taylor, SCOPE and PSR-LA Air Quality Ambassador

Guadalupe Rivas, SCOPE

Gina, SCOPE

Martha Dina Arguello, PSR-LA and Stand Together Against Neighborhood
Drilling

Oscar Morales, PSR-LA Air Quality Ambassador

Manuel Hernandez, SCOPE

Chris Chavez, Coalition for Clean Air

OT Bremond, Los Angeles Brotherhood Crusade

Ignacio, PSR-LA Air Quality Ambassador

Patricia, SCOPE and PSR-LA Air Quality Ambassador

Araceli Celestino

Gloria Medina, SCOPE

Amanda Jimenez, USC Department of Preventative Medicine

Robert Jackson, Representing Senator Holly J. Mitchell

Expressed support for the selection of South Los Angeles as an AB 617 community and thanked the Board for their support. Commented on various industries that contribute to poor air quality in the community and health conditions affecting residents. Noted that South Los Angeles is a disadvantaged community that has disproportionately suffered from environmental inequities for too long. Commented on community efforts that demonstrate community readiness and commitment to implement environmental solutions that reduce air pollution and improve public health in South Los Angeles.

Chairman Burke noted that the strong interest from the South Los Angeles community in the environmental justice movement is a milestone for the South Coast AQMD and the community.

MOVED BY BUSCAINO, SECONDED BY BENOIT, AGENDA ITEM NO. 27 APPROVED AS RECOMMENDED, APPROVING THE RECOMMENDATION OF THE SOUTH LOS ANGELES COMMUNITY TO CARB FOR THEIR CONSIDERATION IN SELECTING COMMUNITIES FOR THE AB 617 PROGRAM; AND DIRECTING STAFF TO SEEK FUNDING FROM THE LEGISLATURE, IN THE AMOUNT OF \$4-\$6 MILLION PER YEAR FOR AT LEAST SIX YEARS, TO SUPPORT THE DEVELOPMENT AND IMPLEMENTATION OF THE COMMUNITY PLANS IN THE SOUTH LOS ANGELES COMMUNITY, BY THE FOLLOWING VOTE:

AYES: Barger, Bartlett, Benoit, Burke, Buscaino, Cacciotti, Delgado, Kracov, McCallon, Mitchell, Perez, Rodriguez, and Rutherford

NOES: None

ABSENT: None

PUBLIC HEARINGS

28. Certify Final Environmental Assessment and Adopt Rule 1179.1 – NOx Emission Reductions from Combustion Equipment at Publicly Owned Treatment Works Facilities

Staff waived the oral presentation on Item No. 28.

The public hearing was opened, and the following individuals addressed the Board on Item 28.

David Rothbart, County Sanitation Districts of Los Angeles County
Stephen Jepsen, Southern California Alliance of Publicly owned Treatment Works (SCAP)

Expressed support for the rule and commended staff for their hard work. Noted that the emission limits are achievable with reasonable investment.

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

MOVED BY BENOIT, SECONDED BY MITCHELL, AGENDA ITEM NO. 28 APPROVED AS RECOMMENDED, ADOPTING RESOLUTION NO. 20-15 CERTIFYING THE FINAL ENVIRONMENTAL ASSESSMENT FOR PROPOSED RULE 1179.1 – EMISSION REDUCTIONS FROM COMBUSTION EQUIPMENT AT PUBLICLY OWNED TREATMENT WORKS FACILITIES AND ADOPTING RULE 1179.1 – EMISSION REDUCTIONS FROM COMBUSTION EQUIPMENT AT PUBLICLY OWNED TREATMENT WORKS FACILITIES, BY THE FOLLOWING VOTE:

AYES: Barger, Bartlett, Benoit, Burke, Buscaino, Cacciotti, Delgado, Kracov, McCallon, Mitchell, Perez, Rodriguez, and Rutherford

NOES: None

ABSENT: None

29. Receive and File 2019 Annual Report on AB 2588 Program and Approve Updates to Facility Prioritization Procedure for AB 2588 Program, Public Notification Procedures, and AB 2588 and Rule 1402 Supplemental Guidelines

Tracy Goss, Planning and Rules Manager, gave the staff presentation on Item No. 29.

The public hearing was opened, and the following individuals addressed the Board on Item 29.

Mr. Eder expressed concerns about the toxic effects of benzene, the COVID-19 pandemic, climate change and fracking.

Mr. George expressed concerns about the use of cobalt in electric car and bus batteries and urged support for more environmentally friendly chemicals and substances.

David Rothbart, representing SCAP, expressed concerns about the lack of laboratory methods for testing the approximately 1,500 new compounds that have been added to the AB 2588 program. He urged the Board to provide feedback to CARB to make sure that whatever is implemented makes sense and serves the community rather than alarming the community.

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

MOVED BY BENOIT, SECONDED BY CACCIOTTI, AGENDA ITEM NO. 29 APPROVED AS RECOMMENDED, RECEIVING AND FILING THE 2019 ANNUAL REPORT ON THE AB 2588 PROGRAM AND APPROVING UPDATES TO THE GUIDANCE DOCUMENTS FOR THE FACILITY PRIORITIZATION PROCEDURE FOR THE AB 2588 PROGRAM, PUBLIC NOTIFICATION PROCEDURES; AND AB 2588 AND RULE 1402 SUPPLEMENTAL GUIDELINES, BY THE FOLLOWING VOTE:

AYES: Barger, Bartlett, Benoit, Burke, Buscaino, Cacciotti, Delgado, Kracov, McCallon, Mitchell, Perez, Rodriguez, and Rutherford

NOES: None

ABSENT: None

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

Mayor McCallon provided an update on Metrolink's purchase and deployment of Tier 4 locomotives. He noted that CARB issued a verification certificate for the Tier 4 locomotives after emissions verification testing was successfully completed. The testing and certification confirm that Metrolink's locomotives continue to operate at the highest environmentally friendly standards, even after the units have been in service for an extended period. It also demonstrates their commitment to accelerating zero emission technologies.

Ian Stewart, Rail Propulsion Systems, thanked the Board and South Coast AQMD staff for their support and updated the Board on the progress of their current battery powered switcher locomotive demonstration project. He expressed concerns regarding gaps in funding guidelines for ultra-low emission and zero emission switcher locomotive technologies and urged the Board to address the gaps in funding guidelines.

Mr. Eder commented on the record-breaking heat and fires in the state. He also commented on difficulties he experienced attempting to file legal documents in federal court, the COVID-19 pandemic, drug resistant antibiotics and the dangers of benzene.

Mallory, Long Beach student, expressed support for indirect source rules to regulate pollution and expressed concerns regarding delays in the warehouse indirect source rule. She noted that goods movement disproportionately impacts the air quality in environmental justice communities.

Yassi Kavezade, Sierra Club, expressed concerns about air pollution from warehouses and railyards in the Inland Empire that disproportionately impact environmental justice communities, and noted a proposed project by the High Speed Rail Authority to build a railyard in the city of Colton. She commended CARB for passing the Advanced Clean Truck Regulation, expressed support for zero emission technologies and urged the Board to move faster on adopting a warehouse indirect source rule.

Mr. George encouraged the Board to lobby the legislature to redefine the rules in the Carl Moyer program guidelines to include increase funding for zero emission and fuel cell technologies and expressed support for battery recycling.

Amy Francis, NELA Climate Collective, commented on air quality impacts from the goods movement industry and urged the Board to adopt indirect source rules for warehouses. Expressed concerns that her child cannot play outside because of the health effects of poor air quality.

Elliott Gonzales urged the Board to adopt indirect source rules for warehouses and expressed concerns about using natural gas as a clean energy source. Expressed opposition to fracking and fossil fuels and commented on methane emissions in the West Long Beach and Wilmington area.

Phil Barroca, South Coast AQMD employee

Lisa Mirisola, South Coast AQMD employee

Expressed concerns about potential action by SBCERA related to the Alameda decision regarding pensionable pay items and its potential to cause an increased number of employees to retire abruptly.

CLOSED SESSION

The Board recessed to closed session at 12:40 p.m., pursuant to Government Code sections:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

- 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 South Coast AQMD is a party. The actions are:

People of the State of California, ex rel. SCAQMD v. Exide Technologies, Inc.,
Los Angeles Superior Court Case No. BC533528;

In re: Exide Technologies, Inc., U.S. Bankruptcy Court, District of Delaware, Case No. 13-11482 (KJC) (Bankruptcy Case); Delaware District Court, Case No.: 19-00891 (Appellate Case); United States Court of Appeals, Third Circuit, Case No. 20-1858; and

In re: Exide Holdings Inc., U.S. Bankruptcy Court, District of Delaware, Case No. 20-11157 (CSS) (Bankruptcy Case).

Following closed session, Bayron Gilchrist, General Counsel, announced that there were no reportable actions taken in closed session.

ADJOURNMENT

There being no further business, the meeting was adjourned by Mr. Gilchrist at 12:50 p.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on October 2, 2020.

Respectfully Submitted,

Faye Thomas
Clerk of the Boards

Date Minutes Approved: _____

Dr. William A. Burke, Chairman

ACRONYMS

AQMP = Air Quality Management Plan

BARCT = Best Available Retrofit Control Technology

CARB = California Air Resources Board

CEC = California Energy Commission

CEQA = California Environmental Quality Act

CERP = Community Emissions Reduction Plan

FY = Fiscal Year

MSRC = Mobile Source (Air Pollution Reduction) Review Committee

NOx = Oxides of Nitrogen

U.S. EPA = United States Environmental Protection Agency

VOC = Volatile Organic Compound

TUESDAY, OCTOBER 27, 2020

Notice having been duly given, the special meeting of the South Coast Air Quality Management District Board was conducted remotely via video conferencing and telephone. Members present:

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

Council Member Ben Benoit, Vice Chairman
Cities of Riverside County

Supervisor Lisa A. Bartlett
County of Orange

Council Member Joe Buscaino
City of Los Angeles

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

Senator Vanessa Delgado (Ret.)
Senate Rules Committee Appointee

Gideon Kracov
Governor's Appointee

Mayor Larry McCallon
Cities of San Bernardino County

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

Council Member Carlos Rodriguez
Cities of Orange County

Supervisor Janice Rutherford
County of San Bernardino

Members absent:

Supervisor Kathryn Barger
County of Los Angeles

Supervisor V. Manuel Perez
County of Riverside

CALL TO ORDER: Chairman Burke called the meeting to order at 11:00 a.m.

- Roll Call

Supervisor Bartlett and Council Member Buscaino were absent for roll call. Supervisor Bartlett and Council Member Buscaino joined the meeting at 11:05 a.m.

- Opening Comments

There were no opening comments.

(Supervisor Bartlett and Council Member Buscaino joined the meeting.)

PUBLIC HEARING

1. Determine That Proposed Amendments to Rule 445 – Wood-Burning Devices, Are Exempt from CEQA and Amend Rule 445

Dr. Philip Fine, DEO/Planning, Rule Development and Area Sources, gave an overview of the Proposed Amendments to Rule 445.

Sarah Rees, Assistant DEO/Planning, Rule Development and Area Sources, gave the staff presentation on Item No. 1.

The public hearing was opened, and the following individuals addressed the Board on Item 1.

Amy J. Wong, Active San Gabriel Valley
Emily Spokes, North East Los Angeles (NELA) Climate Collective
Chris Chavez, Clean Air Coalition
Regina Hsu, Earthjustice
Jessica Craven, NELA Climate Collective
Leah Louis-Prescott, Rocky Mountain Institute
Roxanna Barrera
Cora West, Sunrise Movement

Recognized the importance of No-Burn days and expressed support for the rule amendment; however, noted that No-Burn days are not sufficient to meet attainment goals by 2023. Noted the health impacts from exposure to air pollution, especially in communities of color, and urged the Board to adopt strong rules and policies that reduce NOx emissions from all sources within its authority, including refineries, warehouses, railyards and buildings. Recommended that the South Coast AQMD seek additional incentive funding, encourage CARB and U.S. EPA to do more, and incorporate impacts of climate change into the 2022 AQMP. (Council Member Buscaino left the meeting at approximately 11:20 a.m.)

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

One Comment letter submitted on behalf of the following organizations:

Adrian Martinez/Regina Hsu, Earthjustice
Jane Williams, California Communities Against Toxics
Julia May, Communities for a Better Environment
Taylor Thomas, East Yard Communities for Environmental Justice
David Pettit, Natural Resources Defense Council
Martha Arguello, Physicians for Social Responsibility – Los Angeles
Leah Louis-Prescott, Rocky Mountain Institute
Matt Gough, Sierra Club
Jimmy O’Dea, Union of Concerned Scientists
Theral Golden, West Long Beach Association
Cora Went, Sunrise Movement LA
Andrea Vidaurre, Warehouse Worker Resource Center

MOVED BY CACCIOTTI, SECONDED BY
BENOIT, AGENDA ITEM NO. 1 APPROVED
AS RECOMMENDED, ADOPTING
RESOLUTION NO. 20-16 DETERMINING
THAT THE PROPOSED AMENDMENTS TO
RULE 445 – WOOD-BURNING DEVICES, ARE
EXEMPT FROM THE REQUIREMENTS OF
CEQA AND AMENDING RULE 445 – WOOD-
BURNING DEVICES, BY THE FOLLOWING
VOTE:

AYES: Bartlett, Benoit, Burke, Cacciotti,
Delgado, Kracov, McCallon,
Mitchell, Rodriguez, and
Rutherford

NOES: None

ABSENT: Barger, Buscaino and Perez

Council Member Rodriguez asked for thoughts and prayers for families under evacuation and fire fighters going through the Blue Ridge and Silverado fires.

Supervisor Bartlett expressed concerns regarding the fires in Orange County and noted the adverse impacts to air quality. She commented on the community concerns regarding All American Asphalt in Irvine and asked if staff’s recent letter could be posted on the South Coast AQMD website so that the public could remain aware of the ongoing investigation.

Mr. Nastri responded that staff is working on options to make information broadly available to the community. The investigation is ongoing, and staff will keep the Board apprised.

Chairman Burke commented on the need to address some of the issues raised by the commenters. He also noted the impacts of climate change as it relates to fires in California.

ADJOURNMENT

There being no further business, the meeting was adjourned by Chairman Burke at 11:35 a.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on October 27, 2020.

Respectfully Submitted,

Faye Thomas
Clerk of the Boards

Date Minutes Approved: _____

Dr. William A. Burke, Chairman

ACRONYMS

- AQMP – Air Quality Management Plan
- CARB = California Air Resources Board
- CEQA = California Environmental Quality Act
- NOx = Oxides of Nitrogen
- U.S. EPA = United States Environmental Protection Agency