



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

A G E N D A

MEETING, DECEMBER 3, 2021 HYBRID GOVERNING BOARD MEETING

Pursuant to Assembly Bill 361, a meeting of the South Coast Air Quality Management District Board will be held at 9:00 a.m. on Friday, December 3, 2021 through a hybrid format of in-person attendance in the Dr. William A. Burke Auditorium at the South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, and/or virtual attendance via videoconferencing and by telephone.

Given health and safety concerns, seating availability may be limited, and the meeting format may be changed to full remote via webcast. Please refer to South Coast AQMD's website for information regarding the format of the meeting, updates if the meeting is changed to a full remote via webcast format, and details on how to participate:

<http://www.aqmd.gov/home/news-events/meeting-agendas-minutes>

Proof of vaccination or a negative COVID test within 72 hours prior to the start of the Governing Board meeting along with picture I.D. will be required for admittance.

Proof of COVID-19 Vaccination includes:

- COVID-19 Vaccination Record Card (issued by the Department of Health and Human Services Centers for Disease Control & Prevention or WHO Yellow Card 1) which includes name of person vaccinated, type of vaccine provided and date doses administered); OR
- A photo of a vaccination card as a separate document; OR
- A photo of the vaccine card stored on a phone or electronic device; OR
- Documentation of vaccination from a healthcare provider; OR
- [Digital record](#) that includes a QR code that when scanned by a SMART Health Card reader displays to the reader: name, date of birth, vaccine dates and vaccine type

REMINDER: Mask wearing is required indoors during the meeting.

ELECTRONIC PARTICIPATION INFORMATION **(Instructions provided at bottom of the agenda)**

Join Zoom Meeting - from PC, Laptop or Phone

<https://scaqmd.zoom.us/j/93128605044>

Meeting ID: **931 2860 5044** (applies to all)

Teleconference Dial In +1 669 900 6833 or +1 253 215 8782

One tap mobile +16699006833,,93128605044# or +12532158782,,93128605044#

Audience will be allowed to provide public comment in person or through Zoom connection or telephone.

PUBLIC COMMENT WILL STILL BE TAKEN

Phone controls for participants:

The following commands can be used on your phone's dial pad while in Zoom Webinar meeting:

- *6 - Toggle mute/unmute
- *9 - Raise hand

Cleaning the air that we breathe...

Questions About an Agenda Item

- The name and telephone number of the appropriate staff person to call for additional information or to resolve concerns is listed for each agenda item.
- In preparation for the meeting, you are encouraged to obtain whatever clarifying information may be needed to allow the Board to move expeditiously in its deliberations.

Meeting Procedures

- The public meeting of the South Coast AQMD Governing Board begins at 9:00 a.m. The Governing Board generally will consider items in the order listed on the agenda. However, any item may be considered in any order.
- After taking action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

All documents (i) constituting non-exempt public records, (ii) relating to an item on the agenda, and (iii) having been distributed to at least a majority of the Governing Board after the agenda is posted, are available prior to the meeting for public review at South Coast AQMD's Clerk of the Boards Office, 21865 Copley Drive, Diamond Bar, CA 91765 or web page at www.aqmd.gov

Americans with Disabilities Act and Language Accessibility

Disability and language-related accommodations can be requested to allow participation in the Governing Board meeting. The agenda will be made available, upon request, in appropriate alternative formats to assist persons with a disability (Gov. Code Section 54954.2(a)). In addition, other documents may be requested in alternative formats and languages. Any disability or language-related accommodation must be requested as soon as practicable. Requests will be accommodated unless providing the accommodation would result in a fundamental alteration or undue burden to the South Coast AQMD. Please contact the Clerk of the Boards Office at (909) 396-2500 from 7:00 a.m. to 5:30 p.m., Tuesday through Friday, or send the request to cob@aqmd.gov

A webcast of the meeting is available for viewing at:
<http://www.aqmd.gov/home/news-events/webcast>

CALL TO ORDER

- Pledge of Allegiance
- Roll Call
- Opening Comments: Ben J. Benoit, Chair
Other Board Members
Wayne Nastri, Executive Officer

PUBLIC COMMENT PERIOD – (Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3) The public may comment on any subject within the South Coast AQMD's authority that **does not** appear on the agenda, during the Public Comment Period. Each speaker addressing non-agenda items may be limited to a total of (3) minutes.

Staff/Phone (909) 396-

CONSENT AND BOARD CALENDAR (Items 1 through 29)

Note: Consent and Board Calendar items held for discussion will be moved to Item No. 30.

1. Approve Minutes of October 15, 2021 Special Board Meeting and November 5, 2021 Board Meeting **Thomas/3268**
2. Set Public Hearings January 7, 2022 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations: **Nastri/3131**
 - A. Determine That Proposed Amended Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities, and Proposed Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities, Are Exempt from CEQA, and Amend Rule 1135 and Adopt Rule 429.2 **Nakamura/3105**

Rule 1135 reduces NOx emissions from combustion equipment at electricity generating facilities. Proposed Amended Rule 1135 will remove ammonia limits which will be addressed during permitting, revise the averaging time for NOx emission limits for diesel internal combustion engines, revise and add time extension provisions, update provisions for Continuous Emission Monitoring Systems, and reference Proposed Rule 429.2 for startup and shutdown requirements. Proposed Rule 429.2 will provide an exemption from Rule 1135 NOx concentration limits during startup and shutdown events for specified durations with provisions for best management practices and recordkeeping. This action is to adopt the Resolution: 1) Determining that Proposed Amended Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities, and Proposed Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities, are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities, and Adopting Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities. (Reviewed: Stationary Source Committee, November 19, 2021)

- B. Certify Final Environmental Assessment for Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, Proposed Amended Rule 461 – Gasoline Transfer and Dispensing, Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II, and Proposed Amended Rule 222 – Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II; and Adopt Rule 461.1 and Amend Rules 461, 219, and 222

Nakamura/3105

Proposed Rule 461.1 applies to retail and non-retail mobile fuelers that are transferring or dispensing gasoline, and to owners or operators of those dispensing locations where mobile fueling operations occur. Proposed Rule 461.1 will reduce VOC and toxic air contaminant emissions by requiring use of CARB certified equipment for mobile fuelers and specifying other operational, testing, maintenance, recordkeeping and reporting requirements. Proposed amendments to Rule 461 would remove mobile fueling requirements and outdated definitions and provisions. Proposed amendments to Rule 219 and Rule 222 would require previously exempt gasoline mobile fuelers and locations where gasoline is being dispensed to be either be permitted or registered. The proposed amendments to Rule 222 would establish filing requirements for dispensing locations. This action is to adopt the Resolution: 1) Certifying the Final Environmental Assessment for Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, Proposed Amended Rule 461 – Gasoline Transfer and Dispensing, Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II, and Proposed Amended Rule 222 – Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II; and 2) Adopting Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, and Amending Rule 461 – Gasoline Transfer and Dispensing, Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II, and Rule 222 – Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II. (Reviewed: Stationary Source Committee, November 19, 2021)

Items 3 through 10 -- Budget/Fiscal Impact

3. Approve Awards for Lower-Emission School Bus Program and Transfer Funds for Development of Lower Emission School Bus Grant Management System **Miyasato/3249**

In October 2020, the Board issued a Program Announcement to solicit applications for the replacement of pre-2001 model year diesel school buses with new alternative fuel or zero emission buses. This action is to approve awards to replace pre-2001 diesel school buses with new, near-zero or zero emission school buses and infrastructure in an amount not to exceed \$47 million from the Carl Moyer Program AB 923 Fund (80). This action is to also appropriate up to \$81,000 from the administrative portion of the Carl Moyer Program AB 923 Fund (80) into Information Management's FY 2021-22 Budget, Professional and Special Services and/or Capital Outlays Major Objects and reimburse the General Fund (01) using administrative funds for enhancement for the Lower Emission School Bus Program grant management system. (Reviewed: Technology Committee Meeting, November 19, 2021; Recommended for Approval)

4. Recognize 2021 U.S. EPA Targeted Airshed Grant Program Awards for Zero-Emission Vehicles and Equipment, Issue RFPs, Transfer Funds, Execute Contracts to Demonstrate Zero-Emission Vehicles and Equipment, and Reimburse General Fund **Katzenstein/2219**

South Coast AQMD has been awarded up to \$14,339,960 from U.S. EPA 2021 Targeted Airshed Grant Program to demonstrate a zero-emission freight line-haul locomotive, long-range Class 8 fuel cell trucks, deploy zero-emission school buses, and replace commercial lawn and garden equipment. These actions are to: 1) recognize revenue, upon receipt, of up to \$14,339,960 from the U.S. EPA into the Advanced Technology, Outreach and Education Fund (17); 2) transfer up to \$2,169,169 from the Air Quality Investment Fund (27) into the Advanced Technology, Outreach and Education Fund (17) for South Coast AQMD cost-share; 3) contingent upon U.S. EPA's final awards, execute three contracts in a total amount not to exceed \$12,749,000 from the Advanced Technology, Outreach, Outreach and Education Fund (17); 4) issue RFPs and execute resulting contracts for the Commercial Lawn and Garden Equipment Incentive and Exchange Program in an amount not to exceed \$3,020,000 from the Advanced Technology, Outreach and Education Fund (17); and 5) reimburse the general fund for administrative costs up to \$590,960 from the Advanced Technology, Outreach and Education Fund (17). (Reviewed: Technology Committee, November 19, 2021; Recommended for Approval)

5. Recognize Revenue, Transfer and Appropriate Funds, Amend Contract, Issue Solicitations and Purchase Orders for Air Monitoring Equipment and One Vehicle **Low/2269**

South Coast AQMD is expected to receive up to \$794,261 from U.S. EPA for the FY 2022 (30th Year) PAMS Program. These actions are to recognize revenue and appropriate funds when they become available in Science & Technology Advancement's FY 2021-22 and/or FY 2022-23 budgets for the PAMS Program, transfer and appropriate funds for the remaining balances of the PAMS Program, amend contract for technical support, issue solicitations and execute purchase orders for air monitoring equipment and one vehicle. (Reviewed: Administrative Committee, November 12, 2021; Recommended for Approval)

6. Transfer and Appropriate Funds from Two Special Revenue Funds to General Fund for Information Management and Compliance and Enforcement Projects and Purchases to Support South Coast AQMD Operations and Close Two Special Revenue Funds **Jain/2804**

The Board has established several Special Revenue Funds for a variety of purposes. Staff is recommending a transfer of \$508,900, and any additional interest earned, to the General Fund from the remaining balances in the Dry Cleaners Financial Incentive Grant and BP/SCAQMD Public Benefits Oversight Funds and the closure of these two Special Revenue Funds. The remaining balances would be used to purchase a toxic vapor analyzer, support the phone system upgrade and information management projects that will provide an electronic and mailing notice preferences capture system, and update the Agenda Tracking System. (Reviewed: Administrative Committee, November 12, 2021; Recommended for Approval)

7. Revise Procurement Policy and Procedure **Jain/2804**

This action is to approve revisions to South Coast Air Quality Management District Procurement Policy and Procedure to: 1) increase up to \$350,000 the amount for which the Executive Officer may approve purchases of unbudgeted capital assets in case of an emergency or interruption of South Coast AQMD operations; and 2) authorize the Executive Officer to approve expenses up to \$500,000 per fiscal year during periods that a Continuity of Operations Plan (COOP) is implemented. A report of such expenditures will be provided to the Administrative Committee every six months. Finally, this action is to appropriate \$275,000 into the District General FY 2021-22 Budget, Capital Outlays Major Object for unbudgeted capital assets in case of emergency or interruption of agency operations. (Reviewed: Administrative Committee, November 12, 2021; Recommended for Approval)

- 8A. Consider Protest of Award of Request for Proposals for Legislative Representation in Washington D.C. P 2022-01 **Baird/2302**
- On November 12, 2021, the Administrative Committee considered responses to a request for proposals for legislative representation in Washington D.C. The Administrative Committee noticed that the cost for one proposal, Duncan, Weinberg, Genzer & Pembroke (DWGP), was approximately twice as much as any of the other proposals and determined, on that basis, not to interview DWGP. During public comment, DWGP contended that its cost points should have been calculated differently. On November 18, 2021, DWGP filed a bid protest. This item is to consider whether to grant the bid protest prior to considering awarding contracts for Washington D.C. legislative representation. (No Committee Review)
- 8B. Execute Contracts for Legislative Representation in Washington, D.C. **Alatorre/3122**
- In September 2021, the Board approved the release of an RFP to solicit proposals for legislative representation in Washington, D.C. The Administrative Committee will interview firms and make recommendations to the Board regarding a contract(s) for the agency's legislative representation. This action is to authorize the Chairman to execute contracts with Carmen Group for \$222,090; Cassidy & Associates for \$216,000; and Kadesh & Associates for \$226,392 for legislative consulting services in Washington, D.C. for one year beginning on January 15, 2022, with an option for up to two one-year renewals, upon satisfactory performance, at the Board's discretion. (Reviewed: Administrative Committee, November 12, 2021; Recommended for Approval)
9. Amend FY 2021-22 Budget to Address Operational Needs by Adding Partially Funded Position for Succession Planning Purposes **Olvera/2309**
- This item is to amend the FY 2021-22 Budget to add a partially funded Designated Deputy position to the Executive Office budget in order to address succession planning needs. Specifically, this item is to add a Designated Deputy position, equivalent to the Chief Operating Officer, but budgeted as 0.25 FTE. This position will be utilized to allow two employees to hold the same position during a limited transition period. Funding for the budget amendment is available in the FY 2021-22 Budget. (No Committee Review)
10. Approve Modification of Program and Approve Award as Approved by MSRC **McCallon**
- The MSRC previously released an RFP to solicit technical advisor services. The MSRC unanimously awarded the contract to Raymond Gorski as part of their FYs 2021-24 AB 2766 Discretionary Fund Work Program. Additionally, as part of their FYs 2018-21 Work Program, the MSRC approved a modification to their Voucher Incentive Program Plus Up Program partnership with South Coast AQMD for near-zero trucks. At this time, the MSRC seeks Board approval of the contract award and program modification. (Reviewed: Mobile Source Air Pollution Reduction, November 18, 2021; Recommended for Approval)

Item 11 – Action Item /No Fiscal Impact

11. Comply with AB 361 Requirements to Allow South Coast AQMD Board and South Coast AQMD Brown Act Committees to Continue to Meet Remotely **Gilchrist/3459**

This action is to adopt the attached Resolution finding that the Board: 1) has reconsidered the circumstances of the state of emergency; and 2) State or local officials continue to impose or recommend measures to promote social distancing. See Cal. Gov't Code Section 54953(e)(3). (No Committee Review)

Items 12 through 19 – Information Only/Receive and File

12. Legislative, Public Affairs and Media Report **Alatorre/3122**

This report highlights the October 2021 outreach activities of the Legislative, Public Affairs and Media Office, which includes: Major Events, Community Events/Public Meetings, Environmental Justice Update, Speakers Bureau/Visitor Services, Communications Center, Public Information Center, Business Assistance, Media Relations and Outreach to Business and Federal, State and Local Government. (No Committee Review)

13. Hearing Board Report **Verdugo-Peralta/2500**

This reports the actions taken by the Hearing Board during the period of October 1 through October 31, 2021. (No Committee Review)

14. Civil Filings and Civil Penalties Report **Gilchrist/3459**

This reports the monthly penalties and legal actions filed by the General Counsel's Office from October 1 through October 31, 2021. An Index of South Coast AQMD Rules is attached with the penalty report. (Reviewed: Stationary Source Committee, November 19, 2021)

15. Lead Agency Projects and Environmental Documents Received **Nakamura/3105**

This report provides a listing of CEQA documents received by South Coast AQMD between October 1, 2021 and October 31, 2021, and those projects for which South Coast AQMD is acting as lead agency pursuant to CEQA. (Reviewed: Mobile Source Committee, November 19, 2021)

16. Rule and Control Measure Forecast **Rees/2856**

This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2022. (No Committee Review)

17. Annual Audited Financial Statements for FY Ended June 30, 2021 **Jain/2804**

This item transmits the annual audited financial statements of the South Coast AQMD. The South Coast AQMD has received an unmodified opinion (the highest obtainable) on its financial statements. (Reviewed: Administrative Committee, November 12, 2021)

18. Receive and File Annual Report on 457 Deferred Compensation Plan **Olvera/2309**

South Coast AQMD sponsors an IRS-approved 457 deferred compensation program for its employees. The Annual Report addresses the Board's responsibility for monitoring the activities of the Deferred Compensation Plan Committee and ensuring the Committee carries out its fiduciary duties and responsibilities under the Committee Charter. This action is to receive and file the Annual Report. (Reviewed: Administrative Committee, November 12, 2021)

19. Status Report on Major Ongoing and Upcoming Projects for Information Management **Moskowitz/3329**

Information Management is responsible for data systems management services in support of all South Coast AQMD operations. This action is to provide the monthly status report on major automation contracts and planned projects. (Reviewed: Administrative Committee, November 12, 2021)

Item 20 -- Staff Presentation/Board Discussion/Receive and File

20. Budget and Economic Outlook Update (*Presentation in lieu of Board Letter*) **Whynot/3104**

Staff will provide an update on economic indicators and key South Coast AQMD metrics. (Reviewed: Administrative Committee, November 12, 2021)

Items 21 through 29 -- Reports for Committees and CARB

21. Administrative Committee (Receive & File) **Chair: Benoit Nastri/3131**

22. Investment Oversight Committee (Receive & File) **Chair: Cacciotti Jain/2804**

23. Legislative Committee **Chair: Cacciotti Alatorre/3122**

Receive and file; and take the following actions as recommended:

| Agenda Item | Recommendation |
|--|-----------------------|
| State Legislative Guiding Principles | Approve as Amended |
| Federal Legislative Guiding Principles | Approve |

24. Marine Port Committee (Receive & File) **Co-Chairs: Buscaino & Richardson MacMillan/3244**

25. Mobile Source Committee (Receive & File) **Chair: Kracov Rees/2856**

26. Stationary Source Committee (Receive & File) **Chair: Benoit** **Aspell/2491**
27. Technology Committee (Receive & File) **Chair: Buscaino** **Miyasato/3249**
28. Mobile Source Air Pollution Reduction Review Committee (Receive & File) **Board Liaison: Benoit** **Katzenstein/2219**
29. California Air Resources Board Monthly Report (Receive & File) **Board Rep: Kracov** **Thomas/2500**
30. Items Deferred from Consent and Board Calendars

PUBLIC HEARINGS

31. Determine That Proposed Amendments to Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines, Are Exempt from CEQA; and Amend Rule 1134 (*Staff is recommending that the public hearing on this item be moved to the February 4, 2022 Board Meeting.*) **Nakamura/3105**
- Proposed Amended Rule 1134 will remove ammonia limits for selective catalytic reduction systems that will be addressed during permitting, clarify applicable NOx concentration limits for recuperative gas turbines, and incorporate a narrow exemption for use of liquid fuel for turbines used at health facilities during natural gas curtailments. Other amendments are included to update provisions for Continuous Emission Monitoring Systems, remove startup and shutdown permit requirements which will be addressed in Rule 429 – Start-Up and Shutdown Exemption Provisions for Oxides of Nitrogen, and provide other clarifications. This action is to adopt the Resolution: 1) Determining that the Proposed Amended Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines, is exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines. (Reviewed: Stationary Source Committee, October 15, 2021)
32. Receive and File 2020 Annual Report on AB 2588 Program **MacMillan/3244**
- The Air Toxics "Hot Spots" Information and Assessment Act of 1987 (AB 2588) requires local air pollution control districts to prepare an annual report and present it at a public hearing. This report provides information regarding South Coast AQMD's implementation of AB 2588 through Rule 1402. This annual update describes the various activities including quadrennial emissions reporting and prioritization, preparation and review of Air Toxics Inventory Reports, Health Risk Assessments, Voluntary Risk Reduction Plans, Risk Reduction Plans, and additional South Coast AQMD activities related to air toxics. (Reviewed: Stationary Source Committee, November 19, 2021)

BOARD MEMBER TRAVEL – (No Written Material)

Board member travel reports have been filed with the Clerk of the Boards, and copies are available upon request.

CLOSED SESSION -- (No Written Material)

Gilchrist/3459

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

It is necessary for the Board to recess to closed session 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:

- Communities for a Better Environment v. SCAQMD, Los Angeles Superior Court Case No. BS161399 (RECLAIM);
- 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;
- In re: Exide Holdings Inc., U.S. Bankruptcy Court, District of Delaware, Case No. 20-11157 (CSS) (Bankruptcy Case);
- 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;
- In the Matter of SCAQMD v. Torrance Refining Company, LLC, SCAQMD Hearing Board Case No. 6060-5 (Order for Abatement);
- CalPortland Company v. South Coast Air Quality Management District; Governing Board of the South Coast Air Quality Management District; and Wayne Nastri, Executive Officer, and Does 1-100, San Bernardino County Superior Court, Case No. CIV DS 1925894;
- SCAQMD, et al. v. Elaine L. Chao, et al., District Court for the District of Columbia, Case No. 1:19-cv-03436-KBJ;
- SCAQMD, et al. v. EPA, United States Court of Appeals, D.C. Circuit, Case No. 19-1241 (consolidated with Union of Concerned Scientists v. NHTSA, No. 19-1230);
- SCAQMD, et al. v. NHTSA, EPA, et al., United States Court of Appeals, D.C. Circuit, Filed May 28, 2020;
- Natural Resources Defense Council, et al. v. City of Los Angeles, et al., San Diego Superior Court, Case No. 37-2021-00023385-CU-TT-CTL (China Shipping Case) (transferred from Los Angeles Superior Court, Case No. 20STCP02985);
- Terry Lee Williams v. SCAQMD, Los Angeles Superior Court Case No. 19STCV37587; and
- California Trucking Association v. South Coast Air Quality Management; the Governing Board of the South Coast Air Quality Management District; and Does 1 through 25, inclusive, Case No.: 2:21-cv-06341.

CONFERENCE WITH LEGAL COUNSEL – INITIATING LITIGATION

It is also necessary for the Board to recess to closed session pursuant to Government Code section 54956.9(a) and 54956.9(d)(4) to consider initiation of litigation (four cases).

People of the State of California v. City of Fontana, San Bernardino Superior Court, Case No. CIVSB2121829.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Also, it is necessary for the Board to recess to closed session pursuant to Government Code section 54956.9(d)(2) to confer with its counsel because there is a significant exposure to litigation against the SCAQMD (two cases).

Letter from Steven J. Olson, O'Melveny & Myers LLP, on behalf of ExxonMobil Corporation, dated August 22, 2018.

CONFERENCE WITH LABOR NEGOTIATORS

It is also necessary to recess to closed session pursuant to Government Code Section 54957.6 to confer with labor negotiators:

- Agency Designated Representative: A. John Olvera, Deputy Executive Officer – Administrative & Human Resources;
- Employee Organization(s): Teamsters Local 911, and South Coast AQMD Professional Employees Association; and
- Unrepresented Employees: Designated Deputies and Management and Confidential employees.

ADJOURNMENT

*****PUBLIC COMMENTS*****

Members of the public are afforded an opportunity to speak on any agenda item before consideration of that item. Persons wishing to speak may do so in person or remotely via Zoom or telephone. To provide public comments via a Desktop/Laptop or Smartphone, click on the "Raise Hand" at the bottom of the screen, or if participating via Dial-in/Telephone Press *9. This will signal to the host that you would like to provide a public comment and you will be added to the list.

All agendas are posted at South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, at least 72 hours in advance of the meeting. At the beginning of the agenda, an opportunity is also provided for the public to speak on any subject within the South Coast AQMD's authority. Speakers may be limited to a total of three (3) minutes for the entirety of the Consent Calendar plus Board Calendar, and three (3) minutes or less for each of the other agenda items.

Note that on items listed on the Consent Calendar and the balance of the agenda any motion, including action, can be taken (consideration is not limited to listed recommended actions). Additional matters can be added and action taken by two-thirds vote, or in the case of an emergency, by a majority vote. Matters raised under the Public Comment Period may not be acted upon at that meeting other than as provided above.

Written comments will be accepted by the Board and made part of the record. Individuals who wish to submit written or electronic comments must submit such comments to the Clerk of the Board, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765-4178, (909) 396-2500, or to cob@aqmd.gov, on or before 5:00 p.m. on the Tuesday prior to the Board meeting.

ACRONYMS

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| AQ-SPEC = Air Quality Sensor Performance Evaluation Center | NESHAPS = National Emission Standards for Hazardous Air Pollutants |
| AQIP = Air Quality Investment Program | NGV = Natural Gas Vehicle |
| AQMP = Air Quality Management Plan | NOx = Oxides of Nitrogen |
| AVR = Average Vehicle Ridership | NSPS = New Source Performance Standards |
| BACT = Best Available Control Technology | NSR = New Source Review |
| BARCT = Best Available Retrofit Control Technology | OEHHA = Office of Environmental Health Hazard Assessment |
| Cal/EPA = California Environmental Protection Agency | PAMS = Photochemical Assessment Monitoring Stations |
| CARB = California Air Resources Board | PEV = Plug-In Electric Vehicle |
| CEMS = Continuous Emissions Monitoring Systems | PHEV = Plug-In Hybrid Electric Vehicle |
| CEC = California Energy Commission | PM10 = Particulate Matter \leq 10 microns |
| CEQA = California Environmental Quality Act | PM2.5 = Particulate Matter \leq 2.5 microns |
| CE-CERT =College of Engineering-Center for Environmental Research and Technology | RECLAIM=Regional Clean Air Incentives Market |
| CNG = Compressed Natural Gas | RFP = Request for Proposals |
| CO = Carbon Monoxide | RFQ = Request for Quotations |
| DOE = Department of Energy | RFQQ=Request for Qualifications and Quotations |
| EV = Electric Vehicle | SCAG = Southern California Association of Governments |
| EV/BEV = Electric Vehicle/Battery Electric Vehicle | SIP = State Implementation Plan |
| FY = Fiscal Year | SOx = Oxides of Sulfur |
| GHG = Greenhouse Gas | SOON = Surplus Off-Road Opt-In for NOx |
| HRA = Health Risk Assessment | SULEV = Super Ultra Low Emission Vehicle |
| LEV = Low Emission Vehicle | TCM = Transportation Control Measure |
| LNG = Liquefied Natural Gas | ULEV = Ultra Low Emission Vehicle |
| MATES = Multiple Air Toxics Exposure Study | U.S. EPA = United States Environmental Protection Agency |
| MOU = Memorandum of Understanding | VOC = Volatile Organic Compound |
| MSERCs = Mobile Source Emission Reduction Credits | ZEV = Zero Emission Vehicle |
| MSRC = Mobile Source (Air Pollution Reduction) Review Committee | |
| NATTS =National Air Toxics Trends Station | |

INSTRUCTIONS FOR ELECTRONIC PARTICIPATION

Instructions for Participating in a Virtual Meeting as an Attendee

As an attendee, you will have the opportunity to virtually raise your hand and provide public comment.

Before joining the call, please silence your other communication devices such as your cell or desk phone. This will prevent any feedback or interruptions during the meeting.

Please note: During the meeting, all participants will be placed on Mute by the host. You will not be able to mute or unmute your lines manually.

After each agenda item, the Chairman will announce public comment.

Speakers may be limited to a total of 3 minutes for the entirety of the consent calendar plus board calendar, and three minutes or less for each of the other agenda items.

A countdown timer will be displayed on the screen for each public comment.

If interpretation is needed, more time will be allotted.

Once you raise your hand to provide public comment, your name will be added to the speaker list. Your name will be called when it is your turn to comment. The host will then unmute your line.

Directions for Video ZOOM on a DESKTOP/LAPTOP:

- If you would like to make a public comment, please click on the **“Raise Hand”** button on the bottom of the screen.
- This will signal to the host that you would like to provide a public comment and you will be added to the list.

Directions for Video Zoom on a SMARTPHONE:

- If you would like to make a public comment, please click on the **“Raise Hand”** button on the bottom of your screen.
- This will signal to the host that you would like to provide a public comment and you will be added to the list.

Directions for TELEPHONE line only:

- If you would like to make public comment, please **dial *9** on your keypad to signal that you would like to comment.