



# South Coast Air Quality Management District

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

## **R E V I S E D A G E N D A**

**MEETING, JUNE 4, 2021**

**A meeting of the South Coast Air Quality Management District Board will be held at 9:00 AM.**

**Pursuant to Governor Newsom's Executive Orders N-25-20 (March 12, 2020) and N-29-20 (March 17, 2020), the Governing Board meeting will only be conducted via video conferencing and by telephone. Please follow the instructions below to join the meeting remotely.**

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

**Join Zoom Meeting - from PC, Laptop or Phone**

<https://scagmd.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#

### **Spanish Language Only Audience (telephone)**

**Número Telefónico para la Audiencia de Habla Hispana**

**Teleconference Dial In/Numero para llamar: +1 669 900 6833**

**Meeting ID/Identificación de la reunión: 932 0955 9643**

**One tap mobile: +16699006833,,93209559643#**

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

**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

### **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 at South Coast AQMD's web page ([www.aqmd.gov](http://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](mailto:cob@aqmd.gov)

**A webcast of the meeting is available for viewing at:**

<http://www.aqmd.gov/home/news-events/webcast>

*Cleaning the air that we breathe...*

## **CALL TO ORDER**

- Pledge of Allegiance
- Swearing in of Newly Appointed Board Member **Benoit**  
Veronica Padilla-Campos
- Roll Call
- Opening Comments: Ben Benoit, Chair  
Other Board Members  
Wayne Nastri, Executive Officer
- Presentation: Air Pollution Triggers Gene Expression Changes **Dr. Keith Black**  
In Transgenic Alzheimer's Mice Brains

**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.

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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 May 7, 2021 Board Meeting **Thomas/3268**
2. Set Public Hearing August 6, 2021 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations **Nastri/3131**  
  
Set Public Hearing August 6, 2021 to Determine That **Nakamura/3105**  
Proposed Rule 1147.1 – NOx Reductions from Aggregate Dryers, Is Exempt from CEQA and Adopt Rule 1147.1  
  
The adopted Resolution of the Final 2016 AQMP directed staff to achieve additional NOx reductions and to transition the NOx RECLAIM program to a command-and-control regulatory structure as soon as practicable. Proposed Rule 1147.1 (PR 1147.1) will establish NOx and CO emission limits for aggregate dryers at non-RECLAIM, RECLAIM, and former RECLAIM facilities. PR 1147.1 also includes provisions for emissions monitoring, reporting, and recordkeeping. This action is to adopt the Resolution: 1) Determining that Proposed Rule 1147.1 – NOx Reductions from Aggregate Dryers, is exempt from the requirements of the California Environmental Quality Act; and 2) Adopting Rule 1147.1 – NOx Reductions from Aggregate Dryers. (Review: Stationary Source Committee, June 18, 2021)

**Items 3 through 15 Budget/Fiscal Impact**

3. Adopt Resolution Recognizing Funds for FY 2020-21 Carl Moyer State Reserve Program **Miyasato/3249**

In April 2021, CARB approved the final allocations for the FY 2020-21 Carl Moyer "Year 23" State Reserve Program, including \$3,753,310 to the South Coast AQMD for battery charging and hydrogen fueling infrastructure projects eligible pursuant to the Carl Moyer Program. This action is to adopt a resolution recognizing up to \$3.8 million in FY 2020-21 Carl Moyer State Reserve funds from CARB for the implementation of infrastructure projects supporting zero emission vehicles within the South Coast AQMD. (Reviewed: Technology Committee, May 21, 2021; Recommended for Approval)

4. Recognize Revenue and Execute Contract for Class 8 Fuel Cell Truck Demonstration **Miyasato/3249**

South Coast AQMD has been awarded \$500,000 from U.S. EPA to develop and demonstrate two class 8 hydrogen fuel cell trucks with Hyundai Motor Company. These actions are to recognize revenue, upon receipt, of \$500,000 from the U.S. EPA FY21 Clean Air Technology Initiative Program into the Clean Fuels Program Fund (31) and execute a contract with Hyundai Motor Company in an amount not to exceed \$500,000 from the Clean Fuels Program Fund (31). (Reviewed: Technology Committee, May 21, 2021; Recommended for Approval)

5. Recognize Revenue, Transfer Funds, and Execute Contracts to Deploy 100 Battery Electric Drayage Trucks as part of CARB and CEC Pilot Project **Miyasato/3249**

CARB and CEC awarded South Coast AQMD \$16,019,316 and \$10,964,955 respectively for a Zero-Emission Drayage Truck and Infrastructure Pilot Project. The project will deploy 100 Daimler and Volvo Class 8 battery electric trucks, charging infrastructure, and distributed energy resource technologies at two fleets in disadvantaged communities. These actions, detailed below, are to recognize revenue and co-funding from CARB, CEC and partners into the GHG Reduction Projects Special Revenue Fund (67); transfer funds as part of our cost share and partner cost share, and as a temporary loan from the Clean Fuels Program Fund (31); return unspent funds to the Clean Fuels Fund upon project completion; authorize the Executive Officer to execute contracts to implement this project; and reimburse the General Fund for administrative costs. (Reviewed: Technology Committee, May 21, 2021; Recommended for Approval)

6. **Recognize Revenue and Reimburse General Fund for Administrative Costs for Enhanced Fleet Modernization Program** **Miyasato/3249**

Since 2015, the South Coast AQMD has been implementing an Enhanced Fleet Modernization Program (EFMP), branded as Replace Your Ride. For FY 2020-21, CARB allocated \$1.4 million in AB 118 funds to the South Coast AQMD for the continued implementation of the EFMP. These actions are to: 1) recognize up to \$1.4 million from CARB; 2) approve vouchers and other alternative mobility options until all available funds are exhausted; and 3) reimburse the General Fund for administrative costs necessary to implement the EFMP. (Reviewed: Technology Committee, May 21, 2021; Recommended for Approval)

7. **Issue Program Announcement for Combustion Freight and Marine Projects Category Under Statewide Volkswagen Environmental Mitigation Trust Program** **Miyasato/3249**

In December 2019, the Board approved release of a Program Announcement to solicit projects for the Combustion Freight and Marine Projects category considering the first installment of funds totaling \$30 million. This competitive solicitation resulted in approximately \$3.98 million in awarded projects. In an effort to increase participation, CARB and South Coast AQMD propose to release a second solicitation allowing equipment owners to apply on a first-come, first-served basis, however the funding amounts will remain the same. This action is to issue a statewide Program Announcement for the Combustion Freight and Marine Projects category totaling \$26,019,762 for eligible equipment selected on a first-come, first-served basis. This action is also to authorize the Executive Officer to enter into contracts for eligible projects selected through this solicitation. (Reviewed: Technology Committee, May 21, 2021; Recommended for Approval)

8. **Recognize Revenue, Transfer and Appropriate Funds, Issue a Solicitation and Execute Contracts and/or Purchase Orders to Meet Operational Needs for Rule 1180 and Community Scale Monitoring Programs** **Low/2269**

In June 2018, the Board created the Rule 1180 Special Revenue Fund (78) to establish community air monitoring near refineries. Also, the FY 2021-22 budget includes annual fees from refineries for community air monitoring of \$4.4 million. These actions are to: 1) transfer and appropriate funds of up to \$1,090,000 from the Rule 1180 Special Revenue Fund (78) and 2) appropriate up to \$970,000 from the General Fund to Science & Technology Advancement's (STA) FY 2021-22 Budget for Rule 1180 activities; 3) execute purchase orders for air monitoring equipment and supplies for the Rule 1180 community air monitoring network; 4) issue a solicitation for an independent audit of the Rule 1180 refinery fenceline and community air monitoring network; and 5) recognize revenue and appropriate up to \$60,000 from the EPA Section 103 Community-Scale Air Toxics grant to STA's FY 2021-22 Budget Service & Supplies and Capital Outlays Major Objects. (Reviewed: Administrative Committee, May 14, 2021; Recommended for Approval)

9. **Recognize Revenue for Continued AB 617 Implementation** **Jain/2804**

The South Coast AQMD was approved for a \$21,880,000 grant under the Community Air Protection Program from CARB. In May 2021, the Board recognized \$19,324,580 for continued AB 617 implementation. This action is to recognize up to an additional \$2,555,420 from CARB into the General Fund for AB 617. (No Committee Review)
10. **Remove Various Fixed Assets from South Coast AQMD Inventory** **Jain/2804**

South Coast AQMD Administrative Policies and Procedures No. 20 requires each organizational unit to review fixed assets for obsolescence and disposal every six months. This action is to approve removal of surplus equipment and motor vehicles determined to be obsolete, non-operational and not worth repairing. (Reviewed: Administrative Committee, May 14, 2021; Recommended for Approval)
11. **Authorize Cooperative Purchasing Agreement for Printing Equipment and Multi-Function Devices** **Olvera/2309**

South Coast AQMD's printing equipment and multi-function devices contract is set to expire on December 31, 2021. The current provider has offered a proposal that ends the existing contract early, with no penalty or costs, and updates existing equipment, multi-function devices, and related software, which will result in cost-savings to South Coast AQMD. This action is for authorization to terminate the existing contract with MRC Smart Technology Solutions, a Xerox company, and execute a new five-year lease and maintenance agreement with the same vendor, beginning July 1, 2021 to June 30, 2026, for a total amount not to exceed \$802,000, utilizing a cooperative purchase program. Funding has been included in the FY 2021-22 budget and will be requested in successive fiscal years. (Reviewed: Administrative Committee, May 14, 2021; Recommended for Approval)
12. **Establish List of Prequalified Vendors for Janitorial Supplies** **Olvera/2309**

On March 5, 2021, the Board approved the release of an RFQ to prequalify vendors for janitorial supplies. This action is to establish a list of prequalified vendors for janitorial supplies for a period of three years. Funds for services using this prequalified vendor list have been included in the FY 2020-21 Budget and will be requested in successive fiscal years. (Reviewed: Administrative Committee, May 14, 2021; Recommended for Approval)
13. **Transfer and Appropriate Funds and Execute Contract for Cybersecurity Assessment** **Moskowitz/3329**

On March 5, 2021, the Board approved the release of an RFP to perform a comprehensive cybersecurity assessment. This action is to transfer and appropriate funds from the General Fund Undesignated (Unassigned) Fund Balance to Information Management's FY 2020-21 or FY 2021-22 Budget and authorize the execution of a contract with the selected vendor, Securance Consulting, in the amount of \$71,796. (Reviewed: Administrative Committee, May 14, 2021; Recommended for Approval)

14. **Appoint Members to South Coast AQMD Hearing Board** **Thomas/3268**

The terms of office for the Hearing Board Attorney Member, Engineer Member and their alternates expire on June 30, 2021. A recruitment was opened from November 13, 2020 through January 8, 2021 to seek candidates for appointment to the new term beginning July 1, 2021 through June 30, 2024. An Advisory Committee appointed by some members of the Governing Board evaluated and ranked each candidate and recommended the top four attorney candidates and top four engineer candidates be interviewed by the Administrative Committee. The Administrative Committee interviewed the candidates at its meeting on May 14, 2021 and made a final recommendation. This action is to appoint members for the July 1, 2021 to June 30, 2024 term. (Reviewed: Administrative Committee, May 14, 2021; Recommended for Approval)

15. **Approve Award as Approved by MSRC** **McCallon**

As part of their FYs 2018-21 Work Program, the MSRC approved an award to provide special transit service to the 2022 Orange County Fair. (Reviewed: Mobile Source Air Pollution Reduction Committee, May 20, 2021; Recommended for Approval)

**Items 16 through 21 - Information Only/Receive and File**

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

This report highlights the April 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)

17. **Hearing Board Report** **Balogopalan/2500**

This reports the actions taken by the Hearing Board during the period of April 1 through April 30, 2021. (No Committee Review)

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

This reports the monthly penalties from April 1, 2021 through April 30, 2021, and legal actions filed by the General Counsel's Office from April 1, through April 30, 2021. An Index of South Coast AQMD Rules is attached with the penalty report. (Reviewed: Stationary Source Committee, May 21, 2021)

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

This report provides a listing of CEQA documents received by the South Coast AQMD between April 1, 2021 and April 30, 2021, and those projects for which the South Coast AQMD is acting as lead agency pursuant to CEQA. (No Committee Review)

20. Rule and Control Measure Forecast **Rees/2856**
- This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2021. (No Committee Review)
21. 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 item is to provide the monthly status report on major automation contracts and planned projects. (Reviewed: Administrative Committee, May 14, 2021)

**Item 22 - Staff Presentation/Board Discussion**

22. 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, May 14, 2021) (Receive & File)

**Items 23 through 29 - Reports for Committees and CARB**

*Note: The May 21, 2021 meeting of the Mobile Source Committee was canceled. The next meeting of the Mobile Source Committee is scheduled for June 18, 2021.*

23. Administrative Committee (Receive & File) **Chair: Benoit Nastri/3131**
24. Investment Oversight Committee (Receive & File) **Chair: Cacciotti Jain/2804**
25. Legislative Committee **Chair: Cacciotti Alatorre/3122**

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

<b>Agenda Item</b>	<b>Recommendation</b>
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AB 1260 (Chen) California Environmental Quality Act: exemptions: transportation-related projects	No Position
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AB 1346 (Berman) Air pollution: Support small off-road engines	
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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. | <u>Items Deferred from Consent and Board Calendars</u>                  |                       |                  |

## **PUBLIC HEARINGS**

- |     |  |               |
|-----|--|---------------|
| 31. | Determine That Proposed Amendments to Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium, Are Exempt from CEQA, and Amend Rule 1469.1 ( <b><i>Continued from May 7, 2021 Board meeting</i></b> )   | Nakamura/3105 |
|     | <p>Proposed Amended Rule 1469.1 would further reduce hexavalent chromium emissions from chromate spray coating operations by including requirements for other related activities such as dried coating removal and demasking, enhancing the point source requirements, enhancing parameter monitoring requirements for air pollution controls, and further minimizing the release of fugitive emissions through additional requirements for building enclosure, housekeeping, and best management practices. The proposed amendments would also remove outdated definitions and provisions. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium, are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium. (Reviewed: Stationary Source Committee, March 19, 2021)</p> |               |
| 32. | Determine That Proposed Amendments to Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants, Are Exempt from CEQA; and Amend Rule 1466   | Nakamura/3105 |
|     | <p>Rule 1466 seeks to minimize the amount of off-site fugitive dust emissions containing toxic air contaminants by reducing particulate emissions in the ambient air as a result of earth-moving activities. Proposed Amended Rule 1466 will clarify and streamline existing provisions, update monitoring requirements, enhance dust control measures, revise alternative provisions, and add additional notification and recordkeeping requirements. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants. (Reviewed: Stationary Source Committee, March 19, 2021)</p>   |               |



33. **Certification of Nonattainment New Source Review and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard** **Rees/2856**

South Coast Air Basin and Coachella Valley are designated as Extreme and Severe nonattainment areas, respectively, for the 2015 8-hour ozone standard. For these nonattainment areas, U.S. EPA requires submittal of a nonattainment new source review (NSR) plan or plan revision. South Coast AQMD's existing SIP-approved nonattainment NSR program, which covers both the South Coast Air Basin and Coachella Valley and applies to new major stationary sources or major modifications to existing sources, satisfies this requirement. Therefore, no changes to the existing NSR program are needed to comply with the 2015 ozone standard nonattainment NSR requirements. For Extreme ozone nonattainment areas, the Clean Air Act also requires the use of clean fuels or advanced control technologies for electric utility and industrial and commercial boilers that emit more than 25 tons of NOx per year. This requirement is fulfilled through South Coast AQMD's existing rules which regulate NOx emissions from existing, new or modified boilers. This action is to adopt the Resolution: 1) Certifying the Nonattainment NSR and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard; and 2) Directing staff to forward the Certification to CARB for approval and subsequent submission to U.S. EPA for inclusion in the SIP. (Reviewed: Stationary Source Committee, May 21, 2021)

34. **Determine That 2021 PM10 Maintenance Plan for South Coast Air Basin Is Exempt from CEQA and Approve 2021 PM10 Maintenance Plan for South Coast Air Basin** **Ghosh/2582**

The South Coast Air Basin was designated as attainment for the 24-hour average PM10 National Ambient Air Quality Standard (NAAQS) by U.S. EPA in July 2013. A PM10 maintenance plan was submitted to U.S. EPA on April 28, 2010, which was approved as part of the redesignation. The Clean Air Act also requires that the State submit a subsequent maintenance plan eight years after an attainment redesignation to provide for maintenance of the NAAQS for the next 10 years after the period covered by the first maintenance plan (2023-2033). This 2021 PM10 Maintenance Plan includes a maintenance demonstration that the South Coast Air Basin will continue to attain the standard, verification of continued attainment, a commitment to a future monitoring network, a contingency plan, and provisions for contingency plan implementation. This plan also includes a description of PM10 sources, concentration trends, and emissions controls and an analysis of past NAAQS exceedances during the first maintenance period. This action is to adopt the Resolution: 1) Determining that the 2021 PM10 Maintenance Plan for the South Coast Air Basin is exempt from the requirements of the California Environmental Quality Act; and 2) Approving the 2021 PM10 Maintenance Plan for the South Coast Air Basin, and directing staff to forward to CARB for approval and submission to U.S. EPA for inclusion in the SIP. (No Committee Review)

35. Determine That Proposed Amendments to Eastern Coachella Valley Community Emissions Reduction Plan Amendments are Exempt from CEQA, and Amend Adopt Eastern Coachella Valley Community Emissions Reduction Plan Amendments Ghosh/2582

Assembly Bill (AB) 617 requires CARB to select communities for the preparation of Community Emissions Reduction Plans (CERPs) and air districts with a selected community to adopt the CERP within one year of selection. CARB selected the Eastern Coachella Valley (ECV) community in December 2019, and the South Coast AQMD Board adopted the AB 617 ECV CERP in December 2020. The Board directed staff to provide additional details on the AB 617 ECV CERP monitoring objectives, collaborations with other entities, incentive strategies, and other emission reduction strategies developed by the Community Steering Committee (CSC) by June 30, 2021. Since December 2020, staff has held more than ~~20~~ 30 meetings with CSC members to develop additional details that further address the CSC's air quality priorities for the AB 617 ECV CERP. This action is to: 1) Determine that the proposed amendments to the AB 617 ECV CERP Amendments are exempt from the requirements of the California Environmental Quality Act; and 2) ~~Adopt Amend~~ the AB 617 ECV CERP ~~Amendments~~. (Reviewed: Stationary Source Committee, May 21, 2021)

#### **OTHER BUSINESS – Board Member Assistants and Board Member Consultants Contracts for FY 2021-22**

36. Approve Compensation Adjustments for Board Member Assistants and Board Member Consultants for FY 2021-22 Jain/2804
- The Board Member Assistant and Board Member Consultant compensation is proposed to be amended to adjust the compensation level the South Coast AQMD may make per Board Member, per fiscal year, based on the Board approved assignment-of-points methodology. The points are calculated based on the level of complexity, number of meetings, and role. (No Committee Review)

#### **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);
- Communities for a Better Environment v. South Coast Air Quality Management District, Los Angeles Superior Court Case No. 19STCP05239 (Tesoro II);
- 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;
- 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 Natri, Executive Officer, and Does 1-100, San Bernardino County Superior Court, Case No. CIV DS 19258941;
- Downwinders at Risk et al. v. EPA, United States Court of Appeals, Ninth Circuit, Case No. 19-1024 (consolidated with Sierra Club, et al. v. EPA, No. 15-1465);
- 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; and
- SCAQMD v. City of Los Angeles, Los Angeles City Council, City of LA Harbor Dept., LA Board of Harbor Commissioners, et al. Los Angeles Superior Court, Case No. 20STCP02985.

#### **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).

#### **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.

#### **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 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](mailto:cob@aqmd.gov), on or before 5:00 p.m. on the Tuesday prior to the Board meeting.

**ACRONYMS**

AQ-SPEC = Air Quality Sensor Performance  
Evaluation Center

AQIP = Air Quality Investment Program

AQMP = Air Quality Management Plan

AVR = Average Vehicle Ridership

BACT = Best Available Control Technology

BARCT = Best Available Retrofit Control Technology

Cal/EPA = California Environmental Protection Agency

CARB = California Air Resources Board

CEMS = Continuous Emissions Monitoring Systems

CEC = California Energy Commission

CEQA = California Environmental Quality Act

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

CNG = Compressed Natural Gas

CO = Carbon Monoxide

DOE = Department of Energy

EV = Electric Vehicle

EV/BEV = Electric Vehicle/Battery Electric Vehicle

FY = Fiscal Year

GHG = Greenhouse Gas

HRA = Health Risk Assessment

LEV = Low Emission Vehicle

LNG = Liquefied Natural Gas

MATES = Multiple Air Toxics Exposure Study

MOU = Memorandum of Understanding

MSERCs = Mobile Source Emission Reduction Credits

MSRC = Mobile Source (Air Pollution Reduction) Review  
Committee

NATTS = National Air Toxics Trends Station

NESHAPS = National Emission Standards for  
Hazardous Air Pollutants

NGV = Natural Gas Vehicle

NOx = Oxides of Nitrogen

NSPS = New Source Performance Standards

NSR = New Source Review

OEHA = Office of Environmental Health Hazard  
Assessment

PAMS = Photochemical Assessment Monitoring  
Stations

PEV = Plug-In Electric Vehicle

PHEV = Plug-In Hybrid Electric Vehicle

PM10 = Particulate Matter  $\leq$  10 microns

PM2.5 = Particulate Matter  $\leq$  2.5 microns

RECLAIM = Regional Clean Air Incentives Market

RFP = Request for Proposals

RFQ = Request for Quotations

RFQQ = Request for Qualifications and Quotations

SCAG = Southern California Association of Governments

SIP = State Implementation Plan

SOx = Oxides of Sulfur

SOON = Surplus Off-Road Opt-In for NOx

SULEV = Super Ultra Low Emission Vehicle

TCM = Transportation Control Measure

ULEV = Ultra Low Emission Vehicle

U.S. EPA = United States Environmental Protection  
Agency

VOC = Volatile Organic Compound

ZEV = Zero Emission Vehicle

## **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.

#### **For language interpretation:**

Click the interpretation Globe icon at the bottom of the screen

Select the language you want to hear (either English or Spanish)

Click "Mute Original Audio" if you hear both languages at the same time.

#### **Para interpretación de idiomas:**

Haga clic en el icono de interpretación el globo terráqueo en la parte inferior de la pantalla

Seleccione el idioma que desea escuchar (inglés o español)

Haga clic en "Silenciar audio original" si escucha ambos idiomas al mismo tiempo.

**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.

#### **Directions for Spanish Language TELEPHONE line only:**

- The call in number is the same.
- The meeting ID number is 932-0955-9643
- If you would like to make public comment, please **dial \*9** on your keypad to signal that you would like to comment.

#### **Instrucciones para la línea de TELÉFONO en español únicamente:**

- El número de llamada es el mismo (+1 669900 6833 o +1 253215 8782).
- El número de identificación de la reunión es 932-0955-9643
- Si desea hacer un comentario público, marque \*9 en su teclado para indicar que desea comentar.