



# 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, MAY 7, 2021

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

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://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,,97364562763# 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
- Roll Call
- Swearing in of Chair and Vice Chair for Term May 2021 to January 2022 **Burke**
- Retirement Presentation to William A. Burke, Ed.D.
- Opening Comments: Ben Benoit, Chair  
Other Board Members  
Wayne Nastri, Executive Officer
- Presentation: Air Pollution Triggers Gene Expression Changes In Transgenic Alzheimer’s Mice Brains **Dr. Keith Black**

**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 23)**

Note: Consent and Board Calendar items held for discussion will be moved to Item No. 24.

1. Approve Minutes of April 2, 2021 Board Meeting **Thomas/3268**
2. Set Public Hearings June 4, 2021 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations **Nastri/3131**
  - A. 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**

Proposed Amended Rule 1466 will clarify and streamline existing provisions, update monitoring requirements, enhance specific 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)

**B. 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 (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 NSR plan or plan revision. South Coast AQMD's existing SIP-approved nonattainment NSR program, which covers both the 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 Rule 1146, NOx RECLAIM program (Rule 2002 and Rule 2004), and Rule 1303 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. (Review: Stationary Source Committee, May 21, 2021)

**C. 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 on July 26, 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 a further 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 along with 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. (Review: Mobile Source Committee May 21, 2021)

**Items 3 through 9 Budget/Fiscal Impact**

3. **Execute Contract for Global Positioning Systems Installation and Monitoring, Amend Awards for Carl Moyer and Community Air Protection Programs and Appropriate Funds for Proposition 1B - Goods Movement Emission Reduction and Lower Emission School Bus Programs** **Miyasato/3249**

To enhance enforcement of projects funded under the Carl Moyer Program, Global Positioning System (GPS) units are installed on marine vessels to monitor operations in the South Coast AQMD. On August 7, 2020, the Board approved the release of a Request for Proposals (RFP #P2021-01) to solicit bids from qualified GPS vendors. This action is to execute a contract for the installation of GPS units on incentive program-funded equipment and provide GPS data monitoring services in an amount not to exceed \$400,000 from the administrative portions of the Carl Moyer Program SB 1107 Fund (32) and Community Air Protection Fund (77). This action is to also amend awards under the Carl Moyer Program and Community Air Protection Program (CAPP). Lastly, this action is to appropriate up to \$75,200 and up to \$60,300 from the administrative portions of the Prop 1B Special Revenue Fund (81) and Carl Moyer AB 923 Special Revenue Fund (80), respectively, into Information Management's FYs 2020-21 and/or 2021-22 Budgets, Professional and Special Services and/or Capital Outlays Major Objects and reimburse the General Fund (01) using administrative funds, for development of the Grant Management Systems (GMS). (Reviewed: Technology Committee, April 16, 2021; Recommended for Approval)

4. **Amend Contracts to Develop and Demonstrate Zero Emission Drayage Trucks and Add Funds for Administrative Assistance** **Miyasato/3249**

In March 2016, the Board approved execution of contracts for the Zero Emission Drayage Truck (ZEDT) project. CARB and South Coast AQMD staff propose to change scope and redistribute funds between Peterbilt and Volvo to assure project goals are met. This action is to authorize the Executive Officer to add \$1,254,491 to Volvo Technology of America, LLC contract to deploy two Class 8 battery electric trucks and charging infrastructure and reduce \$1,000,000 from Peterbilt Motors contract for the elimination of two Class 8 battery electric drayage trucks and add \$141,255 to a project implementation assistance contract to ensure completion of the ZEDT and Volvo LIGHTS projects, all from the Greenhouse Gas Reduction Projects Special Revenue Fund (67). (Reviewed: Technology Committee, April 16, 2021; Recommended for Approval)

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

South Coast AQMD is expected to receive grant funds up to \$703,945 from U.S. EPA for the PM2.5 Program and up to \$2,100,000 from the U.S. Government for the Enhanced Particulate Monitoring Program. In October 2016, the Board recognized revenue from U.S. EPA through its Science to Achieve Results (STAR) research grant program to engage, educate and empower California communities on the use and application of low-cost air monitoring sensors. These actions are to recognize revenue and appropriate funds for the PM2.5 and Enhanced Particulate Monitoring Programs, transfer up to \$350,000 between Major Objects in Science & Technology Advancement's FY 2021-22 Budget to realign expenditures for the Enhanced Particulate Monitoring Program, transfer and/or appropriate up to \$124,792 between Major Objects for the STAR program, issue an RFQ and purchase orders for air monitoring equipment and one vehicle, and execute a contract. (Reviewed: Administrative Committee, April 9, 2021; Recommended for Approval)
  
6. **Execute Contract to Upgrade Real-time Public Alerts of Hydrogen Sulfide Events in Coachella Valley** **Ghosh/2582**

In response to odor events related to the Salton Sea, South Coast AQMD began continuous measurements of hydrogen sulfide (H<sub>2</sub>S) at two Coachella Valley locations in November 2013. In 2017, South Coast AQMD contracted with Sonoma Technology, Inc. (STI) to implement an automated real-time email and text alert system to provide H<sub>2</sub>S exceedance notifications. To better capture H<sub>2</sub>S events, up to three additional H<sub>2</sub>S monitors are planned for the region. This action is to execute a contract with STI to perform technical upgrades, integrate data from additional monitors, and maintain a real-time alert system for H<sub>2</sub>S in the Coachella Valley at a cost not to exceed \$77,300 from the AES Settlement Projects Fund (35). (Reviewed: Administrative Committee, April 9, 2021; Recommended for Approval)
  
7. **Establish Lists of Prequalified Counsel to Represent and Advise South Coast AQMD on Legal Matters Related to Environmental Law and General Matters** **Gilchrist/3459**

On January 8, 2021 the Board approved issuance of an RFP to pre-qualify outside counsel having expertise in the California Environmental Quality Act, South Coast AQMD rulemaking and planning procedures, administrative law, and related issues for South Coast AQMD. The evaluation of responding firms has been completed. This action is to establish two lists of prequalified counsel - one to represent South Coast AQMD in environmental law matters, and one to represent South Coast AQMD in general governmental matters. (Reviewed: Administrative Committee, April 9, 2021; Recommended for Approval)

8. **Authorize Purchase of OnBase Software Support** **Moskowitz/3329**

South Coast AQMD uses OnBase software for its electronic document management system to manage critical documents and to support the Record Retention Policy. Software subscription and support for OnBase expires on July 31, 2021. This action is to obtain approval for sole source purchase of OnBase software subscription and support for one year from Information Management's FY 2020-21 Budget. Funds for this purchase (\$140,000) are conditional on approval of the Proposed FY 2021-22 Budget. (Reviewed: Administrative Committee, April 9, 2021; Recommended for Approval)

9. **Approve Award Modification as Approved by MSRC** **McCallon**

The Mobile Source Air Pollution Reduction Review Committee (MSRC) approved the modification of an award under the FYs 2016-18 Work Program. At this time the MSRC seeks Board approval of the modification as part of the FYs 2016-18 Work Program. (Reviewed: Mobile Source Air Pollution Reduction Committee, April 15, 2021; Recommended for Approval)

**Items 10 through 15 - Information Only/Receive and File**

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

This report highlights the March 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)

11. **Hearing Board Report** **Prussack/2500**

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

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

This reports the monthly penalties from March 1, 2021 through March 31, 2021, and legal actions filed by the General Counsel's Office from March 1 through March 31, 2021. An Index of South Coast AQMD Rules is attached with the penalty report. (Reviewed: Stationary Source Committee, April 16, 2021)

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

This report provides a listing of CEQA documents received by the South Coast AQMD between March 1, 2021 and March 31, 2021, and those projects for which the South Coast AQMD is acting as lead agency pursuant to CEQA. (Reviewed: Mobile Source Committee, April 16, 2021)

14. Rule and Control Measure Forecast **Rees/2856**  
This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2021. (No Committee Review)
15. 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, April 9, 2021)

**Item 16 - Staff Presentation/Board Discussion**

16. 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, April 9, 2021) (Receive & File)

**Items 17 through 23 - Reports for Committees and CARB**

17. Administrative Committee (Receive & File) **Chair: Burke Nastri/3131**
18. Legislative Committee **Chair: Cacciotti Alatorre/3122**

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

<b>Agenda Item</b>	<b>Recommendation</b>
AB 365 (O'Donnell) Sales and use taxes: exclusion: zero-emission and near-zero-emission drayage trucks	Support
AB 762 (Lee) Hazardous emissions and substances: school sites: private and charter schools	Support
AB 1001 (C. Garcia) Environmental permitting and air pollution	Work With Author
SB 596 (Becker) Environmental permitting and air pollution	Oppose Unless Amended
HR 848 (Thompson) Growing Renewable Energy and Efficiency Now (GREEN) Act of 2021	Work With Author
HR 1512 (Pallone, Tonko, Rush) Climate Leadership and Environmental Action for our Nation's (CLEAN) Future Act	Work With Author

- |     |   |                       |               |
|-----|---|-----------------------|---------------|
| 19. | Mobile Source Committee (Receive & File)                                | Chair: Burke          | Rees/2856     |
| 20. | Stationary Source Committee (Receive & File)                            | Chair: Benoit         | Aspell/2491   |
| 21. | Technology Committee (Receive & File)                                   | Chair: Buscaino       | Miyasato/3249 |
| 22. | Mobile Source Air Pollution Reduction Review Committee (Receive & File) | Board Liaison: Benoit | Miyasato/3249 |
| 23. | California Air Resources Board Monthly Report (Receive & File)          | Board Rep: Kracov     | Thomas/2500   |
| 24. | <u>Items Deferred from Consent and Board Calendars</u>                  |                       |               |

## **PUBLIC HEARINGS**

- |     |  |               |
|-----|--|---------------|
| 25. | Adopt Executive Officer's FY 2021-22 Proposed Goals and Priority Objectives, and Proposed Budget.  | Jain/2804     |
|     | <p>The Executive Officer's Proposed Goals and Priority Objectives, and Proposed Budget for FY 2021-22 have been developed and are recommended for adoption. The Budget and Work Program for FY 2021-22 represents input over the past several months from Board members, staff, and the public. This year's process included two meetings of the Budget Advisory Committee and two budget workshops, one for the public on April 6, 2021 and one for the Board on April 9, 2021. The Proposed Budget incorporates, pursuant to Rule 320, an increase of most fees by 4.5 percent reflecting the Consumer Price Index from last year and this year. This action is to adopt the Executive Officer's Proposed Goals and Priority Objectives, and Proposed Budget for FY 2021-22. (Reviewed: Special Board Meeting/Budget Workshop, April 9, 2021)</p>  |               |
| 26. | Determine That Proposed Amendments to Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium, Are Exempt from CEQA, and Amend Rule 1469.1  | 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> |               |



27. Certify Final Environmental Assessment and Adopt Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions Program, and Proposed Rule 316 – Fees for Rule 2305, Submit Rule 2305 for Inclusion Into the SIP, and Approve Supporting Budget Actions Rees/2856

Proposed Rule 2305 will require warehouses greater than 100,000 square feet to directly reduce NOx and diesel PM, or to facilitate emission and exposure reductions of these pollutants. The Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program is a menu-based points system that will require warehouse operators to annually earn a specified number of points by completing actions from a menu. Menu items include acquiring or using: Near Zero Emissions (NZE) and/or Zero Emissions (ZE) on-road trucks, ZE cargo handling equipment, ZE charging/fueling infrastructure, solar panels, or particulate filters for nearby sensitive land uses. Alternatively, warehouse operators could prepare and implement a custom plan specific to their site, or they could pay a mitigation fee. Funds from the mitigation fee would be used through future solicitations and Board actions to incentivize the purchase of NZE or ZE trucks and ZE charging/fueling infrastructure in the communities near warehouses that paid the fee. Warehouse owners and operators would also have reporting and recordkeeping requirements. Proposed Rule 316 would establish fees for warehouse operators to fund South Coast AQMD compliance activities. This action is to: 1) Adopt the Resolution: A) Certifying the Final Environmental Assessment for Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions Program and Proposed Rule 316 – Fees for Rule 2305; B) Adopting Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions Program and Proposed Rule 316 – Fees for Rule 2305; C) Submitting Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions Program for inclusion into the SIP; 2) Establish the Rule 2305 Mitigation Fee Alternate Compliance Fund; and 3) Authorize the Executive Officer to recognize upon receipt mitigation fees paid by warehouse operators into the Rule 2305 Mitigation Fee Alternate Compliance Fund. (Reviewed: Mobile Source Committee, February 19, March 19 and April 16, 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);
- 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 Nistri, 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
- Association of Irrigated Residents v. U.S. EPA, SCAQMD, SJVUAPCD, et al., United States Court of Appeals, D.C. Circuit, Case No. 19-71223; 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 sections 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

OEHHA = 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.