

BOARD MEETING DATE: February 5, 2021

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the January 8, 2021 meeting.

RECOMMENDED ACTION:

Approve Minutes of the January 8, 2021 Board Meeting.

Faye Thomas
Clerk of the Boards

FT:cmw

FRIDAY, JANUARY 8, 2021

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

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

Supervisor Lisa A. Bartlett
County of Orange

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

Senator Vanessa Delgado (Ret.)
Senate Rules Committee Appointee

Gideon Kracov
Governor's Appointee

Supervisor Sheila Kuehl
County of Los Angeles

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

Supervisor V. Manuel Perez
County of Riverside

Mayor Pro Tem Carlos Rodriguez
Cities of Orange County

Supervisor Janice Rutherford
County of San Bernardino

Members absent:

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

Council Member Joe Buscaino
City of Los Angeles

Mayor Pro Tem Larry McCallon
Cities of San Bernardino County

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

- Pledge of Allegiance: Led by Board Member Kracov
- Swearing in of Newly Appointed Board Member Sheila Kuehl

Vice Chairman Benoit administered the oath of office to Supervisor Sheila Kuehl who was appointed to the Board by the Los Angeles County Board of Supervisors for a term ending January 15, 2023.

- Roll Call

Supervisor Bartlett joined the meeting at approximately 9:05 a.m.

- Opening Comments

Vice Chairman Benoit noted that it was devastating to see protestors storm the U.S. Capitol on January 6, 2021 and reflected on the importance of honoring the oath of office to uphold the Constitution.

Council Member Mitchell expressed dismay at the events that took place at the U.S. Capitol on January 6 and stressed the importance of understanding the oath of office and the Constitution. She announced that she would be leaving the Board in February and that Long Beach City Council Member Rex Richardson was elected as her replacement on the Board. She also congratulated Board Member Kracov on his appointment to the CARB Board.

Wayne Nastri, Executive Officer, announced that the South Coast AQMD was awarded U.S. EPA's Clean Air Excellence award in Education & Outreach for our mobile app. He also announced that Anissa "Cessa" Heard-Johnson was recently hired as the South Coast AQMD's new Diversity, Equity and Inclusion Officer. She has extensive experience in diversity, equity and inclusion and will be joining the agency the week of January 11.

Ms. Heard-Johnson expressed excitement to join the South Coast AQMD and bring her expertise to an organization that does such important work.

Mr. Nastri noted that an errata sheet was prepared and distributed for Agenda Item No. 4 (Implement Year 22 Carl Moyer, SOON, Rule 2202 AQIP, FARMER and Community Air Protection Programs by Recognizing Funds from CARB, Executing and Amending Contracts, and Reimbursing Administrative Costs)

- Recognize Employees with Twenty, Twenty-Five, Thirty and Thirty-Five Years of Service

John Olvera, Assistant DEO/Administrative and Human Resources, presented a video highlighting the following employees that have reached employment milestones.

Twenty Years: Angelita Alfonso, Cuong (Kevin) Cao, Marline Fonseca, Sinda Hooten, Rhonda Laugeson, Vicky Lee, Ashkaan Nikravan, Bullington Pham, Richard Rodgers, Altheresa Rothschild and Hanna Zhuang.

Twenty-Five Years: Grace Nunez.

Thirty Years: Mark Bassett, Naveen Berry, William Brill Jr, Julie Franco, Thomas Frazier, Francis Goh, Christian Hynes, Scott Johnson, Glenn Kasai, Eddie Kwan, Susan Nakamura, Barbara Radlein, Pierre Sycip, Anthony Tang, Faye Thomas, Paul Williamson and Sumner Wilson.

Thirty-Five Years: Sawsan Andrawis, Albert Dietrich, Michael Wickson and Karlyn Zeno.

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

Harvey Eder, Public Solar Power Coalition, commented on difficulties he encountered accessing the agenda on the South Coast AQMD website and filing legal documents in federal court on the Solar New Deal.

Mr. Nastri noted that there were no issues reported with access to the agenda on the website.

Emily Spokes/Carolina Forni/Alyssa Bell, North East Los Angeles (NELA) Climate Collective Condemned the incident at the U.S. Capitol on January 6; expressed appreciation to the Board for moving the public comment period to the beginning of the agenda; thanked staff for being available for community presentations; congratulated Supervisor Kuehl on her appointment to the Board and Anissa Heard-Johnson on her new position with South Coast AQMD; stressed the need to ensure clean air for all residents, especially children and those in environmental justice communities; recommended incentivizing the replacement of gas-powered leaf blowers for electric equipment; and expressed concerns regarding schools that are located near metal processing facilities in South Los Angeles.

Ivette Torres, Inland Empire resident
Luis Montes, Jr., Southern California activist
Mariela Loera, Center for Community Action and Environmental Justice
Anthony Victoria, Inland Empire resident
Kareem Gongora, Center for Community Action and Environmental Justice
Angelica Balderas, San Bernardino/Muscoy Community Steering Committee
co-host

Expressed gratitude to Council Member Mitchell for her work with the community; thanked the Board for moving the public comment period to the beginning of the agenda; congratulated Supervisor Kuehl on her appointment to the Board; commented on the proliferation of warehouses in the Inland Empire that are burdening vulnerable communities with air pollution; noted the link between poor air quality, serious respiratory health issues and increased rates of COVID-19; and urged the Board to adopt an indirect source rule for warehouses by the end of the year.

Jessica Craven, NELA Climate Collective, congratulated Supervisor Kuehl on her appointment to the Board. She expressed concerns about noise and pollution from gas-powered leaf blowers, noting that eliminating their use would reduce pollution. She stated that the use of gas-powered leaf blowers in Los Angeles is illegal and expressed frustration that the ban is not enforced. She also commented that the air quality monitor in her home measures high levels of pollutants when gas-powered leaf blowers are being used in her neighborhood.

Vice Chairman Benoit highlighted South Coast AQMD's Commercial Electric Lawn and Garden Equipment Incentive and Exchange Program that provides incentive funds to help gardeners and landscapers replace their old, polluting gasoline-powered equipment. He called attention to Agenda Item No. 5 on today's agenda that proposes additional funding for the program.

Ranji George, a member of the public, thanked Board members for their introductory remarks, and congratulated Supervisor Kuehl and Board Member Kracov for their respective Board appointments. He expressed concern with funding that disproportionately focuses on battery technology and urged increased efforts in support of fuel cell technologies.

Adrian Martinez, Earthjustice, congratulated staff on their service milestones and thanked Council Member Mitchell for her service at South Coast AQMD and CARB. He commented on the region's poor air quality and the need to work with CARB and the U.S. EPA to do more to regulate pollution; however, the South Coast AQMD has the authority to adopt strong rules without further delay such as Rule 1109.1 – Emissions of Oxides of Nitrogen from Petroleum Refineries and Related Operations, that would require refineries to install pollution controls, and facility-based emission reduction measures for warehouses, ports and railyards. He noted the surge in cargo volume at the ports and air pollution impacts on environmental justice communities from the freight industry.

Chris Shimoda, California Trucking Association, congratulated Council Member Mitchell on her retirement. He highlighted major regulations CARB adopted last year that set lower NOx emission standards for heavy-duty engines and accelerate the transition of zero-emission truck deployment to help the state meet its GHG reduction goals and cleaner technology targets. He urged the Board to continue to support efforts to deploy advanced technologies, and expressed concerns with the proposed indirect

source rules. He looks forward to working with the South Coast AQMD on mutual goals to clean the air and address climate change.

Gabriela Mendez, Center for Community Action and Environmental Justice.
Alyssa Bell, Member of the public
Francis Yang, Sierra Club
Roxanna Barrera, San Bernardino resident
Kyler Chin, Irvine high school student
Carlo De La Cruz, Sierra Club

Thanked Council Member Mitchell for her years of service and welcomed Supervisor Kuehl back to the Board; noted the increase in the number of smoggy days in 2020; commented on the expansion of the goods movement industry and the resulting air pollution impacts that affects public health and quality of life; noted increased rates of COVID-19 in low income communities and communities of color with high pollution exposure; stressed the importance of reducing NOx emissions from stationary sources and other sources such as gas appliances in buildings; urged the Board to adopt a strong warehouse indirect source rule and implement strategies in the AB 617 Community Emission Reduction Plans.

Peter Herzog, NAIOP/Commercial Real Estate Development Association, congratulated Council Member Mitchell on her retirement and expressed appreciation for her many years of service. He noted that the best science and further analysis is needed to explain the increase in ozone levels despite the decrease of other major pollutants. He emphasized the need to ensure that rule proposals are practical and technologically feasible.

Mayor Pro Tem Cacciotti responded to comments about gas-powered leaf blowers, noting that the South Coast AQMD has been at the forefront in reducing emissions from leaf blowers. He commented on the success of the Commercial Electric Lawn and Garden Equipment Incentive and Exchange Program, noting that additional funding is being allocated to the program. He offered to work with community groups to get the information out in their communities and suggested that commenters provide their contact information to staff.

Chris Chavez, Coalition for Clean Air, expressed gratitude to Council Member Mitchell for her hard work and dedication, particularly with the implementation of AB 617, and welcomed Supervisor Kuehl to the Board. He emphasized the need for a strong warehouse indirect source rule. He noted the public health threat that air pollution poses to environmental justice communities and that the higher risks of getting COVID-19 in low-income communities and communities of color is in part due to air pollution. He encouraged collaboration with municipalities and local governments to ensure that local planning efforts are consistent with AB 617 Community Emission Reduction Plans.

Fabian Wesson, a member of the public, thanked Council Member Mitchell for her years of service on the Board, welcomed Supervisor Kuehl and the new Diversity, Equity and Inclusion Officer. She noted the efforts of South Coast AQMD executive management in addressing racial equity and justice in the communities it serves as well as its internal operations. She commented on concerns of the Black employees at South Coast AQMD and urged the Board to ensure that efforts and concerns regarding diversity, equity and inclusion at the agency are addressed in a fair, open and transparent process.

Al Sattler thanked Council Member Mitchell for her years of service and welcomed Supervisor Kuehl back to the Board. He commented on the dangers of Hydrofluoric Acid (HF) in refinery operations and inquired about progress reports on the implementation of additional safety enhancements and control measures at Torrance Refining Company and Valero Refinery. He noted that there have been no meetings of the Refinery Committee since 2019, and expressed support for indirect source rules and tighter controls on NOx emissions from refineries.

Mr. Nastri noted that a status report on the implementation of HF safety enhancements in proffer letters for Torrance Refining Company and Valero Refinery would be released today.

Byron Chan, Earthjustice, thanked Council Member Mitchell for her service and welcomed Supervisor Kuehl to the Board. He noted that 2020 was one of the smoggiest years in decades and urged the Board to take decisive action to adopt strong enforceable rules that clean the air and protect the health of all residents in the Basin. He expressed concerns with the repeated delays in adopting Rule 1109.1 and urged the Board to adopt a strong rule that requires refineries to quickly and effectively install emission control technologies.

Todd Campbell, Clean Energy Fuels, thanked Council Member Mitchell for her leadership, dedication and years of service to the South Coast region and state. He commented on the growth of e-commerce through the pandemic and the resulting increase in cargo volume at the ports. He noted the failure of the ports to implement the container fee to incentivize truck drivers to purchase cleaner trucks. He expressed concerns that the attainment goals for 2023 will not be met and stressed the need for additional funding to provide incentives that encourage the purchase of cleaner trucks.

Patty Senecal, Western States Petroleum Association (WSPA), expressed appreciation to Council Member Mitchell for always being accessible and her years of dedicated public service, and welcomed Supervisor Kuehl back to the Board. She noted that the refinery sector continues to reduce NOx emissions, citing significant reductions achieved through the RECLAIM program over the years, including amendments adopted in 2015 that established a 12 ton per day NOx RECLAIM Trading Credits shave. WSPA will continue to collaborate with staff on the development of Rule 1109.1 to work through technology feasibility, cost effectiveness and the implementation schedule.

Jane Williams, California Communities Against Toxics, praised Council Member Mitchell's legacy as a clean air champion and welcomed Supervisor Kuehl to the Board. She commented on the health impacts from NOx, PM and air toxics pollutants that adversely impact environmental justice communities and contribute to the high mortality rate in those communities. She noted the importance of the refinery rule and indirect source rule for warehouses in reducing emissions and putting the region on the path to attainment. She thanked the Board for their dedication and looks forward to working with them in the coming year.

One comment letter Re: Warehouse Indirect Source Rule Submitted by:

Anyela Guzman

CONSENT CALENDAR

1. Approve Minutes of December 4, 2020 Board Meeting
2. Set Public Hearing February 5, 2021 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations

Determine That Proposed Rule 1150.3 – Emissions of Oxides of Nitrogen from Combustion Equipment at Landfills, Is Exempt from CEQA and Adopt Rule 1150.3

Budget/Fiscal Impact

3. Recognize Revenue, Transfer Funds and Execute Contract and MOU to Develop and Demonstrate Capture and Control System for Oil Tankers Project
4. Implement Year 22 Carl Moyer, SOON, Rule 2202 AQIP, FARMER and Community Air Protection Programs by Recognizing Funds from CARB, Executing and Amending Contracts, and Reimbursing Administrative Costs
5. Transfer Funds and Amend Contracts for Commercial Electric Lawn and Garden Equipment Incentive and Exchange Program
6. Establish Financial Incentive Program to Reduce Hexavalent Chromium Emissions from Hexavalent Chromium Plating Facilities, Issue Program Opportunity Notices, Execute Contracts, Release Unspent Project Funds, and Reimburse General Fund
7. Appropriate Funds and Amend Existing Contract for Consultant Services for South Coast AQMD's Why Healthy Air Matters Program to Correct Funding
8. Execute a Contract for Planning, Organizing, and Facilitating South Coast AQMD's Martin Luther King, Jr. Day of Service Forum and Cesar Chavez Day of Remembrance

9. Approve Transfer of Monies from General Fund to Health Effects Research Fund
10. Approve Contract Awards and Allocation of Funds as Approved by MSRC

Items 11 through 17 – Information Only/Receive and File

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

Supervisor Rutherford noted that she has no financial interests in Agenda Item Nos. 4 and 10 but is required to identify for the record that she is a Board Member of Omnitrans, which is involved in these items.

Board Member Kracov recused himself from Agenda Item No. 2 because of his position as General Counsel of the California Waste and Recycling Association, which is involved in this item; noted that he has no financial interest in Agenda Item No. 3 but is required to identify for the record that he is a Board Member of CARB, which is involved in this item; and recused himself from Agenda Item No. 4 because of financial interests in California Waste Services, Inc., Kirk Tahmizian dba Arrow Disposal Services, Inc., Nasa Services, Inc. and Universal Waste Systems, Inc., which are materially affected by this item.

Supervisor Perez recused himself from Agenda Item No. 4 because of a campaign contribution from New Bern, and noted separately that (aside from New Bern) he has no financial interest but is required to identify for the record that he is on the Board of Supervisors for Riverside County, which is involved in this Item.

Supervisor Kuehl noted that she has no financial interest in Agenda Item No. 10 but is required to identify for the record that she is on the Board of Directors for the Los Angeles County Metropolitan Transportation Authority, which is involved in this item.

Due to requests to speak and Board member questions on Consent Calendar Agenda Item Nos.3, 4, 5, 7, 9 and 16, the vote on the Consent Calendar was deferred until after those comments were made.

18. Items Deferred from Consent Calendar

3. Recognize Revenue, Transfer Funds and Execute Contract and MOU to Develop and Demonstrate Capture and Control System for Oil Tankers Project

Brian McDonald, Marathon Petroleum/Tesoro, expressed support for the proposed project, highlighting the merits as well as challenges that must be overcome to make a capture and control technology for tankers safe and reliable. He wished Council Member Mitchell good luck and expressed appreciation for her willingness to hear from Marathon.

Teresa Pisano, Port of Los Angeles, expressed support for the CARB capture and control system for oil tankers grant project led by the South Coast AQMD. The project will support the goals of the San Pedro Bay Ports 2017 Clean Air Action Plan Update and the Ports' Technology Advancement Program (TAP). South Coast AQMD's TAP application to cost-share the project will be submitted to the Los Angeles Board of Harbor Commissioners for consideration.

Matt Arms, Port of Long Beach, expressed support for the project and commended South Coast AQMD for taking a leadership role in this endeavor and CARB for providing the much-needed funding. He reiterated Ms. Pisano's comments about the request for matching funds and noted that the Port of Long Beach will work with South Coast AQMD staff and the Port of Los Angeles on the next steps.

Jesse Marquez, Coalition for a Safe Environment
Kevin Nicoletto, Advanced Environmental Group, LLC (AEG)
Mike Eveloff, Solibre LA
(Submitted Written Comments)

Opposed funding for STAX Engineering and highlighted concerns regarding discrepancies in their application and eligibility, the selection process and use of proprietary information that belongs to another company. Called for an investigation into the STAX proposal and questioned the justification for their sole source designation.

Bob Sharp, STAX Engineering, expressed support for the proposed project. He commented on the experience and qualifications of STAX to develop and demonstrate a capture and control system for oil tankers and explained the unique design of the technology as well as potential challenges.

Matt Miyasato, DEO-Chief Technologist/Science & Technology Advancement, noted that the Ports' support South Coast AQMD's application and the STAX proposal was vetted with both Ports'. He highlighted that staff has had concerns with AEG (formerly known as ACTI).

Board Member Kracov requested an update on funding commitments from the Port of Los Angeles and Port of Long Beach for the project.

Dr. Miyasato responded that the Ports will submit the application to their Board for co-funding approval. South Coast AQMD will cover the Ports' cost-share, pending formal approval from their Board.

Board Member Kracov recommended that staff keep the Technology Committee apprised if there are any issues with the funding.

4. Implement Year 22 Carl Moyer, SOON, Rule 2202 AQIP, FARMER and Community Air Protection Programs by Recognizing Funds from CARB, Executing and Amending Contracts, and Reimbursing Administrative Costs

Ken Franke, Sportfishing Association of California,
Thanked staff for listening to their comments at the December 18, 2020 Technology Committee meeting. He recommended that staff award marine projects that are not domiciled in disadvantaged communities because they are highly cost effective, reduce emissions and provide access to educational programs and recreational activities to schools and families in disadvantaged communities. He added that these are small businesses and funding their projects would help to ensure the longevity of these businesses.

*Donna Kalez, Dana Wharf Sportfishing
Don Brockman, Thunderbird Owner/Davey's Locker Sportfishing
Mike Thompson, Newport Landing Sportfishing
*(Submitted Written Comments)

Thanked staff for adding marine engine repower projects to the backup list but expressed concern the projects may not get funded; recommended that staff select projects off the backup list based on their cost effectiveness and emission reduction benefits, rather than their domiciled zip code, if funds become available; and noted that projects in the Orange County and North Los Angeles areas were not awarded funding. These are small businesses who are struggling due to the COVID-19 pandemic and depend on funding from the South Coast AQMD to repower their vessels/boats.

Dr. Miyasato commented that staff is committed to considering projects on the backup list, in the event some projects are not

implemented or returned funds become available. He cautioned that certain restrictions apply so staff will assess alternative sources of funding. Staff is also working with CARB on revising the definition for domiciled location.

5. Transfer Funds and Amend Contracts for Commercial Electric Lawn and Garden Equipment Incentive and Exchange Program

Mayor Pro Tem Cacciotti highlighted the success of the program but noted that help is needed and suggested partnering with community groups to enhance outreach efforts for electric lawn equipment. He commented on discussions he has had with fellow Board members about improving outreach to commercial gardeners, many of whom are Latino or Spanish speaking.

Senator Delgado noted that a different approach is needed to broaden outreach efforts in disadvantaged communities. She suggested having nonprofit organizations or environmental justice community groups administer the program.

Vice Chairman Benoit recommended that staff reevaluate outreach efforts and identify alternative options to market and promote the program.

Supervisor Perez noted that there are many landscapers in the desert area that service the hospitality and tourism industries whose primary language is Spanish. He suggested developing a campaign that targets Spanish-speaking landscapers, including partnering with nonprofit organizations in the community to distribute the funds. The AB 617 Community Steering Committee could also assist with outreach efforts. He proposed that the Technology Committee explore other options.

Mayor Pro Tem Rodriguez welcomed Supervisor Kuehl to the Board. He echoed the sentiments of fellow Board members and recommended that the Technology Committee revisit strategies and ways to promote the program and distribute funds.

Ranji George urged the Board to support and invest in fuel cell development for lawn and garden equipment and noted the air quality benefits of zero-emission technologies.

Al Sattler noted that it is not just the exhaust emissions from gas-powered leaf blowers that pollute but also the dust and debris they create.

Leslie Purcell, a member of the public, thanked the Board for adopting programs that incentivize cleaner technologies and noted that leaf blowers also spread pesticides and other chemicals that gardeners use.

Mr. Nastri cautioned that there are conditions with how the funds for the Commercial Electric Lawn and Garden Equipment Incentive and Exchange Program are received and distributed. He noted that the program has been successful in getting the equipment out in the communities and staff is requesting additional funds for the program.

7. Appropriate Funds and Amend Existing Contract for Consultant Services for South Coast AQMD's Why Healthy Air Matters Program to Correct Funding
9. Approve Transfer of Monies from General Fund to Health Effects Research Fund

Mayor Pro Tem Rodriguez asked whether the curriculum for the WHAM and C.A.P.E.S. programs can be provided in a digital format and extended to all students as a supplement to online learning during the pandemic.

Derrick Alatorre, DEO/Public Advisor, noted that the consultant is in the process of developing teaching modules on video for distance learning but filming has been delayed due to COVID-19 precautions. He commented on existing criteria established by the South Coast AQMD that gives priority to target students in disadvantaged communities. However, if there are not enough schools to fit the criteria, then the program could possibly be extended to schools outside of environmental justice communities.

Mayor Pro Tem Rodriguez requested that staff notify the Board when the teaching modules are complete to promote that opportunity in their respective counties.

16. Rule and Control Measure Forecast

Yassi Kavezade/Francis Yang, Sierra Club, thanked Council Member Mitchell for her years of public service and engagement in climate justice. Commented on the high number of smoggy days in 2020 and the South Coast AQMD's mission to implement policies and regulations to promote and protect clean air; expressed concern regarding the delay of rulemaking efforts; and urged the adoption of a strong warehouse indirect source rule and refinery rule.

Harvey Eder expressed support for solar powered technologies, the Solar New Deal and commented on difficulties he encountered filing legal paperwork in federal court. He expressed concerns about the dangers of methane, nitrous oxide and climate change. He welcomed Supervisor Kuehl back to the Board.

MOVED BY CACCIOTTI, SECONDED BY MITCHELL, AGENDA ITEMS 1 THROUGH 17 APPROVED AS RECOMMENDED, AND ADOPTING RESOLUTION NO. 21-1, RECOGNIZING FY 2019-20 COMMUNITY AIR PROTECTION INCENTIVE FUNDS, BY THE FOLLOWING VOTE:

AYES: Bartlett, Benoit, Cacciotti, Delgado, Kuehl, Kracov (Recused from 2 and 4), Mitchell, Perez (Recused from 4), Rodriguez, and Rutherford

NOES: None

ABSTAIN: Kracov (Items 2 and 4) and Perez (Item 4)

ABSENT: Burke, Buscaino and McCallon

BOARD CALENDAR

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

Council Member Mitchell commented on the Mobile Source Strategy discussion at the December 10, 2020 CARB Board meeting. CARB staff acknowledged that the South Coast Basin (Basin) will not be able to meet the 2023 or 2031 ozone requirements and there was discussion to work further on development of near-term strategies to reduce mobile source emissions in the Basin. Following the discussion, she made a motion to include the 0.02 g/bhp-hr low NOx engines in the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP) funding for one more year but the motion failed.

Staff Presentations/Board Discussion

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

Jill Whynot, Chief Operating Officer, gave the staff presentation on Agenda Item No. 24 to provide an update on economic indicators and South Coast AQMD metrics and economic implications.

Supervisor Rutherford inquired about the percentage of South Coast AQMD's revenue that comes from permits.

Sujata Jain, DEO-Chief Financial Officer/Finance, noted that permit fees account for 12 percent of the revenue.

Harvey Eder expressed concerns with getting support for the Solar New Deal.

PRESENTATION ONLY; NO ACTION REQUIRED

PUBLIC HEARING

25. Certify Final Environmental Assessment and Adopt Proposed Rule 1407.1 – Control of Toxic Air Contaminant Emissions from Chromium Alloy Melting Operations

Michael Morris, Planning and Rules Manager, gave the staff presentation on Agenda Item No. 25.

Supervisor Bartlett inquired about the minimization cross-draft requirements for buildings with side door openings.

Mr. Morris responded that there is no large construction needed to meet the rule requirements because those facilities can use strip curtains to close building openings.

The public hearing was opened, and the following individuals addressed the Board on Agenda Item No. 25.

Harvey Eder commented on the difficulty to install a solar hot water tank at a metal plating facility many years ago and suggested that heat requirements could be handled through solar energy.

Kyler Chin urged the Board to adopt Rule 1407.1 and noted the health hazards associated with exposure to hexavalent chromium.

Council Member Mitchell congratulated staff and the California Metals Coalition (CMC) for working together and reaching a consensus on the source testing approach.

Board Member Kracov echoed Council Member Mitchell's comments about staff and the CMC working together to reach a consensus. He commented on the number of toxics rules scheduled on the calendar for this year and asked whether these proposals will fill the regulatory gap and fully address hexavalent chromium emissions.

Susan Nakamura, Asst. DEO/Planning, Rule Development and Area Sources, responded that the suite of toxics rules scheduled for rulemaking this year and next year are intended to control emissions of hexavalent chromium in five main categories. Based on current knowledge, staff believes these proposed rulemakings will close the regulatory gap and address public health concerns regarding hexavalent chromium.

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

MOVED BY CACCIOTTI, SECONDED BY MITCHELL, AGENDA ITEMS 19 THROUGH 23 AND 25, APPROVED AS RECOMMENDED, TO RECEIVE AND FILE THE COMMITTEE, MSRC AND CARB REPORTS, APPROVE THE LEGISLATIVE COMMITTEE'S RECOMMENDATION ON LEGISLATION AS SET FORTH BELOW AND ADOPT RESOLUTION NO. 21-2 CERTIFYING THE FINAL ENVIRONMENTAL ASSESSMENT (EA) FOR PROPOSED RULE 1407.1 – CONTROL OF TOXIC AIR CONTAMINANT EMISSIONS FROM CHROMIUM ALLOY MELTING OPERATIONS AND ADOPT RULE 1407.1 – CONTROL OF TOXIC AIR CONTAMINANT EMISSIONS FROM CHROMIUM ALLOY MELTING OPERATIONS, BY THE FOLLOWING VOTE:

AYES: Bartlett, Benoit, Cacciotti, Delgado, Kuehl, Kracov, Mitchell, Perez, Rodriguez, and Rutherford

NOES: None

ABSENT: Burke, Buscaino and McCallon

LEGISLATIVE COMMITTEE RECOMMENDATION

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

Agenda Item	Recommendation
HR 7822 (Blunt Rochester)	Work with Author
Public Health Air Quality Act	

CLOSED SESSION

The Board recessed to closed session at 12:00 p.m., pursuant to Government Code sections:

CONFERENCE WITH LEGAL COUNSEL – INITIATING LITIGATION

- 54956.9(a) and 54956.9(d)(4) to consider initiation of litigation (four cases).

Following closed session, Bayron Gilchrist, General Counsel, announced that a report of any reportable actions taken in closed session will be filed with the Clerk of the Board’s office and made available to the public upon request.

ADJOURNMENT

There being no further business, the meeting was adjourned by Mr. Gilchrist at 12:15 p.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on January 8, 2021.

Respectfully Submitted,

Faye Thomas
Clerk of the Boards

Date Minutes Approved: _____

Dr. William A. Burke, Chairman

ACRONYMS

AQIP = Air Quality Investment Program

CARB = California Air Resources Board

CEQA = California Environmental Quality Act

FARMER = Funding Agricultural Replacement Measures for Emission Reductions

FY = Fiscal Year

MOU = Memorandum of Understanding

MSRC = Mobile Source (Air Pollution Reduction) Review Committee

NO_x = Oxides of Nitrogen

PM = Particulate Matter

RECLAIM = Regional Clean Air Incentives Market

RFP = Request for Proposals

SOON = Surplus Off-Road Opt-In for NO_x

U.S. EPA = United States Environmental Protection Agency

VOC = Volatile Organic Compound