

BOARD MEETING DATE: January 8, 2021

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the December 4, 2020 meeting.

**RECOMMENDED ACTION:**

Approve Minutes of the December 4, 2020 Board Meeting.

Faye Thomas  
Clerk of the Boards

FT:cmw

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**FRIDAY, DECEMBER 4, 2020**

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:

Council Member Ben Benoit, Vice Chairman  
Cities of Riverside County

Supervisor Kathryn Barger (Left the meeting at 11 a.m.)  
County of Los Angeles

Supervisor Lisa A. Bartlett (Left the meeting at 11 a.m.)  
County of Orange

Council Member Joe Buscaino  
City of Los Angeles

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

Senator Vanessa Delgado (Ret.)  
Senate Rules Committee Appointee

Gideon Kracov  
Governor's Appointee

Mayor Larry McCallon  
Cities of San Bernardino County

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

Supervisor V. Manuel Perez  
County of Riverside

Mayor Pro Tem Carlos Rodriguez  
Cities of Orange County

Supervisor Janice Rutherford  
County of San Bernardino

Member absent:

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

**CALL TO ORDER:** Vice Chairman Benoit called the meeting to order at 9:05 a.m.

- Pledge of Allegiance: Led by Supervisor Barger
- Opening Comments

Mayor McCallon asked staff for an update on discussions with CARB about their draft 2020 Mobile Source Strategy.

Mr. Nastri responded that CARB acknowledges the many challenges to meeting the goals set forth in the draft 2020 Mobile Source Strategy, especially in terms of funding. Staff will continue to evaluate options to address concerns.

Supervisor Barger announced that today would be her last South Coast AQMD Board meeting and that her term as the Chair of the L.A. County Board of Supervisors ends on December 7. Supervisor Hilda Solis will take over as the L.A. County Board Chair and Supervisor Sheila Kuehl has requested to be appointed to the South Coast AQMD Board. She expressed appreciation to fellow Board members and staff for their assistance during her tenure on the Board. Vice Chairman Benoit and other Board members thanked Supervisor Barger for her service.

Mr. Nastri commented on increased efforts to limit the number of employees reporting to South Coast AQMD headquarters due to the surge in COVID-19 cases and reassured that staff continues to perform core functions.

- Roll Call

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

Vice Chairman Benoit noted that the public comment period has been moved to the beginning of the agenda to facilitate public comments.

Fabian Wesson commented on her recent retirement as Assistant Deputy Executive/Public Advisor at the South Coast AQMD, adding that she enjoyed her experience and service.

Emily Spokes/Amy Francis/Carolina Forni/Jessica Craven, North East Los Angeles (NELA) Climate Collective

Thanked Supervisor Barger for her service and expressed appreciation to the Board for moving the public comment period to the beginning of the agenda. Expressed concern that natural gas was presented as a natural, renewable source of energy at the December 3, 2020 Move LA Climate & Clean Air Zoomposium. Urged the Board to adopt an indirect source rule for warehouses and expressed concerns about the adverse effects of pollution from freight transport/goods movement distribution that disproportionately

impacts communities along main transportation corridors. Expressed concerns about the harmful health impacts of air pollution on children, and urged support for zero-emission technologies.

Elliott Gonzales, Long Beach resident  
Kelsey Bass, Riverside County student  
Mallory Warhurst, Long Beach student  
Francis Yang, Sunrise Movement  
Jacob Ruiz, Sunrise Movement, Los Angeles (Submitted Written Comments)  
Michelle Lewis, Sunrise Movement and Long Beach resident  
Jessie Parks, Riverside student  
Daryl Gale, Member of the public  
Shannon Labus, Los Angeles resident  
Jessica Geiger, Montclair graduate student

Expressed support for indirect source rules to regulate pollution and expressed concerns about the delay in adopting an indirect source rule for warehouses. Commented that natural gas should not be considered a clean energy source. Noted that air pollution from goods movement disproportionately impacts the air quality in environmental justice communities and the health impacts from poor air quality. Commented on the recent fires that have dramatically contributed to poor air quality. Expressed support for zero-emission technologies.

Harvey Eder, Public Solar Power Coalition, commented on difficulties he encountered filing legal documents and expressed concerns about electric trucks.

Ranji George, a member of the public, expressed support for fuel cell and zero-emission technologies, noting the urgency due to an increase in housing units and population that will further impact air quality.

Ray Watson, a member of the public, expressed caution following comments opposing the use of natural gas, urging for a pragmatic approach on how to pursue this transition while working together to develop a workable renewable solution. He emphasized the need for locally produced oil, instead of imported oil, to meet the state's demand for hydrocarbon products and reduce the global carbon footprint.

Janet Gunter, a San Pedro resident, commented on a liquified petroleum gas storage facility that has been located in San Pedro since the early 1970s. She provided information about the butane and propane tanks stored at the facility, noting that the facility is within close proximity to existing neighborhoods and poses a risk to the surrounding communities.

Peter Herzog, NAIOP, urged staff to use the best science and analysis when making decisions and noted that further analysis is needed to explain the increase in ozone levels despite significant decrease in emissions from other pollutants. He emphasized that rules need to be realistic, technologically feasible and result in actual emission reductions.

Written Comments Re: Warehouse Indirect Source Rule Submitted by:

Stephanie Tong  
Jayne Pitchford  
Zoë Nissen  
Joshua Hirsch  
Nina Sarnelle  
Ann Dorsey  
Karen Bragg  
Valarie Morishige  
Youri Bourgeois  
Dorion Wordlaw  
Andrew Good  
Daisy Santiago  
Danielle Reynolds  
Alejandro Ojeda  
Cecilia Castillo  
Andrew Bartels  
Alicia Cardona-Botello

One Comment Letter Re: Warehouse Indirect Source Rule Submitted on behalf of the following organizations:

Adrian Martinez/Regina Hsu/Michelle Ghafar, Earthjustice  
Taylor Thomas, East Yard Communities for Environmental Justice  
Carlo De La Cruz, Sierra Club  
Jessica Tovar, Urban & Environmental Policy Institute, Occidental College  
Theral Golden, West Long Beach Association

Council Member Cacciotti extended an invitation to the NELA Climate Collective to join him at a commercial electric lawncare equipment demonstration at Hurless Barton Park in Yorba Linda at 9 a.m. on December 8, 2020.

**CONSENT CALENDAR**

1. Approve Minutes of November 6, 2020 Board Meeting
2. Set Public Hearing January 8, 2021 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations

Certify Final Environmental Assessment and Adopt Proposed Rule 1470.1 – Control of Toxic Air Contaminant Emissions from Chromium Alloy Melting Operations

**Budget/Fiscal Impact**

3. Recognize Revenue and Execute Contracts for Electrification of Transport Refrigeration in Southern California Grocery Fleet
4. Recognize Funds, Execute and Amend Agreements for Installation and Maintenance of Air Filtration Systems, and Reimburse General Fund
5. Execute Contracts for Volkswagen Environmental Mitigation Trust Program – Combustion Freight and Marine Projects Category
6. Recognize Revenue and Appropriate and Transfer Funds, Issue Solicitations and Purchase Orders and Amend Contract for Air Monitoring
7. Amend Contracts for Legislative Representation in Washington, D.C.
8. Execute Contracts for Legislative Consulting Services Representation in Sacramento, California
9. Establish List of Prequalified Vendors for Mailing Services
10. Amend Provisions of South Coast AQMD's Salary Resolution and Labor Contracts with Teamsters Local 911 and SC-PEA Relating to Vacation Leave Accrual
11. Approve Contract Award and Modifications as Approved by MSRC

**Items 12 through 18 – Information Only/Receive and File**

12. Legislative, Public Affairs and Media Report
13. Hearing Board Report
14. Civil Filings and Civil Penalties Report
15. Lead Agency Projects and Environmental Documents Received

16. Rule and Control Measure Forecast
17. Annual Audited Financial Statements for FY Ended June 30, 2020
18. Status Report on Major Ongoing and Upcoming Projects for Information Management

Board Member Kracov recused himself from Item No. 5 because of a financial interest in Universal Waste Systems, which is involved in this item; and recused himself from Item No. 10 because the International Brotherhood of Teamsters, Local 911 and 1932 are potential sources of income to him.

Supervisor Barger noted that she does not have a financial interest in Item No. 10 but is required to identify for the record that she is a Board Member of the Los Angeles County Metropolitan Transportation Authority, which is involved in this Item.

Council Member Mitchell noted that she has no financial interests in Item No. 4 but is required to identify for the record that she is a Board Member of CARB, which is involved in this item.

Council Member Buscaino noted that he does not have a financial interest in Item No. 5 but is required to identify for the record that he is a Council Member for the City of Los Angeles, which is involved in this Item.

Agenda Item Nos. 5 and 16 were withheld for comment and discussion.

MOVED BY CACCIOTTI, SECONDED BY BARGER, AGENDA ITEMS 1 THROUGH 4, 6 THROUGH 15, 17 AND 18 APPROVED AS RECOMMENDED, BY THE FOLLOWING VOTE:

AYES: Barger, Bartlett, Benoit, Buscaino, Cacciotti, Delgado, Kracov\* (*Abstain from Item 10*), McCallon, Mitchell, Perez, Rodriguez, and Rutherford

NOES: None

ABSTAIN: Kracov \*(Recused from Item 10 only due to a conflict of interest)

ABSENT: Burke

19. Items Deferred from Consent Calendar

5. Execute Contracts for Volkswagen Environmental Mitigation Trust Program – Combustion Freight and Marine Projects Category

Council Member Cacciotti asked staff to comment on why the program was undersubscribed, what assistance could be provided to individuals seeking to apply for funds and whether the solicitation could be reopened. He noted that a few individuals he had spoken to had expressed difficulties with the application process.

Matt Miyasato, Chief Technologist/Science and Technology Advancement apologized to applicants who were unsuccessful in applying and offered to contact them to get feedback. He explained that the low subscription was due to lower incentive amounts relative to other competing programs and the requirements to scrap an older vehicle that discouraged many fleet operators from applying. The decision to reopen the solicitation is under consideration by CARB. Staff continues to conduct outreach to encourage participation in all incentive programs.

Ranji George expressed concern that the majority of the funding had been allocated to battery electric vehicles in the light-duty sector. He urged greater support of fuel cell technologies.

Mr. Eder expressed support for solar equity and expressed concerns about the COVID-19 pandemic.

Carlo De La Cruz, Sierra Club, expressed support for programs that provide incentive funding for zero emissions and cleaner technologies, but more work is needed to educate fleet owners and operators about these programs. He emphasized the need for the allocation of additional funding awards for marine port projects. (Submitted Written Comments)

MOVED BY CACCIOTTI, SECONDED BY BENOIT, AGENDA ITEM 5 APPROVED AS RECOMMENDED, BY THE FOLLOWING VOTE:



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

NOES: None

ABSTAIN: Kracov (Recused due to conflict of interest)

ABSENT: Burke

## 16. Rule and Control Measure Forecast

Supervisor Rutherford expressed concerns that Proposed Rule (PR) 1109.1 – NOx Reduction From Refinery and Refinery Related Equipment, is scheduled for a March hearing but the BARCT analysis has not been completed. She made a motion to move PR 1109.1 from March to September 2021 to allow staff time to complete the BARCT analysis and for stakeholders and the environmental community to review.

Patty Senecal, Western States Petroleum Association (WSPA), thanked Supervisor Barger for her service and leadership. She commented on the complexity and costs associated with PR 1109.1 and requested that it be delayed to September 2021 to allow staff time to complete the technical and socioeconomic analyses as well as give stakeholders reasonable opportunity to review and comment. (Submitted Written Comments)

Wayne Nastri, Executive Officer, gave assurance that the proposed rule would not be brought to the Board for consideration until it is ready, and that staff is committed to working through the issues with all stakeholders. The 75-day package gives staff the opportunity to initiate the rulemaking process and release preliminary language for public review. He noted that the Rule Forecast Report identifies potential rulemaking activities for the coming year but the schedule is fluid and can be adjusted based on feedback from the Board and stakeholders.

Senator Delgado noted that the warehouse ISR is also scheduled for March and expressed concerns that two major rulemaking items have been scheduled in the same month. She acknowledged the many public commenters urging the adoption of an ISR for warehouses and expressed her desire to have that rule stay on schedule.

Mr. Nastri noted that staff would like to have an ISR for warehouses as soon as possible but due to the challenges in developing the rule it may not be ready by March.

Senator Delgado recommended that the decision on when to schedule the rules be tabled to January to allow staff time to modify the schedule. She expressed concern with the public's expectation that the rules will be ready by the date specified in the schedule.

Council Member Mitchell noted that the Rule Forecast Report is a flexible, living document and rules can be postponed to an appropriate time. She expressed reluctance to move PR 1109.1 to September and recommended leaving it in March. She also emphasized the importance of addressing BARCT requirements for the refineries.

Board Member Kracov commented on the South Coast region's nonattainment status and noted the importance of PR 1109.1. Since it is unlikely that PR 1109.1 will be ready by March, he recommended discussing the timeline at the next Stationary Source Committee meeting and working with staff on the regulatory schedule.

Supervisor Rutherford acknowledged the importance of PR 1109.1 as well as the desire to get to attainment but reiterated her concern that it would be difficult for staff to have the package ready by March when the BARCT analysis has not been completed. She asked whether staff would be comfortable moving the Board hearing to June.

Mr. Nastri requested additional time to meet and discuss the timeline with WSPA and the refineries and report the outcome at the Board's January meeting. He emphasized his commitment to delay the rule if it is not ready.

Supervisor Rutherford asked to clarify whether the hearing dates on the Rule Forecast Report have to be set before the end of the year.

Mr. Nastri responded that staff is required to identify all rules that may potentially be scheduled for rulemaking in the coming year, but the hearing dates can be adjusted as needed.

Council Member Cacciotti expressed concern with delaying PR 1109.1 until September but would support moving it to June.

Supervisor Rutherford made a motion to amend her motion to move PR 1109.1 to June. The motion was seconded by Mayor McCallon.

MOVED BY RUTHERFORD, SECONDED BY MCCALLON, TO APPROVE AGENDA ITEM 16 AS RECOMMENDED, EXCEPT PROPOSED RULE 1109.1 MOVED FROM MARCH TO JUNE 2021. THE MOTION WAS APPROVED BY THE FOLLOWING VOTE:

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

NOES: Mitchell

ABSENT: Burke

**BOARD CALENDAR**

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

MOVED BY BARGER, SECONDED BY BARTLETT, AGENDA ITEMS 20 THROUGH 26, APPROVED AS RECOMMENDED, TO RECEIVE AND FILE THE COMMITTEE, MSRC AND CARB REPORTS, AND APPROVE THE LEGISLATIVE COMMITTEE'S RECOMMENDATION ON LEGISLATION AND AGENDA ITEMS SET FORTH BELOW, BY THE FOLLOWING VOTE:

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

NOES: None

ABSENT: Burke

**LEGISLATIVE COMMITTEE RECOMMENDATIONS**

<b>Agenda Item</b>	<b>Recommendation</b>
2021 State Legislative Goals and Objectives	Approve With Committee Revisions
2021 Federal Legislative Goals and Objectives	Approve With Committee Revisions
H.R. 8626 (Barragán) Energy Resilient Communities Act	Support With Amendments

**Staff Presentations/Board Discussion**

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

Jill Whynot, Chief Operating Officer, gave an overview of the presentation on Item No. 27, highlighting key economic trends and revenues and expenditures. Staff also continues to assist businesses with payment plans for permit renewals.

PRESENTATION ONLY; NO ACTION REQUIRED

**PUBLIC HEARINGS**

28. Determine That Southeast Los Angeles Community Emissions Reduction Plan Is Exempt from CEQA and Adopt Community Emissions Reduction Plan

Daniel Garcia, Planning and Rules Manager, gave the staff presentation on Item No. 28.

Council Member Buscaino thanked fellow Board members for adding the South Los Angeles community to the AB 617 program and expressed support for the Southeast Los Angeles (SELA) and Eastern Coachella Valley (ECV) Community Emissions Reduction Plans (CERPs). He commented on the work ahead to secure funding from the legislature for AB 617 and expressed his commitment to work with his colleagues on securing necessary funding.

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

Mr. Eder expressed support for better integration of funding from the federal government and commented on his difficulties filing legal paperwork.

Chris Chavez, Coalition for Clean Air, commended staff and the Community Steering Committee (CSC) members for the work that went into developing the CERP and expressed appreciation that some of the Coalition's comments had been incorporated. He expressed concerns that the CERP relies heavily on incentive funding and emphasized the need to implement ISRs for railyards and warehouses, develop actions that will bring real, meaningful and enforceable emission reductions to address community concerns, and include regulation and enforcement as a key strategy.

Lizette Ruiz, Communities for a Better Environment (CBE) and SELA CSC member, thanked the Board for their attention to this matter. She also thanked staff and the CSC for their diligent work in developing the CERP. She urged the Board to approve the CERP and encouraged more funding for electric technology for trucks and diesel engines. She commented on the need to reduce emission reductions from warehouses and expressed concern with increased truck traffic in South Gate and along the I-710 freeway which is a major transportation corridor for goods movement distribution.

Julia May, CBE, thanked Council Member Mitchell for supporting environmental justice communities over the years. She acknowledged the hard work of staff and expressed support for the CERP. She expressed concerns with emissions from metal processing sources and the permitting of new facilities that undercut the CEQA process. She commented on transportation issues, noting the expansion of the I-710 freeway and the importance of ISRs for warehouses and the Ports. CARB is a key to transportation issues but South Coast AQMD has substantial influence and authority on these issues.

Rudy Morales, SELA CSC member, commended staff and the CSC for their hard work and asked the Board to adopt the CERP. He commented on the need for funding to address concerns of the SELA community.

Dilia Ortega, SELA CSC member and South Gate resident, expressed appreciation to staff and the CSC members for their work on the CERP. The plan incorporated a lot of feedback from the community, but she stressed that it is important to follow through with its implementation. She expressed the need to transition to clean energy, develop ISRs for warehouses and the Ports, ensure that the various agencies working on the I-710 freeway project commit to zero-emission technology and address the impacts of exposure to contaminants from metal processing facilities.

Mayor Pro Tem Rodriguez asked staff about the funding challenges for implementation of the CERPS.

Mr. Nastri explained that South Coast AQMD and other air districts had expressed concerns about ongoing sustainable funding when AB 617 was initially adopted. He provided information regarding funds allocated for this year in the state budget for the implementation of AB 617 as well as incentive funding for the deployment of technologies. With more AB 617 communities being added to the program, it becomes more challenging to implement the program at the same, or lower, funding level. Securing the necessary funding is a high priority. It is a tremendous challenge but South Coast AQMD has been working with Council Member Mitchell and others to secure funding and will continue to work with the Governor's office and the legislature.

Senator Delgado commented on the importance for the public to understand how the funding works. She thanked everyone who participated in the process and expressed support for the air quality priorities identified by the CSC members. She commented on her personal connection to that community and moved adoption of the SELA CERP.

Board Member Kracov expressed his support for the SELA CERP and thanked staff for facilitating meetings during a pandemic and the CSC members for their participation in crafting a CERP that has broad support. He commented on the passage of AB 617 in connection with the reauthorization of the cap-and-trade program and its focus on actions that yield emission reductions. Securing funding to implement the program is a challenge; however, it is incumbent on the South Coast AQMD to adopt rules that have been identified in the CERPs to demonstrate the success of the program. The legislature may be more inclined to include funding if the program is shown to be successful.

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

MOVED BY DELGADO, SECONDED BY  
MITCHELL, AGENDA ITEM NO. 28  
APPROVED AS RECOMMENDED,  
ADOPTING RESOLUTION 20-19  
DETERMINING THAT THE COMMUNITY  
EMISSIONS REDUCTION PLAN FOR THE  
SOUTHEAST LOS ANGELES COMMUNITY IS  
EXEMPT FROM THE REQUIREMENTS OF  
CEQA AND ADOPTING THE AB 617  
COMMUNITY EMISSIONS REDUCTION PLAN  
FOR THE SOUTHEAST LOS ANGELES  
COMMUNITY, BY THE FOLLOWING VOTE:

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

NOES: None

ABSENT: Burke

(Supervisors Barger and Bartlett left the meeting at approximately 11 a.m.)

29. Determine That Eastern Coachella Valley Community Emissions Reduction Plan Is Exempt from CEQA and Adopt Community Emissions Reduction Plan

Daniel Garcia, Planning and Rules Manager, gave the staff presentation on Item No. 29.

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

Mr. Eder expressed support for the solar new deal and concerns about fossil fuels and natural gas.

Mr. George urged the Board and staff to consider locating hydrogen fueling stations at each of the designated AB 617 communities to start educating these communities about the air quality benefits of hydrogen fuel cell technology.

Patricia Leal, Alianza Coachella Valley and CSC member, expressed opposition to the plan as submitted and noted that many of the air quality priorities that the CSC recommended had not been included. She requested that staff commit to work in close partnership with the Department of Pesticide Regulation and local agricultural commissioner to implement a pilot notification system for pesticide emissions. She also requested four months, instead of six, for revisions to the CERP.

Rebecca Zaragoza, Leadership Counsel for Justice and Accountability and CSC member, requested that the Board not approve the plan as submitted. The CSC felt that the plan did not fully address the recommendations and priorities of the community and did not include meaningful actions and strategies for emission reductions. She commented on recommendations to develop a Pesticide Application Notification System, adopt rules to reduce emissions from open burning and illegal dumping, strengthen quantifiable emission reduction targets for the air quality priorities, conduct a thorough review of rule and regulations that impact the Eastern Coachella Valley and adopt a strong ISR. She supported reducing the timeline for the CERP revision process to four months.

Bea Gonzalez, CSC member, concurred with comments made by fellow CSC members recommending that the Board not approve the plan. She expressed concerns that the CERP development process was not a community-led or collaborative process. She felt the CSC meetings were not meaningful, there was a lack of respect toward the community and CSC requests that resulted in a lot of wasted time. She asked if the timelines for the update could be changed.

Sandra Ramirez, CSC member, noted that many of the CSC recommendations were not included in the plan. She requested that staff provide feedback so that the community understands why key recommendations had not been addressed.

Conchita Pozar, CSC member, noted that the plan does not represent the priorities or recommendations of the community. She expressed concern that the CSC members had not been given guidance about what could or could not be included in the plan at the beginning of the process. She commented on issues related to the Salton Sea that had not been addressed in the plan and requested that the entity with jurisdictional authority over the Salton Sea be included in the meetings to hear the concerns of the community.

Angelica Balderas, San Bernardino/Muscoy CSC co-host, concurred with the CSC members that the CERP development process should not be rushed and that the plan should reflect the needs of the community.

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

Mr. Nastri noted that the tight schedule to develop the CERPs is driven by AB 617 statutory requirements and the timeline for development of the CERPs has long been recognized as a significant challenge. The timeline for this CERP was further compressed by the challenge of conducting meetings remotely due to the COVID-19 pandemic and the time it took for the CSC to resolve their governance structure. Staff has responded to hundreds of comments within the appropriate timeframe and is committed to continue working with the community to address their concerns and to updating the CERP as soon as possible. He commented that amongst many of the AB 617 communities there has been a general discussion about what is to be included in the plan but some of the key concerns raised by the ECV community are under the jurisdictional authority of other agencies. Staff has committed to collaborating with those agencies.

Supervisor Perez expressed empathy for the community's frustration with the CERP development process as well as the plan that was submitted for approval, and noted that he had heard some of their concerns throughout the process. He questioned whether everything possible had been done to accommodate their requests and asked if more can be done to integrate some of their recommendations, such as concerns related to pesticide regulation and land use, into the plan.



Mr. Nastri noted that staff received a comment letter two days before today's meeting that would be addressed in the CERP update but confirmed that many of the comments raised today were addressed in the current plan, including language regarding the pesticide regulation. He expressed staff's ongoing commitment to work with the community on updating the CERP to address their concerns and emphasized the need to ensure that statutory obligations are met.

Supervisor Perez acknowledged the difficulty of incorporating responses when comments are received a couple of days before the Board meeting. He noted that the CERP is a work in progress and more work still needs to be done. He emphasized the importance of approving the plan today to demonstrate our commitment to this effort, but introduced amendments to the Resolution that would allow staff to include additional details and other emission reduction strategies developed by the CSC in the revised CERP and complete the revisions in a shorter timeframe. He stressed that meetings need to start in January 2021 to facilitate the process for the revisions.

Mr. Nastri expressed staff's commitment to work with the community to respond to their issues in a timeframe that reflects a deep respect and concern for the community as well as working in collaboration with other agencies and seeking funding needed to implement some of the programs.

Supervisor Perez repeated his comments in Spanish.

Vice Chairman Benoit expressed his commitment to working with the community and his support for the proposed amendments to the Resolution.

Council Member Mitchell shared her insight and perspective of AB 617 communities all over the state as a CARB Board member, including similar issues that affect other communities. She commented on the accomplishments of the current plan but reassured the community that their concerns have been heard. She noted that staff will continue to work with the community to provide additional details, add additional strategies and collaborate with other agencies on issues that are of concern to the community but outside of South Coast AQMD's jurisdiction. She recommended adopting the CERP as submitted but for the work to continue to address the community's concerns.

Board Member Kracov emphasized the need to work together and build trust with the community. He commented on Supervisor Perez's reputation as an advocate for the Eastern Coachella Valley community. He supported adopting the CERP with the proposed amendment to the Resolution.

Senator Delgado commented on her participation in some of the community meetings and recognized the sensitivities within underserved Spanish speaking communities that often feel their concerns are being overlooked and not heard

because of their socioeconomic status. She understands their frustration and lack of trust with the process. She was pleased about the broad support to continue working with the community and pledged her commitment to help with the CERP.

Supervisor Perez expressed appreciation to fellow Board members for their support. He expressed confidence that staff will fulfill their commitment to continue working on the plan, noting his desire that community concerns can be addressed in the next few months. Supervisor Perez offered to talk with CARB if issues do not get resolved.

MOVED BY PEREZ, SECONDED BY MCCALLON, TO APPROVE AGENDA ITEM NO. 29 ADOPTING RESOLUTION 20-20, WITH MODIFICATIONS AS SET FORTH BELOW, DETERMINING THAT THE AB 617 CERP FOR THE EASTERN COACHELLA VALLEY COMMUNITY IS EXEMPT FROM THE REQUIREMENTS OF CEQA AND ADOPTING THE AB 617 CERP FOR THE EASTERN COACHELLA VALLEY COMMUNITY. THE MOTION WAS APPROVED BY THE FOLLOWING VOTE:

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

NOES: None

ABSENT: Barger, Bartlett and Burke

**AMEND THE FOLLOWING PARAGRAPH ON PAGE 4 OF RESOLUTION 20-20, AS NOTED IN STRIKETHROUGH (DELETION) AND UNDERLINED (NEW) TEXT:**

...**BE IT FURTHER RESOLVED**, that the South Coast AQMD Governing Board directs staff to provide additional details on the ECV CERP monitoring objectives, collaborations with other entities, ~~and~~ incentive strategies and other emission reduction strategies developed by the Community Steering Committee (CSC) as soon as possible but no later than June 30, 2021, including holding two CSC meetings between January and February 2021 to receive additional feedback on these topics, and two additional CSC meetings between March and April 2021 to review draft amendments to the ECV CERP; and...

30. Determine That Attainment Plan for 2006 24-hour PM2.5 Standard for South Coast Air Basin Is Exempt from CEQA and Approve Attainment Plan for 2006 24-hour PM2.5 Standard for South Coast Air Basin

Zorik Pirveysian, Planning and Rules Manager, gave the staff presentation on Item No. 30.

The public hearing was opened, and the following individual addressed the Board on Item 30.

Chris Chavez, Coalition for Clean Air, emphasized the importance of attaining the federal ozone and PM2.5 air quality standards with the upcoming deadlines. He also commented on the potential impact of exposure to nanoparticles particularly from diesel exhaust and the disproportionate impact on disadvantaged communities.

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

MOVED BY MITCHELL; SECONDED BY PEREZ, AGENDA ITEM NO. 30 APPROVED AS RECOMMENDED, ADOPTING RESOLUTION NO. 20-21 DETERMINING THAT THE ATTAINMENT PLAN FOR 2006 24-HOUR PM2.5 STANDARD FOR THE SOUTH COAST AIR BASIN IS EXEMPT FROM THE REQUIREMENTS OF CEQA AND APPROVING THE ATTAINMENT PLAN FOR 2006 24-HOUR PM2.5 STANDARD FOR THE SOUTH COAST AIR BASIN AND DIRECTING STAFF TO FORWARD THE ATTAINMENT PLAN TO CARB FOR APPROVAL AND SUBMISSION TO U.S. EPA FOR INCLUSION IN THE SIP, BY THE FOLLOWING VOTE:

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

NOES: None

ABSENT: Barger, Bartlett and Burke

31. Determine That Coachella Valley Extreme Area Plan for 1997 8-Hour Ozone Standard Is Exempt from CEQA and Approve Coachella Valley Extreme Area Plan for 1997 8-Hour Ozone Standard

Zorik Pirveysian, Planning and Rules Manager, gave the staff presentation on Item No. 31.

The public hearing was opened, and there being no requests to speak, the public hearing was closed.

MOVED BY PEREZ; SECONDED BY CACCIOTTI, AGENDA ITEM NO. 31 APPROVED AS RECOMMENDED, ADOPTING RESOLUTION NO. 20-22 DETERMINING THAT THE COACHELLA VALLEY EXTREME AREA PLAN FOR THE 1997 8-HOUR OZONE STANDARD IS EXEMPT FROM THE REQUIREMENTS OF CEQA AND APPROVING THE COACHELLA VALLEY EXTREME AREA PLAN FOR THE 1997 8-HOUR OZONE STANDARD AND DIRECTING STAFF TO FORWARD TO COACHELLA VALLEY EXTREME AREA PLAN TO CARB FOR APPROVAL AND SUBMISSION TO U.S. EPA FOR INCLUSITON IN THE SIP, BY THE FOLLOWING VOTE:

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

NOES: None

ABSENT: Barger, Bartlett and Burke

32. Determine That Amendments to Regulation XIII - New Source Review, Regulation XX - Regional Clean Air Incentives Market and Regulation XXX - Title V Permits, Are Exempt from CEQA and Amend Regulations XIII, XX and XXX

Jillian Wong, Planning and Rules Manager, gave the staff presentation on Item No. 32.

The public hearing was opened, and there being no requests to speak, the public hearing was closed.

MOVED BY PEREZ; SECONDED BY CACCIOTTI, AGENDA ITEM NO. 32 APPROVED AS RECOMMENDED, ADOPTING RESOLUTION NO. 20-23 DETERMINING THAT THE PROPOSED AMENDMENTS TO REGULATIONS XIII, XX AND XXX ARE EXEMPT FROM THE REQUIREMENTS OF CEQA AND AMENDING REGULATIONS XIII, XX AND XXX, BY THE FOLLOWING VOTE:

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

NOES: None

ABSENT: Barger, Bartlett and Burke

33. Determine That Proposed Amendments to Rule 1146 - Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters Are Exempt from CEQA; and Amend Rule 1146

Michael Krause, Planning and Rules Manager, gave the staff presentation on Item No. 33.

The public hearing was opened, and the following individual addressed the Board on Item 33.

Mr. Eder expressed opposition to fossil fuels, support for solar technologies and concerns about the dangers of ammonia.

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

MOVED BY CACCIOTTI; SECONDED BY BUSCAINO, AGENDA ITEM NO. 33 APPROVED AS RECOMMENDED, ADOPTING RESOLUTION NO. 20-24 DETERMINING THAT PROPOSED AMENDMENTS TO RULE 1146 – EMISSIONS OF OXIDES OF NITROGEN FROM INDUSTRIAL, INSTITUTIONAL, AND COMMERCIAL BOILERS, STEAM GENERATORS, AND PROCESS HEATERS ARE EXEMPT FROM THE REQUIREMENTS OF CEQA AND AMENDING RULE 1146 – EMISSIONS OF OXIDES OF NITROGEN FROM INDUSTRIAL, INSTITUTIONAL, AND COMMERCIAL BOILERS, STEAM GENERATORS, AND PROCESS HEATERS, BY THE FOLLOWING VOTE:

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

NOES: None

ABSENT: Barger, Bartlett and Burke

**OTHER BUSINESS** (*Oral Report/No Written Materials*)

34. Consider Position of H.R. 7822, the “Public Health Air Quality Act of 2020” (Blunt-Rochester) (*Continued from November 6, 2020 meeting by operation of Governing Board procedures, Administrative Code §30.10*)

Mr. Nastri noted that staff pulled this item from consideration.

**CLOSED SESSION**

There was no closed session.

**ADJOURNMENT**

There being no further business, the meeting was adjourned by Vice Chairman Benoit at 12:20 p.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on December 4, 2020.

Respectfully Submitted,

Faye Thomas  
Clerk of the Boards

Date Minutes Approved: \_\_\_\_\_

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Dr. William A. Burke, Chairman

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**ACRONYMS**

AQMP = Air Quality Management Plan  
BARCT = Best Available Retrofit Control Technology  
CARB = California Air Resources Board  
CEQA = California Environmental Quality Act  
FY = Fiscal Year  
MSRC = Mobile Source (Air Pollution Reduction) Review Committee  
NOx = Oxides of Nitrogen  
RFP = Request for Proposals  
U.S. EPA = United States Environmental Protection Agency