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

Pursuant to Assembly Bill 361, a meeting of the South Coast Air Quality Management District Board will only be conducted via videoconferencing and telephone. Please follow the instructions below to join the meeting remotely.

*Please note the agenda has been revised to reflect that the January 7, 2022 meeting will move from a hybrid format to a remote-only format due to current health and safety concerns.

Please refer to South Coast AQMD’s website for information regarding the format of the meeting and details on how to participate:

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

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

Join Zoom Meeting - from PC, Laptop or Phone
https://scaqmd.zoom.us/j/93128605044
Meeting ID: 931 2860 5044 (applies to all)
Teleconference Dial In +1 669 900 6833 or +1 253 215 8782
One tap mobile +16699006833,,93128605044# or +12532158782,,93128605044#

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

PUBLIC COMMENT WILL STILL BE TAKEN

Phone controls for participants:
The following commands can be used on your phone’s dial pad while in Zoom Webinar meeting:
  • *6 - Toggle mute/unmute
  • *9 - Raise hand

Questions About an Agenda Item

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

Meeting Procedures

- The public meeting of the South Coast AQMD Governing Board begins at 9:00 a.m. The Governing Board generally will consider items in the order listed on the agenda. However, any item may be considered in any order.
- After taking action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.
All documents (i) constituting non-exempt public records, (ii) relating to an item on the agenda, and (iii) having been distributed to at least a majority of the Governing Board after the agenda is posted, are available prior to the meeting for public review at South Coast AQMD's Clerk of the Boards Office, 21865 Copley Drive, Diamond Bar, CA 91765 or web page at [www.aqmd.gov](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

A webcast of the meeting is available for viewing at:

http://www.aqmd.gov/home/news-events/webcast
CALL TO ORDER

• Pledge of Allegiance

• Roll Call

• Swearing in of Chair and Vice Chair for Terms January 2022 – January 2024

• Swearing in of Reappointed Board Members Rex Richardson and Veronica Padilla-Campos

• Opening Comments: Ben J. Benoit, Chair
  Other Board Members
  Wayne Nastri, Executive Officer

• Recognize Employees with 20, 25, 30, 35 and 40 Years of Service

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.

CONSENT AND BOARD CALENDAR (Items 1 through 20)

Note: Consent and Board Calendar items held for discussion will be moved to Item No. 21.

1. Approve Minutes of December 3, 2021 Board Meeting

   Thomas/3268

   Items 2 through 6 -- Budget/Fiscal Impact

2. Implement Carl Moyer, SOON, State Reserve, FARMER and Community Air Protection Programs by Recognizing Funds from CARB, Executing and Amending Contracts, and Reimbursing Administrative Costs

   Miyasato/3249

   In June 2021, Program Announcements for the Carl Moyer and Surplus Off-Road Op-In for NOx (SOON) Programs closed. This year, funding from the State Reserve and Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Programs will also be available to fund eligible projects submitted through these solicitations. These actions are to: 1) adopt Resolutions to recognize up to $94 million in FY 2021-22 funds from CARB for Carl Moyer and FARMER Programs; 2) execute contracts for Carl Moyer, SOON, State Reserve, Community Air Protection and FARMER Programs in the amount of $140,722,484; 3) authorize the Executive Officer to redistribute the source of funds for the various incentive program grants to ensure program liquidation targets are met; and 4) reimburse administrative costs for the FY 2021-22 FARMER Program. (Reviewed: Technology Committee, December 17, 2021; Recommended for Approval)

Please note, at the November 5, 2021 Board Meeting, a public hearing was set for the December 3, 2021 Board Meeting to Determine That Proposed Amended Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines, Is Exempt from CEQA; and Amend Rule 1134. At the December 3, 2021 Board Meeting, the public hearing was moved to February 4, 2022.
3. **Execute Contracts for Legislative Representation in Washington, D.C.**

   In September 2021, the Board approved the release of an RFP to solicit proposals for legislative representation in Washington, D.C. The Administrative Committee interviewed firms and made recommendations to the Board regarding a contract(s) for the agency's legislative representation. This action is to authorize the Chairman to execute contracts with Carmen Group for $222,090; Cassidy & Associates for $216,000; and Kadesh & Associates for $226,392 for legislative consulting services in Washington, D.C. for one year beginning on January 15, 2022, with an option for up to two one-year renewals, upon satisfactory performance, at the Board’s discretion. (Reviewed: Administrative Committee, November 12, and December 10, 2021; Recommended for Approval)

4. **Authorize Purchase for Cisco Unified Communication Telephony System Upgrade**

   On September 3, 2021, the Board approved the release of RFQ 2022-02 to solicit proposals from qualified vendors to provide hardware and software upgrades to the existing Cisco Unified Communications Telephony System. Three vendors responded to the RFQ. Among the responses, Insight Public Sector, Inc. is the recommended vendor to provide the system based on achieving the most points on the RFQ evaluation criteria. This action is to issue a purchase order with Insight Public Sector, Inc. to purchase Cisco telephony system upgrade. Funds ($100,000) for this purchase are included in the District General FY 2021-22 Budget. (Reviewed: Administrative Committee, December 10, 2021; Recommended for Approval)

5. **Authorize Purchase of Telecommunication Services**

   On September 3, 2021, South Coast AQMD released an RFP to select a vendor(s) capable of providing telecommunication services to the South Coast AQMD in the most cost-effective manner and, if possible, to consolidate all telephone company-related services to a single telecommunications provider. These telecommunication services included local, long distance, and toll-free; private internet protocol (PIP)/frame relay network; dedicated T1 lines; MPLS two bundled IP T1s; Ethernet Private Line (ELINE) service; Ethernet Virtual Private Line (EVPL) service; internet access (with a redundant connection); phone system maintenance; and wireless voice and data. This action is to obtain approval to purchase telecommunication services from the selected vendor(s) for a period of three years. Funds for this purchase are included in the FY 2021-22 Budget ($825,000) and will be included in subsequent fiscal year budget requests. (Reviewed: Administrative Committee, December 10, 2021; Recommended for Approval)
6. Approve Appropriation of Funds to Re-Open Contract and Bifurcation of Award as Approved by MSRC

A contract under the Transportation Control Measure Partnership Program was closed prematurely prior to payment of the final invoice. The MSRC authorized an appropriation to re-open the contract as part of the FYs 2014-16 Work Program. Additionally, the MSRC approved the bifurcation of a previous award under the Zero and Near-Zero Emission Cargo Handling Equipment in Riverside and San Bernardino Counties Program as part of their FYs 2018-21 Work Program. At this time, the MSRC seeks Board approval of the modification and bifurcation as part of the FYs 2014-16 and 2018-21 Work Programs. (Reviewed: Mobile Source Air Pollution Reduction Review Committee, December 16, 2021; Recommended for Approval)

Item 7 – Action Item /No Fiscal Impact

7. Comply with AB 361 Requirements to Allow South Coast AQMD Board and South Coast AQMD Brown Act Committees to Continue to Meet Remotely

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

Items 8 through 14 – Information Only/Receive and File

8. Legislative, Public Affairs and Media Report

This report highlights the November 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)

9. Hearing Board Report

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

10. Civil Filings and Civil Penalties Report

This report summarizes monthly penalties and legal actions filed by the General Counsel's Office from November 1 through November 30, 2021. An Index of South Coast AQMD Rules is attached with the penalty report. (No Committee Review)
11. Lead Agency Projects and Environmental Documents Received

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

12. Rule and Control Measure Forecast

This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2022, and provides a summary of implementation of the 2016 AQMP in 2021. (No Committee Review)


This report summarizes the RFQs/RFPs for budgeted services over $100,000 scheduled to be released for advertisement for the month of January. (Reviewed: Administrative Committee, December 10, 2021)


Information Management is responsible for data systems management services in support of all South Coast AQMD operations. This action is to provide the monthly status report on major automation contracts and planned projects. (Reviewed: Administrative Committee, December 10, 2021)

15. -- Staff Presentation/Board Discussion/Receive and File

Budget and Economic Outlook Update (Presentation in lieu of Board Letter)

Staff will provide an update on economic indicators and key South Coast AQMD metrics. (Reviewed: Administrative Committee, December 10, 2021)

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

17. Technology Committee (Receive & File) Chair: Buscaino Miyasato/3249

19. Mobile Source Air Pollution Reduction
   Review Committee (Receive & File)  
   Board Liaison: Benoit Katzenstein/2219

20. California Air Resources Board Monthly
    Report (Receive & File)  
    Board Rep: Kracov Thomas/2500

21. Items Deferred from Consent and Board Calendars

PUBLIC HEARINGS

22. Determine That Proposed Amended Rule 1135 – Emissions of
    Oxides of Nitrogen from Electricity Generating Facilities and
    Proposed Rule 429.2 – Startup and Shutdown Exemption
    Provisions for Oxides of Nitrogen from Electricity Generating
    Facilities, Are Exempt from CEQA; and Amend Rule 1135 and
    Adopt Rule 429.2  
    Nakamura/3105

Rule 1135 reduces NOx emissions from combustion equipment at electricity
generating facilities. Proposed Amended Rule 1135 will remove ammonia limits
which will be addressed during permitting, revise requirements for diesel internal
combustion engines on Santa Catalina Island, update provisions for Continuous
Emission Monitoring Systems, and reference Proposed Rule 429.2 for startup
and shutdown requirements. Proposed Rule 429.2 will provide an exemption
from Rule 1135 NOx concentration limits during startup and shutdown events
for specified durations with provisions for best management practices and
recordkeeping. This action is to adopt the Resolution: 1) Determining that
Proposed Amended Rule 1135 – Emissions of Oxides of Nitrogen from
Electricity Generating Facilities and Proposed Rule 429.2 – Startup and
Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity
Generating Facilities, are exempt from the requirements of the California
Environmental Quality Act; and 2) Amending Rule 1135 – Emissions of Oxides
of Nitrogen from Electricity Generating Facilities and Adopting Rule 429.2 –
Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from
Electricity Generating Facilities. (Reviewed: Stationary Source Committee,
November 19, 2021)
23. Certify Final Environmental Assessment for Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, Proposed Amended Rule 461 – Gasoline Transfer and Dispensing, and Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II; Adopt Rule 461.1 and Amend Rules 461 and 219

Proposed Rule 461.1 applies to retail and non-retail mobile fuelers that are transferring or dispensing gasoline. Proposed Rule 461.1 will reduce VOC and toxic air contaminant emissions by requiring use of CARB certified equipment for mobile fuelers and specifies other operational, testing, maintenance, recordkeeping, and reporting requirements. Proposed Amended Rule 461 will remove mobile fueling requirements and outdated definitions and provisions. Proposed Amended Rule 219 will require previously exempt gasoline mobile fuelers to be permitted. This action is to adopt the Resolution: 1) Certifying the Final Environmental Assessment for Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, Proposed Amended Rule 461 – Gasoline Transfer and Dispensing, and Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II; and 2) Adopting Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, and Amending Rule 461 – Gasoline Transfer and Dispensing, and Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II. (Reviewed: Stationary Source Committee, November 19, 2021)

OTHER BUSINESS

24. Approve Two-Year Labor Agreement with Teamsters Local 911, Approve Comparable Terms for Non-Represented Employees, Executive Officer and General Counsel, and Approve Unit Modification for Three Classifications

South Coast AQMD management and representatives of Teamsters Local 911, representing the Technical & Enforcement and Office Clerical & Maintenance bargaining units, have reached agreement on a new 2-year MOU. This action is to present the proposed agreement to the Board for approval. This action also requests Board approval to adopt comparable terms for non-represented employees through amendments to the South Coast AQMD Administrative Code and Salary Resolution, and for the Executive Officer and the General Counsel through amendments to Executive Management Agreements. This action also requests Board approval of a unit modification to transfer three classifications from the Confidential Unit to Teamsters Bargaining Units. (No Committee Review)

BOARD MEMBER TRAVEL – (No Written Material)

Board member travel reports have been filed with the Clerk of the Boards, and copies are available upon request.
CLOSED SESSION – (No Written Material)

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

It is necessary for the Board to recess to closed session pursuant to Government Code sections 54956.9(a) and 54956.9(d)(1) to confer with its counsel regarding pending litigation which has been initiated formally and to which the SCAQMD is a party. The actions are:

- Communities for a Better Environment v. SCAQMD, Los Angeles Superior Court Case No. BS161399 (RECLAIM);

- In the Matter of SCAQMD v. Southern California Gas Company, Aliso Canyon Storage Facility, SCAQMD Hearing Board Case No. 137-76 (Order for Abatement); People of the State of California, ex rel SCAQMD v. Southern California Gas Company, Los Angeles Superior Court Case No. BC608322; Judicial Council Coordinated Proceeding No. 4861;

- In the Matter of SCAQMD v. Torrance Refining Company, LLC, SCAQMD Hearing Board Case No. 6060-5 (Order for Abatement);

- CalPortland Company v. South Coast Air Quality Management District; Governing Board of the South Coast Air Quality Management District; and Wayne Nastri, Executive Officer, and Does 1-100, San Bernardino County Superior Court, Case No. CIV DS 1925894;


- SCAQMD, et al. v. EPA, United States Court of Appeals, D.C. Circuit, Case No. 19-1241 (consolidated with Union of Concerned Scientists v. NHTSA, No. 19-1230);


- Natural Resources Defense Council, et al. v. City of Los Angeles, et al., San Diego Superior Court, Case No. 37-2021-00023385-CU-TT-CTL (China Shipping Case) (transferred from Los Angeles Superior Court, Case No. 20STCP02985);

- Terry Lee Williams v. SCAQMD, Los Angeles Superior Court Case No. 19STCV37587; and

- California Trucking Association v. South Coast Air Quality Management; the Governing Board of the South Coast Air Quality Management District; and Does 1 through 25, inclusive, Case No.: 2:21-cv-06341.
CONFERENCE WITH LEGAL COUNSEL – INITIATING LITIGATION

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

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

Center for Community Action and Environmental Justice, et al. v. Federal Aviation Administration, et al. 9th Cir. No. 20-70272, consolidated with 70-464, consideration of filing amicus brief.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

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

CONFERENCE WITH LABOR NEGOTIATORS

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

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

ADJOURNMENT
***PUBLIC COMMENTS***

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

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

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

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

ACRONYMS

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 ≤ 10 microns
PM2.5 = Particulate Matter < 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.

**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.