

BOARD MEETING DATE: March 4, 2022

AGENDA NO. 2

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the February 4, 2022 Board Meeting.

RECOMMENDED ACTION:

Approve Minutes of the February 4, 2022 Board Meeting.

Faye Thomas
Clerk of the Boards

FT

FRIDAY, FEBRUARY 4, 2022

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 Ben J. Benoit, Chair
Cities of Riverside County

Senator Vanessa Delgado (Ret.), Vice Chair
Senate Rules Committee Appointee

Supervisor Lisa A. Bartlett
County of Orange

Council Member Joe Buscaino
City of Los Angeles

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

Gideon Kracov
Governor's Appointee

Supervisor Sheila Kuehl
County of Los Angeles

Mayor Larry McCallon
Cities of San Bernardino County

Veronica Padilla-Campos
Speaker of the Assembly Appointee

Supervisor V. Manuel Perez
County of Riverside

Vice Mayor Rex Richardson
Cities of Los Angeles County – Western Region

Mayor Carlos Rodriguez
Cities of Orange County

Supervisor Janice Rutherford
County of San Bernardino

Members absent: None

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

- Pledge of Allegiance: Led by Chair Benoit
- Roll Call

Vice Chair Delgado was absent for roll call and joined the meeting at 9:05 a.m.

- Recognition of Service to Outgoing Board Members Supervisor Lisa A. Bartlett and Council Member Joe Buscaino.

Chair Benoit made remarks in recognition of Supervisor Bartlett's service on the Board from March 2019 to February 2022 as the County of Orange representative; and Council Member Buscaino's service on the Board from August 2013 to February 2022 as the City of Los Angeles representative.

Several Board members expressed appreciation to Supervisor Bartlett and Council Member Buscaino for their dedicated service and shared highlights of milestones and accomplishments achieved during their tenure on the South Coast AQMD Board.

- Recognition of Service to Chief Operating Officer Jill Whynot

Chair Benoit made remarks in recognition of Chief Operating Officer Jill Whynot's upcoming retirement and expressed appreciation for her years of service and leadership at the South Coast AQMD. Other Board members also thanked Ms. Whynot for her service.

Ms. Whynot thanked members of the Board for their kind remarks and described her tenure at the South Coast AQMD as a rewarding experience. She expressed appreciation to staff, and her husband and family for their encouragement and support over the years.

- Opening Comments

Executive Officer Wayne Nastri reported on two comment letters received and responded to regarding odors from rendering plants in Vernon that impact Southeast Los Angeles communities: one letter from Los Angeles County Supervisor Janice Hahn and a second letter from SELA United that was signed by 37 elected officials and three environmental and community organizations. He explained that a key issue of concern in the letters is the process for residents to report complaints and to establish a public nuisance under our Rule 402 and state law. Mr. Nastri highlighted the compliance and enforcement actions that have been taken and that all of the rendering facilities are expected to have fully implemented permanent total enclosures by the end of the year as required by

Rule 415 which should help to reduce odors. Staff is committed to continue working with the community and is looking at ways to address the reporting concerns and additional enforcement actions.

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

Rebecca Overmeyer Velazquez, Clean Air Coalition of North Whittier and Avocado Heights, spoke in opposition of the pending permit application for Quemetco to expand its throughput by 25 percent. She stated that South Coast AQMD has the responsibility and authority to deny the permit given that dangerous toxins emitted from Quemetco's operations that endanger the health and safety of the community. She urged the Board to review Quemetco's long history of violations and lack of compliance.

Oralia Rebollo, City of Commerce Mayor Pro Tem
Erica Bojorquez, City of Commerce resident

Commented on how the unpleasant odors from the rendering plants disrupt outdoor activities for children and families and affects their daily lives. Expressed frustration with the South Coast AQMD's reporting process, including the response time to investigate complaints and the criteria required for inspectors to verify the source of the complaints before enforcement action can be taken. Emphasized the need to make the process to report Rule 415 – Odors from Rendering Facilities, violations more effective and transparent.

Denise Diaz, City of South Gate Council Member
Elizabeth Alcantar, City of Cudahy Mayor
Marisela Santana, City of Lynwood Council Member,
Ali Saleh, City of Bell Council Member
Evelyn Nuno, Field Representative for Assemblymember Cristina Garcia,
Jason Gardea-Stinnet, City of Commerce resident and IBEW Local 18
Liseth Flores, City of Bell Gardens Council Member
Idalmis Vaquero, Communities for a Better Environment, Boyle Heights resident
Ernesto Gonzales, City of Commerce resident

Commented about their experiences growing up in Southeast Los Angeles and smelling unpleasant odors emanating from the local rendering facilities. Noted that this has been a problem for decades that continues to affect the health and quality of life of children and residents in communities that are also burdened with other pollution sources. Noted that the January 25, 2022 letter from SELA United that was signed by several elected officials who grew up in the impacted communities as an immediate call for action. Expressed frustration with the South Coast AQMD's investigation and enforcement policies for reporting odor complaints and emphasized the need to reduce the reporting burden. Presented three recommendations to ensure the reporting process is transparent and effective: 1) Make it easy for the public to report and confirm violations of Rule 415; 2) Lower the threshold for South Coast AQMD staff to issue notices of violations; and 3) Establish clear rules and specific consequences for violations of Rule 415.

Vice Mayor Richardson requested that staff respond to the three recommendations at the conclusion of public comments.

Jerry Desmond, Metal Finishing Association of Southern California, expressed concerns about CARB's proposed amendments to the Airborne Toxic Control Measure (ATCM) for hexavalent chromium that includes a phaseout provision for decorative chrome plating and hard chrome plating. CARB's proposed amendments to the ATCM will override the 2018 amendments to South Coast AQMD's Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations, and undo years of work that went into coming up with a workable rule. The metal finishing industry has invested significant capital to further reduce hexavalent chromium emissions to comply with Rule 1469, and is requesting that CARB implement Rule 1469 statewide which would enable facilities to reduce emissions and continue to operate. He urged the South Coast AQMD Board to engage in the process as CARB updates the ATCM.

Board Member Kracov indicated that as the South Coast AQMD's representative on the CARB Board he is aware of the proposed updates to the ATCM. He added that the metal finishing industry are important stakeholders in this process.

Giovanna Negrete, Boyle Heights resident for the past 4-1/2 years, described her reaction when she first experienced the unpleasant rendering odors, adding that she was sad to learn that residents had been living with this issue for decades. She expressed dissatisfaction with the South Coast AQMD process to report the odors and asked that the rules be changed to make the process easier.

Todd Campbell, Clean Energy, thanked Council Member Buscaino and Supervisor Bartlett for their service and dedication to air quality. He expressed sadness over Ms. Whynot's retirement, and recognized her service and leadership at the South Coast AQMD.

Steven Goldsmith, Torrance Refinery Action Alliance, noted that the seventh-year anniversary of the explosion that occurred February 2015 at the Exxon Mobil refinery in Torrance is approaching and expressed concern that the Torrance Refining Company and Valero Refinery continue to use modified hydrofluoric acid (MHF). The February 2015 explosion was a near miss for a mass release of MHF that could have caused serious injury or death to many community members. He added that viable alternative technologies have matured and are being implemented at refineries in Utah, Oklahoma and Louisiana.

Anna Christiansen, Sierra Club (Los Cerritos Wetlands Task Force), questioned the accuracy of a South Coast AQMD map of toxic GHG emissions that was presented at a recent Long Beach City Council meeting that excluded the Los Cerritos Wetlands and Port of Long Beach, emphasizing the importance for data to accurately reflect the overall impact of pollution. She commented on how much effort it takes to get South Coast AQMD staff to respond to repeated reports of violations and that the process

allows violators to continue polluting, noting the continued pollution at the Los Cerritos Wetlands on Native American sacred ground. She emphasized the need for more air quality monitors to detect and report pollution to hold violators accountable.

Harvey Eder, Public Solar Power Coalition, expressed support for total solar conversion that is equitable. He emphasized the need to address the climate change crisis.

Ranji George, a member of the public, expressed disappointment with the significant investments allocated to natural gas technology over the past 20 years, in comparison to only a fraction of funding that has gone to battery and hydrogen fuel cell technologies. He also emphasized the need to support sustainable battery technology such as the emerging lithium iron phosphate battery. The current emphasis is on lithium-ion batteries that contain cobalt, which have detrimental impacts to disadvantaged populations worldwide. He urged the Board to provide more support for hydrogen fuel cell technologies.

Tom Hazelleaf, Seal Beach resident, stated that hydrofluoric acid is too dangerous to be used in populated areas. He emphasized that safer, commercially viable processes are available.

Duncan McKee, Avocado Heights resident, submitted a booklet on behalf of his brother, David McKee, titled "Protect your Health: Living Near Quemetco" that was prepared by the Los Angeles County Department of Public Health as a resource for residents living near Quemetco. He expressed concern that the South Coast AQMD could issue a permit allowing Quemetco to increase their throughput. He commented on the harmful chemicals Quemetco releases into the community, noting that his brother believes that the toxic emissions from their operations caused his cancer. He expressed frustration that despite numerous calls made to the South Coast AQMD over the years to report the smell of burning plastic from the facility, inspectors have not been able to trace the smell back to the facility. He questioned the results of Quemetco's emissions profile. He urged South Coast AQMD to protect the health and safety of the surrounding community.

Chair Benoit expressed empathy for residents living in communities surrounding the rendering plants and recalled the overwhelming odors from the rendering plants while visiting Exide Technologies with his father several years ago. He requested that this matter be brought before the Stationary Source Committee to get more information and discuss options to make the complaint reporting process more effective.

Mr. Nastri acknowledged that more needs to be done to address the odors from rendering facilities. Staff is scheduled to provide a status update on efforts to address these issues at the February 18, 2022 Stationary Source Committee meeting. He noted that staff will also focus on legislative changes needed to better address odor nuisances, as well as enforcement actions to motivate facilities to come into compliance quickly or that can be used as a deterrent. Staff will develop and discuss recommendations in the

appropriate Board committee.

Vice Mayor Richardson emphasized the need for outreach to residents living near the rendering facilities to explain the reporting process, noting that the reporting process should be more customer friendly. He looks forward to hearing about staff efforts and recommendations to address odors from rendering facilities.

Senator Delgado thanked everyone for comments about odors from rendering plants. She expressed admiration for the collaborative effort that went into bringing this issue before the Board and noted that she also grew up near the rendering plants and is in support of any effort that needs to be taken on the state level to address the communities' concerns. She added that because Southeast Los Angeles is densely populated, the lives of many people are impacted by the odors. She thanked staff for efforts they have taken to address this issue, but acknowledged that more may need to be done.

Written Comments Regarding: Quemetco Submitted by:

Duncan McKee

David McKee ("Protect Your Health" booklet by County of Los Angeles/Public Health)

Written Comments Regarding Rendering Plant Odor Affecting Southeast Los Angeles Communities Submitted by:

Ulysses Gonzalez, Commerce resident

Cristina Garcia, California State Assemblymember, 58th District

Los Angeles County Supervisor Janice Hahn

--One letter submitted by SELA United with the signature of the following elected officials:

Anthony Rendon, Speaker, California State Assembly, 63rd District; Cristina Garcia, California State Assemblymember, 58th District; Jackie Goldberg, Board Member District 5, Los Angeles Unified School District; Alicia Romero, Mayor, City of Bell; Ana Maria Quintana, Vice Mayor, City of Bell; Ali Saleh, Councilmember, City of Bell; Fidencio Joel Gallardo, Councilmember, City of Bell; Monica Arroyo, Councilmember, City of Bell; Maria Pulido, Mayor, City of Bell Gardens; Marco Barcena, Councilmember, City of Bell Gardens; Lisseth Flores, Councilmember, City of Bell Gardens; Leonard Mendoza, Mayor, City of Commerce; Oralia Rebollo, Mayor Pro Tem, City of Commerce; Ivan Altamirano, Councilmember, City of Commerce; Elizabeth Alcantar, Mayor, City of Cudahy; Jose R. Gonzalez, Vice Mayor, City of Cudahy; Daisy Lomeli, Councilmember, City of Cudahy; Graciela Ortiz, Mayor, City of Huntington Park; Eddie Martinez, Vice Mayor, City of Huntington Park; Karina Macias, Councilmember, City of Huntington Park; Marilyn Sanabria, Councilmember, City of Huntington Park; Manuel Avila, Councilmember, City of Huntington Park; Jorge Casanova, Mayor City of Lynwood; Jose Luis Solache, Mayor Pro Tem, City of Lynwood; Marisela Santana, Councilmember, City of Lynwood; Oscar Flores, Councilmember, City of Lynwood; Rita Soto, Councilmember, City of Lynwood; Heber Marquez, Mayor, City of Maywood; Eddie De La Riva, Councilmember, City of Maywood; Jessica Torres, Councilmember, City of Maywood; Ricardo Lara, Councilmember, City of Maywood; Mary Mariscal,

Treasurer, City of Maywood; Al Rios, Mayor, City of South Gate; Maria del Pilar Avalos, Vice Mayor, City of South Gate; Denise Diaz, Councilmember, City of South Gate; Maria Davila, Councilmember, City of South Gate; and Gil Hurtado, Councilmember, City of South Gate.

CONSENT AND BOARD CALENDAR

Items 1 through 3 – Action Items/No Fiscal Impact

1. Comply with AB 361 Requirements to Allow South Coast AQMD Board and South Coast AQMD Brown Act Committees to Continue to Meet Remotely
2. Approve Minutes of January 7, 2022 Board Meeting
3. Set Public Hearing March 4, 2022 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations

Determine That Proposed Amendments to Rule 1115 – Motor Vehicle Assembly Line Coating Operations, Are Exempt from CEQA; and Amend Rule 1115

Items 4 through 7 -- Budget/Fiscal Impact

4. Establish List of Prequalified Vendors to Provide Computer, Network, Printer, Hardware and Software
5. Approve Two-Year Labor Agreement with SC-PEA for Professional Unit Bargaining Group
6. Execute Contract for Janitorial Services at Diamond Bar Headquarters
7. Approve Contract Modification as Approved by MSRC

Items 8 through 15 – Information Only/Receive and File

8. Legislative, Public Affairs and Media Report
9. Hearing Board Report
10. Civil Filings and Civil Penalties Report
11. Lead Agency Projects and Environmental Documents Received
12. Rule and Control Measure Forecast

13. Report of RFQs/RFPs Scheduled for Release in February
14. Status Report on Regulation XIII – New Source Review
15. Status Report on Major Ongoing and Upcoming Projects for Information Management

Items 16 and 17 -- Staff Presentations/Board Discussion/Receive and File

16. Budget and Economic Outlook Update *(Presentation in Lieu of Board Letter – No Action Required)*
17. Update on Facility-Based Mobile Source Measure Development for Marine Ports *(Presentation in lieu of Board Letter – No Action Required)*

Items 18 through 23 -- Reports for Committees and CARB

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

Disclosures:

Mayor McCallon, Council Member Buscaino, Vice Mayor Richardson and Chair Benoit announced that they have no financial interests in Agenda Item No. 7 but are required to identify for the record that they are Regional Council Members for the Southern California Association of Governments (SCAG), which is involved in this item.

Harvey Eder provided comments on Agenda Items 7 & 12. He emphasized the need for contracts to include environmental justice and equity and integrate solar. He added that South Coast AQMD rules scheduled for rulemaking need to respond to exhibits in the Solar New Deal.

MOVED BY CACCIOTTI, SECONDED BY KUEHL, AGENDA ITEMS 1 THROUGH 16 AND 18 THROUGH 23 APPROVED AS RECOMMENDED; AND TO ADOPT RESOLUTION NO. 22-6, RECOGNIZING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020 AND THAT THE COUNTY OF LOS ANGELES CONTINUES TO RECOMMEND MEASURES TO PROMOTE SOCIAL DISTANCING; AND AUTHORIZING FULLY OR PARTIALLY REMOTE TELECONFERENCE MEETINGS OF THE GOVERNING BOARD OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT, AND SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT COMMITTEES SUBJECT TO THE BROWN ACT, FOR THE PERIOD OF FEBRUARY 4, 2022 THROUGH MARCH 6, 2022 PURSUANT TO PROVISIONS OF THE BROWN ACT; AND TO RECEIVE AND FILE THE COMMITTEE, MSRC AND CARB REPORTS, BY THE FOLLOWING VOTE:

AYES: Bartlett, Benoit, Buscaino, Cacciotti, Delgado, Kracov, Kuehl, McCallon, Padilla-Campos, Perez, Rodriguez, Richardson and Rutherford

NOES: None

ABSENT: None

24. Items Deferred from Consent and Board Calendar/Pulled for Discussion

Agenda Item No. 17 was pulled for comment and discussion.

Disclosure:

Vice Mayor Richardson announced that he does not have a financial interest in Agenda Item No. 17 but is required to identify for the record that he is a Council Member of the City of Long Beach, which is involved in this item.

Items Deferred from Consent and Board Calendar/Pulled for Discussion

17. Update on Facility-Based Mobile Source Measure Development for Marine Ports
(Presentation in lieu of Board Letter – No Action Required)

Wayne Nastri provided an update on discussions that occurred over the past six months to negotiate and agree on language for an MOU with the Port of Los Angeles (POLA) and the Port of Long Beach (POLB). He acknowledged the willingness of POLB to work with the South Coast AQMD staff and noted that they identified additional measures in their draft MOU such as advanced funding of \$100 million to accelerate truck replacement. He explained that it has been challenging to reach an agreement because the Ports have significantly different perspectives regarding enforceable mechanisms. Because an agreement was not reached, staff will now move forward with developing an indirect source rule (ISR), as directed by the Board at its August meeting, to fulfill the South Coast AQMD's obligation under the Clean Air Act to pursue all feasible measures to reduce emissions.

Ian MacMillan, Assistant DEO/Planning, Rule Development and Area Sources gave the staff presentation on Agenda Item No. 17.

Peter Warren, San Pedro Peninsula Homeowners Coalition, commented on litigation brought against POLA for CEQA violations, alleging that POLA failed to implement and enforce mitigation measures in its original 2008 EIR for the China Shipping Container Terminal project and then eliminated or weakened measures in a supplemental EIR without adequate substitutes. He questioned the intentions of the Ports to develop an effective MOU and urged the Board to proceed with an ISR.

Karen Jakpor, M.D., physician volunteer for the American Lung Association and Riverside resident, provided comments in support of an ISR for the Ports, noting that the Ports complex is the largest source of air pollution in the region. She expressed concern that very little has been accomplished through a voluntary approach and therefore, there is an urgency to implement rulemaking to address air pollution and the climate change crisis which is worsening due to the recent dramatic increase in cargo volume. She emphasized that the region cannot afford to wait endlessly for an MOU. As a federal nonattainment area for air pollution, actions need to be taken to reduce emissions to achieve attainment of the federal clean air standards or risk federal sanctions.

Fernando Gaytan, Earthjustice, spoke in favor of staff embarking on rulemaking for an ISR that will address pollution at the port. He expressed disappointment that the MOU negotiations have been ongoing since 2016; and that despite direction from the Board in August 2021 that extended MOU negotiations for an additional six months, neither Port has offered an approach that will get the emission reductions needed to meet federal air quality standards. He further explained that the offers by the Ports fall short of meeting their 2017 Clean Air Action Plan (CAAP) goals and makes the South Coast AQMD solely responsible for any shortfall in emissions reductions not met through the voluntary measures they propose.

Luis Portillo, San Gabriel Valley Economic Partnership
Harry Semerdjian, Los Angeles Area Chamber of Commerce
Sarah Wiltfong, BizFed (Los Angeles County Business Federation)
Peter Ward, Valley Industry and Commerce Association
Lakshmi Jayaram, Future Ports
Thomas Jelenic, Pacific Merchant Shipping Association
Henry Rogers, Harbor Association of Industry Commerce
Edgar Arreola, Inland Empire Economic Partnership

Encouraged the South Coast AQMD to continue working with the Ports on an MOU, as POLA and POLB have a proven track record in doing their part to reduce emissions and are committed to continuing efforts to comply with federal air quality standards. Emphasized that the voluntary, collaborative approach under the CAAP has resulted in significant and measurable emissions reductions. Expressed concern that the Board's direction to staff to work with the Ports on an MOU while the ISR was still on the table had hindered productive conversations. Voluntary measures have proven to reduce emissions while balancing the economic impacts. Urged the Board to withdraw the pre-authorization for staff to begin work on an ISR and allow the MOU negotiations to continue.

Chris Chavez, Coalition for Clean Air, Wilmington, Carson, West Long Beach AB 617 Community Steering Committee member, and Long Beach resident, urged the South Coast AQMD to fulfill its commitment to develop an ISR for the San Pedro Bay Ports. He expressed concern that the MOU process has dragged on for years. He stated that the most recent proposals from the Ports will not result in meaningful emission reductions to address Southern California's air pollution crisis, fails to go beyond the goals under the CAAP, prevents South Coast AQMD from implementing future port-related regulations and re-inserted the "claw back" language that would require South Coast AQMD to pay back millions of dollars if they leave the MOU early. He added that the South Coast AQMD is required by law to adopt all feasible measures to achieve attainment of clean air standards, and that addressing port pollution is also a priority for AB 617 communities, especially Wilmington, Carson and West Long Beach.

Ranji George expressed concern that to address emission reductions at the Ports, there will be more emphasis towards natural gas and battery technologies with very little funding for hydrogen fuel cell technologies. He urged the Board to support more funding for solar, wind, and hydrogen fuel technologies. He reiterated concerns about the recycling and disposal of lithium-ion batteries due to the rising demand for electric vehicles.

Gene Seroka, Port of Los Angeles, expressed disappointment that the MOU negotiations have been unsuccessful. He stated that POLA never received a formal response to the draft MOU they submitted jointly with POLB on August 11, 2021. He commented on POLA's commitment to zero emissions technology, citing the Clean Truck Fund rate and the significant amount of funding that would go specifically to zero-emissions technology; and the Green Shipping Corridor to reduce emissions from ocean-going vessels. He committed to continuing the MOU negotiations in good faith and cautioned about the economic impacts of an ISR. He emphasized the need to secure monetary investments to accelerate the technology.

Mario Cordero, Port of Long Beach, commended the Board for their service and mutual quest to clean the air in the region. He emphasized that POLB has consistently demonstrated a commitment to improving environmental performance while supporting economic development and good jobs. He commented on emission reductions and targets achieved under the CAAP and added that POLB's MOU proposal provides an aggressive and comprehensive commitment that pushes further than the strategies of the CAAP and offers significant investments to achieve zero-emissions goals that includes advancing \$100 million for accelerated emission reduction for drayage trucks. The strategies put forward in their proposal was done out of a collaborative spirit and in good faith to accelerate emission reductions, benefit public health and local communities, and allow for continued cooperative progress. He expressed disappointment that South Coast AQMD staff has dismissed their proposal and is instead in favor of pursuing an ISR.

Steven Goldsmith, Torrance Refinery Action Alliance, expressed concerns for the safety of port workers who go to the International Longshore & Warehouse Union (ILWU) dispatch hall because it is located close to a refinery with HF storage tanks. He emphasized that there are safer, commercially available alternatives to HF, noting that the Valero refinery could convert its HF alkylation unit with one of the new alkylation processes with very little downtime. He urged staff to develop a rule to remove and replace HF with one of the available safer alternatives.

Jessica Craven, Los Angeles Democratic Party elected member/California Democratic Party Environmental Caucus, Northeast Los Angeles Climate Collective,
Jessie Parks, Sierra Club
Faraz Rizvi, Center for Community Action and Environmental Justice (CCA EJ)
Mandeera Wijetunga, Pacific Environment/Los Angeles resident
Darby Osnaya, Sierra Club and Colton resident,
Theral Golden, West Long Beach Association
Ann Cantrell, Sierra Club and Los Cerritos Wetlands Taskforce
Cindy Santiago, Sierra Club and UCLA student
Ian Patton, West Long Beach resident
Sylvia Betancourt, Long Beach Alliance for Children with Asthma,
Joaquin Castillejos
Marven Norman, CCA EJ
Angie Balderas, Sierra Club

Elliott Gonzales

Ana Gonzalez, CCAEJ

Ivette Torres, CCAEJ

Taylor Thomas, East Yard Communities for Environmental Justice and
Long Beach resident

Andrea Vidaurre, CCAEJ

Mark Masoka, Asian Pacific Policy and Planning Council

Ana Gonzalez, CCAEJ

Yassi Kavezade, Sierra Club-My Generation Campaign

These commenters expressed support for a strong ISR to electrify the Ports. They noted that the ports are the largest source of pollution in the region and frontline communities near the ports bear a disproportionate burden on their health from air pollution exposure. They commented on record-breaking cargo volume at the Ports and the related increase in harmful pollutants. They stated that the voluntary approaches through an MOU process has failed and urged the Board to not allow further delays to the rulemaking process.

Al Sattler, South Bay resident, spoke in support of an ISR for the Ports. He stated that the MOUs for the ports and refineries are not working. He pointed out that existing low-NOx technologies have not been widely implemented by the Ports and expressed support for electrifying rail and allocating more funds for clean trucks, noting that the Clean Truck Fund rate of \$10 is a substantially small amount.

Marvin Pineda, ILWU Local 13, 63, and 94, expressed support for environmental justice as ILWU members work and live in communities surrounding the Port complex; however, they would prefer an MOU agreement rather than a regulatory approach that could potentially be challenged in court and delay progress to provide clean air to communities. He emphasized the need to ensure that jobs at the Ports are protected and requested that a socioeconomic analysis be performed to determine the impact on jobs. He also expressed concern about the automation of ports operations that would impact dockworkers, communities, and small businesses. He urged the parties to find a solution that considers the environment as well as the economic impacts.

Kat Janowicz, 3COTECH and Long Beach resident, commented about the development of the CAAP that would not have been as significant without close collaboration, noting that many of the measures voluntarily agreed upon by stakeholders became regulations in the years that followed its adoption. She added that the CAAP measures provided a platform for emission reductions and technology demonstration that has achieved significant results. She encouraged continued collaboration with the Ports on an MOU rather than imposing an ISR. She expressed concern that an ISR may lead to unintended consequences and have adverse impacts on the economy, port congestion and increased emissions.

Bernice Jimenez Creager, California Trucking Association, commented on the cooperative approach between the trucking and goods movement industries that has resulted in diesel and NOx emission reductions. She added that the MOU process has worked well historically and is the best way to achieve emission reductions. She urged the South Coast AQMD to continue working with the Ports on an MOU.

Todd Campbell, speaking as a South Bay resident, expressed frustration that the Ports have been dragging their feet on MOU negotiations for years that never come to any conclusion and that POLA has failed to fully implement the 2003 settlement agreement on the China Shipping Container Terminal project. He questioned the emission reductions achieved since the updated 2017 CAAP and urged the Board to allow staff to begin developing an ISR.

Dave Cook, local technology worker, stated that there have been commitments to the port communities to purchase the cleanest locomotives available. He expressed concerns that locomotives purchased by the Ports are not the cleanest locomotives available and barely meet the Tier 4 standards.

Harvey Eder emphasized the need for environmental justice and equity, phasing out fossil fuels and integrating the Solar New Deal.

Supervisor Kuehl cited public health concerns and the economic impact of adverse health outcomes due to air pollution. Additionally, she disagreed with the public comment about ISR hindering MOU discussions and stated that ISR provided a deadline for the MOU process. She emphasized that the Board had directed staff back in August 2021 to continue pursuing an MOU approach for another six months, and if after the six months there is no MOU, staff would shift its efforts to a rulemaking approach. She added that it was a reasonable approach and attempt by the Board and staff to come to some agreement and now as decided previously it is time to move onto the ISR.

Board Member Padilla-Campos thanked Supervisor Kuehl and everyone for their comments. She noted her agreement to move forward with the ISR process and looks forward to working with all stakeholders and paying attention to what our communities have been saying for a long time.

Vice Mayor Richardson explained that the additional six months for MOU negotiations was important given the new members on the Board and the need to have a clear starting point, and goal to get emission reductions as quickly as possible through voluntary measures rather than an ISR process that will take 12 to 18 months. He requested that staff continue to engage on issues regarding the threat of port automation and other labor concerns and address these issues through a resolution or Board action in a couple of months.

Mr. Nastri responded that staff is cognizant of labor concerns and is committed to addressing those issues to ensure they are included in any rule that is brought before the Board.

Vice Mayor Richardson expressed disappointment with the pace of the negotiations, untimely responses to the Ports, technical evaluation, and very little community engagement. He suggested that staff heighten engagement, technical scrutiny and transparency moving forward. He added that there needs to be some degree of accountability from the Ports and not just voluntary agreement, noting that their lack of commitment made the process difficult. He urged the Ports to continue to take voluntary measures and not wait for 18 months.

Mr. Nastri responded that there were discussions with Ports staff on a regular basis and staff always made themselves available. Staff was engaged in the process faithfully and transparently, noting there was never a lack of effort and communication on the part of staff. He added that the public had an opportunity to provide comments at the Marine Port Committee meetings and will have more opportunities during the rulemaking process.

In response to Mayor Cacciotti, Mr. MacMillan clarified that the \$3 million dollars referenced in the staff presentation is POLA's early deployment proposal for zero-emission drayage trucks, and that the \$130 million dollars that was referenced by POLA is for the first three years of fee revenue from the Clean Truck Program which they are planning to implement. He added that there are about 20,000 trucks in the drayage truck registry. Mayor Cacciotti commented that \$200 million from the Ports might address 1,500 to 1,600 trucks and will not be sufficient for the scope of the problem.

Written Comments Submitted by:

Eugene Seroka, Port of Los Angeles

Ann Dorsey, Northridge resident

Dave Hall, Long Beach resident

Billy Patterson, Yucaipa resident

Thomas Jelenic, Pacific Merchant Shipping Association (PMSA)

Jessica Alvarenga, PMSA

Michele Grubbs, PMSA

Matthew Sullivan, SSA Marine Company

Brissa Sotelo

Martin Kai

Joanne McClaskey

Nancy Starczyk

Pat Anderson

PUBLIC HEARING

- 25. Determine That Proposed Amendments to Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines, Are Exempt from CEQA; and Amend Rule 1134

Staff waived the presentation on this item.

The public hearing was opened, and the following individual addressed the Board on Agenda Item 25.

Harvey Eder expressed his desire to hear the presentation on this item. He noted that Scotland is phasing out natural gas in the next two years, and commented on the causes and effects of climate change.

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

MOVED BY MCCALLON, SECONDED BY CACCIOTTI, AGENDA ITEM NO. 25 APPROVED AS RECOMMENDED, TO ADOPT RESOLUTION NO. 22-7 DETERMINING THAT PROPOSED AMENDED RULE 1134 – EMISSIONS OF OXIDES OF NITROGEN FROM STATIONARY GAS TURBINES IS EXEMPT FROM THE REQUIREMENTS OF CEQA AND AMENDING RULE 1134 – EMISSIONS OF OXIDES OF NITROGEN FROM STATIONARY GAS TURBINES, BY THE FOLLOWING VOTE:

AYES: Bartlett, Benoit, Buscaino, Cacciotti, Delgado, Kracov, Kuehl, McCallon, Padilla-Campos, Perez, Richardson, Rodriguez, and Rutherford

NOES: None

ABSENT: None

CLOSED SESSION

There was no closed session.

ADJOURNMENT

There being no further business, the meeting was adjourned by Vice Chair Delgado at 1:10 p.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on February 4, 2022.

Respectfully Submitted,

Faye Thomas
Clerk of the Boards

Date Minutes Approved: _____

Ben J. Benoit, Chair

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
ISR = Indirect Source Rule
MOU = Memorandum of Understanding
MSRC = Mobile Source (Air Pollution Reduction) Review Committee
NOx = Oxides of Nitrogen
PM = Particulate Matter
RECLAIM = Regional Clean Air Incentives Market
RFP = Request for Proposals
RFQ = Request for Quotations
U.S. EPA = United States Environmental Protection Agency
VOC = Volatile Organic Compound
WCWLB = Wilmington, Carson, West Long Beach