



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

A G E N D A

HYBRID GOVERNING BOARD MEETING August 4, 2023

A meeting of the South Coast Air Quality Management District Board will be held at 9:00 a.m. on Friday, August 4, 2023 through a hybrid format of in-person attendance in the Dr. William A. Burke Auditorium at the South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, and/or virtual attendance via videoconferencing and by telephone. Please follow the instructions below to join the meeting remotely.

Please refer to South Coast AQMD's website for information regarding the format of the meeting, updates, and details on how to participate at: <http://www.aqmd.gov/home/news-events/meeting-agendas-minutes>

<p>Electronic Participation Information (Instructions provided at the bottom of the agenda)</p>	<p>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#</p> <p>Spanish Language Only Audience (telephone) Número Telefónico para la Audiencia que Habla Español Teleconference Dial In/Numero para llamar: +1 669 900 6833 Meeting ID/Identificación de la reunión: 932 0955 9643 One tap mobile: +16699006833,,93209559643#</p>
<p>Public Comment Will Still Be Taken</p>	<p>Audience will be allowed to provide public comment in person and through Zoom connection or telephone. Phone controls for participants: The following commands can be used on your phone's dial pad while in meeting: *6 (Toggle mute/unmute); *9 - Raise hand</p>
<p>Questions About an Agenda Item</p>	<ul style="list-style-type: none">▪ 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.
<p>Meeting Procedures</p>	<ul style="list-style-type: none">▪ 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, <u>any item</u> may be considered in <u>any order</u>.▪ 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

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
- Opening Comments: Vanessa Delgado, Chair
Other Board Members
Wayne Nastri, Executive Officer

Staff/Phone (909) 396-

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 19)

Note: Consent and Board Calendar items held for discussion will be moved to Item No. 20

Items 1 through 4 – Action Items/No Fiscal Impact

- | | |
|---|--------------------|
| 1. Approve Minutes of June 2, 2023 | Thomas/3268 |
| 2. Set Public Hearings September 1, 2023 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations: | Nastri/3131 |
| 2A. Certify Final Environmental Assessment for Proposed Amended Rule 1178 – Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities; and Amend Rule 1178 | Krause/2706 |

Proposed Amended Rule 1178 will establish enhanced leak detection and repair requirements and more stringent control requirements on tanks that store crude oil, additional seals for internal floating roof tanks, and a higher control efficiency requirement for emission control systems. The proposed amended rule will also include provisions for true vapor pressure testing and will update reporting and recordkeeping requirements. This action is to adopt the Resolution: 1) Certifying the Final Environmental Assessment for Proposed Amended Rule 1178 – Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities, and 2) Amending Rule 1178 – Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities. (Reviewed: Stationary Source Committee, June 16, 2023)

- 2B. Determine That Proposed Amended Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces, Is Exempt From CEQA; and Amend Rule 1111

Krause/2706

Rule 1111 establishes a NOx emission limit of 14 ng/J for residential and commercial gas furnaces. Proposed Amended Rule 1111 will extend the mitigation fee alternative compliance option end date from September 30, 2023 to September 30, 2025 for mobile home furnaces. This action is to adopt the Resolution: 1) Determining that the proposed amendment to Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces is exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces. (To Be Reviewed: Stationary Source Committee, August 18, 2023)

3. Approve Appointment by South Coast Air Quality Management District Building Corporation of Jill Whynot to Building Corporation's Board of Directors

Jain/28/04

A vacancy exists on the Board of Directors of the South Coast Air Quality Management District Building Corporation, as a result of the death of Raymond Robinson. The Building Corporation's bylaws require that its appointment of a member to its Board of Directors be approved by South Coast AQMD's Governing Board. This action is to approve the appointment of Jill Whynot to the Building Corporation's Board of Directors. (No Committee Review)

4. Special Meeting of Health Effects of Air Pollution Foundation

Gilchrist/3459

This item is to approve the appointment of Supervisor Curt Hagman as a Director of the Health Effects of Air Pollution Foundation. (No Committee Review)

Items 5 and 6 – Budget/Fiscal Impact

5. Issue Program Announcement, and Execute Contracts for Paving Project Plan Within Assembly Bill 617 Community of Eastern Coachella Valley

Higgins/3309

Through community-led incentives budgeting workshops in early 2021, the Assembly Bill 617 Eastern Coachella Valley (ECV) Community Steering Committee prioritized \$4.57 million in Community Air Protection Program incentive

funding for Paving Projects within the ECV community. These actions are to: 1) issue a Program Announcement in an amount up to \$4.57 million from the Community Air Protection AB 134 Fund (77) to solicit paving project applications from applicants for the Paving Project Program and to execute contracts to implement paving projects in the ECV Community through the Paving Project Program; 2) reimburse the General Fund for administrative costs of up to \$279,667 from the Community Air Protection AB 134 Fund (77); and 3) transfer and appropriate up to \$25,000 from the Community Air Protection AB 134 Fund (77) into the Diversity, Equity and Inclusion with Community Air Programs Office's FYs 2023-24 and/or 2024-25 Budgets, Services and Supplies Major Object, Public Notice and Advertisement account for administrative costs to implement the Paving Project Plan. (Reviewed: Stationary Source Committee, June 16, 2023)

6. Approve Fund Transfer for Miscellaneous and Direct Expenditures Costs in FY 2023-24 as Approved by MSRC

McCallon

Every year the MSRC adopts an Administrative Budget which includes transfer of funds to the South Coast AQMD Budget to cover administrative expenses. At this time, the MSRC seeks Board approval of the fund transfer as part of the FYs 2021-24 Work Program. (Reviewed: Mobile Source Air Pollution Reduction Review Committee, June 16, 2023, Recommended for Approval)

Items 7 through 12 – Information Only/Receive and File

7. Legislative, Public Affairs and Media Report

Alatorre/3122

This report highlights the May and June 2023 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)

8. Hearing Board Report

Verdugo-Peralta

This reports the actions taken by the Hearing Board during the period of May 1 through June 30, 2023. (No Committee Review)

9. Civil Filings and Civil Penalties Report

Gilchrist/3459

This report summarizes monthly penalties and legal actions filed by the General Counsel's Office from May 1, 2023 through May 31, 2023. An Index of South Coast AQMD Rules is attached with the penalty report. (Reviewed: Stationary Source Committee, June 16, 2023)

10. Lead Agency Projects and Environmental Documents Received

Krause /2706

This report provides a listing of CEQA documents received by South Coast AQMD between May 1, 2023 and June 30, 2023, and those projects for which South Coast AQMD is acting as lead agency pursuant to CEQA. (Reviewed: Mobile Source Committee, June 16, 2023 for the May 1 to May 31, 2023 portion of the report; the June 1 to June 30, 2023 portion of the report had no committee review)

11. Rule and Control Measure Forecast

Rees/2856

This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2023. (No Committee Review)

12. Status Report on Major Ongoing and Upcoming Projects for Information Management

Moskowitz/3329

Information Management is responsible for data systems management services in support of all South Coast AQMD operations. This action is to provide the monthly status report on major automation contracts and planned projects. (Reviewed: Administrative Committee, June 9, 2023)

Items 13 through 19 -- Reports for Committees and CARB

Note: The June 16, 2023 meeting of the Technology Committee was cancelled. The next regular meeting of the Technology Committee is August 18, 2023.

13. Administrative Committee (Receive & File)

Chair: Delgado

Nastri/3131

14. Investment Oversight (Receive & File)

Chair: Cacciotti

Jain/2804

15. Legislative Committee Chair: Cacciotti **Alatorre/3122**
Receive and file; and take the following actions
as recommended:

Agenda Item	Recommendation
AB 985 (Arambula) San Joaquin Valley Unified Air Pollution Control District: emission reduction credit system	Oppose
SB 310 (Dodd) Prescribed fire: civil liability: cultural burns	Oppose unless Amended
SB 410 (Becker) Powering Up Californians Act	Support
SB 537 (Becker) Open meetings: multijurisdictional, cross-county agencies: teleconferences	Support

16. Mobile Source Committee (Receive & File) Chair: Kracov **Rees/2856**
17. Stationary Source Committee (Receive & File) Chair: McCallon **Aspell/2491**
18. Mobile Source Air Pollution Reduction Review Committee (Receive & File) Board Rep: Hagman **Katzenstein/2219**
19. California Air Resources Board Monthly Report (Receive & File) Board Rep: Kracov **Thomas/3286**
20. Items Deferred from Consent and Board Calendar

STAFF PRESENTATION/BOARD DISCUSSION/RECEIVE AND FILE

21. Workplan for Permitting Enhancement Program (Presentation In Lieu of Board Letter) **Aspell/2491**

Staff will present the Workplan to implement the Permitting Enhancement Program, which is one of the Chair's priorities. Based on feedback received from the Board at the May 5, 2023 meeting, this Workplan will provide a comprehensive look at the current permit application inventory, identify challenges to timely permit issuance, set division-wide goals to address the timely processing of incoming applications and the aged applications, provide solutions and request resources needed to overcome current and future permit processing challenges. (No Committee Review)

PUBLIC HEARINGS

22. Determine That Proposed Amended Rule 1153.1 – Emissions of Oxides of Nitrogen from Commercial Food Ovens, Is Exempt from CEQA; and Amend Rule 1153.1

Krause/2706

Proposed Amended Rule 1153.1 applies to RECLAIM and non-RECLAIM facilities and is being amended to update the NOx emission limits to reflect BARCT and to establish future effective dates for zero-emission limits for certain categories of commercial food ovens. The proposed amendments also update and clarify rule provisions and the rule structure and includes an alternative compliance schedule plan for zero-emission limits. This action is to adopt the Resolution: 1) Determining that Proposed Amended Rule 1153.1 – Emissions of Oxides of Nitrogen from Commercial Food Ovens, is exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1153.1 – Emissions of Oxides of Nitrogen from Commercial Food Ovens. (Reviewed: Stationary Source Committee, June 16, 2023)

23. Determine That Proposed Amended Rule 2202 – On-Road Motor Vehicle Options, Is Exempt from CEQA; and Amend Rule 2202

MacMillan/3244

Proposed Amended Rule 2202 requires limited additional reporting of worksites with more than 250 employees to collect information that would be used to inform a potential second future amendment to Rule 2202. Proposed Amended Rule 2202 also includes administrative updates and updates to the implementation guidance. This action is to adopt the Resolution: 1) Determining that Proposed Amended Rule 2202 – On-Road Motor Vehicle Options is exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 2202. (Reviewed: Mobile Source Committee, May 19, 2023, Reviewed)

BOARD MEMBER TRAVEL – (No Written Material)

Board member travel reports have been filed with the Clerk of the Boards, and copies are available upon request.

CLOSED SESSION -- (No Written Material)

Gilchrist/3459

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

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

- 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;
- SCAQMD, et al. v. EPA, United States Court of Appeals, D.C. Circuit, Case No. 19-1241 (consolidated with Union of Concerned Scientists v. NHTSA, No. 19-1230);
- SCAQMD, et al. v. NHTSA, EPA, et al., United States Court of Appeals, D.C. Circuit, Filed May 28, 2020;
- 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); Fourth District Court of Appeal, Division One, No. D080902;
- 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, U.S. District Court for the Central District of California, Case No. 2:21-cv-06341;
- In the Matter of SCAQMD v. Baker Commodities, SCAQMD Hearing Board Case No. 6223-1 (Order for Abatement); Baker Commodities, Inc. v. South Coast Air Quality Management District Hearing Board; South Coast Air Quality Management District; South Coast Air Quality Management District Hearing Board Members: Cynthia Verdugo-Peralta, Robert Pearman, Micah Ali, and Allan Bernstein, DPM MBA, in their official capacities only; and 100 Does and Roes, Los Angeles County Superior Court, Case No. 22STCP03597; and
- South Coast Air Quality Management District v. EPA, U.S. District Court for the Central District of California, Case No. 2:23-cv-02646.

CONFERENCE WITH LEGAL COUNSEL – INITIATING LITIGATION

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

- Center for Biological Diversity and Center for Environmental Health v. Michael S. Regan, in his official capacity as Administrator, United States Environmental Protection Agency, U.S. District Court for the Northern District of California, Case No. 4:23-cv-00148 (PM 2.5)

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).

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 in person or 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, and website, <http://www.aqmd.gov/home/news-events/meeting-agendas-minutes>, 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	NATTS =National Air Toxics Trends Station
AQIP = Air Quality Investment Program	NESHAPS = National Emission Standards for Hazardous Air Pollutants
AQMP = Air Quality Management Plan	NGV = Natural Gas Vehicle
AVR = Average Vehicle Ridership	NOx = Oxides of Nitrogen
BACT = Best Available Control Technology	NSPS = New Source Performance Standards
BARCT = Best Available Retrofit Control Technology	NSR = New Source Review
Cal/EPA = California Environmental Protection Agency	OEHHA = Office of Environmental Health Hazard Assessment
CARB = California Air Resources Board	PAMS = Photochemical Assessment Monitoring Stations
CEMS = Continuous Emissions Monitoring Systems	PEV = Plug-In Electric Vehicle
CEC = California Energy Commission	PHEV = Plug-In Hybrid Electric Vehicle
CEQA = California Environmental Quality Act	PM10 = Particulate Matter ≤ 10 microns
CE-CERT =College of Engineering-Center for Environmental Research and Technology	PM2.5 = Particulate Matter ≤ 2.5 microns
CNG = Compressed Natural Gas	RECLAIM=Regional Clean Air Incentives Market
CO = Carbon Monoxide	RFP = Request for Proposals
DOE = Department of Energy	RFQ = Request for Quotations
EV = Electric Vehicle	RFQQ=Request for Qualifications and Quotations
EV/BEV = Electric Vehicle/Battery Electric Vehicle	SCAG = Southern California Association of Governments
FY = Fiscal Year	SIP = State Implementation Plan
GHG = Greenhouse Gas	SOx = Oxides of Sulfur
HRA = Health Risk Assessment	SOON = Surplus Off-Road Opt-In for NOx
LEV = Low Emission Vehicle	SULEV = Super Ultra Low Emission Vehicle
LNG = Liquefied Natural Gas	TCM = Transportation Control Measure
MATES = Multiple Air Toxics Exposure Study	ULEV = Ultra Low Emission Vehicle
MOU = Memorandum of Understanding	U.S. EPA = United States Environmental Protection Agency
MSERCs = Mobile Source Emission Reduction Credits	VOC = Volatile Organic Compound
MSRC = Mobile Source (Air Pollution Reduction) Review Committee	ZEV = Zero Emission Vehicle

INSTRUCTIONS FOR ELECTRONIC PARTICIPATION

Instructions for Participating in a Virtual Meeting as an Attendee

As an attendee, you will have the opportunity to virtually raise your hand and provide public comment.

Before joining the call, please silence your other communication devices such as your cell or desk phone. This will prevent any feedback or interruptions during the meeting.

For language interpretation:

Click the interpretation Globe icon at the bottom of the screen

Select the language you want to hear (either English or Spanish)

Click "Mute Original Audio" if you hear both languages at the same time.

Para interpretación de idiomas:

Haga clic en el icono de interpretación el globo terráqueo en la parte inferior de la pantalla

Seleccione el idioma que desea escuchar (inglés o español)

Haga clic en "Silenciar audio original" si escucha ambos idiomas al mismo tiempo.

Please note: During the meeting, all participants will be placed on Mute by the host. You will not be able to mute or unmute your lines manually.

After each agenda item, the Chair 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.

Directions to provide public comment on ZOOM from a DESKTOP/LAPTOP or SMARTPHONE:

Click on the "Raise Hand" feature at 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 to provide public comment via TELEPHONE:

Dial *9 on your keypad to signal that you would like to comment.

Directions for Spanish Language TELEPHONE line only:

- The call in number is the same (+1 669 900 6833)
- The meeting ID number is 932-0955-9643
- If you would like to make public comment, please dial *9 on your keypad to signal that you would like to comment.

Instrucciones para la línea de TELÉFONO en español únicamente:

- El número de llamada es el mismo (+1 669900 6833 o +1 93209559643)
- El número de identificación de la reunión es 932-0955-9643
- Si desea hacer un comentario público, marque *9 en su teclado para indicar que desea comentar.