

BOARD MEETING DATE: March 3, 2023

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the February 3, 2023
Board Meeting.

RECOMMENDED ACTION:

Approve the February 3, 2023 Board Meeting Minutes.

Faye Thomas
Clerk of the Boards

FT

FRIDAY, FEBRUARY 3, 2023

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

Ben J. Benoit, Chair
Cities of Riverside County

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

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

Supervisor Andrew Do
County of Orange

Gideon Kracov
Governor's Appointee

Mayor Larry McCallon
Cities of San Bernardino County

Supervisor Holly J. Mitchell
County of Los Angeles

Veronica Padilla-Campos
Speaker of the Assembly Appointee

Supervisor V. Manuel Perez (Left the meeting at 9:59 a.m.)
County of Riverside

Council Member Nithya Raman
City of Los Angeles

Council Member Carlos Rodriguez
Cities of Orange County

Supervisor Janice Rutherford
County of San Bernardino

Absent: Vacant, Cities of Los Angeles County –
Western Region Representative

For additional details of the Governing Board Meeting, please refer to the recording of the [Webcast](#) at: [Live Webcast \(aqmd.gov\)](#)

CALL TO ORDER: Chair Benoit called the meeting to order at 9:07 a.m.

- Pledge of Allegiance: Led by Supervisor Holly J. Mitchell
- Roll Call
 - Supervisor Perez was present via videoconference but unable to respond to roll call due to technical difficulties.

- Opening Comments

Chair Benoit reported that he and his board assistant attended a Breathe Southern California event – *Tesla x Breathe SoCal* – at the Petersen Museum in Los Angeles. The event featured an exhibition of Tesla vehicles, which traces the history of the company from its startup, and other products Tesla has created. Chair Benoit encouraged fellow board members to attend the exhibit and noted how much electric cars have progressed over the past ten years.

Council Member Cacciotti shared photos of the Coalition for a Safe Environment Health Fair in Wilmington that he attended at the invitation of former Governing Board member Dr. Joseph Lyou and Jesse Marquez. The health fair included lung function testing and a commercial lawn and garden equipment demonstration. He also extended an invitation to interested parties to attend the gas-powered leaf blower ban demonstration on February 8 in South Pasadena.

Chair Benoit noted that Board Member Kracov had been reappointed and Supervisor Perez has been newly appointed to the CARB Board.

Council Member Rodriguez reported that he, as well as the California Lieutenant Governor, attended Southern California Gas Company's official launch of North America's first-ever clean hydrogen powered microgrid and home on January 30 in Downey. He expressed concern that MATES V, which is based on 2018 data, is outdated and emphasized the urgent need to update the modeling and inventory data that reflects the increased use of electric vehicles, low sulfur diesel or new renewable diesel to develop the next MATES report.

Supervisor Rutherford echoed Council Member Rodriguez's comments and emphasized that the data should be updated to reflect the success of getting more electric vehicles on the road and more renewable diesel. The most updated data should be used to ensure that the Board has current information when making decisions. Wayne Nastri, Executive Officer, stated that work on MATE VI has begun and that development of MATES is a lengthy process.

Mr. Nastri shared photos of staff volunteering at Habitat for Humanity projects in San Bernardino and Greater Los Angeles as part of the Working with Communities initiative, a new South Coast AQMD employee program in partnership with Habitat for Humanity that was recently launched in response to the Board's direction that the agency be more involved in community work; and announced that this year's Student Summer Internship Program will open in mid-February, with the nomination period closing in March.

- Presentation to Outgoing Chair Ben J. Benoit

Vice Chair Delgado highlighted Chair Benoit's accomplishments during his tenure on the Board. She thanked him for his leadership and announced that a new Clean Air Award – The John and Ben Benoit Excellence in Leadership and Collaboration for Clean Air, was created to honor the leadership and public service of both he and his father, John J. Benoit.

Board Members thanked Chair Benoit for his public service and commended his collaborative leadership on the Board.

Chair Benoit expressed appreciation for the opportunity to serve on the Board. He acknowledged his parents, fellow Board members, as well as his Board assistants, Ruthanne Taylor Berger and Tricia Almiron; and commended staff for their hard work and dedication to achieving clean air for all communities.

- Presentation to Outgoing Board Member Janice Rutherford

Chair Benoit recognized Supervisor Rutherford for her accomplishments, hard work, and dedication to the Inland Empire and her constituents.

Board Members offered well wishes and reflected on Supervisor Rutherford's display of leadership on the Board and commitment to her constituents.

Supervisor Rutherford reflected on the beginnings of her career in public service and how it coincided with the South Coast AQMD's efforts to advance alternative-fueled vehicles. She expressed appreciation to her fellow Board members, as well as her two Board assistants – Debra Mendelsohn and Mark Taylor; and thanked staff for their professionalism.

(Supervisor Perez left the meeting at 9:59 a.m.)

- Swearing in of Newly Appointed Board Member Holly J. Mitchell
- Swearing in of Reappointed Board Member Gideon Kracov
- Swearing in of Reappointed Board Member Andrew Do

Chair Benoit administered the oath of office to Supervisor Holly J. Mitchell who was appointed by the Los Angeles County Board of Supervisors; Board Member Gideon Kracov, who was reappointed by Governor Newsom; and Supervisor Do, who was reappointed by the Orange County Board of Supervisors. The appointment and reappointments are for terms ending January 15, 2027.

Board Members Mitchell, Kracov and Do expressed appreciation for the opportunity to serve on the Board and commented on the importance of the work being done at the South Coast AQMD.

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

The Public Comment Period was opened. The following individuals addressed the Board.

Andy Silva, former Governing Board Assistant, thanked Supervisor Rutherford and her predecessor, Supervisor Josie Gonzalez, for the opportunity to provide them with staff support on the South Coast AQMD Board. He expressed appreciation for the democratic process and the importance for the public to participate in the process. For additional details, please refer to the [Webcast](#) beginning at 1:20:09.

Supervisor Rutherford thanked Mr. Silva for his friendship and wisdom over the years. She expressed appreciation for his attitude and the way he approaches things and echoed his sentiments that public participation is an essential part of democracy.

Sarah Wiltfong, Los Angeles County Business Federation (BizFed)
Rita Loof, RadTech International
Bill Quinn, California Council for Environmental and Economic Balance
Adrian Martinez, Earthjustice
Patty Senecal, Western States Petroleum Association

These commenters expressed appreciation to Chair Benoit and Supervisor Rutherford for their dedication and service to the Board, the leadership they have provided in navigating complex policies, and their willingness to hear stakeholders' concerns. For additional details, please refer to the [Webcast](#) beginning at 1:24:23.

Harvey Eder, Public Solar Power Coalition, advised that he would be filing a motion for a stay on the 2016 and 2022 AQMPs and CARB's Scoping Plan, as the plans did not evaluate for solar and ignored the Solar New Deal. For additional details, please refer to the [Webcast](#) beginning at 1:25:30.

Florence Gharibian, Del Amo Action Committee, welcomed Supervisor Mitchell to the Board. She reported on recent activities with their organization, which includes a community health study that was conducted in collaboration with the Coalition for Clean Air, a truck count study that was conducted in areas surrounding the Del Amo community, and a community health fair. She mentioned her involvement in CARB's rulemaking to amend the Hexavalent Chromium Airborne Toxic Control Measure. For additional details, please refer to the [Webcast](#) beginning at 1:29:00.

Ranji George, a member of the public, thanked Chair Benoit and Supervisor Rutherford for their approach in shaping and leading discussions and encouraging public engagement. He commented on the need to address climate change issues and promote solar, renewable, and hydrogen technologies to address climate change and meet clean air goals. He expressed concern that significant funding for hydrogen technology remains marginalized. For additional details, please refer to the [Webcast](#) beginning at 1:33:21.

There being no further requests to speak, the Public Comment Period was closed.



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 6, 2023 Board Meeting
3. Set Public Hearings March 3, 2023 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations:
 - A. Determine That Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II, and Proposed Amended Rule 222 – Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II, Are Exempt from CEQA; and Amend Rule 219 and Rule 222
 - B. Determine That Proposed Amended Rule 1401.1 – Requirements for New and Relocated Facilities Near Schools, Is Exempt from CEQA; and Amend Rule 1401.1

Items 4 and 5 – Budget/Fiscal Impact

4. Transfer and Appropriate Funds for Enhancements to Warehouse Actions and Investments to Reduce Emissions Program Online Portal
5. Approve Contract Award and Modification as Approved by MSRC

Items 6 through 12 – Information Only/Receive and File

6. Legislative, Public Affairs and Media Report
7. Hearing Board Report
8. Civil Filings and Civil Penalties Report
9. Lead Agency Projects and Environmental Documents Received
10. Rule and Control Measure Forecast
11. Status Report on Regulation XIII – New Source Review⁸¹². Status Report on Major Ongoing and Upcoming Projects for Information Management

Items 13 through 18 – Reports for Committees and CARB

Note: The January 20, 2023 Technology Committee meeting was cancelled. The next regularly scheduled meeting of the Technology Committee is February 17, 2023..

13. Administrative Committee
14. Legislative Committee
15. Mobile Source Committee
16. Stationary Source Committee
17. Mobile Source Air Pollution Reduction Review Committee
18. California Air Resources Board Monthly Report

Item 19 – Staff Presentation/Board Discussion/Receive and File

19. U.S. EPA’s Proposal to Strengthen the National Ambient Air Quality Standards for Fine Particulate Matter (Presentation in lieu of Board Letter)
20. Items Deferred from Consent and Board Calendar

There were no items pulled for discussion.

The Chair and Vice Chair announced that the use of virtual meetings pursuant to AB 361 will expire at the end of February. Starting in March, the Board will return to the auditorium for in-person meetings but the option for remote participation will continue to be made available to attendees. Board committees may continue to meet remotely but must revert to the original Brown Act guidelines that require remote locations be posted on the agenda and accessible to the public.

Disclosures

Supervisor Do reported that he had no financial interest in Agenda Item No. 5 but is required to identify for the record that he is a committee member on SCAG’s Transportation Committee, which is involved in this item.

Mayor McCallon reported that he had no financial interest in Agenda Item No. 5 but is required to identify for the record that he is member of SCAG’s Regional Council, which is involved in this item.

Council Member Cacciotti reported that he had no financial interest in Agenda Item No. 5 but is required to identify for the record that he is a council member for the city of South Pasadena, which is involved in this item.

Council Member Raman reported that she had no financial interest in Agenda Item No. 5 but is required to identify for the record that she is a member of SCAG’s Regional Council, which is involved in this item.



Chair Benoit highlighted funding being recommended in Agenda Item No. 5 towards the procurement of electric vehicles and infrastructure for the City of South

Pasadena's police department, which will make that City the first in the United States and world to electrify its entire police fleet. He thanked Council Member Cacciotti for his efforts in seeing this implemented.

Agenda Item Nos. 1-19 were opened for public comment; and the following individuals addressed the Board.

Agenda Item No. 3A

Rita Loof, RadTech, stated that the UV/EB/LED industry cannot support PAR Rule 219 as currently proposed. The proposal would require a permit evaluation for the physical modification of an existing solvent borne coating process. The rule language tethers the zero-emission process to the solvent process and considers the pollution prevention process a modification of a solvent system, thereby disregarding the environmental benefits of UV/EB/LED. She urged for the proposal to be reconsidered and allow time to work with staff to come up with mutually agreeable language. For more information, please refer to the [Webcast](#) beginning at 1:44:37.

Agenda Item No. 10

Fernando Gaytan, Earthjustice
Yassi Kavezade, Sierra Club

These commenters were pleased that Rule 2304 – Marine Port Indirect Source Rule, and Rule 2306 – New Intermodal Railyard Indirect Source Rule are scheduled for rulemaking this year; however, they were disappointed that both rules are being delayed for later in the year and that Rule 2306.1 – Existing Intermodal Railyard Indirect Source Rule, was moved from the 2023 schedule to “to-be-determined.” They commented on the significant impact that emission reductions from these rules will have on communities and the region's air quality. Mr. Gaytan urged the Board to inquire about the delay of the rules and to make sure that staff has the needed resources so that the rules are not further delayed. Ms. Kavezade expressed support for the initial concepts of the railyard rules and requested that all community meetings have interpretation services for community representatives. For additional details, please refer to the Webcast beginning at 1:47:39.

Agenda Item No. 5

Ranji George expressed support for funds that have been allocated to zero-emission vehicles and infrastructure but was disappointed that hydrogen vehicles and infrastructure were not included. He advocated for more funds to be allocated to hydrogen technologies.

Harvey Eder was recognized to speak but his audio could not be heard. Chair Benoit expressed appreciation to Mr. Eder for his time and energy.

There being no further requests to speak, the public comment period for Agenda Items No. 1-19 was closed.

Board Action (Items 1–19)

MOVED BY CACCIOTTI, SECONDED BY MCCALLON TO APPROVE AGENDA ITEMS 1 THROUGH 19 AS RECOMMENDED TO:

ADOPT RESOLUTION NO. 23-4, RECOGNIZING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020 AND THAT LOCAL OFFICIALS CONTINUE 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 FEBRUARY 3, 2023 THROUGH MARCH 5, 2023 PURSUANT TO PROVISIONS OF THE BROWN ACT; AND

RECEIVE AND FILE THE COMMITTEE REPORTS AND CARB REPORT.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: Benoit, Cacciotti, Delgado, Do, Kracov, McCallon, Mitchell, Padilla-Campos, Raman, Rodriguez, and Rutherford

NOES: None

ABSENT: Perez



19. U.S. EPA’s Proposal to Strengthen the National Ambient Air Quality Standards for Fine Particulate Matter (Presentation in Lieu of Board Letter)

Sarah Rees, Deputy Executive Officer/Planning, Rule Development and Implementation, gave the staff presentation on this item.

Board Member Kracov inquired about the status of the attainment plan for the 2006 24-hour PM2.5 standard where the Basin was expected to attain the standard, and then there were issues associated with emissions associated with the backlog of cargo at the Ports. For additional details, please refer to the [Webcast](#) beginning at 2:10:20.

Dr. Sarah Rees, Deputy Executive Officer, Planning, Rule Development and Implementation, confirmed that Board Member Kracov was correct and added that there were some weather events that also contributed to the attainment of the 24-hour PM2.5

level standard. Dr. Rees explained that staff has been seeing cleaner conditions, however, one of the monitors in Compton has been providing anomalous results which are likely attributed to bonfires.

Board Member Kracov asked about the next steps to demonstrate attainment. Dr. Rees explained that staff is working with U.S. EPA and, although the process is not as extensive as the 2022 AQMP, staff is planning to provide updates to the Board. For additional details, please refer to the [Webcast](#) beginning at 2:11:04.



Harvey Eder was given another opportunity to provide comments on Agenda Items No. 1 through 19 but his audio could not be heard.

21. Determine That Proposed Amended Rule 1148.2 – Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers, Is Exempt from CEQA; and Amend Rule 1148.2

Mike Morris, Planning and Rules Manager, gave the staff presentation on this item.

Council Member Cacciotti asked about the geographic area that the estimated cost for the distribution of written notifications covers, as well as the number of oil wells impacted by the rule and size of those operations.

Mr. Morris responded that staff estimates an annual cost of \$420,000 for mail notifications. There are approximately 300 facilities affected by this amendment; however, the facilities were not categorized by size. For additional details, please refer to the [Webcast](#) beginning at 2:18:52.

In response to Mayor McCallon's inquiry about how the public is informed about the online notification portal, Mr. Morris responded that the online portal is on the South Coast AQMD website and, as in other rule development processes, there has been an effort to let people know about the portal. Mayor McCallon recommended that staff do a better job to inform the public about the online portal. For additional details, please refer to the [Webcast](#) beginning at 2:20:02.

Mr. Nastri pointed out that staff has been working with the AB 617 communities to publicize the portal on the websites of the AB 617 communities and outreach efforts through the AB 617 Community Steering Committees. Mayor McCallon acknowledged that the AB 617 communities is a good way to let the public know that the portal exists and that they can request to receive notifications. For additional details, please refer to the [Webcast](#) beginning at 2:21:35.

Mr. Nastri further added that the communities expressed a desire for written notifications and that written notifications was a priority for the AB 617 communities. Board members discussed the most effective notification method.

Vice Chair Delgado noted that the Stationary Source Committee had not received any comments on this issue; however, comments were received on January 31 regarding the cost and effectiveness of mailed notices. She commented on a research study that shows text messaging is the most efficient communication tool, as it penetrates about 86 percent of the population; however, her personal belief is that door-to-door is the best tool, but not a lot of people will do that. For additional details, please refer to the [Webcast](#) beginning at 2:23:30.

Supervisor Mitchell commented on the experiences of Los Angeles County when trying to disseminate information quickly to the public during the pandemic. They found that many neighborhoods across the County do not have access to the Internet. She emphasized the importance of supporting the communities' request for written notifications, especially for communities that are the most vulnerable and are located close to oil wells. She further added that text technology was not effective in the delivery of emergency information during the pandemic. For additional details, please refer to the [Webcast](#) beginning at 2:25:29.

Board Member Padilla-Campos asked how the cost for mailing notifications would be distributed among the operators. Mr. Morris responded that the amount is distributed to any and all companies that would have to do the distribution. She questioned the significant cost to distribute written notifications but agreed that mailings are effective. For additional details, please refer to the [Webcast](#) beginning at 2:28:40.

Council Member Raman expressed support for the distribution of written notifications to alert the communities about acidizing events. She emphasized the importance of listening to the communities who have communicated their preference for written notification. For additional details, please refer to the [Webcast](#) beginning at 2:30:43.

Agenda Item No. 21 was opened for public comment; and the following individuals addressed the Board.

For additional details, please refer to the [Webcast](#) beginning at 2:32:43.

Trent Rosenlieb, California Independent Petroleum Association (CIPA)
Jessica, Matrix Oil
Ted Cordova, E&B Natural Resources
Jeff Cooper, Family member of a small oil company

These commenters provided the following comments:

- Support proposed changes that will enhance safety to the public and further protect the environment;
- Expressed opposition to paragraph (d)(10), the requirement for written notifications be sent via U.S. mail or personal service, as small operators would incur significant costs for written notifications, which could delay maintenance by operators;

- Noted that the current electronic notification is cost effective, efficient, and environmentally friendly when compared to the proposed requirements for a written notification; and
- Requested that the Board retain the current electronic notification process.

Ashley Hernandez, Communities for a Better Environment and Wilmington resident
Wendy Miranda, Esperanza Community Housing and Wilmington resident
Nancy Ibrahim, Esperanza Community Housing, People Not Pozos, and Stand
Together Against Neighborhood Drilling Coalition (STAND-L.A.)

Alison Hahm, Communities for a Better Environment

Roberto Cabrales, Communities for a Better Environment

Hugo Garcia, Esperanza Community Housing, People Not Pozos, and STAND-
L.A.

Nicole Levin, Sierra Club

Maro Kakoussian, Stand L.A. and Physicians for Social Responsibility

Eric Romann, Physicians for Social Responsibility

Augustin Cabrera, Strategic Concepts in Organizing and Policy Education

Tianna Shaw Wakeman, Black Women for Wellness

Sandy Navarro, Esperanza Community Housing

Chris Chavez, Coalition for Clean Air

These commenters provided the following comments:

- Expressed appreciation for strengthening the rule to include written mail notifications in English and Spanish;
- Emphasized the need to revisit the rule in the future to disclose chemicals anticipated to be used and their quantities in the notification; and
- Urged the Board to adopt the proposed amendments.

Richard Parks, Redeemer Community Partnership, presented slides to illustrate the importance of the proposed amended rule. The photos showed large tanker trucks of what he believed carry air toxins, toxic acid, and carcinogenic chemicals parked in densely populated residential neighborhoods and workers wearing protective gear. (Written Comments Submitted) For additional details, please refer to the Webcast beginning at 2:40:48.

Harvey Eder commented on premature mortality projections due to air pollution and the potential of oil and gas wells used for subsurface storage space for solar generated power. For additional details, please refer to the Webcast beginning at 2:52:33.

Ralph Combs, The Termo Company, commented that the Ports and mobile sources are the primary source of pollution, and it is troubling that his industry is continuously targeted. He suggested the use of a risk-based approach to better address community concerns. For additional details, please refer to the [Webcast](#) beginning at 3:17:50.

There being no further requests to speak, the public comment period for Agenda Item No. 21 was closed.

Mr. Nastri commented on the concerns that the Board heard from the community about their desire for notifications and it was within the last few days that staff received concerns about the current proposal. Mr. Nastri emphasized the need to ensure that the community is provided with the necessary information in a timely and accurate manner; however, he is not aware of other agencies conducting door-to-door notifications. Staff is looking at ways to improve communications and the best notification methods. For additional details, please refer to the [Webcast](#) beginning at 3:19:59

Vice Chair Delgado stated that Proposed Amended Rule 1148.2 was intended to strengthen community outreach about acidizing events and noted that the majority of the rule is supported by all stakeholders. The primary issue is the method that is used to reach out to the community. Vice Chair Delgado recommended moving forward with the amended rule in its current form because of its importance and the actual noticing provisions are not effective until July 2023. She suggested that staff report back to the Stationary Source Committee or the Board about the most effective means of communicating or preferences from the community. For additional details, please refer to the [Webcast](#) beginning at 3:23:12.

Supervisor Mitchell expressed support for the Vice Chair's suggestion; and added that as a member of the Stationary Source Committee, it is her understanding that the industry stakeholders have been consulted as part of the rule development process so she is surprised to hear members from the industry suggest otherwise. Supervisor Mitchell noted that the impacted communities have communicated what their preferable method of communication works best for them so their input should not be ignored. For additional details, please refer to the [Webcast](#) beginning at 3:24:56.

Board Member Padilla-Campos stated that the adoption of PAR 1148.2 should not be delayed and that staff did a good job listening and responding to the comments they received. She added that the images Mr. Parks showed were impactful and emphasized the need to move forward with the letter of mail notification provisions. Board Member Padilla-Campos stated that she will be supporting the staff recommendation. For additional details, please refer to the [Webcast](#) beginning at 3:26:02.

Board Action (Agenda Item 21)

MOVED BY CACCIOTTI, SECONDED BY MITCHELL
TO APPROVE AGENDA ITEM NO. 21 AS
RECOMMENDED TO ADOPT RESOLUTION 23-5:

DETERMINING THAT PROPOSED AMENDED RULE
1148.2 – NOTIFICATION AND REPORTING
REQUIREMENTS FOR OIL AND GAS WELLS AND
CHEMICAL SUPPLIERS, IS EXEMPT FROM THE
REQUIREMENTS OF THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT; AND

AMENDING RULE 1148.2 – NOTIFICATION AND
REPORTING REQUIREMENTS FOR OIL AND GAS
WELLS AND CHEMICAL SUPPLIERS.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: Benoit, Cacciotti, Delgado, Do, Kracov,
McCallon, Mitchell, Padilla-Campos, Raman,
Rodriguez, and Rutherford

NOES: None

ABSENT: Perez



CLOSED SESSION

The Board recessed to closed session at 12:26 p.m., pursuant to Government Code sections:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

- 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:

East Yard Communities for Environmental Justice v. South Coast Air Quality Management District, (Refinery monitoring lawsuit) Los Angeles County Superior Court, Case No. 22STCP04398.

CONFERENCE WITH LEGAL COUNSEL – INITIATING LITIGATION

- 54956.9(a) and 54956.9(d)(4) to consider initiation of litigation for two cases, including:

Center for Biological Diversity and Center for Environmental Health v. Michael S. Regan, in his official capacity as Administrator, United States Environmental Protection Agency, 4:23-cv-00148 (Northern District of California) (PM 2.5)

Following closed session, Bayron Gilchrist, General Counsel, announced that a report of any reportable actions taken in closed session will be provided to the Clerk of the Board.

ADJOURNMENT

There being no further business, the meeting was adjourned by Mr. Gilchrist at 1:06 p.m. At the request of Chair Benoit, the meeting was closed in memory of Deputy Isaiah Cordero.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on February 3, 2023.

Respectfully Submitted,

Faye Thomas
Clerk of the Boards

Date Minutes Approved: _____

Ben J. Benoit, Chair

ACRONYMS

AQMP = Air Quality Management Plan
CARB = California Air Resources Board
CEQA = California Environmental Quality Act
FY = Fiscal Year
MATES = Multiple Air Toxics Exposure Study
SIP = State Implementation Plan
UV/EB/LED = Ultraviolet/Electron Beam/Light Emitting Diode