

BOARD MEETING DATE: April 1, 2011

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the March 4, 2011 meeting.

RECOMMENDED ACTION:

Approve Minutes of the March 4, 2011 Board Meeting.

Sandra McDaniel,
Clerk of the Boards

SM:DP

FRIDAY, MARCH 4, 2011

Notice having been duly given, the regular meeting of the South Coast Air Quality Management District Board was held at District Headquarters, 21865 Copley Drive, Diamond Bar, California. Members present:

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

Mayor Dennis R. Yates, Vice Chairman
Cities of San Bernardino County

Supervisor Michael D. Antonovich (arrived at 9:35 a.m.)
County of Los Angeles

Supervisor John J. Benoit
County of Riverside

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

Ms. Jane W. Carney
Senate Rules Committee Appointee

Supervisor Josie Gonzales
County of San Bernardino

Mayor Ronald O. Loveridge (arrived at 9:30 a.m.)
Cities of Riverside County

Dr. Joseph K. Lyou
Governor's Appointee

Councilmember Judith Mitchell (arrived at 9:30 a.m.)
Cities of Los Angeles County – Western Region

Councilmember Jan Perry (arrived at 9:25 a.m.)
City of Los Angeles

Mayor Miguel A. Pulido
Cities of Orange County

Members Absent:

Supervisor Shawn Nelson
County of Orange

CALL TO ORDER: There being only six Board Members present, Chairman Burke called the meeting of the Committee of the Board to order at 9:05 a.m.

- Pledge of Allegiance: Led by Chairman Burke.
- Swearing In of Reappointed Board Member Josie Gonzales

Chairman Burke administered the oath of office to Josie Gonzales, who was reappointed to the Board by the San Bernardino County Board of Supervisors, for a term ending January 15, 2015.

- Opening Comments

Supervisor Benoit. Alerted the Board to a situation in the community of Mecca, a small farm-labor community in Southeastern Riverside County, involving numerous odor complaints against a hazardous waste material site that is located on land owned by a Native American tribe; and acknowledged the efforts of staff on working towards resolution of the concerns, including their attendance at a recent community forum along with representatives from the U.S. EPA, Riverside County Health and various other agencies where over 300 community members shared their concerns regarding the odors. Supervisor Benoit added that there is now full-time monitoring in several locations so that individuals can capture a sample at the time they smell an odor, and their concerns can be better addressed.

Mayor Yates asked staff if AQMD expects to handle more odor complaints because of the State Integrated Waste Management Board being dissolved.

Dr. Wallerstein replied that the District has independent authority over odor complaints, but there were certain limitations to that authority. He noted that staff will review the language of the statute that covered the restructuring of the State and how the authority of the waste board was transferred. Dr. Wallerstein added that the Clean Communities Plan contains enhanced initiatives related to addressing odor concerns.

Board Members Cacciotti and Pulido arrived during Opening Comments, at which time a quorum of Board Members were present and the Board meeting was convened.

CONSENT CALENDAR

1. Approve Minutes of February 4, 2011 Board Meeting

An errata sheet containing an addition to Page 7, paragraph 5 of the Minutes was provided to the Board Members and copies made available to the public.

2. ***This item was withdrawn.***

Note: There were no rules being set at the time of the meeting for public hearing at the April 1, 2011 Board meeting. However, at the February 4, 2011 Board meeting, the public hearing to Amend Rule 1150.1 – Control of Gaseous Emissions from Municipal Solid Waste Landfills was continued to the April 1 Board meeting.

Budget/Fiscal Impact

3. Approve Issuance of Program Announcement for On-Road Heavy-Duty Diesel Trucks under FY 2008-09 “Year 2” Proposition 1B – Goods Movement Program
4. Adopt Resolution Accepting Requirements of CARB’s Lawn and Garden Equipment Replacement Program, Recognize Funds and Execute Contracts to Conduct 2011 Lawnmower Exchange Program
5. Transfer Funds, Execute Contract and Issue Purchase Order to Evaluate and Deploy Advanced Remote Sensing Technologies for Emissions Monitoring
6. Recognize Funds and Execute Contracts to Demonstrate Battery Electric Heavy-Duty Trucks and Install Air Filtration Systems
7. Authorize Funding for Series of Air Quality and Clean Technology Conferences for Senior Citizens
8. Adopt Resolution Recognizing Funds and Accepting Terms and Conditions for FY 2010-11 Carl Moyer Program Award, Issue Carl Moyer Program Announcement for FY 2010-11, and Amend and Execute Contracts under Carl Moyer and SOON Provision

9. Recognize Funds and Execute Contracts for Implementation of Localized Incentive Programs for Reduction of Toxic Air Contaminants and Criteria Pollutants
10. Approve Expenditures for Activities and Projects During FYs 2010-11 and 2011-12, Execute Contracts, and Recognize Funding from Participating Members of California Natural Gas Vehicle Partnership
11. Execute Agreement, Recognize Funds, and Execute Contract to Cosponsor Development, Integration, and Demonstration of Heavy-Duty Natural Gas Engines and Vehicles
12. Amend Contracts to Provide Short- and Long-Term Systems Development, Maintenance and Support Services
13. Approve AQMD Annual Investment Policy and Delegation of Authority to Appointed Treasurer to Invest AQMD Funds
14. Remove Various Fixed Assets from AQMD Inventory
15. Establish El Monte Park Project Settlement Fund
16. Execute Contract for Urban Tree Planting Project for GHG Reductions
17. Appropriate Funds for Contracts for CEQA Analysis for Proposed Expansion and Modernization of Union Pacific's Intermodal Container Transfer Facility
18. Appropriate Funds from Designation for Litigation and Enforcement and Authorize Amending/Initiating Contracts with Outside Counsel
19. Approve Contract Awards and Issue Solicitations for Local Government Match, Alternative Fuel Infrastructure and Alternative Fuel School Bus Programs under FY 2010-11 AB 2766 Discretionary Fund Work Program

Items 20 through 27 -- Information Only/Receive and File

20. Legislative & Public Affairs Report
21. Hearing Board Report

22. Civil Filings and Civil Penalties Report
23. Lead Agency Projects and Environmental Documents Received by AQMD
24. Rule and Control Measure Forecast
25. Report of RFPs and RFQs Scheduled for Release in March
26. FY 2010-11 Contract Activity
27. Status Report on Major Projects for Information Management Scheduled to Start During Last Six Months of FY 2010-11

BOARD CALENDAR

29. Administrative Committee
30. Climate Change Committee
31. Investment Oversight Committee
32. Legislative Committee
33. Mobile Source Committee
34. Stationary Source Committee
35. Technology Committee
36. Mobile Source Air Pollution Reduction Review Committee
37. California Air Resources Board Monthly Report

Dr. Lyou announced his abstention on Agenda Item No. 10 because Gladstein, Neandross and Associates, Clean Energy, Sempra Energy, Westport Innovations Incorporated and Waste Management are sources of income to him, Agenda Item No. 11 because Sempra Energy and Westport Innovations Incorporated are sources of income to him, and Agenda Item No. 18. Mayor Pulido announced his abstention on Agenda Items 10 and 11 due to political contributions from Sempra Energy. Supervisor Gonzales announced her abstention on Item No. 1 because she was not in attendance at the February 4, 2011 Board Meeting.

Agenda items 10 and 11 were withheld to address the items once a quorum of Board Members were present to take action on the items; and Item 37 was withheld pending Mayor Loveridge's arrival.

MOVED BY YATES, SECONDED BY CACCIOTTI, AGENDA ITEMS 1 THROUGH 9 AND 12 THROUGH 36 APPROVED AS RECOMMENDED, ADOPTING RESOLUTION NO. 11-5 RECOGNIZING FUNDS AND ACCEPTING THE TERMS AND CONDITIONS OF CARB'S AB118 AQIP LAWN AND GARDEN EQUIPMENT REPLACEMENT PROJECT AWARD; ADOPTING RESOLUTION NO. 11-6 RECOGNIZING FUNDS AND ACCEPTING THE TERMS AND CONDITIONS OF THE FY 2010-11 CARL MOYER GRANT AWARD; ADOPTING RESOLUTION NO. 11-7 DELEGATING AUTHORITY TO THE TREASURER OF THE COUNTY OF LOS ANGELES TO INVEST AND REINVEST FUNDS OF THE SCAQMD; RECEIVING AND FILING THE BOARD COMMITTEE AND MSRC REPORTS; AND ADOPTING THE POSITIONS ON LEGISLATION AS SET FORTH BELOW, WITH THE MODIFICATION TO ITEM NO. 1 AS STATED IN THE ERRATA SHEET AND SET FORTH BELOW, BY THE FOLLOWING VOTE:

AYES: Benoit, Burke, Cacciotti, Carney, Gonzales (*except Item #1*), Lyou (*except Item #18*), Pulido and Yates.

NOES: None.

ABSTAIN: Gonzales (*Item #1 only*) and Lyou (*Item #18 only*).

ABSENT: Antonovich, Loveridge, Mitchell, Nelson and Perry.

Agenda Item No. 1 Minutes of February 4, 2011 Board Meeting revised as follows:

p. 7, paragraph 5: Add “Dr. Lyou noted that the California State Lands Commission includes environmental justice analyses in their environmental impact reports and committed to providing examples to Chairman Burke.”

Bill/Title	Recommended Position
Potential legislation to weaken AQMD Rule 1144	Oppose
AB 37 (Huffman) Smart Grid Deployment; Smart Meters	Watch
AB 61 (Jeffries) Neighborhood Electric Vehicles	Support
ABX1 2 / AB 128 (Logue) State Air Resources Board: alternative actions to assessing penalties	Oppose

PUBLIC HEARINGS

38. Amend Regulation IX - Standards of Performance for New Stationary Sources

Staff waived the oral report on this item.

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

MOVED BY LYOU, SECONDED BY CACCIOTTI, THE BOARD APPROVED AGENDA ITEM 38, ADOPTING RESOLUTION NO. 11-8 CERTIFYING THE NOTICE OF EXEMPTION AND AMENDING REGULATION IX, AS RECOMMENDED BY STAFF, BY THE FOLLOWING VOTE:

AYES: Benoit, Burke, Cacciotti, Carney, Gonzales, Lyou, Pulido and Yates.

NOES: None.

ABSENT: Antonovich, Loveridge, Mitchell, Nelson and Perry.

39. Adopt Revisions to PM2.5 and Ozone State Implementation Plan for South Coast Air Basin and Coachella Valley

Dr. Elaine Chang, DEO/Planning, Rule Development and Area Sources, gave the staff presentation.

(Councilwoman Perry arrived at 9:25 a.m.)

Dr. Lyou expressed concern regarding whether the proposed revisions include all feasible measures and asked staff to start taking input from the advisory group and extend an invitation to those group discussions to those individuals and agencies that have shown an interest in the AQMP development.

Dr. Wallerstein responded that one of the staff objectives for FY 2011-12 includes reviving the stakeholder group in order to begin development of the 2012 AQMP and noted that the process will also include soliciting suggestions from the public for potential new control measures.

(Mayor Loveridge and Councilwoman Mitchell arrived at 9:30 a.m.)

Ms. Carney commented that it did not appear that staff responded to U.S. EPA's comment that the District relies on commitments rather than rules; and expressed concern that the backstop issue was not properly addressed.

Dr. Wallerstein explained that when U.S. EPA prepared its analysis, the Board was in the process of adopting a number of important rules; therefore, U.S. EPA was basing its comments on the commitments in place at that time. He added that their comments were mainly directed at the mobile source component of the plan, as CARB was making adjustments to the on-road truck and off-road engine rule that embodied large emission reductions for the SIP.

Ms. Carney asked staff to elaborate on how the one ton-per-day NOx limit relating to the backstop issue will be obtained.

Dr. Wallerstein explained that disagreement with U.S. EPA regarding the assignment of railroad reductions has been ongoing for many years, and the partial disapproval necessitates the creation of a backstop to account for some emission reductions. Dr. Wallerstein added that the Board is expected to approve measures for VOC, NOx, PM or SOx which will be implemented prior to 2015, and will offset the one ton of NOx equivalent particulate production.

In response to Mayor Yates' request for more information regarding possible sanctions and the effect on transportation funds, Dr. Wallerstein explained that the letter must be sent to U.S. EPA by May 2011 to avoid a potential conformity freeze by the end of 2011, which would result in SCAG and

other transportation agencies losing Federal transportation funding for new projects.

(Supervisor Antonovich arrived at 9:35 a.m.)

The public hearing was opened, and the following individuals addressed the Board on Agenda Item 39.

MAYA GOLDEN-KRASNER, Communities for a Better Environment

Noted that the Clean Air Act regulations require the District to include in this revision all Reasonably Available Control Measures (RACM) that collectively advance attainment by more than one year earlier. She explained that CBE submitted feasible RACM for refineries and requests for locomotive measures in their comments but have still not seen a full assessment of all potential RACM and whether or not they would collectively advance attainment by over a year. She requested that this assessment be undertaken during the 2012 AQMP development process, and expressed a desire to participate in that process. (Submitted Written Comments)

Dr. Wallerstein invited Ms. Golden-Krasner or another individual from her organization to take part in the working group.

HARVEY EDER, Public Solar Power Coalition

Noted that the District has exceeded the time limit under state law for starting the new AQMP, and expressed concern with any further delay of the next Plan; added that the plan should include a ten-year solar conversion plan which utilizes various types of solar renewable technologies; and expressed concern that the supporting documentation for the item was not made available prior to the morning of the meeting.

Dr. Wallerstein noted that the item attachments were made available to the public prior to the meeting, and that staff would discuss Mr. Eder's concerns with him.

In response to Dr. Lyou's inquiry regarding the state deadline Mr. Eder referred to, Barbara Baird, District Counsel, explained that the California Clean Air Act requires a review of the AQMP every three years, and revisions are prepared as necessary, such as the revisions that the Board is currently addressing.

Councilwoman Mitchell asked staff to elaborate on any possible sanctions that may result if U.S. EPA does not approve the information submitted, and expressed concern with the potential loss of federal transportation money for regions that are already in jeopardy.

Dr. Wallerstein replied that once the submittal is deemed complete, further analysis will take place; and if any deficiencies are found, the District will be given a timeframe within which to correct those deficiencies. If the corrections are not adequately made, the U.S. EPA would impose a Federal Implementation Plan. Dr. Wallerstein added that if U.S. EPA does not find the document complete, a conformity freeze will be implemented.

Councilwoman Mitchell expressed agreement with the request in the comment letter from East Yard Communities for Environmental Justice which stressed the importance of including in the SIP language that addresses the rail yard and locomotive measures for the port area.

Dr. Wallerstein replied that the railroad item is already included in the current AQMP, but staff will bring an item before the Board in the coming months regarding submitting the railroad rules into the SIP.

JOCELYN VIVAR, East Yard Communities for Environmental Justice

Expressed appreciation for the Board's consideration to include railroad measures in the SIP, and recommended that the plan include Rule 3501 and other cost effective and feasible options studied by CARB. (Submitted Written Comments)

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

Mayor Pulido noted the importance of approving these updates in order to avoid potential sanctions from U.S. EPA.

MOVED BY PULIDO, SECONDED BY
LOVERIDGE, AGENDA ITEM 39 APPROVED,
ADOPTING RESOLUTION NO. 11-9, CERTIFYING
THE ADDENDUM TO THE 2007 AQMP FINAL
PROGRAM ENVIRONMENTAL IMPACT REPORT
AND ADOPTING THE REVISION TO THE FINAL
2007 AQMP, AS RECOMMENDED BY STAFF, BY
THE FOLLOWING VOTE:

AYES: Antonovich, Benoit, Burke, Cacciotti,
Carney, Gonzales, Loveridge, Lyou,
Mitchell, Perry, Pulido and Yates.

NOES: None.

ABSENT: Nelson.

40. Approve and Adopt Technology Advancement Office Clean Fuels Program Annual Report and Plan Update

Dr. Matt Miyasato, Assistant DEO/Science and Technology Advancement, gave the staff presentation.

Councilman Cacciotti asked staff for an update on the status of marine emission technologies and whether the testing that has been conducted on initial technologies has proven effective.

Dr. Miyasato responded that a successful demonstration of the bonnet capture system was completed at the Port of Long Beach, resulting in over ninety percent emissions reductions; however, a concern was raised regarding the efficiency to capture all of the emissions through the device. Therefore, the focus is now to develop a more efficient capture system, and additional vendors are now expressing an interest in the project.

Councilman Cacciotti requested an update on the status of the E250 Electric Drive Conversion Program, and asked what the participation was among utilities and local municipalities.

Dr. Miyasato replied that the American Recovery and Reinvestment Act (ARRA) plug-in hybrid-electric bucket utility vehicle program is, for the most part, closed because orders had to be placed and manufacturing has been started. He noted, however, that staff could still speak with interested entities about potential participation.

Mayor Loveridge suggested that, in addition to technology development, funding be focused on incentivizing consumers to choose alternatively-fueled vehicles so that the demand level is more in line with the efforts made by industry to provide these technologies.

Dr. Wallerstein noted that the AQMD recently joined a new statewide collaborative charged with helping to facilitate the entry of plug-in electric vehicles into the marketplace, ensuring adequate charging infrastructure is in place and developing a public outreach effort. He added that staff plans to have discussions with CAPCOA and CARB regarding the possibility of directing funding sources that traditionally have not been available to these types of technologies to help with the effort to get more consumers to utilize the products.

Dr. Chung Liu, DEO/Science and Technology Advancement, added that the Board recently approved an additional \$500,000 in incentive funding for electric vehicles purchased in the Basin, which along with five million dollars made available by the State, will have a positive impact on the availability of this technology to the public.

Ms. Carney asked about the need for technology development regarding the ammonia released from SCR devices and whether funding for that issue is included under the Develop and Demonstrate Advanced Aftertreatment Technologies portion of the Emission Control Technologies portion of the Program Plan.

Dr. Miyasato responded that the Board recently approved a large project to further examine in-use emissions testing to investigate whether diesel engines or natural gas engines produce a significant slip from ammonia that may exacerbate air quality problems. Dr. Miyasato added that a portion of the in-use emissions testing program requires that if high amounts of ammonia or other types of pollutant emissions are detected, the technology providers must implement mitigation measures, most likely with the use of an oxidation catalyst.

Dr. Wallerstein commented that CARB's tailpipe regulations will assist in large part with this concern and noted that, if necessary, CARB could put a requirement in place to better control ammonia slip in SCR units if they rise above current permitted limits.

Mayor Pulido expressed his support for the Plan update and reminded staff and the Board that the District needs to be a leader in the effort to drive society towards alternatively-fueled vehicles which should include the development of a policy to address the associated financial and environmental impacts. He also commented that the formulas for collecting taxes for upkeep of roads are outdated, and suggested the Board try to bring about an overhaul of those calculations. Mayor Pulido also encouraged staff to look at issues from a different viewpoint when developing solutions which will result in a sort of backwards engineering, which can be monitored to gauge the result on air quality, the economy and society.

Dr. Wallerstein agreed that the energy demands should be addressed, and noted that staff will continue discussions in that regard and prepare an item to be brought before the Board at a future meeting. In regard to the road tax issues and how highways are funded, Dr. Wallerstein commented that multiple agencies have tried to address the issue and have not been successful, so that may be difficult for the Board to address.

The public hearing was opened, and the following individuals addressed the Board on Agenda Item 40.

LUIS CABRALES, Coalition for Clean Air

Expressed appreciation for the direction that the District is taking and asked the Board to continue discussions regarding transportation issues that will affect air quality in the Basin, including providing more funding for beneficial projects such as a zero-emission container movement system or for more research and development of other technologies that will help reduce pollution from vehicle traffic.

HARVEY EDER, Public Solar Power Coalition

Emphasized the importance of including solar renewable technology and spoke against reliance on natural gas because of the GHGs produced as a result of the methane that is emitted through the vehicles and required infrastructure.

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

Supervisor Gonzales echoed comments made by fellow Board Members and stressed the importance of the Board taking a leadership role in an effort to target attention at the important economic and environmental concerns that are now at the forefront. She suggested reaching out to city planning commissions who have influence over general plan updates so that those recommendations that the Board has can be put before them for consideration and public review, which will give the District a better gauge of where attention should be focused.

Dr. Lyou spoke to his motion to approve the staff recommendation with the addition of directing staff to initiate work on a policy that covers what Mayor Pulido detailed.

MOVED BY LYOU, SECONDED BY CACCIOTTI,
AGENDA ITEM 40 APPROVED, ADOPTING
RESOLUTION NO. 11-10, APPROVING THE
TECHNOLOGY ADVANCEMENT OFFICE CLEAN
FUELS PROGRAM ANNUAL REPORT FOR 2010
AND ADOPTING THE CLEAN FUELS PROGRAM
PLAN UPDATE FOR 2011, AS RECOMMENDED
BY STAFF, BY THE FOLLOWING VOTE:

AYES: Antonovich, Benoit, Burke, Cacciotti,
Carney, Gonzales, Loveridge, Lyou
Mitchell, Perry, Pulido and Yates.

NOES: None.

ABSENT: Nelson.

CONSENT CALENDAR (continued)

28. Items Deferred from Consent Calendar

- 10. Approve Expenditures for Activities and Projects During FYs 2010-11 and 2011-12, Execute Contracts, and Recognize Funding from Participating Members of California Natural Gas Vehicle Partnership
- 11. Execute Agreement, Recognize Funds, and Execute Contract to Cosponsor Development, Integration, and Demonstration of Heavy-Duty Natural Gas Engines and Vehicles

There being a quorum of Board Members now present to take action on Items 10 and 11,

MOVED BY YATES, SECONDED BY PERRY,
AGENDA ITEMS 10 AND 11 APPROVED, AS
RECOMMENDED BY STAFF, BY THE
FOLLOWING VOTE:

AYES: Antonovich, Benoit, Burke, Cacciotti,
Carney, Gonzales, Loveridge, Mitchell,
Perry, and Yates.

NOES: None.

ABSTAIN: Lyou and Pulido.

ABSENT: Nelson.

BOARD CALENDAR (continued)

37. California Air Resources Board Monthly Report

Mayor Loveridge reported that there was a productive meeting of members of the Board with Board members from CARB the previous day, and he suggested that continuous regular meetings would be beneficial in the effort to understand the priorities and directions of each agency.

Chairman Burke acknowledged that regular communication between the organizations is key to gaining a better understanding of the motives behind certain actions.

MOVED BY LYOU, SECONDED BY CACCIOTTI, AGENDA ITEM 37 APPROVED, RECEIVING AND FILING THE CARB REPORT, BY THE FOLLOWING VOTE:

AYES: Antonovich, Benoit, Burke, Cacciotti, Carney, Gonzales, Loveridge, Lyou, Mitchell, Perry, Pulido and Yates.

NOES: None.

ABSENT: Nelson.

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PUBLIC HEARINGS (continued)

41. Annual RECLAIM Audit Report for 2009 Compliance Year

Mohsen Nazemi, DEO/Engineering and Compliance, gave the presentation.

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

MOVED BY YATES, SECONDED BY CACCIOTTI, AGENDA ITEM 41 APPROVED, RECEIVING AND FILING THE RECLAIM AUDIT REPORT FOR 2009 COMPLIANCE YEAR, AS RECOMMENDED BY STAFF, BY THE FOLLOWING VOTE:

AYES: Antonovich, Benoit, Burke, Cacciotti, Carney, Gonzales, Loveridge, Lyou, Mitchell, Pulido and Yates.

NOES: None.

ABSENT: Nelson and Perry.

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

Councilwoman Mitchell announced that she attended a meeting in east Long Beach with the Westside Schools for Clean Air and the Greater Long Beach Interfaith Community Organization and was presented an award, on behalf of AQMD, in appreciation for assistance with the installation of air filters in

the classrooms of schools in eastern Long Beach. She stressed the importance of continued efforts to make port emission reductions a priority to further protect the health and wellbeing of students and area residents.

Harvey Eder expressed concern with the ill effects of electromagnetic emissions from mobile phone devices and asked the Board to address these emissions. Mr. Eder also noted his concern with regard to the ultrafine particle levels that are produced even when utilizing natural gas or bio-fuel technologies that are intended to be of more benefit to the environment.

Chairman Burke commented that there have been definite advancements in past years with regard to PM emissions and noted that the Board will continue to work towards achieving lower level PM limits.

Dr. Lyou noted that the issue of electromagnetic exposure and non-ionizing radiation is unfortunately beyond the Board's regulatory authority and suggested that those concerns could potentially be addressed to the Nuclear Regulatory Commission California or Department of Public Health.

Mayor Pulido announced his recent attendance at a Conference of Mayors event in Washington D.C. and elaborated on the importance of the AQMD taking a leadership role as evidenced by his discussion with Fresno Mayor Ashley Swearengin who confirmed that her municipality tracks the actions of the Board in order to be prepared for what may one day affect her region.

CLOSED SESSION

The Board recessed to closed session at 10:55 a.m., pursuant to:

- (1) Government Code section 54956.9(a) to confer with its counsel regarding pending litigation which has been initiated formally and to which the District is a party, as follows:
 - NRDC, et al. v. SCAQMD, et al., U.S. District Court Case No. CV08-05403 GW (PLAx) and United States Court of Appeals, 9th Circuit, Case No. 09-57064;
 - CCAT, et al. v. State of California; SCAQMD, et al., Los Angeles Superior Court Case No. BS124264 and California Court of Appeal, Second District, Case No. B226692;
 - W.M. Barr & Company, Inc. v. SCAQMD, Los Angeles Superior Court Case No. BS127359;
- (2) Government Code section 54956.9(c) to consider initiation of litigation (one case).

(3) Government Code section 54957.6 to confer regarding upcoming labor negotiations with:

- designated representatives regarding represented employee salaries and benefits or other mandatory subjects within the scope of representation [Negotiator: William Johnson; Represented Employees: Teamsters Local 911 & SCAQMD Professional Employees Association]

and to confer with:

- labor negotiators regarding unrepresented employees [Agency Designated Representative: William Johnson; Unrepresented Employees: Designated Deputies and Management and Confidential employees].

Following closed session, General Counsel Kurt Wiese announced that a report of any reportable actions taken in closed session will be filed with the Clerk of the Board and made available upon request.

ADJOURNMENT

There being no further business, the meeting was adjourned by General Counsel Kurt Wiese at 11:30 a.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on March 4, 2011.

Respectfully Submitted,

Denise Pupo
Senior Deputy Clerk

Date Minutes Approved: _____

Dr. William A. Burke, Chairman

ACRONYMS

AQIP = Air Quality Investment Program
AQMP = Air Quality Management Plan
CAA = Clean Air Act
CAPCOA = California Air Pollution Control Officers Association
CARB = California Air Resources Board
CEQA = California Environmental Quality Act
FY = Fiscal Year
GHG = Greenhouse Gas
MSRC = Mobile Source (Air Pollution Reduction) Review Committee
NO_x = Oxides of Nitrogen
PEA = Final Program Environmental Assessment
PM₁₀ = Particulate Matter ≤ 10 microns
PM_{2.5} = Particulate Matter ≤ 2.5 microns
RECLAIM = Regional Clean Air Incentives Market
RFP = Request for Proposals
RFQ = Request for Quotations
SCAG = Southern California Association of Governments
SCR = Selective Catalytic Reduction
SIP = State Implementation Plan
SO_x = Oxides of Sulfur
U.S. EPA = United States Environmental Protection Agency
VOC = Volatile Organic Compound