

BOARD MEETING DATE: April 2, 2021

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the March 5, 2021 meeting.

RECOMMENDED ACTION:

Approve Minutes of the March 5, 2021 Board Meeting.

Faye Thomas
Clerk of the Boards

FT:cmw

FRIDAY, MARCH 5, 2021

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:

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

Mayor Pro Tem Ben Benoit, Vice Chairman
Cities of Riverside County

Supervisor Lisa A. Bartlett
County of Orange

Council Member Joe Buscaino
City of Los Angeles

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

Senator Vanessa Delgado (Ret.)
Senate Rules Committee Appointee

Gideon Kracov
Governor's Appointee

Supervisor Sheila Kuehl
County of Los Angeles

Mayor Pro Tem Larry McCallon
Cities of San Bernardino County

Supervisor V. Manuel Perez
County of Riverside

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

Mayor Pro Tem Carlos Rodriguez
Cities of Orange County

Supervisor Janice Rutherford
County of San Bernardino

Members absent: None

CALL TO ORDER: Chairman Burke called the meeting to order at 9:05 a.m.

- Pledge of Allegiance: Led by Vice Mayor Richardson
- Roll Call

Senator Delgado joined the meeting at approximately 9:15 a.m.

- Opening Comments

Council Member Cacciotti shared photos of a commercial electric lawn and garden equipment demonstration event at Arroyo Vista Elementary School in South Pasadena, and of residential gardeners looking at battery-powered gardening tools.

Supervisor Bartlett expressed appreciation to staff for conducting the air sampling and analysis initiative near the All American Asphalt facility. She commented on the March 3, 2021 community meeting where an update on the air monitoring data was presented to the public.

Mayor Pro Tem McCallon noted that he attempted to attend an Eastern Coachella Valley AB 617 meeting but the option to listen in English was not available on the phone line.

Mayor Pro Tem Rodriguez reported that he attended the All American Asphalt community meeting. He noted that staff efforts underscore the South Coast AQMD's commitment to transparency, accessibility and ensuring the health and safety of all residents in the region. He welcomed Vice Mayor Richardson and added that he looks forward to working with him on the Board.

Supervisor Perez stressed the importance of having bilingual translation available at AB 617 meetings to ensure cultural competency. He commented on asylum seekers arriving in Riverside County and the County's commitment to ensure their safety and help to reunite families.

Vice Mayor Richardson thanked staff for briefing him on current issues, and stated that he looks forward to serving with his colleagues on the Board.

Council Member Buscaino welcomed Vice Mayor Richardson and commented on their shared values to ensure that jobs are preserved at the ports and represent the most disadvantaged, impacted communities from the port complex.

Chairman Burke announced that he would be retiring from the Board on May 31, 2020 and directed staff to call a special election at the April meeting to fulfill his unexpired term. He thanked staff for the work they do every day to serve

residents in the Basin, and his colleagues for their accomplishments in advancing the mission of the South Coast AQMD.

Mayor Pro Tem Benoit expressed sadness at hearing the announcement and noted that Dr. Burke will be missed.

Executive Officer Wayne Nastri commented on the impact, legacy and accomplishments under Chairman Burke's leadership. He expressed appreciation to Supervisor Bartlett and Mayor Pro Tem Rodriguez for their leadership and support with the city of Irvine and All American Asphalt. He also thanked Mayor McCallon for his involvement in the Eastern Coachella Valley AB 617 community meetings, and Supervisor Perez for his leadership and work with the Eastern Coachella Valley community to help in getting resources and engaging community members.

Several Board members expressed appreciation for Dr. Burke's leadership.

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

Whitney Amaya, East Yard Communities for Environmental Justice (EYCEJ)

/West Long Beach resident

Pamela Amaya, EYCEJ/West Long Beach resident

Jan Victor Andasan, EYCEJ

Expressed support for the adoption of a strong refinery rule, (Proposed Rule 1109.1 – NOx Reductions from Refinery and Refinery Related Equipment), to require that refineries upgrade and install emission control technologies. Commented that the refineries pose health and safety risks to the neighboring communities. Urged the Board to support the implementation of projects that will reduce emissions. Thanked Chairman Burke for his leadership and wished him well.

Marshall Waller, Phillips 66, highlighted the highly skilled workforce and good-paying jobs the refinery supports, noting that the employees are dedicated to safety and operating effectively. The refinery has made significant emission reduction investments over the last 25 years in new technologies and equipment upgrades to reduce emissions, as well as implementing practices for safety management.

Joe Carson, Torrance Refinery

Jake Clapham, Torrance Refinery

Carrie Holt, Torrance Refinery

Highlighted the refinery's commitment to protect its workers, the community and environment, noting that employees are dedicated to keeping each other safe and the operations safe and reliable. Emphasized that the refinery has made significant financial investments in projects that have improved the safety and reliability of their operations. Reported that real-time data collected using fenceline air monitoring systems demonstrated that the threshold limit for multiple compounds had not been exceeded for 14 months. Thanked Chairman Burke for his leadership and wished him well.

Elliott Gonzalez, Long Beach resident, expressed support for PR 1109.1, and emphasized the adverse health effects and global warming created by the oil industry. He acknowledged Chairman Burke's efforts on Environmental Justice and the impact he has had on the Board.

Emily Spokes, North East Los Angeles (NELA) Climate Collective
Carolina Forni, NELA Climate Collective
Alyssa Bell, NELA Climate Collective

Reported on a meeting with the Los Angeles Unified School District to discuss their green transition away from combustion-powered lawn equipment. Expressed concern about air pollution and climate change. Opposed any further delays in the adoption schedule for the warehouse indirect source rule (ISR) and spoke in favor of a strong ISR. Thanked and recognized Chairman Burke for his service.

Oscar Espino-Padron, Earthjustice, thanked Chairman Burke for his years of service on the Board. He expressed support for a strong refinery rule PR 1109.1 and commented on the rule being repeatedly delayed. He stated that the South Coast region continues to suffer from the worst air quality in the nation, noting that petroleum refineries contribute significantly to criteria and toxic pollutants that result in a range of health impacts.

Joseph Lyou, former South Coast AQMD Board member, recognized the progress achieved toward clean air under Chairman Burke's leadership and acknowledged his ability as a leader to deal respectfully with all members regardless of their position or political affiliation and bring them together.

Jessica Craven, NELA Climate Collective, thanked Chairman Burke for his work and commented that refineries are a dying industry. Called for no more delays for the warehouse ISR.

Andrew Kaldas, ODW Logistics, Inc., congratulated Vice Mayor Richardson on his appointment to the Board and thanked Chairman Burke for his years of service. He explained the impact that refinery regulations have on third-party logistics providers. He emphasized the need for a regulatory approach that balances the need for clean air but also protects businesses.

Alexis Willis, University of Redlands student, commented on emissions that are polluting the atmosphere, killing the planet and putting people at higher risks for health problems, especially minority communities which are disproportionately affected by health risks from air pollution.

Harvey Eder, Public Solar Public Coalition, expressed process concerns and climate concerns.

Bruce Heyman, Los Angeles Maritime Institute and Los Angeles Refinery Community Advisory Panel, welcomed Vice Mayor Richardson and expressed

appreciation for the Carl Moyer funds awarded to the Los Angeles Maritime Institute to replace old engines on ships. He reported that Marathon Petroleum is committed to safety, provides good-paying jobs and has invested millions of dollars over the last 20 years to install NOx control technology, resulting in significant NOx emission reductions.

Ranji George, a member of the public, thanked Chairman Burke for his leadership and vision that contributed to the success of the Lower-Emission School Bus Program, which provided funding to replace older diesel, high-emitting public school buses with new alternative fuel or zero-emission buses.

Chairman Burke cited the school bus exposure study that found kids were being exposed to more exhaust inside the cabin of old diesel school buses than outside.

Sari Fordham, 350 Riverside, expressed concern with air quality in the Inland Empire and respiratory issues resulting from the warehouse boom. She urged the Board to consider the health of our communities and move forward with the public hearing for the warehouse ISR in April. (Submitted Written Comments)

Chris Chavez, Coalition for Clean Air and Wilmington, West Long Beach, Carson AB 617 Community Steering Committee member, thanked Chairman Burke for his years of leadership on the Board. He expressed concern that the proposed rule has been weakened, including a less stringent emission standard, alternate compliance pathways and the compliance deadline to be extended. He stressed the need to fulfill the commitment in the community emission reduction plan (CERP) for the Wilmington, Carson, West Long Beach Community to address refinery emissions.

Tiffany Sanchez, EYCEJ, commented on the health effects of air pollution on children that live near oil refineries. She urged the Board to fight for clean air for our youth.

Gracie Torres, Western Municipal Water District and Center for Community Action and Environmental Justice (CCA EJ), welcomed Vice Mayor Richardson and thanked Dr. Burke for his years of service on the Board. She expressed concern that the proposed amendments to Rule 1426 and Rule 1469 are exempt from the requirements of CEQA. Excluding the CEQA analysis minimizes the adverse health impacts to the community from chemicals used in the metal finishing industry. She urged the Board to oppose the proposed amendments for both rules, as well as further delays to the warehouse ISR adoption schedule.

Cheryl Auger, member of the public, commented on the unhealthy levels of smog despite reduced activity during COVID-19 stay-at-home orders. She stressed the need to reduce emissions for cleaner air and urged the Board to move forward with the PR 1109.1 public hearing in April.

Ron Miller, Los Angeles/Orange Counties Building and Construction Trades Council, explained that thousands of refinery employees have productive careers in the oil and gas construction industry, live and raise their families in communities near

refineries, and work to make the refineries safe, reliable and a productive energy source. He thanked Dr. Burke and his family for their years of service to make California a safer place.

Paola Dela Cruz-Pérez, EYCEJ, commented on communities near warehouses that bear a disproportionate burden from exposure to air pollution related to goods movement activity. She expressed support for a strong warehouse ISR and refinery rule.

Mark Abramowitz, former Board Consultant, reflected on the actions taken and progress made toward achieving clean air under Chairman Burke's leadership. He commented on Chairman Burke's ability to bring people with different viewpoints together. He stated that Chairman Burke will go down in history as the most important air quality figure in California.

CONSENT CALENDAR

1. Approve Minutes of February 5, 2021 Board Meeting
2. Set Public Hearing April 2, 2021 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations
 - A. Determine That Proposed Amendments to Rule 1426 – Emissions from Metal Finishing Operations and Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations, Are Exempt from CEQA, and Amend Rule 1426 and Rule 1469
 - B. Certify Final Environmental Assessment and Adopt Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions Program, and Proposed Rule 316 – Fees for Rule 2305, Submit Rule 2305 for Inclusion Into the SIP, and Approve Supporting Budget Actions

Items 3 through 11 - Budget/Fiscal Impact

3. Adopt Resolution Recognizing Funds for FY 2020-21 Carl Moyer Program and Issue Program Announcements for Carl Moyer and SOON Programs
4. Amend Contracts for Enhanced Fleet Modernization Program and Execute Contract for Program Support
5. Execute Contracts for Hydrogen Infrastructure Projects and Fuel Cell Microgrid Study

6. Amend Contract for Kore Infrastructure Project
7. Approve South Coast AQMD Annual Investment Policy and Delegation of Authority to Appointed Treasurer to Invest South Coast AQMD Funds
8. Authorize Purchase of Maintenance and Support Services for Servers and Storage Devices
9. Issue RFP for Cybersecurity Assessment
10. Add Positions to FY 2020-21 Budget to Address Operational Needs
11. Approve Funds for Additional Batteries for Commercial Electric Lawn and Garden Equipment Incentive and Exchange Program

Item 12 - Action Item/No Fiscal Impact

12. Annual Meeting of the Health Effects of Air Pollution Foundation

Items 13 through 20 – Information Only/Receive and File

13. Legislative, Public Affairs and Media Report
14. Hearing Board Report
15. Civil Filings and Civil Penalties Report
16. Lead Agency Projects and Environmental Documents Received
17. Rule and Control Measure Forecast
18. Report of RFQs Scheduled for Release in March
19. FY 2020-21 Contract Activity

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

Item 21 - Staff Presentation/Board Discussion

21. Budget and Economic Outlook Update (*Presentation in Lieu of Board Letter*)

Items 22 through 29 - Reports for Standing Committees and CARB

22. Administrative Committee
23. Investment Oversight Committee
24. Legislative Committee
25. Mobile Source Committee
26. Stationary Source Committee
27. Technology Committee
28. Mobile Source Air Pollution Reduction Review Committee
29. California Air Resources Board Monthly Report

Wayne Nastri noted that the CARB meeting summary was not available in time for the meeting; therefore, Item No. 29 was pulled.

Board Member Kracov noted that he has no financial interests in Item Nos. 3 and 5 but is required to identify for the record that he is a Board Member of CARB, which is involved in these items.

Vice Mayor Richardson noted that he does not have a financial interest in Item No. 5 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.

General Counsel Bayron Gilchrist noted that Supervisor Perez would like to identify for the record that he has no financial interests in Item No. 5 but is required to identify for the record that he is a Board member of SunLine Transit Agency. Supervisor Perez confirmed that this was accurate.

Due to requests to speak and Board member questions on Consent Agenda Item Nos. 2B, 3, 10 and 21, the vote on the Consent and Board Calendar was deferred until after those comments were made.

30. Items Deferred from Consent and Board Calendars

- 2B. Set Public Hearing April 2, 2021 to Certify Final Environmental Assessment and Adopt Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions Program, and Proposed Rule 316 – Fees for Rule 2305, Submit Rule 2305 for Inclusion Into the SIP, and Approve Supporting Budget Actions

Mayor Pro Tem Cacciotti stated that his constituents had expressed concerns with the noticing, pandemic-related issues and implementation of the warehouse ISR rule. He recommended that the public hearing be continued for three months to allow staff additional time to work on resolving outstanding concerns. He expressed his commitment to work with staff and all stakeholders to address concerns.

MAYOR PRO TEM CACCIOTTI MOVED TO SET THE PUBLIC HEARING ON PROPOSED RULES 2305 AND 316 FOR JUNE 2021. THE MOTION WAS SECONDED BY SUPERVISOR BARLETT.

Vice Mayor Richardson recommended the following friendly amendments to the motion: 1) hold the public hearing within 60 days; and 2) direct staff to add language in the Resolution to ensure electric vehicle infrastructure projects funded by the mitigation fees from PR 2305 use a skilled and trained workforce and that a percentage of the total number of electricians working on electrification projects hold an Electric Vehicle Infrastructure Training Program Certificate.

MAYOR PRO TEM CACCIOTTI ACCEPTED THE AMENDMENTS AS PART OF HIS MOTION.

Supervisor Rutherford commented on the need for the draft socioeconomic impact assessment report to include the cost for compliance. She expressed support to delay the rule to allow adequate time for the Board to review relevant documents and analyses and for staff to address legal issues raised.

Supervisor Kuehl noted that the 2016 AQMP adopted by the Board included a warehouse ISR as a potential emission reduction strategy, and staff have been working to develop the draft proposal for several years. She expressed concern with the repeated delay of the rule and the air quality impacts from truck traffic,

which has increased during the pandemic. She urged her colleagues to commit to using the additional time to diligently review rulemaking materials to avoid further delays, if the public hearing is continued.

In response to Senator Delgado's inquiry about the potential for legal concerns if the rule is postponed to a later date, Mr. Gilchrist stated that the Board can decide today to set the public hearing for June.

Mayor Pro Tem Rodriguez asked if the appropriate Board committee would be provided with updates before the proposal comes back to the full Board for consideration.

Mr. Nastri responded that staff will provide updates to the Mobile Source Committee.

Mayor Pro Tem McCallon recommended that staff seek the advice of outside counsel on legal issues related to the proposed mitigation fee. Staff responded that outside counsel is in the process of reviewing the proposal and an opinion is expected within the coming weeks.

Adrian Martinez, Earthjustice, opposed the motion to delay the rule. The community is frustrated at attempts to further delay the rule given the countless hours they have spent participating in good faith in the rule development process. He stated that staff has done a lot to address industry concerns raised during the numerous working group meetings. He pointed out that the warehouse industry has made record profits during the pandemic and can afford to implement the warehouse ISR.

*Mayor Cory Moss, City of Industry

*Sarah Wiltfong, BizFed (Los Angeles County Business Federation)

Michael Williams, International Warehouse Logistics Association

Brad Jensen, San Gabriel Valley Economic Partnership

Luis Portillo, Inland Empire Economic Partnership

Thomas Jelenic, Pacific Merchant Shipping Association

*(Submitted Written Comments)

These commenters expressed support to delay the public hearing. Expressed concerns with substantial costs for businesses to implement the rule, that it will not be feasible to comply with rule requirements, the jurisdictional/legal authority of the South Coast AQMD to regulate mobile sources and impose a fee, and unquantifiable emissions reductions and air quality benefits. Stressed the need to understand the full impact of the rule and how the fees will be spent before the Board takes action. Thanked Chairman Burke for his and his family's years of service.

Council Member Ben Reynoso, City of San Bernardino, opposed the motion to delay the warehouse ISR. Expressed the need to regulate warehouse

development to ensure better air quality for constituents that live near warehouses, noting that the City of San Bernardino has the largest concentration of logistics facilities in California. Commented that the community is suffering from poor air quality while the logistics industry has been earning record profits during the pandemic. He pointed out that the warehouse ISR is part of Chairman Burke's legacy and the vote on this item should take place before he leaves the Board.

Dr. Karen Jakpor, American Lung Association, expressed support for a warehouse ISR. She commented on the disproportionate number of warehouses in the Inland Empire and cited studies that link fine particulate air pollution to premature deaths and increased risk of death from COVID-19. She urged the Board to move forward expeditiously to adopt a warehouse ISR before Chairman Burke leaves the Board.

Jibiana Jakpor, Riverside high school student
Angie Balderas, Sierra Club/AB 617 San Bernardino, Muscoy Community
Steering Committee co-host
Abigail Medina, San Bernardino City USD Board Member
Marven Norman, CCAEJ
Yvonne Martinez Watson, Sierra Club,
Anna Gonzalez, CCAEJ
Gabriela Mendez, CCAEJ
Mackenzie Nelson, University of Redlands student,
Faraz Rezvi, CCAEJ
Roxanna Barrera, San Bernardino resident/South Coast AQMD Youth Advisory
Council member
Andrea Vidaurre, Peoples Collective for Environmental Justice
Alejandro Montez, Inside Sustainability Southern California
co-founder/Inland Empire resident
Anthony Victoria, Peoples Collective for Environmental Justice
Kathy Hoang, Los Angeles resident/Partnership for Working Families
Ivette Torres, CE-CERT Riverside
Amy Francis, NELA Climate Collective
Dafne Gokcen, Los Angeles resident
Jen Simmons, Sierra Club/Los Angeles resident
Taylor Thomas, EYCEJ/Long Beach resident
Emma Marquez, CCAEJ
Francis Yang, Sierra Club My Generation Campaign
Jessica Aparicio, SBX: Youth and Family Services (Submitted Written
Comments)
Shane Ysais, CCAEJ
Carlo De La Cruz, Sierra Club
Justice Sandoval, SBX: Youth and Family Services
Marcy Winograd, Retired Los Angeles Unified School District teacher
Keenan Shady, Sierra Club and Los Angeles resident
Darby Osnaya, Colton resident

Gracie Torres, Eighth grader
Adonis Galarza-Toledo, CCAEJ/Coachella Valley USD Board Trustee
Yassi Kavezade, Sierra Club My Generation Campaign
Kareem Gongora, CCAEJ/Fontana resident
Linda Bassett, Los Angeles USD retired teacher
Shaun Martinez, United Brotherhood of Teamsters member
Cody Rosenfield, Los Angeles resident
Jesse Parks, Riverside County student

These commenters expressed the need for a strong warehouse ISR and opposed the motion to delay the public hearing. Expressed frustration and disappointment at the continued attempts to delay the adoption schedule, noting that the rulemaking process has been ongoing for three years. Commented on adverse health consequences affecting disadvantaged communities due to the proliferation of warehouses, unfavorable working conditions and low wages for warehouse workers while the goods movement industry has earned record-breaking profits. Stressed the need to transition the goods movement industry to zero-emission technologies to create the demand for quality jobs in a clean energy economy. Thanked Chairman Burke for his dedication and service and pointed out that the warehouse ISR is part of his legacy.

Joseph Sullivan, International Brotherhood of Electrical Workers Local 11/National Electrical Contractors Association of Greater Los Angeles, expressed appreciation to Chairman Burke for his years of service and congratulated Vice Mayor Richardson on his appointment to the Board. He noted that the warehouse ISR would help meet the state's carbon reduction goals, improve air quality in the most impacted areas, improve workforce safety and provide an opportunity to create good jobs that communities need to promote economic recovery from the pandemic.

Ben Lee, California Taxpayers Association, thanked the Board for considering additional time to deliberate on this issue. He explained that the proposed mitigation fee is mandatory and provides no special benefit for the fee payers and is therefore a tax, requiring voter approval. (Submitted Written Comments)

David Pettit, Natural Resources Defense Council, opposed the motion to delay the rule. He noted that many of the concerns being raised could have been presented at the numerous working group meetings that were conducted and there is nothing new or different that requires delaying the rule. He reflected on his relationship with Chairman Burke over the years and stated that he would miss working with him. He added that Chairman Burke should have the opportunity to cast a vote on the rule as it is a legacy matter.

Chris Chavez strongly opposed the delay of the warehouse ISR. He noted that the cost to implement the warehouse ISR would not be an economic burden to the goods movement industry, noting the substantial increase in profits for the

industry during the pandemic. He noted that the working group process for the rule development has been open and public but the warehouse industry has not been participating. He stressed that the warehouse ISR is a commitment in the AB 617 CERP.

Steven Jimenez, American Lung Association, commented that diesel exhaust generated by the warehouse sector contributes to health problems for low-income and disadvantaged communities that live near warehouses. He urged the Board to adopt a strong warehouse ISR as soon as possible to improve local and regional air quality.

Harvey Eder expressed concerns about the increase in traffic at the Ports due to the demand for products, and climate change. He urged support for the Solar New Deal.

Chris Shimoda, California Trucking Association, congratulated Chairman Burke on his retirement. He explained that the trucking industry has invested heavily to upgrade trucks and transition fleets to the cleanest available technologies. He commented that CARB and U.S. EPA have initiatives for the trucking industry that reduce NOx emissions from heavy-duty diesel trucks, transition fleets to zero-emissions and sets sale requirements.

Peter Herzog, NAIOP/Commercial Real Estate Development Association, expressed support to delay the public hearing and commended Board members for fulfilling their obligation to rely on the best science and analysis to address the concerns that have been raised. He noted that voluminous materials had been recently released which did not allow time for adequate review. He expressed concerns that the potential emission reductions and SIP credits are speculative.

Susan Phillips, Pitzer College professor, opposed the motion to delay the hearing. She commented on land use policy disparities that have benefitted some at the expense of others. She pointed to electrification as a path toward reducing the impact of climate conditions, pollution and wildfires that exacerbate public health disparities.

Supervisor Kuehl stated that she would not be supporting the motion to continue the public hearing. She noted that much time and effort has already been spent on the years-long rulemaking process to address questions and concerns, and expressed her desire to represent the majority of commenters. She described the deliberation of this item as a legacy vote for Chairman Burke and believes the public hearing should take place before he leaves.

Chairman Burke acknowledged that he would like the opportunity to cast his vote.

Board Member Kracov questioned some of the concerns that have been raised and reminded everyone that ISRs were included in the 2016 AQMP and AB 617 CERPs. U.S. EPA and CARB also allow the inclusion of ISRs in the SIP. He clarified that we are going to be making progress today with the motion to schedule the hearing no later than June.

Vice Mayor Richardson reiterated his support to delay the rule for two months and assured that the hearing will be held in June. He noted that staff will be working in the interim to address outstanding issues that have been raised and improve the proposal by adding good labor standards that improve efficiency and workforce safety.

Supervisor Perez stated he is prepared to vote today and sees this as a legacy issue for Chairman Burke.

Senator Delgado offered a compromise and recommended delaying the public hearing to May instead of June.

MAYOR PRO TEM CACCIOTTI ACCEPTED THE AMENDMENT AS PART OF HIS MOTION AND MOVED TO SET THE PUBLIC HEARING ON MAY 7, 2021 WITH LANGUAGE RECOMMENDED BY VICE MAYOR RICHARDSON ADDED TO THE RESOLUTION THAT REQUIRES USING A SKILLED AND TRAINED WORKFORCE AND ELECTRICIANS ON ELECTRIC VEHICLE CHARGING INFRASTRUCTURE PROJECTS.

MOVED BY CACCIOTTI, SECONDED BY BARTLETT; AGENDA ITEM 2B APPROVED TO SET A PUBLIC HEARING ON MAY 7, 2021 TO ADOPT PROPOSED RULES 2305 AND 316; AND DIRECT STAFF TO INCLUDE LANGUAGE IN THE RESOLUTION AS SET FORTH BELOW BY THE FOLLOWING VOTE:

AYES: Bartlett, Benoit, Burke, Buscaino, Cacciotti, Delgado, Kracov, McCallon, Perez, Richardson, Rodriguez, and Rutherford

NOES: Kuehl

ABSENT: None

Add the following paragraphs into the Resolution:

WHEREAS, using a skilled and trained workforce and electricians meeting the requirements of the Electric Vehicle Infrastructure Training Program will promote efficiency and result in more reliable infrastructure, thus promoting greater use of zero-emission vehicles;

BE IT FURTHER RESOLVED that all electric vehicle charging infrastructure projects funded in whole or in part by mitigation fees paid pursuant to Rule 2305 shall (1) use a skilled and trained workforce as defined in Public Contracts Code Section 2601, and (2) ensure that at least one and at least 25% of the total number of electricians working on the project holds an Electric Vehicle Infrastructure Training Program Certificate, as described in Public Utilities Code Section 740.20.

Written Comments Submitted by:

Susan A. Phillips, Robert Redford/Conservancy for Southern California
Sustainability
Shawn Sterling, Origin Engines
Karen Jakpor, MD, Afif El-Hasan, MD, Frances Mojica/American Lung Association
Steve McCarthy/California Retailers Association
Donna Dupperon, David Fleming, Tracy Hernandez/BizFed (Los Angeles County
Business Federation)
Heather Kryczka, David Pettit/Natural Resources Defense Council
Patrick G. Farenga/FCL Logistics, LTD. and Price Transfer, Inc.
Richard Markuson/Western Electrical Contractors Association, Inc.
Rachel Wang/ViewSonic Corporation
Maria S. Salinas/Los Angeles Chamber of Commerce
Robert E. Lilja/Weber Logistics
Keila Mazariegos, MSW/SBX: Youth & Family Services
Shea Millan
Misha Askren, MD/Los Angeles family physician
Lynnette "Elle" Brown Jones, BreatheIE Program
Rocio Aguayo/San Bernardino resident
Scott Ochoa/City of Ontario

3. Adopt Resolution Recognizing Funds for FY 2020-21 Carl Moyer Program and Issue Program Announcements for Carl Moyer and SOON Programs

Ranji George expressed concerns about the substantial amount of funding that has been allocated for combustion technologies over the years and urged the Board to appropriate more funding to zero-emission infrastructure.

10. Add Positions to FY 2020-21 Budget to Address Operational Needs

Chairman Burke inquired about veteran's employment preference in South Coast AQMD's hiring process. John Olvera, DEO/Administrative and Human Resources, responded that staff is in the process of reviewing information and a report will be provided shortly.

21. Budget and Economic Outlook Update (*Presentation in Lieu of Board Letter*)

Jill Whynot, Chief Operating Officer, gave a brief overview of the presentation on Item No. 21 to provide an update on economic indicators and South Coast AQMD metrics and budget implications.

Supervisor Perez and Mayor Pro Tem Cacciotti stressed the importance of seeking continued funding for AB 617 communities.

Chairman Burke expressed concerns about unfunded state mandates.

PRESENTATION ONLY; RECEIVE AND FILE

MOVED BY MCCALLON, SECONDED BY CACCIOTTI; AGENDA ITEMS 1, 2A, 3 THROUGH 20 AND 22 THROUGH 28, APPROVED AS RECOMMENDED, RECOGNIZING FUNDS AND ACCEPTING THE TERMS AND CONDITIONS OF THE FY 2020-21 CARL MOYER GRANT AWARD, DELEGATING AUTHORITY TO THE TREASURER OF THE COUNTY OF LOS ANGELES TO INVEST AND REINVEST FUNDS OF THE SOUTH COAST AQMD, AND TO RECEIVE AND FILE THE COMMITTEE AND MSRC REPORTS, AND APPROVE THE LEGISLATIVE COMMITTEE'S RECOMMENDATION ON LEGISLATION AS SET FORTH BELOW, BY THE FOLLOWING VOTE:

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

NOES: None

ABSENT: None

LEGISLATIVE COMMITTEE RECOMMENDATIONS

Agenda Item	Recommendation
H.R. 283 (Schweikert and Cardenas) Crowdsourcing of Environmental Data Act of 2021	Work With Author
S. 101 (Markey and Duckworth) Environmental Justice Mapping and Data Collection Act of 2021	Support With Amendments

PUBLIC HEARINGS

31. Determine That Proposed Amended Rule 218 - Continuous Emission Monitoring; Proposed Rule 218.2 - Continuous Emission Monitoring System: General Provisions, and Proposed Rule 218.3 - Continuous Emission Monitoring System: Performance Specifications, Are Exempt from CEQA; Amend Rule 218; and Adopt Rules 218.2 and 218.3

Michael Krause, Planning and Rules Manager, gave the staff presentation on Item No. 31.

The public hearing was opened, and the following individuals addressed the Board on Item 31.

David Rothbart, County Sanitation Districts of Los Angeles County, expressed support for the rules and thanked staff for working with stakeholders.

Mr. Eder expressed concerns that renewable natural gas is being promoted as a solution.

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

A ROLL CALL WAS TAKEN AND AGENDA ITEM NO. 31 WAS APPROVED AS RECOMMENDED TO ADOPT RESOLUTION NO. 21-6 DETERMINING THAT PROPOSED AMENDED RULE 218 – CONTINUOUS EMISSION MONITORING, PROPOSED RULE 218.2 – CONTINUOUS EMISSION MONITORING SYSTEM: GENERAL PROVISIONS, AND PROPOSED RULE 218.3 – CONTINUOUS EMISSION MONITORING SYSTEM: PERFORMANCE SPECIFICATIONS ARE EXEMPT FROM THE REQUIREMENTS OF CEQA AND AMENDING RULE 218 -- CONTINUOUS EMISSION MONITORING, AND ADOPTING RULE 218.2 CONTINUOUS EMISSION MONITORING SYSTEM: GENERAL PROVISIONS, AND RULE 218.3 – CONTINUOUS EMISSION MONITORING SYSTEM: PERFORMANCE SPECIFICATIONS, BY THE FOLLOWING VOTE:

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

NOES: None

ABSENT: None

32. Approve and Adopt Technology Advancement Office Clean Fuels Program 2020 Annual Report and 2021 Plan Update, Resolution and Membership Changes for Clean Fuels Advisory Group and Receive and File Updated Membership of Technology Advancement Advisory Group

Matt Miyasato, DEO/Chief Technologist/Science & Technology Advancement, gave the staff presentation on Item No. 32.

The public hearing was opened, and the following individual addressed the Board on Item 32.

Harvey Eder commented on alternative fuels and solar powered technologies for vehicles.

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

Written Comments Submitted by:
Andris R. Abele)

MOVED BY CACCIOTTI, SECONDED BY BENOIT; AGENDA ITEM NO. 32 APPROVED AS RECOMMENDED, TO ADOPT RESOLUTION NO. 21-7 APROVING THE TECHNOLOGY ADVANCEMENT OFFICE CLEAN FUELS PROGRAM ANNUAL REPORT FOR 2020 AND ADOPTING THE CLEAN FUELS PROGRAM PLAN UPDATE FOR 2021, BY THE FOLLOWING VOTE:

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

NOES: None

ABSENT: None

33. Annual RECLAIM Audit Report for 2019 Compliance Year

Staff waived the presentation on Item No. 33.

The public hearing was opened, and the following individual addressed the Board on Item 33.

Harvey Eder expressed support for equitable solar transition.

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

MOVED BY CACCIOTTI, SECONDED BY BENOIT; AGENDA ITEM NO. 33 APPROVED AS RECOMMENDED, TO APPROVE THE ANNUAL RECLAIM AUDIT REPORT FOR 2019 COMPLIANCE YEAR, BY THE FOLLOWING VOTE:

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

NOES: None

ABSENT: None

Mr. Nastri announced the upcoming retirements of Amir Dejbakhsh , DEO/Engineering & Permitting and Nancy Velasquez, the Governing Board liaison.

Chairman Burke acknowledged and thanked Mr. Dejbakhsh and Ms. Velasquez for their years of dedicated service to South Coast AQMD.

CLOSED SESSION

The Board recessed to closed session at 2:20 p.m., pursuant to Government Code sections:

CONFERENCE WITH LEGAL COUNSEL – INITIATING LITIGATION

- 54956.9(a) and 54956.9(d)(4) to consider initiation of litigation (two cases).

CONFERENCE WITH LABOR NEGOTIATORS

- 54957.6 to confer with labor negotiators:
 - Agency Designated Representative: A. John Olvera, Deputy Executive Officer – Administrative & Human Resources; and
 - Employee Organization(s): South Coast AQMD Professional Employees Association

Following closed session, Bayron Gilchrist, General Counsel, announced that a report of any reportable actions taken in closed session will be filed with the Clerk of the Board's office and made available to the public upon request.

ADJOURNMENT

There being no further business, the meeting was adjourned by Mr. Gilchrist at 3:15 p.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on March 5, 2021.

Respectfully Submitted,

Faye Thomas
Clerk of the Boards

Date Minutes Approved: _____

Dr. William A. Burke, Chairman

ACRONYMS

AQMP = Air Quality Management Plan
CARB = California Air Resources Board
CEQA = California Environmental Quality Act
FY = Fiscal Year
MSRC = Mobile Source (Air Pollution Reduction) Review Committee
NOx = Oxides of Nitrogen
RECLAIM = Regional Clean Air Incentives Market
RFP = Request for Proposals
U.S. EPA = United States Environmental Protection Agency