

BOARD MEETING DATE: August 4, 2023

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the June 2, 2023
Board Meeting.

RECOMMENDED ACTION:
Approve the June 2, 2023 Board Meeting Minutes.

Faye Thomas
Clerk of the Boards

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FRIDAY, JUNE 2, 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:

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

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

Supervisor Andrew Do (Left the meeting at 10:15 a.m.)
County of Orange

Supervisor Curt Hagman
County of San Bernardino

Supervisor Holly J. Mitchell
County of Los Angeles

Veronica Padilla-Campos
Speaker of the Assembly Appointee

Supervisor V. Manuel Perez
County of Riverside

Councilmember Nithya Raman
City of Los Angeles

Councilmember Carlos Rodriguez
Cities of Orange County

Councilmember José Luis Solache
Cities of Los Angeles County – Western Region

Absent: Mayor Lock Dawson
Cities of Riverside County

Gideon Kracov
Governor's Appointee

Mayor Larry McCallon
Cities of San Bernardino County

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

CALL TO ORDER: Chair Delgado called the meeting to order at 9:06 a.m.

- Pledge of Allegiance: Led by Supervisor Curt Hagman
- Roll Call
- Opening Comments

Executive Officer Wayne Nastri reminded everyone there would be no Board or Committee meetings held in July. He commented that the Chair and Vice Chair would be attending the Summer Internship Program orientation on June 13 and that a breakfast reception for the full Board to meet the interns is scheduled for August 4 prior to the start of the Board meeting. Mr. Nastri then shared a video of staff volunteers participating in a community service event with Habitat for Humanity that was held on May 20 in Orange County, and noted that monitoring equipment and mobile platforms would be on display in the South Coast AQMD parking lot following today's meeting.

Vice Chair Cacciotti shared photos of community events he attended, an electric lawn and garden equipment incentive event at Grant Park in Arcadia and the Pentecost Celebration in Walnut, and the San Gabriel River Bike Trail in Baldwin Park.

Supervisor Perez acknowledged his spouse who supports him in his career choice in public service.

Supervisor Mitchell concurred with Supervisor Perez and extended the acknowledgement to the children who live through the decision of their parents to lead a life of public service. She thanked fellow Board Members and staff for the informative Board Retreat that was held in May, noting that it was an opportunity to share space and have a conversation about issues that are of concern to communities.

Chair Delgado thanked staff and all who helped to make the Board Retreat a success.

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

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

Anna Christensen, Sierra Club, expressed concerns about air quality levels from firework displays during Fourth of July celebrations and the adverse air quality and health impacts resulting from exposure to fireworks-related emissions. She commented on specific South Coast AQMD rules that exempt permitting requirements for pyrotechnic equipment, suggesting the need to initiate rulemaking to regulate emissions from fireworks. For additional details, please refer to the Webcast beginning at 20:50.

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



CONSENT AND BOARD CALENDAR

Items 1 and 2 – Action Items/No Fiscal Impact

1. Approve Minutes of May 5, 2023 Board Meeting
2. Set Public Hearing August 4, 2023 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations:
 - A. Determine That Proposed Amended Rule 1153.1 – Emissions of Oxides of Nitrogen from Commercial Food Ovens, Is Exempt from CEQA and Amend Rule 1153.1
 - B. Determine That Proposed Amended Rule 2202 – On-Road Motor Vehicle Options, Is Exempt from CEQA and Amend Rule 2202

Items 3 through 13 – Budget/Fiscal Impact

3. Recognize Revenue, Appropriate and Transfer Funds for Air Monitoring Programs, Issue Solicitations and Purchase Orders for Laboratory Equipment and One Vehicle
4. Approve Additional Funding for Residential Electric Lawn Mower Rebate Program
5. Adopt Resolution, Recognize Funds for FY 2022-23 Carl Moyer State Reserve, Enhanced Fleet Modernization and Clean Cars 4 All Programs
6. Recognize Revenue, Transfer Funds, and Execute Contract for Development and Demonstration of Medium-Duty Zero-Emission Electric Power Take Off System Work Truck
7. Recognize Revenue, Transfer Funds, Execute and Amend Agreements to Demonstrate Plug-In Hybrid Tugboat, Fuel Cell Trucks, Battery Electric Compactors, and Retrofit Ocean-Going Vessels and Reimburse General Fund
8. Amend Contract to Provide Short- and Long-Term Systems Development, Maintenance and Support Services
9. Authorize Purchase of Oracle PeopleSoft Software and Support
10. Authorize Purchase of OnBase Software Support
11. Establish List of Prequalified Vendors for Automotive Mechanical Repair and Service
12. Execute Contract for Three-Year Service Agreement for South Coast AQMD Access to Online Legal Research Libraries
13. Approve Contract Awards and Modifications as Approved by MSRC

Items 14 through 19 – Information Only/Receive and File

14. Legislative, Public Affairs and Media Report
15. Hearing Board Report
16. Civil Filings and Civil Penalties Report
17. Lead Agency Projects and Environmental Documents Received
18. Rule and Control Measure Forecast

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

Items 20 through 26 – Reports for Committees and CARB

20. Administrative Committee
 21. Legislative Committee
 22. Mobile Source Committee
 23. Stationary Source Committee
 24. Technology Committee
 25. Mobile Source Air Pollution Reduction Review Committee
 26. California Air Resources Board Monthly Report
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27. Items Deferred from Consent and Board Calendar
Agenda Item Nos. 2 and 4 were pulled for comment or discussion.

Disclosures

Supervisor Hagman reported that he had no financial interest in Agenda Item No. 13 but is required to identify for the record that he is a member of Omnitrans and Regional Council Member for SCAG, which are involved in that item.

Councilmember Raman reported that she had no financial interest in Agenda Item No. 13 but is required to identify for the record that she is a Regional Council Member for SCAG, which is involved in that item.

Supervisor Perez reported that he had no financial interest in Agenda Item No. 5 but is required to identify for the record that he is a Board member of CARB, which is involved in that item.

Supervisor Do reported that he had no financial interest in Agenda Item No. 13 but is required to identify for the record that he is a Transportation Committee Member for SCAG, which is involved in that item.

Councilmember Solache reported that he had no financial interest in Agenda Item No. 13 but is required to identify for the record that he is a Regional Council Member for SCAG, which is involved in that item.



Items Pulled for Comments or Discussion

Agenda Item No. 2A – Set Hearing for Proposed Amended Rule 1153.1

Councilmember Raman thanked staff for their diligent work in bringing the proposed amendments forward that reflect changes to BARCT and establish future dates for zero-emission limits for some categories of commercial food ovens and implementing the rulemaking from the AQMP.

Agenda Item No. 2B – Set Hearing for Proposed Amended Rule 2202

Councilmember Rodriguez expressed concerns with the potential implications to move from the average vehicle ridership approach to vehicle miles travelled, emphasizing the importance of getting comprehensive input from the working group.

Ian MacMillan, Assistant Deputy Executive Officer/Planning, Rule Development, and Implementation, explained that under the new reporting requirements in PAR 2202, information will be collected for future analysis and used to inform future rulemaking. The analysis of the data collected will be discussed with the working group before any change to a vehicle miles travelled compliance metric was proposed in the rule.

Agenda Item No. 4 – Approve Additional Funding for Residential Electric Lawn Mower Rebate Program

Vice Chair Cacciotti commented on the success of in-person electric lawn and garden incentive events that were held years ago and asked whether the in-person format would resume. Aaron Katzenstein, Deputy Executive Officer/Technology Advancement, noted that the in-person events were conducted before online registration was available. Dr. Katzenstein added that the online rebate program has been a more efficient way to administer the program, but staff will consider resuming in-person events in 2024.

The public comment period was opened for Agenda Item Nos. 1-26 and the following individual addressed the Board.

Adrian Martinez, Earthjustice and Right to Zero, concurred with Councilmember Raman’s comments regarding PAR 1153.1 and noted its importance in the implementation of the 2016 and 2022 AQMPs, as well as the transition out of the RECLAIM program. For additional details, please refer to the Webcast beginning at 31:28.

There being no further requests to speak, the public comment period was closed for Agenda Item Nos. 1-26.

Board Action (Items 1–26)

MOVED BY PEREZ, SECONDED BY MITCHELL TO APPROVE AGENDA ITEMS 1 THROUGH 26, AS RECOMMENDED, RECEIVE AND FILE THE COMMITTEE, MSRC, AND CARB REPORTS, APPROVE THE RECOMMENDATIONS ON LEGISLATION AS SET FORTH BELOW, AND:

- 1) ADOPT RESOLUTION NO. 23-15 AND AUTHORIZE THE EXECUTIVE OFFICER TO ACCEPT THE TERMS AND CONDITIONS OF THE FY 2022-23 CARL MOYER STATE RESERVE FUNDS AND RECOGNIZE UP TO \$5.6 MILLION IN CARL MOYER STATE RESERVE FUNDS INTO THE VOUCHER INCENTIVE PROGRAM FUND (59);

- 2) RECOGNIZE FROM CARB, UPON RECEIPT, UP TO \$1.4 MILLION IN ENHANCED FLEET MODERNIZATION PROGRAM (EFMP) AND \$40 MILLION IN CLEAN CARS 4 ALL (CC4A) INTO HIGH EMITTERS REPAIR OR SCRAP PROGRAM (HEROS) II SPECIAL REVENUE FUND (56);
3. AUTHORIZE THE EXECUTIVE OFFICER AND/OR DESIGNEE TO APPROVE VOUCHERS AND OTHER ALTERNATIVE MOBILITY OPTIONS FOR THE CONTINUED IMPLEMENTATION OF REPLACE YOUR RIDE (RYR), UNTIL ALL FUNDS ARE EXHAUSTED; AND
4. REIMBURSE THE GENERAL FUND UP TO \$4,140,000 (15 PERCENT OF EFMP AND 20 PERCENT OF CC4A), CONSISTS OF UP TO \$140,000 FROM EFMP AND UP TO \$4,000,000 FROM CC4A, FROM THE HEROS II SPECIAL REVENUE FUND (56) AS AUTHORIZED BY THE GRANT AGREEMENTS FOR ADMINISTRATIVE COSTS NECESSARY TO IMPLEMENT RYR.

THE MOTION PASSED BY THE FOLLOWING VOTE:

AYES: Cacciotti, Delgado, Do, Hagman, Mitchell, Padilla-Campos, Perez, Raman, and Rodriguez

NOES: None

ABSTAIN: None

ABSENT: Lock Dawson, Kracov, McCallon, and Solache*

*(Councilmember Solache was not in the room when the vote was taken)

Legislation/Agenda Item	Recommendation
AB 557 (Hart) Open meetings: local agencies: teleconferences	Support
AB 953 (Connolly) Coastal resources: voluntary vessel speed reduction and sustainable shipping program	Support
AB 1216 (Muratsuchi) Wastewater treatment plants: monitoring of air pollutants	Support if Amended
AB 1465 (Wicks) Nonvehicular air pollution: civil penalties	Support
SB 674 (Gonzalez) Air pollution: refineries: community air monitoring systems: fence-line monitoring systems	Support if Amended



OTHER BUSINESS

28. Presentation on Monitoring and Analysis Tools for Measuring Air Pollution and Virtual Laboratory Tour

Andrea Polidori, Assistant Deputy Executive Officer/Monitoring & Analysis, gave the staff presentation on current tools and capabilities used to measure air quality in the South Coast Air Basin. Staff demonstrated various field monitoring equipment that were on display in the auditorium and shared a video of the South Coast AQMD laboratory.

Chair Delgado thanked staff for the presentation and virtual video tour and suggested the information be shared with the Summer Interns.

Vice Chair Cacciotti inquired about personal protective equipment and measures taken to ensure the safety of field staff. Mr. Nastri responded that the health and safety of employees is of the utmost importance and gave assurance that field staff use proper clothing and equipment; exercise appropriate safety and health practices; and receive emergency preparedness and response training. For additional details, please refer to the Webcast beginning at 1:12:50.

(Supervisor Do left the meeting at approximately 10:15 a.m.)

Board Member Padilla-Campos commended staff on the virtual video tour and suggested it be used as a recruitment tool. She asked why the Omni samplers are considered a game changer, whether staff works in partnership with utility companies to mount the samplers on utility poles, and if a permit is required from the city where the sampler will be located. For additional details, please refer to the [Webcast](#) beginning at 1:19:49.

Mr. Nastri responded that the Omni samplers were the first time that an agency deployed portable samplers to collect samples and quickly provide ambient air monitoring results to the public. Dr. Polidori acknowledged working with the respective cities to obtain the necessary permits.

Board Member Padilla-Campos asked for clarification on the community monitoring partnership. Mr. Nastri explained that community monitoring is a broad reference to community programs such as Paramount, and community monitoring under AB 617. Dr. Polidori added that Rule 1180 requires a fence-line monitoring program and includes a community air monitoring network to collect real-time emissions data near large refineries. For additional details, please refer to the Webcast beginning 1:22:04.

Supervisor Perez commented on the need to develop strategies to attract the next generation of workers and proposed that employees share their journey and what brought them to work at the South Coast AQMD. For additional details, please refer to the [Webcast](#) beginning at 1:24:25

Supervisor Perez inquired about the deployment of mobile monitors in the Salton Sea area during dust storms. Mr. Nastri responded that there is currently an existing monitoring network around the Salton Sea and Coachella Valley. Mr. Nastri added that South Coast AQMD continues to provide technical assistance, particularly on sensors for Coachella Valley and the Salton Sea. For additional details, please refer to the [Webcast](#) beginning at 1:30:36.

Dr. Polidori added that Eastern Coachella Valley is an AB 617 community. Staff is working to better understand emissions from the Salton Sea. Sensors provide an additional opportunity to get a better understanding of the dust issue in the Salton Sea. For additional details, please refer to the [Webcast](#) beginning at 1:35:39.

Supervisor Perez commented on the significant cost for the monitoring equipment and suggested working with the legislature to encourage policy that would influence the costs for new technologies. Mr. Nastri agreed and highlighted ethylene oxide (EtO) monitoring efforts. For additional details, please refer to the [Webcast](#) beginning at 1:37:03.

Supervisor Mitchell commented on the multiple fellowship programs through the California Legislature and recommended that staff reach out to the science and technology fellows as a resource for a pool of talent. Given the low cost of the Purple Air Sensors, she inquired about their efficacy and accuracy, whether training on how to use them has been rolled out to community-based organizations, and if South Coast AQMD purchases the sensors for those organizations. For additional details, please refer to the [Webcast](#) beginning at 1:41:14.

Dr. Polidori responded that South Coast AQMD has deployed 500 sensors in the community. He added that these sensors are accurate, and the power is with the number of these sensors that have been deployed. For additional details, please refer to the [Webcast](#) beginning at 1:43:45.

Councilmember Solache asked whether data on how often the mobile platforms are deployed around the communities is tracked and whether a community member or group can request to have one deployed in their community. For additional details, please refer to the [Webcast](#) beginning at 1:47:19.

Mr. Nastri explained that it is expensive to operate and maintain the mobile platforms. When the agency receives requests, staff assesses the appropriate monitoring approach to address the specific air quality issue. For additional details, please refer to the [Webcast](#) beginning at 1:48:14.

Councilmember Solache expressed appreciation to staff for sharing their knowledge and expertise to educate the Board about such complex issues. He requested a shortened version of the virtual lab tour to use as a tool to inform his fellow mayors and councilmembers, and cities he represents. For additional details, please refer to the [Webcast](#) beginning at 1:51:08.

Councilmember Rodriguez inquired about the allocation of budgetary resources to address future needs to operate and replace the equipment and asked whether staff has a wish list. For additional details, please refer to the [Webcast](#) beginning at 1:53:49.

Dr. Polidori explained that adding one more mobile platform would allow the agency to better serve the community and the use of drones with sensors. Mr. Nastri added that the mobile platforms are the Lamborghinis of monitoring, and staff would like more. Mr. Nastri also explained that it is important that U.S. EPA certifies these monitoring technologies so they can be used as an enforcement tool. For additional details, please refer to the [Webcast](#) beginning at 1:55:14.

Mayor Pro Tem Rodriguez recommended that staff come back in the future about what resources are needed and how the Board can help to provide those resources to continue and expand the work being done. For additional details, please refer to the Webcast beginning at 1:59:30.

Supervisor Mitchell commented on thinking outside the box to identify future financial resources and suggested involving regulated industries to encourage them to invest in technology that improve the work that they do. She highlighted the importance of the environment to Generation Z and Generation Alpha, noting that the video can be used as an opportunity to show how they can be proactive and work in an area that is a top priority for them. She suggested that the video be shortened and put out in the public domain and used to attract talent. For additional details, please refer to the Webcast beginning at 2:00:17.

Chair Delgado announced the passing of Dr. Allan Bernstein, the Hearing Board Medical Member. A moment of silence was observed in honor of Dr. Bernstein.



CLOSED SESSION

The Board recessed to closed session at 11:11 a.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:

South Coast Air Quality Management District v. EPA, U.S. District Court for the Central District of California, Case No. 2:23-cv-02646

CONFERENCE WITH LABOR NEGOTIATORS

- 54957.6 to confer with labor negotiators.

Agency Designated Representative: A. John Olvera, Deputy Executive Officer – Administrative & Human Resources;

Employee Organization(s): Teamsters Local 911, and South Coast AQMD Professional Employees Association; and

Unrepresented Employees: Designated Deputies and Management and Confidential employees.

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.

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:04 p.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on June 2, 2023.

Respectfully Submitted,

Faye Thomas
Clerk of the Boards

Date Minutes Approved: _____

Vanessa Delgado, Chair

ACRONYMS

AQMP = Air Quality Management Plan
CARB = California Air Resources Board
CEQA = California Environmental Quality Act
FY = Fiscal Year
PAR = Proposed Amended Rule
RECLAIM = REgional CLean Air Incentives Market