

**ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
GOVERNING BOARD MEETING
TUESDAY, JULY 20, 2021
ANTELOPE VALLEY DISTRICT OFFICE
LANCASTER, CA**

Minutes

Board Members Present:

Marvin Crist, Chair, City of Lancaster
Austin Bishop, Vice Chair, City of Palmdale
Howard Harris, Los Angeles County
Ron Hawkins, Los Angeles County
Steven Hofbauer, City of Palmdale
Ken Mann, City of Lancaster

Board Members Absent:

Newton Chelette, Public Member

CALL TO ORDER

Chair **CRIST** called the meeting to order at 10:03 a.m. Chair **CRIST** asked Vice Chair **AUSTIN BISHOP** to lead the Pledge of Allegiance. Roll call was taken.

PUBLIC COMMENT

❖ No public comment was made in person, telephonically or electronically.

CONSENT CALENDAR

Agenda Item #1 – Approve Minutes from Regular Governing Board Meeting of June 15, 2021.

Upon Motion by **BISHOP**, seconded by **MANN**, and carried unanimously, the Board **Approved** Minutes from Regular Governing Board Meeting of June 15, 2021.

Agenda Item #2 – Monthly Grant Funding Summary. Receive and file.

Presenter: Bret Banks, Executive Director/APCO.

Upon Motion by **BISHOP**, seconded by **MANN**, and carried unanimously, the Board **Received and Filed** Monthly Grand Funding Summary.

Agenda Item #3 – Monthly Activity Report. Receive and file.

Presenter: Bret Banks, Executive Director/APCO.

Upon Motion by **BISHOP**, seconded by **MANN**, and carried unanimously, the Board **Received and Filed** Monthly Activity Report.

Agenda Item #4 – Approve payment to MDAQMD in the amount of \$136,484.38 for May 2021 expenditures.

Presenter: Bret Banks, Executive Director/APCO.

Upon Motion by **BISHOP**, seconded by **MANN**, and carried unanimously, the Board, **Approved** payment to MDAQMD in the amount of \$136,484.38 for May 2021 expenditures.

Agenda Item #5 – Receive and file the Financial Report. This Preliminary Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at May 31, 2021.

Presenter: Bret Banks, Executive Director/APCO.

Upon Motion by **BISHOP**, seconded by **MANN**, and carried unanimously, the Board, **Received and filed** the Financial Report. This Preliminary Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at May 31, 2021.

ITEMS FOR DISCUSSION

DEFERRED ITEMS

None.

NEW BUSINESS

Agenda Item #6 – Conduct a continued public hearing to consider the amendment of Regulation XIII – New Source Review, amendment of Regulation XVII – Prevention of Significant Deterioration, and make conforming changes to Rule 1401 – New Source Review for Toxic Air Contaminants: a. Continue public hearing; b. Receive staff report and additional information; c. Receive additional public testimony; d. Close public hearing; e. Make a determination that the California Environmental Quality Act (CEQA) Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption, amending the Rules and directing staff actions.

Presenter: Bret Banks, Executive Director/APCO.

Chair **CRIST** opened the continued public hearing. Bret Banks, Executive Director/APCO, presented the staff report and answered questions from the Board. Mr. Banks requested that the AVAQMD BACT/Offset Determination Flow Chart be entered into the record, item was so entered. Brad Poiriez, Executive Director/APCO Mojave Desert AQMD assisted with the staff report and answering questions from the Board. Chair **CRIST** called for public comment. Public comment was made by Michael J. Carroll, Attorney LATHAM & WATKINS LLP representing Northrop Grumman. Mr. Carroll wished to thank the air district and staff for their assistance with clarification and guidance with the purposed amendments to Regulation XIII and Rule 1401 and stated support for the approval of the purposed amendments. Public comment was made by Reenu M. Ko, Air Quality Engineer, representing Lockheed Martin. Ms. Ko wished to thank the air district and staff for their assistance with clarification and guidance with the purposed amendments to Regulation XIII and Rule 1401 and stated support for the approval of the purposed amendments. During discussion, Chair **CRIST** directed staff to compose a letter on behalf of the Governing Board, the City of Lancaster and the City of Palmdale addressed to State Legislators regarding the issue of transport air pollution impact on the Antelope Valley air basin. After discussion, Chair **CRIST** closed the public hearing and **determined** that the CEQA Categorical Exemption applies and **waived** reading of the resolution. Upon motion by Board Member **HOFBAUER**, seconded by Board Member **HARRIS**, with four **AYES** votes by Board Members **CRIST**, **HARRIS**, **HOFBAUER** and **MANN**, with Board Members **BISHOP** and **HAWKINS** recusing and Board Member **CHELETTE** absent, the board, **adopted Resolution 21-03, “A RESOLUTION OF THE GOVERNING BOARD OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING THE NOTICE OF EXEMPTION, AMENDING REGULATION XIII – NEW SOURCE REVIEW, AMENDMENT OF REGULATION XVII – PREVENTION OF SIGNIFICANT DETERIORATION, AND MAKING CONFORMING CHANGES TO RULE 1401 – NEW SOURCE REVIEW FOR TOXIC AIR CONTAMINANTS AND DIRECTING STAFF ACTIONS.”**

Agenda Item #7 – Conduct a public hearing to consider the amendment of Rule 301 – Permit Fees: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e.

Make a determination that the CEQA Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption, amending the Rule and directing staff actions.

Presenter: Barbara Lods, Operations Manager.

Chair **CRIST** opened the public hearing. Barbara Lods, Operations Manager, presented the staff report and answered questions from the Board. Chair **CRIST** called for public comment, no public comment was made in person, telephonically or electronically, being none, Chair **CRIST** closed the public hearing and **determined** that the CEQA Categorical Exemption applies and **waived** reading of the resolution. After discussion, upon motion by Board Member **BISHOP**, seconded by Board Member **HOFBAUER**, with six **AYES** votes by Board Members **BISHOP, CRIST, HARRIS, HAWKINS, HOFBAUER and MANN**, with Board Member **CHELETTE** absent, the board, **adopted Resolution 21-04, "A RESOLUTION OF THE GOVERNING BOARD OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING THE NOTICE OF EXEMPTION, AMENDING RULE 301 – PERMIT FEES AND DIRECTING STAFF ACTIONS."**

Agenda Item #8– Reports.

Governing Board Counsel –

- Great to see everyone in person.

Executive Director/APCO –

- No report.

Staff –

- No report.

Agenda Item #9 – Board Member Reports and Suggestions for Future Agenda Items.

- Board Members **BISHOP, HARRIS, HAWKINS and HOFBAUER** stated it was great to see everyone in person.
- Chair **CRIST** again directed staff to compose a letter to State Legislators regarding the issue of transport air pollution impact on the Antelope Valley air basin.
- Board Member **MANN** concurred with Chair **CRIST** and to stay aggressive regarding the issue of transport air pollution impact on the Antelope Valley air basin.

Agenda Item #10 – Adjourn to Regular Governing Board Meeting of Tuesday, August 17, 2021.

Being no further business, the meeting adjourned at 10:47 a.m. to the next regularly scheduled Governing Board Meeting of Tuesday, August 17, 2021.

ACTION OF THE GOVERNING BOARD

APPROVED

Upon motion by **AUSTIN BISHOP**, seconded by **HOWARD HARRIS**, as approved by the following vote:

Ayes: 6 BISHOP, CHELETTE, CRIST, HARRIS, HAWKINS, HOFBAUER

Noes:

Absent: 1 MANN

Abstain:

DEANNA HERNANDEZ, SENIOR EXECUTIVE ANALYST

BY *Deanna Hernandez*

Dated: August 17, 2021