

BOARD MEETING DATE: July 10, 2015

AGENDA NO. 37

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board met on June 25, 2015, in Sacramento. The following is a summary of this meeting.

RECOMMENDED ACTION:
Receive and File.

Judith Mitchell, Member
SCAQMD Governing Board

sm

The Air Resources Board's (ARB or Board) June meeting was held on June 25, 2015 in Sacramento at the California Environmental Protection Agency Headquarters Building. Key items presented are summarized below.

Consent Items

1. Public Meeting to Consider the Greenhouse Gas Quantification Determination for the Stanislaus Council of Governments' Regional Transportation Plan/Sustainable Communities Strategy

The Board accepted Stanislaus Council of Governments' determination that its 2014 Sustainable Communities Strategy, if implemented, would achieve the region's 2020 and 2035 per capita greenhouse gas emissions reduction targets established by the Air Resources Board.

2. Public Meeting to Consider the Greenhouse Gas Quantification Determination for the San Luis Obispo County Association of Governments' Regional Transportation Plan/Sustainable Communities Strategy

The Board accepted San Luis Obispo County Association of Governments' determination that its 2015 Sustainable Communities Strategy, if implemented, would achieve the region's 2020 and 2035 per capita greenhouse gas emissions reduction targets established by the Air Resources Board.

Discussion Items

1. Public Meeting to Consider Updates to Proposition 1B: Goods Movement Emission Reduction Program Guidelines

The Board adopted the proposed updates to the Program Guidelines that outline the eligible equipment and project funding levels for the final installment of Proposition 1B funds, which will reduce diesel emissions and health impacts from freight movement along California's four priority trade corridors. Staff's presentation highlighted three key updates to the Guidelines that include significant funding and longer grant timelines for zero and near-zero emission technology projects across all sectors, funding for infrastructure to support zero emission trucks, transport refrigeration units and cargo-handling equipment, and continued commitment to small fleets.

SCAQMD Staff Comments/Testimony: Dr. Barry R. Wallerstein thanked CARB staff for their efforts and indicated the SCAQMD staff support of the proposed Guidelines.

Dr. Wallerstein indicated that the additional enhancements for zero- and near-zero emission technologies are very important in terms of the South Coast Region's SIP needs and reducing air toxics emissions. Dr. Wallerstein also urged maintaining the requirement for Tier 4 locomotives in order to capture the additional NOx emission reductions necessary to reduce ozone and fine particulates.

2. 2014 Haagen-Smit Clean Air Awards

The Board awarded the 2014 Haagen-Smit Clean Air Awards to Dr. Donald Blake of the University of California, Irvine for air pollution research, Dr. Kirk Smith of the University of California, Berkeley for international air pollution research, and Dr. John Wall of Cummins, Inc. for emission control technology.

3. Public Meeting to Consider the Proposed Fiscal Year 2015-2016 Funding Plan for Low Carbon Transportation Investments and the Air Quality Improvement Program

The Board adopted the Proposed Fiscal Year 2015-2016 Funding Plan for allocating Low Carbon Transportation Investments and Air Quality Improvement Program funding in the Governor's proposed Budget. Staff's presentation highlighted that these programs expand incentives for zero-emission and plug-in passenger cars, clean trucks and buses, and advanced technology freight demonstration projects to reduce air pollution and greenhouse gas emissions with a priority for benefiting disadvantaged communities. Also, new categories were included such as the agricultural worker vanpools and mobile agricultural equipment trade-up in the San Joaquin Valley, low NOx truck incentives and rural school bus replacement. In addition, these changes build on investments from previous funding cycles and address new legislation signed in 2014 (Senate Bill 1275 and Senate Bill 1204) which refine program implementation.

SCAQMD Staff Comments/Testimony: Dr. Barry R. Wallerstein commented the SCAQMD staff support to approve the item but indicated that his primary purpose for testifying was looking towards the future of the program. CARB is receiving \$350 million in auction revenue funds this year, but with \$2.3 billion in total auction revenues, less than 16% is coming back to CARB for greenhouse gas purposes with co-benefits in reducing criteria pollutants and air toxics. The SCAQMD staff is working closely with CARB staff on preparation of the 2016 SIP amendments. The SCAQMD Governing Board has asked staff to eliminate the "black box," which historically contains future technologies to address attainment. Dr. Wallerstein urged the CARB Board and staff to educate the legislature and the Governor's Office to have a greater share of the funds to come back to CARB to be used to transform the mobile source fleet, which will be required in order for the region to meet federal clean air standards by their prescribed deadlines. With this, Dr. Wallerstein recommended approval of this item and asked that the CARB Board provide direction to CARB staff to work together with the air districts, public health advocates, and business community to allow more of the cap-and-trade funds be used to reduce greenhouse gas emissions while also garnering the criteria pollutant co-benefits needed to meet air quality standards.

4. Public Hearing to Consider Amendments to the California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanisms

The Board adopted amendments to the Cap and Trade Regulation to include a new Rice Cultivation Compliance Offset Protocol and amendments to the United States Forest Compliance Offset Protocol that include project eligibility in parts of Alaska. Staff highlighted that the amendments were first presented to the Board at the December 2014 public hearing, at which the Board directed staff to make modifications to the proposed amendments. Based on public testimony, the Board directed staff to continue

to work with stakeholders to develop implementation guidance for the Forest Compliance Offset Protocol.

5. Public Meeting to Receive Informational Update on the Greenhouse Gas Quantification for the San Diego Association of Government's 2015 Draft Regional Transportation Plan/Sustainable Communities Strategy

The Board heard an informational update by staff on the San Diego Association of Government's (SANDAG) second draft Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The second RTP/SCS, known as San Diego Forward: The Regional Plan, is scheduled for adoption by SANDAG in the Fall of 2015. Staff's presentation highlighted that the second RTP/SCS is continuing to build and refine the policies and strategies of the first RTP/SCS while focusing on implementation. Such strategies include increased compact land use, transit, active transportation, managed lanes, demand management, and electric vehicles.

6. Public Meeting on Health Benefits of Physical Activity: Implications for Sustainable Communities

The Board heard an informational briefing by staff on the numerous benefits of physical activity from sustainable community strategies or SB 375. The staff presentation highlighted the ancillary health benefits from physical activity such as walking and biking for children, adolescents, and adults, as well as how the built environment can influence physical activity patterns and public health in a community.

Attachment

CARB June 25, 2015 Meeting Agenda

REVISED 6/19/15

PUBLIC MEETING AGENDA

June 25, 2015

[Webcast](#)

LOCATION:

Air Resources Board
Byron Sher Auditorium, Second Floor
1001 I Street
Sacramento, California 95814
<http://www.calepa.ca.gov/EPAbldg/location.htm>

This facility is accessible by public transit. For transit information, call (916) 321-BUSS, website:

<http://www.sacrt.com>

(This facility is accessible to persons with disabilities.)

TO SUBMIT WRITTEN COMMENTS ON AN AGENDA ITEM IN ADVANCE OF THE MEETING GO TO: <http://www.arb.ca.gov/lispub/comm/bclist.php>

**Thursday
June 25, 2015
9:00 a.m.**

CONSENT CALENDAR:

The following items on the consent calendar will be presented to the Board immediately after the start of the public meeting, unless removed from the consent calendar either upon a Board member's request or if someone in the audience wishes to speak on it.

Consent Item #

- 15-5-1: Public Meeting to Consider the Greenhouse Gas Quantification Determination for the Stanislaus Council of Governments' Regional Transportation Plan/Sustainable Communities Strategy**

The Board will consider accepting the Stanislaus Council of Governments' determination that implementing its 2014 Sustainable Communities Strategy would achieve the region's 2020 and 2035 per capita greenhouse gas emissions reduction targets established by the Air Resources Board.

[More Information](#)

[Proposed Resolution](#)

- 15-5-2: Public Meeting to Consider the Greenhouse Gas Quantification Determination for the San Luis Obispo County Association of Governments' Regional Transportation Plan/Sustainable Communities Strategy**

The Board will consider accepting the San Luis Obispo County Association of Governments' determination that implementing its 2015 Sustainable Communities Strategy would achieve the region's 2020 and 2035 per capita greenhouse gas emissions reduction targets established by the Air Resources Board.

[More Information](#)

[Proposed Resolution](#)

DISCUSSION ITEMS:

Note: The following agenda items may be heard in a different order at the Board meeting.

Agenda Item #

(The agenda order noted below was revised on 6/19/15.)

15-5-7: Public Meeting to Consider Updates to Proposition 1B: Goods Movement Emission Reduction Program Guidelines

Staff will present to the Board for consideration for approval proposed updates to the Program Guidelines that outline the eligible equipment and project funding levels for the next installment of Proposition 1B funds, which will reduce diesel emissions and health impacts from freight movement along California's four priority trade corridors.

[More Information](#)

[Staff Presentation](#)

15-5-5: 2014 Haagen-Smit Clean Air Awards

The recipients of the 2014 Haagen-Smit Clean Air Awards will be announced and presented with their awards. The Board annually presents the Haagen-Smit Clean Air Awards to esteemed persons in the air quality and climate change community – scientists, legislators, professors, activists, business leaders, and others – who have made significant contributions toward improving air quality and public health.

[More Information](#)

[Staff Presentation](#)

15-5-8: Public Meeting to Consider the Proposed Fiscal Year 2015-2016 Funding Plan for Low Carbon Transportation Investments and the Air Quality Improvement Program

Staff will present to the Board for consideration for approval the Proposed Fiscal Year 2015-16 Funding Plan for allocating Low Carbon Transportation Investments and Air Quality Improvement Program funding in the Governor's proposed Budget. These programs provide incentives for clean vehicle and equipment projects to reduce air pollution and greenhouse gas emissions with a priority for benefiting disadvantaged communities. Staff's recommendations build on investments from previous funding cycles and address new legislation signed in 2014 (Senate Bill 1275 and Senate Bill 1204) which refines program implementation. The proposed Funding Plan would continue and expand incentives for zero-emission and plug-in passenger cars, clean trucks and buses, and advanced technology freight demonstration projects.

[More Information](#)

[Staff Presentation](#)

15-5-6: Public Hearing to Consider Amendments to the California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanisms

Staff will present to the Board for consideration for adoption amendments to the Cap and Trade Regulation to include a new Rice Cultivation Compliance Offset Protocol and an update to the United States Forest Compliance Offset Protocol that would include project eligibility in parts of Alaska. The amendments were first presented to the Board at the December 2014 public hearing, at which the Board directed staff to make modifications to the proposed amendments. As part of this item, the Board will also consider the environmental analysis prepared under the California Environmental Quality Act and written responses to environmental comments received on the environmental analysis.

[More Information](#)

[Staff Presentation](#)

15-5-4: Public Meeting to Receive Informational Update on the Greenhouse Gas Quantification for the San Diego Association of Government's 2015 Draft Regional Transportation Plan/Sustainable Communities Strategy

Staff will present an update to the Board on the San Diego Association of Government's (SANDAG) second draft Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). In 2010, the Board approved regional greenhouse gas reduction targets for the 18 metropolitan planning organizations of California. The targets established for the SANDAG region are 7 percent per capita reduction in 2020 and 13 percent per capita reduction in 2035 from a base year of 2005. SANDAG has completed its second draft RTP/SCS since the targets were established. Staff will present the SANDAG draft quantification that demonstrates the second RTP/SCS, if implemented, would achieve the region's targets for 2020 and 2035. The second RTP/SCS, known as San Diego Forward: The Regional Plan, is scheduled for adoption by SANDAG in the Fall of 2015.

[More Information](#)

[Staff Presentation](#)

15-5-3: Public Meeting on Health Benefits of Physical Activity: Implications for Sustainable Communities

Staff will present a health update on the numerous benefits of physical activity. Topics will include the health benefits of walking and biking for children, adolescents, and adults, as well as how the built environment can influence physical activity patterns and public health in a community.

[Staff Presentation](#)

CLOSED SESSION

The Board will hold a closed session, as authorized by Government Code section 11126(e), to confer with, and receive advice from, its legal counsel regarding the following pending or potential litigation, and as authorized by Government Code section 11126(a):

CO-AL Transport v. CalEPA/ARB, U.S. Court of Appeals, Ninth Circuit, Case No. 15-70839.

Sarah Farley v. California Air Resources Board, Superior Court of California (Sacramento County), Case No. 34-2015-80002044.

POET, LLC, et al. v. Corey, et al., Superior Court of California (Fresno County), Case No. 09CECG04850; plaintiffs' appeal, California Court of Appeal, Fifth District, Case No. F064045; California Supreme Court, Case No. S213394. [remanded to trial court].

Rocky Mountain Farmers Union, et al. v. Corey, U.S. District Court (E.D. Cal. Fresno), Case No. 1:09-CV-02234-LJO-DLB; ARB interlocutory appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 09-CV-02234 [remanded to trial court].

American Fuels and Petrochemical Manufacturing Associations, et al. v. Corey, et al., U.S. District Court (E.D. Cal. Fresno), Case No. 1:10-CV-00163-AWI-GSA; ARB's interlocutory appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 10-CV-00163 [remanded to trial court].

California Dump Truck Owners Association v. Nichols, U.S. District Court (E.D. Cal. Sacramento), Case No. 2:11-CV-00384-MCE-GGH; plaintiffs' appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 13-15175.

Engine Manufacturers Association v. California Air Resources Board, Sacramento Superior Court, Case No. 34-2010-00082774; ARB's successful appeal, California Court of Appeal, Third District, Case No. C071891 [remanded to the trial court].

Truck and Engine Manufacturers Association v. California Air Resources Board, Sacramento Superior Court, Case No. 34-2013-00150733.

Alliance of Automobile Manufacturers v. California Air Resources Board; Sacramento Superior Court, Case No. 34-2013-00152974.

Citizens Climate Lobby and Our Children's Earth Foundation v. California Air Resources Board, San Francisco Superior Court, Case No. CGC-12-519554, plaintiffs' appeal, California Court of Appeal, First District, Case No. A138830. Petitioner's petition for review, California Supreme Court, Case No. S225548.

California Chamber of Commerce et al. v. California Air Resources Board, Sacramento Superior Court, Case No. 34-2012-80001313; plaintiffs' appeal, California Court of Appeal, Third District, Case No. C075930.

Morning Star Packing Company, et al. v. California Air Resources Board, et al., Sacramento Superior Court, Case No. 34-2013-800001464; plaintiffs' appeal, California Court of Appeal, Third District, Case No. C075954.

Delta Construction Company, et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 11-1428.

Alliance for California Business v. Nichols et al., Glenn County Superior Court, Case No. 13CV01232.

Dalton Trucking, Inc. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 13-1283.

Owner-Operator Independent Drivers Association Inc. et al. v. Richard W. Corey et al., U.S. District Court, (E.D. Cal. Fresno) Case No. 1:13-CV-01998-LJO-SAB (transferred by court to E.D. Cal. Sacramento, Case No. 2:14-CV-00186-MCE-AC).

John R. Lawson Rock & Oil, Inc. et al. v. California Air Resources Board et al., Fresno County Superior Court, Case No. 14-CECG01494.

Transportation Solutions Defense and Education Fund v. California Air Resources Board, Fresno County Superior Court, Case No. 14CECG01788 (plaintiff's transfer to Sacramento Superior).

California Nozzle Specialists, Inc. v. California Air Resources Board, Los Angeles County Superior Court, Case No. BC564965.

California Air Resources Board v. BP West Coast Products LLC, Contra Costa County Superior Court, Case No. C12-00567.

OPPORTUNITY FOR MEMBERS OF THE BOARD TO COMMENT ON MATTERS OF INTEREST

Board members may identify matters they would like to have noticed for consideration at future meetings and comment on topics of interest; no formal action on these topics will be taken without further notice.

OPEN SESSION TO PROVIDE AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD ON SUBJECT MATTERS WITHIN THE JURISDICTION OF THE BOARD

Although no formal Board action may be taken, the Board is allowing an opportunity to interested members of the public to address the Board on items of interest that are within the Board's jurisdiction, but that do not specifically appear on the agenda. Each person will be allowed a maximum of three minutes to ensure that everyone has a chance to speak.

TO ELECTRONICALLY SUBMIT WRITTEN COMMENTS ON AN AGENDA ITEM IN ADVANCE OF THE MEETING GO TO:

<http://www.arb.ca.gov/lispub/comm/bclist.php>

(Note: not all agenda items are available for electronic submittals of written comments.)

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CLERK OF THE BOARD:

**1001 I Street, 23rd Floor, Sacramento, California 95814
(916) 322-5594**

ARB Homepage: www.arb.ca.gov

SPECIAL ACCOMMODATION REQUEST

Consistent with California Government Code Section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format or another language;
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 as soon as possible, but no later than 7 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia
- Documentos disponibles en un formato alterno u otro idioma
- Una acomodación razonable relacionados con una incapacidad

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de 7 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

SMOKING IS NOT PERMITTED AT MEETINGS OF THE CALIFORNIA AIR RESOURCES BOARD