

BOARD MEETING DATE: March 6, 2015

AGENDA NO. 25

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board met on February 19, 2015, in Sacramento. The following is a summary of this meeting.

RECOMMENDED ACTION:
Receive and file.

Judith Mitchell, Member
SCAQMD Governing Board

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The Air Resources Board's (ARB or Board) February meeting was held on February 19 in Sacramento at the California Environmental Protection Agency Headquarters Building. Key items presented are summarized below.

Consent Items

1. Public Meeting to Consider a Minor Revision to the South Coast 2012 PM2.5 State Implementation Plan

The Board approved a revision to the South Coast Air Basin 2012 PM2.5 State Implementation Plan to be submitted to the United States Environmental Protection Agency (U.S. EPA) as a revision to the California SIP. The revision will provide U.S. EPA the documentation needed to facilitate approval of the 2012 South Coast PM2.5 SIP under subpart 4 provisions of the Clean Air Act.

Discussion Items

1. Public Hearing to Consider the Adoption of Evaporative Emissions Control Requirements for Spark-Ignition Marine Watercraft

The Board adopted a regulation for controlling evaporative emissions from spark-ignition marine watercraft. The regulation will harmonize with similar federal requirements, while adding specific provisions needed to support California's air quality needs. The emission control technology needed for this regulation is already being applied to on-land vehicles and therefore is cost-effective. The rule applies to new watercraft and has the support of major industry associations.

2. Report to the Board on Intergovernmental Panel on Climate Change

Climate expert, Susanne Moser, provided an update on the latest assessment of the scientific basis for climate change from the Intergovernmental Panel on Climate Change. The presentation documented the evolution of climate science and the current level of certainty the scientific community has in the anthropogenic causes of global warming. Dr. Moser also emphasized the importance of education and the necessity of California leadership to realize the national and worldwide changes needed to mitigate the severe consequences from climate change.

3. Public Hearing to Consider a Low Carbon Fuel Standard

The Board held the first of two hearings on the proposed re-adoption of the Low Carbon Fuel Standard (LCFS). The re-adoption will address State of California Court of Appeals' direction on California Environmental Quality Act and Administrative Procedure Act procedures for the standard and provide greater certainty and clarity in the regulation and its 2020 goal of reducing the carbon intensity of the transportation fuel pool by 10 percent. The second hearing will occur in the summer and complete the environmental review process and the external review of the carbon intensity tools.

SCAQMD Staff Comments/Testimony: Staff provided oral testimony to support the re-adoption of the Low Carbon Fuel Standard (LCFS). Staff commented that this regulation incentivizes not only low carbon fuels but also fuels and technologies that capture the co-benefits of reduced criteria pollutants, specifically particulates, toxics and especially NOx emissions, which are so desperately needed in the South Coast region to achieve the

federal standards. Staff urged the Board to adopt the CARB staff recommendation on the LCFS when the item comes back for their vote.

4. Public Hearing to Consider the Proposed Regulation for the Commercialization of Alternative Diesel Fuels.

The Board also held the first of two hearings on a proposed regulation governing the introduction of alternative diesel fuels (ADF) into the California commercial market. The ADF regulation works with the LCFS to enhance the development and penetration of low carbon ADFs. The benefits of the ADFs include lower NO_x and PM emissions, decreased toxic risks, and lower greenhouse gas emissions. This regulation will help California achieve the LCFS 2020 and the Governor's 2030 50 percent renewable energy goals.

SCAQMD Staff Comments/Testimony: Similar to the previous item, staff provided oral testimony to support the Alternative Diesel Fuels (ADF) regulation with the same rationale: the region needs more NO_x emission reductions, and this regulation will ensure that NO_x does not increase with higher blends of biodiesel in older engines. Staff also thanked CARB staff for continuing to work with the SCAQMD to resolve the potential NO_x increase issue. Staff urged the Board to adopt the CARB staff recommendation on the ADF when the item comes back for their vote.

Attachment

CARB February 19, 2015 Meeting Agenda

LOCATION:

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

PUBLIC MEETING AGENDA

February 19, 2015

[Webcast](#)

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
February 19, 2015
9:00 a.m.**

CONSENT CALENDAR:

The following item 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 #

15-2-1: Public Meeting to Consider a Minor Revision to the South Coast 2012 PM2.5 State Implementation Plan

Staff will propose to the Board a minor revision to the South Coast Air Basin 2012 PM2.5 State Implementation Plan (SIP). If approved, it will be submitted to the United States Environmental Protection Agency as a revision to the California SIP and will provide the documentation to facilitate approval of the 2012 South Coast PM2.5 SIP.

[More Information](#)

[Proposed Resolution](#)

DISCUSSION ITEMS:

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

Agenda Item #

15-2-2: Public Hearing to Consider the Adoption of Evaporative Emissions Control Requirements for Spark-Ignition Marine Watercraft

Staff will present to the Board a proposed regulation for controlling evaporative emissions from spark-ignition marine watercraft. The proposed regulation will harmonize, to the extent feasible, with similar federal requirements, while adding specific provisions needed to support California's air quality needs.

[More Information](#)

[Staff Presentation](#)

15-2-5: Report to the Board on Intergovernmental Panel on Climate Change

A climate expert will provide an update on the latest assessment of the scientific basis for climate change from the Intergovernmental Panel on Climate Change. Topics to be covered include the most important findings on the physical science basis, impacts, mitigation, and adaptation to climate change on both global and regional scales, with an emphasis on California findings.

[More Information](#)

[Susanne Moser's Presentation](#)

15-2-4: Public Hearing to Consider a Low Carbon Fuel Standard

Staff will present to the Board a proposed regulation for a Low Carbon Fuel Standard that includes re-adoption of the existing Low Carbon Fuel Standard with updates and revisions. This is the first of two hearings on the item, and the Board will not take action to approve the proposed regulation.

[More Information](#)

[Staff Presentation](#)

15-2-3: Public Hearing to Consider the Proposed Regulation for the Commercialization of Alternative Diesel Fuels

Staff will present to the Board a proposed regulation governing the introduction of alternative diesel fuels into the California commercial market, including special provisions for biodiesel. This is the first of two hearings on the item, and the Board will not take action to approve the proposed regulation.

[More Information](#)

[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):

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 appeal, California Court of Appeal, Third District, Case No. C071891. EMA Petition for Review, California Supreme Court, Case No. S223544.

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.

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.