

BOARD MEETING DATE: September 4, 2015

AGENDA NO. 35

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board met on July 23, 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) July meeting was held on July 23, 2015 in Sacramento at the California Environmental Protection Agency Headquarters Building. Key items presented are summarized below.

Consent Items

1. Public Meeting to Consider Appointments of Two New Members to the Research Screening Committee.

The Board appointed Dr. J.R. DeShazo from the University of California, Los Angeles, and Dr. Tim Wallington, from the Ford Motor Company, to the Research Screening Committee (RSC). The RSC advises the Board on valuable research projects.

2. Public Meeting to Consider Research Proposals and Contract Augmentations.

The Board approved ten research proposals and two contract augmentations developed in response to the Board-approved Fiscal Year 2015-2016 Annual Research Plan. The approved proposals include:

- 1) “Heavy-Duty On-Road Vehicle Inspection and Maintenance Program”,
- 2) “Designing Vehicle Retirement and Replacement Incentives for Low-Income Households”,
- 3) “Identifying, Evaluating and Selecting Indicators, Indices and Data for Future Monitoring System of the Implementation of Sustainable Communities Strategies”,
- 4) “Assessing the Travel Demand and Co-Benefit Impacts of Affordable TODs (Transit- oriented development)”,
- 5) “Zero-Carbon Buildings in California: A Feasibility Study”,
- 6) “Characterize Physical and Chemical Properties of Manure in California Dairy Systems to Improve Greenhouse Gas Emission Estimates”,
- 7) “Characterize California-specific Cattle Feed Rations and Improve Modeling of Enteric Fermentation for California's Greenhouse Gas Inventory”,
- 8) “Policy and Scenario Analysis for Managing and Mitigating California’s F-gas Emissions”,
- 9) “Improved Understanding of the Magnitude of Trans-Pacific Long Range Transported Ozone Aloft at California’s Coast”,
- 10) “LIDAR Profiling of Ozone in the San Joaquin Valley”,

The proposed contract augmentations include:

- 11) “Advanced Plug-In Electric Vehicle Travel and Charging Behavior”,
- 12) “Women’s Cardiovascular Risk from Particulate Matter Exposure”.

3. Public Meeting to Consider the Transportation Conformity Budgets for the San Joaquin Valley PM2.5 State Implementation Plan Supplement.

The Board approved the additional transportation conformity budgets for the San Joaquin Valley PM2.5 SIP Plan Supplement. The transportation conformity budgets will be submitted to the United States Environmental Protection Agency as a revision to the California State Implementation Plan.

4. Public Meeting to Consider Submission of Waiver and Authorization Measures.

The Board approved a list of applicable waiver and authorization measures for submission to the United States Environmental Protection Agency (U.S. EPA) for inclusion into the California State Implementation Plan (SIP). The submittal to U.S. EPA is required in response to a May 20, 2015 court ruling requiring California to

submit into the SIP all mobile source regulations seeking a waiver or authorization from U.S. EPA if California relies on these emission reductions to meet federal air quality standards.

Discussion Items

1. Public Meeting to Select and Appoint a Vice Chair

The Board approved the creation of a Vice Chair position to act in the absence of the Chair. The Board further appointed Board member Sandra Berg to the position of Vice Chair.

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

The Board accepted the Kern Council of Governments (COG) determination that its 2014 Regional Transportation Plan/Sustainable Communities Strategy (SCS) will, if implemented, meet the region's per capita greenhouse gas emissions reduction targets. The SCS includes strategies to promote increased residential density, multi-family and mixed-use housing, and to better align transit-oriented development with residential areas and areas of employment. In addition the Board also asked staff to evaluate ways to streamline the ARB SCS review process and develop methods to track implementation of the SCSs.

3. Public Meeting to Consider the Air Resources Board/California Air Pollution Control Officers Association Risk Management Guidance for Stationary Sources of Air Toxics

The Board approved a joint guidance document developed by ARB staff and the California Air Pollution Control Officers Association on risk management policy. The purpose of the guidance is to assist local air districts in administering their air toxics programs, specifically the permitting program (e.g., new and modified sources) and the "Hot Spots" program (e.g., risk assessment, notification, risk reduction audits and plans). This guidance uses the Office of Environmental Health Hazard Assessment's updated risk assessment methodology designed to ensure infants and children are appropriately addressed in assessing risk. In keeping with the new guidance, ARB will assess existing ARB air toxics-related regulations and continue efforts to reduce emissions from mobile sources via the Sustainable Freight Strategy, the State Implementation Plan, and the Scoping Plan.

4. Public Meeting to Update the Board on Proposed Federal Phase 2

Greenhouse Gas Standards for Medium-and Heavy-Duty Engines and Vehicles

The Board heard a presentation by ARB staff on a draft of the U.S. EPA and National Highway Traffic Safety Administration proposed Phase 2 Greenhouse Gas Emissions and Fuel Efficiency Standards (Standards) for Medium- and Heavy-Duty Engines and Vehicles. The joint proposed rule was published on July 13, 2015, and the Board received staff's initial assessment of the Standards and discussed the range of potential comments to U.S. EPA. In the presentation, staff highlighted the benefits the new Standards would bring to California for meeting air quality and GHG reduction targets and also the areas where the Standards can be improved, including better characterization of the important role of hybrids, battery electric and fuel cell vehicles, and other advanced technologies and the need for mitigation of higher PM_{2.5} emissions from increased APU reliance where these are not DPF equipped. The presentation also documented missed opportunities by not including a prominent and significant reference to new lower engine NO_x emission standards that will be necessary for California to meet its clean air goals. Finally, the presentation discussed staff's preference for an alternative in the proposal that accelerates the full phase-in of the standard by 2024. ARB will testify at a U.S. EPA public hearing on August 18, 2015 in the Southern California and will submit formal written comments to U.S. EPA by September 17, 2015.

SCAQMD Staff Comments/Testimony: Mr. Henry Hogo commented that the SCAQMD staff agreed with CARB staff's initial assessment and that the EPA proposal should be strengthened. In addition, Mr. Hogo stressed the need to develop new engine exhaust emission standards for NO_x. He indicated that U.S. EPA should begin the development of new NO_x exhaust emission standards as early as possible in order for the South Coast Air Basin to attain air quality standards. Mr. Hogo indicated that the National Association of Clean Air Agencies (NACAA) will be providing comments on the need to develop lower NO_x emission standards and that U.S. EPA should start rulemaking concurrently and independent of the Phase 2 greenhouse gas standards rulemaking. Mr. Hogo also commented on the need to identify funding for advanced technology vehicles, as commented by Dr. Barry R. Wallerstein at last month's CARB Board meeting.

Attachment

CARB July 23, 2015 Meeting Agenda

REVISED 7/21/15

PUBLIC MEETING AGENDA

July 23, 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
July 23, 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 #

15-6-1: Public Meeting to Consider Appointments of Two New Members to the Research Screening Committee.

Staff will recommend the appointment of Dr. J.R. DeShazo from the University of California, Los Angeles, and Dr. Tim Wallington, from the Ford Motor Company, to the Research Screening Committee to fill the vacancies left by the resignations of Dr. Matt Kahn and Dr. Steve Japar. The Board's Research Screening Committee consists of scientists, engineers, and others who are knowledgeable, technically qualified, and experienced in air pollution research.

[More Information](#)

15-6-2: Public Meeting to Consider Research Proposals and Contract Augmentations

Staff will seek Board approval of ten research proposals and two contract augmentations that were developed in response to the Board-approved Fiscal Year 2015-2016 Annual Research Plan.

- 1) "Advanced Plug-In Electric Vehicle Travel and Charging Behavior," University of California, Davis, Augmentation to Contract No. 12-319.

[More Information](#)

[Proposed Resolution](#)

- 2) "Heavy-Duty On-Road Vehicle Inspection and Maintenance Program," Foundation for California Community Colleges, Proposal No. 2789-283.

[More Information](#)

[Proposed Resolution](#)

- 3) *"Designing Vehicle Retirement and Replacement Incentives for Low-Income Households," University of California, Los Angeles, Proposal No. 2790-283.*
[More Information](#) [Proposed Resolution](#)
- 4) *"Identifying, Evaluating and Selecting Indicators, Indices and Data for Future Monitoring System of the Implementation of Sustainable Communities Strategies," University of California, Los Angeles, Proposal No. 2791-283.*
[More Information](#) [Proposed Resolution](#)
- 5) *"Assessing the Travel Demand and Co-Benefit Impacts of Affordable TODs," University of California, Berkeley, Proposal No. 2792-283.*
[More Information](#) [Proposed Resolution](#)
- 6) *"Zero-Carbon Buildings in California: A Feasibility Study," University of California, Berkeley, Proposal No. 2793-283.*
[More Information](#) [Proposed Resolution](#)
- 7) *"Characterize Physical and Chemical Properties of Manure in California Dairy Systems to Improve Greenhouse Gas Emission Estimates," University of California, Davis, Proposal No. 2794-283.*
[More Information](#) [Proposed Resolution](#)
- 8) *"Characterize California-specific Cattle Feed Rations and Improve Modeling of Enteric Fermentation for California's Greenhouse Gas Inventory," University of California, Davis, Proposal No. 2795-283.*
[More Information](#) [Proposed Resolution](#)
- 9) *"Policy and Scenario Analysis for Managing and Mitigating California's F-gas Emissions," University of California, Berkeley, Proposal No. 2796-283.*
[More Information](#) [Proposed Resolution](#)
- 10) *"Improved Understanding of the Magnitude of Trans-Pacific Long Range Transported Ozone Aloft at California's Coast," San José State University, Proposal No. 2797-283.*
(The attached Proposed Resolution was revised 7/21/15)
[More Information](#) [Revised Proposed Resolution](#)
- 11) *"LIDAR Profiling of Ozone in the San Joaquin Valley," National Oceanic and Atmospheric Administration, Proposal No. 2798-283.*
(The attached Proposed Resolution was revised 7/21/15)
[More Information](#) [Revised Proposed Resolution](#)
- 12) *"Women's Cardiovascular Risk from Particulate Matter Exposure," University of California, Irvine, Augmentation to a pending contract.*
[More Information](#) [Proposed Resolution](#)

15-6-3: Public Meeting to Consider the Transportation Conformity Budgets for the San Joaquin Valley PM2.5 State Implementation Plan Supplement

The Board will consider approval of the Transportation Conformity Budgets for the San Joaquin Valley PM2.5 SIP Plan Supplement. If approved, the transportation conformity budgets will be submitted to the United States Environmental Protection Agency as a revision to the California State Implementation Plan.

[More Information](#)

[Proposed Resolution](#)

15-6-4: Public Meeting to Consider Submission of Waiver and Authorization Measures

The Board will consider approval of the Waiver/Authorization List of all applicable waiver and authorization measures for submission to the United States Environmental Protection Agency for inclusion into the California State Implementation Plan.

[More Information](#)

[Proposed Resolution](#)

DISCUSSION ITEMS:

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

Agenda Item #**15-6-10: Public Meeting to Select and Appoint a Vice-Chair**

The Board will select and appoint a Vice-Chair to act in the absence of the Chairman.

15-6-5: Public Meeting to Consider the Greenhouse Gas Quantification Determination for the Kern Council of Governments' Regional Transportation Plan/Sustainable Communities Strategy

The Board will consider action to accept or reject the Kern Council of Governments' (KernCOG) determination that its 2014 Sustainable Communities Strategy, if implemented, would achieve the region's per capita greenhouse gas emissions reduction targets for 2020 and 2035. Staff will present its technical evaluation of the greenhouse gas determination for the 2014 Regional Transportation Plan/Sustainable Communities Strategy adopted by KernCOG on June 19, 2014.

[More Information](#)

[Staff Presentation](#)

15-6-8: Public Meeting to Consider the Air Resources Board/California Air Pollution Control Officers Association Risk Management Guidance for Stationary Sources of Air Toxics

The Board will consider approval of a joint guidance document developed by the Air Resources Board staff and the California Air Pollution Control Officers Association on risk management policy. The purpose of the guidance is to assist local air districts in administering their air toxics programs, specifically the permitting program (e.g., new and modified sources) and the Assembly Bill 2588 "Hot Spots" program (e.g., risk assessment, notification, risk reduction audits and plans). This guidance uses the Office of Environmental Health Hazard Assessment's updated risk assessment methodology designed to ensure infants and children are explicitly addressed in assessing risk.

[More Information](#)

[Staff Presentation](#)

15-6-6: Public Meeting to Update the Board on Proposed Federal Phase 2 Greenhouse Gas Standards for Medium- and Heavy-Duty Engines and Vehicles

Staff will update the Board on the United States Environmental Protection Agency and National Highway Traffic Safety Administration proposed Phase 2 Greenhouse Gas Standards for Medium- and Heavy-Duty Engines and Vehicles. Staff will present staff's initial assessment of the proposed standards, highlight areas where it could be strengthened, and provide a brief discussion on how the proposed standards support meeting the State's 2030 climate goals.

[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):

American Fuels and Petrochemical Manufacturers, et al. v. Jane O'Keeffe, et al., U.S. District Court (D. Ore. Portland), Case No. 3:15-CV-00467.

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 Manufacturers, 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.

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 alternativo 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.