

BOARD MEETING DATE: May 5, 2017

AGENDA NO. 24

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board met on April 27, 2017, in Sacramento, CA.
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) April meeting was held on April 27, 2017 in Sacramento at the California Environmental Protection Agency Headquarters Building. Key items presented are summarized below.

Consent Items

1. Public Meeting to Consider the Coachella Valley Attainment Ozone Contingency Measure

The Board adopted the attainment contingency measure reductions for the Coachella Valley Ozone Plan. The South Coast Air Quality Management District adopted the Coachella Valley 75 ppb 8-hour ozone plan on March 3, 2017. This supplement provides contingency emission reductions to fulfill the State Implementation Plan requirements for attainment contingency in the Coachella Valley.

2. Public Meeting to Consider Updates to the San Joaquin Valley PM10 Maintenance Plan

The Board adopted updates to the San Joaquin Valley PM10 Maintenance Plan (Update) to address the PM10 Maintenance Plan's contingency provisions should exceedances of the PM10

standard occur. In the Update, ARB staff assessed available information for exceedances that occurred in 2013 and 2014, and determined whether the exceedances qualified as exceptional events or were caused by man-made sources. The Air Resources Board will submit the Update to the United States Environmental Protection Agency as a revision to California's State Implementation Plan. Following this submittal, the San Joaquin Valley District must prepare the necessary documentation for exceptional events as well as identify additional measures to reduce emissions contributing to the remaining exceedances.

Discussion Items

1. Public Meeting to Hear a Research Update on Air Pollution and the Brain

The Board heard an update on the harmful effects of air pollution on the brain. While air pollution-related cardiovascular and respiratory health effects are well documented, less is known about impacts on the brain from air pollution. ARB staff presented recent research demonstrating that air pollutants can enter the brain of animals and lead to inflammation in the brain and cognitive impairment. Other studies looking at the effect of high PM_{2.5} levels on populations provide emerging evidence that PM exposure is associated with greater incidence of cognitive decline and dementia.

2. Public Meeting to Consider the ARB Research Plan for Fiscal Year 2017-2018

The Board approved the 2017-2018 Research Plan (Plan). The Plan reflects a concerted effort to identify the Board's highest priority research needs. With a budget of 4.2 million dollars, the Plan will fund 20 new research projects. The Plan focuses on six areas, including: exposure and health; exposure in Environmental Justice communities; emissions from mobile sources; health and emissions in sustainable communities; climate; and criteria pollutants studies.

3. Public Meeting to Consider Proposed Revisions to the Carl Moyer Memorial Air Quality Standards Attainment Program Guidelines

The Board approved the Carl Moyer Program (Program) 2017 Guidelines (Guidelines). The Program has been successful reducing emissions by providing cost effective emissions reductions through financial incentives to replace or retrofit older, highly polluting engines. The updated Guidelines implement changes directed by Senate Bill 513 and redesign the Program to meet California's need to transition to the very low and zero-emission technologies. The deployment of these technologies is critical to the success of the State Implementation Plan and the Sustainable Freight Strategy. The update adjusts cost-effectiveness limits, increases opportunities to fund infrastructure projects, and allows for additional co-funding opportunities.

SCAQMD Staff Comments/Testimony: Mr. Fred Minassian stated that SCAQMD staff supports the adoption of the revisions to the Guidelines and thanked ARB staff for working closely with SCAQMD staff during this process. Mr. Minassian also stated SCAQMD's request to raise the cap for the repower of on-road trucks to 0.02 gram NOx engines from \$30,000 to \$40,000. ARB staff agreed with the request and stated that the proper changes have been made.

4. Public Meeting to Hear Proposed Updates on Truck Field Enforcement Activities and New Screening Technologies for High Emitting Vehicles

The Board heard an update on the development of the Portable Emissions AcQuisition System. This system pairs emissions data of a passing truck with license plate data using an Automatic License Plate Reader (ALPR). The Portable Emissions AcQuisition System will provide ARB with tools to collect on-road data and serve as an initial screening tool for enforcement actions. Staff also discussed the ALPR privacy and usage policy.

Attachment

CARB April 27, 2017 Meeting Agenda

PUBLIC MEETING AGENDA

April 27, 2017

[Webcast](#)

LOCATION:

California Environmental Protection Agency
Air Resources Board
Byron Sher Auditorium, 2nd Floor
1001 I Street
Sacramento, California 95814

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
April 27, 2017
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 them.

Consent Item #

17-4-1: Public Meeting to Consider the Coachella Valley Attainment Ozone Contingency Measure

The Board will consider the adoption of supplemental attainment contingency measure reductions for the Coachella Valley Ozone Plan. The South Coast Air Quality Management District adopted the Coachella Valley 75 ppb 8-hour ozone plan on March 3, 2017. This supplement provides additional contingency emission reductions to fulfill the State Implementation Plan requirements for attainment contingency in the Coachella Valley.

[More Information](#)

[Proposed Resolution](#)

17-4-2: Public Meeting to Consider Updates to the San Joaquin Valley PM10 Maintenance Plan

The Board will consider adopting updates to the San Joaquin Valley PM10 Maintenance Plan. The updates address a requirement to assess PM10 air quality data during the maintenance period. If adopted, the Air Resources Board will submit the Updates to the San Joaquin Valley PM10 Maintenance Plan to the United States Environmental Protection Agency as a revision to California's 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 #**17-4-3: Public Meeting to Hear a Research Update on Air Pollution and the Brain**

The Board will hear an update on the harmful effects of air pollution on the brain.

[More Information](#)

[Staff Presentation](#)

17-4-4: Public Meeting to Consider Planned Air Pollution Research for Fiscal Year 2017-2018

The Board will consider approving the Proposed 2017-2018 Research Plan (Plan). This Plan reflects a concerted effort to identify the Board's highest priority research needs, and the research projects included in this Plan will support attainment of upcoming air quality and greenhouse gas targets. Research included in the Plan will advance the state of the science and support the Board's efforts to meet California's air quality and climate goals.

[More Information](#)

[Staff Presentation](#)

17-4-6: Public Meeting to Consider Proposed Revisions to the Carl Moyer Memorial Air Quality Standards Attainment Program Guidelines

The Board will consider approving the Proposed Carl Moyer Program (Program) 2017 Guidelines (Guidelines). The updated Guidelines implement changes directed by Senate Bill 513 and redesign the Program to meet California's need to transition to the very low and zero-emission technologies of the future.

[More Information](#)

[Staff Presentation](#)

17-4-8: Public Meeting to Hear Proposed Updates on Truck Field Enforcement Activities and New Screening Technologies for High Emitting Vehicles

The Board will hear an update on the development of a Portable Emissions Acquisition System. This system pairs emissions data of a passing vehicle with license plate data using an Automatic License Plate Reader (ALPR). The Board will hear staff's intended uses of the ALPR system, the associated privacy and usage policy, and how this system will help further the Air Resources Board's mission.

[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; Plaintiffs' appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 15-35834.

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.

Kimberly-Clark Worldwide, Inc. v. California Air Resources Board, et al., Sacramento County Superior Court, Case No. 34-2015-80002246.

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.

POET, LLC, et al. v. Corey, et al., Superior Court of California (Fresno County), Case No. 09CECG04659; plaintiffs' appeal, California Court of Appeal, Fifth District, Case No. F064045; California Supreme Court, Case No. S213394 [remanded to trial court]; plaintiff's appeal of trial court order discharging peremptory writ of mandate, Court of Appeal, Fifth District, Case No. F073340.

POET, LLC, et al. v. California Air Resources Board, et al., Superior Court of California (Fresno County), Case No. 15CECG03380.

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. 12-15131 [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].

Sowinski v. California Air Resources Board, et al., U.S. District Court, Central District of California, Case No. 8:15-CV-02123.

State of North Dakota, et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1242.

State of North Dakota v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1381.

State of West Virginia et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1363.

State of Wyoming, et al. v. United States Department of the Interior, et al., U.S. District Court, District of Wyoming, Case No. 16-CV-285-SWS.

Transportation Solutions Defense and Education Fund v. California Air Resources Board, Fresno County Superior Court, Case No. 14CECG01788 (plaintiff's transfer to Sacramento Superior Court, Case No. 34-2014-80001974-CU-WM-GDS).

Adam Brothers Farming, Inc. v. California Air Resources Board, et al., Santa Barbara County Superior Court, Case No. 15 CV04432.

Alliance of Automobile Manufacturers v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 17-1086.

Alliance for California Business v. California Air Resources Board, et al., Glenn County Superior Court, Case No. 13CV01232; plaintiffs' appeal, Court of Appeal, Third District, Case No. C082828.

Alliance for California Business v. California State Transportation Agency, et al., Sacramento County Superior Court, Case No. 34-2016-80002491.

American Coatings Association, Inc. v. State of California and California Air Resources Board, Sacramento County Superior Court, Case No. 04CS01707.

Jack Cody dba Cody Transport v. California Air Resources Board, et al., Sacramento Superior Court, Case No. 34-2015-80002116; plaintiff's appeal, Court of Appeal, Third District, Case No. C083083.

Dalton Trucking, Inc. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 13-1283 (dismissed), U.S. Court of Appeals, Ninth Circuit, Case No. 13-74019.

Hamilton v. California Air Resources Board, et al., U.S. District Court for the Eastern District of California, Case No. 1:15-CV-01942-AWI-SKO.

John R. Lawson Rock & Oil, Inc. et al. v. California Air Resources Board et al., Fresno County Superior Court, Case No. 14-CECG01494; ARB's appeal, Court of Appeal, Fifth District, Case No. F074003.

Murray Energy Corporation v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1385.

Truck Trailer Manufacturers Association, Inc. v. United States Environmental Protection Agency, et al., U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1430.

Owner-Operator Independent Drivers Association Inc. et al. v. 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), plaintiffs' appeal U.S. Court of Appeals, Ninth Circuit, Case Nos. 15-72101 and 15-16429.

California Air Resources Board v. Bombardier Recreational Products, Los Angeles Superior Court, Case No. BC608480.

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

California Air Resources Board v. SSA Containers, Inc., Los Angeles County Superior Court, Case No. BC628573 and No. BC628722.

California Air Resources Board v. West Coast Diesel, Inc., Fresno County Superior Court, Case No. 15 CECG 03337.

California Air Resources Board v. Adam Brothers Farming Inc., Santa Barbara County Superior Court, Case No. 16CV01758.

People of the State of California ex rel. California Air Resources Board v. Marten Transport Logistics, LLC, Los Angeles County Superior Court, Case No. BC645288.

People v. Southern California Gas Company, Los Angeles Superior Court, Case No. BC 602973.

In re: Volkswagen "Clean Diesel" MDL, United States District Court, Northern District of California, Case No. 15-MD-2672-CRB (JSC).

Mahan v. California Air Resources Board, Sacramento County Superior Court, Case No. 34-2016-80002416.

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:

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

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

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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.

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- 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.