

BOARD MEETING DATE: February 7, 2020

AGENDA NO. 22

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board met on January 15, 2020, and January 23, 2020. The following are summaries of the meetings.

RECOMMENDED ACTION:  
Receive and file.

Judith Mitchell, Member  
South Coast AQMD Governing Board

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The California Air Resources Board (CARB or Board) held a meeting on January 15, 2020 at the Old Eucalyptus Schoolhouse, El Centro, California. Key items presented are summarized below.

### **DISCUSSION ITEM**

#### **20-1-1: Public Meeting to Consider Assembly Bill 617 Community Emissions Reduction Program - El Centro-Heber-Calexico Corridor**

The Board approved the El Centro-Heber-Calexico community emissions reduction program (community program). The community program was developed through a partnership between the *Imperial County Air Pollution Control District* (ICAPCD), *Comite Civico del Valle* (CCV) and the community steering committee, and adopted by the ICAPCD Governing Board under the requirements of Assembly Bill (AB) 617. CARB staff reviewed the community program and determined that it meets the criteria set out in the AB 617 legislation and the Community Air Protection Blueprint, in addition to reflecting community priorities. The Board further directed ICAPCD to continue working with CCV and the community steering committee to define and implement strategies to reduce exposure to air pollution in the El Centro-Heber-Calexico community, and to report annually on the progress on CARB's recommended actions.

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The California Air Resources Board (CARB or Board) held a meeting on January 23, 2020 at the California Environmental Protection Agency Headquarters Building in Sacramento. Key items presented are summarized below.

### **CONSENT ITEMS**

#### **20-2-1: Public Meeting to Consider Proposed Contract with the University of California, Berkeley, Titled "Air Pollution Measurements, Exposure Assessment, and Evaluation of the Sources of Particulate Matter in Fresno, California"**

The Board approved funding for the proposed research contract with the University of California, Berkeley titled “Air Pollution Measurements, Exposure Assessment, and Evaluation of the Sources of Particulate Matter in Fresno, California.” The research proposal was developed in response to the Board-approved research projects in fiscal year 2019-2020. The research proposal supports an exposure assessment that will be used in an ongoing study of the health impacts of air pollution in Fresno.

#### **20-2-2: Public Meeting to Consider Proposed Contract with the University of California, Davis, Titled "Barriers to Reducing the Carbon Footprint of Transportation Network Companies: A Survey of Drivers and Riders"**

The Board approved funding for the proposed research contract with the University of California, Davis titled, “Barriers to Reducing the Carbon Footprint of Transportation Network Companies: A Survey of Drivers and Riders.” The execution of this contract will inform the development of the Clean Miles Standard regulation per Senate Bill (SB) 1014 (Skinner, Ch. 369, Stat. 2018) and related programs. This project is proposed to survey drivers and riders of transportation network companies (TNC) in order to identify the barriers to pooling, vehicle electrification, reducing deadheading, and complementing active transportation and public transit in California. Information gained through this contract will support the Board’s decision-making and effective program implementation.

#### **20-2-3: Public Meeting to Consider Compliance Offsets Protocol Task Force Members and Chair**

The Board approved members, and a chair, to the Compliance Offsets Protocol Task Force (Task Force). AB 398 (Garcia, Ch. 135, Stat. 2017) established the Task Force to provide guidance to the Board in approving new offset protocols for the Cap-and-Trade Program. These new protocols will serve the purposes of increasing offset projects with direct environmental benefits in the state while prioritizing disadvantaged communities, Native American or tribal lands, and rural and agricultural regions. AB 398 also directs the Board to appoint members to the Task Force that include, but are not limited to, a

representative from each of the following stakeholder groups: scientists, air pollution control and air quality management districts, carbon market experts, tribal representatives, environmental justice advocates, labor and workforce representatives, forestry experts, agriculture experts, environmental advocates, conservation advocates, and dairy experts. Approval of the Task Force members will allow the Task Force to provide the guidance AB 398 specifies in a timely manner.

## **DISCUSSION ITEMS**

### **20-2-4: Report to the Board on the California Air Resources Board Program Priorities for 2020**

The Board heard a report from the Executive Officer providing an overview of CARB's program priorities for 2020. In 2020, CARB will continue pursuing strategies to mitigate the effects of climate change, providing clean air for all Californians with an emphasis to improve air quality in California's most impacted communities. A focus on cleaner transportation will be a priority in 2020 through new regulations and supporting zero-emission technologies. Transitioning the transportation sector to cleaner emitting vehicles will be necessary for meeting many of CARB's ambitious clean air goals. CARB will also continue working to address the growing wildfire seasons by mitigating exposure to smoke and improving public awareness of their exposure.

### **20-2-6: Public Meeting to Consider Policy Recommendations to Increase the Use of Zero-Emission Vehicles Per Senate Bill 498**

The Board approved a report to the Legislature on CARB's zero-emission vehicle (ZEV) programs. SB 498 (Skinner, Ch. 628, Stat. 2017) tasked CARB with reporting on its programs that affect the adoption of light-, medium-, and heavy-duty ZEVs, including reviewing the program goals and status in meeting those goals, conducting cost-benefit analyses, comparing CARB's ZEV programs with ZEV programs in other states and countries, identifying policy recommendations for increasing the adoption and use of ZEVs in California, and identifying actions fleets can take to increase the use of ZEVs within their operations. SB 498 also requires that the Board consider public comments on the policy recommendations prior to submitting the report to the Legislature. CARB staff presented the policy recommendations in the draft report to the Board, and the draft report is also available to the public for review and comment. If implemented, the policy recommendations are anticipated to accelerate the adoption and use of ZEVs.

### **20-2-7: Public Meeting to Hear an Informational Update on the Clean Miles Standard**

The Board directed CARB staff to work with the California Public Utilities Commission and consider a number of guiding principles in designing the Clean Miles Standard as required by SB 1014 (Skinner, Ch. 369, Stat. 2018). SB 1014, the California Clean Miles Standard and Incentive Program, requires the Board to develop a 2018 base-year emissions and vehicle inventory for vehicles participating in a Transportation Network Company, (TNC) service (companies such as Uber and Lyft) and establish, by January 1, 2021, annual targets and goals for the TNCs that would start in 2023, including a grams of carbon dioxide per-passenger-mile-travelled emissions target and a zero-emission vehicle goal. The staff presentation included an overview of the program considerations, regulatory process, as well as the 2018 base-year emissions and vehicle inventory. The Board resolution sets guiding principles that include decreasing greenhouse gas emissions while increasing zero-emission miles, promoting the use of pooling, transit, and active transport, and directs CARB staff to design a forward-looking regulation that anticipates a transportation future that includes automated vehicles.

#### **Attachments**

CARB January 15, 2020 Meeting Agenda

CARB January 23, 2020 Meeting Agenda

**LOCATION:**

Old Eucalyptus Schoolhouse  
796 West Evan Hewes Highway  
El Centro, California 92243

**PUBLIC MEETING AGENDA**

**Wednesday  
January 15, 2020**

**[Webcast](#)**

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

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

**Wednesday  
January 15, 2020  
4:00 p.m.**

**DISCUSSION ITEM:****Agenda Item #**

**20-1-1: Public Meeting to Consider Assembly Bill 617 Community Emissions Reduction  
Program - El Centro-Heber-Calexico Corridor**

**Spanish translation will be provided at the Board Meeting for this item, Item 20-1-1.**

*The community emissions reduction program was developed through a partnership between the Imperial County Air Pollution Control District, Comité Civico del Valle and the community steering committee. The Board will consider the Calexico/Heber/El Centro community emissions reduction program as required by AB 617.*

**[More Information](#)**

**[Staff Presentation](#)**

**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 CLERKS' OFFICE:**  
**1001 I Street, 23<sup>rd</sup> Floor, Sacramento, California 95814**  
**(916) 322-5594**  
**CARB Homepage: [www.arb.ca.gov](http://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.

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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.



## PUBLIC MEETING AGENDA

**Thursday,  
January 23, 2020**

**[Webcast](#)**

### LOCATION:

California Environmental Protection Agency  
California 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  
January 23, 2020  
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.

#### **Consent Item #**

- 20-2-1: Public Meeting to Consider Proposed Contract with the University of California, Berkeley, Titled "Air Pollution Measurements, Exposure Assessment, and Evaluation of the Sources of Particulate Matter in Fresno, California"**

*The California Air Resources Board (CARB or Board) will consider approving this research proposal that was developed in response to the Board-approved research projects in fiscal year 2019-2020. This item is listed on the consent agenda to comply with Board approval requirements in Government Code section 1091 because one Board member is affiliated with the contractor, the University of California at Berkeley.*

**[More Information](#)**

- 20-2-2: Public Meeting to Consider Proposed Contract with the University of California, Davis, Titled "Barriers to Reducing the Carbon Footprint of Transportation Network Companies: A Survey of Drivers and Riders"**

*The Board will consider approving a contract that will inform the development of the Clean Miles Standard regulation per Senate Bill 1014 (Skinner, Ch. 369, Stat. 2018) and related programs. This project is proposed to survey drivers and riders of transportation network companies in order to identify the barriers to pooling, vehicle electrification, reducing deadheading, and complementing active transportation and public transit in California. This item is listed on the consent agenda to comply with Board approval requirements in Government Code section 1091 because two Board members are affiliated with the contractor, the University of California at Davis.*

**[More Information](#)**

**20-2-3: Public Meeting to Consider Compliance Offsets Protocol Task Force Members and Chair**

*The Board will consider approval of members and a chair to the Compliance Offsets Protocol Task Force (Task Force). Assembly Bill 398 (Garcia, Ch. 135, Stat. 2017) established the Task Force to provide guidance to the Board in approving new offset protocols with direct environmental benefits to the state.*

[More Information](#)

[Proposed Resolution](#)

**DISCUSSION ITEMS:**

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

**Agenda Item #****20-2-4: Report to the Board on the California Air Resources Board Program Priorities for 2020**

*Executive Officer Richard Corey will provide the Board with an overview of California Air Resources Board priorities for 2020.*

[Staff Presentation](#)

**20-2-6: Public Meeting to Consider Policy Recommendations to Increase the Use of Zero-Emission Vehicles Per Senate Bill 498**

*The Board will hear a summary of staff policy recommendations to increase zero-emission vehicle (ZEV) uptake developed in response to Senate Bill (SB) 498 (Skinner, Ch. 628, Stat. 2017). SB 498 tasked CARB with reporting on its programs that affect the adoption of light-, medium-, and heavy-duty ZEVs, including reviewing the program goals and status in meeting those goals, conducting a cost-benefit analysis, comparing CARB's ZEV programs with ZEV programs in other states and countries, identifying policy recommendations for increasing the adoption of ZEVs in the state, and identifying actions fleets can take to increase the number of ZEVs in their fleet. The Board will consider public comments on the policy recommendation before submitting the report to the Legislature, as required.*

[More Information](#)

[Staff Presentation](#)

**20-2-7: Public Meeting to Hear an Informational Update on the Clean Miles Standard**

*Senate Bill (SB) 1014 (Skinner, Ch. 369, Stat. 2018), the California Clean Miles Standard and Incentive Program, requires the Board to determine a 2018 base-year emissions inventory for vehicles participating in a transportation network company (TNC) service and establish, by January 1, 2021, annual targets and goals for the TNCs that would start in 2023, including a per-passenger mile emissions target and a zero-emission vehicle goal. The staff presentation will include an overview of the program considerations, regulatory process, as well as the 2018 base-year emissions and vehicle inventory.*

[More Information](#)

[Staff Presentation](#)

[Guest Presentation](#)



**CLOSED SESSION**

The Board may 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:

*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.

*California Air Resources Board v. Key Disposal, Inc. and John Katangian*, Los Angeles Superior Court, Case No. BC650014.

*California Air Resources Board v. United States Environmental Protection Agency*, U.S. Court of Appeals, District of Columbia Circuit, Case No. 18-1085.

*California Air Resources Board v. United States Environmental Protection Agency and National Highway Traffic and Safety Administration*, United States District Court, District of Columbia Case No. 1:19-cv-00965-CKK.

*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.

*Friends of Oceano Dunes, Inc. v. California Coastal Commission, et al.*, San Luis Obispo County Superior Court, Case No. 17CV-0576; U.S. District Court for the Central District of California, Case No. 2:17-cv-8733.

*In re Pacific Gas and Electric Company*, U.S. Bankruptcy Court, Northern District of California, Case No. 19-30089.

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

*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.

*Sowinski v. California Air Resources Board, et al.*, United States District Court for the Northern District of California, No. 3:18-cv-03979-LHK.

*State of California v. United States Environmental Protection Agency*, United States Court of Appeals, District of Columbia Circuit, Case No. 18-1096.

*State of California, et al. v. Chao, et al.*, United States District Court for the District of Columbia, Case No. 1:19-cv-02826.

*State of California, et al. v. David Bernhardt, et al.*, United States District Court. Northern District of California, Case No. 3:18-cv-5712-DMR.

*State of California, et al. v. United States Environmental Protection Agency*, U.S. Court of Appeals, District of Columbia Circuit, Case No. 18-1114.

*State of California, et al., v. United States Environmental Protection Agency*, United States District Court, Northern District of California, Case No. 4:18-cv-03237.

*State of California, et al. v. United States Environmental Protection Agency et al.*, U.S. District Court, Northern District of California, Oakland Division, Case No. 4:17-cv-6936-HSG.

*State of New York, et al. v. Andrew Wheeler and the United States Environmental Protection Agency*, U.S. District Court, District of Columbia, Case No. 1:18-cv-00773.

*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 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 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.

*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.

*Valero Refining Co. California v. Hearing Board of the Bay Area Air Quality Management District et al.*, Court of Appeal, First Appellate District, Case No. A151004.

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

*The Two Hundred, et al. v. California Air Resources Board, et al.*, Fresno County Superior Court, Case No. 18CECG01494.

*United States v. California*, United States District Court, Eastern District of California, Case No. 2:19-cv-02142-WBS-EFB.

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