

BOARD MEETING DATE: January 10, 2020

AGENDA NO. 17

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board met on October 24, 2019, November 21, 2019 and December 5, 12 and 13, 2019. The following are summaries of the meetings.

RECOMMENDED ACTION:
Receive and file.

Judith Mitchell, Member
South Coast AQMD Governing Board

cw

The California Air Resources Board (CARB or Board) held a meeting on October 24, 2019 in Sacramento at the California Environmental Protection Agency Headquarters Building. Key items presented are summarized below.

CONSENT ITEM

19-9-2: Public Hearing to Consider Regulation Setting Requirements for Advance Payment

The Board adopted the proposed regulation setting requirements for advance payment. The regulation clarifies the process for requesting advance payments, streamlines the review and approval process, and provides procedural safeguards to ensure advance payments are adequately regulated.

DISCUSSION ITEM

19-9-4: Public Meeting to Consider Approval of the Proposed Fiscal Year 2019-20 Funding Plan for Clean Transportation Incentives for Low Carbon Transportation Investments and the Air Quality Improvement Program

The Board adopted the proposed Fiscal Year 2019-20 Funding Plan for Clean Transportation Incentives. The plan describes investments funded by two related funding sources: the Low Carbon Transportation Program funded with Cap-and-Trade auction proceeds and the Air Quality Improvement Program. These programs will provide \$533 million for incentives for clean vehicle and equipment projects to reduce greenhouse gas emissions and air pollution. The investments are designed to maximize benefits for disadvantaged communities, low-income communities, and low-income households, and support strategies identified in the Climate Change Scoping Plan, State Implementation Plan, California Sustainable Freight Action Plan, the ZEV Action Plan, and the Senate Bill (SB) 350 Low Income Barriers Study. Staff's proposal builds on investments from previous funding cycles by continuing incentives for zero-emission and plug-in passenger cars, clean trucks and buses, and advanced technology demonstration and pilot projects.

The California Air Resources Board (CARB or Board) held a meeting on November 21, 2019 in Sacramento at the California Environmental Protection Agency Headquarters Building. Key items presented are summarized below.

DISCUSSION ITEMS

19-10-1: Public Meeting to Consider the Progress Report on San Joaquin Valley Emissions Reductions for the 0.08 ppm 8-hour Ozone Standard

The Board adopted the Progress Report on the San Joaquin Valley (Valley) Emissions Reductions for the 0.08 Parts Per Million 8-Hour Ozone Standard (Report). The Report revises the attainment demonstration for the Valley and fulfills the commitment CARB made in 2011 to revisit the 2007 Ozone Plan's air quality modeling to reflect emission inventory improvements and any other new information. In addition, the Report demonstrates that due to the adoption and implementation of new defined measures, the Valley no longer relies on new technology measures, as allowed by the section 182(e)(5) provision of the Clean Air Act (Act), to demonstrate attainment of the ozone standard by the 2023 deadline. The Report fulfills the section 182(e)(5) contingency report requirement and will be submitted to U.S. EPA as a revision to the California SIP.

19-10-2: Public Meeting to Hear the 2019 Legislative Update

The Board heard an update from CARB's Office of Legislative Affairs. Legislative staff presented a review of air quality and climate change legislation for the first year of the 2019-2020 Legislative Session. In 2019, over 400 pieces of legislation were introduced that related to CARB's mission, of which CARB analyzed 101 bills. These bills were on topics such as heavy-duty vehicles, Cap-and-Trade auction proceeds, impacts of wildfire smoke, and zero-emission vehicle policy. The Governor signed 15 of these bills, including SB210 which directs CARB to develop a comprehensive heavy-duty inspection maintenance program.

19-10-4: Public Hearing to Consider Proposed Amendments to the Low Carbon Fuel Standard

The Board adopted amendments to the Low Carbon Fuel Standard (LCFS) Regulation. LCFS is a key driver of decarbonization in California's transportation sector and supports California's overall climate goals. While adopting the 2018 amendments to the Low Carbon Fuel Standard (LCFS), the Board directed the Executive Officer in Resolution 18-34 to monitor the cost containment provisions of the LCFS program, including the Credit Clearance Market (CCM), and to propose technical adjustments through future rulemaking to reinforce the cost containment provisions, if needed. These amendments strengthen the program's cost containment provisions and ensure that the revenue generated by utilities receiving credits for residential electric vehicle charging units benefits disadvantaged and low-income communities in addition to providing increased access to electric transportation to low-income individuals.

19-10-5: Public Meeting to Hear an Informational Update on Health Effects of Particulate Matter Exposure

The Board heard an overview from the Research Division on particulate matter (PM) health impacts and new challenges to protecting public health, as well as how CARB is addressing these challenges. The adverse health impacts of particulate matter exposure have been well documented, including cardiovascular and respiratory health effects, and mortality. While PM levels have decreased in California over the last several decades, new PM-related public health challenges are now being identified. These challenges include PM from wildfires and vehicle brake and tire wear, potential risk from ultrafine PM exposure, short-term PM exposure, and disproportionate risk to disadvantaged populations. The presentation also provided an overview of current CARB research aimed at addressing these concerns.

The California Air Resources Board (CARB or Board) held a meeting on December 5, 2019 in Oakland at the DeFremery Recreation Center. Key items presented are summarized below.

DISCUSSION ITEMS

19-11-1: Public Hearing to Consider Proposed Control Measure for Ocean-Going Vessels at Berth

The Board held the first of two public hearings on the proposed Control Measure for Ocean-Going Vessels at Berth (At Berth Regulation). The proposed At Berth Regulation is designed to achieve added public health and air quality benefits by requiring emission controls at additional ports and terminals, and for vessels currently not covered by existing regulations. At the meeting, the Board endorsed the proposed program design and adopted a resolution instructing CARB staff to explore innovative concepts where equivalent or greater community benefits would be achieved by deploying advanced technology concepts and to propose further changes. The Board is tentatively scheduled to consider adopting the At Berth Regulation in the spring of 2020.

19-11-2: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program – Community Emissions Reduction Program for West Oakland

The Board approved the West Oakland community emissions reduction program and directed the Bay Area Air Quality Management District (BAAQMD) to work with the community steering committee and CARB on additional actions to strengthen implementation. *Owning Our Air: The West Oakland Community Action Plan* (Plan) is the first community emissions reduction program the Board considered under Assembly Bill (AB) 617. To develop the Plan, BAAQMD partnered with the West Oakland Environmental Indicators Project (WOEIP) and convened a community steering committee comprised of residents, non-profits, business groups, and the local government. The community steering committee met 14 times from July 2018–July 2019, and BAAQMD and WOEIP hosted a town hall in August 2019.

The California Air Resources Board (CARB or Board) held meetings on December 12 & 13, 2019 in Sacramento at the California Environmental Protection Agency Headquarters Building. Key items presented are summarized below.

CONSENT ITEMS

19-12-1: Public Hearing to Consider the Proposed 2019 Amendments to Area Designations for State Ambient Air Quality Standards

The Board adopted amendments to the regulations designating areas of California as attainment, nonattainment, nonattainment-transitional, or unclassified for pollutants with State ambient air quality standards. CARB is required to annually review and designate areas of California with respect to the State standards and amend the designations if appropriate. Based on a review of air quality data collected from 2016 through 2018, the Board designated Santa Barbara County in the South Central Coast Air Basin as attainment for the State ozone standard, and Yuba County and the portion of Sutter County outside of the Sutter Buttes in the Sacramento Valley Air Basin as nonattainment.

DISCUSSION ITEMS

19-12-9: Public Hearing to Consider Proposed Fuel Cell Net Energy Metering Greenhouse Gas Emission Standards Regulation

The Board adopted the Fuel Cell Net Energy Metering (NEM) Greenhouse Gas (GHG) Emission Standards Regulation (Regulation) for the California Public Utilities Commission's Fuel Cell NEM Program, and directed CARB staff to make 15-day changes to advance the deadlines written into the Regulation. The Regulation was developed in response to Assembly Bill 1637 (Low, Chapter 658, Statutes of 2016), and establishes declining Fuel Cell NEM GHG emission standards for years 2017 through 2022, and lays out the process by which the Executive Officer will update the standards every three years beginning in 2022.

South Coast AQMD Staff Comments/Testimony:

Staff provided comments on behalf of the South Coast AQMD and the California Air Pollution Control Officers Association. Staff noted the benefits of fuel cell technology in displacing diesel generators that are used for emergency or portable power applications which are a significant source of NO_x, PM, and toxic emissions. Staff added that as fuel cells are able to transition to renewable natural gas and hydrogen they will provide significant GHG emission benefits. Staff expressed support for the proposed regulation to deploy cleaner technologies to address the state's overall electricity, climate and air quality needs.

19-12-3: Public Meeting to Consider South Coast 8-hour Ozone State Implementation Plan Update

The Board adopted an update to the South Coast Air Basin 80 parts per billion 8-hour Ozone State Implementation Plan (Ozone SIP Update). The federal Clean Air Act (Act) requires that the State submit contingency measures for the South Coast Air Basin nonattainment area three years before their 2023 attainment date. The contingency measures must be able to achieve any emissions reductions that were needed for attainment of the ozone standard but have not been realized. The Ozone SIP Update outlines a joint CARB and South Coast Air District contingency measure plan that demonstrates the emissions reductions required by the Act that can be achieved through newly identified emission reduction strategies, innovative new measures, additional incentive funding, and federal action and/or funding to reduce emissions from sources under federal jurisdiction. CARB will submit the Ozone SIP Update to U.S. EPA for inclusion in the State Implementation Plan.

South Coast AQMD Staff Comments/Testimony:

Staff provided comments supporting the Plan Update and the requirement to provide contingency measures to cover the Further Deployment of Cleaner Technologies measure that EPA approved as part of the 2016 control strategy update to the SIP. Staff noted that the South Coast AQMD and CARB staff have worked together to identify additional measures and incentive funds to achieve emission reductions as part of the contingency measure plan. A substantial portion of the needed emission reductions are from sources subject to federal regulatory authority and federal action is critical for meeting the standard. Staff stressed the need for all levels of government to take aggressive actions for reducing emissions under their respective authorities to achieve the standard by 2023.

19-12-4: Public Hearing to Consider the Proposed Advanced Clean Trucks Regulation and Draft Environmental Analysis Prepared for the Regulation

The Board held the first of two public hearings on the Proposed Advanced Clean Trucks (ACT) Regulation and directed CARB staff to make 15-day changes to increase the targets in the proposed regulation, and subsequently bring a final proposed regulation back to the Board. The proposed ACT Regulation, first identified as the “Last Mile Delivery” measure in the 2016 State SIP Strategy, is a necessary component for California to achieve established near- and long-term air quality and climate mitigation targets. The primary purpose of the proposed ACT Regulation is to accelerate the market for zero-emission medium- and heavy-duty on-road vehicles in applications that are well suited for their use. Last mile truck fleets, along with other vocational trucks, are extremely well-suited for the introduction of zero-emission technology because they operate in urban centers, have stop and go driving cycles, and are centrally maintained

and fueled. The proposed ACT Regulation sets requirements on manufacturers to sell zero-emission trucks and requires large entities including retailers, manufacturers, and government agencies to report information that would be used for developing future strategies requiring the use of zero-emission trucks. The Board is scheduled to consider adopting the proposed ACT Regulation in 2020.

South Coast AQMD Staff Comments/Testimony:

Staff provided comments regarding the Proposed Advanced Clean Trucks Regulation and noted that more emission reductions are needed in this sector and within CARB's suite of regulatory activities in order to meet ozone attainment in the South Coast AQMD by 2031. Staff urged support for stronger regulatory action to reduce NO_x from heavy-duty trucks and use their regulatory and incentive programs to take full advantage of all available low-emission technologies. Staff expressed support for a strong zero emission truck sales mandate and recommended that CARB staff analyze and determine a future truck fleet technology mix consistent with the South Coast AQMD's attainment needs.

19-12-5: Public Hearing to Consider Proposed Amendments to the Regulation for Limiting Ozone Emissions from Indoor Air Cleaning Devices

The Board adopted amendments to the Regulation for Limiting Ozone Emissions from Indoor Air Cleaning Devices. The air cleaner regulation first became effective in 2008. At the time the regulation was drafted, in-duct air cleaners and ozone-generating devices used in some industrial applications were exempted from the regulation. In-duct air cleaners were exempted because there was no approved test method for evaluating ozone emissions from in-duct devices and a lack of data on the California market for such products. There is now an approved test method for measuring ozone emissions from in-duct air cleaners as well as a rapid expansion of the market, especially for in-duct air cleaning devices. The amendments will strengthen the air cleaner regulation by eliminating the in-duct exemption and modifying and clarifying the industrial use exemptions; other amendments will streamline and clarify the certification process, as well as update legal references, definitions, and approved test procedures.

19-12-7: Public Meeting to Hear an Informational Update on the Environmental Justice Research

The Board heard an update on CARB environmental justice research, including results of projects to prioritize sources in disadvantaged communities. Environmental justice (EJ) is a major research area in CARB's Triennial Strategic Research Plan, including an EJ initiative focused on the identification of sources prevalent in disadvantaged communities. Several recent studies have shown there is a disproportionately higher number of mobile and stationary sources (e.g., highway traffic, auto body shops, and oil

and gas wells) in EJ and minority neighborhoods. Research is also being conducted to look at previously less-studied sources, such as methane hotspots as well as pollution from sites in Mexico. In identifying the types of sites that are more prevalent in disadvantaged communities, CARB and other agencies can work to reduce those emissions and the related health disparities.

19-12-6: Public Meeting to Consider Proposed Research Projects for Fiscal Year 2020-2021

The Board approved the Proposed Research Projects for Fiscal Year 2020-2021. These research projects will advance the state of the science and support the Board's efforts to meet California's air quality and climate goals. For fiscal year 2020-2021, CARB proposed six broad-scope projects that each address multiple research initiatives identified in the Triennial Strategic Research Plan. By investing in larger projects, CARB can address long-term goals and challenges holistically. Staff will work with our research partners to develop full proposals. The Executive Officer will then consider the final research proposals for approval and funding with consultation from interested Board Members.

19-12-8: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program - Selection of 2019 Communities

The Board approved the staff's proposed list of new communities for the development of community emission reduction programs and/or community monitoring via the AB 617 Community Air Protection Program. Staff's recommendation for 2019 community selection is consistent with the requirements for community selection specified in statute, the Board's prior direction in 2018, and funding levels provided by the legislature for Program implementation. The 2019 communities are: 1) Portside Environmental Justice Neighborhoods (San Diego APCD), 2) Southwest Stockton (San Joaquin Valley APCD), 3) Eastern Coachella Valley (South Coast AQMD), 4) South East Los Angeles (South Coast AQMD).

South Coast AQMD Staff Comments/Testimony:

Staff expressed support for CARB's recommendations for the Eastern Coachella Valley and South East Los Angeles communities and noted that South Coast AQMD has already been working to establish community partnerships and is eager to work with these communities.. Staff noted that the current funding received by South Coast AQMD is less than the current expenditures and insufficient to effectively implement two additional communities. Staff added that sufficient and consistent funding is necessary to bring much needed resources to environmental justice communities.

19-12-2: Public Meeting to Consider San Joaquin Valley Agricultural Equipment Incentive Measure

The Board adopted the San Joaquin Valley (Valley) Agricultural Equipment Incentive Measure (Incentive Measure). The Incentive Measure achieves SIP creditable emission reductions from agricultural equipment incentive projects. On January 24, 2019, the Board adopted the San Joaquin Valley Air Pollution Control District 2018 Plan for the 1997, 2006, and 2012 PM_{2.5} Standards (Plan) to meet fine particulate matter air quality standards in the Valley. The Plan includes a CARB commitment to develop an incentive measure to reduce emissions by accelerating the introduction of cleaner engines in agricultural equipment. The Incentive Measure represents the first step in meeting this commitment to achieve SIP-creditable emission reductions for 2024 and 2025. With this measure, CARB staff quantifies the emissions reductions and demonstrates how those emissions reductions meet U.S. EPA requirements to qualify for SIP credit. The Incentive Measure demonstrates that, with identified funding programs, California has already achieved half of the emissions reductions expected from accelerated replacement of agricultural engines in 2024 and 2025. Achieving the remaining emission reductions by 2024 and 2025 will require a continued, and adequate, funding stream. CARB will submit the Incentive Measure to U.S. EPA as a revision to the California SIP.

Attachments

CARB October 24, 2019 Meeting Agenda
CARB November 21, 2019 Meeting Agenda
CARB December 5, 2019 Meeting Agenda
CARB December 12 & 13, 2019 Meeting Agenda



PUBLIC MEETING AGENDA

**Thursday,
October 24, 2019**

[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
October 24, 2019
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.

Consent Items #

19-9-2: Public Hearing to Consider Regulation Setting Requirements for Advance Payment

The Board will consider adoption of the proposed regulation setting requirements for advance payment. The proposal would clarify the process for requesting advance payments, streamline the review and approval process, and provide procedural safeguards to ensure the advance payments are adequately regulated.

[More Information](#)

[Proposed Resolution](#)

DISCUSSION ITEMS:

Agenda Items #

19-9-4 Public Meeting to Consider Approval of the Proposed Fiscal Year 2019-20 Funding Plan for Clean Transportation Incentives for Low Carbon Transportation Investments and the Air Quality Improvement Program

The Board will consider the Proposed Fiscal Year 2019-20 Funding Plan for Clean Transportation Incentives. The plan describes investments from two related funding sources: the Low Carbon Transportation Program funded with Cap-and-Trade auction proceeds and the Air Quality Improvement Program. These programs provide incentives for clean vehicle and equipment projects to reduce greenhouse gas emissions and air pollution with a priority on benefitting disadvantaged and low-income communities and low-income households. Staff's proposal builds on investments from previous funding cycles by continuing incentives for zero-

emission and plug-in passenger cars, clean trucks and buses, and advanced technology demonstration and pilot projects.

[More Information](#)

[Staff 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.

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.)

PLEASE NOTE: No outside memory sticks or other external devices may be used at any time with the Board audio/visual system or any CARB computers. Therefore, PowerPoint presentations to be displayed at the Board meeting must be electronically submitted via email to the Clerks' Office at cotb@arb.ca.gov no later than noon on the business day prior to the scheduled Board meeting.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CLERKS' OFFICE:

1001 I Street, 23rd Floor, Sacramento, California 95814

(916) 322-5594

CARB 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 Clerks' Office 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.

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



PUBLIC MEETING AGENDA

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**Thursday
November 21, 2019
9:00 a.m.**

Agenda Items #

19-10-1: Public Meeting to Consider the Progress Report on San Joaquin Valley Emissions Reductions for the 0.08 ppm 8-hour Ozone Standard

The California Air Resources Board (CARB or Board) will consider approving the San Joaquin Valley 8-hour Ozone State Implementation Plan (SIP) emissions reductions progress report that demonstrates that the San Joaquin Valley Air Pollution Control District and CARB have adopted all of the control measures needed to attain the 8-hour 0.08 parts per million ozone standard by 2023. If approved, CARB will submit the report and associated supported documents to the United States Environmental Protection Agency as a revision to the California SIP as required by the federal Clean Air Act.

[More Information](#)

[Staff Presentation](#)

19-10-2: Public Meeting to Hear the 2019 Legislative Update

The California Air Resources Board Legislative Office will present a review of air quality and climate change legislation from the first year of the 2019-2020 Legislative Session.

[More Information](#)

[Staff Presentation](#)

19-10-4: Public Hearing to Consider Proposed Amendments to the Low Carbon Fuel Standard

The Board will consider proposed amendments to the Low Carbon Fuel Standard (LCFS) Regulation, focusing on strengthening the program's cost containment provisions and ensuring that LCFS residential charging credit revenue value benefits disadvantaged and low-income communities.

[More Information](#)

[Staff Presentation](#)

19-10-5: Public Meeting to Hear an Informational Update on Health Effects of Particulate Matter Exposure

The Board will hear an update from the Research Division on an overview of particulate matter health impacts and new challenges to protecting health, as well as how CARB is addressing these challenges.

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American Lung Association, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 19-1140.

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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.

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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.

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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.

United States v. California, United States District Court, Eastern District of California, Case No. 2:19-at-01013.

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.

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PUBLIC MEETING AGENDA

**Thursday,
December 5, 2019**

[Webcast](#)

LOCATION:

Defremery Park Recreation Center
1651 Adeline Street
Oakland, California 94607

This facility is accessible by public transit. For transit information, call (510) 464-6000, website:

<https://www.bart.gov/>

(This facility is accessible to persons with disabilities.)

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ITEM IN ADVANCE OF THE MEETING GO TO:**

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

**Thursday
December 5, 2019
10:00 a.m.**

DISCUSSION ITEMS:

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

Agenda Items #

19-11-1 Public Hearing to Consider Proposed Control Measure for Ocean-Going Vessels At Berth

Spanish translation will be provided at the Board Meeting for this item, Item 19-11-1.

The California Air Resources Board (CARB or Board) will consider the Control Measure for Ocean-Going Vessels At Berth. The Proposed Regulation would take effect in 2021 and is designed to achieve further emissions from vessels at berth to reduce adverse health impacts to communities surrounding ports and terminals throughout California. These benefits would be achieved by including new vessel categories (such as vehicle carriers and tanker vessels), new ports, and independent marine terminals.

[More Information](#)

[Staff Presentation](#)

19-11-2 Public Hearing to Consider Assembly Bill 617 Community Emission Reduction Program - West Oakland

(This item will not be heard prior to 4:00 p.m.)

Spanish translation will be provided at the Board Meeting for this item, Item 19-11-2.

The community emissions reduction program was developed through a partnership between the Bay Area Air Quality Management District, the West Oakland Environmental Indicators Project, and the steering committee. The Board will consider the West Oakland community emissions reduction program as required by Assembly Bill 617, and it will also consider adopting required findings consistent with applicable provisions of the California Environmental Quality Act.

[More Information](#)

[Staff Presentation](#)

[Community Presentation](#)

CLOSED SESSION

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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.

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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.

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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.

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PUBLIC MEETING AGENDA

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.)

**Thursday, December 12, 2019
and**

Friday, December 13, 2019

[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>

**Thursday
December 12, 2019
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.

Consent Item #

19-12-1: Public Hearing to Consider the Proposed 2019 Amendments to Area Designations for State Ambient Air Quality Standards

The California Air Resources Board (CARB or Board) will consider proposed amendments to the regulations designating areas of California as attainment, nonattainment, nonattainment-transitional, or unclassified for pollutants with State ambient air quality standards. Based on 2016 to 2018 air quality data, a total of three changes to area designations are proposed for ozone.

[More Information](#)

[Proposed Resolution](#)

DISCUSSION ITEMS:

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

Agenda Item #

19-12-9: Public Hearing to Consider Proposed Fuel Cell Net Energy Metering Greenhouse Gas Emission Standards Regulation

The Board will consider adopting the Fuel Cell Net Energy Metering Greenhouse Gas (GHG) Emission Standards Regulation for the California Public Utilities Commission's Fuel Cell Net Energy Metering Program. This regulation is proposed in response to and in accordance with Assembly Bill 1637 (Low, Chapter 658, Statutes of 2016). The proposed regulation would establish a schedule of annual GHG emission standards and a process for updating the

standards every three years, and would decrease over time to reflect California's GHG emissions reductions in the electricity sector. The Board will also consider adopting an exemption for this project pursuant to the California Environmental Quality Act.

[More Information](#)

[Staff Presentation](#)

19-12-3: Public Meeting to Consider South Coast 8-hour Ozone State Implementation Plan Update

The Board will consider an update to the 2007 South Coast Air Basin (South Coast) 80 parts per billion 8-hour Ozone State Implementation Plan (South Coast Ozone SIP) for the 1997 ozone National Ambient Air Quality Standard. Section 182(e)(5) of the Federal Clean Air Act allows extreme nonattainment areas to rely on reductions from anticipated control techniques and technologies. It also requires contingency measures if the anticipated techniques and technologies do not achieve planned reductions. This update includes the required contingency measures for the South Coast extreme nonattainment area. The Board will also consider adopting required findings consistent with applicable provisions of the California Environmental Quality Act. If approved, CARB will submit the update to United States Environmental Protection Agency for inclusion in the state implementation plan.

[More Information](#)

[Staff Presentation](#)

19-12-4: Public Hearing to Consider the Proposed Advanced Clean Trucks Regulation and Draft Environmental Analysis Prepared for the Regulation

The Board will consider a proposed requirement for truck manufacturers to sell heavy-duty zero-emission trucks in California and a one-time reporting requirement seeking information about large entities' facilities, types of truck services used, and fleet of vehicles. This is the first of two Board hearings.

[More Information](#)

[Staff Presentation](#)

19-12-5: Public Hearing to Consider Proposed Amendments to the Regulation for Limiting Ozone Emissions from Indoor Air Cleaning Devices

The Board will consider amendments to the air cleaner regulation, which limits ozone emissions from air cleaning devices.

[More Information](#)

[Staff Presentation](#)

**Friday
December 13, 2019
8:30 a.m.**

19-12-7: Public Meeting to Hear an Informational Update on the Environmental Justice Research

The Board will hear an update of CARB environmental justice research, including results of projects to prioritize sources in disadvantaged communities.

[More Information](#)

[Staff Presentation](#)

19-12-6: Public Meeting to Consider Proposed Research Projects for Fiscal Year 2020-2021

The Board will consider approval of the Proposed Research Projects for Fiscal Year 2020-2021. These research projects will advance the state of the science and support the Board's efforts to meet California's air quality and climate goals. If the Proposed Research is approved by the Board, staff will work with our research partners to develop full proposals. The Executive Officer will then consider the full proposals for approval and funding with consultation from interested Board Members.

[More Information](#)

[Staff Presentation](#)

19-12-8: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program – Selection of 2019 Communities

Spanish translation will be provided at the Board Meeting for this item, Item 19-12-8.

The Board will consider for selection staff's proposed list of 2019 communities for the development of community emission reduction programs and/or community monitoring via the Community Air Protection Program. The Board will also consider adopting an exemption for this project pursuant to the California Environmental Quality Act.

[More Information](#)

[Staff Presentation](#)

[Staff Presentation - Spanish](#)

19-12-2: Public Meeting to Consider San Joaquin Valley Agricultural Equipment Incentive Measure

The Board will consider adopting the San Joaquin Valley Agricultural Equipment Incentive Measure for submission to the United States Environmental Protection Agency as a revision to the California State Implementation Plan (SIP). The measure achieves SIP creditable emission reductions from agricultural equipment incentive projects.

[More Information](#)

[Staff Presentation](#)

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