

BOARD MEETING DATE: October 7, 2022

AGENDA NO. 29

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held a meeting on September 22, 2022. The following is a summary of the meeting.

RECOMMENDED ACTION:
Receive and file.

Gideon Kracov, Member
South Coast AQMD Governing Board

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The California Air Resources Board (CARB or Board) held a public meeting on September 22, 2022 in Sacramento, California at the California Environmental Protection Agency Headquarters Building. The key items presented are summarized below.

DISCUSSION ITEMS

22-12-1: Public Meeting to Consider Proposed Research Contract with the University of California, Berkeley, Titled “Children’s Health and Air Pollution Study: Standardized Assessments, Attention and Cognition in California Kids (CHAPS: STACK)”

The Board approved funding of the research contract with the University of California, Berkeley titled “Children’s Health and Air Pollution Study: Standardized Assessments, Attention and Cognition in California Kids (CHAPS: STACK)”. This study will develop statewide concentration-response functions to evaluate air pollutants effects on neurodevelopmental outcomes in children. The study will investigate the effects of air pollution on racial and ethnic subgroups in addition to statewide averages. The execution of this contract will help CARB better evaluate health benefits of air pollution regulations and policies in California.

22-12-2: Public Meeting to Hear the Innovative Clean Transit Program Update and Comprehensive Review on 2023 Program Readiness

The Board heard an informational update on the Innovative Clean Transit (ICT) regulation and a comprehensive review of program readiness for 2023. In December

2018, the Board adopted the ICT regulation that requires transit agencies to phase in zero-emission buses (ZEB) with a goal of a full transition to ZEBs by 2040. The ICT regulation is part of CARB's effort to transform the State's transportation sector to support California's climate protection and air quality goals. Since the adoption of the ICT regulation, the transit community have already made significant progress in planning deployment and phasing in ZEBs, despite the pandemic. Beginning in 2023, the ICT regulation will require 25 percent of new bus purchases by large transit agencies to be ZEBs, the purchase requirement will begin for small transit agencies in 2026. The percentage of new ZEB purchases will increase over the course of the decade. CARB staff will continue to engage with the transit community, bus manufacturers, zero-emission technology providers, and sister agencies to advance the deployment of ZEBs and ensure successful implementation of the ICT regulation.

22-12-3: Public Meeting to Consider the Proposed 2022 State Strategy for the State Implementation Plan

The Board adopted the Proposed 2022 State Strategy for the State Implementation Plan (2022 State SIP). The 2022 State SIP describes the State's proposed control measures needed to support attainment of the federal 70 parts per billion (ppb) ozone standard across California. In 2015, U.S. EPA revised the 8-hour ozone standard from 75 ppb to the more health protective level of 70 ppb. Nineteen areas in California are nonattainment for the 70 ppb 8-hour ozone standard. Under the federal Clean Air Act, after a new standard is set, states and local air districts must develop SIPs to demonstrate attainment of the new standard in the nonattainment areas. Specifically, these SIPs must demonstrate attainment by the required deadlines, identify the magnitude of emissions reductions needed, and the actions necessary to achieve those reductions. The 2022 State SIP describes proposed control measures and their emissions reductions to support attainment across California of the 70 ppb 8-hour ozone standard over the next fifteen years. The 2022 State SIP Strategy proposes an unprecedented variety of new measures to reduce emissions from the sources under CARB's authority using all mechanisms available and also describes the actions needed by federal and international entities to further control emissions from those sources under their control. The SIPs for each of the nonattainment areas in California, which will be heard by the CARB Board in late 2022 and early 2023, are being developed jointly by CARB and the local air districts and will incorporate measures from the 2022 State SIP as well as local air district efforts as needed. The emissions reductions outlined in the 2022 State SIP will also support attainment across the State of other national and State ambient air quality standards and reduce community exposure to many toxics such as diesel particulates.

Attachment

CARB September 22, 2022 Meeting Agenda



Public Meeting Agenda

Thursday, September 22, 2022

California Environmental Protection Agency

1001 I Street, Sacramento, California 95814

Byron Sher Auditorium, 2nd Floor

Webcast (Livestream/Watch Only)

Zoom Webinar [Register Here](#)

Phone Number: (669) 900-6833

Webinar ID: 874 6569 2656

The September 22, 2022, meeting of the California Air Resources Board (CARB or Board) will be held at 1001 I Street in Sacramento, with remote participation available to the public and Board members in accordance with [Senate Bill 189](#) (Gov. Code § 11133). This facility is accessible to persons with disabilities and by public transit. For transit information, call (916) 321-BUSS (2877) or visit <http://sacrt.com/>.

To only watch the Board Meeting and not provide verbal comments, please view the [webcast](#). If you do not wish to provide verbal comments, we strongly recommend watching the webcast as this will free up space on the webinar for those who are providing verbal comments. Please do not view the webcast and then switch over to the webinar to comment as the webcast will have a time delay; instead, register to participate via the Zoom webinar.

Public Comment Guidelines and Information

- [In-Person Public Testimony \(NEW\)](#)
- [Remote Public Participation \(UPDATED\)](#)

In-person speakers signed up to comment will be called upon first, followed by public Zoom and phone participants wishing to comment.

The Chair will close speaker sign-ups 30 minutes after the public comment portion of an item has begun.

Spanish interpretation will be available for the September 22 Board Meeting.

- [Agenda de la Reunión Pública](#)
- [Spanish Webcast](#)

Thursday, September 22, 2022 @ 9:00 a.m.

Discussion Items:

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

Hardcopies of the Public Agenda and Proposed Resolutions (when applicable) will be provided at the meeting; all other documents linked below will only be available upon request.

22-12-1: Public Meeting to Consider Proposed Research Contract with the University of California, Berkeley, Titled “Children’s Health and Air Pollution Study: Standardized Assessments, Attention and Cognition in California Kids (CHAPS: STACK)”

The Board will consider approval of the research proposal. This item is added to the agenda due to the contract amount and also to satisfy Board approval requirements in Government Code section 1091 because one Board member is affiliated with the University of California, Berkeley.

- [Item Summary](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

22-12-2: Public Meeting to Hear the Innovative Clean Transit Program Update and Comprehensive Review on 2023 Program Readiness

The Board will hear about the Innovative Clean Transit regulation's implementation update and 2023 program readiness, which includes the findings of a comprehensive review on zero-emission bus performance and related technologies, infrastructure, costs, and workforce development.

- [More Information](#)
- [Public Meeting Notice](#)
- [Item Summary](#)
- [Meeting Presentations](#)
 - [California Department of Transportation](#)
 - [California Energy Commission](#)
 - [California Air Resources Board](#)
 - [National Renewable Energy Laboratory](#)
 - [California Transit Association](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

22-12-3: Public Meeting to Consider the Proposed 2022 State Strategy for the State Implementation Plan

The Board will consider adoption of the Proposed 2022 State Strategy for the State Implementation Plan, which describes the State’s proposed control measures as needed to support attainment of the federal 70 parts per billion ozone standard across California. This is the second of two Board hearings on this item; the Board will also consider certifying the Final Environmental Analysis, including the written responses to comments received on the Draft Environmental Analysis.

- [More Information](#)
- [Staff Report](#)
- [Public Meeting Notice](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)

- [View Public Comments](#)

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 Lung Association, et al. v. United States Environmental Protection Agency, et al. (D.C. Cir. 2021) 985 F.3d 914, cert. granted sub nom. *Westmoreland Mining Holdings v. EPA* (U.S., Oct. 29, 2021, No. 20-1778).

Best Energy Solutions & Technology Corp., et al v. California Air Resources Board, et al., Kern County Superior Court, Case No. BCV-20-102198.

California v. Stout, et al., United States District Court, Central District of California, Case No. 2:20-cv-00371.

California v. Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 19-1239.

California, et al. v. United States Environmental Protection Agency, United States Court of Appeals for the District of Columbia Circuit, Case No. 21-1024.

California, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 21-1014.

California Natural Gas Vehicle Coalition v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 20CECG02250.

Clean Energy Renewable Fuels, LLC v. California Air Resources Board, Orange County Superior Court, Case No. 30-2020-01167039-CU-WM-CJC.

Competitive Enterprise Inst. v. NHTSA, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1145 (consolidated with No. 20-1167).

Environmental Defense Fund, et al., v. Andrew Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 20-1360.

Friends of Oceano Dunes, Inc. v. California Coastal Commission, et al., U.S. District Court for the Central District of California, Case No. 2:17-cv-8733.

South Coast Air Quality Management District v. City of Los Angeles, et al., Los Angeles County Superior Court, Case No. 20STCP02985.

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 v. Wheeler et. al., District of Columbia Circuit, Case No. 19-1239, consolidated under No. 19-1230 along with Nos. 19-1241, 19-1242, 19-1243, 19-1245, 19-1246, and 19-1249.

State of California, et al., v. Andrew Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 20-1359.

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; United States Court of Appeals, Ninth Circuit, Case No. 20-16793.

State of California, et al. v. United States Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1018.

State of New York, et al. v. United States Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1026.

State of New York, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 21-1028.

State of Massachusetts v. EPA, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1265.

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; United States Court of Appeals, Tenth Circuit, Case No. 20-8073.

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.

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.

Western States Petroleum Association v. California Air Resources Board, Los Angeles County Superior Court, Case No. 20STCP03138x.

Westmoreland Mining v. EPA, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1160.

W.O. Stinson & Son LTD. v. Western Climate Initiative, Inc., Ontario Canada Superior Court, Case No. CV-20-00083726-0000.

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. The public will also have an opportunity to [submit written comments](#) for open session the morning of the Board Meeting.

Other Information

[Submit Comments Electronically the Day of the Board Meeting](#)

[View Submitted Comments](#)

Please Note: PowerPoint presentations to be displayed during public comment 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

cotb@arb.ca.gov or (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 cotb@arb.ca.gov or at (916) 322-5594 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.

Acomodación Especial

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 contacte la oficina del Consejo al (916) 322-5594 o por correo electronico al cotb@arb.ca.gov 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.