

BOARD MEETING DATE: September 2, 2022

AGENDA NO. 28

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held a meeting on August 25, 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 August 25, 2022 in Sacramento, California at the California Environmental Protection Agency Headquarters Building. The key items presented are summarized below.

DISCUSSION ITEMS

22-10-1: Public Hearing to Consider the Proposed Advanced Clean Cars II Regulations

The Board adopted the Advanced Clean Cars II Regulations (ACCII) which amended a suite of regulations and test procedures under the umbrella of the Low Emission Vehicle (LEV) and Zero Emission Vehicle (ZEV) regulatory programs. Mobile sources are the greatest contributor to emissions of criteria pollutants and greenhouse gases (GHG) in California, accounting for about 80 percent of ozone precursor emissions and approximately 50 percent of statewide GHG emissions. Amendments to the LEV portion of ACCII include new requirements for internal combustion engine vehicles which will ensure emissions of these vehicles are reduced under real-world operating conditions. The ZEV element of ACCII accelerates requirements for automakers to deliver an increasing number of zero-emission light-duty vehicles each year beginning in model year 2026. In that year, 35% of new light-duty vehicle sales in California must be ZEVs and plug-in electric hybrid vehicles (PHEVs), increasing to 68% in 2030. By 2035, ACCII will require nearly 100% of new light-duty vehicle sales in California be ZEVs and the cleanest-possible plug-in hybrid-electric vehicles as directed by Governor Newsom's Executive Order N-79-20. In addition, ACCII will require battery-electric and fuel cell vehicles have a minimum range of 150 miles, have fast-charging ability, come equipped with a charging cord to facilitate charging, and meet new warranty and durability requirements.

22-10-2: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program - South Los Angeles Community Emissions Reduction Program

The Board adopted the South Los Angeles Community Emissions Reduction Plan (SLACERP) and directed CARB staff to work with the South Coast Air Quality Management District (South Coast AQMD) to take additional actions to strengthen implementation of the SLACERP. The South Coast AQMD, with the co-leadership of Physicians for Social Responsibility-Los Angeles, Strategic Concepts in Organizing and Policy Education, and Watts Clean Air and Energy, worked with the South Los Angeles Community Steering Committee to develop the SLACERP to reduce emissions and exposure to air pollution in the community. CARB staff reviewed the SLACERP and determined it meets the criteria established in Assembly Bill 617 (AB 617) (C. Garcia, Stats. 2017, ch. 136) and CARB's Community Air Protection Program Blueprint, reflects community priorities, and is likely to reduce emissions and exposure to air pollution in the community. The CARB Staff Report also identified specific actions for SCAQMD and CARB staff to take, in collaboration with the Community Steering Committee, to strengthen implementation in two key areas: refining details in the SLACERP and ensuring continued collaboration amongst the different stakeholder groups.

South Coast AQMD Staff Comments/Testimony: Staff presented an overview of the Assembly Bill (AB) 617 South Los Angeles (SLA) Community Emissions Reduction Plan (CERP). Key highlights of the staff presentations included the SLA CERP development process, community identified air quality priorities, strategies to address these air quality priorities, estimated emissions reductions, and overall AB 617 program highlights and challenges. Staff responded to comments on emissions reduction strategies. The CARB Board directed South Coast AQMD and CARB staffs to continue implementing CERP actions to reduce emissions and exposure to air pollution in SLA and to provide updates in annual reports.

Attachment

CARB August 25, 2022 Meeting Agenda



Public Meeting Agenda

Thursday, August 25, 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: 839 8167 7287

The August 25, 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 August 25 Board Meeting.

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

Thursday, August 25, 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.

22-10-1: Public Hearing to Consider the Proposed Advanced Clean Cars II Regulations

The Board will consider the proposed Advanced Clean Cars II Regulations. This is the second of two Board hearings on this item. The Board will also consider certifying the Final Environmental Analysis and approving the written response to comments received on the Draft Environmental Analysis. If adopted, the regulations will be submitted to the United States Environmental Protection Agency for approval as a revision to the California state implementation plan required by the federal Clean Air Act.

- [Formal Rulemaking Page](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

The following item will not be heard prior to 4:00 p.m.

22-10-2: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program - South Los Angeles Community Emissions Reduction Program

The Board will consider the South Los Angeles Community Emissions Reduction Program as required by Assembly Bill 617 and will also consider invoking a California Environmental Quality Act exemption in connection with its action.

- [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(a)(1), and 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 alternativo 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 electrónico 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.