

BOARD MEETING DATE: August 5, 2022

AGENDA NO. 21

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held meetings on June 9, 2022 and June 23 and 24, 2022. The following is a summary of the meetings.

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 June 9, 2022 in Sacramento, California at the California Environmental Protection Agency Headquarters Building. The key item presented is summarized below.

### **DISCUSSION ITEM**

#### **22-8-1: Public Hearing to Consider Proposed Advanced Clean Cars II Regulations**

The Board heard an update on the proposed Advanced Clean Cars II Regulation (ACCII) rulemaking. The proposed ACCII builds upon many decades of CARB regulations seeking to reduce emissions from light-duty passenger cars and trucks and will amend existing regulations and adopt new regulations as part of CARB's Low Emission Vehicle (LEV) Regulation, the Zero Emission Vehicle (ZEV) Regulation, and associated Test Procedures. The ACCII proposal aims to further curb criteria, toxic, and greenhouse gas emissions in two ways. The proposal would increase the stringency of the LEV program, which includes requirements for internal combustion engine vehicles, and also requires automobile manufacturers to deliver increasing percentages of ZEVs between model years 2026 and 2035. The proposed regulations to increase the sale of ZEVs would culminate in 100 percent sales of ZEVs and the cleanest-possible plug-in hybrid-electric vehicles (PHEV) by the 2035 model year as directed by Governor Newsom's Executive Order N-79-20. Additionally, the ACCII proposal would make ZEVs more reliable, support the ZEV market, and protect the emission benefits of the ZEV regulation by establishing new minimum technical requirements and ZEV assurance measures. These ZEV assurance measures address warranty, durability,

serviceability, streamlined charging, and battery labeling to help ensure consumers can successfully replace their internal combustion vehicles with new or used ZEVs that meet their transportation needs so that emissions are permanently reduced. The Board is anticipated to consider the final ACCII regulations in August of 2022.

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The California Air Resources Board (CARB or Board) held a public meeting on June 23 and 24, 2022 in Sacramento, California at the California Environmental Protection Agency Headquarters Building. The key items presented are summarized below.

## **DISCUSSION ITEMS**

### **22-9-1: Public Meeting to Hear an Overview of the Draft 2022 Climate Change Scoping Plan**

The Board heard an overview of the Proposed 2022 Scoping Plan and draft Environmental Analysis for the Proposed 2022 Scoping Plan. This was the first of two planned Board hearings on the 2022 Scoping Plan. The initial Scoping Plan was developed in 2008 and, per Assembly Bill (AB) 32 (Nunez, Stats. of 2006, Chap.488), must be updated at least once every five years. Previous updates to the Scoping Plan occurred in 2013 and 2017. The Draft 2022 Scoping Plan Update (2022 Update) assesses progress toward the statutory 2030 greenhouse gas targets, while laying out a path to achieving carbon neutrality no later than 2045. The 2022 Update focuses on outcomes needed to achieve carbon neutrality by assessing paths for clean technology in energy deployment, natural and working lands, and other sectors. The 2022 Update is designed to meet the State's long-term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities while also delivering critical near-term air quality benefits in vulnerable communities. The 2022 Update reflects a drastic reduction in fossil fuel production and consumption across the economy with a corresponding increase in supply and demand of clean, affordable, and reliable energy sources. Reducing and replacing fossil fuels is expected to significantly reduce exposure to air pollution, and therefore reduce incidences of associated health impacts such as asthma and other serious health conditions, particularly in vulnerable communities. The 2022 Update also comprehensively assesses the contribution that Natural and Working Lands can make towards achieving carbon neutrality. Improvements to land management practices are expected to reduce exposure to harmful smoke caused by catastrophic wildfires, and to reduce exposure to synthetic chemicals. The Board is scheduled to consider adoption of the 2022 Plan by the end of 2022.

### **22-9-2: Public Meeting to Consider AB 617 Community Air Grants to Environmental Health Coalition**

The Board approved the proposed 2021 AB 617 Community Air Grant to the Environmental Health Coalition to support implementation of the Community Emission Reduction Plan (CERP) for the San Diego Portside Environmental Justice

Communities. The Board also ratified the 2018 AB 617 Community Air Grant to the Environmental Health Coalition to educate San Diego residents on air quality issues and health risks, provide leadership development, and support community-based research on local air quality.

**22-9-3: Public Meeting to Consider California’s Regional Haze State Implementation Plan**

The Board adopted California’s Regional Haze State Implementation Plan (Regional Haze SIP). In 1977, Congress amended the federal Clean Air Act to include a national goal to remedy existing visibility impairment and prevent any future visibility degradation in large national parks and federal wilderness areas including areas in California such as the Redwood National Park, Yosemite National Park and Joshua Tree National Monument. By federal rule, CARB is required to develop and submit a Regional Haze State Implementation Plan every ten years that details a long-term strategy and establishes interim goals to ensure progress is made towards restoring natural conditions in these areas by the end of 2064. The Regional Haze SIP is focused on reducing anthropogenic emissions that contribute to visibility impairment or haze. Projections in the Regional Haze SIP show that California’s aggressive programs to lower emissions from mobile and other sources is on track to reaching natural visibility conditions in California’s national parks and wildernesses on or before the end of 2064. Furthermore, the Board directed staff to submit the Regional Haze Plan to U.S. EPA for inclusion in the California SIP.

**22-9-4: 2021 Annual Enforcement Report**

The Board heard a presentation on the CARB Enforcement Division's 2021 Annual Enforcement Report (2021 Report). The CARB enforcement programs focus on achieving compliance across industries in order to protect public health and maintain a fair and level playing field. The 2021 Report analyzed compliance rates for each of CARB’s programs in order to evaluate enforcement approaches for these programs. CARB’s new approach to enforcement, as described in the Enforcement Report, collaborates with communities to be more responsive to their needs. In 2021, CARB inspected more than 17,000 vehicles and marine vessels, conducted 18 mobile Portable Emissions Acquisition System (PEAQS) deployments, and coordinated and conducted multiagency inspections at 11 oil and gas facilities, with 9 inspections in disadvantaged communities. The Enforcement Division also directed 6.8 million dollars in violator penalties to Supplemental Environmental Projects, including projects that strategically place green barriers downwind of major pollution sources and provide high efficiency air filtration systems to schools.

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**Attachments**

CARB June 9 2022; and June 23 and 24, 2022 Meeting Agendas



# Public Meeting Agenda

Thursday, June 9, 2022

## California Environmental Protection Agency

1001 I Street, Sacramento, California 95814

Byron Sher Auditorium, 2<sup>nd</sup> Floor

**Webcast** (Livestream/Watch Only)

**Zoom** (Remote Public Participation – see below)

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Phone Number: (669) 900-6833

Webinar ID: 826 1278 9979

### ***Remote Public Participation Guide***

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.

Spanish interpretation will be provided for the June 9, 2022, Board Meeting.

### ***Agenda de la Reunión Pública***

### ***Guía de participación pública remota***

This facility is accessible by public transit. For transit information, call (916) 321-BUSS (2877), website: <http://sacrt.com/>

(This facility is accessible to persons with disabilities.)

**Thursday, June 9, 2022 @ 9:00 a.m.**

### **Discussion Item:**

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.

## 22-8-1: Public Hearing to Consider Proposed Advanced Clean Cars II Regulations

The California Air Resources Board (CARB or Board) will consider the proposed Advanced Clean Cars II Regulations rulemaking proposal. This hearing will be the first of two planned hearings on the proposal.

- *Formal Rulemaking Page* (includes links to Notice, Staff Report, and Appendices)
  - Hearing Notice
  - Staff Report
- 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](mailto: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](mailto:cotb@arb.ca.gov) or (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.

To request these special accommodations or language needs, please contact the Clerks' Office at [cotb@arb.ca.gov](mailto: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](mailto: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.



# Public Meeting Agenda

Thursday, June 23, 2022 and  
Friday, June 24, 2022

## California Environmental Protection Agency

1001 I Street, Sacramento, California 95814  
Byron Sher Auditorium, 2<sup>nd</sup> Floor

**Webcast** (Livestream/Watch Only)

**Zoom** (Remote Public Participation – see below)

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Phone Number: (669) 900-6833

Webinar ID: 810 9539 2467

**Remote Public Participation Guide** (English)

**Remote Public Participation Guide** (Cantonese)

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Cantonese and Spanish interpretation will be provided for the June 23, 2022, Board Meeting. Spanish interpretation will be provided for the June 24, 2022, Board Meeting.

**Agenda de la Reunión Pública**

**Guía de participación pública remota**

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**Thursday, June 23, 2022 @ 9:00 a.m.**

## Discussion Item:

**Revised 6/20 – Please note that Cantonese interpretation will now be available in addition to Spanish interpretation for Thursday, June 23<sup>rd</sup>.**

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.

## **22-9-1: Public Meeting to Hear an Overview of the Draft 2022 Climate Change Scoping Plan**

*Spanish and Cantonese Interpretation will be provided at the Board Meeting for this item, 22-9-1.*

The California Air Resources Board will hear an overview of the Proposed 2022 Scoping Plan and draft Environmental Analysis for the 2022 Scoping Plan. The proposed plan recommends a suite of actions to achieve carbon neutrality in California no later than 2045. This will be the first of two planned hearings on the Proposed 2022 Scoping Plan.

- More Information
  - Draft 2022 Scoping Plan
  - Draft Environmental Analysis
- Public Meeting Notice
- Item Summary
- Meeting Presentation
- Submit Written Comments
- View Public Comments

**Friday, June 24, 2022 @ 8:30 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.

## **22-9-2: Public Meeting to Consider Assembly Bill 617 Community Air Grants to Environmental Health Coalition**

The California Air Resources Board will consider approval of a 2021 Assembly Bill (AB) 617 Community Air Grant to Environmental Health Coalition (EHC) and ratification of a 2018 AB 617 Community Air Grant to EHC. This item is added to the agenda to satisfy Board approval requirements in Government Code section 1091 because one Board member is affiliated with EHC.

- More Information
- Item Summary
- Submit Written Comments
- View Public Comments

## **22-9-3: Public Meeting to Consider California's Regional Haze State Implementation Plan**

The California Air Resources Board will hear an overview of California's Regional Haze State Implementation Plan and consider a resolution to approve the Plan.

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

## 22-9-4: 2021 Annual Enforcement Report

The California Air Resources Board will receive an update on the Enforcement Division's 2021 Annual Enforcement Report that highlights enforcement programs, activities, and achievements.

- [More Information](#)
- [2021 Annual Enforcement Report](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Submit Written Comments](#)
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