

BOARD MEETING DATE: July 11, 2014

AGENDA NO. 35

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board met on June 26, 2014 in Sacramento. The following is a summary of this meeting.

RECOMMENDED ACTION:
Receive and File.

Judith Mitchell, Member
SCAQMD Governing Board

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The Air Resources Board's (ARB or Board) June meeting was held on June 26 in Sacramento, at the California Environmental Protection Agency Headquarters Building. Key items presented are summarized below.

1. Update on ARB Mobile Source Measurement Capabilities

The Board heard an informational update on the broad range of measurement methods and tools that ARB staff and extramural researchers use to evaluate emissions from on- and off-road mobile sources in California. These tools include chassis dynamometers and other laboratory-scale equipment housed at ARB's three laboratory facilities, as well as portable systems that enable measurement of emissions in real-world traffic conditions. Many of these tools were on display for Board members during the Mobile Source Measurement Showcase at the May 2014 Board Meeting. The data collected by these tools provide scientific data for use in ARB's programs for on-and off-road mobile sources and fuels, and to inform enforcement efforts.

2. Amendments to the Enhanced Fleet Modernization Program

The Board approved amendments to the Enhanced Fleet Modernization Program, which is a voluntary accelerated vehicle retirement program that provides incentives to vehicle owners to retire older, more polluting vehicles. The amendments include improvements identified through a 2013 program assessment and changes mandated by Senate Bill 459. New provisions focus program participation on low- and moderate-income motorists, help ensure emission reductions by verifying functionality of retired cars, and provide flexibility to air districts that implement the program.

AQMD Staff Comments/Testimony: Staff urged the CARB Board to adopt the proposed amendments to the Enhanced Fleet Modernization Program (EFMP). Staff indicated that in July 2014, the SCAQMD Governing Board will be considering the release of an RFP to implement the EFMP. The RFP was considered by the SCAQMD Governing Board Technology Committee on June 20, 2014 and the Committee recommended moving the item for the Governing Board's consideration. Staff indicated that the focus of the RFP is to solicit approaches to outreach to lower-income vehicle owners and to a broad spectrum of communities given the diverse demographics of the region. In addition, the RFP seeks approaches to assist lower-income vehicle owners in seeking a replacement vehicle and the associated financial assistance for the vehicle owners.

3. Fiscal Year 2014-2015 Funding Plan for the Air Quality Improvement Program and Low Carbon Transportation Greenhouse Gas Reduction Fund

The Board approved the Fiscal Year 2014-2015 Funding Plan, which allocates \$22 million from the Governor's proposed budget for the Air Quality Improvement Program and \$200 million from Cap-and-Trade auction proceeds for low carbon transportation projects. The largest portion of the combined allocation continues to fund incentives for zero-emission and plug-in passenger cars and hybrid and zero-emission trucks and buses. Funding is also allocated for passenger vehicle pilot projects in disadvantaged communities, advanced technology freight demonstration projects, and a loan guarantee program for on-road trucks. About 50 percent of the total investments will especially benefit disadvantaged communities.

AQMD Staff Comments/Testimony: Staff urged the CARB Board to approve the CARB staff proposed Fiscal Year 2014-15 Funding Plan for the Air Quality Improvement Program and Low Carbon Transportation Greenhouse Gas Reduction Fund Investments. The Funding Plan sends a strong signal on the early deployment of zero-emission vehicle technologies and zero-emission equipment at goods movement

facilities. Staff indicated that recent goods movement project expansions are considering the deployment of zero-emission technologies. In particular, the I-710 Freeway Expansion Project proponents are considering analyzing a dedicated zero-emission truck corridor as part of the Environmental Assessment. Expenditures through the Funding Program send a strong signal that zero-emission trucks will be commercially available when a corridor is built-out.

4. Update on Federal Climate Activities

The Board heard an informational update on federal climate activities, including the President's Climate Action Plan and recent Supreme Court decisions that mandate federal action to reduce greenhouse gas emissions. Together, these federal actions target some of the largest emitters of greenhouse gases under federal jurisdiction. The update included a discussion of California's leadership role in helping shape the federal programs, and a discussion of opportunities for regional collaborations with other western states in implementing the new programs.

Consent Items

1. 8-hour Ozone State Implementation Plan Emission Inventory Submittal

The Board approved emission inventories for California's 8-hour ozone nonattainment areas for submittal to the U.S. Environmental Protection Agency as a revision to the California State Implementation Plan.

Attachment

CARB June 26, 2014 Meeting Agenda

PUBLIC MEETING AGENDA

Thursday, June 26, 2014

[Webcast](#)
[Board Book](#)

LOCATION:

Air Resources Board
Byron Sher Auditorium, Second Floor
1001 I Street
Sacramento, California 95814
<http://www.calepa.ca.gov/EPAbldg/location.htm>

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
June 26, 2014
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 on it.

Consent Item #

14-5-1: Public Meeting to Consider the Approval of the 8-Hour Ozone State Implementation Plan Emission Inventory Submittal

Staff recommends the Board approve the 2012 summer baseline planning emission inventories for the 8-hour ozone nonattainment areas in California for submittal to the United States Environmental Protection Agency.

[More Information](#)

[Proposed Resolution](#)

DISCUSSION ITEMS:

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

Agenda Item #

14-5-2: The Air Resources Board's Mobile Source Measurement Capabilities

Staff will present to the Board an informational item describing the range of mobile source emission measurement methods and tools that support the Board's on- and off-road regulatory programs. Staff will describe how these methods and tools have improved since the 1960s to address the Air Resources Board's changing mobile source program priorities and how they will need to continue to evolve to meet air quality and climate challenges in the coming decades.

[Staff Presentation](#)

14-5-3: Public Hearing to Consider Amendments to the Enhanced Fleet Modernization Program

The Enhanced Fleet Modernization Program (EFMP) is a voluntary accelerated vehicle retirement or “car scrap” program that provides monetary incentives to vehicle owners to retire older, more polluting vehicles. The program reduces emissions by accelerating the turnover and subsequent replacement of the existing light-duty fleet with newer, cleaner vehicles. Staff will present to the Board proposed amendments to improve EFMP by focusing the program on low-income participants, expanding program flexibility to improve program participation, enhancing emissions benefits by ensuring the vehicles that are retired are functional, and increasing outreach to community-based organizations.

[More Information](#)

[Staff Presentation](#)

14-5-4: Public Meeting to Consider the Approval of the Proposed Fiscal Year 2014-15 Funding Plan for the Air Quality Improvement Program and Low Carbon Transportation Greenhouse Gas Reduction Fund Investments

Staff will present to the Board the Proposed Fiscal Year 2014-15 Funding Plan which provides staff’s recommendations for allocating up to \$22 million identified in the Governor’s proposed budget for the Air Quality Implementation Plan (AQIP) and \$200 million from the Greenhouse Gas Reduction Fund (GGRF) for low carbon transportation projects. Staff is combining the two funding sources (AQIP and GGRF) into one Funding Plan. AQIP provides incentive funding through 2023 for clean vehicle and equipment projects. GGRF receives Cap-and-Trade auction proceeds to support greenhouse gas emission reduction projects. Staff recommends directing most of this year’s combined funding to continue incentives for zero-emission and plug-in passenger cars and hybrid and zero-emission trucks and buses. A portion of funding would also be allocated to advanced technology freight demonstration projects and a loan guarantee program for on-road trucks.

[More Information](#)

[Staff Presentation](#)

14-5-5: Update to the Board on Federal Climate Activities

Staff will present to the Board an update on federal climate activities and the Air Resources Board’s role in coordinating State and federal programs.

[Staff Presentation](#)

CLOSED SESSION

The Board will 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, and as authorized by Government Code section 11126(a):

POET, LLC, et al. v. Corey, et al., Superior Court of California (Fresno County), Case No. 09CECG04850; plaintiffs’ appeal, California Court of Appeal, Fifth District, Case No. F064045; California Supreme Court, Case No. S213394.

Rocky Mountain Farmers Union, et al. v. Corey, U.S. District Court (E.D. Cal. Fresno), Case No. 1:09-CV-02234-LJO-DLB; ARB interlocutory appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 09-CV-02234; plaintiffs’ petition for certiorari, U.S. Supreme Court, Case No. 13-1148.

American Fuels and Petrochemical Manufacturing Associations, et al. v. Corey, et al., U.S. District Court (E.D. Cal. Fresno), Case No. 1:10-CV-00163-AWI-GSA; ARB's interlocutory appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 10-CV-00163; plaintiffs' petition for certiorari, U.S. Supreme Court, Case No. 13-11490.

California Dump Truck Owners Association v. Nichols, U.S. District Court (E.D. Cal. Sacramento), Case No. 2:11-CV-00384-MCE-GGH; plaintiffs' appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 13-15175.

Engine Manufacturers Association v. California Air Resources Board, Sacramento Superior Court, Case No. 34-2010-00082774; ARB's appeal, California Court of Appeal, Third District, Case No. C071891.

Truck and Engine Manufacturers Association v. California Air Resources Board, Sacramento Superior Court, Case No. 34-2013-00150733.

Alliance of Automobile Manufacturers v. California Air Resources Board; Sacramento Superior Court, Case No. 34-2013-00152974.

Citizens Climate Lobby and Our Children's Earth Foundation v. California Air Resources Board, San Francisco Superior Court, Case No. CGC-12-519554, plaintiffs' appeal, California Court of Appeal, First District, Case No. A138830.

California Chamber of Commerce et al. v. California Air Resources Board, Sacramento Superior Court, Case No. 34-2012-80001313; plaintiffs' appeal, California Court of Appeal, Third District, Case No. C075930.

Morning Star Packing Company, et al. v. California Air Resources Board, et al., Sacramento Superior Court, Case No. 34-2013-800001464; plaintiffs' appeal, California Court of Appeal, Third District, Case No. C075954.

Delta Construction Company, et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 11-1428.

City of Los Angeles through Department of Water and Power v. California Air Resources Board, et al., Los Angeles Superior Court, Case No. BS140620 (transferred to Sacramento Superior Court, Case No. 34-2013-80001451-CU-WM-GDS).

Alliance for California Business v. Nichols et al., Glenn County Superior Court, Case No. 13CV01232.

Dalton Trucking, Inc. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 13-1283.

Owner-Operator Independent Drivers Association Inc. et al. v. Richard W. Corey et al., U.S. District Court, (E.D. Cal. Fresno) Case No. 1:13-CV-01998-LJO-SAB (transferred by court to E.D. Cal. Sacramento, Case No. 2:14-CV-00186-MCE-AC).

John R. Lawson Rock & Oil, Inc. et al. v. California Air Resources Board et al., Fresno Superior Court, Case No. 14-CECG01494.

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:

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

(Note: not all agenda items are available for electronic submittals of written comments.)

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CLERK OF THE BOARD:

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

(916) 322-5594

ARB 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 Clerk of the Board 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 alterno u otro idioma
- Una acomodación razonable relacionados con una incapacidad

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de 7 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

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