

BOARD MEETING DATE: June 5, 2015

AGENDA NO. 25

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board met on May 21, 2015, 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) May meeting was held on May 21, 2015, in Sacramento at the California Environmental Protection Agency Headquarters Building. Key items presented are summarized below.

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### **Consent Item**

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#### **1. Public Meeting to Consider Six Research Proposals**

The Board approved six research proposals to meet the Fiscal Year (FY) 2015-2016 Annual Research Plan including an augmentation to a research contract originating from the FY 2011-2012 Annual Research Plan. The proposals include:

- 1) Household Vehicle and Transportation Choice and Usage,
- 2) Women's Cardiovascular Risk from Particulate Matter Exposure,
- 3) Adverse Health Effects from Particulate Exposure Passed on from Mother to Child,
- 4) Greenhouse Gas Measurements at Walnut Grove Tower,

- 5) Certification and In-Use Compliance Testing for Heavy-Duty Diesel Engines, and
- 6) Modeling of PM<sub>2.5</sub> Episodes in the San Joaquin Valley Air Basin during Recent Years.

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## **Discussion Items**

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### **1. Public Hearing to Consider Intermediate Volume Manufacturer Amendments to the Zero Emission Vehicle Regulation (Second Hearing)**

The Board adopted amendments to the Zero Emission Vehicle (ZEV) regulation. The amendments will provide flexibility for the intermediate volume manufacturers (IVM) needed to succeed in the ZEV market while maintaining the integrity and goals of the ZEV Program. These amendments result from the Board's direction at the first ZEV program hearing on October 23, 2014, and will allow the IVMs additional time to develop technologies and bring them into the market. The amendments also provide extended credit recovery periods and additional flexibilities such as pooling with other section 177 states

**SCAQMD Staff Comments/Testimony:** SCAQMD staff provided comments in support of the CARB staff proposal for the intermediate volume manufacturer compliance obligation under the Zero Emission Vehicle (ZEV) regulation. Staff indicated that the zero-emission vehicle element of the ZEV regulation is vitally important for the South Coast Air Basin to attain federal air quality standards. There is a need to have greater numbers of zero emission vehicles produced and deployed in the South Coast Air Basin. Staff thanked the CARB staff for considering the SCAQMD staff's concerns raised in the October 2014 meeting. Lastly, staff indicated that any revision proposals should be considered in the mid-term review scheduled in 2016.

### **2. Public Hearing to Consider the Greenhouse Gas Quantification Determination for the San Joaquin Council of Governments' Regional Transportation Plan/Sustainable Communities Strategy**

The Board accepted the San Joaquin Council of Governments' (SJCOG) determination that its 2014 Sustainable Communities Strategy (SCS), if implemented, will achieve the region's per capita greenhouse gas emissions reduction targets. The 2014 SCS includes strategies to promote mixed-use and infill development, encourage transit-oriented development, to expand Stockton's bus rapid transit system, and to build over 800 miles of new bikeways.

### **3. Public Meeting to Consider Approval of the San Joaquin Valley PM2.5 State Implementation Plan**

The Board approved revisions to the San Joaquin Valley Air Pollution Control District PM2.5 State Implementation Plan (SIP). The SIP revision provides an updated attainment demonstration that accounts for the impact of California's drought. Following provisions in the Clean Air Act, the SIP contains a request for an attainment date extension to 2018 for the 24-hour standard of 65 µg/m<sup>3</sup>, and 2020 for the annual standard of 15 µg/m<sup>3</sup>. The attainment demonstration relies preliminarily on the further reductions from the States heavy-duty truck and equipment programs. The SIP also identifies further ARB and District actions to achieve additional near-term reductions.

#### **Attachment**

CARB May 21, 2015 Meeting Agenda

**LOCATION:**

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

**PUBLIC MEETING AGENDA**

**May 21, 2015**

**[Webcast](#)**

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**  
**May 21, 2015**  
**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 #**

**15-4-1: Public Meeting to Consider Six Research Proposals**

*Staff will seek Board approval of five research proposals that were developed in response to the Board-approved Fiscal Year (FY) 2015-2016 Annual Research Plan and an augmentation to a research proposal contract that resulted from the FY 2011-2012 Annual Research Plan.*

- 1) "Modeling Household Vehicle and Transportation Choice and Usage," University of California, Davis, Augmentation to Contract Number 11-322.

[More Information](#)

[Proposed Resolution](#)

- 2) "Women's Cardiovascular Risk from Particulate Matter Exposure," University of Irvine, California, Proposal No. 2784-282.

[More Information](#)

[Proposed Resolution](#)

- 3) "Are Adverse Health Effects from Particulate Exposure Passed on from Mother to Child," University of Davis, California, Proposal No. 2785-282.

[More Information](#)

[Proposed Resolution](#)

- 4) "Greenhouse Gas Measurements at Walnut Grove Tower," University of California, Davis, Proposal No. 2786-282.

[More Information](#)

[Proposed Resolution](#)

- 5) "Certification and In-Use Compliance Testing for Heavy-Duty Diesel Engines to Understand High In-Use NO<sub>x</sub>," University of California, Riverside, Proposal No. 2787-282.

[More Information](#)

[Proposed Resolution](#)

- 6) "Investigative Modeling of PM2.5 Episodes in the San Joaquin Valley Air Basin During Recent Years," University of California, Davis, Proposal No. 2788-282.

[More Information](#)

[Proposed Resolution](#)

## **DISCUSSION ITEMS:**

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

### **Agenda Item #**

**15-4-2: Public Hearing to Consider Intermediate Volume Manufacturer Amendments to the Zero Emission Vehicle Regulation (Second Hearing)**

*The first hearing on this item occurred on October 23, 2014. Staff now returns to the Board to present a revised regulatory proposal regarding intermediate volume manufacturer compliance obligations under the Zero Emission Vehicle regulation.*

[More Information](#)

[Staff Presentation](#)

**15-4-3: Public Meeting to Consider the Greenhouse Gas Quantification Determination for the San Joaquin Council of Governments' Regional Transportation Plan/Sustainable Communities Strategy**

*The Board will consider action to accept or reject the San Joaquin Council of Governments' (SJCOG) determination that its 2014 Sustainable Communities Strategy (SCS), if implemented, would achieve the region's per capita greenhouse gas emissions reduction targets for 2020 and 2035. Staff will present its technical evaluation of SJCOG's greenhouse gas determination for the 2014 SCS, which was adopted by SJCOG on June 26, 2014.*

[More Information](#)

[Staff Presentation](#)

**15-4-4: Public Meeting to Consider Approval of the San Joaquin Valley PM2.5 State Implementation Plan**

*The Board will consider revisions to the San Joaquin Valley Air Pollution Control District PM2.5 State Implementation Plan. The revisions provide an updated attainment demonstration for the annual average standard of 15µg/m3 and the 24-hour standard of 65µg/m3.*

[More Information](#)

[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):*

*CO-AL Transport v. CalEPA/ARB, U.S. Court of Appeals, Ninth Circuit, Case No. 15-70839.*

*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. [remanded to trial court].*

*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 [remanded to trial court].

*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 [remanded to trial court].

*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. EMA Petition for Review, California Supreme Court, Case No. S223544.

*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.

*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 County Superior Court, Case No. 14-CECG01494.

*Transportation Solutions Defense and Education Fund v. California Air Resources Board*, Fresno County Superior Court, Case No. 14CECG01788 (plaintiff's transfer to Sacramento Superior).

*California Nozzle Specialists, Inc. v. California Air Resources Board*, Los Angeles County Superior Court, Case No. BC564965.

*California Air Resources Board v. BP West Coast Products LLC, Contra Costa County Superior Court, Case No. C12-00567.*

### **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, 23<sup>rd</sup> Floor, Sacramento, California 95814**

**(916) 322-5594**

**ARB 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 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**