

BOARD MEETING DATE: September 6, 2019

AGENDA NO. 21

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board met on July 25, 2019. The following is a summary of the meeting.

RECOMMENDED ACTION:

Receive and file.

Judith Mitchell, Member
South Coast AQMD Governing Board

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The California Air Resources Board (CARB or Board) held a meeting on July 25, 2019 in Sacramento at the California Environmental Protection Agency Headquarters Building. Key items presented are summarized below.

DISCUSSION ITEMS

19-7-1: Public Hearing to Consider Proposed Amendments to Certification Procedures for Vapor Recovery Systems for Aboveground Storage Tanks at Gasoline Dispensing Facilities

The Board approved amendments to the Phase II Enhanced Vapor Recovery (EVR) requirements for existing aboveground storage tanks (AST) at gasoline dispensing facilities (GDF). The amendments clarify definitions and improve cost effectiveness of the Phase II EVR equipment upgrade requirements based on annual gasoline throughput at AST GDFs.

19-7-3: Public Meeting to Hear an Informational Update on Prescribed Burning

The Board heard an update on new legislation and Governor's Executive Orders regarding prescribed burning, and how CARB is coordinating with partner agencies to address prescribed fires and healthy forests. California's natural and working lands are currently net greenhouse gas emitters, but have the potential to sequester carbon to help meet carbon neutrality goals. A century of fire suppression, recent drought and pest

infestations combined with the effects of climate change, have created conditions conducive to large uncontrolled wildfires. Smoke from these fires is increasingly impacting not only rural but also urban communities across California. Recognizing the crisis in our forests, the Legislature and Governor's Office have called for all relevant local, State, and federal agencies to work together to reduce the risk of wildfire by doubling the statewide rate of forest treatments within five years, reducing barriers to forest health and fuels reduction projects, increasing the opportunities for prescribed fire projects, and developing electronic tools to facilitate the permitting of prescribed fire projects. CARB staff and representatives from the California Department of Forestry and Fire Protection, the United States Forest Service, the California Air Pollution Control Officers Association, and the Governor's Forest Management Task Force discussed their agencies' roles in promoting healthy forests by increasing prescribed burning.

19-7-2: Public Meeting to Hear an Informational Update on the Status of Transitioning to Zero-Emission Vehicles

The Board heard an update on the progress toward transitioning to zero-emission vehicles, including a discussion of programs that drive zero-emission vehicle uptake and potential new policies to increase zero-emission vehicles in the fleet. As California surpasses eight percent of new vehicle sales being zero-emission vehicles (ZEV) and plug-in hybrids today, evidence shows sales will need to increase to meet California's newest 2045 greenhouse gas targets, as well as the new national ambient air quality standards in 2038. To increase sales, California will need to promote ZEVs aggressively through, for example, stronger passenger vehicle standards beyond 2025 and new fleet requirements, coupled with sustainable, meaningful, and equitable incentives. Expanded public fast charging and hydrogen infrastructure and appropriate fuel pricing will be needed to ensure constant and reliable refueling access for that growing market.

Attachment

CARB July 25, 2019 Meeting Agenda



PUBLIC MEETING AGENDA

**Thursday,
July 25, 2019**

[Webcast](#)

LOCATION:

California Environmental Protection Agency
California Air Resources Board
Byron Sher Auditorium, 2nd Floor
1001 I Street
Sacramento, California 95814

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
July 25, 2019
9:00 a.m.**

DISCUSSION ITEMS:

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

Agenda Items #

19-7-1: Public Hearing to Consider Proposed Amendments to Certification Procedures for Vapor Recovery Systems for Aboveground Storage Tanks at Gasoline Dispensing Facilities

The California Air Resources Board (CARB or Board) will hear the proposal to amend Phase II Enhanced Vapor Recovery (EVR) requirements for existing aboveground storage tanks (AST) at gasoline dispensing facilities (GDF). The amendments clarify definitions and improve cost effectiveness of the Phase II EVR equipment upgrade requirements based on annual gasoline throughput at AST GDFs. The Board will also consider adoption of the environmental analysis set forth in the Initial Statement of Reasons.

[More Information](#)

[Staff Presentation](#)

19-7-3: Public Meeting to Hear an Informational Update on Prescribed Burning

The Board will hear an update on prescribed burning, CARB's role regarding prescribed fire, new legislation and Governor's Executive Orders regarding prescribed burning, and how CARB is coordinating with partner agencies on prescribed fire. This will be a joint presentation with other state, federal, and local agencies.

[More Information](#)

[Staff Presentation](#)

19-7-2: Public Meeting to Hear an Informational Update on the Status of Transitioning to Zero Emission Vehicles

Staff will provide an update to the Board on the progress toward transitioning to zero emission vehicles, including a discussion of programs that drive zero emission vehicle uptake and potential new policies to increase zero emission vehicles in the fleet.

[More Information](#)

[Staff Presentation](#)

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

American Fuel and Petrochemical Manufacturers, et al. v. Jane O'Keeffe, et al., U.S. District Court (D. Ore. Portland), Case No. 3:15-CV-00467; Plaintiffs' appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 15-35834; Plaintiffs' petitions for certiorari in United States Supreme Court, Case No. 18-881.

California Air Resources Board v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 18-1085.

Mexichem Fluor, Inc. v. U.S. EPA, (D.C. Cir. 2017) 866 F. 3d 451 (U.S. Court of Appeals, District of Columbia Circuit, Case Nos. 15-1328 and 15-1329).

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. 12-15131.

American Fuels and Petrochemical Manufacturers, 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' petitions for certiorari in United States Supreme Court, Case No. 13-1149.

Sowinski v. California Air Resources Board, et al., United States District Court for the Central District of California, No. 8:15-cv-02123.

State of California, et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 18-1114.

State of California, et al., v. United States Environmental Protection Agency (United States District Court, Northern District of California, Case No. 4:18-cv-03237)

State of California, et al. v. Ryan Zinke, et al., United States District Court, Northern District of California, Case No. 3:18-cv-5712-DMR

State of New York, et al. v. United States Environmental Protection Agency, U.S. District Court, District of Columbia, Case No. 1:18-cv-00773.

State of California, et al. v. United States Environmental Protection Agency et al., U.S. District Court, Northern District of California, Oakland Division, Case No. 4:17-cv-6936-HSG.

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 North Dakota v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1381.

State of West Virginia et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1363.

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.

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.

Alliance for California Business v. California State Transportation Agency, et al., Sacramento County Superior Court, Case No. 34-2016-80002491.

American Coatings Association, Inc. v. State of California and California Air Resources Board, Sacramento County Superior Court, Case No. 04CS01707.

Dalton Trucking, Inc. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 13-1283 (dismissed), U.S. Court of Appeals, Ninth Circuit, Case No. 13-74019.

John R. Lawson Rock & Oil, Inc. et al. v. California Air Resources Board et al., Fresno County Superior Court, Case No. 14-CECG01494; ARB's appeal, Court of Appeal, Fifth District, Case No. F074003.

Murray Energy Corporation v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1385.

Valero Refining Co. California v. Hearing Board of the Bay Area Air Quality Management District et al., Court of Appeal, First Appellate District, Case No. A151004.

Air Resources Board v. Key Disposal, Inc. and John Katangian, Los Angeles Superior Court, Case No. BC650014.

People v. Southern California Gas Company, Los Angeles Superior Court, Case No. BC 602973.

Air Resources Board v. Fiat Chrysler Automobiles N.V. and FCA US LLC, U.S. District Court, Northern District of California, Case No. 3:17-md-02777-EMC, 3:17-cv-3446-EMC, 3:19-cv-00151-EMC.

People v. Walgreens Co., Sacramento County, Case No. 34-2018-00244759.

In re Pacific Gas and Electric Company, U.S. Bankruptcy Court, Northern District of California, Case No. 19-30089.

California Air Resources Board vs. Cascade Sierra, Sacramento Superior Court, Case No. 34-2017-00223510.

Friends of Oceano Dunes, Inc. v. California Coastal Commission, et al., San Luis Obispo County Superior Court, Case No. 17CV-0576; U.S. District Court for the Central District of California, Case No. 2:17-cv-8733.

John Mahan v. California Air Resources Board, Sacramento County Superior Court, Case No. 34-2016-80002416.

The Two Hundred, et al. v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 18CECG01494.

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:

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

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

PLEASE NOTE: No outside memory sticks or other external devices may be used at any time with the Board audio/visual system or any CARB computers. Therefore, PowerPoint presentations to be displayed at the Board meeting must be electronically submitted via email to the Clerk of the Board 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 CLERK OF THE BOARD:

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

(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 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