

BOARD MEETING DATE: June 4, 2021

AGENDA NO. 29

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held a meeting on May 20, 2021. 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 meeting remotely on May 20, 2021 via a web-based videoconferencing service. The key items presented are summarized below.

DISCUSSION ITEMS

21-4-1: Public Hearing to Consider Proposed Clean Miles Standard

The Board adopted the proposed Clean Miles Standard Regulation (Regulation) which requires transportation network companies (TNC) to meet annual electrification and greenhouse gas reduction targets. Senate Bill 1014 (Skinner, Chapter 369, Statutes of 2018) established the California Clean Miles Standard and Incentive Program, requiring the Board to establish annual GHG reduction targets for TNCs that include miles traveled by zero-emission means. SB 1014 also requires that the California Public Utilities Commission (CPUC) implement the regulation beginning in 2023. The Regulation requires TNCs to achieve a goal by 2030 of 90 percent electric vehicle miles traveled and zero CO2 emissions per passenger-mile-traveled. The Regulation also provides GHG credits to TNCs for connecting passengers to mass transit.

21-4-2: Public Meeting to Consider Appointment of New Members to the Assembly Bill 32 Environmental Justice Advisory Committee

The Board appointed seven new members to the Environmental Justice Advisory Committee (EJAC). Pursuant to Assembly Bill 32, CARB originally convened the EJAC in 2007 to advise on the Initial Scoping Plan. EJAC members are comprised of representatives from California communities most heavily impacted by air pollution, including those communities with minority or low-income populations. Staff is reconvening the EJAC to advise the Board on the development of the 2022 Scoping Plan Update that staff plans to bring to the Board by December 2022. The new EJAC members were nominated by a panel of representatives from CalEPA, CARB and current EJAC members. The Board further stipulated that at least four more committee members be appointed from areas not currently represented on the EJAC.

21-4-3: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program – Community Emissions Reduction Program for Southeast Los Angeles Community

The Board approved the Southeast Los Angeles Community Emissions Reduction Plan (Plan) and directed CARB staff to collaborate with the South Coast Air Quality Management District (South Coast AQMD) and the community steering committee to take additional actions to strengthen implementation of the Plan. The Plan was developed by the South Coast AQMD and the community steering committee comprised of residents, local community based groups, industry, and local government. On December 4, 2020, the South Coast AQMD Governing Board adopted the Plan for the Southeast Los Angeles community under the requirements of Assembly Bill (AB) 617. The Board heard staff's review of the Plan and conclusion that it meets the criteria established in AB 617 and the Community Air Protection Blueprint, and is likely to reduce emissions and exposure to air pollution in the community.

South Coast AQMD Staff Comments/Testimony: Staff presented an overview of the Community Emissions Reduction Plan (CERP) for the Year 2 AB 617 community of Southeast Los Angeles. The presentation highlighted the Southeast Los Angeles Community Steering Committee's air quality priorities, CERP actions to address the air quality priorities, and emissions and exposure reduction targets in the CERP. Staff emphasized the collaborative efforts with the Community Steering Committee to develop the CERP. Members of the Southeast Los Angeles Community Steering Committee testified in support of the CERP and recommended improvements to the AB 617 program.

Attachment

CARB May 20, 2021 Meeting Agenda



Public Meeting Agenda

Thursday, May 20, 2021

In accordance with Governor Newsom's Executive Orders [N-29-20](#) and [N-33-20](#) as well as recommendations from the California Department of Public Health, the May 20, 2021, Board Meeting will not have a physical location to attend in person. This will be a remote-only meeting.

The Board Meeting will be conducted remotely via a web-based videoconferencing service called Zoom. Members of the public who wish to comment verbally can register for the webinar.

[Register for the Webinar](#) – for those who wish to comment verbally at the hearing.

Alternatively, during the Board Meeting, members of the public can offer verbal comments by calling in via telephone. Members of the public do not have to register beforehand if they call in using the number below.

Phone Number: (669) 900-6833

Webinar ID: 845 4350 5778

To only watch the Board Meeting and not provide verbal comments, please view the webcast. The webcast is the same video stream offered by the California Air Resources Board (CARB or Board) during normal Board Meetings. 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.

[Webcast](#) – for those who only plan to observe the hearing.

[How to Participate in the Remote Board Meeting](#)

[Como Participar en la Reunión del Consejo a Distancia](#)

[Agenda de la Reunión del Consejo del 20 de mayo de 2021](#)

Spanish Translation will be provided for the May Board Meeting.

Thursday, May 20, 2021 @ 11:00 a.m.

Discussion Items:

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

21-4-1: Public Hearing to Consider Proposed Clean Miles Standard

The Board will consider the proposed Clean Miles Standard Regulation, which includes the proposed annual electrification and greenhouse gas targets for transportation network companies (TNC). This is a proposed regulation in response to Senate Bill 1014 (Skinner, Stats. 2018, Ch. 369) adopted in 2018.

- [More Information](#)
- [Public Hearing Notice](#)
- [Staff Report](#)
 - [Appendix A: Proposed Regulation Order](#)
 - [Appendix B: Base Year Inventory Report](#)
 - [Appendix C-1: Standardized Regulatory Impact Analysis](#)
 - [Appendix C-2 Summary and Response to Department of Finance Comments on the Standardized Regulatory Impact Assessment](#)
 - [Appendix D: Notices of Public Workshops](#)
- [Item Summary](#)
- [Hearing Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Written Comments](#)

The following Board Item will not begin prior to 3:00 p.m.

21-4-2: Public Meeting to Consider Appointment of New Members to the Assembly Bill 32 Environmental Justice Advisory Committee

The Board will consider staff's recommendations for the appointment of new members to the Environmental Justice Advisory Committee. Pursuant to Assembly Bill 32, CARB originally convened the Environmental Justice Advisory Committee in 2007 to advise on the Initial Scoping Plan and reconvened the Committee in 2013 and 2015 to advise on the First Scoping Plan Update and the 2017 Climate Change Scoping Plan, respectively.

- [More Information](#)
- [Item Summary](#)
- [Hearing Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Written Comments](#)

The following Board Item will not begin prior to 4:00 p.m.

21-4-3: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program – Community Emissions Reduction Program for Southeast Los Angeles Community

The community emissions reduction program was developed through a partnership between the South Coast Air Quality Management District and the community steering committee.

The Board will consider the Southeast Los Angeles community emissions reduction program as required by Assembly Bill 617.

- [More Information](#)
- [Public Meeting Notice](#)
- [Staff Report](#)
- [Item Summary](#)
- [Hearing Presentation](#)
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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:

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.

American Lung Association, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 19-1140.

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).

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.

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., 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.

Friends of Oceano Dunes, Inc. v. California Air Resources Board, et al., Sacramento County Superior Court, Case No. 34-2020-80003442.

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

John R. Lawson Rock & Oil, Inc. et al., v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 19CEGG00331.

South Coast Air Quality Management District v. City of Los Angeles, et al., Los Angeles County Superior Court, Case No. 20STCP02985.

Sowinski v. California Air Resources Board et al., United States District Court for the Northern District of California, No. 3:18-cv-03979-LHK.

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. Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1035.

State of California, et al. v. United States Environmental Protection Agency, United States Court of Appeals, District Court of Columbia Circuit, Case No. 19-1227

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-HSG.

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 New York et al. v. United States Environmental Protection Agency, United States District Court for the Southern District of New York, Case No. 1:21-cv-00462.

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.

United States v. California, United States District Court, Eastern District of California, Case No. 2:19-cv-02142-WBS-EFB; United States Court of Appeals, Ninth Circuit, Case No. 20-16789.

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 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 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.