

BOARD MEETING DATE: May 2, 2014

AGENDA NO. 25

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board met on April 24-25, 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) April meeting was held on April 24-25 in Sacramento, at the California Environmental Protection Agency Headquarters Building. Key items presented are summarized below.

1. Update the Board on Health Effects of Air Pollution Exposure

Staff presented a summary of the adverse health effects associated with exposure to PM2.5, ozone and toxic air contaminants, the most at-risk populations and the nature of the national ambient air quality standards. The item was informational; no action by the Board was taken.

2. Amendments to ARB's Truck and Bus Regulation

The Board approved amendments to the truck and bus rule that provide additional compliance flexibility for small fleets while continuing to meet State Implementation Plan attainment needs and reducing the health risk from diesel particulate matter. The additional time for small fleets will provide more opportunity for use of incentive funds and the ability to upgrade to lower cost used trucks. The Board also directed staff to increase outreach and to make compliance a high priority as the rule is implemented.

AQMD Staff Comments/Testimony: Staff provided comments regarding the need to ensure that emission reductions associated with the existing regulation are achieved by 2020 under the proposed amendments. Staff indicated that the reductions must be achieved to meet ozone air quality standards in the 2020 timeframe. Staff thanked the CARB staff for their extensive work and outreach to all stakeholders including the air districts. Lastly, staff indicated its commitment to work with CARB in implementing the Truck and Bus Regulation as amended.

3. Clean Vehicle Rebate Project

The Board took action to prevent the suspension of the Clean Vehicle Rebate Program (CVRP) in anticipation of availability of additional funding. This program provides rebates of up to \$2,500 to purchasers of new zero-emission and plug-in hybrid electric vehicles and has provided nearly \$60 million in rebates this fiscal year. The Board action will cover sales for the remaining two months of the 2013-2014 fiscal year.

4. Amendments to the California Cap on Greenhouse Gas Emissions and the Offset Protocol for Mine Methane Capture Projects

The Board approved amendments to the Cap-and-Trade Regulation related to allocation, cost-containment mechanisms and product benchmarks. Additionally, the Board approved a new offset protocol for mine methane capture projects. These refinements to the Cap and Trade Regulation will take effect prior to the next rule compliance period.

Consent Item

1. Appointment of a New Member to the Research Screening Committee

The Board approved the appointment of Dr. Rashid Shaikh, of the Health Effects Institute to the Research Screening Committee to fill the vacancy left by the resignation of Dr. Irva Hertz-Picciotto from the University of California, Davis.

Awards

1. 2013 Annual Haagen-Smit Clean Air Awards

The Board awarded the 2013 Haagen-Smit Clean Air Awards to Dr. Barbara Finlayson-Pitts, Distinguished Professor of Chemistry at the University of California, Irvine; Dr. James Lents, President of the International Sustainable Systems Research Center and past Executive Director for the South Coast Air Quality Management District; and Mr. Teruyuki Ohno of the Japan Renewable Energy Foundation.

Attachment

CARB April 24-25, 2014 Meeting Agenda

PUBLIC MEETING AGENDA

**Thursday, April 24, 2014
and
Friday, April 25, 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
April 24, 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 #

14-3-5: Public Meeting to Consider Appointment of a New Member to the Research Screening Committee

Staff recommend the appointment of Dr. Rashid Shaikh, of the Health Effects Institute to the Research Screening Committee to fill the vacancy left by the resignation of Dr. Irva Hertz-Picciotto from the University of California, Davis. The Board's Research Screening Committee consists of scientists, engineers, and others who are knowledgeable, technically qualified, and experienced in air pollution and climate change research.

[More Information](#)

DISCUSSION ITEMS:

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

Agenda Item #

14-3-1: Public Meeting to Update the Board on Health Effects of Air Pollution Exposure

Staff will provide a brief update to the Board on the adverse health effects associated with exposure to air pollutants.

[More Information](#)

[Staff Presentation](#)

14-3-2: Public Hearing to Consider Proposed Amendments to the Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen and Other Criteria Pollutants From In-Use Heavy Duty Diesel-Fueled Vehicles

(Spanish translation services will be provided for this Board item.)

Staff will present to the Board amendments to the regulation that would better ensure the air quality goals of the Truck and Bus Regulation are achieved by providing additional flexibility to fleets to enable compliance. In developing these amendments, staff focused on three objectives: protecting emission reductions by providing lower cost compliance options to small fleets, low mileage fleets, and fleets that operate in rural areas with cleaner air; creating new opportunities for fleets to access public incentive funds; and recognizing fleets that made early investments to comply. The proposed amendments would continue to meet California's air quality obligations under the federal Clean Air Act and the goals of the Diesel Risk Reduction plan. As part of this presentation, staff will also present an update on the diesel particulate filter evaluation and field study.

[More Information](#)

[Staff Presentation](#)

**Friday
April 25, 2014
8:30 a.m.**

14-3-3: Public Hearing to Consider Amendments to the California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanisms, including the Compliance Offset Protocol for Mine Methane Capture Projects

Staff will present to the Board proposed amendments to the Cap-and-Trade Regulation related to implementation, allocation, cost containment mechanisms, and other specific directions from the Board. Additionally, the proposed amendments will include a new offset protocol for mine methane capture projects. The amendments were first presented to the Board at the October 2013 public meeting, at which the Board directed staff to make a number of modifications to the proposed regulation. As part of this action, staff is also recommending, pursuant to the California Environmental Quality Act, that the Board approve staff's written responses to public comments received on the environmental analysis for the proposed amendments.

[More Information](#)

[Staff Presentation](#)

14-3-4: Public Meeting to Update the Board on Assembly Bill 118 Air Quality Improvement Program Clean Vehicle Rebate Project Waiting List Expansion

Staff will update the Board on the current status of the Assembly Bill 118 Air Quality Improvement Program, Clean Vehicle Rebate Project (CVRP) and the Fiscal Year (FY) 2013-14 CVRP rebate waiting list which is currently capped at \$5 million. Due to a FY 2013-14 funding shortfall, FY 2013-14 CVRP rebate applicants are placed on a waiting list and, based on the availability of funds, will receive a rebate under current FY 2013-14 rebate amounts and eligibility criteria. Staff is proposing to expand the FY 2013-14 CVRP rebate waiting list by \$25 million for a total of \$30 million.

[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):

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; interlocutory appeal, U.S. Court of Appeals, Ninth Circuit, Case Nos. 09-CV-02234 and 10-CV-00163.

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; interlocutory appeal, U.S. Court of Appeals, Ninth Circuit, Case Nos. 09-CV-02234 and 10-CV-00163.

Association of Irrigated Residents, et al. v. United States Environmental Protection Agency, 2011 WL 310357 (C.A.9), (Feb. 2, 2011).

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; defendant'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.

Morning Star Packing Company, et al. v. California Air Resources Board, et al., Sacramento Superior Court, Case No. 34-2013-800001464.

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, Case No. 1:13-CV-01998-LJO-SAB (Dec. 6, 2013).

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.