

BOARD MEETING DATE: June 2, 2017

AGENDA NO. 27

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board met on May 25, 2017, in Sacramento, CA.
The following is a summary of this meeting.

RECOMMENDED ACTION:
Receive and File.

Judith Mitchell, Member
SCAQMD Governing Board

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The California Air Resources Board's (CARB or Board) May meeting was held on May 25, 2017 in Sacramento at the California Environmental Protection Agency Headquarters Building. Key items presented are summarized below.

Consent Items

1. Public Meeting to Consider California's Proposed State Plan for the Federal Municipal Solid Waste Landfill Emission Guidelines

This item was removed from the consent calendar to provide an opportunity for a short presentation by staff on CARB's Proposed State Compliance Plan for meeting the recently stayed new federal Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills (federal guidelines). The new federal guidelines are met by the CARB Landfill Methane Regulation which goes beyond the federal guidelines and will result in greater methane reductions. The Landfill Methane Regulation also simplifies compliance with the State and federal law, and has broad support from industry, CAPCOA and local air districts. The Executive Officer will submit the approved State Compliance Plan to U.S. EPA.

2. Public Meeting to Consider the 2016 Ozone State Implementation Plan for the Western Mojave Nonattainment Area

The Board adopted the Western Mojave Desert State Implementation Plan for the 75 parts per billion 8-Hour Ozone Standard (Ozone SIP). The Executive Officer will submit the approved Ozone SIP to U.S. EPA as a revision to California's State Implementation Plan.

Discussion Items

1. Public Meeting to Hear a Continuation of the Update to PM2.5 State Implementation Plan Development for the San Joaquin Valley

The Board continued its discussion of the PM2.5 State Implementation Plan (PM2.5 SIP) for the San Joaquin Valley (Valley) that was first discussed at the October 2016 Board meeting. Staff provided an update to the Board on additional public outreach conducted in coordination with the San Joaquin Valley Air Pollution Control District (District) as well as recommendations for near-term reductions from stationary and mobile sources that are part of a comprehensive strategy for meeting the PM2.5 standards in the Valley. The near-term actions include strengthening residential wood burning regulations; enhancing control requirements for commercial charbroiling; reducing sources of agricultural and urban dust; developing new measures to reduce heavy-duty truck emissions through an inspection and maintenance program as well as through incentives to accelerate the turnover of older trucks, buses, and off-road equipment to cleaner technologies; and requiring more stringent emission standards for boilers, engines, and glass plants. These near-term actions, coupled with the existing control program, will bring most of the Valley into attainment. Staff will be working with the District over the next few months to identify approaches for achieving the small remaining emissions reductions needed attainment gap. The Board is scheduled to consider the comprehensive San Joaquin Valley PM2.5 SIP later this year.

2. Public Meeting to Hear an Informational Update on Opportunities for Overcoming Barriers to Clean Transportation Access for Low-Income Residents

The Board heard an overview of the draft guidance document developed pursuant to Senate Bill 350. The guidance document will provide a better understanding of the barriers low-income residents face to access zero emission and near-zero emission transportation and mobility options throughout the State. Staff presented these findings and the feedback they have received from low-income residents and community groups. The presentation included staff's draft recommendations for increasing access to clean transportation. The Board directed staff to hold further community meetings and to collaborate with local and state transportation agencies.

3. Public Meeting to Hear an Update on International Coordination

The Board heard an update on CARB's international climate and air quality collaborations. Foreign national and sub-national jurisdictions have long sought California's expertise in areas such as air quality monitoring and planning, the enforcement of regulations, advanced technologies in zero emission vehicles and clean fuels, and carbon pricing and green-house-gas emission reductions. An example of California and Governor Brown's global leadership is the Under 2 MOU, a world-wide collaboration of 170 states, provinces, regions, cities, and nations, representing 37 percent of the global economy, endorsing the agreement to tackle climate change.

Attachment

CARB May 25, 2017 Meeting Agenda

PUBLIC MEETING AGENDA

May 25, 2017

[Webcast](#)

LOCATION:

California Environmental Protection Agency
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
May 25, 2017
9:00 a.m.**

CONSENT CALENDAR:

The following items 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 them.

Consent Item #

17-5-1: Public Meeting to Consider California's Proposed State Plan for the Federal Municipal Solid Waste Landfill Emission Guidelines

The Board will consider approving California's plan for compliance with the United States Environmental Protection Agency's new Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills (Title 40 Code of Federal Regulations, Part 60, Subpart Cf).

[More Information](#)

[Proposed Resolution](#)

17-5-2: Public Meeting to Consider the 2016 Ozone State Implementation Plan for the Western Mojave Nonattainment Area

The Board will consider adopting the Western Mojave Desert Plan for the 75 ppb 8-Hour Ozone Standard (Ozone SIP). If adopted, the Air Resources Board will submit the Ozone SIP to the United States Environmental Protection Agency as a revision to California's State Implementation Plan.

[More Information](#)

[Proposed Resolution](#)

DISCUSSION ITEMS:

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

Agenda Item #**17-5-3: Public Meeting to Hear a Continuation of the Update to PM2.5 State Implementation Plan Development for the San Joaquin Valley**

Spanish translation will be provided at the Board Meeting for this item, Item 17-5-3.

The Board will continue its discussion of the PM2.5 State Implementation Plan for the San Joaquin Valley that was previously discussed at the October 2016 Board meeting. Staff will provide an update to the Board on the additional outreach that has been conducted in coordination with the District, the process for developing an overall PM2.5 control strategy, and recommendations for identifying additional near-term reductions from stationary and mobile sources.

[More Information](#)

[Staff Presentation](#)

17-5-4: Public Meeting to Hear an Informational Update on Opportunities for Overcoming Barriers to Clean Transportation Access for Low-Income Residents

The Board will hear an overview of the draft guidance document staff developed pursuant to Senate Bill 350 to provide a better understanding of the barriers low-income residents face to access zero-emission and near-zero emission transportation and mobility options throughout the State. This will include staff's findings on the barriers, feedback received from low-income residents, and draft recommendations for increasing access to clean transportation.

[More Information](#)

[Staff Presentation](#)

17-5-5: Public Meeting to Hear an Update on International Coordination

The Board will hear an update on the Air Resources Board climate and air quality collaborations with foreign jurisdictions.

[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):

American Fuels 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.

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.

Kimberly-Clark Worldwide, Inc. v. California Air Resources Board, et al., Sacramento County Superior Court, Case No. 34-2015-80002246.

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.

POET, LLC, et al. v. California Air Resources Board, et al., Superior Court of California (Fresno County), Case No. 09CECG04659; plaintiffs' appeal, California Court of Appeal, Fifth District, Case No. F064045; California Supreme Court, Case No. S213394 [remanded to trial court]; plaintiff's appeal of trial court order discharging peremptory writ of mandate, Court of Appeal, Fifth District, Case No. F073340.

POET, LLC, et al. v. California Air Resources Board, et al., Superior Court of California (Fresno County), Case No. 15CECG03380.

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 [remanded to trial court].

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 [remanded to trial court].

Sowinski v. California Air Resources Board, et al., U.S. District Court, Central District of California, Case No. 8:15-CV-02123.

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.

Transportation Solutions Defense and Education Fund v. California Air Resources Board, Fresno County Superior Court, Case No. 14CECG01788 (plaintiff's transfer to Sacramento Superior Court, Case No. 34-2014-80001974-CU-WM-GDS).

Adam Brothers Farming, Inc. v. California Air Resources Board, et al., Santa Barbara County Superior Court, Case No. 15 CV04432.

Alliance for California Business v. California Air Resources Board, et al., Glenn County Superior Court, Case No. 13CV01232; plaintiffs' appeal, Court of Appeal, Third District, Case No. C082828.

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.

Jack Cody dba Cody Transport v. California Air Resources Board, et al., Sacramento Superior Court, Case No. 34-2015-80002116; plaintiff's appeal, Court of Appeal, Third District, Case No. C083083.

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.

Hamilton v. California Air Resources Board, et al., U.S. District Court for the Eastern District of California, Case No. 1:15-CV-01942-AWI-SKO.

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.

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.

Owner-Operator Independent Drivers Association Inc. et al. v. 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), plaintiffs' appeal U.S. Court of Appeals, Ninth Circuit, Case Nos. 15-72101 and 15-16429.

California Air Resources Board v. Bombardier Recreational Products, Los Angeles Superior Court, Case No. BC608480.

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

California Air Resources Board v. SSA Containers, Inc., Los Angeles County Superior Court, Case No. BC628573 and No. BC628722.

California Air Resources Board v. West Coast Diesel, Inc., Fresno County Superior Court, Case No. 15 CECG 03337.

California Air Resources Board v. Adam Brothers Farming Inc., Santa Barbara County Superior Court, Case No. 16CV01758.

People of the State of California ex rel. California Air Resources Board v. Marten Transport Logistics, LLC, Los Angeles County Superior Court, Case No. BC645288.

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

In re: Volkswagen "Clean Diesel" MDL, United States District Court, Northern District of California, Case No. 15-MD-2672-CRB (JSC).

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

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 ARB 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

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