

BOARD MEETING DATE: May 1, 2020

AGENDA NO. 22

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held a meeting on April 23, 2020. 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 remotely on April 23, 2020 via a web-based videoconferencing service. Key items presented are summarized below.

DISCUSSION ITEMS

20-4-1: Public Meeting to Consider Health Evaluation of Air Quality and Climate Regulations and Programs

The Board adopted a resolution directing CARB staff to develop new methodologies to evaluate health impacts of CARB's air quality and climate regulations and programs. CARB currently evaluates a limited number of health benefits from our regulations, primarily based on reduced illnesses and deaths attributed to lowering emissions of PM2.5 and NOx. To more comprehensively understand the full suite of benefits from our programs and policies, the Board directed staff to explore ways to expand health evaluation approaches and analytical tools to: 1) better understand health impacts in disadvantaged communities, 2) analyze impacts from additional pollutants, 3) better evaluate and communicate the benefits to public health of reducing greenhouse gases and improving community sustainability, resiliency, and quality of life, and 4) expand health evaluation approaches and analysis tools for CARB regulations and policies that

will more accurately reflect the full range of health benefits to communities throughout the state.

20-4-4: Public Hearing to Consider the Proposed Amendments to the Regulation on the Commercialization of Alternative Diesel Fuels

The Board adopted amendments to the Regulation on the Commercialization of Alternative Diesel Fuels (ADF Regulation) with 15-day changes to respond to concerns from stakeholders raised at the meeting. The ADF Regulation was originally adopted by the Board in 2015 to help California meet its climate and petroleum reduction goals, ensure fuel diversity, and provide needed emissions reductions. To ensure that the full commercialization of these fuels does not increase air pollution or cause other environmental impacts, the ADF Regulation required that new ADFs be subject to a testing and certification process. The biodiesel in-use requirements required all biodiesel blends that resulted in emissions above a specific NO_x control level must include additives or fuel formulations approved by CARB to mitigate the extra NO_x emissions. The amendment to the ADF Regulation will strengthen the certification requirements for additives that are used to avoid potential NO_x increases that could otherwise be caused by the use of biofuels in older diesel engines. The Board also adopted an addendum to a previously certified Environmental Analysis in compliance with the California Environmental Quality Act.

20-4-2: Public Meeting to Provide Update on the Implementation of the 2017 Scoping Plan

The Board heard an update on the implementation of the 2017 Scoping Plan (2017 Plan). The 2017 Plan laid out a technologically feasible and cost-effective path to achieve California's 2030 GHG emissions reduction target of at least 40 percent below 1990 levels. CARB staff informed the Board of the continued progress in 2019 implementing the measures identified in the 2017 Plan including the funding of dairy biogas projects and increased penetration of renewable energy on California's grid. The staff presentation highlighted high compliance rates with the Low Carbon Fuel Standard and Cap-and-Trade Programs where over 800 reports were submitted on time in April. The presentation also discussed the importance of achieving emissions reductions from the transportation sector to attain both climate and air quality goals. In response to Board direction to "continue to evaluate and explore opportunities to achieve significant cuts in greenhouse gas emissions from all sources," staff in 2019 began an extensive public workshop and webinar process to inform the path to statewide carbon neutrality by mid-century. This effort has been occurring in parallel with other multi-agency efforts to define the path to zero-carbon retail sales in electricity by 2045 per Senate Bill (SB) 100, and to assess the potential for a biomethane procurement policy per SB 1440. The staff presentation also highlighted key considerations for evaluation such as sustainable fuel availability, cost-effectiveness, and how public funds and economic

stimulus packages could be leveraged to return to a new status quo from the current pandemic that is more sustainable. Finally, CARB staff discussed efforts to support the next update to the Scoping Plan, scheduled to be brought before the Board in 2022, with a Board update on carbon neutrality by the end of 2020.

20-4-3: Public Meeting to Hear an Informational Update on the 2020 Mobile Source Strategy

The Board heard an informational update on the development of the 2020 Mobile Source Strategy to meet California’s air quality, climate, and community risk reduction goals. Senate Bill (SB) 44 acknowledged the substantial contribution of mobile sources to statewide emissions and the interconnected nature of the mobile source strategies required to meet California’s air quality, GHG, and community protection goals. SB44 requires CARB to update the Board’s 2016 Mobile Source Strategy by January 1, 2021, and every five years thereafter. The 2020 Mobile Source Strategy will address all on- and off-road mobile sources. CARB staff presented an example of preliminary scenario modeling, showing the range of technology mixes needed for the heavy-duty truck sector to meet California’s air quality and climate goals, and discussed scenarios for the light-duty, off-road and energy sectors identified to help achieve their targets.

South Coast AQMD Staff Comments/Testimony: Staff reiterated the need for the 2020 Strategy to address both near-term and long-term air quality goals in the Basin, which require significant NOx reductions. Staff also requested that specific regulatory or incentive-based strategies be identified for all mobile source categories in the 2020 Strategy.

Attachment

CARB April 23, 2020 Meeting Agenda



PUBLIC MEETING AGENDA

**Thursday,
April 23, 2020**

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 April 23, 2020, 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 that plan to comment at hearing

Alternatively, on the morning of 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: 437 930 965

To watch the webinar only and not provide verbal comments, please view the webcast. The webcast is the same video stream offered by CARB 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 that only plan to observe the hearing.

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

**Thursday
April 23, 2020
9:00 a.m.**

DISCUSSION ITEMS:

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

Agenda Item #

20-4-1: Public Meeting to Consider Health Evaluation of Air Quality and Climate Regulations and Programs

The California Air Resources Board (CARB or Board) will hear a summary of current methodologies used to evaluate health impacts of air quality and climate regulations and programs as well as concepts for expanded consideration of health impacts.

[More Information](#) [Staff Presentation](#) [Board Item Materials](#) [Written Comments](#)

20-4-4: Public Hearing to Consider the Proposed Amendments to the Regulation on the Commercialization of Alternative Diesel Fuels

The Board will consider proposed amendments to the Regulation on the Commercialization of Alternative Diesel Fuels (ADF). Staff is proposing to amend the ADF Regulation to reinforce the emissions certification testing requirements and require biodiesel additives and ADF formulations to be certified according to new certification procedures. The proposed amendments reinforce the originally intended efficacy of additives or alternative diesel formulations certified to mitigate potential oxides of nitrogen (NOx) emissions increases from the use of biodiesel. The Board will also consider adopting an addendum to a previously certified Environmental Analysis in compliance with the California Environmental Quality Act.

[More Information](#) [Staff Presentation](#) [Board Item Materials](#) [Written Comments](#)

20-4-2: Public Meeting to Provide Update on the Implementation of the 2017 Scoping Plan

The Board will hear an update on the implementation of the 2017 Scoping Plan Update and ongoing efforts to continue progress toward achieving the 2030 greenhouse gas reduction target.

[More Information](#) [Staff Presentation](#) [Board Item Materials](#) [Written Comments](#)

20-4-3: Public Meeting to Hear an Informational Update on the 2020 Mobile Source Strategy

The Board will hear an informational update on the development of the 2020 Mobile Source Strategy.

[More Information](#) [Staff Presentation](#) [Board Item Materials](#) [Written Comments](#)

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.

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

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

California Air Resources Board v. United States Environmental Protection Agency and National Highway Traffic and Safety Administration, United States District Court, District of Columbia Case No. 1:19-cv-00965-CKK.

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.

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.

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

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

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.

Sowinski v. California Air Resources Board, et al., United States District Court, 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, et al. v. David Bernhardt, et al., United States District Court, Northern District of California, Case No. 3:18-cv-5712-DMR.

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.

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.

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.

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.

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.

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.

[Submit Comments Electronically on the Day of the Board Meeting](#)

[View Submitted Comments](#)

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.

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 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.