

BOARD MEETING DATE: November 6, 2020

AGENDA NO. 23

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held a meeting on October 22, 2020. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Judith Mitchell, Member  
South Coast AQMD Governing Board

ft

---

The California Air Resources Board (CARB or Board) held a meeting remotely on October 22, 2020 via a web-based videoconferencing service. Key items presented are summarized below.

### **DISCUSSION ITEMS**

**20-11-1: Public Meeting to Consider Proposed Research Contract with the University of California, Berkeley, Titled "Total Exposure to Air Pollutants and Noise in Disadvantaged Communities"**

The Board approved funding of the proposed research contract with the University of California, Berkeley titled "Total Exposures to Air Pollutants and Noise in Disadvantaged Communities." The research proposal was developed in response to the Board-approved research projects for fiscal year 2020-2021 and will investigate how local factors such as daily activities, indoor air pollutant sources, housing conditions, outdoor air pollutant sources, and environmental stressors such as noise pollution can impact an individual's exposure to specific air pollutants in disadvantaged communities. This information will provide CARB with strategies to improve public health by supporting programs such as electrification strategies, high-efficiency air filtration, improved building standards, and safer consumer product choices.

**20-11-2: Public Meeting to Consider Proposed Research Contract with the University of California, Davis, Titled "Developing a Comprehensive Framework for Estimating the Social Costs of Emissions of Criteria Pollutants and Air Toxics in California, and Identifying Other Direct and Indirect Benefits of California's Climate and Air Quality Programs"**

The Board approved funding for the proposed research contract titled “Developing a Comprehensive Framework for Estimating the Social Costs of Emissions of Criteria Pollutants and Air Toxics in California, and Identifying Other Direct and Indirect Benefits of California’s Climate and Air Quality Programs” with the University of California, Davis. The research contract was developed in response to the Board-approved research projects for fiscal year 2020-2021. This research will determine the most accurate information about the health benefits (and avoided negative impacts) of relevant CARB policies by qualitatively assessing the environmental, energy, economic, and social benefits related to California’s climate and air quality programs.

**20-11-3: Public Meeting to Consider Proposed West Mojave Desert Vehicle Miles Traveled Offset Demonstration**

The Board approved the West Mojave Desert Vehicle Miles Traveled (VMT) Offset State Implementation Plan (VMT SIP) submittal for the 2015 70 parts per billion 8-hour ozone standard (standard). The federal Clean Air Act (Act) requires states to submit enforceable transportation control strategies and transportation control measures to offset any growth in emissions from growth in VMT or numbers of vehicle trips for ozone nonattainment areas classified as severe for the standard, such as West Mojave Desert. The West Mojave Desert VMT Offset Demonstration shows that the West Mojave Desert meets the VMT emissions-offset requirements in the Act for the standard. CARB will submit the West Mojave Desert VMT Offset Demonstration to the United States Environmental Protection Agency to be included in California's State Implementation Plan.

**20-11-6: Public Meeting to Consider an Update on Race, Equity, and the California Air Resources Board's Activities**

The Board heard a report from Board Member Serna, and engaged with staff and the public, on CARB’s efforts to better understand and address the ways race has affected climate and air quality risks in California, and CARB’s own internal operations. California’s legacy of racial discrimination, and the way it affects exposure to air pollution, is coming into sharper focus at CARB, as are the ways CARB’s own processes can disfavor recruitment and advancement for people of color. The discussion focused on CARB’s efforts to address these issues, internally and externally. The Board adopted a resolution that recognizes the many ways racism can affect our work,

condemns racism in all its forms, and establishes an expectation that CARB will review its process and policies affecting external stakeholders to address improper burdens caused by racial inequality. The Board's resolution specifically directs staff to increase diversity within CARB, remediate race-based harms in programmatic areas under CARB's jurisdiction, establish a zero-tolerance racism policy applicable to all public and internal activities in which CARB is engaged including those involving CARB's employees and associated stakeholders, support CARB's newly-created Diversity and Racial Equity Task Force regarding internal processes, and ensure external programs appropriately serve communities of color. Besides approving the resolution, the Board directed staff to move forward with public engagement to establish a new CARB office dedicated to addressing environmental and racial justice.

**20-11-4: Public Meeting to Hear an Informational Update on Next-Generation Heavy-Duty Vehicle Enforcement**

The Board heard an informational update on CARB's enforcement programs efforts to utilize new technology and approaches to reduce emissions from heavy-duty vehicle diesel gross polluters. CARB's programs to reduce emissions from heavy-duty vehicles have resulted in significantly cleaner heavy-duty trucks and buses on California's roads and while these emissions continue to decline due to our recently adopted rules, emissions from heavy-duty diesel vehicles are still significant and impact the health of Californians, especially those in disadvantaged communities. Most of the air pollution produced by all heavy-duty trucks is coming from a relatively small percentage of those in-use vehicles whose engines and emissions control systems are malfunctioning or poorly maintained. In order to find this subset of vehicles and bring them into compliance, CARB has developed an enforcement approach using roadside emissions monitoring technology including the Portable Emissions Acquisition System (PEAQs) paired with Automated License Plate Reader (ALPR) cameras. The deployment of these technologies will ensure high-emitting vehicles are identified and brought into compliance. CARB staff informed the Board that these enforcement tools will be developed in stages, first focusing on the high particulate matter emitting heavy-duty vehicles, then high emitters of oxides of nitrogen. CARB staff discussed that an enforcement program with PEAQS monitors in disadvantaged communities would support the goals of AB 617 and how this program would integrate with and support CARB's Heavy-Duty Inspection and Maintenance program currently being developed as directed by Senate Bill 210 (Leyva, 2019). The Board also heard that these technologies will first be deployed in the San Joaquin Valley (Valley) to reduce the excessive particulate matter emissions from diesel trucks and help the Valley meet State and federal clean air requirements.

**20-11-5: Public Meeting to Hear an Informational Update on the Implementation of the San Joaquin Valley PM2.5 State Implementation Plan**

The Board heard an informational update on the implementation of the 2018 PM2.5 State Implementation Plan (Plan) for the San Joaquin Valley (Valley). The Plan adopted by the Board on January 24, 2019 was developed by CARB and the San Joaquin Valley Air Pollution Control District (District) to meet four National Ambient Air Quality Standards (standards) for fine particulate matter (PM2.5), the 1997 annual and 24-hour PM2.5 standards, the 2006 24-hour PM2.5 standard, and the 2012 annual PM2.5 standard. The Plan demonstrates that emissions reductions from CARB and District measures will provide significant air quality benefits for the Valley, that the Valley's air quality continues to improve, and that the Valley will attain all PM2.5 standards in a timely manner. When CARB adopted the Plan in 2019, the Board directed staff to return annually with an update on implementation of the Plan. This was the second annual informational update and informed the Board of the progress made on regulatory and incentive-based measures committed to in the Plan, the challenges implementing the measures, and potential new measures being developed to achieve further emissions reductions needed for attainment. Staff will be returning to the Board in February 2021 with another update on implementation of the Plan, including options for phasing out agricultural open burning in the Valley.

**Attachment**

CARB October 22, 2020 Meeting Agenda



## PUBLIC MEETING AGENDA

**Thursday,  
October 22, 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 October 22, 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 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: 841 7381 8126

To only watch the Board Meeting 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 who only plan to observe the hearing.

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

**Thursday  
October 22, 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 #**

**20-11-1 Public Meeting to Consider Proposed Research Contract with U.C. Berkeley, Titled "Total Exposure to Air Pollutants and Noise in Disadvantaged Communities"**

*The Board will consider approval of the research proposal that was developed in response to the Board-approved research projects for fiscal year 2020-2021. This item requires Board*

approval due to the contract amount and also to comply with Government Code section 1091 because one Board Member is affiliated with the University of California at Berkeley.

[More Information](#)

[Board Item Materials](#)

[Written Comments](#)

**20-11-2: Public Meeting to Consider Proposed Research Contract with U.C. Davis, Titled “Developing a Comprehensive Framework for Estimating the Social Costs of Emissions of Criteria Pollutants and Air Toxics in California, and Identifying Other Direct and Indirect Benefits of California’s Climate and Air Quality Programs”**

*The Board will consider approval of the research proposal that was developed in response to the Board-approved research projects for fiscal year 2020-2021. This item requires Board approval due to the contract amount and also to comply with Government Code section 1091 because one Board Member is affiliated with the University of California at Davis.*

[More Information](#)

[Board Item Materials](#)

[Written Comments](#)

**20-11-3: Public Meeting to Consider Proposed West Mojave Desert Vehicle Miles Traveled Offset Demonstration**

*The Board will consider approval of the West Mojave Desert Vehicle Miles Traveled (VMT) Offset State Implementation Plan submittal for the 2015 70 parts per billion 8-hour ozone standard. If approved, the California Air Resources Board (CARB) will submit the West Mojave Desert VMT Offset Demonstration to the United States Environmental Protection Agency to be included in California's State Implementation Plan.*

[More Information](#)

[Board Item Materials](#)

[Written Comments](#)

**20-11-6: Public Meeting to Consider an Update on Race, Equity, and the California Air Resources Board’s Activities**

*The Board will consider a report from Board Member Serna, and engage in discussion with staff, on CARB’s efforts to better understand and address the ways race has affected climate and air quality risks in California and CARB’s own internal operations. The discussion will focus on CARB’s efforts to address these issues, internally and externally. The Board will provide staff guidance via resolution on work to remediate race-based harms within CARB’s jurisdiction.*

[Board Item Materials](#)

[Written Comments](#)

**20-11-4: Public Meeting to Hear an Informational Update on Next-Generation Heavy-Duty Vehicle Enforcement**

*The Board will hear how the Enforcement Division utilizes the Portable Emissions Acquisition System (PEAQs) and the Automatic License Plate Reader technologies for data driven heavy-duty vehicle enforcement efforts and to support the Heavy-Duty Inspection and Maintenance Program. Staff will present a pilot deployment of PEAQS at California Department of Food and Agriculture stations, the preliminary findings from the data collected, and how it is currently being used to guide CARB's enforcement actions.*

[More Information](#)

[Presentation](#)

[Board Item Materials](#)

[Written Comments](#)

**20-11-5: Public Meeting to Hear an Informational Update on the Implementation of the San Joaquin Valley PM2.5 State Implementation Plan**

*The Board will hear an informational update on the implementation of the 2018 PM2.5 State Implementation Plan for the San Joaquin Valley, including progress on developing new mobile source measures.*

[More Information](#)

[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 v. Wheeler, et al.*, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1167.

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

*California Natural Gas Vehicle Coalition v. California Air Resources Board, et al.*, Fresno County Superior Court, Case No. 20CECG02250.

*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.

*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. 14-CECG01494; ARB's appeal, Court of Appeal, Fifth District, Case No. F074003.

*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. Andrew Wheeler, et al.*, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1357.

*State of California, et al., v. Chao, et al.*, United States District Court, District of Columbia, Case No. 1:19-cv-02826.

*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.

*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 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](mailto: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, 23<sup>rd</sup> Floor, Sacramento, California 95814**

**[cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) or (916) 322-5594**

**CARB Homepage: [www.arb.ca.gov](http://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](mailto: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 contacte la oficina del Consejo al (916) 322-5594 o por correo electronico al [cotb@arb.ca.gov](mailto: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.