

BOARD MEETING DATE: April 1, 2022

AGENDA NO. 23

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held meetings on March 10, 2022, and March 24, 2022. The following are summaries of the meetings.

RECOMMENDED ACTION:
Receive and file.

Gideon Kracov, Member
South Coast AQMD Governing Board

FT

A Joint Meeting of the California Air Resources Board (CARB or Board) and the Assembly Bill 32 Environmental Justice Advisory Committee was held on March 10, 2022 via a web-based videoconferencing service. The key items presented are summarized below.

DISCUSSION ITEMS

22-4-1: Consideration of Appointment of New Members to Assembly Bill 32 Environmental Justice Advisory Committee

The Board approved the appointment of two new members to the Assembly Bill 32 (AB 32, Ch. 488, Stats. 2006, California Global Warming Solutions Act of 2006) Environmental Justice Advisory Committee (EJAC). AB 32 requires CARB to convene the EJAC to advise the Board in developing the Scoping Plan for achieving reductions in greenhouse gas emissions and any other pertinent matter in implementing the California Global Warming Solutions Act of 2006. AB32 requires that the Committee be comprised of representatives from communities in the State with the most significant exposure to air pollution, including, but not limited to, communities with minority populations or low-income populations, or both (AB 32; Part 7. Miscellaneous Provisions Section 38591). The new members on the EJAC, as they advise CARB on the 2022 Scoping Plan, are Matt Holmes with Little Manila Rising and Juan Flores with the Center on Race, Poverty & the Environment.

22-4-2: Environmental Justice Advisory Committee Leadership Presentation on Initial Scoping Plan Development Recommendations

The AB 32 Environmental Justice Advisory Committee (EJAC) presented their preliminary draft recommendations at this joint discussion on the 2022 Scoping Plan with CARB's Board. The EJAC recommendations “call on CARB to collaborate with the EJAC to take a systemic approach to address the systemic problems EJ communities face in addressing the climate crisis.” Specifically, the recommendations include procedural concerns on the overall Scoping Plan process, the need to prioritize direction emissions, inadequacies of modeling as well as the lack of modeling data to inform the recommendations. Finally, the recommendations call for inclusion of California’s Indigenous community concerns, as well as direct engagement from California’s EJ communities to address equity and public health concerns. CARB staff will incorporate the EJAC recommendations to the extent possible in the draft Scoping Plan, which will be released in May 2022.

The California Air Resources Board (CARB or Board) held a meeting remotely on March 24, 2022 via a web-based videoconferencing service. The key items presented are summarized below.

DISCUSSION ITEMS

22-5-1: Public Hearing to Consider Proposed Amendments to the Commercial Harbor Craft Regulation

The Board adopted amendments to the Commercial Harbor Craft Regulation, which aims to further reduce emissions from harbor craft in California. This is the second of two Board hearings on this item; the Board also certified the Final Environmental Analysis. Most harbor craft vessels use old engine technology. The regulation amendments will require zero-emission options where feasible, and cleaner combustion Tier 3 and 4 engines on all other vessels, as well as the use of diesel particulate filters. The regulation will be phased in beginning in 2023 through the end of 2032. The Board also directed staff to establish a technical working group and provide updates to the Board every two years beginning in 2024 as well as to continue collaborating with the sportfishing industry and conduct a review of technology available for sportfishing vessels by 2028.

22-5-2: Public Meeting to Hear Draft Scenarios for Achieving Carbon Neutrality in the 2022 Scoping Plan Update

The Board heard the second informational update on the development of the 2022 Scoping Plan update, which included preliminary emissions modeling results for various carbon neutrality scenarios, as well as next steps for CARB and the

Environmental Justice Advisory Committee, as well as continued public engagement. Staff presented four modeling scenarios that show that California would achieve drastic reductions in fossil fuel combustion and deliver air quality and greenhouse gas emissions benefits by 2035 and 2045, depending on the scenario. CO₂ removal and natural and working lands scenarios are incorporated in the modeling as these are necessary for California to be able to achieve carbon neutrality. Staff will come back to the Board in June with a draft plan, and there will be several opportunities for public engagement between now and then.

Attachments

CARB March 10, 2022 and March 24 2022 Meeting Agendas



Public Meeting Agenda

for the

Joint Meeting of the California Air Resources Board and the Assembly Bill 32 Environmental Justice Advisory Committee

Thursday, March 10, 2022

In accordance with [Assembly Bill 361](#) (Gov. Code § 11133) as extended by Governor Newsom's Executive Order [N-1-22](#), the March 10, 2022, Joint meeting of the California Air Resources Board (CARB or Board) and the Assembly Bill 32 Environmental Justice Advisory Committee will not have a physical location open to the public. It will be a remote-only meeting conducted via a web-based videoconferencing service called Zoom. Members of the public who wish to comment verbally can register for the webinar.

The California Global Warming Solutions Act of 2006, (Health and Saf. Code §§ 38500 et seq.; Stats. 2006, ch. 488) (AB 32) calls for CARB to convene an Environmental Justice Advisory Committee (EJAC), to advise the Board in developing the Scoping Plan, and any other pertinent matter in implementing AB 32.

[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: 815 1765 7954

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](#)
[¿Cómo participar en la Reunión Remota del Consejo?](#)**

Spanish interpretation will be provided for the March 10, 2022, Board Meeting.

Thursday, March 10, 2022 @ 4:00 p.m.

Discussion Items:

**Consideration of Appointment of New Members to Assembly Bill 32
Environmental Justice Advisory Committee**

The California Air Resources Board will consider staff's recommendations for the appointment of new members to the EJAC, which was reconvened by the Board in 2021 to advise on development of the 2022 Scoping Plan pursuant to AB 32. CARB previously convened the EJAC in 2007, 2013, and 2015 to advise on development of prior Scoping Plans.

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

**Environmental Justice Advisory Committee Leadership Presentation on
Initial Scoping Plan Development Recommendations**

The AB 32 Environmental Justice Advisory Committee (EJAC) will present for joint discussion initial EJAC recommendations submitted for CARB's consideration in the development of the 2022 Scoping Plan as well as context and background related to environmental justice within the Scoping Plan.

- [More Information](#)
- [Meeting Presentation](#)
- [EJAC Recommendations](#)
- [EJAC Recommendations \(Update as of 3/10/22, see page 12\)](#)
- [Background on 2022 Scoping Plan Update](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

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.



Public Meeting Agenda

Thursday, March 24, 2022

www.arb.ca.gov/ma032422

In accordance with [Assembly Bill 361](#) (Gov. Code § 11133) as extended by Governor Newsom's Executive Order [N-1-22](#), the March 24, 2022, meeting of the California Air Resources Board (CARB) will not have a physical location open to the public. It will be a remote-only meeting conducted 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

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Webcast – for those who only plan to observe the hearing.

How to Participate in the Remote Board Meeting

Agenda de la Reunión Pública

¿Cómo participar en la Reunión Remota del Consejo?

Spanish interpretation will be provided for the March 24, 2022, Board Meeting.

Thursday, March 24, 2022 @ 9:00 a.m.

Discussion Items:

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

22-5-1: Public Hearing to Consider Proposed Amendments to the Commercial Harbor Craft Regulation

The Board will consider the Proposed Amendments to the Commercial Harbor Craft Regulation, which aims to further reduce emissions from harbor craft in California. This is the second of two Board hearings on this item; the Board will also consider certifying the Final Environmental Analysis and approving the written response to comments on the Draft Environmental Analysis.

- [Formal Rulemaking Page](#)
- [Item Summary](#)
- [Hearing Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

22-5-2: Public Meeting to Hear Draft Scenarios for Achieving Carbon Neutrality in the 2022 Scoping Plan Update

The Board will hear an informational update on development of the 2022 Scoping Plan update, which will include preliminary emissions modeling results for various carbon neutrality scenarios, as well as next steps for Board, Environmental Justice Advisory Committee, and public engagement.

- [More Information](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

Closed Session

The Board may hold a closed session, as authorized by Government Code section 11126(a)(1), and 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 Lung Association, et al. v. United States Environmental Protection Agency, et al. (D.C. Cir. 2021) 985 F.3d 914, cert. granted sub nom. *Westmoreland Mining Holdings v. EPA* (U.S., Oct. 29, 2021, No. 20-1778).

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).

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., U.S. District Court for the Central District of California, Case No. 2:17-cv-8733.

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

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. 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 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.

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.

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