

BOARD MEETING DATE: February 4, 2022

AGENDA NO. 23

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board was held a meeting on January 27, 2022. The following is a summary of the meeting.

RECOMMENDED ACTION:
Receive and file.

Gideon Kracov, Member
South Coast AQMD Governing Board

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The California Air Resources Board (CARB or Board) held a meeting remotely on January 27, 2022 via a web-based videoconferencing service. The key items presented are summarized below.

DISCUSSION ITEMS

22-1-1: Public Meeting to Consider the Clean Fuels for Fleets Certification for the 70 ppb Ozone Standard

The Board adopted the California Clean Fuels for Fleets Certification (CFF Certification) for the 70 parts per billion Ozone National Ambient Air Quality Standard. The CFF Certification demonstrates that California's Low Emission Vehicle program exceeds the level of emissions reductions that would be achieved through implementation of the U.S. EPA Clean-Fuel Vehicle Programs. Therefore, the CFF Certification meets Clean Air Act requirement for ozone nonattainment areas classified as Serious and above with 1990 populations above 50,000. These nonattainment areas include the Coachella Valley, Sacramento Metropolitan Area, San Joaquin Valley, South Coast Air Basin, Ventura County, and West Mojave Desert. In addition, the Board directed the Executive Officer to submit the CFF Certification to the U.S. EPA as a revision to the California State Implementation Plan.

22-1-2: Public Meeting to Consider the Proposed Research Projects for Fiscal Year 2022-2023

The Board approved the Proposed Research Projects for Fiscal Year 2022-2023 (Proposed Research). The Proposed Research will advance the state of the science and support the Board's efforts to meet California's air quality and climate goals. For the fiscal year 2022-2023, a research budget of approximately \$3.8 million is anticipated that will fund seven research projects and two white papers. The research projects will inform the state's efforts to maximize health, environmental, and economic co-benefits; create additional health endpoints to assess our programs; leverage new tools and methods to identify and refine mitigation strategies to support air quality goals; and support equitable and sustainable communities. The two white papers will analyze the state of the science and identify research gaps for emerging priority areas to shape future research projects.

22-1-3: Public Meeting to Hear the 2021 Legislative Update

The Board heard an update from the CARB Office of Legislative Affairs on 2021 air quality and climate legislation for the first year of the 2021-2022 Legislative Session. The Legislature and Governor made significant appropriations to CARB programs supporting work to achieve diverse and ambitious goals to better protect priority populations, improve air quality, and reduce greenhouse gas emissions. CARB staff highlighted major legislation from 2021. In this legislative session, CARB staff analyzed bills that propose: 1) to support the State's transition to zero-emission technologies in the light-, medium-, and heavy-duty sectors, as well as the small off-road sector; 2) to implement recommendations made by the California State Auditor in response to the audit of CARB's transportation incentive programs; 3) to integrate labor and equity standards into CARB's programs; and 4) to reduce greenhouse gas emissions from the cement sector. Seventeen of the 110 bills analyzed by CARB staff in this legislative session directly impact CARB.

22-1-4: Public Meeting to Hear a Report on the California Air Resources Board's Program Priorities for 2022

The Board heard an overview by Executive Officer Richard Corey of the California Air Resources Board's accomplishments from 2021 and program priorities for 2022. The presentation outlined key activities that CARB plans to undertake in 2022 to achieve our Community, Clean Air and Climate goals. Highlights from 2021 included the Board's adoption of foundational regulations that will lead California to a zero-emission future, such as Advanced Clean Trucks, the Heavy-Duty Inspection and Maintenance program, transitioning small off-road engines to zero-emissions, and the phasing out of open agricultural burning in the San Joaquin Valley. CARB's 2022 priorities will focus on communities, clean air, and climate. This year, CARB will bring multiple regulations to the Board and implement programs that help protect communities, including the Advanced Clean Feet Regulation, the In-Use Locomotive Regulation, the Commercial Harbor Craft Regulation, amendments to the Chrome Plating ATCM, Advanced Clean

Cars II Regulations, programs to increase choice in mobility, building decarbonization efforts, and various efforts for prescribed fires and wildfire smoke. Many of these programs will also improve regional air quality and reduce greenhouse gases. In 2022, CARB will be working with its district partners to develop the State SIP Strategy that will serve as a crucial function to align all our programs statewide in pursuit of the common goal of meeting federal air quality standards. 2022 will also be a pivotal year with the most comprehensive Scoping Plan to date laying out a path to keep us on track to achieve our 2030 target as well as, for the first time, presenting a strategy to achieve carbon neutrality by 2045.

Attachment

CARB January 27, 2022 Meeting Agenda



Public Meeting Agenda

Thursday, January 27, 2022

In accordance with [Assembly Bill 361](#) (Chapter 165, Stats. of 2021) the January 27, 2022, meeting of the California Air Resources Board (CARB or Board) 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

Webinar ID: 882 0383 2049

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

Agenda de la Reunión Pública

¿Cómo participar en la Reunión Remota del Consejo?

Spanish interpretation will be provided for the January 27, 2022, Board Meeting.

Thursday, January 27, 2022 @ 9:00 a.m.

Discussion Items:

22-1-1: Public Meeting to Consider the Proposed California Clean Fuels for Fleets Certification for the 70 ppb Ozone Standard

The Board will consider adoption of the California Clean Fuels for Fleets Certification for the 70 parts per billion (ppb) Ozone Standard and will also consider adopting a California Environmental Quality Act exemption as part of its action. If adopted, CARB will submit the California Clean Fuels for Fleets Certification for the 70 ppb Ozone Standard to the United States Environmental Protection Agency as a revision to the California State Implementation Plan.

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

22-1-2: Public Meeting to Consider the Proposed Research Projects for Fiscal Year 2022-2023

The Board will consider the Proposed Research Projects for Fiscal Year 2022-2023 (Proposed Research) and hear and the modifications to the process to date to operationalize racial equity in CARB research. The research projects will advance the state of the science and support the Board's efforts to meet California's air quality and climate goals. If the Proposed Research is approved by the Board, staff will work with our research partners to develop full proposals. The Executive Officer will then consider the full proposals for approval and funding with consultation from interested Board Members.

- [More Information](#)
- [Public Meeting Notice](#)
- [Addendum to Triennial Plan – FY22-23 Proposed Project Concepts](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

22-1-3: Public Meeting to Hear the 2021 Legislative Update

The Board will hear an update on 2021 air quality and climate legislation from the Office of Legislative Affairs.

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

22-1-4: Public Meeting to Hear a Report on the California Air Resources Board's Program Priorities for 2022

Executive Officer Richard Corey will provide the Board with an overview of California Air Resources Board priorities for 2022.

- [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(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.

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 alternativo 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 electrónico 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.