

BOARD MEETING DATE: June 7, 2024

AGENDA NO. 22

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held a public Board meeting on May 23, 2024. 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 May Board meeting of the California Air Resources Board (Board) was held in Sacramento, California at the California Environmental Protection Agency Headquarters Building. Key items presented are summarized below.

CONSENT ITEM

24-2-1: Public Meeting to Consider the Proposed 2024 State Implementation Plan Submittal of Five Previously Adopted California Air Resources Board Regulations

The Board approved the submittal of five previously adopted California Air Resources Board regulations to the U.S. Environmental Protection Agency to be included in the California State Implementation Plan under the Clean Air Act. This action was limited to the submittal of the previously adopted regulations into the California State Implementation Plan. This action will not result in any changes to existing regulatory language.

DISCUSSION ITEMS

24-2-3: Public Meeting to Consider a Proposed New Member for the California Air Resources Board's Research Screening Committee

The Board approved the appointment of Dr. Michael Schmeltz, Assistant Professor at California State University, East Bay, as a new member of the CARB Research Screening Committee.

24-2-2: Public Hearing to Consider Proposed Amendments to the Advanced Clean Trucks Regulation and the Zero-Emission Powertrain Certification Test Procedure

The Board heard Staff's proposed amendments to the Advanced Clean Trucks regulation and the Zero-Emission Powertrain Certification test procedure. In consideration of Stakeholder comments, the Board directed Staff to address the comments and bring the amendments back to the Board at a future meeting.

Attachment

CARB May 23, 2024 Meeting Agenda

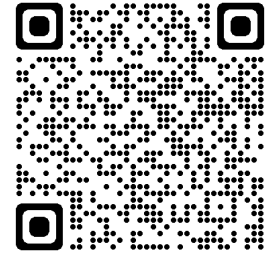


Gavin Newsom, Governor
Yana Garcia, CalEPA Secretary
Liane M. Randolph, Chair

May 2024 Board Meeting Agenda

Thursday, May 23, 2024 @ 9:00 a.m.

Zoom Webinar: [Register](#)
Phone Number: (669) 900-6833
Webinar ID: 848 8487 3825



California Environmental Protection Agency
1001 I Street, Sacramento, California 95814
Byron Sher Auditorium, 2nd Floor
[Webcast](#) (Livestream/Watch Only)

<https://ww2.arb.ca.gov/ma052324>

The May 23, 2024, meeting of the California Air Resources Board (CARB or Board) will be held at 1001 I Street in Sacramento, with remote participation also available. This facility is accessible to persons with disabilities and by public transit. For transit information, call (916) 321-BUSS (2877) or visit <http://sacrt.com/>.

To only watch the Board Meeting and not provide verbal comments, please view the [webcast](#). If you do not wish to provide oral comments, we strongly recommend watching the webcast as this will free up space on the webinar for those who are providing oral comments. Please do not view the webcast and then switch over to the webinar to comment as the webcast will have a time delay; instead, register to participate via the Zoom webinar.

Public Comment Guidelines and Information

- [In-Person Public Testimony](#)
- [Remote Public Participation](#)

The Board will set a two-minute time limit on oral comments; however, the amount of time could change at the Chair's discretion. In-person speakers signed up to comment will be called upon first, followed by public Zoom and phone participants wishing to comment. The Chair may close speaker sign-ups 30 minutes after the public comment portion of an item has begun.

Please note that under the California Public Records Act (Gov. Code, § 7920.000 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request.

Spanish interpretation will be available for the May 23rd Board Meeting.

- [Agenda de la Reunión Pública](#)
- [Spanish Webcast](#)

Thursday, May 23, 2024 @ 9:00 a.m.

Hard copies of the Public Agenda and Proposed Resolutions (when applicable) will be provided at the meeting; copies of all other documents linked below will only be available upon request.

Consent Calendar:

These items are scheduled to be heard on the Board's Consent Calendar and will not have a presentation by CARB staff. The Board will vote on all agenda items on the Consent Calendar at the beginning of the public meeting.

24-2-1: Public Meeting to Consider the Proposed 2024 State Implementation Plan Submittal of Five Previously Adopted California Air Resources Board Regulations

The Board will consider submitting five previously adopted California Air Resources Board regulations to the U.S. Environmental Protection Agency to be added to the California State Implementation Plan under the Clean Air Act. This proposed action is limited to submitting the previously adopted regulations into the California State Implementation Plan. This proposed action will not result in any changes to existing regulatory language.

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

24-2-3: Public Meeting to Consider a Proposed New Member for the California Air Resources Board's Research Screening Committee

The Board will consider a resolution to approve the appointment of Dr. Michael Schmeltz, Assistant Professor at California State University, East Bay, as a new member of the CARB Research Screening Committee.

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

Discussion Item:

24-2-2: Public Hearing to Consider Proposed Amendments to the Advanced Clean Trucks Regulation and the Zero-Emission Powertrain Certification Test Procedure

The Board will consider the proposed amendments to the Advanced Clean Trucks regulation and the Zero-Emission Powertrain Certification test procedure. If adopted, these amendments will be submitted to the U.S. Environmental Protection Agency as a revision to the California State Implementation Plan.

- [Formal Rulemaking Page](#)
 - [Public Hearing Notice](#)
 - [Staff Report](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [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:

American Free Enterprise Chamber of Commerce et al v. Steven S. Cliff et al. (United States District Court for the Eastern District of California, Case No. 2:24-cv-00988-KJM-JDP)

Association of American Railroads et al. v. Randolph et al. (United States District Court, Eastern District of California, Sacramento Division, Case No. 2:23-cv-01154-JAM-JDP)

California Air Resources Board v. Noil Energy Group, Inc. and Speedy Fuel Inc. (Los Angeles County Superior Court, Case No. 2OSTCV30142, complaint filed August 7, 2020; Los Angeles County Superior Court, Case No. 2OSTCV30292, complaint filed August 7, 2020)

California Natural Gas Vehicle Coalition v. California Air Resources Board. (Fresno County Superior Court, Case No. 20CECG02250)

California Trucking Association v. California Air Resources Board. (United States District Court, Eastern District of California, Case No. 2:23-cv-02333-TLN-CKD)

Chamber of Commerce of the United States et al v. California Air Resources Board et al. (United States District Court, Central District of California, Case No. 2:24-cv-00801)

California v. United States Environmental Protection Agency. (United States Court of Appeals, District of Columbia Circuit - No. 21-1034, consolidated with *California Communities Against Toxics et al. v. EPA*, No. 21-1024.)

Commonwealth of Kentucky, et al. v. United States Environmental Protection Agency. (United States Court of Appeals, District of Columbia Circuit, Case No. 24-1050)

East Yard Communities for Environmental Justice, et al. v. South Coast Air Quality Management District, et al. (United States District Court, Central District of California, Los Angeles, Case No. 2:23-cv-06682)

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 Air Resources Board, et al. (San Luis Obispo County Superior Court, Case No. 17CV-0576) and *Friends of Oceano Dunes, Inc. v. California Air Resources Board, et al.* (U.S. District Court for the Central District of California, Case No. 2:17-cv-8733)

GreenPower Motor Company, Inc. v. California Air Resources Board. (Sacramento County Superior Court, Case number 23WM000083)

Kentucky, et al., v. Environmental Protection Agency, et al. (United States Court of Appeals, District of Columbia Circuit, Case No. 24-1087)

People ex rel. California Air Resources Board and Xavier Becerra, Attorney General of the State of California v. Daimler AG and Mercedes-Benz USA, LLC. (United States District Court, District of Columbia, Case No. 1:20-cv-2565, consolidated with *United States v. Daimler AG and Mercedes-Benz USA, LLC*, United States District Court, District of Columbia, Case No. 1:20-cv-2564.)

People v. Best Energy Solutions & Tech. Corp. (Los Angeles County Superior Court, Case No. 22STCV32487)

People v. Southern California Gas Company. (Los Angeles Superior Court, Case No. BC602973)

Natural Resources Defense Council v. National Highway Traffic Safety Admin., et al. (United States Court of Appeals, District of Columbia Circuit, Case No. 22-1080, consolidated with Nos. 22-1144, 22-1145)

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)

Ohio, et al., v. EPA, et al. (United States Court of Appeals, District of Columbia Circuit, Case No. 22-1081, consolidated with Case Nos. 22-1083, 22-1084, and 22-1085.)

State of California v. Wheeler et al. (United States Court of Appeals, District of Columbia Circuit, Case No. 19-1239)

State of California v. Wheeler, et al. (United States Court of Appeals, District of Columbia Circuit, Case No. 20-1167)

State of California, et al. v. David Bernhardt, et al. (United States District Court, Northern District of California, 472 F. Supp. 3d 573 (N.D. Cal. 2020) Case No. 3:18-cv-5712-DMR; BLM, Wyoming, and industry appeal to United States Court of Appeals, Ninth Circuit, Case No. 20-16793)

State of California, et al. v. United States Environmental Protection Agency, et al. (United States Court of Appeals, District of Columbia Circuit, Case No. 21-1014)

State of New York, et al., v. Andrew Wheeler and the United States Environmental Protection Agency. (United States District Court, District of Columbia, Case No. 1:18-cv-00773)

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 North Dakota v. United States Environmental Protection Agency. (United States Court of Appeals, District of Columbia Circuit, Case No. 15-1381)

State of North Dakota, et al., v. United States Environmental Protection Agency, et al. (United States Court of Appeals, District of Columbia Circuit, Case No. 16-1242)

State of Texas, et al., v. Environmental Protection Agency, et al. (United States Court of Appeals, District of Columbia Circuit, Case No. 22-1031)

State of Texas, et al. v. U.S. EPA, et al. (United States Court of Appeals, District of Columbia Circuit, Case No. 24-1054)

State of Wyoming, et al., v. United States Department of the Interior, et al. (United States District Court, District of Wyoming, Case No. 16-CV-285-SWS; United States Court of Appeals, Tenth Circuit, Case No. 2:16-cv-00285-SWS)

State of West Virginia, et al. v. U.S. Environmental Protection Agency, et al. (United States Court of Appeals, District of Columbia Circuit, Case No. 24-1009)

South Coast Air Quality Management District v. City of Los Angeles, et al. (Los Angeles County Superior Court, Case No. 20STCP02985; transferred to San Diego County Superior Court, Case No. 37-2021-00023385-CU-TT-CTL; appeal California Court of Appeal, Fourth Appellate District, Div. 1, Case. No. D080902; remanded to superior court)

The Two Hundred for Homeownership, Robert Apodaca, and Jose Antonio Ramirez v. California Air Resources Board, Steven S. Cliff et al. (United States District Court, Eastern District of California, Fresno, Case No. 1:22-at-904)

Western States Petroleum Association v. California Air Resources Board et al. (Fresno County Superior Court, Case No. 22CECG03603.)

Western States Petroleum Association v. California Air Resources Board. (Los Angeles County Superior Court, Case No. 20STCP03138x, Appeal No. B327663)

Western States Petroleum Association v. California Air Resources Board (Fresno County Superior Court, Case No. 23CECG02976)

Western States Trucking Association v. California Air Resources Board (Fresno County Superior Court, Case No. 23CECG02964)

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 two 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.