

BOARD MEETING DATE: February 2, 2024

AGENDA NO. 25

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held a public Board meeting on January 25, 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 January 2024 Board meeting of the California Air Resources Board (CARB or Board) was held on January 25, 2024 in Sacramento, California at the California Environmental Protection Agency Headquarters Building. The key items presented are summarized below.

DISCUSSION ITEMS

24-1-1: Public Hearing to Consider Proposed 2023 Amendments to Area Designations for State Ambient Air Quality Standards

The Board approved CARB staff's proposed amendments to the State area designations regulations to reflect current air quality data. Area designations are labels that describe the healthfulness of the air quality in the area. CARB is required to annually review and designate areas of California with respect to the State ambient air quality standards and amend the designations if appropriate. Based on a review of air quality data collected during 2020 through 2022, CARB staff recommended the Board change the designations of several areas for the State ozone, hydrogen sulfide and fine particulate matter air quality standards. These recommendations were developed with public input.

24-1-2: Public Meeting to Consider Electrify America’s Proposed Cycle 4 Zero Emission Vehicle Investment Plan

The Board approved Electrify America’s Cycle 4 Zero Emission Vehicle (ZEV) Investment Plan (Cycle 4 Plan) submitted to CARB pursuant to Appendix C of the 2.0-liter Partial Consent Decree (Appendix C). Appendix C is one component of Volkswagen’s (VW) settlement agreement with CARB resulting from the use of illegal defeat devices in VW’s 2.0- and 3.0-liter diesel engines and requires VW to invest \$800 million over four consecutive 30-month periods to promote the availability and use of ZEVs in California. Electrify America, the subsidiary established by VW to implement the ZEV Investment Plan, proposed the Cycle 4 Plan for the final 30-month period. The Board heard an update from CARB staff on Electrify America’s progress implementing the ZEV investment plans for Cycles 1, 2, and 3, in addition to an overview and assessment of the Cycle 4 Plan. The Board also heard a presentation from the CEO and president of Electrify America.

24-1-3: Public Meeting to Hear a Report on the California Air Resources Board’s Established and Expected Priorities for 2024

The Board heard a presentation from the CARB Executive Officer on priorities that CARB expects to undertake for 2024. The presentation included key implementation activities from 2023 and an outlook on what CARB plans to undertake in 2024 to achieve air quality, carbon neutrality, racial equity, and environmental justice goals.

Attachment

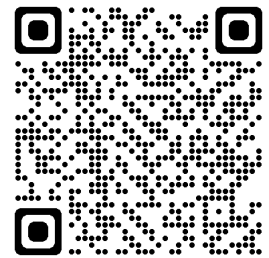
CARB January 25, 2024 Meeting Agenda

Revised 1/19/24 - Public Meeting Agenda

Thursday, January 25, 2024 @ 9:00 a.m.

Zoom Webinar: [Register](#)
Phone Number: (669) 900-6833
Webinar ID: 816 4477 1036

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



arb.ca.gov/ma012524

The January 25, 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 January 25 Board Meeting.

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

Thursday, January 25, 2024 @ 9:00 a.m.

Discussion Items:

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

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.

24-1-1: Public Hearing to Consider Proposed 2023 Amendments to Area Designations for State Ambient Air Quality Standards

The Board will consider the proposed amendments to the regulations designating areas of California as attainment, nonattainment, nonattainment-transitional, or unclassified for pollutants for the State ambient air quality standards. Based on 2020 to 2022 air quality data, amended area designations are proposed for ozone, hydrogen sulfide, and fine particulate matter (PM2.5) air quality standards.

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

24-1-2: Public Meeting to Consider Electrify America's Proposed Cycle 4 Zero Emission Vehicle Investment Plan

The Board will hear a staff assessment of Electrify America's Cycle 4 Zero Emission Vehicle Investment Plan and decide whether to approve or disapprove it, in whole or in part.

- [More Information](#)
- [Staff Plan Analysis](#)
- [Item Summary](#)
- [Staff Presentation](#)
- [Guest Presentation - Electrify America](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

~~24-1-3: Public Hearing to Consider Proposed Amendments to On-Road Motorcycle Emission Standards and Test Procedures and Adoption of New On-Board Diagnostics and Zero-Emission Motorcycle Requirements~~

****This Board Item has been postponed and removed from the January 25, 2024, Agenda. More information can be found [here](#).****

24-1-3: Public Meeting to Hear a Report on the California Air Resources Board's Established and Expected Priorities for 2024

Executive Officer Dr. Steven Cliff will provide the Board with an overview of the priorities that the California Air Resources Board expects to undertake for 2024.

- [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:

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

Bobby Harris v. Nissan North America, Inc. United States District Court, Central District of California, Case No. 2:20 cv 06021 CJC GJS.

California Air Resources Board v. Best Energy Solutions & Technology Corp. Los Angeles County Superior Court, Case No. 22STCV32487.

California Air Resources Board v. Daimler AG and Mercedes-Benz USA, LLC. United States District Court, District of Columbia, Civil Action No. 1:20 cv 2565.

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

California Natural Gas Vehicle Coalition v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 20CECG02250; industry appeal California Court of Appeal, Fifth District, Case No. F084229.

California Trucking Association v. California Air Resources Board, et al. Fresno County Superior Court, Case No. 22CECG00919.

California Trucking Association v. California Air Resources Board et al., United States District Court for the Eastern District of California, Case No. 2:23-at-01044.

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

California Trucking Association v. South Coast Air Quality Mgmt. District United States District Court, Central District of California, Case No. 2:21 cv 6341.

Central California Environmental Justice Network, et al. v. Randolph, et al., United States District Court, Eastern District of California, Case No. 2:22 cv 01714 TLN CKD.

Competitive Enterprise Inst. v. NHTSA, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1145, and consolidated cases *State of California v. Wheeler, et al.*, No. 20-1167, and Nos. 20-1168, 20-1169, 20-1173, 20-1174, 20-1176, and 20-1177.

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 County, Case 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.

Federal Energy Regulatory Commission Order 719, Docket No. RM21-14-000.

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.*, United States District Court for the Central District of California, Case No. 2:17-cv-0-8733.

GreenPower Motor Company, Inc. v. California Air Resources Board, Sacramento County Superior Court, Case No. 23WM000083

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

People ex rel. California Air Resources Board v. Noil Energy Group, Inc. & Speedy Fuel, Inc. Los Angeles Superior Court Case Nos. 20STCV30142/20STCV30292.

People ex rel. California Air Resources Board v. Wholesale Harvest Supply, Inc. Mendocino County Superior Court, Case No. 22CV00491.

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

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.

State of California v. Andrew Wheeler et al., District of Columbia Circuit, Case No. 19-1239, consolidated under No. 19-1230 along with other cases.

State of California v. Andrew 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, 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 for the District of Columbia Circuit – Case No. 21-1034, consolidated with *California Communities Against Toxics et al. v. EPA*, Case No. 21-1024.

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 California, et al. v. United States Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1018.

State of California, et al. v. United States Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 23-1020.

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. 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 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-RBW.

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, United States Court of Appeals, District of Columbia Circuit, Case No. 16 1242.

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

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.

The Two Hundred for Homeownership, et al. v. California Air Resources Board, et al. United States District Court, Eastern District of California, Fresno, Case No. 1:22 cv 01474-ADA-BAM.

The Two Hundred, et al. v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 18CECG1494.

Western States Petroleum Association v. California Air Resources Board, et al., Superior Court of the State of California for the County of Fresno, Case No. 22CECG03603.

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

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

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

Western States Trucking Association, Inc., et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 23-1148.

W.O. Stinson & Son LTD. v. Western Climate Initiative, Inc. et al, Case No. CV 20 00083726 0000, Ontario Canada Superior Court.

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 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 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.