

REVISED 4/23/13

PUBLIC MEETING AGENDA

April 25, 2013

**Webcast
Board Book**

LOCATION:

Air Resources Board
Byron Sher Auditorium, Second Floor
1001 I Street
Sacramento, California 95814
<http://www.calepa.ca.gov/EPAblgdg/location.htm>

This facility is accessible by public transit. For transit information, call (916) 321-BUSS, website:

<http://www.sacrt.com>

(This facility is accessible to persons with disabilities.)

TO SUBMIT WRITTEN COMMENTS ON AN AGENDA ITEM IN ADVANCE OF THE MEETING GO TO: <http://www.arb.ca.gov/lispub/comm/bclist.php>

April 25, 2013

9:00 a.m.

(REVISED)

Spanish translation services will be provided for this meeting.

CONSENT CALENDAR:

The following item on the consent calendar will be voted on by the Board immediately after the start of the public meeting, unless removed from the consent calendar either upon a Board member's request or if someone in the audience wishes to speak on it. Attached are the Proposed Resolutions the Board will consider for consent items listed below.

Consent Item #

13-5-1: Public Meeting to Consider Approval of the Yuba City-Marysville PM2.5 Maintenance Plan and Redesignation Request

The Board will consider approval of the Feather River Air Quality Management District's 24-hour PM2.5 maintenance plan for the Yuba City-Marysville area, including a request that the U.S. Environmental Protection Agency designate the area as attainment. The plan demonstrates that the area has been in compliance with the standard since 2008 and will continue to maintain the standard in the future.

[More Information](#)

[Proposed Resolution](#)

13-5-2: Public Meeting to Consider Greenhouse Gas Quantification Determination for the Tahoe Metropolitan Planning Organization's Sustainable Communities Strategy

The Board will consider acceptance of the Tahoe Metropolitan Planning Organization's determination that with implementation of its 2012 Sustainable Communities Strategy the region's per capita greenhouse gas emissions reduction targets set by ARB for 2020 and 2035 would be met.

[More Information](#)

[Proposed Resolution](#)

13-5-3: Public Meeting to Consider Greenhouse Gas Quantification Determination for the Butte County Association of Government's Sustainable Communities Strategy

The Board will consider acceptance of the Butte County Association of Government's determination that with the implementation of its 2012 Sustainable Communities Strategy the region's per capita greenhouse gas emissions reduction targets set by ARB for 2020 and 2035 would be met.

[More Information](#)

[Proposed Resolution](#)

DISCUSSION ITEMS:

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

Agenda Item #**13-5-6: Update the Board on Refinery Emergency Preparedness**

Staff will update the Board on the air-monitoring efforts associated with the Chevron refinery incident. The update will highlight the air-monitoring efforts during the incident, the actions taken since the incident, and ARB's future plans to improve local and state-level preparedness.

[Staff Presentation](#)

13-5-4: Public Hearing on Greenhouse Gas Reduction Fund - Draft Investment Plan for Cap and Trade Auction Proceeds

Important: This Board item is expected to begin between 10:00 a.m. and 11:00 a.m. We expect a large number of commenters. To accommodate as many commenters as possible within the time the Board is available, we are providing this information. Each speaker may be limited to one to two minutes. If there are several members of your organization or several representatives from your coalition who will be attending, we urge you to designate a single speaker to deliver your consolidated oral comments.

The Board will conduct the public hearing required by AB 1532 (Perez, Stat. 2012, Chap. 807) on the Administration's draft three-year investment plan for Cap and Trade Auction Proceeds.

[More Information](#)

[Staff Presentation](#)

**13-5-5: Update the Board on Indoor Air Quality
(THIS ITEM HAS BEEN POSTPONED UNTIL THE JUNE BOARD MEETING.)**

Staff will discuss ARB's indoor air quality research activities and how the results have supported regulations and programs to improve air quality in homes and schools.

[More Information](#)

CLOSED SESSION

The Board will 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, and as authorized by Government Code section 11126(a):

POET, LLC, et al. v. Goldstene, et al., Superior Court of California (Fresno County), Case No. 09CECG04850; plaintiffs' appeal, California Court of Appeal, Fifth District No. F064045.

Rocky Mountain Farmers Union, et al. v. Goldstene, U.S. District Court (E.D. Cal. Fresno), Case No. 1:09-CV-02234-LJO-DLB; interlocutory appeal, U.S. Court of Appeal, Ninth Circuit Nos. 09-CV-02234 and 10-CV-00163.

American Fuels and Petrochemical Manufacturing Associations, et al. v. Goldstene, et al., U.S. District Court (E.D. Cal. Fresno) Case No. 1:10-CV-00163-AWI-GSA; interlocutory appeal, U.S. Court of Appeal, Ninth Circuit Nos. 09-CV-02234 and 10-CV-00163.

Association of Irrigated Residents, et al. v. U.S. E.P.A., 2011 WL 310357 (C.A.9), (Feb. 2, 2011). California Dump Truck Owners Association v. California Air Resources Board, U.S. District Court (E.D. Cal. Sacramento) Case No. 2:11-CV-00384-MCE-GGH; plaintiffs' appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 13-15175.

California Construction Trucking Association v. United States Environmental Protection Agency, U.S. Court of Appeals, Ninth Circuit, Case No. 13-70562.

Engine Manufacturers Association v. California Air Resources Board, Sacramento Superior Court, Case No. 34-2010-00082774.

Citizens Climate Lobby and Our Children's Earth Foundation v. California Air Resources Board, San Francisco Superior Court, Case No. CGC-12-519554.

California Chamber of Commerce et al. v. California Air Resources Board, Sacramento Superior Court, Case 34-2012-80001313.

Sierra Club, et al. v. Tahoe Regional Planning Agency, United States District Court, Eastern District (Sacramento) No.2:13-at-00133.

Delta Construction Company, et al., v. United States Environmental Protection Agency (United States District Court of Appeals, District of Columbia Circuit, Case No. 11-1428).

City of Los Angeles Through Department of Water and Power v. California Air Resources Board, et al., Superior Court of California, County of Los Angeles, Case No. BS140620.

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.

TO ELECTRONICALLY SUBMIT WRITTEN COMMENTS ON AN AGENDA ITEM IN ADVANCE OF THE MEETING GO TO:

<http://www.arb.ca.gov/lispub/comm/bclist.php>

(Note: not all items are available for electronic submittals of written comments.)

ONLINE SIGN-UP:

You can sign up online in advance to speak at the Board meeting when you submit an electronic Board item comment. Note: not all items are available for online sign-up. For more information go to:

<http://www.arb.ca.gov/board/online-signup.htm>

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CLERK OF THE BOARD:

1001 I Street, 23rd Floor, Sacramento, California 95814

(916) 322-5594

ARB Homepage: www.arb.ca.gov

SPECIAL ACCOMMODATION REQUEST

Special accommodation or language needs can 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 Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 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.

Comodidad especial o necesidad de otro idioma puede ser proveído para alguna de las 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 llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 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.