

State of California
AIR RESOURCES BOARD

Summary of Board Meeting
November 15, 2007

California Air Resources Board
Byron Sher Auditorium, Second Floor
1001 I Street
Sacramento, California

MEMBERS PRESENT: Mary Nichols, Chairman
Ms. Judy Case
Ms. Dorene D'Adamo
Supervisor Jerry Hill
Ms. Lydia Kennard
Mrs. Barbara Riordan
Supervisor Ron Roberts
Professor Daniel Sperling

Agenda Item #

07-11-1: Health Update: Environmental Justice, Air Pollution, and Health

SUMMARY OF AGENDA ITEM:

ARB staff provides the Board with regular updates on current research findings on the health effects of air pollution. In this health update, staff presented the findings of recent studies on the air pollution effects in environmental justice communities.

The presentation focused on recent studies that describe how poor and minority communities encounter disparities in exposure to air pollution. These studies examine the effects of particulate matter and other pollutants from stationary and mobile sources in environmental justice communities. The findings from one study suggest an association between air pollution and birth outcomes in Los Angeles County. The greatest effect was observed in low socioeconomic status neighborhoods. In another study, lower academic performance in Los Angeles schools could be associated with air pollution exposure. The results of these studies suggest that disparities in environmental exposures remain and that these disproportionate exposures may lead to adverse health outcomes. Staff highlighted recently completed and current research efforts

funded by ARB which investigate how air pollution affects residents of low-income and minority neighborhoods.

Board Member Riordan requested a copy of the birth outcomes study conducted in Los Angeles. Dr. Alvarado responded that he would send her a copy. Chairman Nichols commended staff on the environmental justice work and encouraged staff to make the Board aware of progress through periodic updates. Board Member Judy Case noted the new housing developments next to Highway 99. She suggested that staff communicate this research to cities through the League of Cities. Chairman Nichols noted that ARB's Land Use Handbook has guidance on school siting. Board Member Judy Case suggested that ARB reach out to elected school boards so that these policy makers can see the correlation between location of schools and the health of children. Board Member Barbara Riordan pointed out the need to continually disseminate the information in the Land Use Handbook because the turnover of elected officials. Deputy Executive Officer Lynn Terry noted that ARB conducted outreach to local government officials through California Air Pollution Control Officers Association (CAPCOA) when it was first adopted, and she thought it was time to do that again. Board Member Dorene D'Adamo suggested that ARB consider adding a climate change component to the Land Use Handbook and reach out to the planners' association.

ORAL TESTIMONY:

The Board heard oral testimonies from members of the public. Mr. Francisco Dacosta suggested that the Board should focus as much attention on the cumulative exposure to air pollutants as the Board does on particulates.

Mr. Christopher Mohamad asked the Board to consider the asbestos contamination at Bayview Hunters Point. Chairman Nichols assured the speakers that the Board is mindful of the cumulative exposure of air pollutants.

Mr. Ernest Jackson asked for help from the Board on contamination issues at Bayview Hunters Point. Supervisor Jerry Hill responded that asbestos levels are being monitored at Bayview Hunters Point, and construction will be halted if elevated levels are detected. Supervisor Jerry Hill assured the Board that the Bay Area Air Quality Management District is monitoring the situation closely. Chairman Nichols thanked the speakers.

FORMAL BOARD ACTION: None (Informational Item)

RESPONSIBLE DIVISION: Research Division

STAFF REPORT: No

07-10-6: Continuation: Proposed Regulation for Commercial Harbor Craft

SUMMARY OF AGENDA ITEM:

In September 2000, the California Air Resources Board (ARB) adopted a comprehensive Diesel Risk Reduction Plan (Plan), establishing a goal of reducing diesel PM emissions and the associated health risk by 85 percent in 2020. This proposed regulation for commercial harbor craft engines is a step toward achieving the goals of the Plan. In addition to the diesel PM reductions, the proposed regulation would reduce ozone precursor emissions and would improve the air quality in neighborhoods near California ports and waterways.

In April 2006, the ARB adopted the Goods Movement Emission Reduction Plan (GMERP). The GMERP established goals for controlling emissions from commercial harbor craft of 30 percent by 2015 and 40 percent by 2020. This proposed regulation for commercial harbor craft engines achieves these goals through the accelerated replacement of unregulated and Tier 1 engines.

Diesel PM and oxides of nitrogen (NOx) emissions from the operation of diesel engines on commercial harbor craft are approximately 3 tons per day (tpd) and 73 tpd, respectively. The recent ARB exposure study for the ports of Los Angeles and Long Beach showed commercial harbor craft to be the third largest source of diesel PM emissions contributing to the cancer risk from port activities.

The proposal was developed through workshops and focus meetings involving owners and operators of commercial harbor craft, industry associations, environmental organizations, and other parties interested in commercial harbor craft.

The proposed regulation requires in-use (existing) unregulated (Tier 0) and Tier 1 auxiliary and propulsion engines, on ferries, excursion vessels, tugboats, and towboats to be replaced with engines meeting United States Environmental Protection

Agency (U.S. EPA) Tier 2 or Tier 3 marine engine standards. The in-use engine compliance schedule is based on replacing the oldest, highest use engine first. The schedule for the South Coast Air Quality District (SCAQMD) is accelerated by two years.

All new harbor craft would be required to install the cleanest available engines. New ferries would have an additional requirement to install the best available control technology on propulsion engines to further reduce diesel PM and NOx emissions. Replacement engines for all in-use harbor craft would also be required to meet new engine standards current at the time of engine purchase. In addition, all commercial harbor craft vessels will be subject to monitoring (use of non-resettable hour meters), recordkeeping, and reporting provisions.

ORAL TESTIMONY:

None—At the October meeting, oral testimony was presented and the Board Chair closed the comment period.

FORMAL BOARD ACTION:

The Board unanimously adopted the proposed Resolution 07-47, approving the staff proposal with modifications:

- (1) Restrict the use of “engine’s model year +5” compliance year determination method to areas outside SCAQMD.
- (2) Require vessel operator’s subject to the engine compliance requirements to report how the vessel will comply by February 28 of the year compliance is required.
- (3) Accelerate the compliance date for ferry vessel engine model years (1996-1999) from 2015 and 2016 to 2014.
- (4) Provide phased compliance timeline for vessel owners with multiple vessels required to comply in 2009 or 2010, such that repowers are completed before 2013.

RESPONSIBLE DIVISION: Stationary Source Division

STAFF REPORT: Yes

07-11-4:

Public Meeting to Hear a Report on Staff's Review of Additional Local Emission Controls in the San Joaquin Valley

SUMMARY OF AGENDA ITEM:

Staff briefed the Board on efforts to speed air quality process in the San Joaquin Valley and the staff report entitled Accelerating San Joaquin Valley Air Quality Progress.

ARB staff summarized its recent evaluation of the San Joaquin Valley Air Pollution Control District's (District) nitrogen oxide rules and SIP commitments and staff's conclusion that those rules and commitments are on par with other air districts' rules, including those in the South Coast.

Staff reported that, taken together, the local emission reduction strategy adopted by the District in April and the strengthened State Strategy the Board adopted in September of 2007, would result in nearly 90 percent improvement in air quality over the next ten years, relative to compliance with the federal ozone standard.

The Board called for the following actions by ARB staff, the District, and San Joaquin Valley cities and counties aimed at reaching the federal ozone deadline by 2017.

- Continue to pursue the goal of attaining the federal 8-hour ozone standard by 2017.
- Request the San Joaquin Valley Air Pollution Control District to revisit cost effectiveness thresholds for technologies being considered for reducing ozone levels for new sources.
- Urge valley cities and counties to incorporate air quality considerations into their development projects.
- Work with other state agencies to help ensure that environmentally sustainable projects receive prioritization for state funds such as Congestion Mitigation Air Quality (CMAQ) dollars.
- Provide staff members to serve on the local air district task force that has been created to accelerate air quality improvements in the San Joaquin Valley.
- Staff to report back to the Board in six months on progress made to reach the 2017 deadline.

ORAL TESTIMONY:

Dr. David Lighthall
Bonnie Holmes-Gen, American Lung Association of California

Brent Newell, Center for Race, Poverty & the Environment
Tim Carmichael, Coalition for Clean Air
Nick Robinson
Daniela Simunovic, Center for Race, Poverty & the Environment
Carolina Simunovic, Fresno Metro Ministry
Ron Silva, Westar Transport
Katie Stevens, Office of Community and Economic Development,
California State University, Fresno
Alvin Valeriano
Sarah Sharpe, Coalition for Clean Air
Nidia Bautista, Coalition for Clean Air
Jim Ganduglia, California Trucking Association
Mark Keppler, The Maddy Institute, California State University, Fresno
Sean Edgar, Clean Fleets Coalition
Peter Weber, California Partnership for the San Joaquin Valley
Sarah Jackson, Earthjustice
Manuel Cunha, Jr., Nesei Farmers League
Paul Martin, Western United Dairymen
Seyed Sadredin, San Joaquin Valley Air Pollution Control District

FORMAL BOARD ACTION: None (Informational Item)

RESPONSIBLE DIVISION: Planning and Technical Support
Division

STAFF REPORT: Yes

**07-11-5: Public Hearing to Consider Approval of Modified
Transportation Conformity Budgets Contained in the 2007 Air
Quality Management Plan for Attaining the Federal 8-Hour
Ozone and PM2.5 Standards in the South Coast Air Basin and
the Coachella Valley**

SUMMARY OF AGENDA ITEM:

The Board considered and approved modified transportation conformity budgets for the South Coast Air Basin and Coachella Valley. Technical modifications to the conformity budgets were required because the budgets previously adopted by the South Coast District in June 2007 were based on a different mix of controls than the control strategies contained in the final plan approved by the Board in September 2007.

ORAL TESTIMONY: None

FORMAL BOARD ACTION: Approved resolution 07-50 by a unanimous vote.

RESPONSIBLE DIVISION: Planning and Technical Support Division

STAFF REPORT: Yes

07-11-6: Public Meeting to Consider the State Alternative Fuels Plan

SUMMARY OF AGENDA ITEM:

Staff presented the State Alternative Fuels Plan (Plan). The California Energy Commission (CEC) approved the Plan on October 31, 2007. The Plan is required by Assembly Bill 1007 (Pavley, 2005).

The Plan establishes alternative transportation fuel use goals for 2012, 2017, and 2022. The Plan recommends a combination of policies, regulations, and incentives to achieve the fuel use goals. The Plan also presents a “2050 Vision” that extends the Plan’s outcomes to 2030 and 2050, and lays a plausible foundation for building a potential multi-fuel transportation energy future scenario for California by 2050.

The Plan acknowledges that the Low Carbon Fuel Standard provides a durable framework for the production and increased use of alternative transportation fuels. The Plan concludes that the State needs a portfolio of alternative, low-carbon, fuels to meet the State’s multiple goals and policy objectives, including reducing petroleum dependence, reducing greenhouse gas emissions, promoting sustainable in-state production of biofuels, and improving air quality. The Plan encourages the use of alternative fuels that reduce emissions of greenhouse gas, criteria air pollutants, and toxic air pollutants.

The staff proposed several modifications to the Plan. The modifications emphasize that the Plan is designed to achieve further emission reductions in criteria pollutants, air toxics, and greenhouse gases. The modifications also clarify the role of hydrogen as an alternative fuel. CEC concurs with the proposed modifications, and is expected to approve them at its December 5, 2007, business meeting.

Nine individuals testified; five testified in support of the Plan and four were neutral. A representative from SCAQMD testified in

support of the Plan. Natural gas industry representatives expressed concern that the Plan underestimated the potential natural gas use in the light-duty vehicle sector. A representative of the United States Navy expressed concern regarding the long term compliance of biodiesel blends in California. Representatives of environmental groups supported the Plan, however, they expressed concerns regarding the sustainability and potential air quality impacts of alternative fuels. They also requested that the Board ensure that the funding provided by AB 118 is directed to alternative fuels that will get the best air quality improvements.

ORAL TESTIMONY:

Paul Wuebben, SCAQMD
Bill Magavern, Sierra Club of California
Todd Campbell, Clean Energy
Mike Eaves, California Natural Gas Vehicle Coalition
Mark Sweeney, NGVAmerica
Randal Friedman, United States Navy
Marc Geller, Plug in America
Tim Carmichael, Coalition for Clean Air
Bonnie Holmes Gen, American Lung Association

FORMAL BOARD ACTION:

The Board unanimously approved Resolution 07-51, approving the State Alternative Fuels Plan with staff's proposed modifications. The Board directed staff to submit the modifications to the Energy Commission for their consideration at the next appropriate business meeting.

RESPONSIBLE DIVISION: Stationary Source Division

STAFF REPORT: No (Energy Commission Report)