



Mary Nichols
Chair, California Air Resources Board
1001 I Street
Sacramento, CA 95814

July 14, 2017

RE: Volkswagen Settlement - Supplement to the California ZEV Investment Plan

Dear Chair Nichols and Board Members,

Thank you for the opportunity to comment on the Supplement to the California ZEV Investment Plan. The undersigned organizations work alongside and support the most impacted communities to advocate for sound policy and eradicate injustice to secure equal access to opportunity regardless of wealth, race, income and place. We work with community leaders throughout the San Joaquin Valley and Eastern Coachella Valley to ensure meaningful investment in the communities most in need.

Electrify America's Supplement demonstrates first steps in facilitating a transition towards transportation electrification and improvement in air quality. Leadership Counsel's comments aim to assist Electrify America in improving the accessibility of clean energy vehicles and infrastructure in disadvantaged communities by ensuring that resources available are invested in regions most burdened by, and vulnerable to, high levels of pollution.

First, we thank Electrify America for reviewing and addressing many of the submitted recommendations made by various environmental justice organizations for the Cycle 1 CA ZEV Investment Plan. **Leadership Counsel and the undersigned organizations conceptually support Electrify America's intent to build a sustainable ZEV charging infrastructure however, we would like to highlight opportunities for improvement during the approval and implementation of cycle 1 and cycles thereafter.** We appreciate Electrify America's decision to include the Fresno metro area as a new target for community charging investment and strongly support Electrify America's decision to develop meaningful educational and outreach programs throughout California that will help overcome significant barriers to ZEV use in low-income and disadvantaged communities. To reach this end and to maximize the Cycle 1 Investment Plan's potential we insist upon ongoing collaboration with local community-based organizations to ensure strong community engagement at all applicable phases in project development and implementation. Finally, we insist upon revisions or at minimum a commitment to publicly share data after site selection has begun to prove a firm and detailed commitment to serving the disadvantaged communities of California and restoring public confidence in Electrify America and its Volkswagen subsidiary.

Ensure Consistency with CARB SB 350 Barriers Study

To maximize the effectiveness of each planned project and to ensure that each region's specific needs are addressed, we insist Electrify America's Investment Plan incorporate recommendations within CARB's SB 350 Barrier Study. Electrify America already notes the current study as a source of guidance: "CARB's recent report, *Overcoming Barriers to Clean Transportation Access for Low-Income Residents*, recommends 'funding to expand clean transportation and mobility options education and outreach efforts in low-income and disadvantaged communities to increase awareness.'" (Supplement, 17) As such, we insist the barrier study, upon completion will provide applicable best practices and viable solutions to overcoming barriers to access of clean transportation for low-income residents for all proposed sites for investment. In particular for rural communities in the San Joaquin Valley, *Appendix B: Case Studies and Literature Reviews* of the SB 350 Barriers Study provides case studies and recommendations for meaningfully overcoming barriers in the rural communities of Huron, McFarland, Tipton, and Woodville.

Furthermore, we insist Electrify America collaborates effectively with all MPOs to provide synergy between EA's ZEV investments and county-level Regional Transportation Plans and Sustainable Communities Strategies required by SB 375. This collaboration with MPOs is also one component of the larger goal of Community Engagement found within the SB 350 Barriers Study stated in Recommendation 3.d - "Broadly engage community-based organizations and affordable housing groups and provide them with resources to share clean transportation outreach and educational materials with low-income residents." (Barriers, pg 53). Doing so will facilitate trust-building and provide Electrify America with valuable on-the-ground knowledge that would otherwise be out of reach. Information provided by local organizations and agencies has fundamentally altered Electrify America's investment plan by adding the Fresno Metro area. The Supplement states, "New data included in the San Joaquin Valley Electric Vehicle Partnership's letter to CARB shows growth in ZEV deployment within the Central Valley, suggesting that the Fresno area may be a more rapidly emerging ZEV market than previous analysis has shown." (Supplement, pg 17) As such, we implore the incorporation of local groups and residents to provide greater insight into plan development and implementation for future sustainability

Rural and Disadvantaged Community Set-Aside

We find an issue of concern within the Supplement to the CA ZEV Investment Plan, regarding Electrify America's vague explanation for its plan for ZEV Investments. Such vague language includes "Electrify America *anticipates (but does not guarantee)* that more than 35 percent of the ZEV investments proposed in the Cycle 1 CA ZEV Investment Plan will be in census tracts that CARB specified as low-income or disadvantaged in April 2017. Electrify America *anticipates* that significant investment in these low-income and disadvantaged communities will occur across all four main investments categories, which include the High-Speed Highway Charging Network, Community Charging, the Green City Initiative, and Education and awareness programs." (Supplement, pg 15-16)

Furthermore, out of the unnamed 350 out of 1,500 census tracts stated as sites for projects there are no specifics about which of the initial 350 will be allocated in rural and/or

disadvantaged areas. To illustrate a commitment to serving the San Joaquin Valley and California's disadvantaged communities we insist that Electrify America provides a upon a list and map of prioritized census tracts prior to CARB approval as well as the methodology for their selection. We believe this request falls well within Section 3.3.2.5 of Appendix C in the Consent Decree "For infrastructure, an estimation of the following, to the extent possible: the geographic regions and type(s) of any infrastructure that the settling defendants will construct" (Appendix C, pg 17). Further vagueness is affirmed as the Supplement states that site selection is "on hold pending approval of the Cycle 1 CA ZEV Investment Plan, so Electrify America does not know which prioritized census tracts will host stations at this time.." (Supplement, pg 13) We at Leadership Counsel insist upon stronger language committing to *at least* a 35% investment in disadvantaged and underserved areas. Without a firm commitment and minimal detail, we can only assume that inadequate planning has been conducted in service of meaningfully fulfilling Electrify America's goal to increase ZEV access.

On Electrify America's Investment

While we support Electrify America's decision to integrate Fresno as the sixth metro area for community charging investment, we do not believe that urban areas should be the sole focus for investment. As currently drafted, we believe that the investment plan and the supplement do not accurately address the needs of all disadvantaged communities and neglects the regions that are most vulnerable to climate impact and pollution impacts. This inevitably disadvantages DACs and perpetuates disinvestment for many communities in the San Joaquin and East Coachella valley. We believe the focus of the investment plan should also include infrastructure investment in these two regions of the state and in disadvantaged and often rural communities.

The San Joaquin Valley is the most rural region in California and as such will require diverse types of investment than other regions. This means that models designed for other regions of the state will not entirely fit for the San Joaquin Valley needs and barriers. Rural census tracts often cover much land and are populated with scattered communities. As such, we insist that Electrify America's investment plan place charging stations *within* the communities. It should be at the nearest public location due to right of way issues.

Regarding the High-speed Highway Network, the Supplement states, "the full highway network will be to the benefit of ZEV drivers who live in disadvantaged or low-income communities. In addition, our initial analysis shows that more than 50 percent of these stations will be in a census tract that CARB designated in 2017 as disadvantaged or low-income [CARB]" (Supplement, Pg 10). This is too vague, please provide a map or the initial target sites. We would like to point out that placing projects within census tracts is not the same as placing them within communities. As such while Interstate 5 and Highway 99 are identified as prioritized sites, we encourage Electrify America to consider other highly-utilized highway corridors near rural communities in the Fresno Metro Area including but not limited to Highways 41 and 43 or State routes 269, 180 and 33. These are mainly 2 lane conventional highways in many rural unincorporated communities.

The supplement to the California ZEV Investment Plan states that Electrify America commits to helping California reach 1.5 million ZEVs on the road by 2025 while at the same

time helping reduce smog and greenhouse emissions that endanger the health and welfare of California. As such commitment, Electrify America should acknowledge and prioritize rural communities that have great potential for community charging investment and who are amongst the top-ranking counties for air pollution. For example, the Fresno County Rural Transit Agency (FCRTA) has completed the valley's first solar electric vehicle charging station project. The project includes a total of 13 solar electric vehicle level 2 Dual Port charging stations throughout Fresno County's rural, disadvantaged communities (see Figure 1).

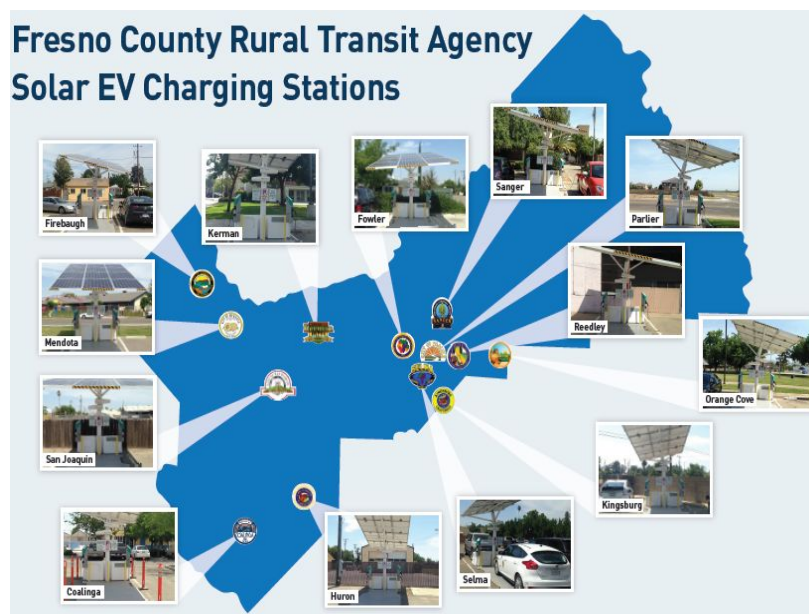


Figure 1: (Map of Electric Vehicle Autonomous Renewable Chargers throughout Fresno County, Fresno County Rural Transit Agency)

FCRTA's rural solar charging project has elevated the valley as a national leader in clean transportation planning and has resulted in higher rates of utilization of electric vehicles in all rural communities in the county, including Selma, Kingsburg, and Fowler. Currently, Fresno County is the only county in the nation to have ZEV infrastructure in all of its rural cities. Not only has this project resulted in substantial investment in and benefit to underserved, low-income, and disadvantaged communities, it has also developed an institutional framework for improving air quality in these communities. For example, Fresno County Rural Transit Agency installed a solar charging station in the community of Selma. Due to the success of this solar electric charging station, two hybrid vehicles were awarded to the city of Selma. Large-scale deployment of ZEV infrastructure projects in Fresno County proves that rural communities are feasible markets for transportation electrification and will help establish the framework for future investment in rural, unincorporated, disadvantaged communities populated by many older and used cars. We recommend that specific language is added to the Supplement and ongoing collaboration with community organizations and local agencies to develop successful applications for rural investments for all Cycles. This language will ensure a smart and equitable investment that will help generate enormous benefits for all and expand the existing network of new technology for rural communities.

Opportunities for Investment in rural communities in future cycles

Additional funding opportunities for clean energy vehicles and additional solar charging stations are being considered by local transit agencies and should be considered by Electrify America. A study conducted by UC Davis' National Center for Sustainable Transportation found that while conventional fixed-route, fixed bus schedule, and rail services are highly efficient in dense corridors, they are not as effective in rural communities where many are unable to afford a car and do not have a reliable transit system.¹ As part of this study, the eight Metropolitan Organizations (MPOs) in the San Joaquin Valley and the National Center for Sustainable Transportation evaluated the potential for pilot programs including car sharing to help improve mobility of residents in low-income communities. The study found that cost comparison between fixed-route transit and car sharing was almost three times higher for passengers in communities like Planada, Lamont, Arvin, Pixley, and other areas in Tulare. Additionally, research conducted by the UC Berkeley has shown that car sharing programs featuring plug-in hybrid and electric vehicles meaningfully increase access and exposure within communities who otherwise cannot afford clean energy vehicles.²

Investments and alternative transit options coupled with targeted outreach and educational programs planned in the Supplement will help build a viable ZEV base that will allow residents to have access and exposure to clean energy vehicles. The *Opportunity for Shared-Use Mobility Services for Rural Disadvantaged Communities in the San Joaquin Valley* study serves as an opportunity to begin creating a framework for car sharing services that serve rural, low-income, disadvantaged communities throughout the San Joaquin Valley. Based on these findings, we recommend that this study is considered to provide a model for Electrify America's investment in rural communities in Fresno metro area and California. Additionally, for disadvantaged communities, we insist upon solar charging stations since many incorporated and unincorporated communities do not have the grid infrastructure and to secure access and usage of the infrastructure we also insist the stations are either free or low-cost.

Green City Selection Methodology update for future cycles

Electrify America analyzed various metro areas in order to determine the location of the Green City Investments for cycle 1. Green City initiatives were selected through a methodology process that scored different criterias such as city size, mobility fit, and potential for impacts. This methodology, according to Electrify America would ensure that Green City initiatives were developed in areas where ZEV market was sizeable, in high demand, and capable of filling the gap of supply that in the long run would increase supply of such vehicles. A total of 177 cities were reviewed under the Green City Selection Methodology process and six were selected for implementation in cycle 1. We thank Electrify America for analyzing and incorporating information provided by environmental justice organization that resulted in the inclusion of Fresno as the sixth Metro Area. We recommend that for future cycles a similar process is

¹ Rodier, C. J., & Podolsky, L. (2017). *Opportunities for Shared-Use Mobility Services For Rural Disadvantaged Communities in the San Joaquin Valley*. National Center for Sustainable Transportation, UC Davis

² Shaheen, S., Elliot, M., & Apara, B. (2015). *Zero and Low-emission Vehicles in the U.S. Carsharing Fleets: Impacts of Exposure on Member Perceptions*. Transportation Sustainability Research Center, University of California Berkeley,

conducted to identify communities in the San Joaquin and Coachella Valley who are actively planning for clean energy technology. The Green City selection methodology should incorporate information from local grassroots organizations, local transit agencies, and air quality data to address the barriers to ZEV accessibility and use in rural, low-income communities.

Furthermore, the criteria used to identify potential for impacts should be weighted higher, especially for disadvantaged communities who have higher levels of pollution. For example, the city of Bakersfield was part of the short list of California cities that was scored across all sub-criterias and failed to score high enough to be selected as a green city initiative. According to the 2016 American Lung Association State of the Air report, Bakersfield is the most polluted county in the nation for both short-term and year-round particle emissions, and the second most ozone polluted county. Electric vehicles are an essential part of a clean energy future that will help the state reach its 2030 climate goals. For this reason, we need to begin targeting areas, like Bakersfield that are most impacted by air pollution.

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Thank you for your consideration of these comments. Should you have any questions, please contact Abigail Ramirez or Pedro Hernández at (559) 369-2790.

Sincerely,

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