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# Assembly California Legislature



**CRISTINA GARCIA**  
ASSEMBLYMEMBER, FIFTY-EIGHTH DISTRICT  
CHAIR: LEGISLATIVE WOMEN'S CAUCUS

COMMITTEES  
CHAIR: NATURAL RESOURCES  
BUDGET  
ENVIRONMENTAL SAFETY AND TOXIC  
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JUDICIARY  
UTILITIES AND ENERGY  
SUBCOMMITTEE NO. 3 ON RESOURCES  
AND TRANSPORTATION  
ASSEMBLY LEGISLATIVE ETHICS

February 1, 2018

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

## **RE: Comments on a Beneficiary Mitigation Plan for California's \$423 million allocation of the Volkswagen Environmental Mitigation Trust**

Dear Chair Nichols:

As you know, the Volkswagen (VW) Environmental Mitigation Trust provides about \$423 million for California to mitigate the excess nitrogen oxide (NOx) emissions caused by VW's use of illegal defeat devices in almost a hundred thousand vehicles in California. These excess emissions are a detriment to the state's air quality and public health. The Trust is a component of partial settlements with VW and is enumerated in the first of two Partial Consent Decrees as Appendix D. The Trust provides funding opportunities for specified eligible actions that are focused mostly on "scrap and replace" projects for the heavy-duty sector, including on-road freight trucks, transit and shuttle buses, school buses, forklifts and port cargo handling equipment, commercial marine vessels, and freight switcher locomotives. As members of the Legislature, we want to ensure these mitigation funds provide the greatest benefit possible to the people of California, including communities that are heavily impacted by air pollution. We would especially like to highlight co-benefits that can be provided to California's children.

As the lead agency designated by the Governor, the Air Resources Board (ARB) will play a vital role in allocating these mitigation funds. Senate Bill 92 (Committee on Budget and Fiscal Review), Chapter 26, Statutes of 2017, directs ARB to strive to ensure that at least 35 percent of California's allocation benefit low-income or disadvantaged communities that are disproportionately impacted by air pollution. We encourage the direction to be viewed as a floor not a ceiling. We strongly support the ARB's direction to significantly invest in the replacing older school buses. There are still a significant number of school buses made prior to 1994 in use at California schools. These buses emit the air pollution equivalent of 30 cars and pose a significant health risk to the students riding the bus.

We also strongly support other projects that benefit children and reduce NOx emissions, such as rebates for low or zero emission shuttle buses and vans for child care providers. These rebates will help expand opportunities to safely transport children while reducing emissions. Many families rely on transportation for their children to and from their childcare providers to keep their children safe and maintain employment. In our districts non-profits, such as the YMCA, provide a significant amount of the child care and would greatly benefit from rebates to purchase low or zero emission shuttle buses or vans to transport the children they serve.

Finally, California has various efforts to provide new and expanded outdoor experiences to disadvantaged youth. Transportation is a significant barrier to increasing these experiences. In addition, the transportation currently provided to disadvantaged youth is often older school or charter buses that produce significant amounts air pollution. We encourage ARB to look for innovative ways to pilot low or zero emission transportation options that can be used for outdoor experiences to benefit disadvantaged youth.

We look forward to continuing this dialogue and believe attention to the priorities above will help ARB direct the mitigation funds in a way that both maximizes air quality benefits and provides significant co-benefits to California's children. If you have any questions, please contact Michael Jarred, Senior Consultant, at (916) 319-2092.

Sincerely,



CRISTINA GARCIA  
Assemblymember, 58<sup>th</sup> District

