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# California State Senate

SENATOR  
**TONI G. ATKINS**

THIRTY-NINTH SENATE DISTRICT

COMMITTEES  
HEALTH  
LABOR & INDUSTRIAL RELATIONS  
NATURAL RESOURCES & WATER  
RULES  
TRANSPORTATION & HOUSING



July 25, 2017

Mary Nichols, Chairwoman  
California Air Resources Board  
P.O. Box 2815  
Sacramento, California 95812

Dear Chairwoman Nichols and Members of the Air Resources Board,

I applaud the California Air Resources Board's actions to make Volkswagen (VW) accountable for its fraudulent activities and ensuring that appropriate fines, penalties and other funding will implement the first \$200 million allocated through the VW/Electrify America California ZEV Investment Plan Cycle One Supplement.

The ZEV Investment Plan Cycle One Supplement lacks specific details on exactly how 35 percent of its funding will go to disadvantaged, low income underserved and disproportionately impacted communities, which makes it inconsistent with SB 92, passed by the Legislature in June 2017 and signed by the Governor. SB 92 assures that a transparent process will be utilized in allocating the funds.

SB 92 also requires that VW provide periodic progress reports to CARB on the plan's implementation and that CARB shall approve each investment plan at a public hearing.

The proposed plan is scheduled to be discussed at CARB's July 27, 2017 meeting. In order to align implementation of the Plan with the intent of SB 92, I ask that CARB approve the Plan with the following conditions:

- That VW provide quarterly reports on its progress to be posted publicly including on the CARB website with a copy distributed to members of the California Legislature. The report is to include details of investments made including which census tract(s) are being served and the CalEnviroScreen score for each census tract benefiting from an allocation.
- That CARB establish a stakeholder group that includes environmental justice and community organizations, automakers, utilities, and EV charging companies to review VW's quarterly reports and progress towards its commitment of installing charging stations in disadvantaged low income, underserved and disproportionately impacted communities.

Warmly,

A handwritten signature in black ink that reads "Toni G. Atkins".

TONI G. ATKINS  
Senator, 39<sup>th</sup> District