

California Legislature

December 6, 2018

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

RE: Joint Legislative Rural Caucus Comments on Electrify America's proposed Cycle 2 ZEV Investment Plan – ARB should Require \$26 million for Rural Charging Stations.

Dear Chairwoman Nichols:

We, the undersigned Members, whose districts contain significant rural populations, are writing to bring to your attention our serious concerns regarding the proposed VW/Electrify America Cycle 2 ZEV Investment Plan, and in particular, the inadequate funding for rural EV charging. As currently drafted, Volkswagen's plan leaves California's rural communities behind.

That's why we strongly urge the California Air Resources Board (CARB) require VW to modify its Cycle 2 plan to provide \$26 million for rural charging stations.

As we know, Volkswagen deceived California consumers and violated state environmental and consumer protection laws with illegal "defeat device" software installed in diesel vehicles to cheat on emissions tests. These vehicles spewed up to 40 times the legally allowed amount of nitrogen oxide into California's air. The software enabled the cars to sense when they were being tested and emit far less pollution at that time. The settlement you negotiated provides \$800 million to promote zero-emissions vehicles through activities such as research or infrastructure development.

This settlement was designed not only as a penalty for VW's wrongdoing, but also to mitigate the pollution caused by this fraud statewide. We further understand the Air Resources Board has the authority to, in whole or in part, approve or disapprove VW's proposed plans.

California's rural population accounts for 13% of the state's total population. Yet, in VW's Cycle 2 ZEV Investment Plan, of the approximately \$200 million proposed in Cycle 2, only \$2 million, or 1%, is proposed for 35 – 50 rural charging stations. This is simply inadequate and

short-changes the state's rural communities, many of which suffer from the worst air quality problems in the state.

As the Air Resources Board concluded in its own Final Guidance Document titled, "Low-Income Barriers Study, Part B: Overcoming Barriers to Clean Transportation Access for Low-Income Residents" dated February 21, 2018, "More transportation electrification infrastructure is needed in rural areas." It further stated, "As California moves to an increasingly electrified transit grid, rural areas stand to become further isolated if charging infrastructure sites are primarily based in high traffic locations."

We, therefore, urge the Air Resources Board to reject VW's plan unless and until it is modified to provide rural communities their fair share of the ZEV Investment funds. Rather than a meager \$2 million, the VW Cycle 2 Plan should provide \$26 million for rural EV charging.

Thank you for considering our views. Please let us know how you intend to proceed.

Sincerely,

Frank Bigelow

Cecilia Aquino Amy AD4

Jim DW/AD2

Roy Soto

Cathleen Galgiani

Jay Chiles AD33

Scott Wille SD 21

[Signature]

Jeff Stead SD 28

Mike Howell

Thomas Lachy AD36

D. Matt #26

cc: **Members, California Air Resource Board**
Governor Edmund G. Brown, Jr.
Governor-Elect Gavin Newsom
Senate President pro Tempore Toni Atkins
Senate Republican Leader Pat Bates
Assembly Speaker Anthony Rendon
Assembly Republican Leader Marie Waldron
Alice Reynolds, Office of the Governor

Frank Bigelow - AD 5
Jim Wood – AD 2
Cathleen Galgiani – SD 5
Scott Wilk – SD 21
Jeff Stone – SD 28
Tom Lackey – AD 36

Cecilia Aguiar-Curry – AD 4
Rudy Salas – AD 32
Jay Obernolte – AD 33
Jim Patterson – AD 23
Mike Morrell – SD 23
Devon Mathis – AD 26