



March 27, 2008

Mary Nichols, Chair, and Board Members  
James Goldstene, Executive Officer  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

RE: CARB Zero Emission Vehicle Regulatory Revision

Dear Ms. Nichols, Mr. Goldstene and Board Members:

On behalf of the 200,000 members of Sierra Club California, I am writing to ask you to make aggressive revisions to strengthen the Zero Emission Vehicle (ZEV) Program at the March 27, 2008 meeting of the board.

The CARB Staff Report: Initial Statement of Reasons for the 2008 Proposed Amendments to the ZEV Program will not produce enough progress in reducing criteria pollutants and greenhouse gases. There's no time to wait. Global warming is destroying the planet. Air pollution sickens and kills thousands of people each year.

While we encourage you to embark on a path of consolidating all the vehicle regulations overseen by CARB (ZEV Program, Pavley regulations, LEV III, Low Carbon Fuel Standard, etc.), this must not be used as an excuse to avoid making a strong statement on March 27 telling the automakers that the number of ZEVs required will never decrease, but will only increase from the current requirements of 25,000 in 2012-2014 and 50,000 in 2015-2017.

Six key points summarize what we are asking of you:

**1) Be transparent.** We ask you to mandate full and public disclosure from car companies on how and when they meet ZEV regulations, including credit trading. The Public Records Act requires no less.

**2) Make meaningful progress.** Some of you have asked for justification for our request that you require higher numbers of ZEVs. CARB staff provided me with data showing that compared with today, the staff Proposal by 2017 would eliminate only one fifth of the smog-forming emissions from tailpipes that doom thousands of people to lung disease and death. We can and should do better.

In addition, the Proposal would eliminate an average of only 291,000 tons/year of greenhouse gases through 2017 compared with today. California needs more than 200 times that amount of progress to meet its 2020 goals for greenhouse gas reductions from vehicle emissions.

We ask that you require automakers to offer 100,000 ZEVs for sale in phase III (2012-2014) to get us moving in the right direction. This is four times more than the current 25,000-ZEV requirement, but it still is less than 2% of annual vehicle sales and amounts to fewer than 6,000 ZEVs/year from each of the six largest car companies. They can do it.

The numbers of ZEVs proposed by staff constitute backsliding, not progress. The minimum of 2,500 ZEVs for 2012-2014 proposed by staff is less than 1% of what the original ZEV Program would have required.

**3) Hold the line on ZEVs.** Do not allow 90% of ZEV requirements in 2012-2014 to be met by non-ZEVs, as proposed by CARB staff. Allowing plug-in hybrids to replace some ZEVs puts these two needed technologies in competition with each other. It would be better to create a new requirement for plug-in hybrids that does not decrease the number of ZEVs.

If you insist on allowing “silver+” vehicles to meet part of the ZEV requirement, limit the “backfilling” to 50% of a 100,000-ZEV requirement for 2012-2014, so that at least 50,000 ZEVs reach the market. Silver+ vehicles should be limited to plug-in hybrids (and not hydrogen internal combustion engine vehicles, which have no zero-emission capability) that have at least enough zero-emission miles to cover the average commute to and from work (around 30 miles).

**4) Be technologically neutral.** The Board’s expressed desire in 2007 for more even treatment of battery electric vehicles should be realized by a 1:1 ratio for Type II and Type III ZEV requirements in the Alternative Path after 2008. Any ratio that provides hydrogen fuel-cell vehicles greater credits than battery electric vehicles unnecessarily delays mass introduction of ZEVs.

**5) Emphasize ZEVs, not research.** It’s time to return the ZEV Program to its original purpose and get ZEVs into consumers’ hands a.s.a.p., not 13 or more years from now. Progress in battery technology has zoomed ahead of the conclusions of CARB’s Expert Panel Report – a report that CARB members including Daniel Sperling acknowledge is outdated but which CARB staff repeatedly relies on to conclude mistakenly that batteries are still too expensive. Battery electric vehicles that were produced under the ZEV Program

before 2003 and that are still on the road prove that the technology is ready, and has been ready for some time.

**6) Include efficiency in the criteria.** CARB should incentivize ZEVs based on their overall energy efficiencies on a well-to-wheels basis, and not consider vehicles alone, divorced from energy production. Incorporating overall efficiency into considerations today will prepare us for the time when both vehicles and some energy sources will be zero-emission, and ZEV choices will be based on efficiency and economics.

Lastly, we ask that you eliminate the counter-productive Travel Provision that denies other states of the Union the chance to get their own ZEVs. The Travel Provision delays and may possibly prevent the mass commercialization needed for economies of scale for ZEVs.

Time is of the essence. Climate experts report that we have less than a decade to make drastic changes in the way our society operates if we're to start decreasing greenhouse gas emissions enough to avoid great harm to our descendants. It is not acceptable to make the ZEV Program so lenient that four-fifths of the amount smog-forming emissions produced by today's cars will still be allowed in 2017, especially when the technology for ZEV commercialization is ready.

Please reject the staff proposal on March 27, and send a clear and unequivocal message to automakers that the 25,000 ZEVs required in 2012-2014 under the current program is the minimum, and set in motion the steps need to strengthen the ZEV Program as outlined above.

Thank you all for your abundant efforts in the Zero Emission Vehicle Program.

Sincerely,

Sherry Boschert  
Member, CNRCC Climate-Energy Committee  
Sierra Club California