

Notice of Exemption

- Project Title:** California Greenhouse Gas Emissions Standards for Medium- and Heavy-Duty Engines and Vehicles, and Proposed Amendments to the Tractor-Trailer Greenhouse Gas Regulation
- Project Location:** Statewide
- Public Meeting Date:** September 27, 2018; Agenda Item #18-7-2
- Project Description:** The California Phase 2 GHG emission standards harmonize with federal Phase 2 standards that were adopted by the United States Environmental Protection Agency (U.S. EPA) and the United States Department of Transportation's National Highway Traffic Safety Administration on October 25, 2016. The Phase 2 standards also include minor California differences from the federal Phase 2 program that are necessary to facilitate enforcement, align with existing California programs, and provide incentives to bring advanced technologies to market. Finally, the Phase 2 standards include restrictions on the production of high-emitting glider vehicles that the U.S. EPA has recently proposed to repeal, but which CARB staff thinks are crucial for protecting public health and preventing the circumvention of emission standards.

This notice is to advise that the California Air Resources Board (CARB or Board), as the lead agency, approved the above action on September 27, 2018.

CARB has determined that this regulation is exempt from CEQA under the general rule or "common sense" exemption (14 CCR 15061(b)(3)). The CEQA Guidelines provide that a project is exempt from CEQA if "the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA". This activity is also categorically exempt from CEQA under the "Class 8" exemption (14 CCR 15308) because it is an action taken by a regulatory agency for the protection of the environment. Based on CARB's review it can be seen with certainty that there is no possibility that the regulation would result in a significant adverse impact on the environment. Further, the action is designed to protect the environment and CARB found no substantial evidence indicating the proposal could adversely affect air quality or any other environmental resource area, or that any of the exceptions to the exemption apply (14 CCR 15300.2). Therefore, this activity is exempt from CEQA. A brief explanation of the basis for reaching this conclusion is included in Chapter V of the Staff Report.

Staff prepared written responses to comments received during the 15-day comment period that raised environmental issues pertaining to this item. The written responses to these environmental comments are included in the Responses to Comments on the Environmental Analysis for proposed California GHG Emissions Standards for Medium- and Heavy-Duty Engines and Vehicles (Phase 2) and Proposed Amendments to the Tractor-Trailer GHG Regulation. Before taking final action, the Board considered and approved written responses to these comments as required by CARB's certified regulations. (Cal. Code Regs., tit. 17. § 60007(a).)

The Staff Report and all other related documents are available for public inspection on the CARB webpage at: <https://ww2.arb.ca.gov/rulemaking/2018/phase-2-and-tractor-trailer-amendments-regulation>

These documents may also be examined at:

California Air Resources Board
Attn: Board Administration and Regulatory Coordination Unit
1001 I Street
Sacramento, CA 95814

Certified:


CARB CEQA Unit

Date:

12/21/2018