

State of California
AIR RESOURCES BOARD

Executive Order R-20-004

Relating to the Advanced Clean Trucks Regulation

WHEREAS, on December 12, 2019, the California Air Resources Board (CARB or Board) conducted a public hearing on the proposed Advanced Clean Trucks regulation, as set forth in the Initial Statement of Reasons (ISOR) and appendices A through J, which includes the Draft Environmental Analysis (EA), which were released on October 22, 2019, and open for a 45-day public comment period through December 9, 2019;

WHEREAS, following the public hearing staff considered comments submitted during the public review period and hearing, and whether to make any additional appropriate conforming modifications available for public comment for at least 15 days, pursuant to Government Code section 11346.8;

WHEREAS, modified regulatory language and supporting documentation were circulated for a 30-day public comment period, as set forth in the Notice of public Availability of Documents and Information and attachments A through D, with the changes to the originally proposed text clearly indicated in attachment A, according to provisions of California Code of Regulations, title 1, section 44 and Government Code section 11340.85, from April 28, 2020, through May 28, 2020.

WHEREAS, on June 25, 2020, the Board conducted a public hearing to consider the proposed Advanced Clean Trucks Regulation, as set forth in Attachment A to the Notice of Public Availability of Modified text and Availability of Additional Documents and Information released on April 28, 2020;

WHEREAS, pursuant to CARB's certified regulatory program regulations at California Code of Regulations, title 17, sections 60000-60008, certified by the Secretary of the California Natural Resources Agency pursuant to Public Resources Code section 21080.5,, the Executive Officer presented the Final EA, along with the Response to EA Comments, for consideration for approval, and the finalized regulation for consideration for adoption to the Board;

WHEREAS, following the public hearing, the Board adopted Resolution 20-19 in which the Board approved for adoption section 1963,1963.1, 1963.2, 1963.3, 1963.4, 1963.5, 2012, 2012.1, and 2012.2, title 13 California Code of Regulations;

WHEREAS, in Resolution 20-19, the Board certified the Final EA as being completed in compliance with CARB's certified regulatory program to meet the requirements of CEQA, approved the response to EA comments, and in consideration of the Final EA, the Response

to EA Comments, and the entirety of the record, the Board adopted the Findings and Statement of Overriding Considerations, set forth in Attachment A to that resolution;

WHEREAS, in Resolution 20-19, the Board directed the Executive Officer to make any additional sufficiently related modifications deemed appropriate available for public comment, with any additional supporting documents and information, for a period of at least 15 days;

WHEREAS, additional documentation was added to the record and circulated for a 15-day public comment period, as set forth in the Second Notice of Public Availability of Documents and Information, in accordance with Government Code Sections 11346.9(a)(1) and 11347.1, from October 5, 2020, through October 20, 2020.

WHEREAS, a number of written comments were received during the 15-day comment period in response to the Second Notice of Public Availability of Documents and Information, and those comments were considered by the Executive Officer; and

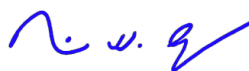
WHEREAS, based on substantial evidence in the record there is no possibility that the additional documentation added to the record via the Second Notice of Public Availability of Documents and Information could affect the conclusions of the Final EA certified by the Board because such documentation does not alter the project or any findings associated with the Final EA, so no additional environmental analysis was required prior to approval of including the additional documents into the record and no additional comments raising significant environmental issues were received during the 15-day public comment period.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 20-19 are incorporated herein.

IT IS FURTHER ORDERED that sections 1963, 1963.1, 1963.2, 1963.3, 1963.4, 1963.5, 2012, 2012.1, and 2012.2, Title 13 California Code of Regulations, which incorporate by reference the following document: US EPA 86.1803-01 Definitions, are adopted as set forth in Attachment 1 to this Order.

IT IS FURTHER ORDERED that the adopted regulatory text may be further revised with non-substantial or grammatical changes, which will be added to the rulemaking record and indicated as such.

Executed this 26 day of January, 2021, at Sacramento, California.



Richard W. Corey
Executive Officer

Attachments