

## **Executive Order R-21-011**

### *Relating to the Proposed Clean Miles Standard*

Whereas, on May 20, 2021, the California Air Resources Board (CARB or Board) conducted a public hearing to consider the proposed Clean Miles Standard Regulation, as set forth in Appendix A to the Initial Statement of Reasons released to the public on March 30, 2021;

Whereas, the environmental analysis prepared under CARB's regulatory program certified under Public Resources Code section 21080.5 of the California Environmental Quality Act (CEQA; California Code of Regulations, title 14, section 15251(d)) in the Staff Report concluded that the proposed amendments are exempt from CEQA under California Code of Regulations, title 14, section 15061(b)(3) ("common sense" exemption) and section 15308 ("Class 8" exemption: Actions Taken by Regulatory Agencies for Protection of the Environment) because the record evidence shows that the Clean Miles Standard regulation will enhance the environment by better protecting the public from health impacts associated with exposure to vehicle tailpipe NO<sub>x</sub>, PM<sub>2.5</sub> and GHG emissions, the regulatory process involves procedures for protection of the environment, and the Clean Miles Standard regulation will not result in any significant adverse environmental impacts as described in Chapter VII of the Initial Statement of Reasons released to the public on March 30, 2021;

Whereas, following the public hearing, the Board adopted Resolution 21-10 in which the Board approved for adoption sections 2490, 2490.1, 2490.2, 2490.3, and 2490.4, title 13 California Code of Regulations, as set forth in Appendix A to the Initial Statement of Reasons released to the public on March 30, 2021;

Whereas, Resolution 21-10 directed the Executive Officer to make any additional conforming modifications deemed appropriate available for public comment, with any additional supporting documents and information, for a period of at least 15 days. The Executive Officer was directed to consider written comments submitted during the public review period and make any additional appropriate conforming modifications available for public comment for at least 15 days, and to take final action to adopt the regulation after addressing all appropriate modifications or present the regulation to the Board for further consideration if warranted;

Whereas, modified regulatory language and supporting documentation were circulated for a 15-day public comment period, with the changes to the originally proposed text clearly indicated, according to provisions of California Code of Regulations, title 1, section 44 and Government Code section 11340.85, from September 14, 2021, through September 29, 2021;

Whereas, a number of written comments were received during the initial 45-day comment period and supplemental 15-day comment period, and those comments were considered by the Executive Officer;

Now, Therefore, It Is Ordered that the recitals and findings contained in Resolution 21-10 are incorporated herein.

It Is Further Ordered that sections 2490, 2490.1, 2490.2, 2490.3, and 2490.4, title 13 California Code of Regulations, are adopted as set forth in Attachment A 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 18<sup>th</sup> day of January, 2022 at Sacramento, California.



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Richard W. Corey  
Executive Officer

Attachment