

Proposed Findings and Statement of Overriding Considerations

Introduction

The California Air Resources Board (CARB), as the lead agency for the *Proposed Advanced Clean Fleets Regulation* (Proposed Regulation or Proposed Project), prepared a Draft Environmental Analysis (EA) under its certified regulatory program (Cal. Code Regs., tit. 17, §§ 60000 – 60008) to comply with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000, et seq.). The Draft EA, entitled *Draft Environmental Analysis prepared for the Proposed Advanced Clean Fleets Regulation*, included as Appendix D to the Staff Report (Initial Statement of Reasons) for the Proposed Project, analyzed the potential environmental impacts associated with the Proposed Project. Following circulation of the Draft EA for a public review and comment period from September 2, 2022, through October 17, 2022, CARB prepared the *Final Environmental Analysis prepared for Proposed Advanced Clean Fleets Regulation* (Final EA), which includes minor revisions to the Draft EA. While updates have been made to the EA to ensure it accurately reflects the Proposed Project, these changes merely clarify, amplify, or make insignificant modifications to the otherwise-adequate Draft EA. These modifications would not result in any new reasonably foreseeable significant environmental impacts or substantially increase the severity of an identified environmental impact. The Draft EA's findings, overall significance conclusions, mitigation measures, and alternatives adequately address the environmental review for the proposed modifications. Therefore, there is no significant new information that would require the EA to be recirculated. The Final EA was posted on CARB's webpage on April 14, 2023.

This statement of findings and overriding considerations was prepared to comply with CEQA's requirement to address the environmental impacts identified in the Final EA. (Pub. Resources Code, §§ 21081, 21081.6, Cal. Code Regs, tit. 14, §§ 15091, 15093.) The Final EA is based on the expected compliance responses of the regulated entities covered by the Proposed Project. Although the policy aspects and requirements of the Proposed Project would not directly change the physical environment, potential indirect physical changes to the environment could result from reasonably foreseeable actions undertaken by entities in response to the Proposed Project. These indirect impacts are the focus of the programmatic-level impacts analysis in the Final EA.

Collectively, across all categories, the Final EA concluded that the reasonably foreseeable compliance responses associated with the Proposed Project could cause the following short-term and long-term impacts: beneficial impacts to air quality (long-term operational-related), energy (long-term operational-related), GHG (long-term operational-related); less than significant impacts, or no impacts, to energy (short-term construction-related), and greenhouse gas (short-term operational-related), land use planning, mineral resources, population and housing, public services, recreation, and wildfire; and potentially significant [indirect/secondary] adverse impacts to aesthetics, agriculture and forestry resources, air quality (short-term construction-related), biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, transportation/traffic, tribal cultural resources, and utilities and service systems. The

potentially significant and unavoidable adverse impacts are disclosed for both short-term, construction-related activities, and long-term operational activities, which is why some resource areas are identified above as having both beneficial or less-than-significant impacts and potentially significant impacts.

CARB's certified regulatory program requires that before adoption of an action for which significant adverse environmental impacts have been identified during the review process, CARB consider feasible mitigation measures and alternatives that could substantially reduce the impacts. (Cal. Code Regs, tit. 17, § 60004.2.) CEQA places the burden on the approving agency to affirmatively show it has considered feasible mitigation and alternatives that can lessen or avoid identified impacts through a statement of findings for each identified significant impact. (Pub. Resources Code, § 21081.) The CEQA Guidelines, in California Code of Regulations, title 14, at section 15091, provide direction on the content of the statement of findings. That section states that one or more of these findings should be identified for each impact:

- Changes or alterations have been required in, or incorporated into, such projects which avoid or substantially lessen the significant environmental effect as identified in the final environmental impact report.
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

The potential adverse impacts identified in this programmatic level EA are potential indirect impacts associated with the compliance responses that are reasonably foreseeable, based on available information, in response to the Proposed Project. The ability to determine site- or project-specific impacts of projects carried out by third parties to comply with the Proposed Project and the authority to require feasible mitigation lies with those agencies with authority to approve such actions, e.g. local permitting authorities in city or county governments and local air districts. CARB does not have the ability to determine with any specificity the potential impacts of projects undertaken in response to the Proposed Project, such as construction of particular vehicle charging stations, nor the authority to require mitigation for such projects, in approving the Proposed Project, as discussed in the findings below.

An agency may approve a project with unavoidable (unmitigated) adverse environmental impacts. When doing so, CEQA requires the agency to make a statement in the record of its views on the ultimate balancing of the merits of approving the project despite the environmental impacts in a "statement of overriding considerations." (Pub. Resources Code, § 21081(b); Cal. Code Regs, tit. 14, § 15093.) The following provides CARB Board's (Board) statement of findings for each significant adverse impact identified in the Final EA, incorporated by reference herein, accompanied by a brief explanation and its statement of overriding considerations.

STATEMENT OF FINDINGS

The Board has independently reviewed and considered the entire record, including the information in the Final EA, public testimony, written comments received, and the written responses to environmental comments, which are incorporated by reference. The Board makes these written findings for each significant adverse impact identified, accompanied by a brief explanation of the rationale for each finding. These findings are supported by substantial evidence in the record.

Aesthetics

Finding and Explanation

The Final EA found that the reasonably foreseeable actions associated with implementing the Proposed Project could result in potentially significant short-term construction-related impacts and long-term- operational impacts on aesthetic resources. The reasonably foreseeable compliance actions include construction and operation of new or expanded manufacturing facilities, recycling facilities, and hydrogen fueling and electric vehicle (EV) charging stations. Implementing the Proposed Project would cause an increase in manufacturing of Zero-Emission Vehicles (ZEVs). This increase in ZEV volumes would cause associated increases in lithium, nickel, cobalt, and possibly platinum mining and exports from source countries or other states. Increased demand for lithium-ion batteries could increase battery production and manufacture, which could cause the expansion of or construction of new battery facilities. Implementing the Proposed Project would also result in constructing new hydrogen fueling stations and electric vehicle charging stations to support ZEV operations. Likewise, increased deployment of ZEVs would cause an increase in producing and distributing electricity and hydrogen fuel, while potentially decreasing rates of oil and gas extraction and gasoline refining activities. The Proposed Project would also result in the disposal of lithium-ion batteries that induce increased demand for refurbishing, reusing, and recycling of batteries and fuel cells, and new facilities may be constructed or modifications to existing facilities may occur to perform those functions. For a more detailed discussion of potential aesthetics impacts associated with the Proposed Project, please see the Final EA (as incorporated by reference).

The Final EA includes Mitigation Measures 1-1 and 1-2, which identify existing statutes and regulations and operating permit requirements, and other recognized practices designed to reduce these potentially significant impacts. The Board finds that the authority to determine site- or project specific- mitigation is within the purview of jurisdictions with land use approval and permitting authority, such as city or county governments. Therefore, the Board finds that the authority to implement Mitigation Measures 1-1 and 1-2 are within the responsibility and jurisdiction of other public agencies, and that the requirements and practices in Mitigation Measures 1-1 and 1-2 should be adopted by those agencies. Public agencies with the requisite authority can and should implement the identified measures to the degree feasible. Because the authority and responsibility to determine project-level impacts and require project-level mitigation lies with land use or permitting agencies for individual projects, and the programmatic level of analysis associated with the Final EA does not address project-specific details of mitigation, there is inherent uncertainty in the mitigation that may ultimately be implemented to reduce potentially significant impacts to this resource.

Impacts may be reduced to a less than significant level by land use or permitting agency conditions of approval at a later stage. But at this stage, the Board lacks full details on the design of potential projects and associated required mitigation. Consequently, the Board takes a conservative approach in its post mitigation significance conclusion and finds the impacts to this resource associated with the Proposed Project would be potentially significant and unavoidable. This potential impact is overridden by the project's benefits as explained in the statement of overriding considerations below.

Agriculture and Forestry Resources

Finding and Explanation

The Final EA found that the reasonably foreseeable actions associated with implementing the Proposed Project could cause potentially significant short-term construction related impacts and long term- operational impacts on agriculture and forestry resources. The reasonably foreseeable compliance actions include construction and operation of new or expanded manufacturing facilities, recycling facilities, and hydrogen fueling and electric vehicle (EV) charging stations. Implementing the Proposed Project would cause an increase in manufacturing of Zero-Emission Vehicles (ZEVs). This increase in ZEV volumes would cause associated increases in lithium, nickel, cobalt, and possibly platinum mining and exports from source countries or other states. Increased demand for lithium-ion batteries could increase battery production and manufacture, which could cause the expansion of or construction of new battery facilities. Implementing the Proposed Project would also result in constructing new hydrogen fueling stations and electric vehicle charging stations to support ZEV operations. Likewise, increased deployment of ZEVs would cause an increase in producing and distributing electricity and hydrogen fuel, while potentially decreasing rates of oil and gas extraction and gasoline refining activities. The Proposed Project would also result in the disposal of lithium-ion batteries that induce increased demand for refurbishing, reusing, and recycling of batteries and fuel cells, and new facilities may be constructed or modifications to existing facilities may occur to perform those functions. For a more detailed discussion of potential agriculture and forestry resource impacts associated with the Proposed Project, please see the Final EA (as incorporated by reference).

The Final EA includes Mitigation Measure 2-1, which identifies existing statutes and regulations and construction and operating permit requirements and other recognized practices designed to reduce these potentially significant impacts. The Board finds that the authority to determine site- or project-specific mitigation is within the purview of jurisdictions with land use approval and permitting authority, such as city or county governments. Therefore, the Board finds that the authority to implement Mitigation Measure 2-1 is within the responsibility and jurisdiction of other public agencies, and that the requirements and practices in Mitigation Measure 2-1 should be adopted by those agencies. Public agencies with the requisite authority can and should implement the identified measures to the degree feasible. Because the authority and responsibility to determine project-level impacts and require project-level- mitigation lies with land use or permitting agencies for individual projects, and the programmatic level of analysis associated with the Final EA does not address project specific- details of mitigation, there is inherent uncertainty in the mitigation that may ultimately be implemented to reduce potentially significant impacts to this resource.

Impacts may be reduced to a less than significant level by land use or permitting agency conditions of approval at a later stage. But at this stage, the Board lacks full details on the design of potential projects and associated required mitigation. The Board takes a conservative approach in its post mitigation significance conclusion and finds the impacts to this resource associated with the Proposed Project would be potentially significant and unavoidable. This potential impact is overridden by the project's benefits as explained in the statement of overriding considerations below.

Air Quality

Finding and Explanation

The Final EA found that reasonably foreseeable actions associated with implementing the Proposed Project could cause potentially significant short-term construction-related impacts on air quality. The reasonably foreseeable compliance actions include construction and operation of new or expanded manufacturing facilities, recycling facilities, and hydrogen fueling and electric vehicle (EV) charging stations. Implementing the Proposed Project would cause an increase in manufacturing of Zero-Emission Vehicles (ZEVs). This increase in ZEV volumes would cause associated increases in lithium, nickel, cobalt, and possibly platinum mining and exports from source countries or other states. Increased demand for lithium-ion batteries could increase battery production and manufacture, which could cause the expansion of or construction of new battery facilities. Implementing the Proposed Project would also result in constructing new hydrogen fueling stations and electric vehicle charging stations to support ZEV operations. Likewise, increased deployment of ZEVs would cause an increase in producing and distributing electricity and hydrogen fuel, while potentially decreasing rates of oil and gas extraction and gasoline refining activities. The Proposed Project would also result in the disposal of lithium-ion batteries that induce increased demand for refurbishing, reusing, and recycling of batteries and fuel cells, and new facilities may be constructed or modifications to existing facilities may occur to perform those functions. For a more detailed discussion of potential air quality impacts associated with the Proposed Project please see the Final EA (as incorporated by reference).

As described in greater detail in the Final EA, it would be expected that the primary sources of construction-related emissions would occur from soil disturbance and use of construction equipment. It is expected that during the construction phase for any new project, criteria air pollutants (e.g., oxides of nitrogen or NO_x, oxides of sulfur or SO_x, and particulate matter (PM)) and toxic air contaminants (TACs) could be generated from many activities and emission sources, such as equipment use and worker commute trips.

The Final EA included Mitigation Measure 3-1, which identifies existing statutes and regulations and construction and operational permit requirements, and other recognized practices designed to reduce these potentially significant impacts. The Board finds that the authority to determine site- or project-specific mitigation is within the purview of jurisdictions with land use approval and permitting authority, such as city or county governments. Therefore, the Board finds that the authority to implement Mitigation Measure 3-1 is within the responsibility and jurisdiction of other public agencies, and that the requirements and practices in Mitigation Measure 3-1 should be adopted by those agencies. Public agencies with the requisite authority can and should implement the identified measures to the degree feasible. Because the authority and responsibility to determine project-level impacts and require project-level mitigation lies with land use or

permitting agencies for individual projects, and the programmatic level of analysis associated with the Final EA does not address project-specific details of mitigation, there is inherent uncertainty in the mitigation that may ultimately be implemented to reduce potentially significant impacts to this resource.

At this stage without full details on the design of potential projects and associated required mitigation, while impacts could be reduced to a less-than-significant level by land use or permitting agency conditions of approval, the Board takes a conservative approach in its post-mitigation significance conclusion and finds the impacts to this resource associated with the proposed actions in the Proposed Project would be potentially significant and unavoidable. This impact potential is overridden by the project's benefits as explained in the statement of overriding considerations.

Biological Resources

Finding and Explanation

The Final EA found that reasonably foreseeable actions associated with implementing the Proposed Project could cause potentially significant short-term construction-related impacts and long-term- operational impacts on biological resources. The reasonably foreseeable compliance actions include construction and operation of new or expanded manufacturing facilities, recycling facilities, and hydrogen fueling and electric vehicle (EV) charging stations. Implementing the Proposed Project would cause an increase in manufacturing of Zero-Emission Vehicles (ZEVs). This increase in ZEV volumes would cause associated increases in lithium, nickel, cobalt, and possibly platinum mining and exports from source countries or other states. Increased demand for lithium-ion batteries could increase battery production and manufacture, which could cause the expansion of or construction of new battery facilities. Implementing the Proposed Project would also result in constructing new hydrogen fueling stations and electric vehicle charging stations to support ZEV operations. Likewise, increased deployment of ZEVs would cause an increase in producing and distributing electricity and hydrogen fuel, while potentially decreasing rates of oil and gas extraction and gasoline refining activities. The Proposed Project would also result in the disposal of lithium-ion batteries that induce increased demand for refurbishing, reusing, and recycling of batteries and fuel cells, and new facilities may be constructed or modifications to existing facilities may occur to perform those functions. The Proposed Project could result in construction of manufacturing, production, and recycling facilities as well as new infrastructure and increased mining activity, which would require construction and ground disturbance. It is foreseeable that known or undocumented cultural or paleontological resources could be unearthed or otherwise discovered during ground-disturbing and construction activities. For a more detailed discussion of potential biological resource impacts associated with the Proposed Project, please see the Final EA (as incorporated by reference).

The Final EA included Mitigation Measures 4.-1 and 4.-2, which identify existing statutes and regulations and construction and operational permit requirements, and other recognized practices designed to reduce these potentially significant impacts. The Board finds that the authority to determine site- or project-specific mitigation is within the purview of jurisdictions with land use approval and permitting authority, such as city or county governments. Therefore, the Board finds that the authority to implement Mitigation Measures 4.-1 and 4.-2 are within the responsibility and jurisdiction of other public

agencies, and that the requirements and practices in Mitigation Measures 4.-1 and 4.-2 should be adopted by those agencies. Public agencies with the requisite authority can and should implement the identified measures to the degree feasible. Because the authority and responsibility to determine project-level impacts and require project-level mitigation lies with land use or permitting agencies for individual projects, and the programmatic level of analysis associated with the Final EA does not address project-specific details of mitigation, there is inherent uncertainty in the mitigation that may ultimately be implemented to reduce potentially significant impacts to this resource.

At this stage without full details on the design of potential projects and associated required mitigation, while impacts could be reduced to a less-than-significant level by land use or permitting agency conditions of approval, the Board takes a conservative approach in its post-mitigation significance conclusion and finds the impacts to this resource associated with the proposed actions in the Proposed Project would be potentially significant and unavoidable. This impact potential is overridden by the project's benefits as explained in the statement of overriding considerations.

Cultural Resources

Finding and Explanation

The Final EA found that reasonably foreseeable actions associated with implementing the Proposed Project could cause potentially significant short-term construction-related impacts and long-term- operational impacts on cultural resources. The reasonably foreseeable compliance actions include construction and operation of new or expanded manufacturing facilities, recycling facilities, and hydrogen fueling and electric vehicle (EV) charging stations. Implementing the Proposed Project would cause an increase in manufacturing of Zero-Emission Vehicles (ZEVs). This increase in ZEV volumes would cause associated increases in lithium, nickel, cobalt, and possibly platinum mining and exports from source countries or other states. Increased demand for lithium-ion batteries could increase battery production and manufacture, which could cause the expansion of or construction of new battery facilities. Implementing the Proposed Project would also result in constructing new hydrogen fueling stations and electric vehicle charging stations to support ZEV operations. Likewise, increased deployment of ZEVs would cause an increase in producing and distributing electricity and hydrogen fuel, while potentially decreasing rates of oil and gas extraction and gasoline refining activities. The Proposed Project would also result in the disposal of lithium-ion batteries that induce increased demand for refurbishing, reusing, and recycling of batteries and fuel cells, and new facilities may be constructed or modifications to existing facilities may occur to perform those functions. For a more detailed discussion of potential cultural impacts associated with the Proposed Project, please see the Final EA (as incorporated by reference).

The Final EA included Mitigation Measure 5-1, which identifies existing statutes and regulations and construction and operational permit requirements, and other recognized practices designed to reduce these potentially significant impacts. The Board finds that the authority to determine site- or project-specific mitigation is within the purview of jurisdictions with land use approval and permitting authority, such as city or county governments. Therefore, the Board finds that the authority to implement Mitigation Measure 5-1 is within the responsibility and jurisdiction of other public agencies, and that the requirements and practices in Mitigation Measure 5-1 should be adopted by those

agencies. Public agencies with the requisite authority can and should implement the identified measures to the degree feasible. Because the authority and responsibility to determine project-level impacts and require project-level mitigation lies with land use or permitting agencies for individual projects, and the programmatic level of analysis associated with the Final EA does not address project-specific details of mitigation, there is inherent uncertainty in the mitigation that may ultimately be implemented to reduce potentially significant impacts to this resource.

At this stage without full details on the design of potential projects and associated required mitigation, while impacts could be reduced to a less-than-significant level by land use or permitting agency conditions of approval, the Board takes a conservative approach in its post-mitigation significance conclusion and finds the impacts to this resource associated with the proposed actions in the Proposed Project would be potentially significant and unavoidable. This potential impact is overridden by the project's benefits as explained in the statement of overriding considerations.

Geology and Soils

Finding and Explanation

The Final EA found that reasonably foreseeable actions associated with implementing the Proposed Project could cause potentially significant short-term construction-related impacts and long-term operational impacts on geology and soil resources. The reasonably foreseeable compliance actions include construction and operation of new or expanded manufacturing facilities, recycling facilities, and hydrogen fueling and electric vehicle (EV) charging stations. Implementing the Proposed Project would cause an increase in manufacturing of Zero-Emission Vehicles (ZEVs). This increase in ZEV volumes would cause associated increases in lithium, nickel, cobalt, and possibly platinum mining and exports from source countries or other states. Increased demand for lithium-ion batteries could increase battery production and manufacture, which could cause the expansion of or construction of new battery facilities. Implementing the Proposed Project would also result in constructing new hydrogen fueling stations and electric vehicle charging stations to support ZEV operations. Likewise, increased deployment of ZEVs would cause an increase in producing and distributing electricity and hydrogen fuel, while potentially decreasing rates of oil and gas extraction and gasoline refining activities. The Proposed Project would also result in the disposal of lithium-ion batteries that induce increased demand for refurbishing, reusing, and recycling of batteries and fuel cells, and new facilities may be constructed or modifications to existing facilities may occur to perform those functions. For a more detailed discussion of potential geology and soil impacts associated with the Proposed Project, please see the Final EA (as incorporated by reference).

The Final EA included Mitigation Measure 7-1, which identifies existing statutes and regulations and construction and operational permit requirements, and other recognized practices designed to reduce these potentially significant impacts. The Board finds that the authority to determine site- or project-specific mitigation is within the purview of jurisdictions with land use approval and permitting authority, such as city or county governments. Therefore, the Board finds that the authority to implement Mitigation Measure 7-1 is within the responsibility and jurisdiction of other public agencies, and that the requirements and practices in Mitigation Measure 7-1 should be adopted by those agencies. Public agencies with the requisite authority can and should implement the

identified measures to the degree feasible. Because the authority and responsibility to determine project-level impacts and require project-level mitigation lies with land use or permitting agencies for individual projects, and the programmatic level of analysis associated with the Final EA does not address project-specific details of mitigation, there is inherent uncertainty in mitigation that may ultimately be implemented to reduce potentially significant impacts to this resource.

At this stage without full details on the design of potential projects and associated required mitigation, while impacts could be reduced to a less-than-significant level by land use or permitting agency conditions of approval, the Board takes a conservative approach in its post-mitigation significance conclusion and finds the impacts to this resource associated with the proposed actions in the Proposed Project would be potentially significant and unavoidable. This potential impact is overridden by the project's benefits as explained in the statement of overriding considerations.

Hazards and Hazardous Materials

Finding and Explanation

The Final EA found that the reasonably foreseeable actions associated with implementing the Proposed Project could cause potentially short-term construction-related- impacts and long-term operational-related impacts on hazards and hazardous material resources. The reasonably foreseeable compliance actions include construction and operation of new or expanded manufacturing facilities, recycling facilities, and hydrogen fueling and electric vehicle (EV) charging stations. Implementing the Proposed Project would cause an increase in manufacturing of Zero-Emission Vehicles (ZEVs). This increase in ZEV volumes would cause associated increases in lithium, nickel, cobalt, and possibly platinum mining and exports from source countries or other states. Increased demand for lithium-ion batteries could increase battery production and manufacture, which could cause the expansion of or construction of new battery facilities. Implementing the Proposed Project would also result in constructing new hydrogen fueling stations and electric vehicle charging stations to support ZEV operations. Likewise, increased deployment of ZEVs would cause an increase in producing and distributing electricity and hydrogen fuel, while potentially decreasing rates of oil and gas extraction and gasoline refining activities. The Proposed Project would also result in the disposal of lithium-ion batteries that induce increased demand for refurbishing, reusing, and recycling of batteries and fuel cells, and new facilities may be constructed or modifications to existing facilities may occur to perform those functions. For a more detailed discussion of potential hazards and hazardous materials impacts associated with the Proposed Project, please see the Final EA (as incorporated by reference).

The Final EA includes Mitigation Measures 9-1 and 9-2, which identify existing statutes and regulations and construction and operating permit requirements, and other recognized practices designed to reduce these potentially significant impacts. The Board finds that the authority to determine site- or project specific- mitigation is within the purview of jurisdictions with land use approval and permitting authority, such as city or county governments. Therefore, the Board finds that the authority to implement Mitigation Measures 9-1 and 9-2 are within the responsibility and jurisdiction of other public agencies, and that the requirements and practices in Mitigation Measure 9-1 and 9-2 should be adopted by those agencies. Public agencies with the requisite authority can and should implement the identified measures to the degree feasible. Because the authority and

responsibility to determine project-level impacts and require project-level mitigation lies with land use or permitting agencies for individual projects, and the programmatic level of analysis associated with the Final EA does not address project specific details of mitigation, the mitigation that may ultimately be implemented to reduce potentially significant impacts to this resource is inherently uncertain.

At this stage without full details on the design of potential projects and associated required mitigation, while impacts could be reduced to a less than significant level by land use or permitting agency conditions of approval, the Board takes a conservative approach in its post-mitigation significance conclusion and finds the impacts to this resource associated with the proposed actions in the Proposed Project would be potentially significant and unavoidable. This potential impact is overridden by the project's benefits as explained in the statement of overriding considerations.

Hydrology and Water Quality

Finding and Explanation

The Final EA found reasonably foreseeable actions associated with implementing the Proposed Project could cause potentially significant short-term construction related impacts and long-term operational impacts on hydrology and water quality resources. The reasonably foreseeable compliance actions include construction and operation of new or expanded manufacturing facilities, recycling facilities, and hydrogen fueling and electric vehicle (EV) charging stations. Implementing the Proposed Project would cause an increase in manufacturing of Zero-Emission Vehicles (ZEVs). This increase in ZEV volumes would cause associated increases in lithium, nickel, cobalt, and possibly platinum mining and exports from source countries or other states. Increased demand for lithium-ion batteries could increase battery production and manufacture, which could cause the expansion of or construction of new battery facilities. Implementing the Proposed Project would also result in constructing new hydrogen fueling stations and electric vehicle charging stations to support ZEV operations. Likewise, increased deployment of ZEVs would cause an increase in producing and distributing electricity and hydrogen fuel, while potentially decreasing rates of oil and gas extraction and gasoline refining activities. The Proposed Project would also result in the disposal of lithium-ion batteries that induce increased demand for refurbishing, reusing, and recycling of batteries and fuel cells, and new facilities may be constructed or modifications to existing facilities may occur to perform those functions. For a more detailed discussion of potential hydrology and water quality impacts associated with the Proposed Project, please see the Final EA (as incorporated by reference).

The Final EA included Mitigation Measures 10-1 and 10-2, which identify existing statutes and regulations and construction and operational permit requirements, and other recognized practices designed to reduce these potentially significant impacts. The Board finds that the authority to determine site- or project-specific mitigation is within the purview of jurisdictions with land use approval and permitting authority, such as city or county governments. Therefore, the Board finds that the authority to implement Mitigation Measures 10-1 and 10-2 are within the responsibility and jurisdiction of other public agencies, and that the requirements and practices in Mitigation Measures 10-1 and 10-2 should be adopted by those agencies. Public agencies with the requisite authority can and should implement the identified measures to the degree feasible. Because the authority and responsibility to determine project-level impacts and require project-level mitigation lies

with land use or permitting agencies for individual projects, and the programmatic level of analysis associated with the Final EA does not address project-specific details of mitigation, there is inherent uncertainty in the mitigation that may ultimately be implemented to reduce potentially significant impacts to this resource.

At this stage without full details on the design of potential projects and associated required mitigation, while impacts could be reduced to a less than significant level by land use or permitting agency conditions of approval, the Board takes a conservative approach in its post-mitigation significance conclusion and finds the impacts to this resource associated with the proposed actions in the Proposed Project would be potentially significant and unavoidable. This potential impact is overridden by the Proposed Project's benefits as explained in the statement of overriding considerations.

Noise

Finding and Explanation

The Final EA found that reasonably foreseeable actions associated with implementing the Proposed Project could cause potentially significant short-term construction-related impacts and long-term- operational impacts related to noise and vibration. The reasonably foreseeable compliance actions include construction and operation of new or expanded manufacturing facilities, recycling facilities, and hydrogen fueling and electric vehicle (EV) charging stations. Implementing the Proposed Project would cause an increase in manufacturing of Zero-Emission Vehicles (ZEVs). This increase in ZEV volumes would cause associated increases in lithium, nickel, cobalt, and possibly platinum mining and exports from source countries or other states. Increased demand for lithium-ion batteries could increase battery production and manufacture, which could cause the expansion of or construction of new battery facilities. Implementing the Proposed Project would also result in constructing new hydrogen fueling stations and electric vehicle charging stations to support ZEV operations. Likewise, increased deployment of ZEVs would cause an increase in producing and distributing electricity and hydrogen fuel, while potentially decreasing rates of oil and gas extraction and gasoline refining activities. The Proposed Project would also result in the disposal of lithium-ion batteries that induce increased demand for refurbishing, reusing, and recycling of batteries and fuel cells, and new facilities may be constructed or modifications to existing facilities may occur to perform those functions. As explained in further detail in the Final EA, implementation of reasonably foreseeable compliance responses could result in the generation of short-term construction noise in excess of applicable standards or that result in a substantial increase in ambient levels at nearby sensitive receptors, and exposure to excessive vibration levels. Operational-related activities associated with mining could produce substantial stationary sources of noise, and new sources of noise associated with implementation of Proposed Project could include operation of manufacturing plants. For a more detailed discussion of potential noise and vibration impacts associated with the Proposed Project please see the Final EA (as incorporated by reference).

The Final EA included Mitigation Measures 13-1 and 13-2, which identify existing statutes and regulations and construction and operational permit requirements, and other recognized practices designed to reduce these potentially significant impacts. The Board finds that the authority to determine site- or project-specific mitigation is within the purview of jurisdictions with land use approval and permitting authority, such as city or county

governments. Therefore, the Board finds that the authority to implement Mitigation Measures 13-1 and 13-2 are within the responsibility and jurisdiction of other public agencies, and that the requirements and practices in Mitigation Measures 13-1 and 13-2 should be adopted by those agencies. Public agencies with the requisite authority can and should implement the identified measures to the degree feasible. Because the authority and responsibility to determine project-level impacts and require project-level mitigation lies with land use or permitting agencies for individual projects, and the programmatic level of analysis associated with the Final EA does not address project-specific details of mitigation, there is inherent uncertainty in the mitigation that may ultimately be implemented to reduce potentially significant impacts to this resource.

At this stage without full details on the design of potential projects and associated required mitigation, while impacts could be reduced to a less than significant level by land use or permitting agency conditions of approval, the Board takes a conservative approach in its post-mitigation significance conclusion and finds the impacts to this resource associated with the proposed actions in the Proposed Project would be potentially significant and unavoidable. This potential impact is overridden by the Proposed Project's benefits as explained in the statement of overriding considerations.

Transportation/Traffic

Finding and Explanation

The Final EA found that reasonably foreseeable actions associated with implementing the Proposed Project could cause potentially significant short-term construction-related impacts and long-term- operational impacts on transportation resources. The reasonably foreseeable compliance actions include construction and operation of new or expanded manufacturing facilities, recycling facilities, and hydrogen fueling and electric vehicle (EV) charging stations. Implementing the Proposed Project would cause an increase in manufacturing of Zero-Emission Vehicles (ZEVs). This increase in ZEV volumes would cause associated increases in lithium, nickel, cobalt, and possibly platinum mining and exports from source countries or other states. Increased demand for lithium-ion batteries could increase battery production and manufacture, which could cause the expansion of or construction of new battery facilities. Implementing the Proposed Project would also result in constructing new hydrogen fueling stations and electric vehicle charging stations to support ZEV operations. Likewise, increased deployment of ZEVs would cause an increase in producing and distributing electricity and hydrogen fuel, while potentially decreasing rates of oil and gas extraction and gasoline refining activities. The Proposed Project would also result in the disposal of lithium-ion batteries that induce increased demand for refurbishing, reusing, and recycling of batteries and fuel cells, and new facilities may be constructed or modifications to existing facilities may occur to perform those functions. For a more detailed discussion of potential transportation/traffic impacts associated with the Proposed Project, please see the Final EA (as incorporated by reference).

Although detailed information about potential specific construction activities is not currently available, it would be anticipated to result in short-term construction traffic (primarily motorized) from worker commute- and material delivery-related trips. Depending on the amount of trip generation and the location of new facilities, implementation could conflict with applicable programs, plans, ordinances, or policies (e.g., performance standards, congestion management); and/or result in hazardous design features and emergency access

issues from road closures, detours, and obstruction of emergency vehicle movement, especially due to project-generated heavy-duty truck trips. In addition, implementation of the Proposed Project could require the operation of new infrastructure to distribute alternate fuels (such as electricity and hydrogen). Additionally, increased demand for lithium-ion storage batteries and fuel cells could result in an increase in lithium and platinum mining. For a more detailed discussion of potential transportation and traffic impacts associated with the Proposed Project please see the Final EA (as incorporated by reference).

The Final EA included Mitigation Measures 17-1 and 17-2, which identify existing statutes and regulations and construction permit requirements, and other recognized practices designed to reduce these potentially significant impacts. The Board finds that the authority to determine site- or project-specific mitigation is within the purview of jurisdictions with land use approval and permitting authority, such as city or county governments. Therefore, the Board finds that the authority to implement Mitigation Measures 17-1 and 17-2 are within the responsibility and jurisdiction of other public agencies, and that the requirements and practices in Mitigation Measures 17-1 and 17-2 should be adopted by those agencies. Public agencies with the requisite authority can and should implement the identified measures to the degree feasible. Because the authority and responsibility to determine project-level impacts and require project-level mitigation lies with land use or permitting agencies for individual projects, and the programmatic level of analysis associated with the Final EA does not address project-specific details of mitigation, there is inherent uncertainty in the mitigation that may ultimately be implemented to reduce potentially significant impacts to this resource.

At this stage without full details on the design of potential projects and associated required mitigation, while impacts could be reduced to a less than significant level by land use or permitting agency conditions of approval, the Board takes a conservative approach in its post-mitigation significance conclusion and finds the impacts to this resource associated with the proposed actions in the Proposed Project would be potentially significant and unavoidable. This potential impact is overridden by the Proposed Project's benefits as explained in the statement of overriding considerations.

Tribal Cultural Resources

Finding and Explanation

The Final EA found that the reasonably foreseeable actions associated with implementing the Proposed Project could cause potentially significant short-term construction related and long-term- operational related impacts on tribal cultural resources. The reasonably foreseeable compliance actions include construction and operation of new or expanded manufacturing facilities, recycling facilities, and hydrogen fueling and electric vehicle (EV) charging stations. Implementing the Proposed Project would cause an increase in manufacturing of Zero-Emission Vehicles (ZEVs). This increase in ZEV volumes would cause associated increases in lithium, nickel, cobalt, and possibly platinum mining and exports from source countries or other states. Increased demand for lithium-ion batteries could increase battery production and manufacture, which could cause the expansion of or construction of new battery facilities. Implementing the Proposed Project would also result in constructing new hydrogen fueling stations and electric vehicle charging stations to support ZEV operations. Likewise, increased deployment of ZEVs would cause an increase in

producing and distributing electricity and hydrogen fuel, while potentially decreasing rates of oil and gas extraction and gasoline refining activities. The Proposed Project would also result in the disposal of lithium-ion batteries that induce increased demand for refurbishing, reusing, and recycling of batteries and fuel cells, and new facilities may be constructed or modifications to existing facilities may occur to perform those functions. For a more detailed discussion of potential tribal cultural resource impacts associated with the Proposed Project please see the Final EA (as incorporated by reference).

The Final EA includes Mitigation Measure 18-1, which identifies existing statutes and regulations and construction and operating permit requirements, and other recognized practices designed to reduce these potentially significant impacts. The Board finds that the authority to determine site- or project specific- mitigation is within the purview of jurisdictions with land use approval and permitting authority, such as city or county governments. Therefore, the Board finds that the authority to implement Mitigation Measure 18-1 is within the responsibility and jurisdiction of other public agencies, and that the requirements and practices in Mitigation Measure 18-1 should be adopted by those agencies. Public agencies with the requisite authority can and should implement the identified measures to the degree feasible. Because the authority and responsibility to determine project-level impacts and require project-level- mitigation lies with land use or permitting agencies for individual projects, and the programmatic level of analysis associated with the Final EA does not address project specific- details of mitigation, the mitigation that may ultimately be implemented to reduce potentially significant impacts to this resource is inherently uncertain.

At this stage without full details on the design of potential projects and associated required mitigation, while impacts could be reduced to a less than significant level by land use or permitting agency conditions of approval, the Board takes a conservative approach in its post-mitigation significance conclusion and finds the impacts to this resource associated with the proposed actions in the Proposed Project would be potentially significant and unavoidable. This potential impact is overridden by the project's benefits as explained in the statement of overriding considerations.

Utilities and Service Systems

Finding and Explanation

The Final EA found that the reasonably foreseeable actions associated with implementing the Proposed Project could cause potentially significant long-term- operational related impacts on utilities and service systems resources. The reasonably foreseeable compliance actions include construction and operation of new or expanded manufacturing facilities, recycling facilities, and hydrogen fueling and electric vehicle (EV) charging stations. Implementing the Proposed Project would cause an increase in manufacturing of Zero-Emission Vehicles (ZEVs). This increase in ZEV volumes would cause associated increases in lithium, nickel, cobalt, and possibly platinum mining and exports from source countries or other states. Increased demand for lithium-ion batteries could increase battery production and manufacture, which could cause the expansion of or construction of new battery facilities. Implementing the Proposed Project would also result in constructing new hydrogen fueling stations and electric vehicle charging stations to support ZEV operations. Likewise, increased deployment of ZEVs would cause an increase in producing and distributing electricity and hydrogen fuel, while potentially decreasing rates of oil and gas

extraction and gasoline refining activities. The Proposed Project would also result in the disposal of lithium-ion batteries that induce increased demand for refurbishing, reusing, and recycling of batteries and fuel cells, and new facilities may be constructed or modifications to existing facilities may occur to perform those functions.

Reasonably foreseeable compliance responses associated with the Proposed Project could result in new demand for water, wastewater, electricity, and gas services for new or modified facilities. Generally, facilities would be cited in areas with existing utility infrastructure—or areas where existing utility infrastructure is easily assessable. New or modified utility installation, connections, and expansion would be subject to the requirements of the applicable utility providers. At this time, the specific location and type of construction needed is not known and would be dependent upon a variety of market factors that are not within the control of CARB including: economic costs, product demands, environmental constraints, and other market constraints. Thus, the specific impacts from construction on utility and service systems cannot be identified with any certainty, and individual compliance responses could potentially result in significant environmental impacts for which it is unknown whether mitigation would be available to reduce the impacts. For a more detailed discussion of potential utilities and service system impacts associated with the Proposed Project, please see the Final EA (as incorporated by reference).

The Final EA includes Mitigation Measure 19-1, which identifies existing statutes and regulations and construction and operating permit requirements, and other recognized practices designed to reduce these potentially significant impacts. The Board finds that the authority to determine site- or project specific- mitigation is within the purview of jurisdictions with land use approval and permitting authority, such as city or county governments. Therefore, the Board finds that the authority to implement Mitigation Measure 19-1 is within the responsibility and jurisdiction of other public agencies, and that the requirements and practices in Mitigation Measure 19-1 should be adopted by those agencies. Public agencies with the requisite authority can and should implement the identified measures to the degree feasible. Because the authority and responsibility to determine project-level impacts and require project-level- mitigation lies with land use or permitting agencies for individual projects, and the programmatic level of analysis associated with the Final EA does not address project specific- details of mitigation, the mitigation that may ultimately be implemented to reduce potentially significant impacts to this resource is inherently uncertain.

At this stage without full details on the design of potential projects and associated required mitigation, while impacts could be reduced to a less than significant level by land use or permitting agency conditions of approval, the Board takes a conservative approach in its post-mitigation significance conclusion and finds the impacts to this resource associated with the proposed actions in the Proposed Project would be potentially significant and unavoidable. This potential impact is overridden by the project's benefits as explained in the statement of overriding considerations.

Cumulatively Considerable Impacts

The plans containing the appropriate summary of projections for considering cumulative impacts of the Proposed Project that were considered when analyzing cumulative impacts are the 2030 Scoping Plan and the Community Air Protection Blueprint. The analysis of

cumulative impacts for the Proposed Project included a summary of the cumulative impacts found for each resource area in this plan, and a conclusion regarding whether the Proposed Project could cause a cumulatively considerable contribution to an existing significant cumulative impact.

The Final EA concluded the Proposed Project could cause a cumulatively considerable contribution to significant cumulative impacts to aesthetics, agriculture and forestry resources, air quality (short-term construction-related), biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources, noise, transportation/traffic, tribal cultural resources and utilities and service systems. While suggested mitigation is provided within the respective resource areas of the Final EA analyses that could address the contribution of the Proposed Project to each of these potentially cumulatively considerable impacts, the Board finds that because these adverse impacts are potential indirect impacts associated with the compliance responses of covered entities, the authority to determine site- or project-specific mitigation is within the purview of jurisdictions with land use approval and permitting authority, such as city or county governments. Public agencies with the requisite authority can and should implement the identified measures to the degree feasible.

Because the authority and responsibility to determine project-level impacts and require project-level mitigation lies with land use or permitting agencies for individual projects, and the programmatic level of analysis associated with the Final EA does not address project-specific details of mitigation, there is inherent uncertainty in the mitigation that may ultimately be implemented to reduce potentially significant impacts to these resources. While cumulative impacts could be reduced to a less than significant level by land use or permitting agency conditions of approval, the Board takes a conservative approach in its post-mitigation significance conclusion and finds the cumulatively considerable contribution of the Proposed Project to existing significant cumulative impacts to aesthetics, agriculture and forestry resources, air quality (short-term construction-related), biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources, noise, transportation/traffic, tribal cultural resources and utilities and service systems to be potentially significant and unavoidable.

Findings on Alternatives to the Project

Besides the No-Project Alternative, the Final EA considered a reasonable range of potentially feasible alternatives that could reduce or eliminate the significant adverse environmental impacts associated with the Proposed Project, while accomplishing most of the basic project objectives.

The Board finds the alternatives analysis will inform the Board and the public regarding the tradeoffs between how much the alternatives could reduce environmental impacts and the corresponding degree to which the alternatives could achieve the project objectives.

Based upon a full evaluation of the alternatives, and the entire record, the Board finds that adopting and implementing the Proposed Project is the most desirable, feasible, and appropriate action for achieving the objectives of the project, and the Board rejects the other alternatives because they either fail to meet most project objectives, or are infeasible based on consideration of the factors identified in the Final EA and briefly described below. Please see the Final EA for a more in-depth discussion and analysis regarding project alternatives.

Alternative 1: No Project Alternative

Alternative 1 in the EA describes a reasonably foreseeable scenario if CARB did not approve the Proposed Project. Under Alternative 1, the Proposed Project would not occur. Existing conditions would continue, and truck sales would continue as they have been to date, and in line with the projected ZEV sales from the ACT regulation which would result in about 280,000 ZEVs by 2035. It is anticipated that Alternative 1 would not result in the development of new manufacturing plants that specialize in the production of propulsion batteries or fuel cells, or the modification or expansion of existing production facilities. The proportion of ZEVs in the statewide vehicle fleet would likely not increase and, therefore, new hydrogen fueling stations would not be developed under the existing regulation.

The Board finds that the No Project Alternative fails to meet many of the project objectives in Chapter 2 of the Final EA because criteria pollutant and GHG reductions would not be accelerated in the manner necessary to achieve air quality standards and climate goals. In addition, the No Project Alternative would fail to support the manufacture sales of ZEVs required in the ACT regulation. Public and private fleets would lack the regulatory incentive to purchase ZEVs, which would delay the transition to a sustainable zero-emission truck market. For these reasons, the Board rejects this alternative.

Alternative 2: Less Stringent ZEV Purchase Requirement

Alternative 2 is a less stringent ZEV purchase requirement and is structured as a cleaner combustion option that would count engines certified to the Heavy-Duty Omnibus regulation equivalent to a ZEV purchase for the same regulated fleets as the Proposed Project. Under this alternative, regulated fleets would have the option to meet compliance requirements by purchasing a combination of ZEVs or engines certified to the Heavy-Duty Omnibus regulation requirement starting in 2024.

The Board finds that beneficial impacts resulting from Alternative 2 would be slight and significantly less than the Proposed Project. Alternative 2 would include some NO_x criteria pollutant reductions, minimal toxic air contaminant reductions, and no GHG benefits when compared to the baseline and would provide minimal benefits to protect public health. In addition to failing to meet many project objectives, this would put Alternative 2 at a substantial environmental disadvantage, compared to the Proposed Project. In addition, Alternative 2 would fail to support the manufacturer sales requirements of ZEVs in the ACT regulation and other related programs and would fail to meet most of the project objectives listed in Chapter 2 of the Final EA, because there would be minimal to no progress towards achieving air quality standards and climate objectives. Therefore, the primary goals of the Proposed Project would not be achieved using Alternative 2. For these reasons, the Board rejects this alternative.

Alternative 3: Best Available Control Technology (BACT) Concept

Alternative 3 would allow for the use of the best available control technology for compliance. The order of BACT would be a ZEV, then NZEV, then the cleanest certified engine. Alternative 3 would result in lower overall ZEV sales than the Proposed Project and would therefore have reduced environmental impacts related to ZEV manufacturing and deployment. Decreased environmental impacts would be related to fewer ZEV infrastructure installations needed with the smaller scope reducing construction related activities and therefore lessening short-term construction-related impacts to biological

resources, geology and soil, cultural resources, and hydrology and water quality, associated with installation of electric vehicle charging/refueling infrastructure.

Alternative 3 would produce fewer operational impacts as compared to the Proposed Project because of the reduced number of ZEVs deployed. However, it would be expected that although such impacts would be less, potentially significant and unavoidable impacts to aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, transportation and traffic, and utility and service systems from implementation of Alternative 3 could still occur. This is because the compliance responses to a less stringent ZEV requirement would still require similar infrastructure and facility development to serve the introduction of ZEVs into the marketplace from the Proposed Project. Beneficial air quality, climate, and energy effects would be anticipated to be less than those that would occur with implementation of the Proposed Project because more California certified and CNG engines would be introduced while fewer ZEVs would be deployed. No NO_x reductions would occur beyond what is already expected from the HD Omnibus regulation. GHG benefits would be less than the Proposed Project and any GHG benefits achieved from the use of RNG or RD would be attributed to LCFS and RFS.

The Board finds this alternative would be less effective than the Proposed Project at meeting ZEV-related project objectives 1, 6, 8, 10, and 12 and result in fewer ZEVs, less ZEV infrastructure build-out, less ZEV innovation, and less ZEV-related economic activity. This alternative is also less effective at meeting GHG-related goals described in project objectives 3, 5, and 9. For these reasons, the Board rejects this alternative.

Alternatives Considered but Rejected

The Final EA also includes 6 additional alternatives that were considered but rejected from meeting the criteria for undergoing a full alternative analysis under CEQA. The CEQA Guidelines Section 15126.6(c) includes three factors that may be used to eliminate alternatives from detailed consideration in an EIR: "i. failure to meet most of the basic project objectives; ii. Infeasibility, or iii. Inability to avoid significant environmental impact." As these alternatives did not meet these factors detailed consideration was not provided in the Final EA. The alternatives considered but rejected are: Focus ZEV Requirements on Return to Base Concept), Match ACT and ACF ZEV Deployments Exactly, Exempt Small Fleets and Interstate Truckers, Extend the Timeline for Group 1 Vehicles and Exclude All Other Vehicles, Credit for ZEV or Natural Gas Vehicle and Exempt Refuse Fleets Subject to SB 1383. For a more detailed discussion of alternatives considered but rejected, please see the Final EA (as incorporated by reference).

STATEMENT OF OVERRIDING CONSIDERATIONS

CARB expects that many of the significant adverse impacts identified in the EA will be avoided or mitigated; however, since uncertainty exists as to the extent of mitigation that other agencies will require at the site- and project-specific level, the Board is conservatively considering certain impacts to be potentially significant and unavoidable. The Board finds that despite the potential for adverse environmental impacts associated with the Proposed Project benefits of the proposed actions are determined to be overriding considerations that warrant approval of the Proposed Project and outweigh and override its unavoidable significant impacts. Each benefit set forth below constitutes an overriding consideration

warranting approval of the project, independent of the other benefits, despite each and every unavoidable impact. These benefits include:

1. Accelerating the deployment of vehicles that achieve the maximum emissions reductions possible from medium- and heavy-duty vehicles and light-duty delivery vans to assist in the attainment of national ambient air quality standards for criteria air pollutants (Health & Safety Code §§ 43000.5(b), 43018(a));
2. Meeting the goals of the State Implementation Plan (SIP) and providing necessary emission reductions from vehicular sources for the federal national ambient air quality standards to be met in all of California (California Air Resources Board, Revised Proposed 2016 State Strategy for the State Implementation Plan¹; 2022 State Strategy for the State Implementation Plan²; Health & Safety Code §§ 39002, 39003, 39602.5, 43000, 43000.5, 43013, 43018);
3. Decreasing GHG emissions to support statewide GHG reduction goals by adopting strategies to deploy medium- and heavy-duty zero-emission vehicles and light-duty delivery vans in California as identified in the 2022 Scoping Plan³, which was developed to reduce GHG emissions in California as directed by AB 32 (Ch. 488, Stats. of 2006, Nuñez);
4. Reducing GHG emissions through the requirements for zero-emission vehicles in the mobile source sector in a manner that minimizes costs and maximizes benefits for California's economy, maximizes environmental and economic co-benefits under Health and Safety Code § 38501, and providing further GHG reductions under AB 1493 (Ch. 200, Stats. of 2002, Pavley);
5. Maintaining and continuing reductions in emissions of GHGs beyond 2020, as required under AB 32 (Health & Safety Code §§ 38551(b), 38562, 38562.5), and pursuing measures that implement reduction strategies covering the State's GHG emissions to further California's mandate to reduce GHG emissions to 40 percent below the 1990 level by December 31, 2030 under SB 32 (Health & Safety Code § 38566);
6. Reducing risk of climate change impacts;
7. Accelerating development and deployment of the cleanest feasible mobile source technologies;
8. Leading California's medium-and heavy-duty transportation sector to reduced air pollution from the use of zero-emission powertrains;

¹ CARB, 2016 State Strategy for the State Implementation Plan for Federal Ozone and PM2.5 Standards (web link, <https://ww2.arb.ca.gov/resources/documents/2016-state-strategy-state-implementation-plan-federal-ozoneand-pm25-standards>, last accessed March 16, 2023)

² CARB, 2022 State Strategy for the State Implementation Plan (web link: <https://ww2.arb.ca.gov/resources/documents/2022-state-strategy-state-implementation-plan-2022-state-sipstrategy> last accessed March 16, 2023)

³ CARB. 2022 Scoping Plan for Achieving Carbon Neutrality. 2022 (web link: <https://ww2.arb.ca.gov/sites/default/files/2022-12/2022-sp.pdf>, last accessed January 2023).

9. Reducing the State's dependence on petroleum as an energy resource and supporting the use of diversified fuels in the State's transportation fleet (Health & Safety Code § 43000(e), California Public Resources Code (PRC) § 25000.5);
10. Providing market certainty for zero-emission technologies and fueling infrastructure that promotes development of environmentally superior medium- and heavy-duty vehicles that will continue to deliver performance, utility, and safety demanded by the market while saving consumers money;
11. Taking steps to ensure all Californians can live, work, and play in a healthful environment free from harmful exposure to air pollution, including protecting and preserving public health and well-being, and preventing irritation to the senses, interference with visibility, and damage to vegetation and property (Health & Safety Code § 43000(b)) in recognition that the emission of air pollutants from motor vehicles is the primary cause of air pollution in many parts of the State (Health & Safety Code §§ 43000(a); 43013(b));
12. Realizing other related statewide health benefits from the reduction of other co-pollutants by complementing and supporting California's existing efforts and plans to reduce to reduce GHG emissions, criteria pollutants, petroleum-based transportation fuels, and toxic air contaminants;
13. Reducing exposure to criteria pollution and toxic air contaminants in burdened communities by implementing part of CARB's statewide strategy to address emission reduction goals in the Community Air Protection Program Blueprint;
14. Spurring economic activity of zero-emission technologies in the medium- and heavy-duty vehicle sector;
15. Incentivizing innovation that will deploy into California's economy greater use of clean and sustainable zero-emission technologies and promoting increased economic and employment benefits that will accompany this transition (AB 1493, § 1(g); Health & Safety Code §§ 38501(e), 43018.5(c));
16. Reducing emissions from vehicles in a manner that is equitable, does not disproportionately impact low-income communities, and minimizes the administrative burden of complying with the regulations (Health and Safety Code §§ 38562, 38562.5, 44391.2.);
17. Improving health of all Californians and providing health benefits relating to avoided hospitalization, reduced mortality, and emergency room visits.

LOCATION AND CUSTODIAN OF THE RECORD

The documents and other materials that constitute the record of proceedings on which these findings are based are at 1001 I Street Sacramento, CA 95814. The custodian for these documents is the California Air Resources Board Legal Office, inquiries can be submitted to CaliforniaEnvironmentalQualityAct@arb.ca.gov.