

January 30, 2018

Mail-Out #MSC 18-02

TO: All interested parties

SUBJECT: PUBLIC WORKSHOP ON DEVELOPING A BENEFICIARY MITIGATION PLAN FOR CALIFORNIA'S ALLOCATION OF THE VOLKSWAGEN ENVIRONMENTAL MITIGATION TRUST

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The California Air Resources Board (CARB or Board) invites you to participate in a public workshop on developing a Beneficiary Mitigation Plan (Plan) for California's \$423 million allocation of the Volkswagen (VW) Environmental Mitigation Trust (Mitigation Trust). The Plan will describe CARB's proposal for spending the State's allocation, including the overall goals for the use of the funds, the eligible mitigation action categories to be funded with a priority on providing benefits to disadvantaged or low-income communities, the allocations for each proposed category, and the estimated emission reductions.

CARB staff will conduct the workshop at six locations throughout the state between February 26, 2018, and March 8, 2018. All meeting materials will be the same at all six locations. The workshop will be held at the following times and locations:

SACRAMENTO

Date: Monday, February 26, 2018  
Time: 1:00 p.m. to 3:00 p.m. (PST)  
Place: CalEPA Headquarters  
Coastal Hearing Room  
1001 I Street  
Sacramento, CA 95814

CENTRAL VALLEY

Date: Wednesday, February 28, 2018  
Time: 10:00 a.m. to 12:00 p.m. (PST)  
Place: San Joaquin Valley Air Pollution  
Control District  
Board Room  
1990 E. Gettysburg Avenue  
Fresno, CA 93704

BAY AREA

Date: Thursday, March 1, 2018  
Time: 10:00 a.m. to 12:00 p.m. (PST)  
Place: Elihu M. Harris State Building  
Auditorium  
1515 Clay Street  
Oakland, CA 94612

NORTHERN CALIFORNIA

Date: Monday, March 5, 2018  
Time: 1:00 p.m. to 3:00 p.m. (PST)  
Place: Shasta County Board of  
Supervisors  
Board Chambers  
1450 Court Street, #308B  
Redding, CA 96001

### SOUTH COAST

Date: Wednesday, March 7, 2018  
Time: 10:00 a.m. to 12:00 p.m. (PST)  
Place: South Coast Air Quality  
Management District  
Auditorium  
21865 Copley Drive  
Diamond Bar, CA 91765

### INLAND EMPIRE

Date: Thursday, March 8, 2018  
Time: 11:30 a.m. to 1:30 p.m. (PST)  
Place: Fontana City Hall  
Council Chambers  
8353 Sierra Avenue  
Fontana, CA 92335

The workshop in Sacramento will be webcast for those unable to attend in person. The broadcast can be accessed on the day of the Sacramento workshop, February 26, 2018, at: <https://video.calepa.ca.gov/>. Information on submitting comments will be provided during the webcast for remote participants.

At this workshop, CARB staff will discuss and seek input on the following:

- Recommended eligible mitigation action categories to be funded.
- Recommended allocation ranges for each proposed category.
- Emission reduction quantification and estimates.
- Administrative process for implementation.

Staff plans to post a draft Discussion Document outlining its recommendations on project categories, funding allocations, and project criteria for this funding the week before the Sacramento workshop on Monday, February 26, 2018, on CARB's VW Mitigation Trust website at: [https://www.arb.ca.gov/msprog/vw\\_info/vsi/vw-mititrust/vw-mititrust.htm](https://www.arb.ca.gov/msprog/vw_info/vsi/vw-mititrust/vw-mititrust.htm). The draft document will include a workshop agenda. Staff's presentation will be posted on this website the morning of the Sacramento workshop on Monday, February 26, 2018.

These are the final planned public workshops for the Beneficiary Mitigation Plan, building on input received at a previous public workshop, a public board meeting, via the online comment docket created in September 2017, and individual stakeholder meetings held since October 2017. CARB staff will release a proposed Beneficiary Mitigation Plan, incorporating input received at this workshop, this spring. The Board will consider the proposed Beneficiary Mitigation Plan at a public meeting after a 30-day public comment period.

### **Background**

The VW Mitigation Trust is a component of partial settlements with VW resulting from its use of illegal defeat devices—software designed to cheat on emissions tests—in certain

2009 to 2016 model year diesel cars that were sold in California. The Trust provides funding opportunities for specified eligible actions to mitigate the excess nitrogen oxide (NOx) emissions caused by the subject VW vehicles. The Mitigation Trust is enumerated in the first of two Partial Consent Decrees as Appendix D.

In addition to the requirements outlined in the Consent Decree, Senate Bill 92 (Chapter 26, Statutes of 2017) was passed in June 2017, which further directs how California's Mitigation Trust funds in Appendix D are to be spent. The legislation directs the designated Lead Agency for the Mitigation Trust to strive to ensure that 35 percent of California's allocation benefit low-income or disadvantaged communities that are disproportionately impacted by air pollution. It also requires the Lead Agency (CARB) to strive to ensure that the expenditures align with the state's priorities and provide for public transparency before approval.

In March 2017, the Court appointed Wilmington Trust, N.A., as Trustee to administer the Trust for all eligible beneficiaries (states and tribes). The Trust became effective in October 2017. A Beneficiary Mitigation Plan is required to be submitted to the Trustee before the State may expend any funds from its allocation of the Trust.

## **Contact**

We welcome and encourage your participation in this public workshop. If you have questions regarding the workshop, please contact Ms. Lisa Williams, Air Pollution Specialist, at (916) 324-7582 or by email at [lisa.williams@arb.ca.gov](mailto:lisa.williams@arb.ca.gov).

Interested members of the public may also submit comments throughout the Beneficiary Mitigation Plan development process either by postal mail or electronically.

Postal mail:  
Ms. Lisa Williams  
California Air Resources Board, Mailstop 5B  
P.O. Box 2815  
Sacramento, California 95812-2815

Electronic submittal:  
[https://www.arb.ca.gov/lispub/comm2/bcsubform.php?listname=vw-mititrust-plws&comm\\_period=1](https://www.arb.ca.gov/lispub/comm2/bcsubform.php?listname=vw-mititrust-plws&comm_period=1)

### **Special Accommodations**

If you require a special accommodation or need this document in an alternate format (i.e. Braille, large print) or another language, please contact Ms. Stella Ling-Taylor, Air Pollution Specialist, at (916) 322-6369 or by email at [stella.lingtaylor@arb.ca.gov](mailto:stella.lingtaylor@arb.ca.gov) as soon as possible, but no later than ten business days before the scheduled meeting. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia.
- Documentos disponibles en un formato alterno u otro idioma.
- Una acomodación razonable relacionados con una incapacidad.

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 324-0342 o envíe un fax a (916) 327-8524 lo más pronto posible, pero no menos de 10 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

Sincerely,

/s/

Jack Kitowski, Chief  
Mobile Source Control Division

cc: Lisa Williams  
Air Pollution Specialist  
Mobile Source Control Division

Stella Ling Taylor  
Air Pollution Specialist  
Mobile Source Control Division

All Interested Parties  
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bcc: Richard Corey, EO  
Steve Cliff, EO  
Syndey Vergis, LO  
Ellen Peter, Legal  
Aron Livingston, Legal  
Evan Kersnar, CO  
Lucina Negrete, MSCD  
Peter Christensen, MSCD  
Lisa Jennings

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