

July 27, 2022

Lianne M. Randolph, Chair, and Board Members
California Air Resources Board
1001 I Street
Sacramento, California 95814

Re: Proposed Amendments to the Proposed Advanced Clean Cars II Regulations

Dear Chair Randolph and Honorable Board Members:

The Northeast States for Coordinated Air Use Management (NESCAUM) is writing to express strong support for the updates to the proposed Advanced Clean Cars II (ACC II) rulemaking and urges the California Air Resources Board to adopt the ACC II regulations.

NESCAUM is the regional nonprofit association of state air quality agencies in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont. Our organization has a long history of working directly with states on adopting and implementing California's low-emission vehicle (LEV) and zero-emission vehicle (ZEV) regulations using the authority under Section 177 of the Clean Air Act. As part of a coordinated effort to reduce air pollution in the Northeast, seven of our eight member states have adopted California's Advanced Clean Cars standards in lieu of the federal emissions standards. Beyond our member states, NESCAUM continues to support states considering adopting California's emissions standards and hosts a Section 177 state workgroup to coordinate implementation of California's LEV and ZEV standards. To date, fifteen states have adopted the LEV and ZEV standards and two more states have adopted the LEV standards.¹ Together with California, they represent over 140 million people and 40 percent of new light-duty vehicle sales in the U.S.²

Like California, the Section 177 states have set ambitious greenhouse gas (GHG) emission reduction targets for 2050 and interim targets that require aggressive emissions reductions by as early as 2030. In the Northeast, the transportation sector is the largest source of GHG emissions, with cars and light-duty trucks accounting for more than a quarter of all emissions.³ Rapid, equitable, and widespread electrification of these vehicles is urgently needed to reduce GHG

¹ States adopting California's LEV and ZEV standards include Colorado, Connecticut, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Mexico, New Jersey, New York, Oregon, Rhode Island, Vermont, Virginia, and Washington; Delaware and Pennsylvania have adopted California's LEV standards.

² California Air Resources Board, States that have Adopted California's Vehicle Standards under Section 177 of the Federal Clean Air Act (May 13, 2022) https://ww2.arb.ca.gov/sites/default/files/2022-05/%C2%A7177_states_05132022_NADA_sales_r2_ac.pdf.

³ U.S. Environmental Protection Agency, State Inventory and Projection Tool (2022), <https://www.epa.gov/statelocalenergy/download-state-inventory-and-projection-tool>; U.S. Energy Information Administration, Energy-Related CO2 Emission Data Tables, <https://www.eia.gov/environment/emissions/state/>.

emissions and mitigate the impacts of the Earth's rapidly changing climate, including more frequent and intense precipitation and wind events, flooding, heat waves, drought, wildfires, retreating snow and ice pack, ocean warming and acidification, accelerating sea level rise, and large-scale biodiversity loss.

The rapid transition to ZEVs is also a critical strategy for reducing emissions of criteria air pollutants such as smog-forming nitrogen oxides (NO_x) and fine particulate matter (PM_{2.5}) that worsen public health outcomes. Harmful levels of these pollutants exacerbate asthma and other cardio-respiratory illnesses, especially in children and older adults, leading to additional hospitalizations and premature deaths. The widespread deployment of ZEVs is also necessary to achieve and maintain attainment of the National Ambient Air Quality Standards for ozone, which is a persistent threat in the Northeast and in Section 177 states in other parts of the country.

The ACC II regulations provide a critical tool for states to achieve their climate and air quality commitments by rapidly increasing sales of new cars and light-duty trucks to 100 percent ZEVs by the 2035 model year, while reducing smog-forming emissions from new internal combustion engine vehicles. In addition, the proposed ZEV assurance measures will help lead to the production of higher quality ZEVs and plug-in hybrid electric vehicles (PHEVs), ensure long-lasting emissions benefits of these vehicles, and support the development of a robust used ZEV market, which is important for increasing access to ZEVs and PHEVs and clean mobility in low-income and frontline communities disproportionately impacted by motor vehicle pollution.

Overall, the proposed changes to the ACC II regulations will accelerate the market for zero-emission passenger cars and light-duty trucks while supporting more equitable access to affordable ZEVs. The proposed changes to the converted ZEV and PHEV values and allowance provisions, including the addition of the proportional fuel cell electric vehicle values and cumulative allowance option, provide greater year-to-year flexibility for automakers to meet their annual ZEV compliance requirements for the 2026 through 2030 model years.

The proposed changes to converted ZEV and PHEV values provisions also incentivize automakers to participate in ACC II's environmental justice programs. By placing more ZEVs and PHEVs in community-based clean mobility programs and selling more affordable ZEVs and PHEVs below the manufacturer's suggested retail price, automakers can unlock full usage of the cumulative allowance option for compliance.

In addition, the proposed changes to production volume determination methods prevent automakers from lowering their annual compliance requirements by switching determination methods and facilitate compliance with the requirements for 100-percent ZEV and PHEV sales by the 2035 model year.

We believe the proposed changes to the ACC II regulations will ensure the delivery of increasing volumes of ZEVs for sale in California and the Section 177 states considering adoption of the regulations while expanding the number of pathways for compliance by automakers. As such, the proposed ACC II regulations will provide much needed environmental, public health, and economic benefits to the Section 177 states.

Thank you for the opportunity to comment on the revisions to the proposed ACC II regulations. NESCAUM appreciates California's ongoing leadership in protecting the environment and public health from motor vehicle pollution. Our states look forward to continued collaboration in our joint effort to electrify the transportation sector.

Sincerely,



Paul J. Miller
Executive Director

Cc: NESCAUM Air Directors
Lynne Hamjian, Cynthia Greene, EPA R1
Rick Ruvo, EPA R2