

Notice of Exemption

- Project Title:** Electrify America’s Cycle 3 ZEV Investment Plan
- Project Location:** Statewide
- Public Meeting Date:** June 24, 2021; Agenda Item #21-5-2
- Project Description:** Approval of plan for Volkswagen, through its subsidiary Electrify America, to spend \$200 million in Zero-Emission Vehicle (ZEV) investments in California over a 30-month period, and to maintain existing investments from the previously-approved first and second 30-month investment cycles. Eligible investments include installing zero-emission vehicle fueling infrastructure (for both electric- and hydrogen-powered vehicles), funding brand-neutral consumer awareness campaigns that will help grow the ZEV market, and investing in projects, such as car-sharing programs, that will increase access to ZEVs for all consumers in California, including those in lower-income and disadvantaged communities. These projects will support the next generation of California ZEVs, helping to grow the State’s ZEV program and lay the foundation for achieving the State’s air quality and climate change goals.

This notice is to advise that the California Air Resources Board (CARB or Board), as the lead agency, approved the above action on June 24, 2021.

CARB has determined that the Board’s approval of the Volkswagen ZEV Investment Plan (Plan) is a “ministerial” approval for purposes of CEQA (Cal. Code Regs, tit 14, §15268) because CARB’s review is limited to determining if the Plan meets the requirements of the 2.0-liter Partial Consent Decree (approved October 25, 2016), and CARB lacks authority to modify or disapprove the Plan in response to environmental concerns. CARB has determined that this approval’s fueling infrastructure-related aspects also qualify for the categorical exemptions for new construction or conversion of small structures (Cal. Code Regs, tit 14, §15303) and minor alterations to land (Cal. Code Regs, tit 14, §15304). Furthermore, this approval’s other aspects relating to public education and outreach are exempt from CEQA under the “general rule” or “common sense” exemption (14 CCR 15061(b)(3)). CEQA applies only to projects which have the potential to cause a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Based on CARB’s review, it can be seen with certainty that there is no possibility that these aspects of the project would result in a significant adverse impact on the environment, and these aspects are thus exempt from CEQA.

