



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, N.Y. 10007-2601

ZACHARY W. CARTER
Corporation Counsel

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By Electronic Transmission

Mary D. Nichols, Chair
California Air Resources Board
1001 I Street
Sacramento, CA 95814

**Re: City of New York Comments on the California Air Resources Board
Proposed Amendments to the Low –Emission Vehicle III Greenhouse
Gas Emission Regulation**

To Whom It May Concern:

The City of New York (“City”) offers the following comments in response to the August 7, 2018 publication by the California Air Resources Board (“CARB”) of proposed amendments to the Low-Emission Vehicle III Greenhouse Gas Emission Regulation. The City strongly supports CARB’s proposed amendments, which ensure that appropriate and necessary regulations remains in place and effective in the face of EPA’s current efforts to roll back existing passenger vehicle and light truck greenhouse gas emission limitations and fuel efficiency standards.

As a large coastal city within a state that has adopted California’s standards for motor vehicle emission control,¹ where private on-road light-duty vehicles account for 78 percent of all transportation greenhouse gas (“GHG”) emissions, the City has a vested interest in ensuring that California’s emissions standards remain in place and maintain their effectiveness. The California standards play an integral role in New York City’s efforts to meet its own emission reduction and sustainability goals to protect both public health and the environment, a role that will become even more important should the federal government be successful in revising the 2022-2026 corporate average fuel economy (“CAFE”) standards and passenger cars and light trucks emissions standards.²

¹ See New York State’s comment letter on amendments to the Low-Emission Vehicle III Greenhouse Gas Emission Regulation; See 6 New York Code of Rules and Regulations Part 18.

² EPA, Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emission Standards under the Midterm Evaluation, EPA-420-R-17-001

Climate change is already impacting New York City and is projected to have catastrophic consequences on the City in the future.³ The climate of the New York metropolitan region is changing—annual temperatures are hotter, heavy downpours are increasingly frequent, and the sea is rising. These trends are projected to continue and even worsen in the coming decades due to higher concentrations of GHGs in the atmosphere caused, in part, by the GHG emissions from automobiles.⁴ This changing climate and the resulting impacts pose a grave risk to the people, economy, and infrastructure of New York City.

In an effort to limit its impact on climate change, the City has set an ambitious goal to reduce citywide GHG emissions by 80 percent below 2005 levels by the year 2050.⁵ However, despite these ambitious goals, no city can confront the complex challenges of climate change alone. Achieving these objectives requires complementary efforts from the regulatory systems on which New York City depends, such as California’s vehicle greenhouse gas emissions standards. California’s standards, in part, help ensure the availability and affordability of low emission vehicles in the market, which in turn enables the City to promote the use of these vehicles in its own fleet and throughout the City as a way to reduce greenhouse gas and other harmful emissions in the City.

In furtherance of its emission reduction goals, the City has committed billions of dollars to reduce its own carbon footprint with investments in energy efficiency for municipal buildings and transitioning its vehicle fleet toward low- and zero-emission technologies, and is aggressively pursuing numerous other strategies to reduce citywide emissions.⁶ For example, NYC Clean Fleet is the most comprehensive and ambitious blueprint for municipal fleet sustainability in the nation. Unveiled by Mayor de Blasio in December 2015, Clean Fleet expands on the City’s already substantial strides in sustainability by setting concrete targets to reduce the Fleet’s consumption of greenhouse gas-emitting petroleum-based fuels—50 percent by 2025 and 80 percent by 2035. In the near term, Clean Fleet committed New York City to add

(Jan. 12, 2017); *The Safer Affordable Fuel Efficient (SAFE) Vehicles Proposed Rule for Model Years 2021-2026*, 83 Fed. Reg. 42817.

³ See generally New York City Panel on Climate Change, *Building the Knowledge Base for Climate Resiliency: New York City Panel on Climate Change 2015 Report*, Annals of the New York Academy of Science, Vol. 1336 (Jan. 2015), at 9-13 (hereinafter “*New York City Panel on Climate Change 2015 Report*”), available at <http://onlinelibrary.wiley.com/doi/10.1111/nyas.2015.1336.issue-1/issuetoc>.

⁴ See International Panel on Climate Change, *Climate Change 2014, Mitigation of Climate Change Report* at 603 available at http://www.ipcc.ch/pdf/assessment-report/ar5/wg3/ipcc_wg3_ar5_chapter8.pdf.

⁵ See City of New York, *One City Built to Last: Transforming New York City’s Buildings for a Low-Carbon Future* (2014) at 6, at <http://www.nyc.gov/html/builttolast/assets/downloads/pdf/OneCity.pdf> (hereinafter “*One City*”).

⁶ See generally The City of New York, *New York City’s Roadmap to 80x50* (2016), available at http://www1.nyc.gov/assets/sustainability/downloads/pdf/publications/New%20York%20City's%20Roadmap%20to%2080%20x%2050_Final.pdf.

2,000 electric vehicles (EVs) to its sedan fleet by 2025. In April 2016, the City reinforced its EV commitment by announcing it would only purchase plug-in vehicles for all non-emergency sedan orders beginning in fiscal year 2017. And during the 2018 fiscal year the City hit numerous milestones, including: purchasing its 1,700th electric and plug in vehicle; beginning the use of renewable diesel; and installing 37 solar charging carports to charge electric vehicles.

In addition to the improvements to the citywide fleet, Mayor de Blasio has announced a \$10 million investment to install 50 fast-charging electric vehicle hubs in the City by 2020 located across all five boroughs, with a goal that at least 20 percent of all new vehicle registrations in New York City be electric by 2025.⁷ The City has also utilized funding from New York State and entities such as the New York State Energy Research and Development Authority (“NYSERDA”) and the New York Power Authority (“NYPA”) to install electric vehicle charging stations and outlets throughout the City. Programs like these are bolstered by New York State’s ability to adopt California’s standards, and the effectiveness and viability of those programs depends on the current standards remaining in effect.

Finally, through amending its vehicle emission regulations, CARB is acting in a manner that is consistent with the cooperative federalism structure of the Clean Air Act and ensures the effectiveness of Clean Air Act regulations moving forward. Sections 177 and 209 of the Clean Air Act give California the ability to adopt its own, more stringent emission control standards for motor vehicles and gives states the authority to adopt those standards. The current rulemaking takes an important and necessary step towards preserving that authority which serves as an essential part of New York City’s plans to protect public health and the environment.

For these reasons, and the reasons set forth in the letters submitted by other states that have adopted the California standards, the City of New York supports CARB’s proposed amendments to the Low Emission Vehicle III Greenhouse Gas Emission Regulation.

Sincerely,



Susan E. Amron
Chief, Environmental Law Division
212.356.2070
samron@law.nyc.gov



Robert L. Martin
Environmental Law Division
212.356.2184
rmartin@law.nyc.gov

⁷ City of New York, Transcript: Mayor de Blasio Announces Fast-Charging EV Hubs in All 5 Boroughs (Sept. 21, 2017), at <http://www1.nyc.gov/office-of-the-mayor/news/604-17/transcript-mayor-de-blasio-fast-charging-ev-hubs-all-5-boroughs/>.