

State of California
AIR RESOURCES BOARD

Resolution 95-30

June 29, 1995

Agenda Item No.: 95-6-5

WHEREAS, Health and Safety Code sections 39600 and 39601 authorize the Air Resources Board (the "Board") to adopt standards, rules and regulations and take actions as may be necessary for the proper execution of the powers and duties granted to and imposed upon the Board by state law;

WHEREAS, Health and Safety Code Section 40910 declares the intent of the Legislature that attainment plans developed by air pollution control districts (Districts), as required by the California Clean Air Act, consider the full spectrum of emission sources and focus particular attention on reducing emissions from transportation and areawide sources;

WHEREAS, Health and Safety Code section 40717 requires Districts to adopt, implement, and enforce transportation control measures as necessary to attain state and national ambient air quality standards;

WHEREAS, Health and Safety Code section 40716 authorizes Districts to adopt and implement trip reduction rules to encourage or require the use of ridesharing, vanpooling, and other measures to reduce the number or length of vehicle trips;

WHEREAS, Health and Safety Code section 40717.5 sets forth criteria, requirements, and procedures which apply to employer trip reduction programs and sections 40717.5 (c)(3) and 40717.1 (a) require Districts, when adopting or amending trip reduction rules, to allow employers to use alternative strategies which provide equivalent emission reductions and which are not otherwise required by statute or regulation;

WHEREAS, a number of Districts have adopted, or plan to adopt or amend, employer-based trip reduction rules requiring that employers with 100 or more employees meet average vehicle ridership (AVR) goals or implement alternative strategies with equivalent emission reductions;

WHEREAS, Health and Safety Code section 40717.5 (d) requires the Board to develop in consultation with the public, the regulated community, and other interested parties, a calculation methodology which shall be used by Districts to determine the emissions equivalency of alternatives used to meet employer-based trip reduction goals;

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WHEREAS, the California Environmental Quality Act (CEQA) requires that no action be approved or adopted if there are alternatives or mitigation measures which would reduce or eliminate any adverse impacts on the environment which the action would entail;

WHEREAS, the Board staff consulted with the Districts and the regulated industry and has held workshops and provided opportunities for public comment on the regulation;

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of Chapter 3.5 (commencing with section 11340), Part 1, Division 3, Title 2 of the Government Code;

WHEREAS, in consideration of the staff report, written comments, and oral testimony, the Board finds:

1. Employer trip reduction programs are a useful transportation control strategy to reduce the number and lengths of vehicle trips.
2. The use of a uniform emissions calculation formula would facilitate the implementation of equally effective alternatives to District ridesharing requirements and would assist employers who are subject to trip reduction rules at multiple sites in more than one District.
3. The proposed regulation will not have a significant adverse economic impact on small businesses; rather, it would assist small businesses and other employers in meeting the requirements of employer-based trip reduction rules by facilitating the use of equally effective alternative strategies chosen by the employer.
4. Staff has proposed modifications to the regulation originally proposed to clarify that Districts shall permit multisite employers located in more than one District to use the specific algebraic formula set forth in the regulation.
5. The proposed regulation will not have any adverse environmental impact.

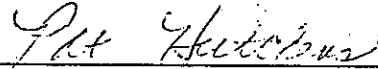
NOW, THEREFORE, BE IT RESOLVED, that the Board hereby approves sections 2330, 2331, and 2332, Subchapter 8.5, Title 13, California Code of Regulations as set forth in Attachment A hereto.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer to adopt sections 2330, 2331, and 2332, Subchapter 8.5, Title 13, California Code of Regulations, after making the modified regulatory language available for public comment for a period of 15 days, provided that the Executive Officer shall consider such written comments regarding the modification as may be submitted during this period, shall make modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if he determines that this is warranted.

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BE IT FURTHER RESOLVED that the Board directs the Executive Officer to provide Districts with emission factors to use with the formula set forth in Attachment A.

I hereby certify that the above is a true and correct copy of Resolution 95-30, as adopted by the Air Resources Board.



Pat Hutchens, Board Secretary

ATTACHMENT A

SUGGESTED MODIFICATIONS TO TITLE 13

Additions to the original proposal are shown by underline; deletions from the original proposal are shown by ~~strikeout~~.

Adopt new Section 2330, 2331, and 2332, Subchapter 8.5, Title 13, California Code of Regulations, to read as follows:

Subchapter 8.5 EMISSIONS FORMULA FOR EMPLOYER-BASED TRIP REDUCTIONS

2330. **Applicability.** This subchapter shall be applicable to any air pollution control or air quality management district which adopts or amends a rule or regulation which establishes employer-based trip reduction requirements.
2331. **Definitions.** The following definitions shall apply to this subchapter:
- (a) "AVR Base" is the average vehicle ridership based on the most recent survey of employees at the site or an average value provided by the air district. Employers shall have the option to choose either value.
 - (b) "AVR Goal" is the average vehicle ridership goal for a given year provided by the air district or implementing agency.
 - (c) "Annual Commute Emission Factor" is the annual emission factor, expressed in pounds per year, for a given year and pollutant based on a typical commute vehicle fleet, peak period speed distributions and temperatures, and average commute trip lengths for a given area.
2332. **Emissions Formula.**
- (a) Air pollution control districts and air quality management districts ~~and employers~~ subject to air district employer-based trip reduction regulations shall use the following emissions formula, or an algebraic expression of the formula which produces the same mathematical results, to determine employer-based emissions reduction goals equivalent to employer-based trip reduction goals:

Employer-Based Emissions Reduction Goal =

$$\left(\begin{array}{l} \text{Average Daily} \\ \text{Peak Period Employees} \\ \text{as defined in district rules} \end{array} \right) \times \left(\frac{1}{\text{AVR Base}} - \frac{1}{\text{AVR Goal}} \right) \times \left(\begin{array}{l} \text{Annual Commute} \\ \text{Emission Factor} \end{array} \right)$$

Example: If peak employees equal 100, AVR Base is 1.2, AVR Goal is 1.5, and Annual Commute Emission Factor for Reactive Organic Gases (ROG) in 1995 is 21 lbs/year, then the Employer-Based Emissions Reduction Goal for ROG equals:

$$(100) \times \left(\frac{1}{1.2} - \frac{1}{1.5} \right) \times (21) = 336 \text{ lbs/year of ROG}$$

- (b) The state board shall provide the districts with district-specific emission factors to be used in the emissions equivalence formula and shall periodically update these factors. The factors shall be in a format that allows for varying trip lengths.
- (c) Air districts shall give employers with employment sites in more than one air district the option to use the formula as set forth in subdivision (a) of this section to determine emission reduction goals for any or all of their employment sites.

NOTE: Authority cited: Sections 39600, 39601, 40717.5 (d), and 40916 (c), Health and Safety Code. Reference: Sections 39613, 40717, 40717.1, 40717.5, 40916, 40918, 40919, 40920, 40920.5, Health and Safety Code.