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A. GENERAL INFORMATION

1. Date

August 20, 2018

2. Department

California Air Resources Board

3. Organizational Placement (Division/Branch/Office Name)

Executive Office

4. CEA Position Title

Assistant Executive Officer

5. Summary of proposed position description and how it relates to the program's mission or purpose. (2-3 sentences)

The California Air Resources Board's (CARB) mission is to promote and protect public health, welfare and ecological resources through the effective and efficient reduction of air pollutants while recognizing and considering the effects on the economy and the State.

Under the direction of the Deputy Executive Officer (DEO), the Assistant Executive Officer (AEO) will plan, organize and direct the work of the southern California Headquarters multidisciplinary professional staff. The new AEO will oversee the southern California headquarters in El Monte (and eventually Riverside) and its 400 staff. The AEO will direct the program work of the Mobile Source Laboratory (MSLD) and Emissions Certification and Compliance (ECCD) Divisions to identify issues, formulate policies and develop and implement strategies to best meet the requirements of the federal Clean Air Act, the California Clean Air Act, State statutes, and global warming laws. This position focus on providing executive leadership and management in the Southern California headquarters.

6. Reports to: (Class Title/Level)

Deputy Executive Officer

7. Relationship with Department Director (Select one)

- Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain):

8. Organizational Level (Select one)

- 1st 2nd 3rd 4th 5th (mega departments only - 17,001+ allocated positions)

B. SUMMARY OF REQUEST

9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

Under the direction of the DEO, the AEO will organize and direct the work of the CARB Southern California Headquarters' multidisciplinary professional staff of engineers, scientists and planners to identify issues, formulate policies and develop and implement strategies to best meet the requirements of the federal Clean Air Act, the California Clean Air Act, State statutes, and global warming laws. The AEO will direct the development and implementation of regulations, planning documents and programs to address legislative requirements and Board needs. The AEO will represent the Board and Executive Office in meetings with advisory committees; the legislature; local, state, federal and international agencies; non-governmental organizations; industry groups; academic and research organizations; and the public.

The AEO will also oversee the implementation of the vehicle, engine and parts certification, in-use compliance and laboratory and on-road confirmatory testing programs, and continue to develop approaches to evolve the mobile source programs to better address real world emissions as vehicle technology changes.

There are approximately 400 CARB staff representing eight divisions at the Southern California headquarters in El Monte. Currently, only the Chief of the Emission Compliance, Automobile Regulation and Science Division (ECARS) is located in El Monte, and currently, there is no Executive Office representative who is headquarter in Southern California. With this reorganization, there will be an additional Division Chief in Southern California and an Executive Office representative.

This position would be focused on long-range planning to implement CARBs mission. Specific responsibilities would include:

- Direct the MSLD and ECCD Divisions, and establish a greater CARB presence in Southern California. Southern California is home to the nation's largest metropolitan planning organization Southern California Association of Governments (SCAG) and to the largest port complex in the United States. The AEO will be responsible for providing a presence in Southern California from an Executive Office perspective, representing the Executive Officer and Board on emissions related issues in this region;
- Oversee development of a real-world emissions program for vehicles. Rather than solely relying on laboratory and desk review of certifications, vehicles now have the capability to measure their own emissions. Working in concert with the traditional certification process, a real-world emissions program could vastly improve the emissions performance of vehicles in use.
- Participate in management interviews. All staff air pollution specialist promotions and any manager promotion or lateral transfer go through an executive office panel before being offered a position. The AEO would participate in these interviews, either remotely or in person, as a full member of the executive office team;
- Develop a succession plan. As CARB staff move from El Monte to Riverside, we expect a wave of retirements of those who will not desire or are unable to move or commute to the new location;
- Develop a training and mentorship program. Aside from early retirements, CARB understands that mid-career staff, with invaluable knowledge, will take new jobs closer to home. The AEO will work with mid-career staff to transfer knowledge to newer staff to ensure CARB remains effective in implementing its mission.

The AEO will interact with the executive team on a daily basis and will be responsible for developing and implementing new and exiting policies to address air quality and climate change issues. This reorganization and the creation of this position will relieve workload and pressure on existing CEAs.

Under the administrative direction of the Executive Officer and the DEO, the AEO will work with Division Chiefs to plan, organize and direct the work of CARB's programs and staff, formulate policy and policy recommendations; act as part of the Executive Staff in the identification of issues, formulation of policies and development of strategies to best meet program objectives, and represent the Board in negotiating issues related to regulations with manufacturers, federal, state and local agencies and the general public. This includes the evaluation and development of strategies for the control of emissions from transportation sources; coordination with the U.S. Environmental Protection Agency, and regional and local agencies to develop regulations and other programs; evaluation of air quality impacts from transportation sources; determination of the effects of control systems and process modifications; and promotion of effective regional and local programs through financial and technical support.

The AEO will work with Division Chiefs to develop and implement policy regarding emissions and related air quality issues from transportation sources; provide consultation and assistance to federal, state, regional and local agencies on air pollution problems; and coordinate air pollution control activities with those of other programs or services of the Board, and state, local and regional agencies. The AEO will also participate in the formulation of administration policies, represent the Executive Officer in matters relating to the program and operations of CARB; and prepare budgetary estimates and recommendations. The AEO will work with division management to select, train and mentor staff; appear before legislative committees; address interested stakeholder groups; and prepare and review various documents.

The AEO will be lead on developing a succession plan, a mentoring program and ensuring that decision making in the Executive Office is informed by an Executive Office representative in Southern California. During this transition, the AEO will ensure that space and resources in the current El Monte facility are allocated appropriately to reflect CARBs programmatic needs.

B. SUMMARY OF REQUEST (continued)

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- Program is directly related to department's primary mission and is critical to achieving the department's goals.
- Program is indirectly related to department's primary mission.
- Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: The Transportation Sector is responsible for 80 percent of smog and particle forming NOx emissions, and 50 percent of GHG emissions. CARB cannot achieve its mission of providing healthful air to all Californians and reducing greenhouse gas emissions without substantial reductions in transportation emissions. Ensuring that regulations are effective in the real world is critical to realizing emissions reductions; even more so following the discovery of the VW emissions cheating scandal. In response, CARB has focused additional resources toward emissions certification, testing and in-use compliance. The creation of this new AEO will ensure continued close coordination between the vehicle certification and testing programs, while keeping the division sizes more manageable.

B. SUMMARY OF REQUEST (continued)

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

In 2015, CARB announced an enforcement action against Volkswagen (VW) for their use of an illegal “defeat device” that circumvented the emission control system used to control for smog and particle forming NOx. VW admitted to having defeat devices on over 85,000 2009 to 2015 model year diesel-fueled vehicles. A legal settlement will bring a total of \$1.4B to California, but also require extensive resources to implement vehicle fixes and funds distribution.

As a result of the settlement, VW must invest \$800 million in California over ten years to advance California's nation-leading, zero-emissions vehicle programs pursuant to a plan VW will develop after ARB input and ARB approval following a public process. These investments will focus on brand neutral infrastructure, education, and access projects for all Californians.

VW must also pay almost \$423 million into a trust for use in California for projects to reduce oxides of nitrogen (NOx) to mitigate past and future excess NOx emissions caused by the 2.0 and 3.0 L vehicles.

In response to concerns surrounding real world emission impacts, potential defeat devices and implementation of settlements, CARB received additional positions to both implement the Volkswagen Settlement and expand CARB's ability to investigate other manufacturers. Expansion of audit and compliance efforts were broadened to ensure real world emission performance was being attained and ensure no further incidences of defeat devices were occurring across mobile sources. So far, these additional resources and investigations have led CARB to announce enforcement action on Fiat Chrysler for use of defeat devices, a significant recall of an after treatment part for Cummins for over 500,000 heavy duty diesel engines nationwide and continuing investigation into other vehicle and engine manufacturers. All of these activities may result in additional settlements and corrective action which must be implemented by CARB.

With the addition of these positions to the Emission Compliance, Automobile Regulation and Science Division (ECARS), the division has grown significantly and the span of control has become too large to manage as a single division, even with two Assistant Division Chiefs. The current responsibilities of ECARS include the following: development and implementation of the clean cars program; development and implementation of the zero-emission vehicle (electric car) program; certification of all light-duty vehicles, heavy-duty engines, motorcycles, and off-road engines sold in California; certification of aftermarket parts for cars, light-trucks, heavy-duty trucks and off-road equipment; testing of light duty cars to ensure they meet emissions standards; field operations to ensure cars meet warranty requirements; testing and evaluation to ensure cars, light trucks, diesel engines and off-road engines meet in-use emission standards; laboratory operations to analyze emissions collected during car and engine testing; laboratory testing to ensure transportation fuels meet emission standards; and development and implementation of the on-board diagnostics (“check engine” light) program.

This request for a new CEA is part of a broader reorganization that will consolidate programs with the closest relationships into the same division, facilitate an increased focus on long-term transportation planning, and create divisions which have a manageable set of issues and number of staff. Under this reorganization, the existing Chief of ECARS will take responsibility for the renamed Emissions Certification and Compliance Division.

This re-organization is necessary to ensure manageable program size, close coordination between transportation programs, and more successful policy development to further CARB's mission.

C. ROLE IN POLICY INFLUENCE

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

Addressing real-world emissions: The Volkswagen case taught CARB that relying on emissions certification is not sufficient to ensure emissions reduction is achieved in the real-world. Vehicles that are programmed to perform within regulatory limits when testing, but not achieving those controls in actual driving can completely undermine CARB's air quality and climate change programs. A recent recall of approximately 500,000 Cummins heavy duty vehicles nationally for poorly performing emissions control systems is the direct result of our newly developed in-use compliance program. While successful, a real world emissions program could more quickly, and more broadly, capture these types of emissions control implementation challenges. Combined with state-of the science laboratory facilities at the new Riverside facility, the real world program will lead to vastly improved air quality by ensuring emissions in actual driving conditions are meeting expectations.

Develop policy approach for managing emissions caseload: Following the Volkswagen scandal, it became apparent that other manufacturers have vehicle emissions compliance problems. Each case is unique and time consuming to develop. Case development requires rigorous testing, interrogation of emissions control systems, and careful discussions with manufacturers. This requires close coordination between division management in both the vehicle program side, and enforcement. The executive office is a critical link in this chain. Making decisions based on feasibility, emissions impact, cost, and broader workload considerations is critical to effectively manage each case. The AEO will be responsible for developing a case management plan, and keeping that plan updated as new information arises.

Succession plan and mentorship program: The AEO would create and oversee the implementation of a succession plan for CARB. Developing and implementing a succession plan is especially critical with a change in workforce and development of new programs. As the Southern California Headquarters moves to Riverside, there is great potential for senior and mid-career employees, with decades worth of knowledge of CARBs programs, to retire or move on to new jobs closer to the current location rather than move to Riverside. Staff need future leadership with CARB history and knowledge, and transferring this knowledge to new staff, through a mentorship program mandated by the California Department of Human Resources, will be essential for CARB's success in the future.

C. ROLE IN POLICY INFLUENCE (continued)

13. What is the CEA position's scope and nature of decision-making authority?

As AEO, the incumbent will oversee the work of two division chiefs in the evaluation and development of State strategies for the control of criteria pollutant, toxics and greenhouse gas emissions from vehicles, and oversees operations and programs at the southern California headquarters currently in El Monte. Because oversight will impact almost all CARB programs, every CARB division is directly affected by decisions made by this position's incumbent. The incumbent will perform the following typical tasks:

- Oversee emission reduction regulation and policy development for a variety of emission sources and program areas including: reduction of criteria pollutants to meet federal Clean Air Act requirements, climate change and greenhouse gases, toxic air contaminant control, diesel particulate matter risk reduction.
- Formulate and recommend policy regarding emissions and related air quality issues from motor vehicles;
- Provide consultation and assistance to federal, State, regional and local agencies on air pollution problems; and coordinate air pollution control activities with those of other programs or services of the Board and State, local and regional agencies.
- Participate in the formulation of administration policies, represent the Executive Officer in matters relating to the program and operations of CARB; and prepare budgetary estimates and recommendations.
- Oversee the selection, mentoring and training of staff; appear before legislative committees; address interested stakeholder groups; and prepare and review various documents.
- Coordinate with other executive management, prepare correspondence and reports; appear before various committees and groups to represent Board policy or to provide expertise; review and edit staff documents; and plan, prioritize and allocate CARB resources.

The AEO will make and implement decisions about policy areas within her/his jurisdiction, including those described above. The AEO will also have an influential role in making and implementing policy decisions for CARB as part of the Executive Management Team on issues of broad importance to the agency. For example, although this AEO does not directly oversee staff in the Mobile Source Control Division (which promulgates regulations for heavy duty vehicle emissions), this AEO will have a role in CARB's policy decisions about the heavy duty vehicle regulations and incentives to achieve reductions from these high-emitting sources. This AEO will have independent capacity for the purpose of carrying out and enhancing the mission of CARB. The AEO will represent CARB before the Board, the Legislature, the press, in public meetings, workshops and in-person meetings on issues related to vehicle emissions.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

This CEA will be both developing and implementing new policy, and interpreting and implementing existing policy. New policies and approaches are needed to ensure progress toward the air quality and greenhouse gas goals in CARB's air quality and climate plans. In the existing policy area, this CEA will oversee implementation of the State's vehicle certification and in-use compliance, testing, and real-world emissions programs. These programs have evolved, over the last several decades and as automotive and emission control technology continue to advance will continue to evolve.