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*No filing fee pursuant to Government  
Code section 6103*

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF SACRAMENTO

11 CIVIL DIVISION

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14 **TRANSPORTATION SOLUTIONS  
DEFENSE AND EDUCATION FUND, a  
California nonprofit corporation,**

Petitioner,

15  
16 v.

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18 **CALIFORNIA AIR RESOURCES BOARD,  
an agency of the State of California, and  
19 DOES 1-10, inclusive,**

20 Respondent.

Case No. 34-2014-80001974-CU-WM-GDS

**RESPONDENT CALIFORNIA AIR  
RESOURCES BOARD'S REQUEST FOR  
JUDICIAL NOTICE IN SUPPORT OF  
OPPOSITION BRIEF**

Date: March 17, 2017

Time: 10:00 a.m.

Dept: 24

Judge: The Honorable Shelleyanne  
W.L. Chang

Action Filed: June 23, 2014

22 Pursuant to Evidence Code section 452, subdivisions (c), (d), and (h), and Evidence Code  
23 section 453, Respondent California Air Resources Board (ARB) respectfully requests that the  
24 Court take judicial notice of the documents identified below in conjunction with ARB's  
25 Opposition Brief:

26 1. Executive Order S-3-05, *Office of the Governor*, dated June 1, 2005, available at  
27 <https://www.gov.ca.gov/news.php?id=1861>. Pursuant to Evidence Code section 452, subdivision  
28

1 (c), the Court may take judicial notice of this document as an “official act of the legislative,  
2 executive, and judicial departments of . . . any state of the United States.” A true and correct  
3 copy is attached to this request as Exhibit 1.

4 2. Executive Order B-30-15, *Office of the Governor*, dated April 29, 2015, available at  
5 <https://www.gov.ca.gov/news.php?id=18938>. Pursuant to Evidence Code section 452,  
6 subdivision (c), the Court may take judicial notice of this document as an “official act of the  
7 legislative, executive, and judicial departments of . . . any state of the United States.” A true and  
8 correct copy is attached to this request as Exhibit 2.

9 3. Senate Bill No. 32 (2015-16 Regular Session), available at  
10 [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160SB32](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB32). Pursuant to  
11 Evidence Code section 452, subdivision (c), the Court may take notice of this document as an  
12 “official act of the legislative, executive, and judicial departments of . . . any state of the United  
13 States.” A true and correct copy is attached to this request as Exhibit 3.

14 4. California Air Resources Board, Notice of Public Board Meetings and Public  
15 Comment Period on the 2017 Climate Change Scoping Plan Update, dated January 20, 2017,  
16 available at [https://www.arb.ca.gov/cc/scopingplan/scoping\\_plan\\_public\\_notice012017.pdf](https://www.arb.ca.gov/cc/scopingplan/scoping_plan_public_notice012017.pdf).  
17 Pursuant to Evidence Code section 452, subdivision (c), the Court may take notice of this  
18 document as an “official act of the legislative, executive, and judicial departments of . . . any state  
19 of the United States.” A true and correct copy is attached to this request as Exhibit 4.

20 5. Transportation Solutions Defense and Education Fund (TRANSDEF), letter to Dan  
21 Richard, Chair of the California High Speed Rail Authority (HSRA), dated May 5, 2014.  
22 Pursuant to Evidence Code section 452, subdivision (h), the Court may take notice of the fact that  
23 TRANSDEF submitted a letter to the HSRA on May 5, 2014 regarding “Fresno-Bakersfield  
24 FEIR/FEIS,” and that the letter states, “[t]he analysis of Impact AQ#4, Greenhouse Gas  
25 Emissions During Construction, fails to include the GHG emissions from the production of  
26 materials used in construction.” A true and correct copy is attached to this request as Exhibit 5.

27 6. California Natural Resources Agency, Final Statement of Reasons for Regulatory  
28 Action, dated December 2009, available at

1 [http://resources.ca.gov/ceqa/docs/Final\\_Statement\\_of\\_Reasons.pdf](http://resources.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf). Pursuant to Evidence Code  
2 section 452, subdivisions (c), the Court may take notice of these documents as an “official act of  
3 the legislative, executive, and judicial departments of . . . any state of the United States.” A true  
4 and correct copy is attached to this request as Exhibit 6.

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Dated: February 2, 2017

Respectfully Submitted,  
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