

**Agreement
to Enhance Cooperation on Reducing Air Pollution
between
The Ministry of Environmental Protection of the People's Republic of China
and
The State of California of the United States of America**

Based on the Agreement to Enhance Cooperation on Reducing Air Pollution Between the Ministry of Environmental Protection of The People's Republic of China And the State of California of The United States of America signed in April, 2013, and in order to enhance cooperation in the area of air pollution mitigation, the Ministry of Environmental Protection of the People's Republic of China and the State of California of the United States of America (hereafter referred to as "the Participants") have agreed as follows:

I. Purpose

The purpose of this Agreement is to provide a framework for cooperation between the Participants to collaborate in areas of mutual interest. It supports capacity building to reduce air pollution by the participants and facilitates cooperation and trade in environmental-friendly technologies.

II. Areas of Cooperation

The participants agree to cooperate in the following areas, on the principles of equality and mutual benefit, and in any other areas agreed to by both participants:

- 1) activities that reduce air pollution while enabling sustained economic growth;
- 2) activities that enhance air pollution control strategies for industrial sectors and the transportation sector, such as the pollution control strategies on Volatile Organic Compounds (VOCs), PM2.5, and the development of exhaust emissions standards, as well as providing policy recommendations and input for some environmental protection action plans under China's Five Year Plan;
- 3) activities that strengthen institutions and governance structures that oversee implementation and enforcement of air pollution reduction programs, such as providing advice for further legislation and law compliance and enforcement;
- 4) activities that support joint-ventures, partner-agreement, and capital investments in the design, construction, and operation of projects that reduce air pollution;

- 5) activities that strengthen dust suppression from material yards and municipal roads;
- 6) activities that promote the research on air pollution mitigation sciences and technologies.

III. Forms of Cooperation

The Participants can use the following forms of cooperation:

- 1) exchange of regulatory strategies, policies, programs and incentives to reduce air pollution across economic sectors and regions;
- 2) exchange of information on the structure and design of regulatory institutions that enforce pollution laws and rules, including California's network of regional air quality management districts (AQMDs);
- 3) visits of personnel from one of the participants to the other;
- 4) joint organization of symposia, seminars, workshops, and training;
- 5) collaboration between China-based and California-based entrepreneurs through (but not limited to) California's Innovation hub (iHub) network, trade delegations, and public-private partnerships; and
- 6) any other mutually agreeable forms of cooperation that contribute to the purpose of this Agreement.

IV. Implementation

- 1) The Participants agree to designate a point of contact that will serve as the primary liaisons of the cooperation and communication and to negotiate the specifics of cooperation under this Agreement on a regular basis.
- 2) During the period of validity of this Agreement, the Executive Agencies shall report on the progress of cooperation to the Minister of the Ministry of Environmental Protection of the People's Republic of China and the Governor of California once a year and improve the cooperation plans based on their suggestions;
- 3) The participants shall encourage their respective environmental protection organization, enterprises, and research institutions to establish and develop direct contact with each other in the area of air pollution reduction;
- 4) All activities carried out based on the Agreement must be in accordance with the Participants' respective laws, rules and regulations and shall be subject to

the availability of funds, personnel and other resources available to each Participant;

- 5) Consultation and exchange of information and documents shall preserve the security and integrity of the systems, processes, and information (including trade secrets) of each Participant and be without prejudice to Participants' legal requirements or obligations, which may prevent the exchange of certain confidential information and documents under this Agreement.

V. Supplementary provisions

- 1) The Participants have decided that any disagreement arising from the implementation of this Agreement shall be settled over amicable discussion;
- 2) This Agreement is valid for two years upon the date of signature. The Agreement may be extended and modified with the mutual consent of the Participants;
- 3) This Agreement may be terminated by either party with a written statement to the other. After the termination of the Agreement, the Participants must take necessary measures to conclude the ongoing activities in a swift and appropriate manner;
- 4) Nothing in this Agreement precludes the Ministry of Environmental Protection of the People's Republic of China or the State of California from entering into any other agreement with an entity inside or outside of the People's Republic of China or the United States of America;
- 5) This Agreement is signed in San Francisco, California on October, 26, 2015. This Agreement shall be provided in two copies in both Chinese and English. Each party holds one copy and the two copies are equally authentic.

吴晓青

WU XIAOQING

Vice Minister of the Ministry of Environmental Protection
People's Republic of China

October 26, 2015

Edmund G. Brown Jr.

EDMUND G. BROWN JR.

Governor of California
United States of America

October 26, 2015

中华人民共和国环境保护部与 美利坚合众国加利福尼亚州 关于在大气污染防治领域加强合作的协议

根据 2013 年 4 月签署的《中华人民共和国环境保护部与美利坚合众国加利福尼亚州关于在大气污染防治领域加强合作的协议》，为了加强中华人民共和国环境保护部（环保部）与美利坚合众国加利福尼亚州（加州）（以下简称“双方”）在大气污染防治领域的合作，双方达成一致如下：

第一条 合作目标

本协议旨在为双方在共同感兴趣的领域开展合作提供框架，促进双方在大气污染防治方面的能力建设，以及在环境友好型技术方面的合作与贸易。

第二条 合作领域

双方同意在平等互利的基础上，在以下列举的领域，及其他双方共同同意的领域开展合作：

- （一） 兼顾大气污染防治与经济可持续发展的活动；
- （二） 加强工业与交通行业大气污染防治战略的活动，例如工业挥发性有机物（VOCs）、PM_{2.5} 的污染防治战略，制定机动车尾气排放标准，为中国“五年规划”下环境保护行动计划提供政策建议和意见；
- （三） 强化大气污染防治规划实施机构的的活动，例如为深化立法、

执法与守法提供建议；

(四) 支持在大气污染防治项目的设计、建设和运行领域促进合资企业、伙伴协议和资金投资的活动；

(五) 加强材料堆场和市政道路抑尘的活动；

(六) 加强大气污染防治科技研究活动。

第三条 合作形式

双方合作可通过以下形式：

(一) 在跨行业和区域性大气污染防治领域，就监管制度、政策、规划及激励措施进行交流；

(二) 就空气污染相关执法管理机构的设置与架构进行交流，包括加州区域空气质量管理网络；

(三) 双方人员互访；

(四) 共同举办会议、研讨会、专题讨论会和培训；

(五) 通过（但不限于）加州创新中心的网络、贸易代表团往来、公私合作关系，开展中方企业与加州企业的合作；

(六) 双方商定的与本协议目标相关的其他合作形式。

第四条 实施

(一) 双方各指定一名联系人，负责定期协商协议下具体合作。

(二) 在协议有效期期间，执行机构应每年向环保部部长和加州州长报告合作进展，根据他们的意见改进合作计划。

(三) 双方将鼓励其环境保护团体、企业和研究机构在空气污染防治领域建立和发展直接联系。

(四) 本协议下的所有活动应在符合各自国家现行法律法规的基础上，视可用资金、人力和其他资源的情况开展。

(五) 信息和文件的咨询与交流应保护双方的系统、规程和信息(包括商业机密)的安全与完整，不损害双方法律规定的要求和义务，这可能会限制在本协议下进行保密信息与文件的交流。

第五条 补充条款

(一) 双方因本协议的执行而产生的任何争议应通过友好协商解决。

(二) 本协议自签字之日起生效，有效期两年，并可能经双方一致同意延长或修订。

(三) 一方可通过向另一方书面声明终止协议。协议终止后，双方必须采取必要措施以快速、恰当的方式完成正在进行中的活动。

(四) 本协议不影响环保部或加州与在中国或美国以内或以外的实体签订任何协议。

(五) 本协议于 2015 年 10 月 26 日在加州旧金山签署，一式两份，每份均用中文和英文写成，两种文本同等作准。

吴晓青

吴晓青

副部长

中华人民共和国

环境保护部

2015年10月26日

杰瑞·布朗

杰瑞·布朗

州长

美利坚合众国

加利福尼亚州

2015年10月26日

