



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

December 26, 2023

Submitted via Electronic Portal

Keith Roderick and David Chen
California Air Resources Board
1001 I Street
Sacramento, CA 95814

SUBJECT: Comments on ARB's Proposed Regulation Order to the Zero-Emission Forklift Fleet Requirements Regulation dated November 7, 2023

Dear Mr. Roderick and Mr. Chen,

The Metropolitan Water District of Southern California (Metropolitan) appreciates the opportunity to comment on the California Air Resources Board's (ARB's) Proposed Regulation Order: Zero-Emission Forklift Fleet Requirements Regulation dated November 7, 2023 (hereafter referred to as the Proposed ZEF Regulation). Metropolitan supports the overall goal of transitioning various mobile sources, including off-road equipment, to zero-emission (ZE) technology in order to meet the state's various air quality improvement and greenhouse gas emission reduction goals.

As a public water provider, Metropolitan's core mission is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way. We have actively contributed to the state's multiple rulemaking efforts to enable public fleets to make a compliant ZE transition, while maintaining essential service and reliability. Given the overall breadth of ZE regulations that the state has adopted, the comments contained herein attempt to streamline reporting requirements and mitigate costs—all the while supporting this balanced approach.

Background

Metropolitan is a regional water wholesaler that delivers approximately two million acre-feet of water per year to 26-member public agencies, who in turn provide water to nearly 19 million people in Southern California. As the largest distributor of treated drinking water in the United States, Metropolitan's service area spans approximately 5,200 square miles throughout Los Angeles, Orange, San Diego, Riverside, San Bernardino, and Ventura counties. In addition, Metropolitan owns and operates an extensive range of facilities including the Colorado River Aqueduct, 15 hydroelectric plants, nine reservoirs, 830 miles of large-scale pipes, and five water treatment plants.

Metropolitan owns approximately 30 forklifts subject to the Proposed ZEF Regulation—of which 38% are ZEF. These forklifts support operations throughout our system, including moving items at warehouses, fleet and maintenance shops; and moving and lifting large equipment such as water pumps, valves, and pipes at our water treatment plants. Additionally, Metropolitan has 12

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diesel forklifts subject to the In-Use Off-Road Diesel-Fueled Fleets Regulation (Off-Road Regulation) that are used primarily for outdoor and off-road activities.

Comments

As an affected regulated entity, Metropolitan offers the following comments on the Proposed ZEF Regulation:

- Discussions with Utility Providers for Locations with ZEFs [§3006(c) and §3007(b)(3)(B)(1)] — This requirement could place an unnecessary burden on impacted entities to document infrastructure requirements and should only be applicable to entities that are either requesting an Infrastructure Site Electrification Delay Extension, or where they exceed a threshold for forklifts at a single location. Establishing a threshold number of forklifts that could require a significant electrical upgrade would help smaller entities identify if additional engagement is needed with an electrical utility and eliminate unnecessary communication with utilities for sites that won't have a significant load impact. To additionally remove duplicative reporting and ARB review time, it is recommended that this requirement be automatically satisfied if a location has successfully received an electrical utility associated extension under the Advanced Clean Fleets regulation.
- Low-Use LSI forklift exemption [§3007 (a)(1)(A)(1) & (B)] — The Proposed ZEF Regulation allows use of low-use LSI forklifts (model year [MY] 2013-2025) through calendar year 2030. Metropolitan recommends that ARB remove both the MY 2013 eligibility and the 2030 sunset dates in recognition that public agencies are not commercial enterprises and operate with limited budgets and resources to buy cleaner vehicles and equipment in a timely manner. An alternative would be to provide a sunset date that corresponds with the final phase-out date in the respective Class IV and Class V tables. These linked sunset and phase-out dates would be more appropriate and manageable for public agencies as they navigate competing compliance obligations under various ZE regulations.
- Justification for Adding Diesel Forklifts [§3009 (j)] — This reporting requirement overlaps with the Off-Road Regulation. To streamline regulatory reporting, Metropolitan recommends that this provision be removed from the Proposed ZEF Regulation. There could be multiple reasons why an entity may require the purchase of a diesel forklift, and if in accordance with the Off-Road Regulation, this purchase would be legal and compliant.

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Conclusion

Thank you for the opportunity to comment on the Proposed ZEF Regulation. If you have questions or need additional information, please contact Carol Kaufman [cykaufman@mwdh2o.com, (213) 217-6207] or Kiersten Melville [kmelville@mwdh2o.com, (213) 217-7187].

Very truly yours,



Ofelia K. Perez

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