



May 13, 2020

Mary Nichols, Chair California Air Resources Board
1001 I Street Sacramento, CA 95814

RE: Support for a Stronger Advanced Clean Trucks Rule

Dear Chair Nichols and Members of the Board,

On behalf of the undersigned labor, public health, environmental and frontline freight community groups, and our hundreds of thousands of members and supporters across the State, we urge you to approve staff's proposed Advanced Clean Trucks ("ACT") Rule. The ACT Rule will be the first of its kind in the nation. It's passage is a crucial step in transforming California's transportation system to zero-emissions, which is essential to address the dual crises of air pollution and climate change. While more must be done to meet CARB's long-term commitments for clean air and carbon neutrality, immediate passage of the current proposal is critical to providing the necessary signals to the market to meaningfully invest in this transformation.

We understand that some industry groups are claiming that, in light of the COVID-19 pandemic, CARB should halt or loosen California's public health and environmental protections. Our view is the opposite: the need for further progress on California's public health protections is now even more evident. Communities already battling air pollution now also face greater vulnerability to health impacts of COVID-19. Preliminary research indicates that, at the county level, COVID-19 mortality rates are higher in areas with elevated levels of long-term fine particulate matter air pollution.¹ Californians thus face higher risks: the latest State of the Air report shows California has 10 of the 26 most polluted cities for particle pollution, and each of the worst five.²

Furthermore, we are confident that the Advanced Clean Trucks Rule can play a critical role in the economic response to the pandemic. Like many of California's public health and environmental protection measures, the rule enables job growth, economic savings, and new industry and innovation opportunities at the same time that it lowers health costs. An accelerated transition to zero-emission trucks will allow California to realize multiple significant benefits:

- **Californians Need the ACT for our Health**

Medium- and heavy-duty vehicles are the largest source of NOx emissions in our State. By strengthening the rule, CARB's new proposal nearly doubles reductions of NOx and PM2.5. As a result, the rule generates an additional ~\$3.3 billion in health savings from avoided ER visits, hospitalizations, and premature deaths.³

¹ Wu, Xiao, Rachel C. Nethery, Benjamin M. Sabath, Danielle Braun, and Francesca Dominici. 2020. "Exposure to Air Pollution and COVID-19 Mortality in the United States." Preprint. *Epidemiology*.
<https://doi.org/10.1101/2020.04.05.20054502>.

² American Lung Association, State of the Air Report – 2020 (April 2020) <http://www.stateoftheair.org/key-findings/year-round-particle-pollution.html>

³ CARB, Updated Cost and Benefits Analysis for the Proposed Advanced Clean Trucks Regulation - Attachment C, at 20 <https://ww3.arb.ca.gov/regact/2019/act2019/30dayattc.pdf>.

- **Californians Need the ACT for Economic Stimulus**

The positive relationship between zero-emission truck deployment and economy-wide savings in fuel and operational costs is well documented. By strengthening the rule, CARB's modified proposal generates an additional \$1 billion in economic savings through 2040 as these lower costs are passed on to California businesses and consumers.⁴

- **Californians Need the ACT for Jobs**

The current proposal is estimated to generate more than 8,000 net new jobs by 2035. Furthermore, the reporting requirement can enable fairer labor practices and more equitable outcomes for truck drivers, where misclassification is rampant and family-sustaining wages remain elusive.⁵ Passing a strong rule will turn a historically polluting industry into a source of high quality, green jobs in trucking, manufacturing, and charging infrastructure installation.

- **Californians Need the ACT to Address Environmental Injustice**

By design, California's freight-related air pollution is concentrated in low-income communities and communities of color. Accelerating the deployment of zero-emission vehicles in these communities is essential for repairing the historic injustice caused by the freight industry.

- **Californians Need the ACT in our Fight Against Climate Change**

Transportation emissions are the largest source of California's greenhouse gases, and freight movement's share of those emissions is growing rapidly. By increasing the number of zero-emission trucks sold, the new proposal almost doubles greenhouse gas emission reductions from the original proposal by 2040.⁶

- **Californians Need the ACT to Improve Working Conditions**

Zero-emission trucks can alleviate the stress of one of the most notoriously difficult jobs employing 3.5 million people in the U.S. In addition to eliminating driver exposure to diesel pollution, electric trucks are more comfortable to operate, enable greater ease of keeping pace with traffic, and eliminate the nuisance of engine noise.⁷ A veteran truck-driver interviewed for the New York Times remarked: "It's beautiful. You don't go home with your ears ringing every night."⁸

- **Californians Need the ACT to Transform the Market**

Passing a stronger rule aligns the economic interests of original equipment manufacturers with the State's air and climate targets. Scaling up production promises to bring down prices and further

⁴ CARB, Updated Cost and Benefits Analysis for the Proposed Advanced Clean Trucks Regulation - Attachment C, at 21 <https://ww3.arb.ca.gov/regact/2019/act2019/30dayattc.pdf>.

⁵ Sam Appel and Carol Zabin, Truck Driver Misclassification: Climate, Labor, and Environmental Justice Impacts, (Aug. 22, 2019) <http://laborcenter.berkeley.edu/truck-driver-misclassification/>.

⁶ CARB, Updated Cost and Benefits Analysis for the Proposed Advanced Clean Trucks Regulation - Attachment C, at 20 <https://ww3.arb.ca.gov/regact/2019/act2019/30dayattc.pdf>.

⁷ FreightWaves, Heavy-Duty Electric Truck Driver Ditches Diesel (Feb 24, 2020) <https://finance.yahoo.com/news/heavy-duty-electric-truck-driver-142127327.html>

⁸ Susan Carpenter, Big Rigs Begin to Trade Diesel for Electric Motors, (Mar. 19, 2020) <https://www.nytimes.com/2020/03/19/business/electric-semi-trucks-big-rigs.html>

accelerate adoption. The proposed rule's higher sales targets will unleash OEMs' sophisticated production lines and innovation capacity in a market that is already generating tremendous interest from fleets, who are eager to see more product availability and variety.⁹ This rule will help enable them to realize savings from the increasingly lower total cost of ownership of zero-emission trucks further stimulating the industry and economy.

- **Californians Need the ACT to Provide Continued Leadership Nationally and Globally**

CARB must continue to set the pace for other jurisdictions eager to replicate our success. Seven other states have already signaled their desire to opt-in to California's zero-emission truck standard and have asked for strong targets.¹⁰

As CARB's own analysis has repeatedly demonstrated, to meet our air quality and climate needs, we must rapidly electrify virtually all of our transportation sector. This rule, while a critical step, does not achieve the level of zero-emission truck deployments necessary to meet these needs.¹¹ CARB must continue to accelerate this transformation by adopting strong fleet rules and other measures, and we look forward to working with the agency to make that happen. Nevertheless, passing this ground-breaking regulation will build important momentum for these further advances, and send a clear signal to the market about the need to rebuild California's economy in a way that is healthier, greener, and more just. We urge you to approve the rule.

Respectfully,

Earthjustice

Paul Cort, Staff Attorney

Sasan Saadat, Research and Policy Analyst

Union of Concerned Scientists

Jimmy O'Dea

Senior Vehicles Analyst

Sierra Club

Kathryn Phillips, Director

Katherine Garcia, Policy Advocate

Ray Pingle, Policy Advocate

⁹ Camila Domonoske, From Delivery Trucks to Scooter-Moving Vans, Fleets are Going Electric, (Feb 7, 2019) " 'It's only a small handful [of electric options] and the supply is actually quite constrained' says [Andrew] Savage of Lime."

¹⁰ CARB, California and Seven States Commit to Faster Transition to Zero-Emission Trucks and Buses, (Dec. 11, 2019) <https://ww2.arb.ca.gov/news/california-and-seven-states-commit-faster-transition-zero-emission-trucks-and-buses>

¹¹ CARB, Updated Analysis Regarding Increased Manufacturer Zero-Emission Vehicle Sales Requirements - Attachment B, (May 1, 2020) at 6 <https://ww3.arb.ca.gov/regact/2019/act2019/30dayattb.pdf>; Lawrence Berkeley National Lab, "Clean Truck Standards Consistent with Carbon Neutrality Are Economically and Environmentally Compelling," (Dec. 2019) <https://www.arb.ca.gov/lists/com-attach/108-act2019-WzoHYllnVSsCZ1U6.zip>

Regional Asthma Management and Prevention

Joel Ervice
Associate Director

IBEW-NECA California & Nevada

Bernie Kotler Executive Director, Sustainable Energy Solutions; Labor Management Cooperation Committee

IBEW Local 569

Jeremy Abrams
Business Manager

Communities for a Better Environment

Bahram Fazeli
Director of Research & Policy

350 Bay Area – Action

Kathy Dervin
Chair Legislative Committee

Central California Asthma Collaborative

Kevin Hamilton
Chief Executive Officer

Center for Community Action and Environmental Justice

Andrea Vidaurre
Policy Analyst

California Environmental Justice Alliance

Neena Mojan
Climate Justice Program Associate

Better World Group

Ruben Aronin
Senior Vice President

Natural Resources Defense Council

Patricio Portillo
Transportation Analyst, Clean Vehicles & Fuels

East Yard Communities for Environmental Justice

Taylor Thomas
Research and Policy Analyst

The Center for Energy Efficiency and Renewable Technologies

John Shears

Consultant on Clean Transportation and Alternative Fuels

Leadership Counsel for Justice and Accountability

Shayda Azamian

Climate Policy Coordinator

Urban & Environment Policy Institute – Occidental College

Jessica Tovar

Project Director

San Pedro Peninsula Homeowners Coalition

Peter Warren

350 Silicon Valley

Nicole Kemeny

President

Greenlining Institute

Leslie Aguayo

Environmental Equity Program Manager

Environmental Health Coalition

Joy Williams

Research Director

Elders Climate Action, NorCal chapter

Todd Weber

Acting President

Santa Clara County Chapter of The Climate Reality Project

Karen Warner Nelson

Chair