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In reply refer to M1022-022

October 17, 2022

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**Re: El Dorado Irrigation District's Comments on Draft Regulatory Language for the Advanced Clean Fleets Regulation State and Local Government Agency Fleet Requirements**

The El Dorado Irrigation District (EID or District) appreciates the opportunity to provide public comments to the California Air Resources Board (CARB) in response to the recent Advanced Clean Fleets Initial Statement of Reasons and Draft State and Local Government Agency Fleet Requirements (Draft ACF). EID is an irrigation special district formed in 1925 that serves more than 125,000 residents in northern California's El Dorado County. We provide drinking water and irrigation services, wastewater treatment services, as well as operating a hydroelectric power project (Project 184) and managing recreational facilities. EID serves approximately 220 square miles on the western slope of El Dorado County. The service area is generally bounded by Sacramento County to the west and the Pollock Pines/Sly Park area to the east and ranges from 500 feet to more than 4,000 feet in elevation. Due to its diversity of services, facilities and geographic scope and range, EID is dependent on a large and diverse vehicle fleet to support its public services.

The District supports and joins in the comments submitted by the Association of California Water Agencies (ACWA) regarding the Draft ACF. The District asks that CARB engage with stakeholders such as ACWA to finalize a regulation that accelerates the deployment of Zero Emission Vehicles (ZEVs) and Near-Zero Emission Vehicles (NZEVs) in a manner that is feasible and reasonable and does not impose unintended consequences on water and wastewater agencies' ability to provide essential services, including during emergencies.

In addition, the District would like to provide individual comments to describe some of the unique challenges that EID faces due to the nature of its service area, and the diversity of the services it provides. EID requests that CARB consider specifically exempting fleets that support the critical services of water service and wastewater treatment. Water and wastewater agencies are essential public service providers that possess fleet vehicles with unique needs that must be reflected in the Draft ACF to prevent dire consequences that could result if our fleets were to be unable to accomplish core functions. Enabling the appropriate exemptions is necessary to ensure that the Draft ACF advances the State's goals, but does not enforce compliance where infeasible. Thus, the District offers the following comments:

**1. Provide an Exemption for Fleets that Support the Critical Services of Water Service and Wastewater Treatment**

The Draft ACP currently does not provide an exemption for fleets that are necessary to provide critical services such as water services and wastewater treatment services. EID requests that CARB consider an exemption to account for the essential and critical nature of these services. The District's fleet is a necessary and integral part of daily operations to ensure safe and reliable water service and wastewater treatment services. For example, the District often experiences "emergency" situations where there is a major leak on a water line and the District must utilize its Vac-Truck to help expose the line and repair the leak as quickly as possible. The Draft ACP appears to recognize that some type of exemption is necessary for "emergency" situations, but fails to recognize that emergencies in the water service industry happen with some frequency.

The Draft ACP provides an exemption associated with fleets used during declared emergency events, which allows the fleet owner to purchase a new ICE vehicle and exclude it from the ZEV milestone calculation for up to 25 percent of the fleet if the vehicles are needed to provide emergency response services. This exemption for "emergencies" is too narrow, as it only pertains to declared emergencies and does not recognize the more frequent "emergency" situations that occur when the District is responding to water line breaks or other issues. In addition, the 25% exemption seems arbitrary and is too limited.

The Draft ACP includes various exemptions and compliance options to provide safeguards and flexibility for transit agencies during the transition to ZEV fleets, but does not provide these same exemptions or compliance options to other fleets that provide critical public services. The District requests that similar safeguards be put in place to ensure that the District can successfully transition to a ZEV fleet, while continuing to reliably provide essential services.

## **2. Expand the Exemption for “Low-Population Counties” to Include Other Areas Rural Areas**

The Draft ACF exempts designated low-population counties from the ZEV purchase requirements until 2027, based on the following considerations described in the Staff Report: “Many of these areas have fewer air quality challenges than other parts of the state and the fleets based in these areas tend to have fewer vehicles, operate in remote areas that are expected to take longer for ZEV infrastructure and support networks to be developed, and tend to have more limited budgets.” However, the considerations of air quality and ZEV infrastructure are not limited to just the designated low-population counties. For example, El Dorado County is not on the list of designated low-population counties, but shares the characteristics of fewer air quality challenges and under-developed ZEV infrastructure. Further consideration should be given to expanding the “low-population county” exemption to include counties with similar characteristics, such as El Dorado County.

## **3. Expand the Grid Interconnection Exemption to Consider Real World Conditions**

EID recommends that CARB further consider grid reliability as a core feasibility element in development of this regulation. Water and wastewater agencies must be able to charge fleet vehicles, as needed, to prepare for planned operations, and respond to emergency events. The potential that water and wastewater agencies may be unable to charge fleet vehicles is unacceptable as it puts at risks the ability to fulfill essential public health and safety responsibilities. It is unreasonable for public water and wastewater agencies, and public fleets more broadly, to be required to purchase ZEVs as early as 2024 without assurance of the necessary charging infrastructure and energy supply to maintain or improve existing operations.

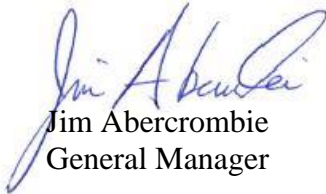
The Staff Report regarding the Draft ACP briefly recognizes that wildfire risk has further impacted power outages, but the Draft ACP itself does not provide safeguards or exemptions for areas that are most impacted by safety-related power outages. In evaluating grid reliability, CARB should specifically consider exemptions for those areas impacted by power shutoffs, such as Pacific Gas & Electric’s (PG&E) Public Safety Power Shutoffs (PSPS) events. For example, over the last several years, EID’s service area has experienced numerous PSPS events, some of which have lasted for multiple days. The Draft ACP fails to provide appropriate exemptions in light of these PSPS events. The Staff Report states that the “expectation is that the frequency and duration of planned PSPS events will gradually diminish as the grid is hardened to wildfires.” While EID would like to think that this will eventually be true, the risk of PSPS events remains high in the near-term and those areas frequently impacted by PSPS events, such as El Dorado County, should be given time exemptions that delay the ZEV requirements until such grid hardening has in fact been accomplished.

As the Staff Report recognizes, “[e]lectric vehicles rely on the electric grid to provide consistent, on-demand power to charge vehicles.” The stark reality is that in El Dorado County, there is not a sufficient or reliable electric grid to ensure that an EV fleet would consistently have access to the necessary power. This means that the District’s ability to reliably provide critical water and wastewater services will be compromised unless the Draft ACP is revised to provide the appropriate exemptions. To be clear, as presented the Draft ACP risks sacrificing essential services unless it is revised to reflect the on-the-ground current realities of grid reliability and electric power availability.

**Conclusion**

The District appreciates the opportunity to comment on this very important draft regulation. EID hopes that CARB will continue to consider revisions to the Draft ACF that ensure public water agencies can continue to provide essential services in an efficient and reliable manner and which enables the District to maintain the necessary fleet of vehicles.

Sincerely,



Jim Abercrombie  
General Manager

cc: The Honorable Liane Randolph, Chair, California Air Resources Board  
The Honorable Sandra Berg, Vice Chair, California Air Resources Board  
The Honorable E. Joaquin Esquivel, Chair, California State Water Resources Control Board