

October 16, 2024

Clerks' Office, California Air Resources Board

1001 I Street

Sacramento, California 95814

Submitted electronically to <https://ww2.arb.ca.gov/applications/public-comments>

RE: Low Carbon Fuel Standard Amendments (2nd 15-Day Changes)

Dear California Air Resources Board Members and Staff,

Thank you for the opportunity to provide feedback on the 2nd Low Carbon Fuel Standard (LCFS) 15-day Changes. We value the leadership of the California Air Resources Board (CARB) to support and advance the transition to zero emission freight. The undersigned companies (Forum Mobility, EV Realty, Gage Zero, Terawatt Infrastructure, Prologis, Voltera Power, Zeem Solutions) represent providers of charging infrastructure for heavy-duty trucks, including shared depots that serve multiple fleets at a single location.

California's Low Carbon Fuel Standard is a critical tool for advancing zero-emission freight. The LCFS program supports transportation electrification by facilitating infrastructure deployment, lowering fueling costs, and incentivizing the purchase of zero-emission vehicles. The proposed amendments significantly enhance these efforts. Notably, the proposed heavy-duty fast charging infrastructure (HD-FCI) program has the potential to be one of the most important programs in helping to deploy the charging infrastructure necessary for California to meet its zero emission transportation goals set by Governor Newsom's Executive Order N-79-20, along with recent regulations like the Advanced Clean Trucks (ACT) and Advanced Clean Fleets (ACF) rules. As we mentioned in previous comments, the HD-FCI provision addresses utilization risks in the early market phases, helping solve the "chicken or egg" dilemma that currently hampers infrastructure deployment.

The proposed HD-FCI program will drive investment in charging infrastructure

We greatly appreciate the collaboration with CARB staff and Board Members during the LCFS amendment process. We've provided extensive feedback throughout this process and commend staff for making key adjustments to help the HD-FCI program reach its full potential. In the latest round of amendments, we appreciate staff's openness to hearing industry concerns around potential limits on reservations at Shared HD-FCI sites, and we believe the latest amendments allow for sites that will meet both fleet and developer needs.

The latest 15 Day Change notice also includes minor technical amendments throughout the HD-FCI section that remove many of the uncertainties around site eligibility, credit calculation, and program caps. We support and appreciate these updates and clarifications. Remaining uncertainties for the HD-FCI program can be resolved through the Final Statement of Reasons or board resolution. Specifically, we respectfully request a clarification in staff's resolution that in section 95486.4(b)(1) the five-mile distance from any ready or pending FHWA Alternative Fuel Corridor is as measured on an aerial point-to-point radius basis or "as the crow flies" per our meeting on August 23, 2024.

Outstanding issues need not delay implementation

From our perspective as infrastructure providers, there are two general areas that will require continued attention from state policymakers, both as part of the LCFS implementation process over the coming years and in parallel regulatory processes. First, we continue to have concerns about crop-based biofuel crediting and its impact on market balance and credit values, and we encourage continued dialogue with stakeholders around these complicated issues. Second, we note that changes to the “base” credit allocation for residential EV charging may have the unintended effect of reducing much-needed support for equitable electrification through LCFS “holdback” funds, including investment in heavy-duty vehicle and infrastructure deployment. We stress the need for continued policy and funding support for heavy-duty electrification to enable successful implementation of both ACT and ACF.

Despite these outstanding questions and policy interactions, **we support the second 15-day changes and the overall LCFS program.** We are at a pivotal moment for a variety of climate and clean air goals that depend in part on the LCFS. Timely adoption and implementation are needed to provide clear market signals for this nascent industry. The issues above should not cause a delay.

The parties represented in this infrastructure coalition are appreciative of the opportunity to submit comments on CARB’s 2nd proposed 15-day changes. The LCFS remains a vital tool for advancing our transportation electrification goals and regulations – particularly given current budget shortfalls and electricity rate affordability concerns – and we appreciate the opportunity to work with staff on updates and clarifications to align the program with state priorities. We strongly encourage the board to adopt the proposed modifications and move forward with this important regulation.

Sincerely,

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