



May 28, 2020

VIA E-Mail: cotb@arb.ca.gov

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

RE: East Bay Municipal Utility District (District) Comments on the California Air Resources Board (CARB) Amendments to the Proposed Advanced Clean Trucks Regulation

Dear Ms. Nichols:

The East Bay Municipal Utility District (District) appreciates the opportunity to comment on the amendments to the proposed Advance Clean Trucks Regulation (Regulation). As an owner/operator of a local government fleet tasked with supporting critical infrastructure to provide essential services to the public, the proposed amendments will directly impact the District.

The District provides reliable, high-quality drinking water to 1.4 million water customers in Alameda and Contra Costa Counties over a 332-square mile service area. The District's wastewater system serves approximately 685,000 people in an 88-square-mile area along the east shore of the San Francisco Bay.

Part of the District's mission is to preserve and protect the environment for future generations. The District supports the state's goal of achieving carbon neutrality by 2045. Our Board of Directors has adopted an aggressive policy to encourage and promote energy management and energy efficient practices, reduce greenhouse gas (GHG) emissions, and minimize reliance on fossil fuels. Our policy includes a goal to be carbon free for indirect GHG emissions and achieve a 50 percent reduction in direct GHG emissions compared to 2000 levels by 2040.

Since 2005, we have completed an annual inventory of our GHG emissions. The majority of our direct GHG emissions (about 64 percent) are generated by our fleet. As such, we are committed to reducing transportation-related fossil fuel demand and emissions. We utilize

several strategies to reduce our fleet's GHG emissions including using hybrid electric, plug-in hybrid, and battery electric vehicles for all our sedans; using renewable diesel in most of our diesel-powered vehicles; and investigating technologies that will meet the District's operational requirements and emission reduction goals.

The District's medium- and heavy-duty vehicles are almost exclusively used for construction and maintenance. Since we manage critical infrastructure, we need a reliable fuel supply and sufficient range for our vehicles to support these essential operations. This includes a reliable and readily available fuel supply after a major disaster, such as an earthquake, to respond to emergencies or provide mutual assistance to others.

COMMENTS

Comment 1: The District requests that at least an additional 90 days be added to the public comment period for the proposed Regulation and that CARB staff conduct additional public outreach to all affected stakeholders.

Due to the current global pandemic, many public fleet agencies are unaware of the proposed Regulation and how they will be impacted. Unanticipated staffing and financial impacts, that are only just being realized, must be fully understood and considered as the Regulation evolves. The proposed Regulation requirements do not consider the potential economic impacts of the pandemic. The Regulation must account for the new normal.

Comment 2: The District requests that CARB update their analysis of the current and future manufacturer marketplace and sources of available funding for fleet agencies.

In light of the new normal referenced above, it would be prudent for CARB to update its analysis of Zero Emission Vehicles (ZEV) models that will be available in the future at the critical milestone dates in the proposed Regulation. The District requests that CARB update their analysis of the current and future economic conditions that will affect availability of ZEV's and sources of available funding for government agencies to procure them.

Two recent surveys suggest the economic impact of the pandemic will be great and expansive for government fleets. A recent survey of public fleet professionals conducted by Government Fleet magazine showed that about 80% of fleet professionals expect a decrease in their budget in the next fiscal year, with 78% of respondents expecting a decreased operational budget and 81% expecting a decreased capital budget. (https://www.government-fleet.com/357416/survey-says-80-of-fleet-managers-expect-budget-reductions-next-year?utm_source=email&utm_medium=newsletter&utm_campaign=20200506-NL-GF-Enews-BOBCD200430003&omdt=NL-GF-Enews&omid=1122155131&oly_enc_id=2115B1509489F2V)

More than 2,100 U.S. cities are anticipating major budget shortfalls this year and many are planning to cut programs and staff according to a survey of local officials, illustrating the widespread financial challenges posed by the coronavirus pandemic.

(<https://www.washingtonpost.com/business/2020/04/14/cities-budget-cuts-coronavirus/>)

Comment 3: The District requests that CARB host statewide workshops specifically for government fleets to gather comments and feedback.

Opportunities for outreach and education have been very limited to date. It's critical that government fleet managers have a chance to explain the diverse nature of their operations and the equipment requirements that their agency work requires. Without this understanding, CARB is likely to adopt a Regulation where compliance may not be achievable.

Comment 4: The District requests that CARB add vehicles operated by utilities to the list of exempt emergency vehicles in the proposed Regulation.

The District and its vehicles are needed in order to perform its essential public services 24 hours a day, 7 days a week in order to protect public health and safety and the environment. Our vehicles should be categorized as emergency vehicles similar to law enforcement and other first responders. In fact, the California Public Utilities Commission categorizes water and wastewater agencies as Public Safety Partners with respect to the state's wildfire mitigation activities. The District responds to an array of emergencies to minimize the amount of time customers are without adequate water supply and wastewater services.

Utilities must have specialized vehicles and body configurations that the marketplace is challenged to produce that will provide 24/7 availability, fast refueling times, a robust refueling infrastructure over a large geographic area and vehicle operational duty cycles.

The District requests that, before adopting the proposed Regulation, CARB work with the District and other water and wastewater utilities to better understand our operations to ensure the proposed requirements will not impede our ability to provide critical services and/or inadvertently result in non-compliance with other regulatory mandates we are required to meet, such as NPDES compliance.

Comment 5: The District requests that CARB allow Low Carbon Fuel Standard (LCFS) fuels to be counted as offsetting emissions.

Government fleets have invested significant capital to purchase vehicles with an operational life cycle of 10+ years and install infrastructure to support alternative fuels that reduce emissions. This emission reduction effort should be credited.

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CONCLUSION

The District strives to implement programs that extend beyond regulatory compliance stipulations and actively works with regulatory agencies, local agencies, non-governmental organizations, and the public to understand their needs and balance those needs with its operations while minimizing impacts to the environment. We look forward to continued collaboration with CARB to adopt implementable regulations that support clean air while maintaining a reliable fleet that is able to perform critical operations to serve the public.

If you have questions or would like additional information regarding the comments provided in this letter, please contact Chandra Johannesson at 510-287-0412 or me at 510-287-1256.

Sincerely,



Michael R. Ambrose
Manager of Maintenance and Construction

MRA:CJ:sd