

May 28, 2020

Mary D. Nichols, Chair
California Air Resources Board
1001 I Street, Sacramento, CA 95812

Re: Comments on Changes to Proposed Advanced Clean Truck Regulation

Dear Chair Nichols and Members of the California Air Resources Board,

We, the undersigned organizations, write to you as members and representatives of frontline communities that are impacted, day in and day out, by the freight industry and transportation systems that have been disproportionately placed in our neighborhoods. We are fighting the normalized deadly impacts and slow violence that the supply chain has on our families and advocate from a place of first hand experience for the measures that will truly make changes to the quality of our lives.

On any given day, even during the COVID-19 pandemic, our communities see thousands of diesel trucks pass by their homes, schools, places of worship, and recreation. Some of these trucks are driven by our family members, friends, and neighbors. For far too long, externalities have been absorbed by our families' bodies and pockets. Our family members who are workers living in communities burdened by pollution are also burdened with the barriers for adopting the clean trucks necessary to clean up their communities. We know our communities can best inform how crucial a just transition in this system is needed.

For these reasons, we urge the California Air Resources Board (CARB) to improve and adopt the Advanced Clean Truck (ACT) Rule by:

- Accelerating the development of the CARB fleet rule for adoption in late 2021, but ensuring that the rule is implemented no later than 2024.
- Institutionalizing CARB's targets on reaching zero-emissions (ZE):
 - ZE drayage fleet by 2035 or sooner
 - ZE first/last mile delivery, refuse and local buses by 2040
 - ZE/plug in hybrid for utility and government fleet by 2040
 - ZE/plug in hybrid for all other truck segments, 'where feasible' by 2045
- Clearly articulate when our communities can expect all truck sales must be 100% zero-emission.
- Require that the upcoming CARB fleet rule is stringent enough to reach Governor Jerry Brown's carbon-neutrality by 2045 goal established in Executive order b-55-18.
- Including the updated Reporting Requirement
- Adjust zero-emission vehicle (ZEV) sales percentage for Class 7-8 trucks to start with 12% in 2024 and 80% by 2035 or as follows:

Model Year	Class 7-8 Tractors Sales	Tractors on the Road
2024	12% (729)	729
2025	15% (911)	1,640
2026	20% (1,215)	2,855
2027	25% (1,519)	4,374
2028	30% (1,823)	6,197
2029	35% (2,126)	8,323
2030	40% (2,430)	10,753
2031	45% (2,734)	13,487
2032	50% (3,038)	16,525
2033	60% (3,645)	20,170
2034	70% (4,235)	24,405
2035	80% (4,860)	29,265

Big Picture

We acknowledge that the CARB Board has taken initiative in addressing California's high levels of air pollution by introducing and directing staff to strengthen the earlier language of the Advanced Clean Truck (ACT) Rule, reviewed by the Board in December of 2019. The staff's decision to increase from 4% of on-road vehicles by 2030 to 7%-8% demonstrates the agency's willingness to work towards a cleaner future. We believe that there is great potential to take the agency's enthusiasm for cleaner air to create a more ambitious goal by 2030. In our comments addressing the Initial Draft Language, we proposed a baseline of at least 15% of on-road vehicles. This proposal was based on a combination of data provided by CARB and our confidence that the agency is capable of doing more to clean California's air. While we believe that our 15% baseline is a step in the right direction, analysis by Lawrence Berkeley National Laboratory and the Energy and Resource Group point to the need for stronger regulation. They find that CARB's current proposal lags behind to fall in line with Gov. Jerry Brown's 2045 carbon-neutrality goal for California established in Executive order b-55-18. In fact, they estimate a total of 1.2 million internal combustion engine trucks on the road through 2045. This amounts to a total of \$41 billion in greenhouse gas emissions costs and \$72 billion in air pollution costs. Introducing more stringent regulation early on will result not only in cost minimization, but will also ensure that CARB meets its goal of "achieving zero-emission truck and bus fleet by 2045 everywhere feasible."

Our highest priority is the health of the communities most impacted by air pollution. Class 7-8 tractors produce high levels of pollution and are concentrated in low-income communities of color. This disproportionate presence in environmental justice communities calls for more stringent regulation within the Class 7-8 truck category. Regulation within the Class 7-8 truck category needs to align with the urgent need for 100% Zero-Emission Drayage trucks by 2035 for the Port of San Pedro. The communities around the ports and the communities of the Inland Empire who are directly impacted by those drayage trucks deserve clean air sooner than later. As the rule stands right now for Class 7-8 trucks, the estimated number of trucks by 2030 will not achieve the 23,000 estimated sales of drayage trucks to achieve ZE. **We recommend adjusting zero-emission vehicle (ZEV) sales percentage for Class 7-8 trucks to start with 12% in 2024 and 80% by 2035 or as follows:**

Model Year	Class 7-8 Tractors Sales	Tractors on the Road
2024	12% (729)	729
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Vision

The approval of the ACT rule is timely as we honor essential workers across the nation sacrificing themselves and their families health to serve the needs of their communities. This rule has a direct relationship with truckers and workers in the truck manufacturing industry. However, given that HD vehicles make up 10% of vehicles in California, but contribute 45% of NOx and 57% of direct PM 2.5, the rule addresses a public health issue that impacts California’s entire workforce. While air pollution sees no boundaries between communities, the majority of diesel burning trucks pass through communities of color that result in the concentration of high levels of air pollution in marginalized communities. Amazon

alone brings over 20,000 trucks per day, while some residents have counted up to 1,000 trucks driving through their neighborhoods.

The combination of an increased demand for online shopping together with existing high levels of air pollution further marginalize vulnerable communities. A recently released Harvard study points to the disparities between COVID-19 casualties among populations of color versus the white population. The numbers point to exponentially high levels of deaths among communities of color in comparison to white communities, despite only representing a margin of COVID-19 cases. These daunting disparities remind us that cleaner air in environmental justice communities is a moral and an ethical obligation we must fulfill. CARB's intent and spirit behind the creation and approval of the ACT rule is the appropriate attitude to revert this crisis and we are thankful. However, we are confident in the agency's ability to create a more robust percentage of on-road vehicles by 2030 to ensure environmental justice communities and their residents live healthy, happy, and prosperous lives. To do this, our communities must know when they can expect the clean up of the air that they breathe. **We recommend clearly articulating when our communities can expect all truck sales must be 100% zero-emission and institutionalizing CARB's targets on reaching zero-emissions (ZE): ZE drayage fleet by 2035 or sooner, ZE first/last mile delivery, refuse and local buses by 2040, ZE/plug in hybrid for utility and government fleet by 2040, ZE/plug in hybrid for all other truck segments, 'where feasible' by 2045.**

The Climate Crisis

As stated in previous coalition demands, in order to get the reductions needed in PM 2.5 and Ozone, high levels of electrification of trucks are needed, minimum of starting at 15% to see actual change in PM 2.5 and Ozone. As of now with the proposed modified rule we will only see significant reductions in PM 2.5 beginning 2031, but more specifically in 2040. EJ communities in the state cannot wait until 2040 to feel a change in air quality, we need reductions of PM 2.5, Ozone, and NOx now, and that can be achieved with a higher percentage of electrification. Although the shift in emissions are assumptions due to variances in vehicle life expectancy and different fuel lifecycles, the urgency for emissions reductions are not assumptions. California's Fourth Climate Change Assessment stressed emissions are expected to peak by 2040, which is why the ACT is so crucial to begin and end strongly. The assessment also emphasizes that increase in extreme climates will cause stress and impact on current transportation infrastructure. To prepare for that stress in infrastructure we need to be shifting to electrification and solar infrastructure sooner than later. **We recommend requiring that the upcoming CARB fleet rule is stringent enough to reach Governor Jerry Brown's carbon-neutrality by 2045 goal established in Executive order b-55-18**

COVID-19

With already compromised respiratory immune systems resulting from the overburden of air pollution, the novel COVID-19 virus poses a higher threat in environmental justice communities.

While many businesses nationwide have halted production as precautionary measures, the logistics industry has experienced a surplus in business demands as people quickly move to online shopping to maintain social distance. Amidst the fatal spread of COVID-19, the logistics industry continues to move, not only on a business-as-usual basis, but at increased levels to meet a high demand. We are seeing on the ground how this created further health harms in our communities. Not only has the logistics and goods

movement industry been ramping up, but key regulators like the federal EPA and our regional South Coast Air Quality Management district have changed permitting, enforcement, and monitoring practices on entities they deem necessary in the COVID-19 fight without including the public in these decisions.

Several industry and elected officials have also taken this time to demand that environmental regulations be delayed during this COVID-19 crisis, claiming that stakeholders do not have adequate time to weigh in, and that any regulations will suppress economic recovery. This could not be further from the truth, especially considering that this particular rule will not go into effect for several years, whereby we will be far past the immediacy of dealing with COVID-19. This rule will save lives, and we cannot delay or weaken its passing and implementation to appease false narratives.

Conclusion

We know this is a monumental effort for the agency. We know that we are facing unprecedented times and uncertainty. But we also know that we have all the tools we need to overcome these challenges. This is CARB's opportunity to excel in this moment of crisis and help lead us into a future where communities don't suffer pollution burdens, industries don't pollute, and the vehicles that we use to service society are powered by clean and renewable energy. We believe you can and should take this step. This is your moment. We are at a tipping point where we can no longer accept the status quo, nor can we take gradual steps and call it progress.

We are calling on the CARB Board to increase the targets, accelerate adoption and implementation, include the updated reporting requirement and reach the state's carbon neutrality goals.

Sincerely,

Andrea Vidaurre, Ivette Torres, Ricardo Olea

**Center for Community Action and
Environmental Justice**

Peter M. Warren

**San Pedro & Peninsula Homeowners
Coalition**

Sylvia Betancourt

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**East Yard Communities for Environmental
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Asian Pacific Environmental Network

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Environmental Health Coalition

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**Central Coast Alliance United for a
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