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Clerk of the Board
California Air Resources Board
1001 I Street
Sacramento, CA 95814

RE: Advanced Clean Fleets Draft Regulation – Public Fleet Requirements

Vista Irrigation District (District) appreciates the opportunity to provide comments to the California Air Resources Board (CARB) on the Proposed Advanced Clean Fleets Rule (Proposed Rule), and specifically the public fleet requirements.

The District is a retail water agency that provides water service to roughly 134,000 people in the city of Vista, and portions of San Marcos, Escondido, Oceanside and unincorporated areas of San Diego County. The District is responsible for operating its distribution system, ensuring water quality, facility security and emergency preparedness, and maintaining and managing dam and reservoir operations and other critical infrastructure and constructing capital improvement projects. The District also maintains all vehicles and heavy equipment; a reliable fleet is critical to the District’s ability to meet its mission of providing a reliable and safe water supply to its customers.

The District has submitted comment letters to CARB regarding the Advanced Clean Fleets public fleets requirements on August 18, 2022 and October 17, 2022. We appreciate that the Proposed Rule includes considerations for some of the challenges water suppliers will face while transitioning fleets to zero-emission vehicles (ZEVs) such as delays for infrastructure construction. However, we still have many concerns regarding important issues that have not been addressed. Please consider the following recommendations to help ensure the regulation is attainable for water providers while protecting public health and safety and maintaining affordability for water ratepayers.

**Section 2013(b) Definitions. “Emergency support vehicle”**

The definition limits the emergency support vehicle to “provide transport services or supplies in connection with an emergency operation.” In the water and wastewater utility sector, many of the vehicles have power takeoff (PTO) devices that are key to mitigating emergency situation. The definition should acknowledge this and include vehicles with PTOs.

**Section 2013.1(d)(2)(D)** **ZEV Purchase Exemption Application**

**The ZEV Purchase Exemption Application should include cost in the criteria that determine if a ZEV or NZEV is available for purchase.** Currently, the cost for vocational ZEVs is much higher than comparable internal combustion engine (ICE) vehicles. Ultimately, this additional cost burden will be borne by ratepayers, which will include disadvantaged communities.

We support the recommendation made by the Association of California Water Agencies (ACWA), California Municipal Utilities Association (CMUA), and others to include that a fleet owner can purchase an ICE vehicle when the cost of a comparable ZEV or NZEV exceeds 133% of the purchase price of the ICE vehicle. This will allow utilities to better budget for the transition to ZEV fleets and reduce impacts to water rates by requirements for higher-cost vehicles.

**Section 2013.1(c)(1) ZEV Infrastructure Construction Delay Extension**

**The ZEV Infrastructure Construction Delay Extension should allow delay of ZEV purchases**. The ZEV Infrastructure Construction Delay Extension language is unclear as it states fleet owners may “request the following extensions for ICE vehicles being replaced at the site experiencing the delay,” but it also requires fleet owners to provide an executed ZEV purchase agreement to be eligible for the extension (Section 2013.1(c)(1)(D)). This implies fleet owners are required to purchase vehicles they are unable to use if they do not have the charging or fueling infrastructure in place. Section 2013.1(c)(1)(D) should be removed from the Proposed Rule.

**Construction permit requirements should be revised for the first year of implementation.** The Proposed Rule requires fleet owners to have a construction permit issued at least one year ahead of the next compliance deadline to be eligible for the ZEV Infrastructure Construction Delay Extension. Considering the Proposed Rule will not be adopted until mid-2023, and compliance begins January 1, 2024, fleet owners will only have about six months to obtain construction permits to be eligible for the infrastructure construction delay extension in the first year. For example, there is currently a four-month wait period to meet with a project coordinator from our electrical service provider, San Diego Gas & Electric, to schedule for a de-energization at a single facility. Given this current example and the anticipated additional strain that will be imposed on electrical service providers once compliance begins, we request that the first two years of the rule implementation not include a time requirement of one year ahead of the next compliance deadline.

**Grid Reliability Concerns**

The District has already expressed its concern in previous comment letters and still has apprehension about grid reliability during extreme weather and feel CARB has not addressed the issue enough. In the last year alone, California has experienced power outages and grid vulnerabilities due to heat waves, fires, public safety power shutoffs (PSPS), flooding, and extreme winter weather. Historically, the power interruptions from PSPS can last for several days in the San Diego region. Our duty is to provide a safe and reliable water supply for roughly 134,000 residents in our service area and to do that we must have a reliable fleet in every weather condition. The Proposed Rule does not currently account for interruptions in electrical service, which we know will continue to be an issue going forward.

In closing, we are concerned that achieving compliance with this Proposed Rule as currently written would challenge water and wastewater treatment agencies’ ability to reliably maintain core functions and levels of service for delivering and treating water. Please consider our recommendations above to reduce impacts to water availability and affordability in the final rule.

Thank you for the opportunity to comment on this very important rulemaking. The District hopes CARB staff will continue to work with stakeholders to create a rule that is implementable, fair, and supports our mission of providing a reliable and safe water supply to our customers.

Sincerely,



Brett Hodgkiss

General Manager