



April 6, 2023

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Subject: Contra Costa Water District – Comments on Draft Advanced Clean Fleets (ACF) Regulation

Contra Costa Water District (CCWD) is a large water wholesale and retail water agency serving over 500,000 of California's population in the Central and Eastern portion of Contra Costa County. As a 24 hours per-day, 365-days-per-year fleet operator in California, CCWD is committed to reducing environmental and health impacts from fleet emissions and is a long-term partner in that goal. CCWD is ready to implement sensible changes that will improve the community's welfare while maintaining essential public services and mitigating potential economic impacts to CCWD's customers and CCWD's mission to provide safe and reliable water service.

CCWD appreciates the opportunity to provide comments on the ACF draft regulatory language (March 23 iteration) for public fleets as proposed by California Air Resources Board (CARB) staff. While the latest iteration of the ACF regulation reflects some of the exemptions and extensions that have been requested, CCWD remains concerned with the following:

Timelines and Funding

The proposed regulations impose aggressive timelines for public fleets to comply and do not consider existing local agency economic constraints. Like many local governments, CCWD develops operating and capital budgets to meet near and long-term needs. CCWD utilizes detailed long-term plans to forecast planned activities and projects as well as to plan for the revenues needed to stabilize economic impacts to our customers. The January 1, 2024, mandated compliance date proposed by the draft regulation is unrealistic. Design and construction of the required high-capacity electrical charging infrastructure necessary to support medium and large duty vehicles would require a significant and immediate investment that has not been anticipated or planned. Additionally, time will be needed to coordinate closely with local power providers, pursue permits for infrastructure improvements, and secure the construction resources needed to implement this work once funded.

The proposed regulation does not put sufficient consideration into existing market conditions. If required to comply with the proposed regulation as drafted, the projected infrastructure and fleet costs will result in substantial rate increases to the customers of CCWD at a time when we too are faced with increased costs for

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many commodities, including energy and fuel costs. While savings may eventually manifest from retiring or repurposing assets oriented to internal combustion engines, they will not affect the significant immediate capital expenses.

For these reasons, CCWD believes that local government agencies would benefit from an extension of at least four years from regulation adoption. We encourage the State of California to develop a substantial grant program to support local government compliance without imposing an undue burden upon their customers.

Exemptions

Local agency vehicles essential to the public health and safety of residents should be fully exempt from the regulation. While some of these vehicles are captured under the current emergency vehicle exemption, the exemptions need to be expanded.

In addition to emergency vehicles currently defined in the California Vehicle Code, there are essential local agency vehicles that must be operable 24 hours per day, 365 days per year. Any interruption in their regular use could jeopardize water service and the public health and safety of the communities we serve. Given that the most likely current or future Zero Emissions Vehicle (ZEV) options will depend upon a consistently accessible source of electricity, the risk of disruption, whether due to an earthquake, public safety power shutoff, wildfire, flood, or other natural disasters, is too great to risk the operability of these vehicles and health and safety of CCWD's customers.

Examples of essential vehicles include:

- Water service repair and construction vehicles, valve operating trucks, and other vehicles essential to the maintenance of water infrastructure. These vehicles are particularly critical during and following the very events that could interrupt the ability of ZEVs to operate and, at times, must remain at worksites for extended periods.
- Vehicles used within remote watershed areas to spot and mitigate wildfires, locate lost or injured hikers and support environmental programs.

Cost Controls

CCWD requests that CARB support cost controls to ensure the market responds positively with vehicles at competitive rates. Complying with the proposed regulations may force the purchase of ZEVs that are put to market at an artificially inflated rate.

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Inventory and Fleet Availability

CCWD requests that CARB compile a list of available manufacturers that have market-ready vehicles in the medium to heavy duty class sizes and take into consideration the availability of these vehicles when developing milestones for compliance.

Again, thank you for the opportunity to provide comments on this draft regulatory language. I would be happy to discuss these concerns with you directly to determine mutually agreeable solutions and alternatives.

Sincerely,



David J. Huey

Director of Operations and Maintenance

DH:cs

cc: California Special Districts Association (via email: advocacy@csla.net)

Association of California Water Agencies (via email: outreach@acwa.com)