



September 21, 2018

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

RE: Requested Changes to the “Proposed Innovative Clean Transit Regulation”

Chair Nichols and Members of the California Air Resources Board:

On behalf of the Transportation Agency for Monterey County, I submit the following comments in response to the Initial Statement of Reasons for the Proposed Innovative Clean Transit Regulation. The Transportation Agency for Monterey County is the Regional Transportation Planning Agency that oversees the distribution of State Transit Assistance and Transportation Development Act and Federal Section 5311 funding totaling nearly \$20 million per year to the Monterey-Salinas Transit District (MST).

It is in the interest of the passengers who take over 4.5 million bus rides from San Jose to Templeton, Monterey to Big Sur, Salinas to King City, and all destinations in between, that this regulation maximize the clean air benefits of transit without resulting in cuts to service. It does not improve air quality or reduce vehicle miles traveled if regulations are so costly that our transit agencies are required to reduce bus service to implement them.

Specifically, we are concerned that the requirement to purchase zero-emission buses is not tied to benchmarks for cost, performance, electrical infrastructure costs and funding available. For instance, electric vehicles cannot handle the mileage requirements for the vast majority of MST’s routes, in a county that is 1.5 times the size of the State of Delaware. In addition, the excessive cost of adding charging infrastructure for a fleet of 80 vehicles -when it cost us over \$1 million to install power systems to serve our current 4 electric buses - will take funding away from other vital projects. We would hate to have our transit operator lose funding for the King City maintenance facility that will eliminate the deadheading 120 miles round trip to the central maintenance and operations facility in Monterey.

Furthermore, we are concerned that the regulation leaves natural gas buses out of the zero emission vehicle options, particularly because Monterey County is now installing a waste to energy facility that will make such vehicles carbon-negative – a net positive impact on air quality because they take methane gas out of the atmosphere.

As such, we support the California Transit Association in requesting several changes to the regulation, with emphasis on conducting a benchmarking and regulatory assessment, maintaining financial incentives for ZEB purchases, and providing technological flexibility in meeting emissions goals, as detailed below:

- **Conduct a Benchmarking and Regulatory Assessment:** Require the California Air Resources Board to conduct a regulatory assessment – *before* a ZEB purchase requirement goes into effect. This assessment should evaluate real-world ZEB cost and performance with benchmarks for ZEB cost and performance in various regions. This regulatory assessment should allow the Board to issue an across-the-board suspension of the ZEB purchase requirement, much like the original Transit Fleet Rule did, if real-world ZEB cost and performance is not yet at parity with the cost and performance of conventionally-fueled transit buses.
- **Maintain Financial Incentives:** Ongoing incentive funding is needed to assist transit agencies in transitioning to the new ZEB requirements. An unfunded mandate will only take money away from other transit projects that are aimed at the ARB's objective of reducing emissions by reducing vehicle miles traveled in single-occupant vehicles. The last thing this ZEB regulation should do is lead to a reduction in bus services that puts our low-income riders back into older and high-polluting cars.
- **Provide Technological Flexibility:** It is impossible to know what technological advancements will arise within the next five years, much less the next 10 years. ARB should set a performance-based goal rather than a technology-based goal, one that allows natural gas vehicles (particularly those that are *carbon negative*) or other vehicles that meet the emissions goals, rather than hang its hat on the technology of today.

By amending the proposed regulation to include these and the other California Transit Association's recommendations, will you protect California's transit agencies and the riders who rely on our service from the risks associated with this transition. We greatly appreciate your continued commitment to working with the California Transit Association to get this proposed regulation right.

If you have any questions or comments, please feel free to contact me at 831-775-4410.

Sincerely,



Debra L. Hale
Executive Director

cc: Richard Corey, Executive Officer, California Air Resources Board
Steve Cliff, Deputy Executive Officer, California Air Resources Board
Jack Kitowski, Chief, Mobile Source Control Division, California Air Resources Board
Tony Brasil, Heavy Duty Diesel Implementation Branch, California Air Resources Board
Shirin Barfjani, Mobile Source Control Division, California Air Resources Board