



October 4, 2021

Mr. Craig Segall  
Deputy Executive Officer of Mobile Sources and Incentives  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

**RE: Advanced Clean Fleets Draft Regulation Language – Public Fleet Requirements**

Dear Mr. Segall:

On behalf of the identified San Diego region water suppliers, we provide comments to the California Air Resources Board (CARB) on the Proposed Advanced Clean Fleets Rule (Proposed Rule), and specifically the public fleet requirements and the exemption process for emergency service vehicles.

Water and wastewater treatment agencies have a long history and outstanding track record of participating in the development of the State's energy programs and are well-positioned to help the State meet its clean vehicle

goals. That said, the San Diego region water suppliers collectively have concerns that achieving compliance with this Proposed Rule could challenge water and wastewater treatment agencies' ability to reliably maintain core functions and levels of service for delivering and treating water, as well as meet increasingly frequent mutual aid demands during emergency responses to natural disasters and other emergencies.

Executive Order N-79-20 recognizes the need for the state to transition to carbon neutrality by setting a course to end sales of internal combustion passenger vehicles by 2035. CARB is now faced with the enormous task of transitioning public fleets accordingly to meet the state's goals set forth by the order, as outlined in the Proposed Rule. Our agencies appreciate the great task at hand and understand how incredibly important this rulemaking is for the future of California. As entities that manage large public fleets with specialty and emergency response vehicles, we are writing to share specific comments and recommendations that we hope will help inform the final regulation, as outlined below.

The San Diego region water suppliers are largely concerned with the Proposed Rule due to the uncertainty that water and wastewater agencies' unique vehicle specifications needs can be met within the proposed timeline and the significant infrastructure investments required to support Zero-Emission Vehicle (ZEV) objectives. Our agencies operate diverse fleets that consist predominantly of medium-and heavy-duty vocational trucks that perform maintenance and repair operations and require unique specifications. Water and wastewater specialty vehicles include, but are not limited to, hammer, vector, maintenance/construction service trucks, stake trucks with cranes, water filtration trucks, dump trucks, hydro-excavator and vacuum trucks, mobile crane trucks, water trucks, and stake bed trucks. Some vehicles are required to travel long distances and on rough terrain, and could include extended operation of auxiliary equipment via power-take off devices at project sites.

### ***Charging and Fueling Infrastructure***

Our agencies remained concerned about the feasibility and safety of relying upon ZEVs without ensuring there is an adequate supply of, and access to, charging and fueling infrastructure. While we are making great strides to transition within our region, our agencies currently do not have access to the infrastructure necessary to support an expansive ZEV fleet. The transition to the necessary charging infrastructure offers a unique set of challenges. For example, water and wastewater agencies may sometimes find a need to charge more vehicles than there are ports available for charging at agency facilities. This scenario would require fleets finding open charging stations elsewhere, which may not be widely accessible or available. Clogging up off-site charging stations could then impose wait times onto other community members who need to charge their vehicles as well. CARB should consider the demand for installing charging stations, both for the general public and for fleets, to ensure that the Proposed Rule's timeline can be met. This consideration should include materials and qualified labor to build the necessary charging infrastructure as well.

### ***Exemption Process for Specialty and Emergency Response Vehicles***

Our agencies support the long-term goal of this Proposed Rule and are working to electrify fleets where operational needs can be feasibly met by available truck options. However, our agencies, consistent with others within our industry, recommend the development of an exemption process that considers the challenges public fleets will face as they carry out core functions of critical water and wastewater services. This exemption pathway should consider specialty vehicle availability, cost of replacement, charging infrastructure and grid accessibility and reliability, and the ability to maintain core services and mutual aid during and following natural disasters. Our agencies have concerns about the proposed timeline relative to existing assets with remaining useful life and responsible use of public funds.

CARB discussed the development of an exemption process during the March 2 and 4 workshops. An exemption process should enable the adoption of clean vehicles where it is feasible, while establishing a pathway for fleets that do not yet have ZEVs available to meet unique needs. CARB should develop a stakeholder-informed exemption process that considers the challenges public fleets will face as they work to carry out core functions of critical water and wastewater services.

***Cost Considerations Should be Included as Part of the Exemption Process***

Our agencies request that cost considerations for publicly-funded essential services be included as part of the exemption process. This request is consistent with public comments raised at the March 2 and 4 workshops that suggested including cost as a consideration for enabling public fleets to seek a longer time horizon for adopting cleaner vehicles. The high capital cost of procuring cleaner vehicles is passed on to water and wastewater customers. Public water and wastewater agencies will have to balance this cost with other needed investments due to climate-related changes in hydrology, aging infrastructure and needed repairs and maintenance, drought response and preparedness, population growth, and water affordability considerations. Additionally, the COVID-19 pandemic is creating significant financial impacts on California's water systems. The State Water Resources Control Board estimates at least \$600 million in customer drinking water debt. CARB should ensure that associated costs of the Proposed Rule consider and provide flexibility to essential public services regarding cost and implementation.

***Closing Comments***

In closing, as essential public service providers and collective stewards of California resources, we provide reliable water and wastewater services that protect public health and the environment. We wholeheartedly understand and support efforts to transition to a more sustainable future.

However, in doing so, we must ensure that water agencies, which operate large existing fleets and operate as first responders are not inhibited from responding to emergencies. And we must ensure that our agencies are able to continue serving and operating within our remotely-located facilities, even during normal operations, to provide high quality and safe drinking water and wastewater treatment operations for the public. We remain concerned that achieving compliance with this Proposed Rule as currently drafted could challenge water and wastewater agencies' ability to reliably maintain core functions and levels of service for delivering and treating water and meet increasing regulated mandates from local, state, and federal agencies as well as frequent mutual-aid demands during emergency responses to natural disasters and other emergencies.

The Proposed Rule must ensure water and wastewater agencies can maintain critical public services by carefully considering an exemption process for emergency response vehicles and for specialty vehicles that provide critical, ongoing water and wastewater treatment operations, that also enables a feasible adoption timeline to achieve state goals.

Our agencies would like to thank you and CARB staff for your thoughtful work on the Proposed Rule and appreciate the opportunity to provide comments on its development. We look forward to engagement with your entire team as you work to develop a final regulation.

cc: Liane M. Randolph, Chair, California Air Resources Board  
Sandra Berg, Vice Chair, California Air Resources Board  
Members, California State Air Resources Board