



# TRINITY COUNTY TRANSPORTATION COMMISSION

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California Air Resources Board, Members  
1001 I Street, Suite  
Sacramento, CA 95814

## **RE: Response to the Initial Statement of Reasons for the Proposed Innovative Clean Transit Regulation**

Chair Nichols and Members of the California Air Resources Board:

On behalf of Trinity County Transportation Commission, I submit the following comments in response to the Initial Statement of Reasons for the Proposed Innovative Clean Transit (ICT) Regulation. Trinity County provides service intercity and local bus service within Trinity County and to our neighboring counties of Shasta and Humboldt with a transit fleet comprised of eight cutaway buses. This is a very remote area with steep terrain and one-way trips are up to 60. Each of our routes have a mountain pass to go over and we often have several delays due to road construction delays, wildland fires, and slides. Trinity County supports the electrification program, however, we do not have the means to switch our cutaway fleet to electric.

As currently drafted, the proposed regulation improves on the Draft Regulatory Concept for the Proposed Innovative Clean Transit Regulation, released December 2017. Improvements to the proposed regulation reflect ongoing discussions between California Air Resources Board staff and the leadership of the California Transit Association. While the progress made on the proposed regulation is substantial, we remain concerned that the imposition of the zero-emission bus (ZEB) purchase requirement is not tied to benchmarks for ZEB cost and performance, infrastructure buildout costs, and funding availability. Moreover, we see significant risks in assuming, as ARB staff has, that data gathered from limited, short-term ZEB deployments will accurately reflect the realities of ZEB deployments at-scale. We assert that, despite the claims of some interest groups, ZEB cost and performance, infrastructure buildout, and the cost of electricity as fuel, are still issues.

As you move to finalize the proposed regulation, Trinity County Transportation Commission believes you should be guided by one question: *“What will happen to transit service, if the assertions made by ARB staff and interest groups are wrong, and the cost and difficulty of the transition to fully electrified bus fleets more closely align with the warnings of California’s public transit agencies?”* To help navigate this question, we urge the Air Resources Board to review current range and cost-specific data obtained and provided by both large and smaller operator’s experience as well as unbiased consultants when estimating the actual impact of Innovative Clean Transit on public transit service delivery and review the following considerations:

- **Benchmarking and Regulatory Assessment:** This provision would require the California Air Resources Board to conduct a regulatory assessment – *before* a ZEB purchase requirement goes into effect – that evaluates real-world ZEB cost and performance with benchmarks for ZEB cost and performance established at the time of rule adoption. 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. This provision would have no impact on the ZEB purchase requirement, if benchmarks for ZEB cost and performance are being met, as anticipated by ARB staff and interest groups.

- **Incentives:** The staff report supporting the proposed regulation emphasizes the importance of incentive funding to minimizing adverse impacts to transit service (see Initial Statement of Reasons, pages ES-8, III-8, VIII-26). Given the stated importance of this funding and our shared goal of protecting vital transit service, this provision would require ARB to revise its current policy disallowing the use of incentive funding to meet regulatory compliance to explicitly allow transit agencies to use incentive funding whenever they are prepared to purchase a ZEB. In addition, the HVIP is an equitable and efficient process for offsetting the cost of a zero emission bus. However, CARB must express its support for creating an infrastructure funding program. This program should also be available to small operators to finance the rollout plans. Without a secure source for infrastructure investments in fueling/charging facilities, maintenance facilities, and storage capacity, the ability to meet the goals of this rule is doubtful. We urge the Air Resources Board to review and compare purchase orders and actual costs associated with the purchase of CNG/Clean Diesel vehicles and Battery-electric vehicles. Battery-electric buses are more than double the cost of CNG/Clean Diesel Buses *after* HVIP vouchers. The HVIP program and PG&E transit budgeting are non-dedicated, temporary funding sources available to implement a costly and sometimes unreliable form of technology. Dedicated and reliable funding and incentive programs will allow for continuity of services when implementing the technology.
- **Delayed Compliance:** Trinity County Transportation Commission strongly supports the delayed compliance for small operators with adopting the rollout plans and purchase mandates. As a small operator, additional time will be needed to secure funding for developing and adopting the rollout plans. Implementation of Innovative Clean Transit may require our agency to purchase and build new storage facilities to meet infrastructure requirements of electric charging stations. The additional time needed to develop the rollout plans support the need for the later purchase mandate timeline. The later purchase mandate should also benefit our agency to take advantage of lower vehicle prices as demand increases and supply chains mature. Trinity County Transportation Commission operation service area is within the County of Trinity, which is a vast county of 3,200 square miles with routes up to 60 mile and service provided in less ideal ZEB-driving conditions, such as inclement weather and steep grades. Delayed compliance allows our agency to begin purchasing Electric Buses as the technology advances and begins to meet range requirements for our standard routes. Earlier compliance may force our agency to otherwise cut services, some of which provide lifeline services to individuals with limited mobility options. Added to long distances is the likelihood of natural disasters causing long distance detours to get passengers to intermodal bus stations located in Redding in Shasta County and Arcata in Humboldt County where national transportation providers such as Greyhound and Amtrak are available. For example, during the 2018 Carr Fire, State Highway 299 was closed between Weaverville and Redding for several weeks. Our transportation service had to travel on State Route 3 and 36 in order to provide service between our rural area and Redding. This took an additional 2 hours and increased the mileage from 50 miles to 120 miles each way. Over the past few years we have had several natural disasters within the area that have increased our idle time and length of trips. Trinity County is either hot or cold so we are constantly running heaters or air conditioners.
- **Cutaway Definition** Trinity County Transportation Commission also supports the proposed definition of a cutaway bus. These vehicles are the workhorse of small transit systems due to their lower capital and operating costs. These vehicles are produced in a wide variety of sizes, and the proposed definition specifying vehicles weight of 14,000 pounds to 26,000 pounds is appropriate. In addition, the rule recognizes that a commercially available zero emission cutaway bus is currently not available.
- **Small Operator Definition:** As an agency that operates 4 vehicles during peak operations but has 8 vehicles total, we urge the Board to reconsider the definition of a “small operator” and use the definition employed by federal and state programs for compliance purposes. The proposed regulations define a small operator as any operator with less than 100 buses. Trinity County Transportation

Commission urges the Board to rely on the current federal definition that specifies a small operator as having less than 100 buses during peak operations. The number "100" is nominal and does accurately portray the size of an operator as a whole. Many vehicles in a fleet may not be regularly used: some may only be used during emergencies or during fleet maintenance, may be retired, or may be vehicles that have met their useful life. We urge CARB not to rely solely on NTD data for the total number of buses because these numbers can represent total buses on the lot including buses being sold or disposed that have met their useful life and back up vehicles used for emergencies.

- **Funding Considerations:** We urge the Air Resources Board to consider the vast difference between agencies considered small to both the Federal Transit Administration and California Department of Transportation but not the Air Resources Board. These agencies are traditionally rural or non-profit/ADA providers with inequitable funding in comparison to "other" large operators pooled into the same definition by the Air Resources Board. These agencies have much smaller staffing capacities and current transit employment trends, such as driver and maintenance staff shortages are exacerbated in smaller communities. These agencies often have much larger routes and service areas. Rural transit systems and ADA/non-profit providers face unique challenges that are not considered in the regulation as it exists today due to vague definitional standards. Trinity County annually receives approximately \$280,000 in Local Transportation Funds (LTF) that covers TDA administration, transit operations, and a purchased transportation program for our local residents who live in areas that are not serviced by public transportation. With SB 1, we now receive approximately \$110,000 in State Transit Assistance Funds (STA), which is used for operations and to replace rolling stock or improve bus stops. With Trinity County having a population of only 13,628 we are not a self-help county so we are very dependent on LTF, STA, and federal funding. Electric buses and charging stations would have to be purchased and installed through a grant program, which historically has been difficult for our low population county to be successful in.

We respectfully ask that you consider the comments we have provided in addition to those provided by the California Transit Association and the California Association for Coordinated Transportation (CALACT.) Our agency is committed to alleviating providing mobility options to our community and reducing the dependence on single use vehicles. We support efforts to reduce pollution in our community but ask that you consider our comments as to 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 (530) 623-1365 Extension 3427.

Sincerely,



Polly Chapman  
Senior Transportation Planner

cc: Richard Corey, Executive Officer, California Air Resources Board  
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