

MEETING
STATE OF CALIFORNIA
AIR RESOURCES BOARD

ZOOM PLATFORM

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
BYRON SHER AUDITORIUM
1001 I STREET
SACRAMENTO, CALIFORNIA

THURSDAY, OCTOBER 27, 2022

9:02 A.M.

JAMES F. PETERS, CSR
CERTIFIED SHORTHAND REPORTER
LICENSE NUMBER 10063

APPEARANCES

BOARD MEMBERS:

Liane Randolph, Chair

Sandra Berg, Vice Chair

John Balmes, MD

Hector De La Torre

John Eisenhut

Senator Dean Florez

Davina Hurt

Gideon Kracov

Senator Connie Leyva

Tania Pacheco-Werner, PhD

Barbara Riordan

Supervisor Phil Serna

Professor Dan Sperling, PhD

Diane Takvorian

Supervisor Nora Vargas

STAFF:

Steve Cliff, PhD, Executive Officer

Edie Chang, Deputy Executive Officer, Planning, Freight,
and Toxics

Chanell Fletcher, Deputy Executive Officer, Environmental
Justice

Annette Hébert, Deputy Executive Officer, Southern
California Headquarters and Mobile Source Compliance

APPEARANCES CONTINUED

STAFF:

Edna Murphy, Deputy Executive Officer, Internal Operations

Rajinder Sahota, Deputy Executive Officer, Climate Change and Research

Craig Segall, Deputy Executive Officer, Mobile Sources and Incentives

Cari Anderson, Chief Freight Transportation Branch, Transportation and Toxics Division (TTD)

Heather Arias, Division Chief, TTD

Paul Arneja, Air Pollution Engineer, In-Use Control Measures Section, Mobile Source Control Division (MSCD)

Analisa Bevan, Assistant Division Chief, MSCD

Tony Brasil, Chief, Transportation and Clean Technology Branch, MSCD

La'Shaye Cogley, Air Pollution Specialist, Freight Policy Section, TTD

Craig Duehring, Manager, In-Use Control Measures Section, MSCD

Andre Freeman, Chief, Freight Policy Section, TTD

Lucinda Negrete, Assistant Division Chief, MSCD

Sydney Vergis, Division Chief, MSCD

Alex Wang, Senior Attorney, Legal Office

ALSO PRESENT:

Randa Abushaban, Orange County Sanitation District

Yasmine Agelidis, Earthjustice

Alicia Aguayo, People's Collective for Environmental Justice

APPEARANCES CONTINUED

ALSO PRESENT:

Lucia Aguilar, People's Collective for Environmental Justice

Fariya Ali, Pacific Gas and Electric

Christina Angelides, Elemental Excelerator

Jaimie R. Angus, Griffith Company

Alicia Appel, Encina Wastewater Authority

Sam Appel, BlueGreen Alliance

Ruben Aronin, California Business Alliance for a Clean Economy

David Asti, Southern California Edison

Andrew Autwih, Western Propane Gas Association

Jose Avalos, Colectiva Justicia

Austin Avery, Turlock Irrigation District

Tracy Babbidge, National Association of Clean Air Agencies

Tom Bair, Golden State Freight, Inc.

Angie Balderas, Sierra Club

Will Barrett, American Lung Association

Melanie Beikman, Arizona Interfaith Power and Light

Nicholas Blair, Association of California Water Agencies

Doug Bloch, Teamsters Joint Council No. 7

Tim Blubaugh, Truck and Engine Manufacturers Association

Jordan Brinn, Natural Resources Defense Council

Matt Broad, Teamsters Public Affairs Council

APPEARANCES CONTINUED

ALSO PRESENT:

Maurissa Brown, Greenlining Institute

Adam Browning, Forum Mobility

Anthony Budicin, Western Municipal Water District

Claire Buysee, International Council of Clean
Transportation

Todd Campbell, Clean Energy

Michael Caprio, Republic Services

Jennifer Cardenas, Sierra Club

Dana Cervantes, J.G. Boswell Company

Emily Chisholm Lemei, Northern California Power Agency

Halim Choucair

Jesica Cleaver, San Diego County Water Authority

Amber Coluso, Port of Los Angeles

Damon Conklin, League of California Cities

Teresa A. Cooke, California Hydrogen Coalition

Kristian Corby, California Electric Transportation
Coalition

Paul Cort, Earthjustice

Jon Costantino, California Council for Environmental and
Economic Balance

Tim Cromartie, Environmental Justice League

Elisabeth de Jong, Southern California Public Power
Authority

Jocelyn Del Real, East Yard Communities for Environmental
Justice

APPEARANCES CONTINUED

ALSO PRESENT:

Jose Luis De La Fuente, ATS Transportation Company

Tanya DeRivi, Western States Petroleum Association

Beverly Des Chaux, Electric Vehicle Association

Sarah Deslauriers, California Association of Sanitation Agencies

Senator Maria Elena Durazo

Sean Edgar, Clean Fleets

Margret Edwards, National Star Route Mail Contractors Association

Joel Ervice, Regional Asthma Management and Prevention

Alfonso Esquer, Multimodal Esquer

James Fahy, Mercedes-Benz Research and Development North America

Robert Ferrante, Los Angeles County Sanitation Districts

Sara Flocks, California Labor Federation

Marissa Flores-Acosta, San Bernardino Municipal Water Department

Julieta Fuentes, Warehouse Workers Resource Center

Cecilia Garibay, Moving Forward Network

Michael Geller, MECA Clean Mobility

Camilla Getz, Center for Biological Diversity

Mo Cormen Gonzalez, People's Collective for Environmental Justice

Omar Gonzales, Nikola Corporation

Tania Gonzalez, People's Collective for Environmental Justice

APPEARANCES CONTINUED

ALSO PRESENT:

Gail Good, Wisconsin Department of Natural Resources

Jennifer Goodsell, Imperial Irrigation District

Thomas Greene, Rancho California Water District

Dwight Hanson, US Hybrid

Frank Harris, California Municipal Utilities Association

Staci Heaton, Rural County Representatives of California

Kyle Heiskala, Environmental Health Coalition

Rex Hime, California Business Properties Association,
Building Owners and Managers Association of California

Kathy Huang, Powerswitch Action

Jeremy Hunt, Northeast States for Coordinated Air Use
Management

Stephen Jepsen, Southern California Alliance of Publicly
Owned Treatment Works

Carol Kaufman, Metropolitan Water District of Southern
California

Yassi Kavezade, Sierra Club National

Ryan Kenny, Clean Energy

Alison Kerstetter, City of Sacramento

John Kinsey, Wanger Jones Helsley

Jim Korkosz, Las Virgenes Municipal Water District

Katharine Larson, Sacramento Municipal Utility District

APPEARANCES CONTINUED

ALSO PRESENT:

Randy Lee, Inland Empire Utilities Agency

Victoria Leistman, Standout Earth, Clean Mobility Collective

Manny Leon, California Alliance for Jobs

Julia Levin, Bioenergy Association of California

Katie Little, California Farm Bureau

Daisy Lopez, Warehouse Worker Resource Center

Ileagh MacIvers, Interfaith Power and Light

Sofia Magallon, Central Coastal Alliance United for a Sustainable Economy

Bill Magavern, Coalition for Clean Air

Alessandra Magnasco, California Fuels and Convenience Alliance

Cristina Marquez, International Brotherhood of Electrical Workers, Local 569

John X. Mataka, Valley Improvement Projects

Lisa McGhee, GreenPower Motor Company

Chris McGlothlin, California Cotton Ginners and Growers Association, Western Agricultural Processors Association

Pearl McLeod, E2 Environmental Entrepreneurs

Avi Mersky, American Council for an Energy-Efficient Economy

Bradley Meyer, NevCal Trucking

Alejandra Mier y Teran, Otay Mesa Chamber of Commerce

Meli Morales, Environmental Health Coalition

APPEARANCES CONTINUED

ALSO PRESENT:

Odette Moran, Central Coastal Alliance United for a Sustainable Economy

Michael Munoz, Los Angeles Alliance for a New Economy

Craig Murray, Las Gallinas Valley Sanitary District

Lauren Navarro, Environmental Defense Fund

Alex Oseguera, Waste Management

Veronica Pardo, Resources Recovery Coalition of California

Muhammed Patel

Katie Patterson, South San Joaquin Irrigation District

Curtis Paxton, Las Gallinas Valley Sanitary District

Jeannine Pearce, better World Group

East Peterson-Trujillo

Elena Pieri, CR&R

Ray Pingle, Sierra Club California

Cynthia Pinto-Cabrera, Central Valley Air Quality Coalition

Laura Plascencia, Valley Improvement Projects

Steven Poncelet, Truckee Donner Public Utility District

Patricio Portillo, Natural Resources Defense Council

Dan Potter, Daimler Truck North America

David Prescott, Hazard Construction

Priscilla Quiroz, Solid Waste Association of North America Legislative Task Force

Joe Rajkovacz, Western States Trucking Association

APPEARANCES CONTINUED

ALSO PRESENT:

Mary Alyssa Rancier, Associated General Contractors of California

Leela Rao, Port of Long Beach

Hannon Rasool, California Energy Commission

Ashley Remillard, Hexagon Agility

David Renschler, Municipal Equipment Maintenance Association

Nicole Rice, California Natural Gas Vehicle Coalition

Faraz Rizvi, Asian Pacific Environmental Network

Dr. Derrick Robinson, Center on Policy Initiatives

David Rothbart, Los Angeles County Sanitation Districts

Mariela Ruacho, American Lung Association

Alejandra Ruedas, East Yard Communities for Environmental Justice

Sasan Saadat, Earthjustice

Tim Sasseen, Ballard Power Systems of North America

Rebecca Schenker, Gladstein, Neandross and Associates

Yuliya Schmidt, California Public Utilities Commission

Matthew Schrap, Harbor Trucking Association

Andrew Schwartz, Tesla

Olivia Seideman, Leadership Counsel for Justice and Accountability

Suzanne Seivright-Sutherland, California Construction and Industrial Materials Association

APPEARANCES CONTINUED

ALSO PRESENT:

John Shears, Center for Energy Efficiency and Renewable Technologies

Bob Shepherd, California Caterpillar Dealers

Chris Shimoda, California Trucking Association

Richard Skaggs, Omstar Environmental

Mikhael Skvarla, City of Roseville

Jared Snyder, New York State Department of Environmental Conservation

Brenda Soto, People's Collective for Environmental Justice

Rob Spiegel, California Manufacturers and Technology Association

Gregory Stevens, California Interfaith Power and Light

Samuel Sukaton, California Environmental Voters

Jack Symington, Los Angeles Cleantech Incubator

Sara Taheri, San Diego Gas and Electric

Kathy Taylor, Washington State Department of Ecology

Orville Thomas, CALSTART

Taylor Thomas, East Yard Communities for Environmental Justice

Tyrone Thompson, CleanStar Products

Alison Torres, Eastern Municipal Water District

Kevin Torres, Warehouse Worker Resource Center

Michael Tunnell, American Trucking Association

Madison Vander Klay, Silicon Valley Leadership Group

APPEARANCES CONTINUED

ALSO PRESENT:

Brian Van Hook, Griffith Company

Andrea Vidaurre, People's Collective for Environmental Justice

Andrea Villarain, Los Angeles Department of Water and Power

LaDonna Williams, All Positives Possible

Sam Wilson, Union of Concerned Scientists

Janice Wong, Climate Reality

Josiah Young, California Bus Association

Beverly Yu, State Building and Construction Trades Council of California

Matt Zerega, TerraVerde Energy

Greg Zlotnick, San Juan Water District

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PROCEEDINGS

1
2 CHAIR RANDOLPH: Okay. Good morning. The
3 October 27th, 2022 public meeting of the California Air
4 Resources Board will come to order.

5 Board Clerk, will you please call the roll.

6 BOARD CLERK GARCIA: Yes. Dr. Balmes?

7 BOARD MEMBER BALMES: Here.

8 BOARD CLERK GARCIA: Mr. De La Torre?

9 Mr. Eisenhut?

10 Senator Florez?

11 BOARD MEMBER FLOREZ: Florez here.

12 BOARD CLERK GARCIA: Assemblymember Garcia?

13 Ms. Hurt?

14 BOARD MEMBER HURT: Present.

15 BOARD CLERK GARCIA: Mr. Kracov?

16 BOARD MEMBER KRACOV: Here.

17 BOARD CLERK GARCIA: Senator Leyva?

18 Dr. Pacheco-Werner?

19 BOARD MEMBER PACHECO-WERNER: Here.

20 BOARD CLERK GARCIA: Mrs. Riordan?

21 BOARD MEMBER RIORDAN: Here.

22 BOARD CLERK GARCIA: Supervisor Serna?

23 BOARD MEMBER SERNA: Here.

24 BOARD CLERK GARCIA: Professor Sperling?

25 BOARD MEMBER SPERLING: Here.

1 BOARD CLERK GARCIA: Ms. Takvorian?

2 BOARD MEMBER TAKVORIAN: Here.

3 BOARD CLERK GARCIA: Supervisor Vargas?

4 BOARD MEMBER VARGAS: Vargas here.

5 BOARD CLERK GARCIA: Vice Chair Berg?

6 VICE CHAIR BERG: Here.

7 BOARD CLERK GARCIA: Chair Randolph?

8 CHAIR RANDOLPH: Here.

9 BOARD CLERK GARCIA: Madam Chair, we have a
10 quorum.

11 CHAIR RANDOLPH: All right. Thank you.

12 We will begin with a few housekeeping items
13 before we get started conducting today's meeting in person
14 as well as offering remote options for public
15 participation both by phone and by Zoom. Anyone who
16 wishes to testify in person should spill -- fill out a
17 request-to-speak card available in the foyer outside the
18 Board room. Please turn it into a board assistant prior
19 to the commencement of the item. If you are participating
20 remotely, you will raise your hand in Zoom or dial star
21 nine if calling by phone. The clerk will provide further
22 details regarding how public participation will work in
23 just a moment.

24 For safety reasons, please note the emergency
25 exit to the rear of the room out through the foyer. In

1 the end -- in the event of the fire alarm, we are required
2 to evacuate this room immediately, go down the stairs to
3 the lobby and out of the building. When the all-clear
4 signal is given, we will return to the auditorium to
5 resume the hearing.

6 A closed caption feature is available for those
7 of you joining us in the Zoom environment. In order to
8 turn on subtitles, please look for a button labeled "CC"
9 at the bottom of the Zoom window as shown in the example
10 on the screen now. I would like to take this opportunity
11 to remind everyone to speak clearly and from a quiet
12 location, whether you are joining us in Zoom or calling in
13 by phone.

14 Interpretation services will be provided today in
15 Spanish. If you are joining us using Zoom, there is a
16 button labeled interpretation on the Zoom screen. Click
17 on that interpretation button and select Spanish to hear
18 the meeting in Spanish. If you are joining us here in
19 person and would like to listen to the meeting in Spanish,
20 please notify a Board assistant and they will provide you
21 with further instructions.

22 I want to remind all of our speakers to speak
23 slowly and pause intermittently to allow the interpreters
24 the opportunity to accurately interpret your comments.

25 (Interpreter translated in Spanish.)

1 CHAIR RANDOLPH: Thank you. I will now ask the
2 Board Clerk to provide more details on today's meeting
3 procedures.

4 BOARD CLERK GARCIA: Thank you, Chair Randolph.
5 Good morning, everyone. My name is Lindsay Garcia and I'm
6 one of the Board clerks here at CARB. I will be providing
7 additional information on how public participation will be
8 organized for today's meeting.

9 We will first be calling on any in-person
10 commenters who have turned in a request-to-speak card and
11 then I will be calling on commenters who are joining us
12 remotely. As a reminder, we will close sign-ups 30
13 minutes after public comment begins.

14 If you are joining us remotely and you wish to
15 make a verbal comment on today's Board item or during the
16 open comment period at the end of today's meeting, you
17 will need to be using Zoom webinar or calling in by
18 telephone. If you are currently watching the webcast on
19 CAL-SPAN, but you wish to comment remotely, please
20 register for the Zoom webinar or call in. Information for
21 both can be found on the public agenda for today's
22 meeting. To make a verbal comment, we will be using the
23 raise-hand feature in Zoom. If you wish to speak on a
24 Board item, please virtually raise your hand as soon as
25 the item has begun to let us know you wish to speak. To

1 do this, if you are using a computer or tablet, there is a
2 raise-hand button. And if you are calling in on the
3 telephone, dial star nine to raise your hand. Even if
4 you've previously indicated which item you wished to speak
5 on when you registered, you must raise your hand at the
6 beginning of the item so that you can be added to the
7 queue.

8 If you will be giving your verbal comment in
9 Spanish and require an interpreter's assistance, please
10 indicate so at the beginning of your testimony and our
11 translator will assist you. During your comment, please
12 pause after each sentence to allow for the interpreter to
13 translate your comment into English.

14 When the comment period starts, the order of
15 commenters will be determined by who raises their hand
16 first. We will call each commenter by name and will
17 activate each commenter's audio when it is their turn to
18 speak. And for those calling in, we will identify you by
19 the last three digits of your phone number. We will not
20 show a list of remote commenters, however, we will be
21 announcing the next three or so commenters in the queue,
22 so you are ready to testify and know who is coming up
23 next. Please note, you will not appear by video during
24 your testimony. I would also like to remind everyone to
25 please state your name for the record before you speak.

1 This is especially important for those calling in by phone
2 to testify on an item.

3 We will have a time limit for each commenter, and
4 we'll begin the comment period with a two-minute time
5 limit, although this could change at the Chair's
6 discretion. During public testimony, you will see a timer
7 on the screen. And for those calling in by phone, we will
8 run the timer and let you know when you have 30 seconds
9 left and when your time is up. If you require Spanish
10 interpretation for your comment, your time will be
11 doubled.

12 If you wish to submit written comments today,
13 please visit CARB's send-us-your-comments page or look at
14 the public agenda on our webpage for links to send these
15 documents electronically. Written comments will be
16 accepted on each item until the Chair closes the record
17 for that item.

18 And if you experience any technical difficulties,
19 please call (805)772-2715, so that an IT person can
20 assist. And this number is also noted on the public
21 agenda.

22 Thank you. I will turn the microphone back to
23 Chair Randolph.

24 CHAIR RANDOLPH: All right. Thank you.

25 The only item on today's agenda is item number

1 22-14-1, proposed Advanced Clean Fleets Regulation. If
2 you are here with us in Zoom and wish to comment on this
3 item, please fill out a request-to-speak card as soon as
4 possible and submit it to a Board assistant. If you are
5 joining us remotely and wish to comment on this item,
6 please click the raise button or dial star nine now. We
7 will call on the in-person commenters first, followed by
8 the remote commenters when we get to the public comment
9 portion of this item.

10 This is the first of two planned Board hearings
11 on this proposal. And while the Board will not be voting
12 on this final proposal today, we will be providing
13 direction to staff.

14 A clean transportation sector is essential to
15 protect the health of both our communities and our
16 climate. The transportation sector alone accounts for 50
17 percent of the state's greenhouse gas emissions when
18 upstream emissions from fuels are included. Medium- and
19 heavy-duty trucks make up only six percent of the 30
20 million vehicles on California's roads, but contribute 50
21 percent of the NOx emissions from this sector. Diesel
22 trucks exhaust -- diesel truck exhaust in particular
23 continue to negatively impact the health of Californians,
24 especially those who live near freeways and who live and
25 work at transportation hubs, such as seaports, railyards,

1 warehouses, and distribution centers.

2 For the past 20 years, CARB's fleet regulation,
3 such as the Truck and Bus Rule have substantially reduced
4 criteria pollutants and diesel particulate matter from
5 trucks operating within California.

6 The recently adopted Heavy-Duty Omnibus
7 Regulation, strengthens NOx emission standards and
8 introduces other emission control improvements to maximize
9 emission reductions from combustion engines sold in
10 California. Additional reductions will be achieved
11 through implementation of the Heavy-Duty Inspection and
12 Maintenance Program, which establishes a new smog check
13 for trucks that will achieve significant real world --
14 real world tailpipe emissions reductions from internal
15 combustion engine-powered trucks.

16 But despite the progress we've made,
17 California -- meeting California's public health, air
18 quality, environmental justice, and climate goals requires
19 more emissions reductions than we can get from
20 combustion-based strategies. To meet our goals, we need
21 to transition all feasible applications to zero-emission
22 vehicles as soon as possible.

23 Through policy actions and regulatory measures
24 adopted by this Board, California is leading the
25 transition to wide-scale electrification of trucks and

1 buses. We helped support the early market with funding
2 policies and key regulations, such as the Innovative Clean
3 Transit Regulation, the Zero-Emission Airport Shuttle
4 Regulation, and regulatory amendments that require the
5 transition to zero-emission truck refrigeration units. In
6 addition, and most relevant to today's hearing, in 2020,
7 we adopted the Advanced Clean Trucks Regulation, which
8 requires manufacturers to produce and sell increasing
9 percentages of medium- and heavy-duty zero-emission
10 vehicles beginning in 2024.

11 This proposed regulation builds upon the Advanced
12 Clean Trucks Regulation by ensuring that there is demand
13 for the vehicles that our Advanced Clean Trucks
14 manufacturers are required to sell. It also supports
15 Governor Newsom's Executive Order, which directs us to
16 transition medium- and heavy-duty vehicles to
17 zero-emission by 2045, where feasible and drayage trucks
18 to zero-emission by 2035.

19 Zero-emission vehicles are the only technology
20 that completely eliminates exhaust pollution in
21 communities heavily impacted by truck traffic. Not
22 only -- not only are the majority of California's seaports
23 and railyards located within one mile of disadvantaged
24 communities, all 17 of the AB 617 community steering
25 committees throughout the state have identified air

1 pollution from heavy diesel vehicles as a concern in their
2 communities. These communities will directly benefit from
3 this regulation.

4 California is aggressively pursuing carbon
5 neutrality by 2045. Governors Brown and Newsom have
6 issued several Executive Orders directing states to
7 implement policies that reduce emissions including
8 direction to accelerate zero-emission vehicle adoption, as
9 well as decarbonizing California's electricity grid.
10 These actions can show the world how to simultaneously
11 address the climate crisis, improve air quality, and
12 alleviate key concerns identified by communities.

13 Recent action at the federal level will support
14 our work here in California. In August, President Biden
15 signed the Inflation Reduction Act into law. This
16 legislation creates substantial financial incentives to
17 purchase zero-emission trucks and help accelerate the ZEV
18 market nationwide, help increase scale, and benefit fleets
19 operating in California.

20 Today, the Board will hear staff's proposed
21 Advanced Clean Fleets Regulation, which is another major
22 step in moving California to zero -- a zero-emission
23 future.

24 Dr. Cliff, will you please introduce this item?

25 EXECUTIVE OFFICER CLIFF: Thank you, Chair

1 Randolph. The proposed regulation combines a
2 zero-emission vehicle phase-in requirement starting with
3 fleets that are well suited for electrification along with
4 a sales requirement that establishes a clear end date to
5 medium- and heavy-duty combustion vehicle sales by 2040.

6 The fleet requirements phase in zero-emission
7 vehicles over several decades and allow sufficient time
8 for the zero-emission truck market to expand and for
9 public charging and hydrogen fueling infrastructure to get
10 built. The proposed regulation has four key components.

11 First, public fleets would be required to
12 purchase zero-emission vehicles as an increasing fraction
13 of their vehicle purchases following their normal
14 purchasing patterns. Second, drayage trucks entering the
15 State's seaports or railyards would continue operating
16 existing drayage trucks throughout their useful life, but
17 would be required to transition to zero-emission by 2035,
18 thus meeting the overall Governor's goal identified in
19 Executive Order N-79-20.

20 Third, high priority and federal fleets are those
21 well suited to begin the transition to zero emissions.
22 They would have two compliance options. They could comply
23 by removing combustion vehicles at the end of their useful
24 life and by only adding ZEVs to their fleets or they could
25 elect to use an option to phase in zero-emission vehicles

1 as an increasing percentage of their fleet that can
2 provide more flexibility in how the fleet is managed. The
3 zero-emission vehicle requirements would also apply to any
4 light-duty parcel delivery vehicles, such as those
5 operated by the U.S. Postal Service and other carriers who
6 ship items daily to our homes and businesses.

7 Lastly, the proposed regulation contains a
8 first-in-the-world zero-emission sales requirement for all
9 medium- and heavy-duty vehicles starting in 2040 that
10 sends a clear signal to end the sales of new medium- and
11 heavy-duty combustion vehicles. Staff have engaged in an
12 extensive rulemaking process over the past three years and
13 have held more than 300 meetings with affected
14 stakeholders, industry groups, and hosted multiple
15 workshops that helped inform this proposal.

16 For instance, staff addressed stakeholder
17 concerns about the zero-emission vehicle phase-in
18 timeline, high priority fleet owners who operate long-haul
19 trucks have concerns the timeline is too compressed and a
20 regional charging network will not be built in time.
21 Staff have taken their concerns into account knowing that
22 the zero-emission vehicle market is in a period of intense
23 growth.

24 The optional ZEV milestone schedule will allow
25 fleets to continue to purchase combustion tractor trucks

1 until 2030. Other issues we have heard relate to the
2 availability of ZEVs as well as supply chain issues. Both
3 of these issues are discussed in detail in staff's
4 proposal, as you will hear in a moment.

5 Environmental advocates and environmental justice
6 groups claim the timeline is not ambitious enough and that
7 we should shorten the 100 percent medium- and heavy-duty
8 zero-emission vehicle sales requirement. Environmental
9 advocates would also like more vehicles affected by the
10 proposed regulation. We are open to considering whether
11 we can accelerate sales mandates, but have some concerns
12 regarding whether smaller fleets should be required to
13 make purchases. Staff are exploring a range of tools that
14 may address these smaller fleets.

15 We recognize that more will need to be done to
16 obtain needed NOx emission reductions and to achieve an
17 equitable transition to zero-emission fleets. Additional
18 actions, such as the zero-emission trucks measure
19 identified in the draft State Implementation Plan will
20 target the 480,000 heavy-duty trucks unaffected by the
21 proposed regulation.

22 Funding programs can also help reduce the
23 economic impacts of replacing old combustion vehicles with
24 zero-emission. Fortunately, this sentiment is shared by
25 our federal government who just passed the landmark

1 Inflation Reduction Act, which Chair Randolph mentioned in
2 her opening remarks. The Act establishes a billion dollar
3 fund to support the replacement of heavy-duty combust --
4 combustion-powered vehicles with zero-emission, sets aside
5 \$3 billion for the electric -- electrification of the U.S.
6 Postal Service fleet, and provides tax credits for
7 zero-emission vehicle infrastructure.

8 These financial incentives will undoubtedly help
9 our nation's fleet transition to zero emissions. This
10 federal funding is on top of Governor Newsom's \$10 billion
11 commitment over the next five years that supports an
12 equitable transition to zero emissions. Last year's
13 funding went towards 1,150 zero-emission drayage trucks as
14 well as school and transit buses. This year's budget
15 supports a broader port -- portfolio of zero-emission
16 technologies across California's transportation sector.

17 Looking ahead, we absolutely must work together
18 to ensure ZEV deployment can move in lockstep with
19 improvements to our electrical grid. Following staff's
20 presentation, we will hear from our sister agencies who
21 will provide an update on zero-emission infrastructure
22 development and comments from our fellow states developing
23 policies to support zero-emission truck deployments.

24 Now, I will ask Dr. La'Shaye Cobley from the
25 Transportation and Toxics Division and Paul Arneja from

1 the Mobile Sources Control Division to begin the staff
2 presentation.

3 Dr. Cobley.

4 TTD AIR POLLUTION SPECIALIST COBLEY: Thank you,
5 Dr. Cliff.

6 Can you all hear me?

7 (Thereupon a slide presentation.)

8 TTD AIR POLLUTION SPECIALIST COBLEY: Good
9 morning, Chair Randolph, members of the Board, and the
10 public. My name is Dr. La'Shaye Cobley and I'm from the
11 Transportation and Toxics Division. I along with my
12 colleague Paul Arneja from the Mobile Source Control
13 Division will present this item.

14 --o0o--

15 TTD AIR POLLUTION SPECIALIST COBLEY: I will
16 first provide background information on the California
17 trucking sector, then an overview of the proposed
18 regulatory components, and discuss next steps for
19 finalizing this regulation.

20 The proposed regulation is one part of a
21 comprehensive statewide strategy to reduce emissions from
22 the transportation sector in order to protect public
23 health and meet climate goals. The primary goal of the
24 Advanced Clean Fleets Regulation is to accelerate the
25 market for zero-emission trucks by requiring fleets that

1 are well suited for electrification to transition to
2 zero-emission vehicles where feasible. This regulation
3 will cover both in-state and out-of-state fleets.

4 --o0o--

5 TTD AIR POLLUTION SPECIALIST COBLEY: Over the
6 last few decades, CARB has set targets to cut emissions of
7 toxic diesel particulate matter and the associated cancer
8 risk statewide. The resulting strategies covered
9 virtually all diesel vehicles and equipment under CARB's
10 control or influence.

11 Although industries operating in California have
12 made substantial investments in cleaner fuels, vehicles,
13 and equipment, California still has some of the worst air
14 quality in the nation, with disadvantaged communities in
15 particular being disproportionately burdened by unhealthy
16 air. Additional reductions of NOx and PM2.5 emissions are
17 needed to both protect the health of impacted communities
18 throughout the state and to reach 2031 and 2037 air
19 quality attainment targets.

20 --o0o--

21 TTD AIR POLLUTION SPECIALIST COBLEY: California
22 also has goals to combat climate change with the final
23 target to achieve carbon neutrality by 2045, and a
24 zero-emission -- sorry, zero carbon electricity grid
25 within the same time frame. Many strategic mid-term

1 targets have been set along the way to help us reach these
2 targets and today's proposal will keep us on track to meet
3 these essential milestones.

4 --o0o--

5 TTD AIR POLLUTION SPECIALIST COBLEY: Much of the
6 air pollution and greenhouse gas emissions in California
7 results from the transportation sector. With medium- and
8 heavy-duty trucks being among the highest emitters.
9 Trucks can come in different configurations and sizes, and
10 there are nearly two million trucks operating in
11 California. However, Class 7 and 8 tractors have a
12 disproportionate share of the emissions. They only
13 account for 12 percent of the total pop -- truck
14 population, but they represent 48 percent of the daily NOx
15 emissions.

16 --o0o--

17 TTD AIR POLLUTION SPECIALIST COBLEY: Fleets
18 phase in -- fleet phase-in requirements, similar to the
19 proposed Advanced Clean Truck Regulation, are one
20 component of the statewide strategy to reduce emissions
21 from the transportation sector and transition fleets to
22 zero-emission technology. This figure shows the five
23 major transportation related pillars that represent a
24 portfolio of strategies to meet our clean air and climate
25 goals.

1 CARB's requirements to establish a cleaner
2 operation of existing medium- and heavy-duty vehicles have
3 included: Fuel related policies to reduce carbon
4 intensity and pollution from transportation fuels; the
5 Inspection and Maintenance Program, which is a
6 smog-check -- smog-check type program that ensures
7 existing internal combustion engines are repaired and
8 maintained properly, and a retrofit and engine upgrade
9 program to reduce particulate matter and oxides of
10 nitrogen and limitations on vehicle idling.

11 Financial incentives and non-financial support
12 programs continue to be expanded and increasingly will
13 assist fleet owners in their transition to zero-emission
14 technologies. For instance, a technical assistance
15 program will provide a mix of support to individual fleets
16 by offering personal case management through the early
17 planning stages, along with training -- with web trainings
18 and resources.

19 Other pillars in this transition are a sales
20 mandate requiring manufacturers to sell zero-emission
21 trucks and then requirements for fleets to phase in these
22 technologies. This ensures that the supply and the demand
23 for zero-emission truck markets are developed in tandem.

24 All of these actions are needed to help
25 California make great stride in moving towards its goals,

1 including meeting the Governor's Executive Order for
2 zero-emission vehicles and equipment, which established
3 targets for the transportation sector and to help put the
4 state on a path to achieving carbon neutrality by 2045.

5 --o0o--

6 TTD AIR POLLUTION SPECIALIST COBLEY: Now, I will
7 narrow the focus to some key regulations shown in this
8 timeline. The Board has already taken several steps
9 towards dramatically reducing emissions from internal
10 combustion engine trucks as much as possible and to
11 accelerate the transition to a zero-emission truck future.
12 Beginning on the left of this slide, the Board adopted the
13 Transit Bus and Airport Shuttle regulations to lead the
14 way towards a zero-emission future.

15 In 2020 and 2021, the Board adopted the major
16 truck regulations. The Advanced Clean Trucks Regulation
17 will ensure a supply of new zero-emission trucks from
18 major manufacturers starting in the 2024 model year.
19 Zero-emission trucks simultaneously eliminate tailpipe
20 emissions, reduce PM from brake wear, and will reduce
21 greenhouse gas emissions.

22 The Heavy-Duty Omnibus Regulation will reduce
23 criteria pollutant emissions from internal combustion
24 engines sold in California also starting in the 2024 model
25 year.

1 And the Heavy-Duty Inspection and Maintenance
2 Program will ensure that combustion engines and their
3 emission control systems are maintained and repaired
4 properly.

5 The proposed Advanced Clean Fleets Regulation is
6 highlighted in red -- in the red box. It would be the
7 next step to drive commercialization of zero-emission
8 vehicles and fleets that are best suited to lead the way
9 in transitioning to a zero-emission truck fleet.

10 Finally, the Board decision regarding the State
11 Implementation Plan last month makes it clear that in
12 addition to the proposed regulation before you today, a
13 Zero-Emission Truck Measure will also be needed to help
14 achieve federal attainment standards. The Zero-Emission
15 Truck Measure will need to consider how to balance supply
16 and demand and whether new tools, such as indirect source
17 measures or differentiated registration fees would be a
18 more effective way to make the transition.

19 --oOo--

20 TTD AIR POLLUTION SPECIALIST COBLEY: The
21 Advanced Clean Truck Regulation was adopted in 2020 and
22 requires manufacturers to sell zero-emission vehicles as a
23 growing percentage of sales in all vehicle classes
24 starting in 2024.

25 It serves as a companion to today's proposal by

1 expanding the supply of zero-emission trucks. It will
2 result in approximately 320,000 zero-emission trucks being
3 deployed in California by 2035. When adopting the
4 Advanced Clean Trucks Regulation, the Board's resolution
5 set zero-emission targets for future fleet requirements:
6 100 percent zero-emission drayage, last mile delivery, and
7 public fleets by 2035; 100 percent zero-emission buses,
8 utility fleets, and refuse trucks by 2040; and 100 percent
9 zero-emission everywhere feasible by 2045.

10 --o0o--

11 TTD AIR POLLUTION SPECIALIST COBLEY: California
12 has many partners in growing the zero-emission vehicle
13 market. These partners include states and territories
14 that have taken up our mission and strategy to transition
15 to zero-emission trucks transportation sector. The map --
16 this map of the United States and Quebec, Canada shows
17 regions with commitments for increasing zero-emission
18 vehicle deployment. Participating regions are displayed
19 in blue and in green.

20 As more jurisdictions adopt regulations similar
21 to the Advanced Clean Trucks Regulation, and supporting
22 policies, we expect the zero-emission supply chains to
23 expand and strengthen, leading to increased scale that
24 should drive down incremental costs, ultimately leading to
25 entire communities that will benefit from zero tailpipe

1 emissions.

2 --o0o--

3 TTD AIR POLLUTION SPECIALIST COBLEY: A great
4 deal of progress has been made in terms of manufacturers
5 producing a diversity of zero-emission medium- and
6 heavy-duty truck models. Many of these models have moved
7 out of the demonstration phase and are commercially
8 available today, with more expected in the near future.
9 There are more than 148 commercially available
10 zero-emission Class 2b through 8 vehicles available to
11 order in the United States, and 135 of these models are
12 already in production. These vehicles come in a wide
13 variety of configurations, as seen on the graph, and are
14 suitable for many fleet's needs. There are more than 500
15 zero-emission vehicle models available worldwide and we
16 expect more each year.

17 --o0o--

18 TTD AIR POLLUTION SPECIALIST COBLEY: The three
19 graphs here highlight the total cost of ownership for
20 diesel, and battery, and fuel cell electric vehicles over
21 time. Each graph represents a different vehicle class.
22 Even with higher up-front costs for the vehicle and
23 infrastructure, the total cost of ownership for
24 zero-emission vehicles is less than that of combustion
25 powered vehicles, with a positive total cost of ownership

1 expected from most vehicle in this decade. The total cost
2 of ownership for zero-emission trucks is expected to
3 become even more beneficial as the cost of these vehicles
4 decline over time.

5 --o0o--

6 TTD AIR POLLUTION SPECIALIST COBLEY:

7 Infrastructure is crucial to successfully
8 transition California's fleets to zero-emission
9 technology. While infrastructure buildout does not fall
10 under CARB's purview, we are working closely with the
11 California Energy Commission, the California Public
12 Utilities Commission, the Governor's Office of Business
13 and Economic Development, the State electricity utilities
14 and others to provide the framework for heavy-duty
15 zero-emission vehicle fueling.

16 Two key aspects of this framework are planning
17 and funding. In addition, CARB continues to discuss the
18 issues surrounding infrastructure with stakeholders and
19 electrical providers. Staff hosted several infrastructure
20 workgroups in order to foster collaboration and
21 coordination on this topic.

22 --o0o--

23 TTD AIR POLLUTION SPECIALIST COBLEY: Staff have
24 done a lot of engagement and outreach in order to
25 strengthen today's proposal and will continue to focus on

1 outreach and assistance through the rest of the regulatory
2 process, and through implementation of the regulation, if
3 approved. The communication efforts to date include
4 hosting 24 public events and over 350 individual
5 stakeholder meetings. Staff have also equipped the public
6 with knowledge about our proposal through many platforms,
7 including the CARB website, social media, radio, and mail.

8 Feedback from stakeholders have been incorporated
9 into staff's proposal and have been used to ensure that
10 the Advanced Clean Fleets Regulation's zero-emission
11 requirements can meet fleets' needs while still cleaning
12 the air for all Californians.

13 In addition, staff is already developing future
14 outreach and compliance assistance programs to help fleets
15 transition to medium- and Heavy-duty zero-emission
16 vehicles, and to help us understand what issues fleets are
17 encountering during these transitions. This would allow
18 staff to refine our educational materials and support to
19 best meet fleets' needs.

20 These plans and programs include: hosting
21 educational events that provide information on what fleets
22 need to know about choosing the right truck, charging and
23 hydrogen, fueling infrastructure, working with utilities,
24 and available incentives; developing a technical
25 assistance program to assist fleets with their specific

1 questions and needs; providing training classes and call
2 center staff to help fleets learn about the Advanced Clean
3 Fleets Regulation requirements; using what we have learned
4 about assisting fleets to comply with CARB's diesel
5 regulations to develop web sources that focus on
6 zero-emission vehicles and the associated infrastructure;
7 and coordinating with the California Energy Commission,
8 the California Public Utilities Commission, and the
9 Governor's Office of Business and Economic Development and
10 others to leverage outreach efforts with -- by our
11 partners to reach as many stakeholders as possible with
12 the broadest range of information possible.

13 --o0o--

14 TTD AIR POLLUTION SPECIALIST COBLEY: The
15 proposed regulation takes into account Senate Bill 1,
16 which states that vehicles must be granted their minimum
17 useful life. Minimum useful life is defined as earlier of
18 two time periods, 18 years from when a truck engine was
19 first certified for use by CARB or the U.S. EPA or 800,000
20 miles, but no earlier than 13 years. The fleet components
21 of the proposed regulation are consistent with the
22 statutory requirements of SB 1 and do not require vehicle
23 turnover until the minimum useful life requirements are
24 met.

25 --o0o--

1 TTD AIR POLLUTION SPECIALIST COBLEY: There are
2 requirements associated with four major components of the
3 Advanced Clean Fleets Regulation. The first component is
4 the 100 percent zero-emission sales requirement by 2040.
5 The second component encompass drayage trucks, which
6 represents a duty cycle for vehicles that service seaports
7 and intermodal railyards. The third component has
8 requirements for State and local government fleets. And
9 finally, the last component consists of high priority
10 fleets. High priority fleets include federal agencies and
11 entities with 50 or more vehicles under common ownership
12 and control or greater than \$50 million dollars in annual
13 revenue.

14 --o0o--

15 TTD AIR POLLUTION SPECIALIST COBLEY: The first
16 component of the proposed regulation will be the first of
17 its kind for medium- and heavy-duty trucks by establishing
18 an end to internal combustion engine sales. Beginning in
19 2040, all medium- and heavy-duty vehicles sold in
20 California must be zero-emission excluding emergency
21 vehicles. This piece of the proposal is critical for
22 meeting the State's carbon neutrality target and the goals
23 laid out in the Governor's Executive Order. The 100
24 percent requirement also sends key market signals to the
25 trucking market including manufacturers, fleets,

1 infrastructure providers, service technicians, and local
2 governments.

3 --o0o--

4 TTD AIR POLLUTION SPECIALIST COBLEY: Now, I will
5 describe the proposed drayage truck requirements. Drayage
6 trucks are defined as in-use on-road vehicles with a gross
7 vehicle weight rating greater than 26,000 pounds that are
8 used for transporting cargo, such as containerized, bulk,
9 or break-bulk goods including empty containers and chassis
10 to and from a California seaport or intermodal railyard.

11 Transitioning the drayage truck fleet to
12 zero-emission technology will make a positive impact on
13 disadvantaged communities, as many of California's
14 seaports and intermodal railyards are located within
15 approximately one mile of a disadvantaged community.

16 Staff is proposing a phased in approach for
17 zero-emission drayage trucks that will result in full
18 implementation by 2035. Legacy drayage trucks are
19 compliant non-zero emission vehicles that are registered
20 with CARB before December 31st of 2023. They will be
21 required to visit a California seaport intermodal railyard
22 annually beginning in 2024 to remain in compliance.

23 Beginning in 2025, legacy drayage trucks older
24 than 12 years old should report the odometer mileage by
25 February 15th of each year. Legacy drayage trucks will

1 remain in the reporting system until they meet their
2 minimum useful life requirements. Beginning on March
3 31st, 2025, drayage trucks that have exceeded their
4 minimum useful life will be removed from the CARB online
5 system annually.

6 In addition to requirements for legacy drayage
7 trucks, beginning on January 1st, 2024, any truck being
8 registered in the CARB online system for the first time
9 must be zero emissions. By 2035, all truck servicing the
10 seaports and intermodal railyards in California must be
11 zero emission.

12 Note that there are many incentives available to
13 fund zero-emission drayage trucks, including the Hybrid
14 and Zero-Emission Truck and Bus Voucher Incentive Project,
15 or HVIP, the Volkswagen Environmental Mitigation Trust,
16 and the Carl Moyer Program.

17 --o0o--

18 TTD AIR POLLUTION SPECIALIST COBLEY: Staff are
19 proposing extensions to address vehicle delivery delays
20 and infrastructure delays. The vehicle delivery delay
21 extension has been included to address the potential
22 delivery delays for zero-emission drayage trucks that are
23 ordered one year ahead of the compliance deadline. The
24 currently posed regulation language includes an
25 infrastructure construction delay extension that will be

1 made available if a zero-emission vehicle owner
2 experiences fueling or charging infrastructure
3 construction delays. The construction must have begun one
4 year before the compliance deadline and will be reviewed
5 by the CARB executive officer.

6 I will now hand things over to my colleague Paul
7 Arneja who will walk you through the rest of today's
8 presentation.

9 --o0o--

10 MSCD AIR POLLUTION ENGINEER ARNEJA: Thank you,
11 La'Shaye.

12 And now, let's switch over to the proposed State
13 and local government fleet requirements. This part of the
14 regulation meets the intent of Board direction set in the
15 Advanced Clean Trucks resolution to electrify the public
16 fleet.

17 The framework is a zero-emission vehicle purchase
18 requirement that is aligned with public fleet purchase
19 cycles. Starting in 2024, half of new additions to the
20 fleet must be zero emissions. This means half of all
21 vehicles purchases made up to five years from now can
22 still be combustion powered vehicles. Jurisdictions in
23 designated low-population counties, shown in the red
24 shaded area, would be exempt until 2027.

25 Starting in 2027, all vehicle purchases made by

1 State and local government fleets would need to be zero
2 emissions. Note that there are no useful life
3 requirements for State and local government fleets. This
4 means the fleets can continue to operate their vehicles as
5 long as they wish.

6 --o0o--

7 MSCD AIR POLLUTION ENGINEER ARNEJA: This portion
8 of the rule also contains a number of exemptions or
9 off-ramps. The zero-emission vehicle unavailability
10 exemption addresses situations where a zero-emission
11 vehicle is not commercially available. Staff will
12 maintain a public list of vehicle configurations which are
13 not available as zero-emission and fleet owners could
14 request -- could purchase a combustion powered vehicle
15 without submitting -- submitting an application or
16 exemption.

17 The daily usage exemption would address
18 situations where a zero-emission vehicle is available --

19 BOARD MEMBER KRACOV: Paul, would you come a
20 little closer to the mic, please.

21 MSCD AIR POLLUTION ENGINEER ARNEJA: Sure.

22 BOARD CLERK ESTABROOK: And, Paul, just on that
23 note, if you could slow down a little bit for the
24 interpreters.

25 MSCD AIR POLLUTION ENGINEER ARNEJA: Sure. Thank

1 you.

2 The daily usage exemption would address
3 situations where a zero-emission vehicle is available but
4 cannot meet the fleet's operational needs. The fleet
5 owner would need to provide daily usage information to
6 claim the exemption and purchase internal combustion
7 engine vehicles.

8 The infrastructure construction delay extension
9 is the same as described for drayage trucks, and allows
10 fleets to delay delivery of zero-emission vehicles up to a
11 year after the infrastructure is ready. The backup
12 vehicle provision allows government agencies to purchase a
13 low-use internal combustion engine vehicle as long as it
14 stays below 1,000 miles per year.

15 Lastly, fleets with a mutual aid emergency
16 agreement would be exempt from making a full transition to
17 zero-emission vehicles and would be able to continue
18 purchasing internal combustion engine vehicles to support
19 emergencies after 75 percent of the fleet are
20 zero-emission vehicles. These exemptions provide
21 flexibility to public fleets and ensure their requirements
22 match up with technological feasibility.

23 --o0o--

24 MSCD AIR POLLUTION ENGINEER ARNEJA: Now, I will
25 describe high priority and federal fleet requirements.

1 This portion of the regulation applies to well capitalized
2 businesses well suited for electrification. The proposed
3 requirements apply to any fleet with 50 or more vehicles
4 under common ownership or control and any fleets with
5 greater than 50 million in annual revenue and includes
6 federal government agencies. There are additional
7 requirements on brokers and motor carriers to ensure they
8 are hiring compliant fleets.

9 In addition to Class 2b through 8 vehicles, this
10 requirement also applies the off-road yard tractors and
11 light-duty delivery vehicles, such as those operated by
12 the postal service.

13 --o0o--

14 MSCD AIR POLLUTION ENGINEER ARNEJA: The common
15 ownership and control language levels the playing field
16 for similar fleet operations regardless of their business
17 model. For example, FedEx and Amazon use other fleets on
18 a day-to-day basis to provide their services, while UPS
19 owns all of their trucks. All three companies have
20 different business models about fleet combinations, but
21 all three fleets would be treated equally.

22 The common ownership and control language also
23 minimizes the potential for gaming the fleet size
24 threshold and ensure -- ensures that the expected emission
25 reductions are achieved. Staff worked closely with fleet

1 owners and labor groups to address these issues.

2 --o0o--

3 MSCD AIR POLLUTION ENGINEER ARNEJA: High
4 priority fleets have the option to choose between one of
5 two different compliance pathways. The default option is
6 a model year schedule which I'll discuss first. Under
7 this schedule beginning January 1st, 2024, all legacy
8 trucks must be reported and may operate in the California
9 fleet until the end of their useful life. All additions
10 to the fleet must be zero-emission. Under this pathway,
11 fleet owners may utilize applicable exemptions that I will
12 describe in a moment.

13 --o0o--

14 MSCD AIR POLLUTION ENGINEER ARNEJA: The second
15 high-priority fleet compliance pathway is a zero-emission
16 vehicle milestone phase-in. This pathway allows fleets to
17 comply by ensuring a certain number of vehicles in the --
18 their overall fleet are zero emissions instead of
19 complying based on the legacy truck statutory useful life.
20 This can provide more flexibility to fleets with high
21 turnover rates or choose to keep their specialized
22 vehicles longer. For the added flexibility, fleet owners
23 must acknowledge that they are voluntarily waiving their
24 Senate Bill 1 useful life protections.

25 With this schedule, the first row includes box

1 Specific to the zero-emission vehicle milestone
2 pathway is a provision allowing rental fleets to calculate
3 their average fleet size. This addresses situations where
4 the rented vehicles are entering or exiting a state -- the
5 state outside of their control. Staff will be describing
6 proposed 15-day changes that affect these exemptions
7 later.

8 --o0o--

9 MSCD AIR POLLUTION ENGINEER ARNEJA: Certain
10 specialized vehicles and those already addressed through
11 other regulations are excluded from the proposed
12 regulation. Some specialized equipment, which is not
13 amenable to early electrification has also been excluded,
14 including dedicated snowplows, heavy cranes, two-engine
15 trucks, and workover rigs. The proposed regulation would
16 not apply to emergency vehicles nor military tactical
17 vehicles. Vehicles awaiting sale would also be excluded.

18 --o0o--

19 MSCD AIR POLLUTION ENGINEER ARNEJA: Now, I will
20 describe the expected results. The proposed regulation is
21 expected to significantly increase the number of
22 zero-emission trucks and buses in California. By 2045,
23 the combined Advanced Clean Trucks Regulation and proposed
24 Advanced Clean Fleets regulations are expected to result
25 in roughly one in a quarter million medium- and heavy-duty

1 vehicles operating in California.

2 --o0o--

3 MSCD AIR POLLUTION ENGINEER ARNEJA: It is -- it
4 is important to recognize which specific vehicles are
5 being electrified. The proposed regulation focuses on the
6 heaviest vehicles, which as discussed previously are the
7 largest polluters. Over half the Class 4 through 8
8 vehicles and over two-thirds of the tractors will be
9 regulated by the proposed rule.

10 --o0o--

11 MSCD AIR POLLUTION ENGINEER ARNEJA: This
12 widespread electrification of the State's trucks and buses
13 is expected to result in significant emission reductions.
14 The proposed regulation is expected to result in
15 substantial criteria emission reductions. These
16 reductions will be key in meeting the State's 2031 and
17 2037 ozone attainment goals. In addition, the proposed
18 regulation is expected to result in major greenhouse gas
19 benefits. Zero-emission vehicles produce zero tailpipe
20 emissions and produce less upstream emissions than
21 gasoline or diesel.

22 --o0o--

23 MSCD AIR POLLUTION ENGINEER ARNEJA: The proposal
24 is expected to result in extraordinary health benefits to
25 Californians. This includes over \$57 billion in health

1 savings to Californians due to avoided premature
2 mortalities, avoided hospitalizations, and avoided
3 emergency room visits. The proposed regulation is also
4 expected to result in \$22 billion in net cost savings to
5 California fleets. While zero-emission vehicles are
6 expected to cost more upfront, reduced fuel costs, lower
7 maintenance expenses, and Low Carbon Fuel Standard revenue
8 are expect -- expected to deliver a net savings to fleets.

9 Lastly, the proposed regulation is expected to
10 deliver acute benefits in disadvantaged communities near
11 freight hubs. These communities will directly benefit as
12 trucks in ports, warehouses, and railyards transition from
13 diesel to zero-emission vehicles.

14 --o0o--

15 MSCD AIR POLLUTION ENGINEER ARNEJA: To take a
16 look at funding, California and the federal government are
17 making significant investment in zero-emission
18 technologies to drive commercialization and scale.
19 Governor Newsom and the California Legislature have agreed
20 to a transformational \$10 billion investment package for
21 six years to accelerate the transition of the
22 transformation -- transportation sector to zero emissions,
23 with a focus on communities most impacted by pollution.

24 These investments include \$1 billion Dedicated to
25 zero-emission drayage trucks and supporting

1 infrastructure, as well as over \$5 billion for
2 zero-emission trucks, buses, and off-road equipment. The
3 new 2R Initiative aims to double the number of
4 zero-emission trucks operating in California in 2023. And
5 our Zero-Emission Truck and Bus Voucher Incentive
6 Program -- Project known as HVIP will provide higher
7 incentive voucher -- incentive amounts for zero-emission
8 trucks to support this goal.

9 The federal government has also made significant
10 investments in zero-emission technologies including: tax
11 credits of up to \$40,000 for zero-emission; \$1 billion in
12 incentives for clean heavy-duty vehicles, like refuse
13 trucks, school buses, and transit buses; \$3 billion to
14 help the United States Postal Service transition to
15 zero-emission vehicles; and \$3 billion for zero-emission
16 vehicle manufacturing grants. This funding is expected to
17 catalyze and accelerate the zero-emission market and
18 deliver early benefits to communities where emission
19 reductions are most needed.

20 --o0o--

21 MSCD AIR POLLUTION ENGINEER ARNEJA: Staff plan
22 to propose a number of 15-day changes to address
23 stakeholder concerns summarized here. The infrastructure
24 construction delay would be extended beyond one year to
25 address longer delays, including utility delays in

1 delivering power to facilities. Staff also plan to extend
2 a number of provisions to public fleets that are already
3 available to commercial fleets. This includes providing
4 equal treatment to zero-emission vehicles and
5 near-zero-emission vehicles, as well as giving access to
6 the optional zero-emission milestone phase-in. Staff will
7 also look more closely at additional flexibilities for
8 transit agencies that have maintenance vehicles, and
9 additional time for the smallest public fleets.

10 We intend to increase flexibility to better align
11 with Senate Bill 1383 for fleets that fuel on-site where
12 renewable fuels are produced from organic waste. We also
13 intend to clarify and improve the zero-emission vehicle
14 unavailability exemption to improve the streamlined
15 exemption process and to address fleet-specific needs.

16 We plan to modify the mutual aid exemption to
17 provide access to it sooner. Lastly, we plan to -- we
18 plan to create a new temporary exemption to -- for trucks
19 that need to enter the state once per year. We believe
20 that these changes will address many of the challenges
21 stakeholders have raised through their comments to date
22 and provide more tools to ensure that the regulation can
23 adapt as the market develops.

24 --o0o--

25 MSCD AIR POLLUTION ENGINEER ARNEJA: Staff

1 completed a Draft Environmental Analysis for the proposed
2 regulation. The Draft Environmental Analysis was released
3 for a 45-day comment period on September 2nd. The written
4 public comment period ended October 17th and staff will be
5 preparing written responses to any Draft Environmental
6 Analysis comments received. Staff will present the Final
7 Environmental Analysis and written response to comments in
8 the Draft Environmental Analysis to the Board in spring of
9 2023 for consideration.

10 --o0o--

11 MSCD AIR POLLUTION ENGINEER ARNEJA: To conclude,
12 staff recommends the Board direct staff to return early
13 next year for a adopt -- for final adoption. Staff would
14 propose modifications to the regulate -- to the regulation
15 for comments this winter and return for the updated
16 regulation in spring of next year, if there are no major
17 changes.

18 Thank you. This concludes staff's presentation.
19 I will now turn it over to Analisa Bevan, our agency's
20 zero-emission vehicle infrastructure specialist.

21 MSCD ASSISTANT DIVISION CHIEF BEVAN: Good
22 morning. As the Board has heard before, fueling
23 infrastructure will be a vital part of the growing
24 zero-emission transportation market, and for
25 implementation of our zero-emission vehicle and equipment

1 regulations. Our work with fleets, utilities, and
2 infrastructure providers has highlighted the importance of
3 working together to ensure infrastructure develops to meet
4 the needs of drivers, fleets, and the communities they
5 operate in.

6 We have two of our State agency partners
7 presenting today to provide a brief update on their
8 infrastructure programs. Hannon Rasool with the
9 California Energy Commission and Yuliya Shmidt with the
10 California Public Utilities Commission.

11 I wanted to share too in response to requests
12 from stakeholders to formalize the coordination of State
13 agency work that informs, funds, and measures fueling
14 infrastructure to support ACF and widespread
15 transportation electrification in general that we're
16 developing a joint agency Statement of Intent that will
17 outline existing ways agencies are working together to
18 analyze and support zero-emission infrastructure, lay out
19 principles for coordination and collaboration, and
20 identify specific future actions agencies will take
21 together. We've heard from our key partner agencies that
22 they're supportive of developing this joint statement,
23 including energy, transportation agencies, and GO-Biz.

24 Now, I'd like to introduce Hannon Rasool from the
25 California Energy Commission.

1 HANNON RASOOL: Good morning. Can you hear me
2 okay?

3 (Yeses).

4 HANNON RASOOL: Great.

5 Good morning. My name is Hannon Rasool. And I'm
6 the Director of the Fuels and Transportation Division at
7 the California Energy Commission. The Energy Commission
8 is the State's lead agency for infrastructure investments
9 to support zero-emission vehicles. In addition, the
10 Energy Commission conducts robust modeling and analysis,
11 which includes EV charger needs and hydrogen refueling
12 infrastructure needs, and also distribution grid
13 readiness. These activities and modeling efforts take
14 into account CARB regulations, including the Advanced
15 Clean Fleets Rule.

16 I will first discuss grid readiness. Multiple
17 divisions within the Energy Commission support this
18 effort, including the Energy Assessment Division, or EAD,
19 and the Fuels and Transportation Division. Additionally,
20 multiple agencies collaborate on these matters including
21 the Energy Commission, Public Utility Commission, CAISO,
22 and the Air Resources Board. The process begins with the
23 important work of the Energy Commission's Energy
24 Assessment Division. They conduct extensive modeling and
25 analysis through the Integrated Energy Policy Report, or

1 IEPR, which includes an energy forecast.

2 With regards to transportation, EAD has updated
3 the transportation forecast framework to more fully
4 account for Advanced Clean Cars II and ACF. The new
5 approach is called the Additional Achievable
6 Transportation Electrification Framework. It can then be
7 used by the Public Utility Commission and investor-owned
8 utilities to make grid level infrastructure investments in
9 alignment with State policy goals. EAD also conducts an
10 allocation of transportation electrification load to
11 substations to inform CAISO's transmission planning
12 process.

13 In addition, we're developing new tools as well.
14 One such tool is the EDGE Tool and we're working with
15 national labs and with stakeholders including fleets to
16 develop that tool. It can complement and feed into
17 existing efforts and act as an early warning system for
18 local distribution upgrades. And again, this is one of
19 several strategies to gain greater insight on grid needs
20 at a more and more granular level.

21 These efforts are complementary to other analysis
22 conducted by the Energy Commission, which includes our AB
23 2127 analysis for EV infrastructure and Senate Bill 643
24 analysis for hydrogen vehicle infrastructure. California
25 is very mindful of the need to ensure the grid is prepared

1 for new load from zero-emission vehicles and we're very
2 actively planning to support the market.

3 For context, it should be noted that under the
4 ACF, the medium-duty/heavy-duty sector is expected to
5 result in the following grid impacts.

6 Medium-duty/heavy-duty will make up approximately 1.3
7 percent of consumption in 2030 and 2.6 percent of
8 consumption in 2035. With regards to the peak MD/HD will
9 contribute to less than one percent of the peak in 2030
10 and contribute to approximately 1.2 percent of the peak in
11 2035.

12 We have been planning for this and continue to
13 make -- to update our models and analysis to account for
14 State regulations. This is all backed by data and
15 analysis and also robust stakeholder vetting processes.
16 We engage with a broad range of stakeholders, including
17 fleets and businesses when conducting our analysis.

18 Next, let me briefly talk about site level
19 preparations and investments as well. In addition to grid
20 readiness, it's equally important that we support site
21 level infrastructure development. Our site level
22 infrastructure investments are ongoing now and they will
23 continue into the future. So we'll continue to make these
24 investments before, but also after the regulatory
25 requirements take effect. And this is again backed by

1 robust data and analysis and all through -- also through a
2 multi-agency and stakeholder process.

3 Historically our funding levels have been about
4 100 million per year. The State has been very
5 forward-thinking and has made historic new investments in
6 the annual budget. That amounts to approximately \$4
7 billion to the Energy Commission for ZEV infrastructure
8 and related investments for five -- over the next five
9 years, and over half of that is expected to go towards
10 medium-duty/heavy-duty. There is a strong focus on again
11 medium-duty/heavy-duty, but that includes drayage trucks,
12 school buses, transit buses, and ports. This is
13 unprecedented State support. And further, we're also
14 seeing unprecedented federal support in these areas as
15 well.

16 The Energy Commission uses these funds to make
17 investments throughout the state using a portfolio
18 approach. One such approach is using block grants for
19 rapid and streamlined deployment. Our key block grant in
20 this area is EnergIIZE and appears with CARB's HVIP
21 program to provide California businesses and fleets
22 infrastructure funding incentives. The EnergIIZE block
23 grant has several funding lanes to cover a range of needs
24 including: the EV fast track lane for applicants who have
25 participated in vehicle incentive programs like HVIP and

1 others; the hydrogen funding lane, which is a dedicated
2 lane for funding fuel cell vehicle infrastructure; an EV
3 jump-start funding lane targeting those fleets in
4 low-income, disadvantaged, and tribal communities, who
5 made it -- made need additional time and additional
6 support; and then finally an EV public charging lane,
7 intended to support independent owner/operators and
8 address the needs of various fleet types through public
9 charging locations.

10 I won't go into the detail of our entire
11 portfolio, but we also have targeted programs that we
12 launched, targeted at transit fleets. We do
13 infrastructure blueprints, which provide funding to
14 fleets, and businesses, and cities to plan for their
15 transition as well, and a number of other programs as
16 well. The funding solicitation support broad rapid
17 deployment and always keep equity in mind. We require at
18 least 60 percent, 6-0, of funds from the EnergiIZE block
19 grant to support disadvantaged communities and low-income
20 communities.

21 In conclusion, California has been planning and
22 investing for a fully zero-emission transportation future
23 and we will continue to do so. We will make significant
24 investments and refine our modeling and analysis to ensure
25 we support the ACF. We're committed to an

1 all-of-government approach across several agencies to
2 ensure a smooth and equitable transition and to eliminate
3 diesel and fossil fuel emissions from our communities and
4 neighborhoods.

5 Thank you.

6 MSCD ASSISTANT DIVISION CHIEF BEVAN: We'd like
7 to have Yuliya present. She's on Zoom.

8 YULIYA SHMIDT: Hi. Good morning. Can you hear
9 me?

10 MSCD ASSISTANT DIVISION CHIEF BEVAN: Yes.

11 YULIYA SHMIDT: Great. Thank you so much for the
12 opportunity to speak here today. My name is Yuliya
13 Shmidt. I'm the advisor to Commissioner Rechtschaffen at
14 the California Public Utilities Commission. He's our lead
15 commissioner on transportation electrification and grid
16 planning, among other efforts.

17 I think Hannon has done an excellent of providing
18 an overview of the statewide efforts that we're engaged in
19 to prepare the grid for transportation electrification as
20 well as provide funding and other incentives to help
21 fleets convert to electric. So I think I'll just focus on
22 the California Public Utilities Commission purview, which
23 is the regulated utilities.

24 We regulate about 75 percent of the state as
25 so -- insofar as electric utilities are concerned. That

1 includes the three biggest utilities, PG&E, Southern
2 California Edison, and San Diego Gas & Electric. We
3 understand that folks have a lot of questions around grid
4 readiness and time to interconnection for new electric
5 load, such as that load that fleets will bring once
6 they're electrified.

7 So I wanted to say that among many efforts we've
8 engaged in recently is the implementation of AB 841.
9 Under that law, we require now -- the utilities have --
10 each have an EV infrastructure rule. The numbers of those
11 rules are different among the utilities, but the thrust is
12 that new EV load customers who have separately metered EV
13 charging load and are not in single-family homes will no
14 longer be responsible for any costs for upgrades on the
15 utility side of the meter.

16 So under these new rules customers will be able
17 to interconnect or energize their new load and the utility
18 ratepayers will cover the costs on the -- of the utility
19 side upgrades. In addition, under the implementation of
20 that same law, we are requiring the utilities to establish
21 energization timelines for connecting that new load.
22 We're still in the process of finalizing those timelines,
23 but we've already directed that an average timeline for
24 energization be between 90 and 160 days for these new
25 customers.

1 Just a small note of jargon when we discuss
2 interconnection, we are generally referring to connecting
3 customers that have generation on their side of the meter.
4 And we typically say energization for customers that are
5 just connecting new load. So if you're a fleet that is
6 thinking of just connecting chargers for say buses, but no
7 source of generation such as battery storage or solar PV
8 that might feed power back to the grid, you will just go
9 through the energization process, which is the one I just
10 discussed.

11 If you do plan to have some -- something like
12 that type of generation, you will also go through an
13 interconnection process which is governed by our Rule 21
14 process. And that has already has timelines that are
15 enforceable under which the utilities have to interconnect
16 new generation. Those timelines do vary depending on type
17 of customer, type of generation that is being
18 interconnected.

19 However, we understand that both of the processes
20 I just mentioned need to be streamlined and sped up. And
21 we're doing a lot of work in that direction to ensure that
22 customers that are bringing new electric vehicles can
23 charm them in a timely fashion.

24 In addition to that work, we also try to provide
25 customers some visibility into where they are in the grid.

1 Each utility has a public website on which it provides ICA
2 maps. ICA stands for inte -- integration capacity
3 analysis. And those provide a granular view down to the
4 circuit level or say the city block that the customer is
5 on to see if there is additional grid capacity on that
6 circuit. That is not the only factor that matters, but
7 it's a very good place to start to determine if you may
8 experience interconnection or energization delays when you
9 are requesting to bring on that new charging load.

10 In addition, we're doing a lot of proactive grid
11 planning an generation planning to account for the new EV
12 load that we expect. So that load forecast that Hannon
13 mentioned that the CEC produces that is now accounting for
14 more and more EV load, we incorporate that forecast into
15 our distribution planning and into our generation planning
16 to ensure that there is both enough wires and enough
17 electrons to serve the new EV load.

18 Finally, we have just recently issued a
19 substantial proposed decision that proposes to establish a
20 \$1 billion transportation electrification program across
21 the utilities. Seventy percent of that \$1 billion would
22 be reserved for medium- and heavy-duty customers. And
23 this is to help customers with costs on their side of the
24 meter. As I said, on the utility side of the meter, those
25 costs are already covered, but customers can get rebates

1 under this proposed program for both the sort of wires and
2 infrastructure up to and including the chargers that they
3 will install to charge their vehicles.

4 That program is proposed to include a substantial
5 technical assistance component. The idea is that
6 utilities would provide customers with individual help
7 getting through the energization process or
8 interconnection process, and also with their energy load
9 planning, and their selection of infrastructure and
10 chargers.

11 I'm happy to take any questions. And thank you
12 again for the opportunity today.

13 MSCD AIR POLLUTION ENGINEER ARNEJA: Thank you,
14 Yuliya. I will now introduce five additional presenters
15 that will provide testimony related to this proposal.
16 First is Tracy Babbidge, Acting Deputy Commissioner,
17 representing the National Association of Clean Air
18 Agencies. Second will be Jeremy Hunt policy advisor and
19 analyst with Northeast States for Coordinated Air Use
20 Management. And third will be Jared Snyder -- Jared
21 Snyder, Deputy Commissioner for Climate -- okay -- for
22 Climate, Air, and Energy from New York State Department of
23 Environmental Conservation. Fourth will be Kathy Taylor
24 Air Quality Program Manager with the Washington State
25 Department of Ecology. And our last presenter is Gail

1 Good, Air Management Program Director with the -- Gail
2 Good Air Management Program Director with the Wisconsin
3 Department of Natural Resources.

4 Tracy, I'll turn it over to you.

5 TRACY BABBIDGE: Great. Thank you.

6 Good morning, Madam Chair and members of the
7 Board. I'm Tracy Babbidge, the Acting Deputy Commissioner
8 at the Connecticut Department of Energy and Environmental
9 Protection. I speak to you today in my capacity as
10 co-chair of the Mobile Sources and Fuels Commission --
11 Committee of NACAA, the National Association of Clean Air
12 Agencies.

13 NACAA supports CARB's proposed Advanced Clean
14 Fleets Regulation and approval of this regulation by the
15 Board and we applaud CARB for once again leading the way
16 on important mobile source programs that yield substantial
17 emission reductions from key sectors and protect public
18 health and the environment.

19 The ACF Regulation will pull ahead California's
20 progress in fielding clean technology vehicles. It will
21 help build supply chains and demonstrate early market
22 scale, lowering barriers to entry for fleets and incentive
23 program administrators applying these technologies in
24 other jurisdictions across the U.S., thus accelerating the
25 emissions reductions attainable from clean zero-emission

1 medium- and heavy-duty vehicles.

2 The breadth and regulatory certainty of the
3 regulation is expected to diversify the already wide
4 ben -- market available range of zero-emission vehicles
5 and body types increasing selection and benefiting
6 innovative fleets in their communities well beyond
7 California. Affects such as these are well aligned with
8 NACAA's long advocated goals for emission reductions from
9 the mobile source sector.

10 Most recently, NACAA has strongly urged and
11 continues to urge EPA to adopt by the end of this year a
12 rigorous federal rule that aligns with CARB's heavy-duty
13 Omnibus Regulation, and takes effect beginning with the
14 2027 model year.

15 EPA's pending rule has the potential to be an
16 effective first federal step on criteria pollutant
17 emissions from trucks after more than 20 years of static
18 standards. There are crucial -- there are crucial needs
19 for federal action on this EPA rule and for subsequent
20 increasingly more stringent rules for trucks. As large
21 parts of the country fail to attain the health based NAAQS
22 or teeter on the cusp of nonattainment, many state and
23 local air agencies are left with few avenues to achieve
24 the criteria pollutant emission reductions they sorely
25 need, especially in disadvantaged communities. Without

1 additional regulations, these trucks will continue to be
2 one -- one of the largest contributors to the national
3 mobile source NOx inventory in 2028.

4 CARB's proposed ACF regulation will immediately
5 put in place another key step forward in addressing
6 transportation related emissions in California and allow
7 other states if they choose to join California in adopting
8 the final regulation or any of its four individual
9 components. In addition, this regulation could serve as
10 the solid template for EPA should it pursue a federal
11 Clean Fleets Rule.

12 In closing, NACAA supports CARB's proposed ACF
13 regulation and expeditious approval by the Board.
14 Further, we continue to support California's statutory
15 authority under Clean Air Act Section 209 to adopt and
16 enforce mobile source programs and the authority of other
17 states across the nation under Section 177 of the act to
18 adopt and enforce their own locally beneficial programs
19 based on CARB standards.

20 Thank you so much for the opportunity to speak
21 today.

22 JEREMY HUNT: Good morning, Chair Randolph and
23 members of the Board. My name is Jerry Hunt and I'm a
24 policy advisor and analyst at NESCAUM. NESCAUM is the
25 non -- regional non-profit association of State air

1 quality agencies in the six New England states, New York,
2 and New Jersey, and has a long history of working with
3 states throughout the country on adopting and implementing
4 California's clean car and clean truck standards.

5 I'm speaking today in support of the Advanced
6 Clean Fleets Regulation and urge the Board to adopt this
7 regulation.

8 A rapid and equitable transition to zero-emission
9 trucks and buses is critical to avoid the worst impacts of
10 climate change and improve air quality and public health
11 outcomes in our communities. Across the U.S., medium and
12 heavy-duty vehicles represent only 5 percent of on-road
13 vehicles, yet they are responsible for 30 percent of GHG
14 emissions, 42 percent of NOx emissions, and 51 percent of
15 fine particular matter emissions.

16 Building upon the suite of California regulatory
17 programs to electrify trucks and buses, the proposed ACF
18 Regulation provides another critical strategy for states
19 to consider in meeting their air quality and climate
20 goals. In fact, the multi-state medium- and heavy-duty
21 zero-emission vehicle action plan released earlier this
22 year and developed by NESCAUM along with 17 states, the
23 District of Columbia, and Quebec, highlights adoption of
24 California's regulatory requirements increasing sales of
25 zero-emission trucks, and corresponding fleet purchase

1 requirements, such as the proposed Advanced Clean Fleets
2 Regulation as key actions to help accelerate medium- and
3 heavy-duty vehicle electrification.

4 The proposed ACF Regulation targets the truck and
5 bus fleets more suitable for electrification, including
6 drayage trucks, public fleets, and high priority and
7 federal fleets, where availability of zero-emission
8 vehicle models is rapidly growing to meet this increasing
9 demand.

10 In addition, the proposed regulation establishes
11 a 100 percent ZEV sales requirement for truck and bus
12 manufacturers with a clear end date for sales of new
13 internal combustion engine vehicles, which will help drive
14 us toward a zero-emission transportation future. In
15 closing, we thank California for its strong and sustained
16 leadership to protect the environment, public health, and
17 welfare from motor vehicle pollution.

18 NESCAUM and our states look forward to our
19 ongoing partnership with the State of California.

20 Thank you.

21 JARED SNYDER: Good morning. I'm Jared Snyder,
22 Deputy Commissioner for Climate, Air, and energy at the
23 New York State Department of Environmental Conservation.
24 Thank you for the opportunity to testify today in support
25 of the proposed Advanced Clean Fleet Rules.

1 In New York, the expeditious deployment of
2 medium- and heavy-duty zero-emission vehicles is necessary
3 to meet the science-based emission reduction targets
4 established in New York's Climate Leadership and Community
5 Protection Act. In support of those goals, New York is
6 moving to aggressively to support the transition to
7 zero-emission trucks and buses. In my testimony today,
8 I'd like to highlight some of the actions that New York is
9 taking to support this necessary transition.

10 In September 2021, Governor Hochul signed a law
11 requiring that only zero-emission medium- and heavy-duty
12 vehicles be sold in New York after 2045. Three months
13 later in December of 2021, New York adopted the Advanced
14 Clean -- excuse me, Advanced Clean Trucks Rule
15 establishing ZEV requirements through 2035.

16 Second, New York is developing a scoping plan to
17 achieve the statewide emission limits under the Climate
18 Act. Supporting analyses indicate that meeting those
19 emission limits requires an expeditious transition to 100
20 percent ZEV sales for the medium- and heavy-duty sector by
21 2040. Accordingly, New York's Climate Action Council
22 recommended in the draft scoping plan that DEC consider
23 adopting California's Advanced Clean Fleet Rules.
24 Additional direction is expected in the final scoping
25 plan, which is due at the end of this year.

1 Third, Governor Hochul is committed to moving to
2 a zero-emission State vehicle fleet. On September 20 of
3 this year, she issued Executive Order 20-22, which
4 requires, among other things, that state medium- and
5 heavy-duty vehicle fleets be 100 percent ZEV by 2040, and
6 that's all vehicles, not just new purchases.

7 And fourth, New York has established a 100
8 percent transition to zero-emission transit bus goals for
9 six major transit agencies within the 2035 to 2040 time
10 frame. In addition, in this year's State of the State
11 Address, Governor Hochul committed to a 100 percent
12 zero-emission school bus fleet by 2035. That commitment
13 codified in this year's budget would be supported by \$500
14 million in funding if New York voters approve the Clean
15 Water, Clean Air, and Green Jobs Environmental Bond Act on
16 the ballot next month.

17 In New York, medium- and heavy-duty vehicles are
18 a significant source of both greenhouse gas emissions and
19 other air pollution, particularly in disadvantaged
20 communities overburdened with emissions from trucks and
21 buses. These communities are often located in close
22 proximity to ports, distribution centers, and other
23 facilities where fleets congregate. Transitioning these
24 priority fleets and operations to zero-emission
25 transportation will have substantial public health and

1 quality of life benefits in those communities.

2 In conclusion, New York supports the Board's
3 approval of the Advanced Clean Fleet Regulations, which
4 will enable New York and other states to adopt those
5 regulations to support the needed transition to
6 zero-emission transportation and cleaner, healthier
7 communities.

8 Thank you for the opportunity to speak today.

9 KATHY TAYLOR: Chair Randolph, members of the
10 Board, my name is Kathy Taylor. And I'm the Air Quality
11 Program Manager at the Washington State Department of
12 Ecology. I'm testifying in support of CARB's proposed
13 Advanced Clean Fleets Rule and urge adoption.

14 Washington State greatly appreciates California's
15 leadership in adopting necessary medium- and heavy-duty
16 vehicle emission standards and fleet purchase requirements
17 that will significantly reduce criteria pollutant and
18 greenhouse gas emissions. California's actions enable
19 Washington and other states to adopt these policies under
20 Section 177 of the Clean Air Act.

21 Washington has already adopted California's
22 Advanced Clean Trucks Rule and we are working to adopt the
23 Heavy-Duty Low NOx Omnibus Rule by the end of this year.
24 These regulations take critical steps in helping
25 Washington clean up new trucks going forward, but don't

1 address the on-road trucking fleet. In order to meet our
2 mandatory greenhouse gas limits and reduce harmful
3 criteria pollutant expo -- exposure to our most
4 vulnerable populations, Washington needs the Advanced
5 Clean Fleets Rule to help our on-road fleet of trucks
6 turnover to a zero-emission fleet faster.

7 Like California, Washington has major port
8 facilities in Seattle and in Tacoma. Heavy-duty truck
9 traffic to and from these ports causes disproportionate
10 air quality and health impacts on nearby communities. The
11 Duwamish valley located near Port of Seattle and Tacoma
12 Tideflats near the Port of Tacoma are just two of many
13 communities around the state that are impacted by diesel
14 truck pollution and in need of solutions like the Advanced
15 Clean Fleets Rule. The proposed rule not only benefits
16 the climate and air quality, but will significantly
17 improve public health in these communities near ports and
18 freight corridors.

19 Transportation accounts for 45 percent of
20 greenhouse gas emissions in Washington and heavy-duty
21 trucks are the largest contributors of nitrogen oxides and
22 diesel particulate matter emissions. Like California, we
23 have necessarily ambitious decarbonization requirements
24 and we cannot achieve these without innovative solutions
25 like the Advanced Clean Fleets Rule.

1 We applaud CARB for proposing this policy to
2 rapidly decarbonize the medium- and heavy-duty
3 transportation sector and encourage the Board to adopt the
4 proposed Advanced Clean Fleets rule.

5 Thank you.

6 GAIL GOOD: Good morning, Chair Randolph and
7 members of the Board. My name is Gail Good and I am the
8 Director of the Air Management Program at the Wisconsin
9 Department of Natural Resources. Thank you very much for
10 this opportunity to provide testimony regarding CARB's
11 Advanced Clean Fleets Regulation.

12 Wisconsin appreciates California's leadership on
13 this very important issue. Wisconsin is challenged with
14 significant persist lakeshore ozone issues and currently
15 has multiple areas in non-attainable of the 2015 ozone
16 National Ambient Air Quality Standard. Recently analyses
17 suggest that these areas are likely to experience
18 long-term non-attainment unless additional significant
19 reductions in oxides of nitrogen, or NOx, emissions occur
20 throughout our region.

21 The on-road mobile sector is the largest
22 contributor of NOx emissions in Wisconsin. According to
23 the 2017 National Emissions Inventory, on-road vehicles
24 accounted for 38 percent of the NOx inventory in
25 Wisconsin. And recent model shows that on-road sources

1 are responsible for 20 to 25 percent of the ozone in
2 Wisconsin's non-attainment areas. In contrast, power
3 plants which are very well controlled here in Wisconsin
4 and only contribute about five percent of the ozone in
5 Wisconsin.

6 Attainment of the current ozone standard
7 throughout Wisconsin is not realistic without additional
8 emissions reductions from mobile sources especially
9 on-road vehicles. The proposed Advanced Clean Fleets
10 Regulation would make important progress towards
11 addressing NOx emissions from these sources. The rule
12 will require fleets to phase in medium- and heavy-duty
13 zero-emission vehicles and sets a clear end date for the
14 sale of new combustion powered medium- and heavy-duty
15 vehicles in California.

16 Along with CARB's Advanced Clean Trucks
17 Regulation, Heavy-Duty Omnibus Rule, and other important
18 regulations, this rule will significantly reduce NOx
19 emissions from medium- and heavy-duty vehicles in the
20 coming years and reduce the impact of the on-road mobile
21 sector on ozone levels.

22 This will help not only California but states
23 like Wisconsin that need these reductions to help attain
24 not only the 2015 ozone standard, but any revised standard
25 EPA may set in the future. Wisconsin therefore supports

1 this important rule.

2 Thank you very much again for the opportunity to
3 testify today on this important issue of national
4 significance.

5 MSCD AIR POLLUTION ENGINEER ARNEJA: Thank you,
6 Gail. This concludes staff's presentation.

7 CHAIR RANDOLPH: All right. Thank you very much.
8 It is now time to hear from the public who signed up to
9 speak on this item by either submitting a request to speak
10 card or through their raised hand in Zoom. Before I turn
11 it over to the clerks to call the public commenters, we do
12 have a legislator who will be presenting comments.
13 Senator Maria Elena Durazo is here to make some comments
14 on the agenda item.

15 SENATOR DURAZO: Thank you very much. Good
16 morning, Madam Chair. Appreciate the few minutes on this
17 very important issue. And primarily to speak on the
18 Advanced Clean Fleet Regulation to reiterate the need for
19 strong labor standards. I currently Chair the Senate
20 Budget Subcommittee 5 over transportation funding and
21 labor and workforce programs. Strong labor standards,
22 including enforceable commitments to good jobs and high
23 road career pathways is a priority for our committee and
24 the funding that we approve.

25 I have also prioritized labor standards in our

1 Senate caucus climate working group, which the Pro Tem put
2 together last year and we prioritized two of my bills, SB
3 674 and SB 700. SB 674 was signed into law this year and
4 will implement the High Road Employment Program for
5 zero-emission transit buses and transit infrastructure. I
6 also successfully championed high road labor standards on
7 California's one and a half billion dollar zero-emission
8 school bus investments. We cannot allow the working poor
9 to be the last in line by making drivers responsible for
10 compliance instead of companies.

11 Climate solutions disproportionately burden the
12 poor and communities of color. Farmworkers live and work
13 in high pollution areas while big corporations continue to
14 pollute. I have worked my entire life to make California
15 more equitable for working families, decades fighting for
16 fair wages and compensation in the trucking industry. A
17 commitment to climate equity means a commitment to
18 workers.

19 Setting this rule at a fleet size of 50 is
20 leaving workers out of this regulation. Port and
21 transportation committees all classify small trucking
22 companies as five or fewer. Your regulation should also
23 reflect that. Mitigating emissions through clean fleets
24 and other transformative policies will require deep
25 structural changes in our state's economy. These changes

1 affect the conditions under which poor people succeed or
2 fail to escape poverty.

3 These policies can be designed to protect and, as
4 they should as is done in other communities, should
5 benefit working people. We should not place the burden on
6 the very people who keep our state moving and thriving
7 instead of the polluters. We should not make the same
8 mistakes of the past.

9 When the Legislature adopted California's
10 recycling programs decade ago, they left out anything
11 related to wage policy. It was left to ordinary people to
12 organize the quote/unquote green jobs that immigrant
13 workers did. They sorted through dangerous waste without
14 safety gloves and for wages that are a societal disgrace.
15 That would not have happened if we had tied economic
16 justice to environmental sustainability. We need to
17 regulate fleet sizes of 10 or more trucks to ensure labor
18 protections are applied to vulnerable drivers. Again,
19 companies not drivers should be held responsible for
20 compliance.

21 Madam Chair, thank you for your time and to every
22 one. I look forward to working with CARB this coming year
23 to achieve greater equity for working Californians. Thank
24 you very much.

25 CHAIR RANDOLPH: All right. Thank you. I wanted

1 to note we may not have both of our partner agency
2 infrastructure folks here for the entire day. So I wanted
3 to provide a moment if Board members specifically have
4 questions for the CEC or the PUC, let's do that now before
5 public comment and then Board discussion. So I know, in
6 particular, Dr. Pacheco-Werner had an infrastructure
7 question, so I will call on her.

8 BOARD MEMBER PACHECO-WERNER: Thank you, Chair.
9 Yes. Thank you so much for your presentations and all of
10 the things you're doing moving forward infrastructure. I
11 have a couple questions. One of them clarifying the --
12 the point. And I believe this is -- this was the CPUC in
13 terms of the -- in terms of the new bill regulation where
14 you are going to hold the energy companies responsible for
15 a certain time frame by the time that they have to -- they
16 have to implement the -- the infrastructure when it's
17 ordered. Can you say more about that? I heard 190 days,
18 but I want to make sure that that's correct.

19 And then another -- another question, and I think
20 this is more towards the CEC in terms of investments and
21 how to do some of this. I know that as with when we're
22 talking about clean cars, not all municipalities are the
23 same. And so what is -- what is the plan to both make
24 sure that the -- on the government side fleets that you're
25 helping those along that need the most help, and then also

1 at the same time as making sure that I'm sure, you know,
2 prioritizing all of those large municipalities that need
3 to turn over large -- large fleets all at once, so just
4 kind of how -- what -- what the plan is to balance that?

5 And also, in terms of the -- the funding around
6 disadvantaged communities, trying to get a sense more in
7 terms of like particularly for drayage trucks like how --
8 how does that work in terms of the funding priorities? Is
9 it where the person lives or where they're operating? I
10 just want to be sure about that.

11 Thank you.

12 CHAIR RANDOLPH: Yuliya, do you want to answer
13 the first question first?

14 YULIYA SHMIDT: Absolutely. Yeah, so what we
15 have directed the utilities to do as part of the
16 implementation of AB 841 is to propose an energization
17 timeline for new EV load that is between 90 and 160 days.
18 That is an average, but enforceable timeline. The
19 utilities have come back with their proposals and that is
20 what's under consideration right now. And what we plan to
21 adopt in the next couple of months is a specific number of
22 days that will be between 90 and 160 that the utilities
23 will have to stick to for energizing new EV load. It is
24 an average, so it may not be a guarantee for any specific
25 customer how quickly they will be energized, but it will

1 be an enforceable timeline.

2 CHAIR RANDOLPH: Hannon.

3 HANNON RASOOL: Thank you. I heard two questions
4 to the Energy Commission. One was on cities and
5 municipalities. So, cities and municipalities are
6 eligible for our current funding including the block
7 grants. We're actually talking internally about
8 potentially doing a municipal focus solicitation that
9 could be through our standard competitive grant
10 solicitations. We're also looking for other options,
11 potentially a formula grant process. We're looking at the
12 feasibility of doing that.

13 And if and when we were to launch that, it would
14 most likely be bifurcated, so we have a carve out for
15 larger cities also for smaller towns, because we know they
16 often have different resources they can allocate to this.
17 So working with cities and providing infrastructure is
18 definitely top of mind for us.

19 And then the second question I heard was on how
20 do we define and assess the benefits to disadvantaged
21 low-income communities? This is something we've been
22 talking about for a while, where traditionally we've
23 looked at where is the infrastructure located. We know
24 that is not the perfect way to do it. We've actually
25 committed to doing at least 50 percent of our investments

1 to benefit low-income and disadvantaged communities. And
2 we're going to hold a workshop in November to further
3 define that. So we've been talking to Greenlining, a
4 bunch of other stakeholders, also with CARB staff, to see
5 if we can align across agencies in how we define that, but
6 we're very committed to seeing, you know, beyond just
7 locational benefits, just beyond where the location of the
8 infrastructure is.

9 CHAIR RANDOLPH: Thank you.

10 VICE CHAIR BERG: I'm sorry, I just want to ask a
11 clarifying question, if I may, Ms. Shmidt. So when we say
12 energize, in that time frame, are you saying that from the
13 time that a company present -- comes to a utility where
14 they request for infrastructure, the average is going to
15 be 100 -- I'm sorry, three to six months that they will
16 have that infrastructure installed and working at their
17 facility?

18 YULIYA SHMIDT: So we will adopt a number between
19 three and six months that will serve as the maximum that
20 the utility can average among all the customers that come
21 with new EV load asking to get energized.

22 VICE CHAIR BERG: Thank you.

23 CHAIR RANDOLPH: Okay. Okay. Board Member Hurt.

24 BOARD MEMBER HURT: Yes, I'll make it quick.

25 CHAIR RANDOLPH: I couldn't tell whose hand was

1 up.

2 BOARD MEMBER HURT: So thank you for the
3 presentation. I'm not quite sure who's best suited to
4 answer this question. But I know from some of my
5 constituents and things that I've heard recently, there's
6 a lot of focus on rural and how we can't use a broad brush
7 and address their infrastructure needs the way we do in
8 densely compacted urban centers. And I think this is a
9 time where it would be really great to hear more of what
10 kind of unique response and action is planned for our
11 rural communities, because I know many of them are having
12 anxiety about the future and this rule in particular. So
13 whoever would like to expand on that would be great.
14 Thank you.

15 HANNON RASOOL: Sure, I can respond to that.
16 Yeah, so the processes we use through the Energy
17 Assessment Division and FTD looks at the entire state, so
18 both where city centers are and also rural. And so to
19 your point, there's definitely different challenges with
20 both. But our analysis looks at both at a more and more
21 granular level. And that EDGE tool that we're developing
22 is very much going to look at POUs, public -- publicly
23 owned utilities as well as investor owned utilities, so
24 POUs and IOUs, recognizing there are unique
25 characteristics between the two. So we're very much

1 thinking about agricultural and also rural communities in
2 that.

3 BOARD MEMBER HURT: I'll just add I think for
4 some of these communities, they're going to need a huge
5 upgrade and that costs a lot of money. And so there needs
6 to be investment from the State level to support those
7 communities. So thank you for that response.

8 CHAIR RANDOLPH: Supervisor Vargas. Supervisor
9 Vargas had a question as well.

10 BOARD MEMBER VARGAS: Thank you, Chair.

11 First, specifically I wanted to ask and I want to
12 say thank you for the great presentation and for staff to
13 doing all this work, particularly on this proposed
14 regulation. It's going to be vital obviously for our
15 communities. But there are big shifts and big transitions
16 happening, big enough that for San Diego, you know, have
17 binational impacts and opportunities --

18 (Dog barking).

19 BOARD MEMBER VARGAS: I'm sorry -- to introduce
20 new clean infrastructure. And so several concerns that
21 have been elevated from some of the communities that I
22 represent, right, is the need to install public charging
23 infrastructure and how this is going to be addressed in
24 the binational region. I know that we are sending up a
25 meeting that we're doing I think in November to have a

1 larger conversation around that. And I appreciate that
2 CARB staff has been working with me to connect with our
3 border region stakeholders to look forward -- and I'm
4 looking forward to doing that.

5 But one of the things that I've been aware of
6 both from the Governor of Baja California and also the
7 Otay Chamber, which is in my district, is that for some of
8 the binational fleets that were previously advanced to
9 meet the Truck and Bus Regulation that have been ordered
10 trucks to meet the regulation, they're experiencing
11 delays, right, and they're very concerned on how -- how
12 the ACT will be implemented or transitioned. And some of
13 them have made those previously investments.

14 So the question is what else can be done to
15 provide a clear pathway for the binational community,
16 understanding that many of the Baja California fleets are
17 making a shift and have made shifts to natural gas powered
18 trucks, which is a fuel that is available for Baja
19 California, and of course can continue toward zero
20 emissions?

21 CHAIR RANDOLPH: Not sure if staff wants to take
22 that. I mean, I guess it's kind of a two-part question,
23 right? Part of the question is sort of about this
24 transition generally. And I think maybe that will be part
25 of the larger discussion, but it's also kind of an

1 incentives question as well. So I'm not sure if Hannon
2 wants to add anything about incentives or if Dr. Vergis
3 wants to tackle that, at least in the interim. And like I
4 said, I think we'll get deeper into some of those issues
5 as part of the Board discussion.

6 BOARD MEMBER VARGAS: Yeah, I know. And I -- I
7 think part of the reason why I wanted to ask it here is
8 because I want to make sure that some of the entities that
9 we have on -- you know, the CPUC and all -- that we're
10 also thinking about the binational community, because we
11 are one region, right? And so I would ask -- it's not --
12 I'm not sure that it's something that has been done
13 naturally and so I want us to really think about our
14 binational community, particularly for all of us who are
15 in this region and who know how -- how interdependent we
16 are of each other.

17 And the commitment is -- is there from -- from
18 the Baja California side and I think from the truckers as
19 well as -- as much as, you know, from my conversations
20 with them. But I think as we're implementing some of
21 these policies, the impact that it has on this particular
22 region is very unique. And so I want to make sure that --
23 that each one of our entities throughout the state is
24 really -- really thinking about that as well. So that's
25 why I brought it up now and not later, but I appreciate

1 that, Chairwoman.

2 MSCD DIVISION CHIEF VERGIS: Thank you so much
3 for the opportunity. So Supervisor Vargas really
4 appreciate your leadership on this issue and helping
5 facilitate so many of the conversations that have taken
6 place already. As most are aware, international trucks
7 will also be subject to this regulation, the same as
8 trucks that are operating in the state. I think one of
9 the things that has really been critical in facilitating
10 these conversations that you're mentioning is that there's
11 been a bit of confusion out there about what ACF does.
12 And so you, in particular, have done a lot to help dispel
13 a lot of that confusion, which is that small fleets are
14 not necessarily covered under the high priority fleets
15 portion of this regulation, if they're simply delivering,
16 you know, products and goods to a large fleet. So that's
17 been incredibly helpful.

18 The Board will also be hearing the funding plan
19 next month, which includes about \$2 billion for heavy-duty
20 trucks. And so I imagine this conversation will be
21 continuing in November as well.

22 CHAIR RANDOLPH: Okay. Thank you. All right.
23 Vice Chair Berg had one more infrastructure question and
24 then I think we'll be ready for public comment.

25 VICE CHAIR BERG: Thank you very much for

1 indulging me. Ms. Shmidt, if we could just -- just one
2 other -- I need some help. So help me how we're going to
3 reconcile what I'm hearing is a great gap in -- in the
4 time of infrastructure. And so what are our -- what are
5 our thoughts -- and I don't want to get anecdotal
6 examples. I'm just really trying to connect the big
7 picture here from what I am hearing from priority fleets
8 who would like to put electric trucks today and are being
9 quoted a long time frame for infrastructure. So how are
10 we going to reconcile that once this regulation is passed?

11 YULIYA SHMIDT: I'm sorry, Vice Chair Berg, are
12 you asking about how we will enforce the timelines I've
13 mentioned?

14 VICE CHAIR BERG: You know, I -- I'm really
15 concerned about using the word enforce. It kind of
16 indicates to me that the PUC, which would be fabulous,
17 feels that we truly can install infrastructure across the
18 state in a record amount time. And so I'm just trying to
19 understand how we're going to reconcile? Is there going
20 to be some kind of transparency where if things are taking
21 longer, how this average is going to be attained? What
22 we're going to -- if we run into problems -- I mean, this
23 is really a very large undertaking. And so I'm not trying
24 to box people into an enforcement situation, as much as
25 I'm trying to understand where the grid problems are going

1 to be, how are they going to be resolved, how much time do
2 we need to really be looking here as policymakers,
3 flexibility of our staff, and for our fleets?

4 YULIYA SHMIDT: Yeah, absolutely. I think you're
5 focusing correctly on the complexity of the situation. I
6 would say if you look at, for example, the ICA maps that I
7 mentioned, a majority of the circuits on the grid right
8 now have capacity. And I think if you were to survey
9 every customer that has asked to be energized, we would
10 find that most were energized on short timelines.

11 So I think what we need to focus on are the
12 customers in the situations you're mentioning, that are
13 experiencing delays. And that is why we're looking at,
14 first of all, including forecasts that account for the
15 higher EV load in our distribution planning and then
16 trying to get more granular to understand where further
17 load will be coming, so that we can prepare the grid in
18 advance. I know CARB is already undertaking some mapping
19 efforts that we hope to incorporate into utility planning
20 to help us forecast where fleets are going to electrify.
21 But it is a process that we'll be -- we'll be undertaking
22 for the next several years.

23 We're actually right in the middle of a
24 rulemaking to examine high distributed energy resource
25 load -- high distributed energy resource penetration

1 levels that is very much focusing on additional
2 transportation electrification load. And we'll be
3 undertaking further steps as we get the results of those
4 studies.

5 VICE CHAIR BERG: Well, thank you very much for
6 helping.

7 BOARD MEMBER SPERLING: I'd like to just nail
8 down -- you know, I'm having the same whiplash experience
9 that so many fleets have been talking about, the
10 challenges they're having in getting hooked up to the
11 infrastructure. And so I'd love to believe everything
12 what the PUC is saying. I guess the first question is
13 when is this proposed rule likely to be adopted? I
14 believe it's a proposed rule. And number two, there must
15 be something else going on here that we don't understand.
16 Is it that, you know, there's cases where transformers
17 have to be put in, or is it that after the -- you know,
18 the infrastructure is in place, there's still a lot of
19 time involved in getting the actual charging equipment in
20 place? Why are we hearing from these fleets that it's --
21 they're even -- some of them are saying they're never --
22 they're not even being given a timeline for when the
23 make-ready infrastructure will be in place.

24 YULIYA SHMIDT: Yeah. Thank you for your
25 question. Certainly, there can be individual cases where

1 substantial grid upgrades are necessary, specifically due
2 to a single customer's new EV load, especially if it's a
3 large EV load, right, if it's an entire depot that's
4 electrifying all at once. And there certainly are cases
5 where a new transformer must be installed before that
6 customer can get energized.

7 You know, to be frank, a worst case scenario
8 would be if an upgrade to a substation is necessary in
9 particularly overloaded part of the grid. So I certainly
10 do not want to give you the rosy impression that none of
11 those are possibilities. They are. It is not my
12 impression that that is the experience most fleet owners
13 have or will have.

14 CHAIR RANDOLPH: Dr. Pacheco-Werner.

15 BOARD MEMBER PACHECO-WERNER: Yeah. Two quick
16 clarifying questions on some of the comments you've made,
17 Ms. Shmidt. One, you talked about the -- on pulling on
18 this thread as well. So for those that we're talking
19 about, you know, needing upgrades at the substation level,
20 which is what some of the things that we've heard, in
21 terms of some of the -- some of the fleets, would they get
22 an exemption and what are we looking at in terms of the
23 timeline that you'd be holding that level of upgrade? And
24 then a second one is the -- you talked about the maps.
25 And I've looked at the PG&E map, and for the San Joaquin

1 Valley, there are large gaps in terms of going east to
2 west, particularly along some of these places where there
3 is a lot of truck traffic due to the agricultural nature
4 of that land, going back and forth. And so I'm wondering
5 what -- if there is specific attention to places like that
6 where there is lots of truck traffic that's not
7 necessarily, you know, interstate based, but -- but
8 connected to that's going to be very -- very regular,
9 because I am seeing a lot of gaps when I look at those
10 maps?

11 YULIYA SHMIDT: So the first question I
12 understand is whether there are any exceptions for very
13 subtan -- for energization requests that trigger
14 substantial grid upgrades? And I don't think you're
15 talking about exemptions from the CARB rule. I think
16 you're talking about --

17 BOARD MEMBER PACHECO-WERNER: No, from your
18 proposed rule. And so what would a -- a reasonable
19 timeline then be for them?

20 YULIYA SHMIDT: That's a good question. Since we
21 haven't issued this rule, it's hard for me to address
22 that. There was a proposal within the record where we're
23 considering that to exempt. I think it was actually not
24 energizations that triggered substantial upgrades, but
25 energizations that were very high capacity, let's say over

1 1 megawatt requests. That would be in the -- or 2
2 megawatt requests. I'm sorry, I forget, but that would be
3 for an enormous depot that's electrifying all at once.

4 That is certainly under consideration. I can't
5 say if we're thinking about adopting that. And as for
6 your second question, were you commenting on the ICA map
7 not having information throughout the Central Valley or
8 actually the grid not looking like it has robust capacity
9 throughout the Central Valley?

10 BOARD MEMBER PACHECO-WERNER: The grid not
11 looking like it has robust capacity, yep.

12 YULIYA SHMIDT: Yeah, that is certainly a concern
13 that we are deeply thinking about. And that is why we're
14 looking to the forecast to see where the new load may
15 come, so that we can trigger upgrades in those areas, if
16 they're needed.

17 BOARD MEMBER PACHECO-WERNER: Thank you.

18 CHAIR RANDOLPH: Okay. Any more clarifying
19 questions on infrastructure for our partner agencies?

20 No. Okay. All right. I think we're ready
21 public comment now.

22 BOARD CLERK HARRINGTON: As a reminder, we are
23 going to cut off sign-ups in 30 minutes at 11:20. And our
24 first commenter is David Asti.

25 CHAIR RANDOLPH: Oh, I'm sorry. We didn't talk

1 about the time for commenters. Because we have over --
2 well over 150 commenters, correct? So I think we need to
3 have a one and a half minute comment period. So if we
4 could set the clock at that time.

5 BOARD CLERK HARRINGTON: And we currently have 76
6 commenters in person.

7 CHAIR RANDOLPH: In person and then we have 91 on
8 remote. So we will start with the in-person commenters.

9 BOARD CLERK HARRINGTON: David Asti.

10 DAVID ASTI: Thank you very much. Can you hear
11 me okay?

12 Good morning, Madam Chair and CARB Board members.
13 I'm David Asti with Southern California Edison. I'll try
14 to cut these down as quickly as I can.

15 SCE supports the Advanced Clean Fleets Rule with
16 a few modifications that we've addressed in our written
17 comments. And we know there are questions and concerns
18 about the ability of the electric grid to support
19 transition to zero-emission vehicles. So I'm going to
20 spend my time focusing on SCE's plans and actions to
21 prepare the grid and support our customers. First, SCE is
22 continually upgrading expanding the grid to help ensure
23 that our customers have the power when and where it's
24 needed.

25 As such, we've been taking steps to ensure and to

1 prepare the grid. For example, we recently obtained
2 approval from our friends at the CPUC to utilize
3 transportation electrification forecasts that account for
4 the increased load from policies, such as Advanced Clean
5 Cars II and the proposed ACF Rule.

6 While we feel relatively confident that our TE
7 forecast at the system level will sufficiently account for
8 the state's needs, we are asking for assistance to help
9 improve and provide justification to support forecasts for
10 upgrades to our distribution system at the local or site
11 level. Specifically, we need information from the fleets
12 to understand when, where, and how much load is needed.
13 This helps us better understand where capacity issues may
14 occur so that we can propose updates with the degree of
15 confidence that our improvements will be utilized and not
16 result in customers funding unused assets.

17 Therefore, because some projects will require
18 more time than others, we are strongly encouraging fleet
19 owners to engage with us early in the process so that we
20 can better understand and plan for their needs. We'll
21 work with customers to proactively understand their near-
22 and long-terms needs, since capacity -- thank you very
23 much.

24 BOARD CLERK HARRINGTON: Thank you.

25 Suzanne Seivright-Sutherland. And the next few

1 speakers can come line up down at the podium.

2 SUZANNE SEIVRIGHT-SUTHERLAND: I'm Suzanne
3 Seivright-Sutherlan from the California Construction and
4 Industrial Materials Association, better known as CalCIMA,
5 the statewide trade association for producers of
6 aggregate, concrete, cement, asphalt, and industry
7 minerals used to build our state's infrastructure.

8 In coordination with Jeffer Mangels Butler and
9 Mitchell, CalCIMA submitted a comment letter proposing
10 specific revisions to the regulatory language consistent
11 with its goals to address deficiencies and to help ensure
12 the construction materials producers can comply with the
13 regulation.

14 Some key points from our letter include the
15 following. Because the ZEV unavailability exemption
16 simply assumes the future availability of pickup trucks in
17 all configurations, we ask that these trucks be addressed
18 the same as the regulation addresses trucks over 14,000
19 pounds GVWR.

20 For fleets whom a transition to hydrogen fuel
21 cell is the logical operational endpoint and for whom a
22 requirement to purchase battery electric vehicles to
23 achieve short-term compliance will force a double
24 investment, we ask for an alternative compliance pathway.
25 The daily usage exemption requires the fleet to have 10

1 percent ZEVs, which may be unattainable as manufacturers
2 are still bringing new products to market and no
3 rational -- rationale in the ISOR limits this exemption,
4 thus we ask this percentage to be removed.

5 And finally, CARB assessments do not expect
6 viable zero-emission technology in specialty and weight
7 sensitive applications accounting for two percent of the
8 trucks on the road until after 2030. CARB considers a
9 subset of these vehicles construction vehicle -- thank
10 you.

11 BOARD CLERK HARRINGTON: Thank you.

12 Nicholas Blair.

13 NICHOLAS BLAIR: Good morning, Chair Randolph and
14 Board members. My name is Nick Blair with the Association
15 of California Water Agencies. We appreciate the
16 opportunity to speak this morning on the State and local
17 fleet revisions. ACWA represents over 460 public water
18 agencies that deliver over 90 percent of water across
19 California. We appreciate the -- that CARB staff is
20 working with stakeholders thus far, but we encourage that
21 ongoing conversations need to be had to address our
22 concerns with implementation.

23 As noted in our submitted comment letters, we
24 have concerns with the commercial availability of
25 zero-emission vehicles as well as grid capacity. So in

1 short, we encourage that before any additional revisions
2 are edited that CARB staff continue to work with us, as
3 well as other stakeholders. In particular on ZEV avail --
4 commercial availability, we encourage that the regulations
5 shift to focus on ZEVs that are commercially available,
6 defining and agreeing upon what makes a ZEV commercially
7 available, and using a ZEV availability list instead of an
8 unavailability list to determine if fleets must comply or
9 if they have additional time via the exemption process.

10 Moving on to grid reliability, really appreciated
11 the conversation that was had just now by the Board
12 members. Numerous of my member agencies have expressed
13 concern that the needed infrastructure will not be in
14 place by the time they are required to comply with this
15 rule.

16 With that being said, thank you for the time
17 today. Numerous of my member agencies will be speaking
18 and thank you.

19 BOARD CLERK HARRINGTON: Thank you.

20 Frank Harris.

21 FRANK HARRIS: Hello. My name is Frank Harris
22 speaking for the California Municipal Utilities
23 Association. CMUA represents public owned electric
24 utilities and public water and wastewater agencies
25 throughout California. As essential public service

1 providers, our members deliver approximately 25 percent of
2 the state's electricity and serve 75 percent of the
3 state's water customers.

4 In addition to fulfilling California's commitment
5 to the human right to water, CMUA members rely on highly
6 specialized working vehicles to build and maintain
7 electric infrastructure that's critical to the state's
8 clean transportation goals. It's paramount that the ACF
9 does not conflict with the ability to safely build and
10 maintain this infrastructure. The specialized vehicles
11 used by CMUA members must have the energy needed to work
12 for the time that the job requires. These trucks are
13 often deployed in response to storms, wildfires, other
14 emergency conditions. It's not unusual for trucks to work
15 24 hours a day often for multiple days. CMUA has
16 collaborated with NCPA and SCPPA to develop written
17 comments which address the need for clear and objective
18 language defining commercial availability, a workable
19 emergency response exemption, cost protections for
20 ratepayers.

21 We appreciate the proposed changes outlined in
22 today's staff presentation. It is important that CARB
23 staff work with the public agency stakeholders in order to
24 develop workable changes to enhance criteria for
25 determining ZEV ability and improve access to emergency

1 response exemption.

2 Thank you very much.

3 EMILY LEMEI: All right. Thank you, Chair and
4 Board members for this opportunity to provide our
5 feedback. My name is Emily Lemei. And I'm here
6 presenting the Northern California Power Agency, or NCPA.
7 We're a joint powers agency that includes 16 member
8 communities, including 14 publicly owned electric
9 utilities located throughout Northern California. NCPA
10 supports CARB's goal to significantly reduce emissions
11 from the transportation sector. And NCPA members are
12 committed to supporting the needs of our communities as
13 California transitions to zero-emission vehicles.

14 However, we do have a few recommendations for
15 modifications to the proposed rule to ensure the
16 exemptions operate as intended. NCPA appreciates the
17 inclusion of a mutual aid exemption in the proposed rule.
18 However, the rule must recognize the diversity of public
19 fleet sizes, the service territories being served, and
20 operational needs of public agencies and not include any
21 arbitrary restrictions on the type or number of vehicles
22 available for emergency response. This 25 percent cap on
23 emergency response vehicles should either be removed or
24 the rule must include a workable mechanism to account for
25 a diverse public fleet needs.

1 In addition, the rule must recognize the
2 operational needs of local emergency response in addition
3 to mutual aid. Utility crews must have certainty that no
4 matter where the emergency is, the vehicles are able to
5 operate reliably and continuously as long as it takes to
6 get the power back up. We appreciate staff's proposal to
7 improve access to the mutual aid exemption and look
8 forward to working with staff to ensure that public
9 utilities have the tools they need to provide essential
10 public services. Thank you for your time.

11 ELISABETH DE JONG: Thank you, Chair and members.
12 My name is Elisabeth de Jong and I am here representing
13 the Southern California Public Power Authority or SCPPA.
14 Our members are supportive of and taking steps towards
15 transitioning to zero-emission vehicles. In addition to
16 the emergency response amendments just discussed by NCPA,
17 we request a transparent definition or criteria of what
18 constitutes a commercially available ZEV. The criteria
19 needs to address whether the specific vehicle
20 configuration needed for its duty cycle is available and
21 in sufficient quantities. Vehicles should not be
22 considered commercially available unless provided by
23 experienced and reputable manufacturers. And to ensure a
24 competitive market, the vehicles must be available from
25 multiple manufacturers. Finally, we want to ensure that

1 the cost of the vehicle is realized within its life.

2 We offer specific recommendations and detailed
3 explanations in our comment letter in the docket, which we
4 collaborated with our public agency partners CMUA and CPA.
5 SCPPA requests a robust public process and is happy to
6 support changes to the proposed rule alongside CARB staff
7 to provide the necessary flexibility for publicly owned
8 utility fleets for keeping the lights on and restoring
9 electricity during outages.

10 Thank you for your time.

11 STEVEN PONCELET: Good evening, Chair Randolph
12 and members of the Board. Thank you for the opportunity
13 to speak. I'm Steven Poncelet with Truckee Donner Public
14 Utility District. We're a not-for-profit, community
15 owned, locally governed electric and water utility serving
16 the greater Truckee area in the high Sierra Mountains. We
17 operate in a 6,000 to 9,000 foot environment, snow,
18 blizzards, atmospheric rivers and fires. We do provide an
19 essential public service, electric -- electricity and
20 water, and need the tools to maintain those services in
21 the most extreme conditions.

22 We have for two years been working with CAB --
23 CARB staff and Board. We've provided comments letters.
24 Truckee-Tahoe got together, 12 locate -- local agencies,
25 and put a comment letter -- letter in in August. We've

1 put other ones in. We held a tour for CARB staff and
2 Board on October 20th to show directly what we're talking
3 about. Lots of input. We haven't had a lot of response.

4 Please listen to CMUA, NCPA, ACWA, and SCPPA.
5 They just scope. They're very knowledgeable on the needs
6 of electric, water, and wastewater utilities and I
7 encourage you to work with them, so we can come up with a
8 rule that works for all. For Truckee Donner PUD, the key
9 things are you must adjust -- address our essential role,
10 commercial availability, snow removal. Every thing we do
11 is multi-purpose, so dedicated and doesn't work. And I
12 appreciate your time. Thank you.

13 RAY PINGLE: Good morning, all. My name is Ray
14 Pingle and I'm with Sierra Club California.

15 While CARB's proposed rule is a good start. It
16 needs to be stronger. By 2045, the proposal would still
17 result in half of all medium- and heavy-duty vehicles
18 being powered by highly polluting combustion engines by
19 2045. To help fill this gap, we strongly urge the Board
20 to adopt three of the changes in a ISOR's alternative 2 as
21 follows.

22 First, require 100 percent ZEV sales by 2036
23 instead of 2040. The next two actions are targeted to
24 further reduce toxic emissions from the most polluting
25 vehicles of all, the Class 7 and 8 tractors.

1 Second, move sleeper cabs from group 3 to group
2 2, so that both sleeper and day cabs are subject to this
3 same transition schedule beginning in 2027 instead of
4 2030. By 2027, only 10 percent of a vehicle's fleet are
5 required to be ZEV.

6 Third, lower the regulated threshold for Class 7
7 and 8 tractors from 50 to 10. The enhancements in
8 Alternative 2 from CARB's ISOR would provide preventing
9 over 3,200 additional premature deaths an additional 60
10 percent reduction in NOx and PM2.5 emissions and an
11 additional 54 percent reduction of GHGs, 10 billion, or a
12 21 percent, increase for a total of 56.7 billion in
13 overall economic savings. And the savings will actually
14 be much higher, because the ISOR does not include the
15 additional cost reductions from the IRA.

16 Thank you very much.

17 DAVID RENSCHLER: Good morning, Chair, CARB Board
18 members, and CARB staff. My name is David Renschler. I
19 am the Fleet Division Manager for the City of Fairfield
20 and also the Chairman of the Municipal Equipment
21 Maintenance Association that represents public fleets here
22 in California.

23 We've worked with CARB staff for over two years
24 on multiple regulations as well as this ACF and we
25 appreciate CARB staff listening and working with us on

1 modifications since the original draft was put together.
2 However, there are a few things that should be taken into
3 consideration under the current situation here as supply
4 chain issues have caused the electrical panels that are
5 needed to put -- for us to put in chargers, not on the
6 grid side but on our side, are at an average of 40 weeks,
7 according to PG&E right now. I'm sorry, the panels are at
8 70 weeks. So they were at 20 weeks earlier this year and
9 now they're at 70 weeks. This is per PG&E. And
10 transformers are now an average of 40 weeks right now,
11 according to PG&E.

12 So I know I'm out of time. There's also -- we
13 would like commercially available definition to be added
14 into the regulation, please, as well as the timing of the
15 regulation. Spring of 2023, you're next meeting, the OAL
16 will not be able to approve before the implementation
17 January 24. Thank you.

18 KATHARINE LARSON: Good morning, Chair Randolph
19 and Board members. My name is Katharine Larson and I'm
20 with SMUD, the Sacramento Municipal Utility District.

21 SMUD is committed to advancing transportation
22 electrification and we have a goal of removing all
23 emissions from our own fleet by 2030. We're seeking to
24 lead by example. In early last year, we ordered five all
25 electric Class 5 work trucks.

1 With that said, many of the specialized vehicles
2 that we rely on for critical service may be some of the
3 last adapted to zero-emission drivetrains given the
4 limited market, power takeoff needs, and unique
5 performance requirements. We are generally very
6 supportive of the ACF goals, but we have some practical
7 concerns that the public fleet rule doesn't adequately
8 reflect our operational needs. And while we very much
9 appreciate the inclusion of exemptions, we are concerned
10 that they fall short in practice.

11 We're recommending several modifications to the
12 public fleets rule to provide needed flexibility,
13 including a transparent definition and process to assess
14 commercial availability based on technical and market
15 factors, a path to address unique equipment
16 specifications, procurement scenarios, or high demand duty
17 cycles that aren't currently captured in the proposed
18 exemptions, and the options for public fleet to opt in to
19 the ZEV milestone pathway, which we appreciate was
20 proposed today.

21 We filed detailed written comments and very much
22 look forward to continued stakeholder engagement and
23 working collaboratively with the CARB team.

24 Thank you very much.

25 TANYA DERIVI: Good morning. I'm Tanya DeRivi

1 with WSPA. WSPA believes that CARB should conduct a
2 multi-technology analysis to evaluate how a fuel neutral
3 performance based standard could achieve the emission
4 reduction targets set by the proposed ACF Regulation on a
5 faster timeline. Stakeholders have continuously
6 demonstrated that there are significant outstanding
7 concerns regarding the commercial availability of ZEVs for
8 various duty cycles, the high capital investment costs for
9 vehicle and charger acquisition, and concerns with the
10 state's electric grid and charging infrastructure that
11 casts doubt on the aggressive implementation schedule of
12 the proposed ZEV-centric ACF regulation.

13 In attempts to address concerns about
14 infrastructure delays and vehicle unavailability, CARB has
15 inadvertently created a highly complex regulation. We
16 asked Ramboll to construct a flowchart which outlines the
17 proposed requirements for high priority and federal
18 fleets.

19 As you can see, compliance would be a highly
20 complex process with timelines which may not be achievable
21 to qualify for construction related or vehicle delays. A
22 regulator should not make a regulation overly complicated
23 and expect it to be a success. We join many other
24 stakeholders that would be subject to this regulation in
25 asking that the CARB Board direct staff to engage in

1 additional public dialogue to fix the significant public
2 and private stakeholder concerns regarding electric
3 infrastructure development, zero-emission technology
4 resources, and costs before we see the next set of
5 amendments to make this rule workable in the real world.

6 Thank you.

7 BOARD CLERK HARRINGTON: Thank you.

8 John.

9 JOHN X. MATAKA: Yes. Good morning. My name is
10 John X. Mataka. I'm with Valley Improvement Projects and
11 also with the Grayson Neighborhood Council. I'm here in
12 support of the proposed Clean Fleet Regulation with one
13 amendment, that instead of 50 or more fleet, that it be 10
14 or more fleet.

15 In the community that I live in we have many
16 small fleets that make numerous, numerous trips all day
17 and all night long, and that needs to be changed. The
18 other thing I want to say is is that I live in a
19 community -- disadvantaged community which is off of
20 Interstate 5 and also near all kinds of warehouses,
21 Amazon, CVS, Grainger, Lowe's to name a few, Restorative
22 Furniture. We have impacts of a past history of
23 incineration of the only tire incinerator in the state of
24 California, one of three that still are occurring
25 incinerator at Covanta in Crows Landing.

1 So my community has been impacted by that and
2 heavy pesticide use. We're one of the pilot programs in
3 the pesticide program that's going on now to make a new
4 regulation for the state of California. So my community
5 is certainly a disadvantaged community that's been
6 impacted by this, and we need this proposal to go through
7 with that amendment.

8 But also I want to say that we want people from
9 our community to get some of these jobs to put in some of
10 this infrastructure. Poor people need work to.

11 Thank you.

12 JON COSTANTINO: Good after -- good morning,
13 Chair Randolph, members of the Board. Jon Costantino on
14 behalf of CCEEB, the California Council for Environmental
15 and Economic Balance. CCEEB is a non-profit, non-partisan
16 coalition of business, labor, and public leaders.

17 And we have been actively working on this rule
18 for two years, since its inception. And we -- we think
19 that it's not -- it's not there. The disconnect between
20 what is going to be immediately necessary, including by
21 CARB's own numbers 23,000 medium- and heavy-duty vehicles
22 in 2024, which would require over 25,000 chargers requires
23 more work. And this work cannot be done successfully
24 without public input. There are hundreds of pages of
25 comments and analysis that CCEEB itself has put in. And

1 if you look at the docket, there's lots of concerns about
2 where this rule is. And the six bullet points that staff
3 said they were going to look at cannot be done without
4 additional public comment before the next set of
5 amendments come out.

6 On infrastructure, I was glad to hear Analisa
7 supported the interagency work that is being done, but a
8 gap analysis for what money is available, what the CEC is
9 spending, and what actually is needed. We haven't seen it
10 and it probably should be done.

11 Thank you for your time.

12 BOARD CLERK HARRINGTON: Jamie.

13 JAMIE ANGUS: Yes. Jamie Angus with the Griffith
14 Company, also a member of AGC of California.

15 I'm just here to speak on behalf of a contractor.
16 We'd truly like you guys to understand that we would like
17 to have a carve-out of some sort for the construction
18 industry. We just went through the last 14 years with the
19 tier system through our equipment. Griffith Company alone
20 in the last seven years has spent over \$21 million
21 replace -- replacing our fleet from Tier 3 to Tier 4. For
22 a medium-sized contractor just only based in the Southern
23 California region, extremely costly.

24 This will do the same type of damage to us as
25 well and don't really even understand how to charge these

1 vehicles, because most of the vehicles that you guys are
2 talking about that we have that -- in construction are you
3 are 450s and 550s that deliver materials or men to a job.
4 Those -- those piece of equipment go home with those men
5 every day, so they'll need to be charged from the home.
6 How do you compensate that person for that?

7 And if they did stop on their way and spend two
8 hours to charge their vehicle, they're all union members.
9 They will have to be compensated somewhere in the
10 neighborhood of \$80 an hour to be able to charge their
11 vehicle. So a charge will cost us about \$300 -- or \$300
12 dollars a charge.

13 I've been thinking about it, trying to process
14 it, trying to get it done, trying to -- you know, we're --
15 we're more thinking on our engineer as a project manager
16 of just our vehicles, meaning our Expeditions and, you
17 know, project engineer vehicles to get that done through
18 them. 450s are a little bit more difficult.

19 Thank you.

20 BOARD CLERK HARRINGTON: Brian Van Hook.

21 BRIAN VAN HOOK: Hi. My name is Brian Van Hook.
22 I'm also with the Griffith Company. Most of my questions
23 have been answered through the presentation, so I'll let
24 you get somebody else up here.

25 Thank you.

1 BOARD CLERK HARRINGTON: Michael.

2 MIKE TUNNELL: Good morning, Chair Randolph and
3 members of the board. My name is Mike Tunnell and I'm
4 with the American Trucking Associations. Our members are
5 at the forefront of evaluating how to successfully deploy
6 the zero-emission technologies which will be advanced by
7 the ACF Regulation. Based on this experience, trucking
8 fleets are unanimous in their belief that zero-emission
9 trucks are not capable of doing what the regulation
10 requires and the infrastructure cannot be established in
11 the time frame given.

12 The consequences of this is that fleets will have
13 to deploy trucks that cannot do the same job as their
14 current trucks or they will have to take delivery of
15 trucks before the charging infrastructure is ready. The
16 regulation simply does not address a number of
17 circumstances where the performance of zero-emission
18 trucks or the charging infrastructure is inadequate.

19 I understand the message the Board wants to send
20 and I'm encouraged by your questions regarding grid
21 capacity and implementation. A regulation that results in
22 noncompliance for actions that are outside of fleet's
23 control is not a model you should be endorsing. So I ask
24 you to continue to be engaged, to understand the obstacles
25 this regulation presents, and work towards common sense

1 solutions, such as those presented in the written comments
2 we jointly submitted with the California Trucking
3 Associations.

4 Thank you.

5 BOARD CLERK HARRINGTON: Josiah Young.

6 MR. YOUNG: Good morning, Board members, Chair,
7 and staff. I'm Josiah Young on behalf of the California
8 Bus Association. We are a statewide organization
9 representing the motor coach industry and we've been
10 representing California's bus industry since 1969. CBA,
11 as a representative of the industry, is committed to being
12 a partner in innovation and adoption of technology to help
13 lower emissions, but we do see issues with the current
14 proposed Advanced Clean Fleets Regulation and suggest the
15 following.

16 As an association, we represent members that have
17 fleets that would be defined as high priority as drafted,
18 which gives us direct insight to the sweeping impact of
19 the reg -- the regulation and the lack of feasibility for
20 motor coaches. There's been much discussion today about
21 regulating trucks, but there must be a nuanced approach to
22 regulating the motor coach industry. And, in fact, an
23 exemption for the motor coach industry is needed, given
24 the high gross vehicle weight of the buses and the need
25 for luggage space. Without sufficient luggage space, we

1 cannot adequately accommodate our passengers. And the
2 physical realities of switching vehicles to zero-emission
3 technology would severely diminish the ability of the
4 buses to maintain the needed luggage capacity.

5 Another important nuance as it relates to the
6 over-the-road motor coach industry is the fact that
7 infrastructure and range issues are exacerbated by the
8 nature of our roots. Current estimates of ranges are
9 around 250 miles for zero-emission and 1,200 for a full
10 tank of diesel gas. So it's going to be a burden on our
11 customers to have to wait an additional four hours to
12 charge on an already long road trip.

13 Thank you very much.

14 BRAD MEYER: Good morning. My name is Brad
15 Meyer. And I'm an owner of NevCal Trucking. We have 66
16 company owned trucks that service the Port of Oakland and
17 Northern Nevada.

18 I just returned from an ATA conference and this
19 topic was discussed at length. More than once I heard
20 defined the desired result and then with a little help the
21 industry will figure out how to get there. I also heard
22 from large fleets that they can afford to experiment with
23 different solutions to electric, hydrogen, or something
24 else that might work. Small fleets like ours cannot
25 afford to experiment and get it wrong.

1 With the expensive solutions and poor truckers,
2 we need to get it right the first time or the alternative
3 is out of business. The solution should be based on
4 science and what the best overall outcome for the
5 environment is. That being said, we are a Nevada business
6 with all of our customers in Nevada. We have
7 CARB-compliant trucks that were all paid for by us with no
8 California grants. We upgraded because we were told to.
9 Technology and science said it could be done and that it
10 was the right thing to do.

11 Now, you're asking us to go electric. Two
12 hundred and thirty miles to the port from Reno. Range of
13 electric 200 miles. Five hours at best to recharge and
14 then 230 miles home. Federal hours of service and simple
15 math says it can't be done by our drivers. They already
16 have a 12-hour day at best and five hours of charging on
17 top of it would not add to it.

18 We also believe that the future is in hydrogen.
19 Time will play that out. Electric and forcing us to go to
20 that with the weight, and that's not even getting into the
21 cost. Five hundred thousand dollars for a vehicle,
22 200,000 for a charging station, it's just simply
23 unaffordable for us.

24 Thank you.

25 SARAH DESLAURIERS: Hi. Good morning. Chair

1 Randolph, Board members, staff. My name is Sarah
2 Deslauriers. I'm the Climate Change Program Manager for
3 the California Association of Sanitation Agencies, members
4 of which represent over 90 percent of the sewerred
5 population in California and cleaning society's waste that
6 we all flush to protect public health and the environment.
7 We do this while recovering and using renewable resources,
8 including non-fossil wastewater derived biogas, closing
9 the loop on the ecosystem in which we have, in turn
10 enabling a circular economy.

11 Our members have the capacity to accept and
12 co-digest all divertible food waste from landfills
13 supporting Senate Bill 1383. This will result in
14 exponentially more renewable biogas production we can
15 recover and use to run our operations, maintain operations
16 during power outages, and prevent power outages by
17 removing ourselves from the grid as we did in September
18 during the heat wave. Also, inject into the pipeline,
19 given -- there are some limitations there, but also fuel
20 our vehicles.

21 We have fully supported and continue to support
22 and invest the Low Carbon Fuel Standard, and Senate Bill
23 1383 implementation. And we fully support the State in
24 achieving carbon neutrality by 2045. And we've begun to
25 electrify our fleets. We ask the Board to direct CARB

1 staff to work in partnership specifically with the
2 wastewater sector toward a solution that aligns the
3 proposed regulations with State legislation and policy,
4 specific -- specifically Senate Bill 1383. And we
5 respectfully request a 10-year extension subject to
6 technology demonstration of biogas to hydrogen options,
7 for which we'll be producing so much more in terms of
8 wastewater derived biogas to zero-emission technologies
9 for various uses.

10 We appreciate the time to comment today and we
11 submitted written comments and we also have other members
12 speaking today.

13 Thank you.

14 BOARD CLERK HARRINGTON: Staci Heaton.

15 STACI HEATON: Good morning. Staci Heaton with
16 the Rural County Representatives of California, RCRC,
17 representing 39 rural counties statewide. Our member
18 counties are not opposed to the use of zero-emission
19 vehicles. In fact, I would characterize them as among
20 those anxious rural communities that Board Member Hurt
21 referenced earlier, mainly due to the energy reliability
22 concerns that our counties have, not only because of, you
23 know, the normal blackouts that we see across the state,
24 but also because of wildfire mitigation issues in our
25 counties, enhanced power safety settings in PG&E

1 territory, as well as Public Safety Power Shutoffs can
2 sometimes keep energy and electricity down in our
3 communities from multiple days at a time, which is not
4 very conducive to charging electric vehicles.

5 And sometimes this happens even during wildfire
6 events. And so that is not exactly conducive to serving
7 our communities. We're also concerned about the
8 commercial availability of vehicles for our -- for our
9 vehicle fleets, just like many others have testified. And
10 right now, in PG&E territory, especially in -- someone
11 testified to this as well, we're seeing projects that
12 are suffering significant delays due to load capacity
13 issues.

14 And so we're looking forward to what staff
15 referenced earlier as their proposed changes to these
16 regulations to provide additional flexibility to public
17 fleets and we look forward to engaging with them. And we
18 thank them for their ability to work with us so far.

19 Thank you.

20 TERESA COOKE: Good morning. Teresa Cooke on
21 behalf of the California Hydrogen Coalition. Our members
22 are working hard designing vehicles and fueling stations
23 to meet the demand of this regulation without
24 environmental or performance compromises.

25 As we all know, fueling infrastructure must

1 precede vehicle deployment. To that end, we urge the CEC
2 and ARB to work with urgency on the following. First,
3 expanding the LCFS capacity credit to include
4 appropriately sized heavy-duty hydrogen refueling
5 stations. Second, accelerating the pace of grant funding
6 under the Clean Transportation Program as status quo is
7 far too slow to support these vehicle deployment goals
8 included in the proposed regulation. We also call on the
9 CEC to increase support for hydrogen stations beyond the
10 current 30 percent cap, recognizing that 70 percent to
11 charging duplicates multi-billion dollar investments
12 underway at our investor owned utilities, and therefore
13 undermines customer choice.

14 As it stands now, limited fueling support means
15 that the hydrogen community is prioritizing station
16 locations that may not align with fleet needs making fuel
17 cell vehicles unavailable to the fleet operators that we
18 are regulating under this rulemaking today.

19 Thank you.

20 MIKHAEL SKVARLA: Board Chair, Board members,
21 Mikhael Skvarla here on behalf of the City of Roseville.
22 The City of Roseville, just outside of Sacramento, has
23 150,000 residents and took action after 1383 and the
24 implementation ARB's Short-Lived Climate Pollutant
25 Strategy, investing over \$30 million in an energy recovery

1 project between our landfill and wastewater treatment
2 plant. As written, this rule undermines that investment
3 and will invert the financing to get that refuse fleet
4 into RNG and recover that -- the methane produced by
5 landfill gas and wastewater treatment.

6 The plan was to convert 47 refuse trucks over to
7 RNG and allow these trucks to serve the 21 residential and
8 11 commercial routes essential for the 50,000 accounts in
9 the city. As is, this would have recovered -- or would
10 have eliminated 250,000 gallons of diesel per year and
11 mitigated over five tons of NOx.

12 We appreciate the slide that indicates that staff
13 will continue to work to address these issues and we will
14 look to -- forward to working diligently with the staff
15 and Board on that. As Mr. Costantino indicated, we would
16 like to ensure that there is additional public process
17 prior to an additional draft being presented and another
18 45-day notice.

19 And then switching gears real quick, on behalf of
20 the City of Roseville's electric utility, we want to
21 reemphasize the comments by SCPPA and CPA, and CMUA
22 specifically with regard to the emergency fleets.

23 Thank you.

24 TOM BAIR: Hello. Tom Bair, Golden State
25 Freight, Stockton, California, intermodal drayage carriers

1 serving the Northern California rail ramps. I just want
2 to bring to the Board's attention that the fact that
3 you're concentrating on the dray -- as it pertains to
4 drayage and concentrating on the drayage fleets. This
5 intermodal drayage costs are going to increase, which are
6 going to increase costs are going to make the intermodal
7 business uncompetitive as it -- as compared to
8 over-the-road trucks, which are going to be dirtier. So
9 the railroads have always promoted historically that they
10 can move a large quantity of freight cleaner and more
11 efficient than the over-the-road trucks to handle that
12 amount of freight, and that is absolutely true.

13 So and afterwards, as this ACF regulation is
14 written now, you are going to move freight off of the
15 rails, because they're going to be uncompetitive and onto
16 trucks, and put more and more diesel trucks on
17 California's already congested highways. So I would like
18 just to bring that thought process up for future reference
19 and maybe some modification in the rule.

20 Thank you very much.

21 MICHAEL CAPRIO: Good morning, Chair Randolph,
22 members of the Board, and staff. Michael Caprio
23 representing Republic Services. We're a recycling and
24 waste services provider with a large footprint throughout
25 California. Our comments are focused on the high priority

1 and federal fleet requirements, and we're generally
2 supportive of the Air Resource -- Resources Board's
3 efforts geared towards deployment of zero-emission
4 vehicles throughout the state. We are pleased to see
5 consideration in the staff report related to
6 infrastructure, availability and fleets tasked with
7 implementing services related to SB 1383.

8 In relation to infrastructure, we have submitted
9 red-line edits to staff to the rule intended to better
10 align the availability and the ability to apply for an
11 exemption, as that relates to having construction permits
12 and purchase orders for ZEV trucks in hand. Alignment of
13 these three elements is critical to the success of ACF
14 Rule over time.

15 In relation to fleets tasked with implementation
16 of SB 1383, we urge that consideration be given to all
17 fleets involved in provision of these services.
18 Significant investment has been made in the infrastructure
19 and vehicles involved in supplying these services to date.
20 It's critical that consideration be given to an orderly
21 transition to a ZEV platform for many reasons, but most
22 importantly to minimize impacts related to rate --
23 ratepayers associated with stranded assets, many of whom
24 live in disadvantaged communities that we serve.

25 In closing, we look forward to working with staff

1 on the changes we've suggested and appreciate the time
2 from the Board and the effort made by staff to date.

3 BOARD CLERK HARRINGTON: Sara.

4 SARA FLOCKS: Madam Chair, members of the Board,
5 Sara Flocks on behalf of the California Labor Federation.
6 We represent two million union members in the state of
7 California.

8 And the state cannot make progress to our
9 ambitious climate goals if workers and not companies are
10 forced to bear the burden and the cost of the transition
11 to zero-emission vehicles. For those reasons, we support
12 the rule with several important amendments. The one that
13 I want to emphasize here is that the Board needs to reduce
14 the high priority fleet size from 50 down to 10. And the
15 reason is is that misclassification of drivers in the
16 trucking industry is rampant. Nationally, 75 to 85
17 percent of truck drivers may be misclassified, which means
18 they don't get minimum wage, they don't get overtime, and
19 they are the ones who have to pay for their vehicles for
20 maintenance for upkeep, and for buying zero-emission
21 vehicles.

22 Fleets that are 10 or more, that are well
23 capitalized can afford to do the transition. Having
24 fleets means you are -- you're able to buy in bulk. And
25 if we reduce the size of the fleets, we also reduce the

1 incentive for any gaming of the rule and for
2 misclassification to get under that -- that 50 number.

3 We appreciate that there has been an adoption of
4 the common controlling language -- the controlling company
5 language that prevents gaming and we urge the Board to
6 lower the high priority fleet threshold.

7 Thank you.

8 CHRIS SHIMODA: Good morning. Chris Shimoda with
9 the California Trucking Association.

10 Members, there is a great amount of work to do to
11 make this regulation possible. I'm going to start with
12 basic feasibility. The ACF currently calls for all
13 trucks, including those with total incompatible duty
14 cycles to transition to zero emissions. We urge the Board
15 to focus this rule on the vehicles best suited to the
16 transition to zero-emissions. Smaller class,
17 return-to-home-base trucks that can depot charge over
18 night.

19 Second, it's important that the Board understands
20 the scale of the charging infrastructure necessary. We
21 need 65 to 160 megawatts, enough capacity to power a small
22 city in the ground every week. With due respect to the
23 Energy Commission, a one megawatt project is going to be
24 the norm, not the exception. We need 100 megawatts by
25 2025 to support the turnover of 2,000 plus drayage trucks

1 in the Ports of LA and Long Beach alone. Due to the
2 timelines for infrastructure installation, if that 100
3 megawatts is not in the works now, it may not be there.

4 Third, the flexibilities. Very happy to hear
5 that the infrastructure delay provisions are going to be
6 worked. Just wanted to note that this provision only
7 applies to fleets doing their own depot charging projects.
8 Up to 75 percent of the trucks down in the ports are
9 estimated to need retail charging infrastructure. There
10 is no exemption if that charging infrastructure does not
11 exist.

12 Board members, the trucking industry is not
13 opposed to zero-emission technology. Our members want to
14 get there, but we have a lot of work to do. We look
15 forward to working with you between now and the 15-day
16 comment period.

17 Thank you.

18 SAM WILSON: Chair Randolph and members of the
19 Board. My name is Sam Wilson. I'm a senior analyst with
20 the Union of Concerned Scientists based in Oakland,
21 California. Thanks so much for the opportunity to comment
22 today and thanks to CARB staff for their hard work and
23 robust public process on this rule.

24 While we do support rule, the proposal does not
25 adequately address the outsized impact of tractor trailer

1 trucks. Our state's fleet of big rig trucks are just
2 around 10 percent of the states medium- and heavy-duty
3 fleet that are responsible for around half of the
4 greenhouse gases, NOx, and fine particulate emissions from
5 the statewide fleet of tractors -- or medium- and
6 heavy-duty trucks altogether, excuse me.

7 The compliance threshold under the rule is rather
8 agnox -- agnostic to the fact that different types of
9 trucks and fleets contribute vastly different amounts of
10 pollution. For example, a fleet of 50 tractor trucks
11 emits around 14 times as much NOx, four times the fine
12 particulates, and four and half times the greenhouse gas
13 emissions as a fleet of 50 Class 2b delivery vans.

14 Our analysis those the compliance threshold of 10
15 for tractors would best account for the significant
16 pollution from tractor trucks, bring around 90 percent of
17 tractor emissions under the rule, while only regulating
18 around 10 percent of the fleets, and leaving the most
19 vulnerable businesses outside the regulation.

20 Let's see, so a lower threshold would also help
21 to address the exclusion of certain tractor trailer trucks
22 under the drayage portion of the rule, allow -- which
23 would allow dirty diesel trucks to operate for nearly 20
24 years past the Governor's goal of 100 percent drayage
25 operations by 2035.

1 Thank you.

2 BOARD CLERK HARRINGTON: Mary.

3 MARY ALYSSA RANCIER: Hello, Chair, members of
4 the Board and staff. Good morning. My name is Mary
5 Alyssa Rancier. And I am speaking on behalf of Associated
6 General Contractors of California. AGC is a member-driven
7 organization, with over 900 members that provide
8 commercial construction services. While we support
9 cleaner air for our communities, we assert that the
10 regulations that seek so accomplish those goals are clear,
11 consistent, and practical. We have many concerns that
12 we'd like to address.

13 First, the infrastructure construction delay
14 extension currently only provides a one-year extension,
15 which is not enough to -- time for it to be beneficial.
16 Some electric equipment requires it to be stored under a
17 roof-covered space dependent on plans, permits, and
18 construction. That process alone can take up to several
19 years from design to installation.

20 Second, the electrical grid is not capable of
21 supporting current electrical demands let alone future
22 demands that will occur due to this regulation.

23 Third, the trucking industry is already
24 experiencing hardship due to AB 5 resulting in reduced
25 availability of truckers and brokers. Fourth, the costs

1 associated with electrical vehicles are concerning.
2 Vehicles can be two to four times more expensive as
3 non-electric vehicles.

4 Fourth, this regulation focuses primarily on
5 tailpipe emissions without any consideration to tire wear
6 emissions. Recent reports conducted by Emissions
7 Analytics indicate that tire wear emissions are 400 times
8 greater than real -- real-world tailpipe emissions. These
9 emissions are likely to get worse with electrical vehicles
10 due to increased weight.

11 Thank you for your time.

12 SARAH TAHERI: Good morning, Madam Chair and
13 members of the Board. My name is Sarah Taheri and I'm
14 here on behalf of San Diego Gas & Electric today.

15 SDG&E provides energy service to 3.6 million
16 people in San Diego County and Southern Orange County. We
17 operate a fleet of over 1,700 vehicles and have committed
18 to 100 percent ZEV fleet by 2035. In the spirit of
19 reaching our shared ZEV goals, we urge CARB to continue
20 public dialogue on the following issues.

21 First, the regulation should more clearly
22 articulate category definitions and exemption eligibility.
23 CARB should ensure that the proposed unavailability
24 exemption adequately consider vehicle specification and
25 duty cycle requirements, as well as factors that may be

1 outside of a fleet owner's control, such as vehicle supply
2 constraints. In addition, establishing a transparent
3 preliminary list of exempted vehicles would help fleet
4 owners plan vehicle acquisition for future compliance.

5 Second, utilities need additional flexibility to
6 designate a portion of our fleets as emergency response
7 vehicles. As you know, utilities play an important role
8 in responding to emergency events. And sometimes need to
9 access remote areas, unpaved roads, and areas with limited
10 infrastructure available. The current provisions in the
11 declared emergency response and mutual aid assistance
12 exemptions need to be expanded to ensure that we have the
13 opportunity to respond to these large scale grid outages
14 and emergency events under all circumstances.

15 Third, SDG&E supports the ACF proposed inclusion
16 of near-zero-emission vehicles to support near-term
17 compliance. This will help achieve immediate emissions
18 reductions while ensuring there's vehicle available to
19 meet duty cycle needs. Thank you for your time.

20 MANNY LEON: Members of the Board. Manny Leon
21 California Alliance for Jobs. I want to first state that
22 our industry understands the seriousness -- or the serious
23 climate issues this Board and the State are trying to
24 address, and we're supportive of the need to move forward
25 with the green transition.

1 However, the ACF Regulation as a proposal,
2 setting members in our industry up failure, significantly
3 raise project costs and mostly importantly make it
4 extremely challenging for the State to actually meet its
5 climate goals as specified in the proposed regulation.
6 Ultimately, we ask the Board to hold off on any action and
7 start to meet and work with stakeholders in all industries
8 to come up with a proposal more balanced and can be
9 implemented by all those that are impacted. Again, we
10 understand the need for the green transition. However, it
11 needs to be carried out in a manner that does not result
12 in significant negative impacts to our stakeholders or
13 result in significant loss to well-paying construction
14 jobs or significant increases to project -- to project
15 costs.

16 Additionally, more time and discussion with
17 stakeholders will allow the opportunity to identify more
18 pathways to incorporate the use of hydrogen fuel cell
19 technology into the proposed regulations. Primarily
20 focusing on battery electric is not realistic. For
21 example, in the construction industry -- the construction
22 industry operates with a vast array of specialized
23 vehicles that are very hairy -- very heavy. And when
24 considering the transport of construction make --
25 construction materials makes it heavier.

1 Therefore, we ask that the ACF must knowledge and
2 provide more details on options and availability of
3 hydrogen fuel cell vehicles and include more provisions
4 that will allow for hydrogen fuel cells to be considered.
5 Thank you for your time.

6 BOARD CLERK HARRINGTON: Matt Broad.

7 MATT BROAD: Madam Chair and members. Matt Broad
8 here on behalf of the California Teamsters Public Affairs
9 Council, here in strong support of the ACF proposal. This
10 is a win for our members, for workers, for disadvantaged
11 communities and communities of color.

12 Lowering the fleet size will result in critical
13 downstream effects that benefit our membership. We've
14 always pointed out that low road actors who illegally
15 misclassify their drivers also operate with little regard
16 for standards like you're considering today. By shrinking
17 the fleet size, we will see consolidation amongst well
18 capitalized employers who are capable of making the
19 transition to clean fleets and also paying workers fairly.

20 Critically, the proposal extends crucial
21 protections to workers within the trucking industry by
22 ensuring that controlling companies absorb the cost of the
23 transition opposed to exploited and often misclassified
24 drivers from immigrant communities.

25 This would be a huge win for our members as well

1 as the communities they live in. And for this reason, we
2 are proud to support this proposal and urge you move
3 forward.

4 Thank you.

5 BOARD CLERK HARRINGTON: Mariela.

6 MARIELA RUACHO: Hi. I'm Mariela Ruacho from the
7 American Lung Association. I'm here on behalf of over 20
8 health organizations, which include Public Health
9 Institute and RAMP, the Regional Asthma Management and
10 Prevention to name a few.

11 We ask the Board to strengthen the rule by
12 requiring 100 percent sale by 2036, reducing the fleet
13 size for Class 7 and 8 tractors to 10 vehicles, and
14 require the start date for 2027 for all tractors to
15 accelerate and expand the health benefits from this rule.

16 California has the worst air quality in the
17 nation and transportation emissions are a major
18 contributor, especially for communities close to major
19 trucking routes. Exposure to trucking pollution can cause
20 lung cancer, asthma attacks, a range of respiratory
21 issues, and premature death. California has the most to
22 gain from the transition to zero emission.

23 One person who would greatly benefit from this is
24 our volunteer Dr. Karen Jakpor, who wished she could be
25 here today to speak about what she goes through every day

1 living in Riverside. She suffers from severe asthma and
2 has been hospitalized multiple times. Her asthma is so
3 severe, she had to retire early from her own medical
4 practice. Her community is surrounded by warehouses and
5 is heavily impacted by truck pollution.

6 So again, on behalf of Karen, the Lung
7 Association, and our many health and medical partners, we
8 ask that you strengthen this important rule and accelerate
9 the long term -- thank you.

10 BOARD CLERK HARRINGTON: Elena.

11 ELENA PIERI: Yes. Good morning. Elena Pieri on
12 behalf of CR&R, a Southern California based waste and
13 recycling collection company serving more than three
14 million people and over 25,000 businesses. We operate one
15 of the largest anaerobic digestion facilities in North
16 America, which recycles organic waste from the residences
17 and businesses we serve, and captures methane that would
18 otherwise be released into the atmosphere.

19 Our anaerobic digestion facility started
20 operations four years ago and is carbon neutral today. It
21 is critical for meeting the organics diversion market
22 development and short-lived climate pollutant reduction
23 requirements of the SB 1383.

24 While we support electrifying our fleet in the
25 long term, it is critical that there are viable markets

1 for the RNG created at anaerobic digestion facilities like
2 ours to support investments in these technologies. And at
3 this time, the only viable market is the transportation
4 sector. We'd like to thank staff for their hard work and
5 we appreciate their acknowledgement of the need for
6 additional flexibility for 1383 fleets like ours as
7 indicated on the slides shown at the beginning of the
8 hearing.

9 We'd like to work with staff to ensure additional
10 time to use SB 1383 gas in our vehicles, and we'd also
11 like to work with CARB and CalRecycle to ensure there is a
12 cost effective home for our gas outside of the
13 transportation sector as we electrify.

14 Thank you.

15 BOARD CLERK HARRINGTON: Andrew.

16 ANDREW AUTWIH Good morning, Madam Chair and
17 Members. Andrew Autwih on behalf of the Western Propane
18 Gas Association, or WPGA. WPGA believes the most
19 important aspect of the ACF Rule is how it could be
20 implemented and ensure that the lowest NOx heavy-duty
21 vehicles begin to enter California's roads rather than
22 creating further uncertainty in the market. Delivering
23 immediate results for the state's residents will not just
24 improve air quality and health outcomes, but ensure that
25 California will continue to receive federal transportation

1 funding from attainment goals as we near a recession.

2 However, we do believe that the current draft of
3 the regulation does not achieve the lofty goals it sets
4 and would create gaps in that attainment. Specifically,
5 WPGA concurs with the numerous stakeholders that the path
6 to an effective ACF must include a pull forward standard
7 for the 2027 0.02 gram NOx standard and create clearly
8 defined metrics for commercial availability and readiness,
9 including consumer costs, and allow early adopter fleets
10 to postpone new purchases until 2040 to allow them to
11 recoup their capital expenditures.

12 WPGA, its federal partners, and OEMs are working
13 closely to begin new renewable propane powered ultra
14 low-NOx heavy-duty engines. And we thank you for the
15 opportunity to discuss this matter.

16 FARIYA ALI: Good morning, Chair Randolph and
17 Board Members. My name is a Fariya Ali speaking on behalf
18 of Pacific Gas and Electric.

19 While PG&E supports the goals of the ACF
20 Regulation, we believe that there are several areas in
21 need of improvement and have filed written comments
22 providing several recommendations, including adding a
23 clear definition for commercial availability and reworking
24 the exemptions related to Emergency response and daily
25 usage.

1 We recommend that staff hold additional public
2 work groups on these topics, because they are so critical.
3 I would also like to note that PG&E is planning to
4 proactively prepare the grid for new electric demand such
5 as fleet electrification. Our capacity investments have
6 increased the past three years and we plan to invest \$15
7 billion in capacity and equipment over the next decade.

8 While these investments are being made, some
9 customers will experience delays in certain situations.
10 However, we believe there are interim solutions that can
11 help fleets meet the near-term ACF requirements. To
12 enable these solutions, getting specific data from fleets
13 as early as possible will be critical.

14 I am very pleased to hear about the joint agency
15 Statement of Intent mentioned earlier. However, we will
16 also need a specific cohesive interagency strategy to
17 ensure the utilities can provide power and infrastructure
18 when and where people need it.

19 Thank you.

20 BOARD CLERK HARRINGTON: Laura.

21 LAURA PLASCENCIA: Hello. Good morning, every
22 one. I'm here on behalf Valley improvement projects in
23 support of the new Advanced Clean Fleet Regulation.
24 Specifically with the reduction of the fleet size going
25 from 50 to 10, we ask the Board to reconsider decreasing

1 the fleet number and to be conscientious that the larger
2 the fleet, the larger the impact on the neighboring
3 environment and community. This change would allow
4 greater protection going from the thousands of people that
5 it would impact considering the 50 fleet. If we brought
6 that down to 10, we would be counting in millions of
7 people within these communities.

8 In addition, the Central Valley being ag land, it
9 is important to consider the topography of the land and
10 recognize how -- how big of a deal air quality is. And as
11 temperature will increase the climate change, we are
12 expecting more frequent heat waves, which will also impact
13 that airflow, which will make our air quality even worse.
14 So we do ask to bring down that fleet number.

15 Thank you.

16 BOARD CLERK HARRINGTON: Meli.

17 MELI MORALES: Meli Morales representing the
18 Environmental Health Coalition in support of ACF Coalition
19 recommendations.

20 A faster shift to zero emissions is feasible, but
21 for the most exploited Californians, humidity on diesel
22 emissions is not. EHC works in EJ communities of color
23 breathing the most polluted air in the state. Diesel is
24 responsible for 84 percent of the cancer risk associated
25 with air pollution in Barrio Logan and National City. San

1 Diego is also burdened by truck traffic from both sides of
2 the border.

3 Air sampling found black carbon at a risk level
4 of over 2,000 cancers per million in the Otay Mesa area.
5 Roughly half a million cars are shipped to National City
6 every year for transport on car carriers, which can
7 transition to ZEV, but are currently exempt because they
8 are not considered drayage trucks, just one example of how
9 existing policies neglect the real needs of EJ communities
10 and why a stronger ACF Rule is needed.

11 Recent research from UC San Diego found evidence
12 that California's existing environmental policies and
13 regulations primarily benefited Whites at the expense of
14 communities of color regardless of income. We are doing
15 everything we can. The CERP calls for reducing diesel
16 particulate matter from 2018 levels by 80 percent by 2031.
17 And we are implementing the Port of San Diego Maritime
18 Clean Air Strategy for 100 percent ZEV trucks by 2030. We
19 need state action to achieve these goals, make it easier
20 for our communities to breathe and soothe industry
21 anxieties next.

22 Thank you.

23 MADISON VANDER KLAY: Good morning. My name is
24 Madison Vander Klay with the Silicon Valley Leadership
25 Group. Thank you for the opportunity to comment today.

1 The Leadership Group represents over 400 of Silicon
2 Valley's most respected employers, many of whom are key
3 players in this arena, including business with fleets to
4 decarbonize, as well as those producing ZEVs.

5 We appreciate the inclusion of various
6 flexibility options. However, we believe a mechanism to
7 allow fleet owners to generate and trade compliance
8 credits would provide them with added flexibility, as well
9 as the ability to make decisions that will maximize both
10 emissions reductions and cost savings.

11 We are also concerned about the provision in the
12 high priority federal fleets milestone goals, which allow
13 any ZEV to count towards a fleet's requirements regardless
14 of which type of vehicle the fleets duty stems from. A
15 box truck is not necessarily equivalent to a sleeper cab
16 in terms of emissions impact or cost, and so we don't
17 believe that the two should be able to be exchanged. So
18 we would request that this be amended so that the
19 fungibility is one way.

20 We also request near-ZEVs only be included for
21 compliance if a fleet owner truly cannot purchase or
22 deploy ZEVs.

23 Thank you.

24 BOARD CLERK HARRINGTON: Go ahead, Bill.

25 BILL MAGAVERN: Good morning. Bill Magavern with

1 the Coalition for Clean Air. We urge you to adopt this
2 rule as early next year as you can with the amendments
3 that you've heard about from allies.

4 We think that the new sales 100 percent target
5 should be set for 2036. And we also stand with the
6 Teamsters and the Labor Fed in supporting the dropping of
7 the threshold from 50 to 10 for the high priority Class 7
8 and 8 trucks, both because we oppose driver
9 misclassification and also because the savings in lives,
10 and hospitalizations, and health costs because of the
11 reduced emissions are too important to pass up. I would
12 note that even if both those steps are adopted, we still
13 would not be meeting the Governor's goal of having the
14 entire fleet be zero-emission by 2045, but would get us a
15 lot closer to that.

16 Also, there are a number of exemption provisions
17 in this proposal and I hope that they never have to be
18 used. But if they are, any new trucks bought through
19 exemptions should have to meet CARB's highest standard for
20 combustion trucks, which is the 2027 Heavy-Duty Omnibus
21 Standard.

22 I don't suggest that this transition is easy at
23 all. It's challenging, but it is feasible, and it is
24 essential, because of the health and climate costs that
25 are involved if we don't do it. And I remind you that

1 just last month, you included this measure in the State
2 Implementation Plan. It's a big chunk of the emission
3 reductions contained there.

4 Thank you.

5 VERONICA PARDO: Hi. Good morning. Veronica
6 Pardo with the Resource Recovery Coalition of California.
7 Thank you so much Board members and staff. We are
8 essential service providers that basically manage waste
9 and collect waste from our communities to protect actually
10 the health and safety of those communities.

11 We are in strong support of harmonizing the
12 Advanced Clean Fleets with our Short-Lived Climate
13 Pollutant Strategy goals. In June of this year, CARB
14 staff spoke to the necessity of meeting our SB 1383 -- SB
15 1383 goals at it -- as it is one of the most effective
16 ways to reduce methane emissions. They said we need a big
17 buildout and it has to happen fast. We ask the Board to
18 direct CARB staff to work with our sector to align these
19 regulations with our SB 1383 obligations.

20 And we're also here to tell you about real life
21 experiences from our members actually looking to prepare
22 for these regulations. We have haulers and also truck
23 dealership members who are part of our association who
24 have already sought EV load upgrades and essentially been
25 told that either they need to scale back significant --

1 significantly those upgrades or those upgrades can't even
2 occur at this time.

3 So really what we are asking, we submitted
4 comments to this effect is to protect our early good faith
5 adopters and really help us get through this transition.
6 We need those exemptions and extensions for those good
7 faith fleets that are really making the effort. And we
8 thank you for your time today.

9 ADAM BROWNING: Good morning. Adam Browning here
10 from Forum Mobility. We're a new company working to
11 electrify drayage out of our ports here in California.
12 We're building a network of charging depots and then
13 provide a truck and all the charging it can take or it
14 needs for one low monthly fee.

15 We're here in support. Our communities and our
16 climate need a transition to zero-emission vehicles. And
17 Advanced Clean Fleets is a critical tool for this
18 transition. But it's a big stick and I think that we also
19 need to consider a lot more carrots to help support the
20 livelihoods, the drivers, the fleets, that need to make
21 this transition.

22 So I urge you in tandem with this program to also
23 consider changes to the LCFS Program. We really -- you
24 know, our spreadsheets built upon \$200 a credit. They're
25 now at 70. There are proposals before you right now in

1 the LCFS reform working group process that would increase
2 the speed of the carbon intensity, that would also
3 establish a fast charging incentive, both of which I think
4 are critical elements to helping support the businesses
5 and the enterprises that are going to bear the burden for
6 this transition to get out ahead and actually build the
7 infrastructure necessary to make it happen.

8 Thank you for your consideration.

9 BOARD CLERK HARRINGTON: Glayol.

10 Glayol Sahba.

11 Glayol.

12 Mo Cormen.

13 MO CARMEN GONZALEZ (through interpreter): Good
14 day. My name is Maria Cormen. I'm a member of the
15 popular collective of environmental justice. And here I
16 am asking for more stricter and more stringent regulations
17 on the trucking to make the rules more stricter. And I've
18 been living here for 17 years and I've noticed a severe
19 deterioration in the health of woman, men, elderly,
20 children in their health, because of tox -- contamination.

21 And there has been an increase in the asthma
22 rates in ammonia as well as cancer rates. And my son is
23 no exception. He's starting to develop symptoms of asthma
24 as well as myself. I've seen how in my community my --
25 the health has been very deteriorated and people are dying

1 of cancer. And that's why it's very important that there
2 be a very strict law.

3 We're not objects. We're actually human beings.
4 The only thing that we want is to have clean air to be
5 able to live better and that's why I'm here. You are
6 responsible to -- to reduce the air pollution and to
7 protect public health. Please don't wait for more deaths
8 because of pollution. That's I'm demanding that there be
9 regulations that require -- or the 50 fleet requirement
10 should actually be 10. And I'm also bring -- I bring this
11 also in honor and memory of the people who have died as
12 the result of pollution. And, I'm sorry, but I had to cut
13 this short, because of lack of time.

14 Thank you.

15 BOARD CLERK HARRINGTON: Jocelyn.

16 JOCELYN DEL REAL: Good morning, CARB Board
17 members and staff. My name is Jocelyn. I'm an organizer
18 with East Yard Communities for Environmental Justice, but
19 also a community member that lives away from the I-710
20 corridor. That looks like breathing in diesel from
21 thousands of diesel trucks on a daily basis. And I hope
22 that no one here has also had to help a family member get
23 oxygen tanks to breathe a little better or even wonder if
24 this is the future that awaits for you.

25 We all have come a very long way, but we don't

1 come alone. We come with the energies from our families,
2 community members, and organizations along the state that
3 share similar concerns over the impact of diesel pollution
4 for their health, which is why we need a stronger ACF
5 Rule.

6 We cannot afford to pass a rule that does not
7 center impacted communities when it comes to cleaning up
8 the air. We need to speed up the implementation
9 timelines, like the 100 percent ZEV sales requirement to
10 2036. We also need to lower the threshold of 50 trucks to
11 10 or more trucks for Class 7 and 8 trucks. A strong rule
12 means a reduction in not only emissions, but this is also
13 a measure that saves lives, and this doesn't even mention
14 the accountability that we're able to demand from industry
15 for decades of operation and pollution in our communities

16 And quite frankly, we didn't come this far to
17 hear that we don't have the infrastructure, but more so
18 what are we going to do to make sure that we have this
19 infrastructure, because all of this activity happens at
20 the expense of our health. And we know that limitations
21 exist, but community organizations across the state are
22 actively working together to try and mobilize around these
23 issues.

24 But you as an agency tasked with regulating
25 emissions, recognized that you need to keep this momentum

1 going. And I really hope that community members have more
2 time, because we really came a long way and we're the most
3 impacted.

4 Thank you.

5 BOARD CLERK HARRINGTON: Thank you.

6 Andrea.

7 ANDREA VIDAURRE: Okay. Board members, my name
8 is Andrea. I'm with the People's Collective for
9 Environmental Justice. And I'm calling for you all to see
10 the two options in front of you for the heavy-duty trucks
11 add ask you to not ignore the billions of dollars of
12 health savings in NOx and PM reductions that come from
13 choosing to strengthen the rule with the accelerated path.

14 We came from the Inland Empire on a caravan up
15 the state stopping along the way with families in the
16 areas that have been targeted by the good movement
17 industry. And in just a short three days, we learned
18 about the port expansions at the Port of Hueneme,
19 interchange expansions, rail expansions in the Central
20 Valley and more proposed warehouses everywhere. No
21 community of color is safe, which means more heavy-duty
22 trucks in the state.

23 And so the sad truth is that the longer we wait,
24 the more years we add to this rule. The trucks we choose
25 to leave out of this reg, we and the millions of other

1 people in -- the millions of families living in these EJ
2 communities will see those trucks that are left out.
3 We're going to feel them and we're going to choke on them.

4 And I'm emotional thinking that by 2035, in a
5 little over 10 years, all the trucks that drive into the
6 railyard in our communities will be zero emissions and --
7 but at the same time that I'm happy for those drayage
8 goals, I wish our problems were just railyards, but
9 they're not. We have a billion square feet of warehousing
10 with thousands and thousands of trucks that come into our
11 community every single day. And the only way to capture
12 all those trucks is by lowering the fleet size from 50 to
13 10 and requiring the 100 percent zero-emissions vehicle
14 sales by 2036.

15 In the South Coast, we created the Warehouse
16 Indirect Source Rule. We're getting 3,000 warehouses
17 ready with all that infrastructure. It only happened
18 because we're requiring them to.

19 So with planning and requiring them to --

20 BOARD CLERK HARRINGTON: Thank you.

21 ANDREA VIDAURRE: -- will make that happen.
22 Thank you.

23 BOARD CLERK HARRINGTON: Brenda.

24 BRENDA SOTO: My name is Brenda Soto and I'm with
25 the People's Collective for environmental justice. I'm

1 speaking today in support of CARB's alternative plan to
2 bring more electric trucks to the road faster. However,
3 we need zero emissions by 2036 and lower the high priority
4 fleet threshold from 50 to 10 trucks. Our communities in
5 the Inland Empire are breathing the most polluted air in
6 the country. Asthma rates and cancer risks are
7 drastically elevated in communities close to warehouses.
8 Another source that bring communities of color in contact
9 with pollution from heavy-duty vehicles.

10 Our communities are not disposable. People in
11 the Inland Empire and across California who have to face
12 environmental racism every day are not just the statistics
13 that you read on the report, behind your desk. These are
14 really people with families who continue to resist
15 environmental racism, because many elected officials and
16 people with power choose profit over people. Not to
17 mention, the pandemic has been brutal in environmental
18 justice communities adding a new layer of suffering in
19 places that already shoulder a disproportionate burden of
20 environmental hazards.

21 We are running out of time. How many more people
22 have to die or choose between paying for rent or medicine
23 for their kids who have asthma. We are fighting a battle
24 with little help from government agencies who have the
25 power to change policy that can help our communities

1 breathe clean air. That's why I'm calling on you to do
2 your duty and take a better path to get more clean air.

3 BOARD CLERK HARRINGTON: Jose.

4 JOSE AVALOS: (Spoke in Spanish).

5 BOARD CLERK HARRINGTON: We need time to
6 translate your comments.

7 (Interpreter communicated with witness in
8 Spanish).

9 THE INTERPRETER: I'm wondering if the board
10 would allow me to provide a very brief summary of what he
11 just said, because he was under the misunderstanding that
12 his time would not be doubled with the interpretation, is
13 that correct?

14 CHAIR RANDOLPH: Are his comments written down?
15 Could you --

16 JOSE AVALOS (through interpreter): Yeah.

17 THE INTERPRETER: We can translate for you.
18 Okay. That would be good.

19 CHAIR RANDOLPH: Yeah.

20 (Interpreter communicated with the witness in
21 Spanish).

22 CHAIR RANDOLPH: Can you ask him to give you the
23 written comments for you to translate.

24 JOSE AVALOS: (Spoke in Spanish).

25 (Interpreter communicated with the witness in

1 Spanish).

2 BOARD CLERK HARRINGTON: Daisy.

3 DAISY LOPEZ: Hello. My name is Daisy Lopez.
4 I'm a lifelong resident of the Inland Empire and a
5 community organizer with the Warehouse Worker Resource
6 Center.

7 I have seen the hazards that warehouse workers
8 have had to face at the hands of greedy corporations like
9 Amazon and other big name retailers that use predatory
10 business practices. The IE is home to one of the largest
11 logistics hubs in the nation. Truck drivers and warehouse
12 workers in Southern California move more than 40 percent
13 of the nation's goods. However, this comes at a cost.
14 Warehouse workers often receive low wages and are exposed
15 to risks like high injury rates.

16 This exposure to risk is not limited to their
17 workplace though. Warehouse workers and truck drivers
18 then have to go home and breathe some of the worst air
19 quality in the country. This year, the South Coast Air
20 Basin has already seen 123 bad air days, where the
21 national 8-hour ozone standard has been exceeded.

22 Our communities continue to suffer from asthma
23 and other respiratory illnesses and even cancer. That's
24 why I'm here today to urge you to adopt the accelerated
25 alternative, the Advanced Clean Fleet Rule. We need you

1 to stand firmly in support of stronger protections for our
2 working class communities of color who bear the strongest
3 burden.

4 Thank you.

5 BOARD CLERK HARRINGTON: Kevin.

6 KEVIN TORRES: Good morning to the CARB Board and
7 staff. My name is Kevin Torres. I am a community
8 organizer with the Warehouse Worker Resource Center. I
9 grew up in Jurupa Valley and work in the county of San
10 Bernardino and today come as a resident. As you can see,
11 I'm pretty young, just like everyone here. I grew up in a
12 time where a child looks up into a gray sky, seeing trucks
13 drive through the streets is normal, and meeting people
14 with respiratory problems is common.

15 I know friends, family, and good people in the
16 Inland Empire that have to deal with the effects of the
17 logistics expansion through the increase of diseases,
18 deaths, and struggles within the working class. Our
19 community has to deal with breathing in the black smog
20 daily as workers and residents. I have heard and seen how
21 sadly one can't run, play, or simply do the things we
22 enjoy for the fear of having to lose their breath or even
23 life.

24 Our youth shouldn't have to continue suffering
25 the consequences of these companies and their big rig

1 contaminants. And that's not even the tip of the iceberg
2 within the freight-size warehouse industry poisoning the
3 generations of yesterday, today, and tomorrow.

4 So I ask CARB to please set your feet firm on the
5 ground to strengthen the Advanced Clean Fleet Rule to help
6 bring a healthier living for our community by 2036.

7 Thank you.

8 (Interpreter communicated with the witness in
9 Spanish).

10 BOARD CLERK HARRINGTON: Julieta.

11 JULIETA FUENTES (through interpreter): My name is
12 Juliet Fuentes. I'm from the Center for Resources of
13 Warehouse Worker. And I'm from the community of Riverside
14 and have been for 18 years or so. And, in fact, my family
15 has been dealing with health challenges for the past 18
16 years. My son, for example, for more than 10 has been
17 dealing with asthma and allergies, as well as having to
18 take medi -- medications and go to many doctors
19 appointments. The increased demand of the -- all the
20 construction of warehouses has deteriorated the
21 conditions -- the health conditions of the community and
22 the workers. And this -- these warehouses and the
23 construction of these warehouses actually increase the
24 truck -- more and more trucks, which pollute the
25 environment.

1 We need better protections for our families, and
2 for our children, and our communities. That's why I'm
3 demanding that here you adopt a very stringent and very
4 strict rules for these Advanced Clean Fleets. We need
5 that you stay -- we need you to stay firm to stand firm
6 and to do the right thing. And day by day, I ask myself
7 and I ask others what kind of a future are we going to
8 leave our children and the following generations that come
9 after us? And that's something that we should all ask
10 ourselves today.

11 Thank you very much.

12 BOARD CLERK HARRINGTON: Cecilia.

13 CECILIA GARIBAY: Good afternoon. My name is
14 Cecilia Garibay and I'm a project coordinator with the
15 Moving Forward Network. MFN is a national network of over
16 50 member organizations that centers grassroots front-line
17 community expertise, knowledge, engagement from
18 communities across the U.S. that bear the negative impacts
19 of the freight transportation system. I am speaking today
20 in support of a stronger ACF, because this rule has
21 implications for the entire country, not only California.

22 Communities across the country are living in the
23 shadow of freight operations. These are environmental
24 justice communities that are caught at the dangerous
25 intersection of toxic pollution, racism, poverty, and

1 disinvestment. Front-line grass roots communities are the
2 experts on what is needed for their survival and they are
3 here today calling on you to center their communities in
4 the rulemaking and adopt a stronger Advanced Clean Fleets
5 Rule, a rule that hits 100 percent electric truck sales by
6 2036 and reduces the fleet size to 10 trucks.

7 Now, is the time to listen to the voices and
8 solutions coming from front-line communities. Move the
9 strongest most protective policy that will address freight
10 pollution and provide for a just transition to zero
11 emission. I came as part of the caravan with these people
12 today and you are hearing their experiences. I reiterate
13 also the decisions made here in California have the
14 implications to impact all those communities across the
15 country that are living near freight transportation hubs.

16 I thank you for your time.

17 BOARD CLERK HARRINGTON: Lucia.

18 LUCIA AGUILA (through interpreter): Good
19 afternoon. My name is Lucia Aguilar. I belong to the
20 People's Collective for Environmental Justice and I'm
21 coming from the San Bernardino Valley. Thank you.
22 Actually, I'm asking that you reduce the contamination
23 because my husband has problems with his lungs and in fact
24 he's connected to an oxygen machine for several months
25 now.

1 And why is this? Well, we're living right next
2 to the train yards and where he lives there's warehouses
3 all around -- where he works, there's warehouses all
4 around him. And since his boss didn't want to sell him
5 the business, there is trailers all around, and so they're
6 traveling every single day around and that increases the
7 pollution.

8 That's why I'm asking for the zero emissions to
9 be from 2036 not 2040 and I'm asking that the 50-fleet
10 requirement be actually a 10-fleet requirement.

11 Thank you very much for hearing me.

12 BOARD CLERK HARRINGTON: Kristian.

13 KRISTIAN CORBY: Good morning, Chair Randolph and
14 CARB Board members. My name is Kristian Corby and I'm the
15 Deputy Executive Director at the California Electric
16 Transportation Coalition, or CalETC.

17 CalETC supports the Advanced Clean Fleets Rule.
18 The AC of -- the ACF is a vital component of transitioning
19 our medium- and heavy-duty fleet to zero emission and will
20 provide the demand needed to meet the ambitious sales
21 targets set in the Advanced Clean Trucks Ruel.

22 CalETC and our individual members have worked
23 closely with staff on this rule. And while we support, we
24 have some important recommendations. We support the
25 15-day changes that address many of these issues and look

1 forward to working with staff on the details of a
2 definition for commercial availability that includes
3 criteria that addresses market availability as well as
4 technical availability. We also recommend that CARB
5 include additional flexibility for public fleets, for
6 example, expanding the mutual aid assistance exemption to
7 include emergencies within the agency's own service area.
8 We also believe that limiting the infrastructure
9 construction delay to one year is unrealistic for certain
10 circumstances and that the executive officer should be
11 given discretion to grant a longer extension.

12 CalETC recognizes that we face some challenges
13 with installing infrastructure. Completing any major
14 construction project in California is a complex -- complex
15 endeavor. Designing and construction -- constructing
16 charging and electrical infrastructure is no different.

17 However, the utilities and State have been taking
18 major strides to set ourselves up for success. The
19 utilities have been working on streamlining the
20 interconnection and energization process, and CalETC has
21 resources that they would be happy to share with fleets to
22 help them through this process.

23 Thank you very much for your consideration. Look
24 forward to continue working with you.

25 BOARD CLERK HARRINGTON: Jeannine Pearce.

1 JEANNINE PEARCE: Good morning, honorable Board
2 members and staff. Jeannine Pearce. I'm here today to
3 first say thank you. Thank you so much for the staff
4 that's worked with our diverse coalition. I know I
5 haven't been in all those staff meetings, but I've heard
6 really great things about the progress. My hope is that
7 today goes down as a day where we can really mark what
8 true collaboration looks like. We've got over 70
9 organizations that have supported the three asks that you
10 have in front of you today, including labor, business,
11 front-line communities, university professors. And so we
12 really think that if you make these changes and these
13 recommend -- recommendations today, it will be a model for
14 future work of how we work together with agencies like
15 yours.

16 I know last time I was here I shared a little bit
17 about my daughter. I was raised in Pasadena, Texas,
18 deep -- right near the Houston ship channel and grew up
19 with orange skies. I know what pollution does to us every
20 day. Moving to Long Beach, it was more of the same.
21 Being able to tie these together with worker conditions I
22 think is really a great opportunity.

23 When I first got to Long Beach, I started
24 organizing with Lane. The first campaign was our clean
25 ports. And so while we started that work 15 year ago, 13

1 years ago I started to do that. And so to be here today
2 with all of you in a moment when we can move regulations
3 and we've been trying to for decades to really reduce the
4 air pollutions to the highest amount possible that the
5 market can handle is really historic.

6 And so I just want to encourage you to be bold
7 today. We know that we can always move backwards. We
8 know that we can always adjust, but your decision to be
9 bold in giving direction today is going to give hope to a
10 lot of front-line communities that really, really need it.

11 So thank you

12 BOARD CLERK HARRINGTON: Thank you.

13 Yasmine Agelidis.

14 YASMINE AGELIDIS: Hi. Good afternoon. My name
15 is Yasmine Agelidis and I'm here today with Earthjustice
16 coming from Los Angeles.

17 In California, we breathe some of the dirtiest
18 air in the country. In the South Coast Air Basin, where
19 Los Angeles and the Inland Empire are located, our air has
20 been unsafe to breathe every two and a half days this --
21 one in two and a half days this year. And this is really
22 unacceptable.

23 Today, the Board has a historic opportunity to
24 once and for all clean up the deadly truck pollution that
25 has been choking Californians for decades. And many of us

1 are here as part of a intersectional coalition, more than
2 70 organizations representing groups from the environment,
3 labor, environmental justice, health, and business. And
4 we've come together in agreement to ask the Board to
5 strengthen Advanced Clean Fleets Rule in two important
6 ways, first, to require 100 percent zero-emission truck
7 sales by 2036, and second, to strengthen requirements for
8 the dirtiest Class 7 and 8 tractors.

9 And to those who are concerned about being too
10 bold and capturing too many trucks under this regulation,
11 I want to remind you that staff has -- have done an
12 excellent job, including exemptions, that will offer a
13 safety net. The alternative is to not be bold enough, to
14 leave half of the polluting trucks on our roads. And we
15 don't have a safety net for these consequences. Children
16 will struggle with respiratory issues for decades down the
17 line, if we don't get this right here.

18 At the same time, I want to highlight that our
19 intersectional coalition strongly supports the public
20 fleets and drayage sections of the rule.

21 Thank you so much.

22 BOARD CLERK HARRINGTON: Tania Gonzalez.

23 TANIA GONZALEZ: Hi. My name is Tania Gonzalez.
24 I'm a resident of Fontana and I'm Here with People's
25 Collective for Environmental Justice. I'm here today in

1 support of CARB's alternative plan to bring more electric
2 trucks to the road and strengthen better to address the
3 dangerous polluting trucks in our communities.

4 So I was part of caravan that came from the
5 Inland Empire to Sacramento. So throughout the way, we
6 made stops in Oxnard, Fresno, and Oakland to talk to
7 community leaders and members. And I learned that we are
8 all facing a similar struggle. We're all breathing the
9 most polluted air in the country. Warehouses and highways
10 are placed near our neighborhoods exposing us to diesel
11 exhaust -- exhaust pollution every day of our lives.
12 Children are breathing this in. My siblings are breathing
13 this in. My aunt and cousin who suffer from asthma are
14 breathing this in.

15 Our communities have some of the highest rates of
16 cancer, asthma, and other respiratory diseases because of
17 the exposure to diesel. We cannot continue living like
18 this. You cannot continue to put profit over our lives.
19 So this Board can bring electric trucks into the future
20 and achieve environmental justice by adopting these
21 Advanced Clean Fleet accelerated transition that hits 100
22 electric truck sales by 2036. Electric truck technology
23 is here. The strategy and funding is already in place to
24 grow charging options to meet these tease reasonable and
25 gradual goals. So your own research shows that

1 implementing this can reduce pollution and save our lives.
2 So I'm calling on you to do your duty and pass a stronger
3 alternative plan.

4 BOARD CLERK HARRINGTON: Thank you.

5 Gregory Stevens.

6 GREGORY STEVENS: Hey, there. My name is Gregory
7 Stevens. I'm a Baptist Pastor and a representative of
8 hundreds of religious communities across the state as the
9 Northern California Director of California Interfaith
10 Power and Light. I'm speaking to support the ACF, because
11 it's against my religion to make poor people suffer and to
12 destroy the planet.

13 The communities I serve desperately need this.
14 We're based in West Oakland, and much like other
15 neighborhoods with the majority of poor people of color,
16 we are a front-line freight community. The families in my
17 community barely have the resources to scrape food
18 together, let alone pay for their child's hospital bills
19 as they suffer from asthma or even die of cancer, all from
20 problems the ACF can help stop now.

21 According to the City of Oakland's own research,
22 over 90 percent of cancer risk from local air pollution
23 comes from diesel trucks. The disproportionate exposure
24 of these mostly Black and Brown communities to diesel
25 exhaust pollution is one of the clearest examples of

1 environmental racism.

2 Another very clear example of environmental
3 racism happened in this room where my Spanish comrades did
4 not get two minutes to speak, just like their white
5 business partners in those wonderful suits

6 I'm scared to ask, but what is your threshold for
7 taking action on environmental racism? Clearly, it's not
8 allowing them -- front-line communities to speak for two
9 minutes. But that rate, is it 90 percent? Is it at 91
10 percent that you'll take action? Is it at 92 percent rate
11 of death from cancer from diesel that you'll take action?
12 Is it 93, or 94, or 95 percent? Would it really only take
13 99 percent before you did?

14 BOARD CLERK HARRINGTON: Thank you.

15 CHAIR RANDOLPH: Thank you. And to be clear, all
16 speakers have been given one and a half minutes to speak.

17 BOARD CLERK HARRINGTON: Yassi Kavezade.

18 YASSI KAVEZADE: Yes. Thank you. Great job
19 pronouncing the last name. My name is Yassi Kavezade.
20 Good to see everybody here and thank you to all the
21 advocates that spoke before me. I'm a Senior Campaign
22 Representative with Sierra Club National and I have
23 traveled here with the clean air caravan from the Inland
24 Empire.

25 We have market-ready solutions for zero emissions

1 now with benefits like back-up energy storage, vehicle to
2 grid, and of course, public health. I'm so grateful to be
3 here from partners with warehouse workers, Teamsters, the
4 faith community, and health groups, zero-emission
5 manufacturers, and more. Together, we are in the movement
6 for good jobs and clean air. I'm here to emphasize a true
7 zero-emissions Advanced Clean Fleet Rule with no
8 alternatives for near-zero or gas.

9 We already know the impacts from the 200 Trucks
10 Study that natural gas can be more polluting over time and
11 the public cannot afford those toxic impacts. I came here
12 with the caravan starting in the Inland Empire and
13 traveling along with our partners in East Yards and
14 People's Collective for Environmental Justice through
15 Oxnard near the Port of Hueneme, which is experiencing
16 expansion; in South Fresno, when they're boxed in by
17 Amazon warehouses and lots of other development, railyards
18 and trucks coming in 24 hours a day; and in West Oakland,
19 like the brother before me mentioned impacting nonstop
20 truck emissions around the clock.

21 We have a common ground here and the State has
22 been at the table as the proliferation of trucks have
23 increased throughout the years. So please pass a strong
24 Advanced Clean Fleet Rule, 2036 sales mandate, and reduce
25 the fleet number to 10 instead of 50.

1 Thank you.

2 BOARD CLERK HARRINGTON: Thank you.

3 Next up is Alejandra Ruedas. And as a reminder,
4 the next upcoming speakers are free to line up.

5 ALEJANDRA RUEDAS: Hello, everybody. My name is
6 Alejandra Ruedas. And I am here with East Yard
7 Communities for Environmental Justice to speak in support
8 of CARB's alternative plan for Advanced Clean Fleet. I
9 come from Cudahy. It's one of many POC communities
10 disproportionately affected by non-stop exposure of diesel
11 exhaust pollution. We are bordered by the I-710 and
12 surrounded by industry, leaving us with the most polluted
13 air in the country, most polluted air, which I know many
14 in this room have not experienced.

15 Cudahy is a hard working immigrant community.
16 And quite frankly, many don't have the luxury to come to
17 these meetings, which is why we are here to uplift a
18 stronger ACF Rule. Not only is our life span
19 significantly shorter, but our quality of life is worse
20 and deteriorating quickly.

21 What this looks like is witnessing your family
22 and community members time and time again struggling with
23 chronic respiratory issues, chronic illnesses, respiratory
24 issues, and far too many more to list. We have been in
25 the front lines of environmental catastrophe for decades

1 and continue to be disrespected and disregarded by those
2 who have the duty to protect us. We do not need more
3 plans or research. The infrastructure and resources are
4 here and now is the time to take decisive and accelerated
5 action to heal our community and implement this rule by
6 2036 or sooner. I also request that the 50-fleet
7 requirement is reduced to 10. This is --

8 BOARD CLERK HARRINGTON: Thank you.

9 ALEJANDRA RUEDAS: This will single-handedly
10 affect the future of --

11 BOARD CLERK HARRINGTON: That concludes your
12 time.

13 ALEJANDRA RUEDAS: -- million of innocent
14 Californians.

15 Also, a minute and 30 seconds is not enough to
16 fight for our lives.

17 BOARD CLERK HARRINGTON: Ruben Aronin.

18 RUBEN ARONIN: Good morning, Board members.
19 Ruben Aronin with the California Business Alliance for a
20 Clean Economy and better world group.

21 I'd like to first thank the dedicated CARB staff
22 for their hard work and for spending time with community
23 advocates, labor, health, and business leader to hear our
24 advocacy coalition's diverse perspectives. I was so
25 moved, as I'm sure you are, by the young people from

1 polluted communities who traveled in the clean air caravan
2 from across our state to be here and plead with you to
3 adopt the strongest rule to protect their health and the
4 health of their communities. Our coalition stands with
5 these young people and we hope that you will too.

6 We strongly support the drayage municipal and
7 federal fleet components of the rule and critical labor
8 provisions and we're urging you to strengthen the rule to
9 protect front-line communities and all Californians by
10 accelerating the 100 percent ZEV sales requirement to
11 2036. That would capture more than \$10 billion of
12 additional net benefits.

13 We also urge you to move sleeper cabs to Group 2
14 and to reduce the priority fleet threshold for Class 7 and
15 8 trucks from 50 to 10 to ensure 90 percent of emissions
16 from California big rigs get covered under the rule, while
17 only regulating 13 percent of fleets. The rule shouldn't
18 treat a fleet of 50 vans or midsized trucks the same as it
19 does for biggest most polluting trucks on our roads.

20 These recommendations are echoed not only by
21 Senator Durazo who you heard from earlier, but also from
22 Senate Transportation Chair Gonzalez, Assembly Majority
23 Leader Reyes and more than 30 of their Legislative
24 colleagues. I want to remind you that -- of the alignment
25 of -- from the federal government and California with

1 billions of dollars of investments that weren't even
2 envisioned when this rule was being crafted earlier this
3 summer.

4 Thank you so much.

5 BOARD CLERK HARRINGTON: Thank you.

6 Orville Thomas.

7 ORVILLE THOMAS: Thank you, Chair Randolph and
8 Board members for the opportunity to speak today. Also,
9 thank you to CARB staff for their work on a smart and
10 targeted proposed Advanced Clean Fleet regulation. My
11 name is Orville Thomas and I serve as CALSTART's State
12 Policy Director in California. CALSTART is a California
13 based non-profit organization with over 30 years of
14 vehicle technology development, validation, market
15 transformation, and advocacy experience. With over 300
16 members in the clean transportation technology
17 marketplace, we have a unique understanding of the
18 industry's needs to ensure this proposed regulation can be
19 successfully implemented. We note that our comments are
20 based on our organizational expertise in this space, but
21 do not necessarily represent the consensus of our members.

22 The proposed regulation discussed today balances
23 the need for a strong regulatory program with one that can
24 be successfully implemented. However, the accelerating
25 pace of climate change and the chronic health impacts

1 experienced in our most disadvantaged communities spurs
2 the need for faster action. And with that in mind,
3 CALSTART is recommending the Board adopt the accelerated
4 ZEV transition alternative or regulatory proposal that is
5 similar in timeline and goals.

6 Zero-emission trucks provide an opportunity to
7 address transportation's outsized role in climate change
8 and harmful air quality. A complete transition to
9 zero-emission trucks will lower truck total cost of
10 ownership for fleets and create job growth in California.

11 While the current development of ZEVs is low
12 compared to total medium- and heavy-duty truck
13 registrations, the technologies for these vehicles are
14 improving as manufacturers look to meet the growing
15 regulatory requirements.

16 Thank you.

17 BOARD CLERK HARRINGTON: Taylor Thomas.

18 TAYLOR THOMAS: Good afternoon, everyone. My
19 name is Taylor Thomas. I'm with East Yard Communities for
20 Environmental Justice. I'm coming from Long Beach Tongva
21 territory. And I also came a really long way with our
22 caravan to convince you that this rule as proposed is
23 great, but it needs to be stronger.

24 The reality is that we're the canaries in the
25 coal mine, right? We're fighting to save every one, not

1 just ourselves. There will come a day when there's so
2 many trucks idling and waiting to get into your local
3 ports, your local warehouses, your railyards that they're
4 backing up onto your streets and choking your communities.
5 There will be a day when you can't afford to move away
6 from the pollution. You can't escape it.

7 Goods movement infrastructure is rapidly
8 expanding across our communities and we need you to stop
9 feeding this monster. Please understand that when folks
10 talk about gaps in infrastructure, grid capacity, all of
11 us advocating for a stronger rule, we've pulled up to
12 these tables, we've been to these spaces, and we've
13 offered to roll up our sleeves to figure out how do we get
14 from Point a to Point B.

15 We've been to the utilities, we've been to CPUC,
16 our local planning commissions, so on and so forth. We've
17 been putting in the work to address these issues that
18 folks are raising. And we push precisely so hard because
19 we know how far behind we are. So all of the folks that
20 are talking about that, you're late to the game. You need
21 to catch up. You've got a lot of reading to do. We've
22 been putting in that work and I ask that you honor and
23 respect all the work that we've been trying to do to get
24 us to a place where we can have a fruitful discussion and
25 get to where we need to be.

1 BOARD CLERK HARRINGTON: Thank you. That
2 concludes your time.

3 TAYLOR THOMAS: Strengthen the rule, please.
4 We've sacrificed enough.

5 Thank you.

6 BOARD CLERK HARRINGTON: Damon Conklin.

7 DAMON CONKLIN: Good afternoon, Madam Chair and
8 members. Damon Conklin with the League of California
9 Cities representing 479 cities who provide essential and
10 critical services and programs for communities across the
11 state.

12 California Cities do support the State's climate
13 goals and recognizes that climate change is both immediate
14 and long term with potential for profound environmental,
15 social, and economic impacts. However, we respectfully
16 request additional time to work with staff who's done a
17 tremendous job to address several of the challenges that
18 have been raised earlier.

19 Local governments will face severe challenges
20 with this proposed mandate. Aside from the commercial
21 availability, we are concerned of the lack of price caps
22 or the replacement with ZEV models, Class 2b through 8 and
23 vendor reliability. Cities must identify, evaluate,
24 acquire, engineer and develop service yards to ensure
25 infrastructure is adequately in place to electrify fleet

1 vehicles.

2 Cities have a two-year budget cycle and a
3 five-year capital improvement timeline redirecting
4 necessary funds to meet the timing requirements by this
5 mandate would halt or delay services in projects for
6 health, safety, security for residents and communities
7 across the state.

8 For these reasons, we ask for additional time to
9 work with staff to -- and we do appreciate your
10 consideration.

11 Thank you very much.

12 BOARD CLERK HARRINGTON: Alicia Aguayo.

13 ALICIA AGUAYO: Hello, you all. My name is
14 Alicia Aguayo. I'm from San Bernardino. I've also
15 traveled hours here with EJ groups from SoCal. And I'm
16 here to tell you what it's like living with this deadly
17 pollution that I've lived with for over 25 years, and as
18 well as my community that has for way too many.

19 From -- I'm from San Bernardino and I've grown up
20 on the west side where my family and many of my neighbors
21 struggle with health issues like asthma and several who
22 have passed of cancers because of respiratory illnesses.
23 Imagine consistently losing some of your neighbors to
24 cancer.

25 We are surrounded by diesel trucks 24/7 coming

1 from the Santa Fe Depot Railyard on the west side. I used
2 to work at an elementary school very close to my house and
3 then also this railyard with kids that were in kinder all
4 the way up to fifth grade. And imagine having these
5 babies, these children sharing with you that their family
6 has cancer, that they're sick, and that also on top of
7 that, telling them that they can't play outside, because
8 the air quality is so bad and unhealthy, but they all have
9 asthma, and so we don't want to put them at risk.

10 And -- sorry. And this is very unhealthy for us
11 on the west side. So I'm here to demand stronger
12 regulations that we needed decades ago before our
13 community members have passed from living in these diesel
14 death zones. And we need you to require 100 -- 100
15 percent zero emissions by 2036 and to regulate fleets
16 with -- from 50 to 10 trucks or more.

17 Thank you.

18 BOARD CLERK HARRINGTON: Angie Balderas.

19 ANGIE BALDERAS: Good after -- good afternoon.,
20 CARB Board members. Escuchar -- Listen, not just with
21 your ears where it go -- words go in and come out the
22 other, but listen with your heart where hopefully it lands
23 and marinates. My name is Angie Balderas. I'm with the
24 Sierra Club and I'm from the Inland Empire where our
25 communities are being impacted by industry and heavy

1 polluters. Our communities are suffering from respiratory
2 concerns from cancer to asthma, where it's common to see
3 one of these and people's pencil boxes in their backpacks,
4 in their purses, and it's not just an accessory. It's not
5 a thing -- a cute thing to carry. It's a life line. This
6 is something we need. And this is not a prop. This is
7 mine.

8 And if you all ever want to -- I encourage you,
9 if you ever go out to the Inland Empire and want to take a
10 tour, visit our hospitals. Firsthand, go and sit there
11 during the summer, at one of our ERs. I mean, we got --
12 it's popping and not in a good way. You want to see what
13 this rule can do, the lives it could save, go toward these
14 hospitals and sit there and see these folks sitting in
15 their cars waiting just to get seen for hours and hours,
16 because they have cancer, they have asthma, and so forth.

17 So CARB, we need nothing but the best from you
18 all and we need you to do it -- do better, be better.
19 Stop giving industry the green light and the leeway to
20 slowly kill off our communities. We need you to do right
21 by us and throw us a damn life saver.

22 BOARD CLERK HARRINGTON: That concludes your
23 time.

24 ANGIE BALDERAS: This rule can only literally be
25 a huge piece to saving lives and our community. We need

1 zero emissions now.

2 BOARD CLERK HARRINGTON: That concludes your
3 time. Thank you.

4 ANGIE BALDERAS: A strong advanced clean rule.
5 Come on you all. Do better.

6 BOARD CLERK HARRINGTON: Kathy Huang.

7 KATHY HUANG: My name is Kathy Huang with
8 Powerswitch Action. I'll be taking my time to read a
9 statement from a truck driver from the LA area who
10 couldn't be here today.

11 My name is Juan Islas. I've been a truck driver
12 for 16 years. For the past five years I've been working
13 for STG XPO Logistics. All these years, I have to pay all
14 of the truck costs, purchase, maintenance, fuel, you name
15 it, because STG XPO Logistics unlawfully classifies us
16 drivers by labeling us independent contractors.

17 The government has found over and over again that
18 me and other drivers at STG XPO are actually employees,
19 which means that under California law the company should
20 be paying for the trucks we drive. Still STG XPO
21 continues to break the law and drivers like me pay the
22 price.

23 I recently had to purchase a used a 2016 truck to
24 be able to keep working, because I could no longer operate
25 my older truck in California. And in fact, the money I

1 put towards a new truck came from my share of a recent
2 wage theft class action settlement where STG XPO had to
3 pay its drivers \$30 million earlier this year. We need
4 companies like mine to take responsibility for their
5 operations and their drivers.

6 The ACF should make sure that they don't get away
7 with passing buck to drivers for upgrades. Without the
8 wage theft settlement check, I would have never been able
9 to buy the used truck I'm driving now to keep doing my
10 job. I can't imagine how I would possibly afford a brand
11 new truck, especially a zero emissions one. One way that
12 you can make sure and hold as many count -- companies
13 accountable to complying with the ACF is to drop the
14 threshold down to 10. We need to hold the whole industry
15 accountable in order to clean our air.

16 And since I have five seconds left, personally, I
17 live in LA. I'm a mother of a five-year old who goes to
18 school less than a mile from the 10 freeway. I don't want
19 to have to worry about my son's health. Please pass a
20 stronger rule.

21 BOARD CLERK HARRINGTON: Thank you.

22 Jennifer Cardenas

23 JENNIFER CARDENAS: Hello, everone. My name is
24 Jennifer Cardenas. I am from Fontana, California. I'm
25 also part of this caravan. I am an organizer

1 supervisor -- I'm an organizing representative for the
2 Sierra Club. I work and live in the inland Empire. I'm
3 one of the many areas -- it's one of the many areas that's
4 surrounding by warehouses. And where there are
5 warehouses, there are trucks. And where there are trucks,
6 they're coming in and going out all hours of the day.

7 I live in communities that have children with
8 asthma, frequent nose bleeds. And the reason my voice
9 sounds likes this is because of my allergies. I'm -- I
10 come from a community with people who have pulmonary
11 issues, cardiovascular diseases. And it's becoming common
12 routine for members of our community to consistently
13 monitor the air quality.

14 Today, we see kids right outside this building
15 playing the playground. Our communities don't have that.
16 They have to check if air quality is adequate. Why?
17 Because we have children that have to go to the hospital
18 for asthma attacks. We have community members that have
19 to pick up their children from elementary schools because
20 of their health issues.

21 Wow, I sound really bad. Okay. I have 15
22 seconds. Give me one second. All right. So since you
23 made us cut our three minutes into one and a half minutes,
24 I hope that even the short value of time that have -- we
25 have, you take it into consideration when we ask for 100

1 percent zero emissions by 2036 and by regulating fleets
2 from 10 trucks -- fleets with 10 trucks or more.

3 Thank you for your time.

4 BOARD CLERK HARRINGTON: Thank you.

5 Sasan Saadat

6 SASAN SAADAT: Thank you. Sasan with
7 Earthjustice.

8 What I believe the staff report very clearly
9 proves is that the risk of sticking with this proposal are
10 far greater than the risks of the accelerated alternative.
11 Because if we're lowering the threshold for tractors to
12 say 10, we're only asking for you to have one
13 zero-emission tractor by 2027 five years from now. And if
14 the business is genuinely unable to meet that mark, will
15 they lose their business? Will they be fined? No. They
16 just need to demonstrate they took a good faith effort and
17 then they could be granted one of numerous exemptions or
18 extensions the staff has thoughtfully incorporated at
19 their request.

20 The risk of leaving gettable tractors on the
21 table however are far more severe and irreversible. It
22 would be, according to staff's reporter, an additional
23 2,400 lives lost, hundreds of additional emergency room
24 visits, accumulative 130 metric tons of greenhouse gases
25 directly emitted into the atmosphere. Staff say

1 strengthening the rule delivers valuable NOx reductions,
2 but that they're challenging.

3 But the question you all have to ask is looking
4 at the landscape of options, challenging compared to what
5 other alternative? What other opportunities can you think
6 of that deliver multiple rulemakings worth of NOx
7 reductions; other opportunities that actually deliver
8 greater economic savings by becoming stronger, but have
9 the tailwinds of both State and federal public investment
10 that could ripple so broadly, given the EPA and EU are
11 both currently considering their truck standards; other
12 opportunities that concentrate so squarely in the
13 communities most overdue for relief.

14 I submit there's no more technologically,
15 economically, politically, or regulatorily straightforward
16 way of getting these NOx reductions and strengthening this
17 rule.

18 Thank you.

19 BOARD CLERK HARRINGTON: Thank you.

20 Paul Cort.

21 PAUL CORT: Good afternoon. Paul Cort with
22 Earthjustice. First, in response to various calls for
23 delay to address concerns about infrastructure,
24 deployment, feasibility, weight restrictions, the rural
25 grid, stranded investments, I want to assure the Board

1 that none of these concerns is new. And over the three
2 plus years this rule has been under development, all of
3 these issues have been thoroughly considered by staff at
4 CARB, CEC, the PUC, and GO-Biz. Solutions exist, the rule
5 is feasible, the transition is gradual, and indeed
6 consistent with the protections that the Trucking
7 Association itself demanded.

8 And over these last years while industry has been
9 raising one concern after another, as Taylor Thomas
10 highlighted, it has been the impacted communities that
11 have advocated for nearly \$2 billion in utility
12 investments in heavy-duty infrastructure. They've been at
13 the air districts ensuring that rules will require that
14 ports and warehouses are equipped with charging
15 infrastructure. And they have been successful in one
16 massive State and federal investment to support the
17 transition to zero emissions.

18 Indeed, they have been so successful in their
19 advocacy, that I am here today with so many others to ask
20 the Board to direct staff to strengthen the proposed
21 Advanced Clean Fuel[SIC] Rule.

22 The ISOR demonstrates that a stronger rule would
23 provide significant health and economic benefits. Please,
24 advance the 100 percent target to 2036 and lower the
25 threshold to 10 trucks.

1 Thank you.

2 BOARD CLERK HARRINGTON: Doug Bloch.

3 DOUG BLOCK: Yes. Thank you. Good afternoon,
4 Chair Randolph and Board members. My name is Doug Bloch
5 and I'm here with Teamsters Joint Council 7 representing
6 over 100,000 Teamsters in the Central Valley and Northern
7 California.

8 About 15 years ago, I was here in this room as
9 you debated the Truck and Bus Regulation. And at that
10 time, we argued that we will never -- never have clean air
11 without good jobs, that we need to address the
12 misclassification of truck drivers as independent
13 contractors instead of employees, because this effectively
14 shifts the cost of buying clean trucks from the industry
15 onto the backs of truck drivers who cannot afford it.

16 What happened is CARB, our air districts, and the
17 ports spent hundreds of millions of dollars to help truck
18 delivers replace or retrofit their dirty trucks to meet
19 the rule. And here we are over a decade later and drivers
20 still can't afford to buy new trucks, especially electric
21 ones, and our front-line communities and workers are still
22 suffering.

23 California can lead the nation on good jobs and
24 clean air with this rule, so we stand in support with the
25 recommendations of over 70 organizations on the fleet size

1 and electrification.

2 Thank you for your time today.

3 BOARD CLERK HARRINGTON: Will Barrett.

4 WILL BARRETT: Good afternoon. I'm Will Barrett
5 with the American Lung Association. Thank you for the
6 presentations today. Thank you to the community members
7 traveled so far to be here today to share their own
8 perspectives on the rule. We're very glad to see the
9 presentation this morning and inclusion of the
10 infrastructure experts at the Energy Commission and PUC,
11 as well as the other states showing up to show their
12 support and ongoing coordination to make these rules a
13 success.

14 The ACF is a strong rule as proposed and must
15 remain focused on zero-emission technologies. The ACF
16 represents the third most NOx emission reducing program in
17 the SIP that you all approved last month. We support CARB
18 adopting a stronger ACF Rule with the 100 percent sales
19 moving to 2036, and with more fleets being included in the
20 rule by dropping the threshold from 50 to 10.

21 This will greatly generate massive expansion in
22 the benefits of the rule with little change in the
23 cost-benefit ratio, so basically getting a major bang for
24 the buck out of making these changes. Conversely,
25 exemptions and delays need to be really fully understood

1 by the Board for what they mean for lost emission
2 reductions and lost health benefits.

3 Finally, in contrast to many industry and fuel
4 interests, the Lung Association supports CARB's health
5 goals and your EPA waiver requests to protect health from
6 the harms of trucking pollution. The ACF can support
7 these goals and can lead the nation to cleaner, healthier
8 communities.

9 Thank you.

10 BOARD CLERK HARRINGTON: Nicole Rice.

11 NICOLE RICE: Good afternoon. Nicole Rice,
12 President of the California Natural Gas Vehicle Coalition.

13 First, CNGVC urges the Board to direct staff to
14 work with stakeholders in executing any direction given by
15 the Board today, including another public workshop and
16 another draft proposal.

17 Next, we along with 41 other industry
18 stakeholders, submitted three practical amendments that we
19 urge the Board to direct staff to consider. First, insert
20 a definition and change the determination process for what
21 is considered commercially available. Second, provide
22 delayed implementation and flexibility for SB 1383 fleets
23 and other early adopters. We are encouraged by staff's
24 recognition of this fact in today's presentation and we
25 look forward to working with staff in a future public

1 process.

2 Most importantly, we request the Board to direct
3 staff to require the purchase of the cleanest available
4 technology in use when zero-emission trucks are
5 unavailable. This would be accomplished by pulling
6 forward the Omnibus Rule 0.02 engine standard into 2024.
7 This will prevent the purchase and use of higher emitting
8 traditional diesel trucks when zero-emission deployment
9 and delivery is delayed and it will signal to
10 manufacturers to bring those engines to market sooner.

11 Making these recommended changes will not derail
12 the State's zero-emission strategy, but help us reach our
13 carbon neutrality and climate change goals as attended --
14 as intended.

15 Thank you.

16 BOARD CLERK HARRINGTON: Janice Wong.

17 JANICE WONG: Good afternoon. My name is Janice
18 Wong. I'm a member of the Climate Reality Sacramento
19 Chapter. I have experienced numerous PG&E outages in Penn
20 Valley, California, where I live between the Highway 20
21 and Highway 49. I work at Raley's part time in Grass
22 Valley.

23 And numerous diesel truck drivers come to our
24 store which impacts our community. My good friend Jackie
25 died of cancer. I have some solar panels on my house, but

1 not enough to charge an electric vehicle. I would love to
2 own an electric vehicle. Thank you very much for your
3 time.

4 BOARD CLERK HARRINGTON: Sam Appel.

5 SAM APPEL: Good afternoon, Chair and Board. My
6 name is Sam Appel with the BlueGreen Alliance. We're an
7 alliance of major labor unions including unions working in
8 the fossil fuel system, such as the IBEW, Sheet Metal
9 Workers, United Association of Plumbers and Pipefitters,
10 steel workers, and the United Auto Workers. It's been my
11 pleasure to work closely with the Board on this rule for
12 nearly four years, very specifically on ensuring worker
13 equity in the requirements that we're considering today.

14 With the rest of my time, I'll read out comments
15 from a Teamster truck driver in Southern California who's
16 unable to make it, but I have two numbers for you that we
17 really expressly wish you to consider, 2036 and 10.

18 "My name is Todd Ellis. I've been a truck driver
19 at the ports of LA and Long Beach for 12 years. For the
20 past two years, I've worked for Pac 9 Transportation.
21 This is the first time in all those years where my rights
22 have been respected. At Pac 9, we are employees and have
23 a strong union contract that ensure good wages, benefits,
24 and working conditions. I drive a truck that is owned by
25 Pac 9, so when I go home at night, I can relax without

1 stressing about how I'm going to pay and keep up with all
2 the truck bills. I know it's not like this for other
3 drivers at the ports.

4 "When I first got into the industry, I was
5 leasing a truck from the company. I didn't realize when I
6 got into it that I was being misclassified. Then I found
7 out that about every four weeks I'd be in the red, because
8 of all the truck costs and I had to work long hours, 15 to
9 18 hours shifts just to pay my truck note. It was like
10 sharecropping. It was so blatant.

11 "Thousands of other drives are still in this
12 situation and the companies they work for will continue
13 getting away with it if our company -- if our government
14 like CARB doesn't make sure they follow the rules".

15 BOARD CLERK HARRINGTON: Thank you.

16 SAM APPEL: "We need a strong ACF that will hold
17 companies accountable".

18 BOARD CLERK HARRINGTON: That concludes your
19 time.

20 SAM APPEL: Thank you.

21 BOARD CLERK HARRINGTON: Beverly Yu.

22 BEVERLY YU: Madam Chair and members, Beverly Yu
23 on behalf of the State Building and Construction Trades
24 Council of California. We appreciate the opportunity to
25 comment today.

1 We have a neutral position on the proposed
2 regulations. We urge the Board to ensure the proposed
3 regulations provide parity with other clean technologies,
4 including hydrogen and biofuels, to meet air quality
5 standards and emission reduction goals. We also urge the
6 Board to provide an equally accelerated deployment of
7 fueling and charging infrastructure on pace with these
8 vehicle mandates to make broad deployment of reduced
9 emissions vehicles a reality.

10 We would caution against overburdening the
11 electric grid without corresponding new power generation
12 as to not cause a grid collapse that will create a public
13 health and safety crisis. Finally, we support our
14 brothers and sisters at the Teamsters and the Labor
15 Coalition, and urge the Board to prevent misclassification
16 of drivers. We support lowering the high priority fleet
17 threshold as new technologies are also embraced to not
18 overburden the electric grid.

19 Thank you very much.

20 BOARD CLERK HARRINGTON: Dwight Hanson.

21 DWIGHT HANSON: Good afternoon. I'm Dwight
22 Hanson with U.S. Hybrid. And we believe the rule can see
23 increased impact by ensuring post-2010 NOx engines are
24 retrofitted with batteries to become plug-in electric
25 hybrid vehicles with at least 50 miles of electric range

1 with geofencing capabilities. If these are eligible for
2 the drayage operations through 2035, CARB has identified
3 the geofencing as a common community strategy for
4 addressing local air quality, which recommends
5 incorporating the technology into the State's primary air
6 quality and climate programs.

7 We are not looking to delay or weaken the rule,
8 but we ask to work with staff to make sure this change
9 would only contribute additional emission reductions
10 especially in the DACs, because we are repowering existing
11 equipment, post-2010 engines, with hybrid technology that
12 will allow them to run at zero emissions in the ports and
13 along disadvantaged communities.

14 With all this, supply issue and delays of
15 charging infrastructure we've heard about today, we can
16 take these existing operating trucks in the ports today
17 and repower them to run on zero emissions. This would
18 allow trucks that are going around over 200 miles to have
19 the range to get into the ports, so they could go to near
20 ZEV emissions between the port. When they get to the
21 port, they can go to zero emissions.

22 We look forward to working with the staff and
23 just thank you so much for your time today.

24 BOARD CLERK HARRINGTON: Thank you.

25 Alex Oseguera.

1 ALEX OSEGUERA: Good morning, I guess I'm the
2 last speaker here, so good.

3 Good morning, Chair Randolph and Board members.

4 BOARD MEMBER KRACOV: Better be good, Alex.

5 ALEX OSEGUERA: Oh, God.

6 (Laughter).

7 ALEX OSEGUERA: No pressure. Alex Oseguera with
8 Waste Management, the largest provider of environmental
9 services in North America.

10 WM supports the State's electrification goal and
11 we have submitted a comprehensive letter with
12 recommendations for needed changes to the ACF draft
13 proposal. We want to thank CARB staff for proposing
14 flexibility for SB 1383 fleets and want to highlight that
15 it is critical that we have this additional flexibility.
16 As a solid waste industry, municipalities implement this
17 comprehensive and multi-billion dollar program that has
18 significant air quality and environmental benefits for
19 residents throughout the state. The solid waste industry
20 is prepared and ready to work with CARB staff for the
21 betterment of the ACF to achieve consistency with SB 1383.

22 Thank you.

23 BOARD CLERK HARRINGTON: Thank you. That
24 concludes the in-person comments.

25 CHAIR RANDOLPH: Okay. Thank you. The Board

1 will be taking a one-hour lunch break. And when we
2 return, we will be hearing the commenters -- the remote
3 commenters on Zoom and phone. So we will reconvene a few
4 minutes before two o'clock.

5 BOARD CLERK ESTABROOK: And so I'll just make a
6 reminder to everybody who is in Zoom with your hand raise,
7 please stay on the call and continue to keep your hand
8 raised during the lunch break to hold your place in line.

9 (Off record: 12:57 p.m.)

10 (Thereupon a lunch break was taken.)

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1 AFTERNOON SESSION

2 (On record: 1:59 p.m.)

3 CHAIR RANDOLPH: Okay. Thank you. Welcome back
4 to the Air Resources Board meeting. We will now be
5 continuing our public comment. So I will turn it over to
6 the Board clerks.

7 BOARD CLERK GARCIA: And thank you. We're going
8 to have our Spanish Interpreter finish a comment from
9 earlier. Go ahead.

10 (Interpreter translated in Spanish.)

11 THE INTERPRETER: Yes. This came from Mr. Jose
12 Avalos from the Justice Collective. Unfortunately, his
13 presentation the beginning was not able to be trans --
14 interpreted, so I am interpreting for him now at this
15 time.

16 "What a coincidence that these months -- these
17 months are times of elections -- election time, where
18 we're going to be electing and re-electing our new
19 representatives, and also at the same time is a time of
20 great change in the life of the people of California.
21 Today is the day that you will be giving back to the
22 people what they voted for. You will be -- because it was
23 them, the people, who -- and not the corporations that
24 brought you this far. Now, it's time to bring back what
25 they voted for, a confidence vote, and that way you can

1 show them that they were not inn error for voting for you.

2 "And if this does not happen, however, there's
3 going to be millions of people that voted for you that are
4 going to feel very repentant for having voted for you for
5 many -- for a long time. My name is is Jose Avalos and
6 I'm a member of the community of San Bernardino. I ask
7 that to be able to speak publicly today and I ask my --
8 my -- I ask myself what I was going to say. And in order
9 for you to understand me deeply about what I was -- what I
10 want to say. We've seen many times that the same scenario
11 play out, hundreds of people talking about environmental
12 impact that these companies are generating. And whatever
13 their names are, they don't really think about what the
14 consequences are for the future.

15 "And so now we have this scenario that we have
16 here, we have a time of very great crisis in California in
17 the transportation system and that's why I'm here. I come
18 with a -- with the firm intention to create awareness and
19 to defend our rights to be able to breathe clean air.
20 Today is a very important day for California and for those
21 who create just and strong laws, and should they -- should
22 not be afraid of doing so. If this does not happen,
23 you're going to go down in history as much of mediocre
24 politicians that -- who only have the interests of
25 enriching yourselves instead of -- and at the -- at --

1 enriching yourselves and not willing to make changes.

2 "The politicians that are not -- that don't
3 really care about who their -- who their voters are. We
4 should show the contrary. They -- we should show that you
5 have the capacity to direct the State, which find itself
6 in agony. All of these politicians should be persuaded to
7 sincerely put -- call the -- the companies to -- to heal.
8 It's graver if those politicians do not attend to this to
9 their responsibility with the people. You all will make
10 the difference. And assuming your responsibilities,
11 you're going to be making sure that there's going to be a
12 different life for people, and especially for the green --
13 climate change. So -- and you will be recognized by all
14 for your work for this great nation.

15 "Thank you all and Viva California".

16 BOARD CLERK GARCIA: Thank you.

17 Okay. We will now turn to our Zoom commenters.
18 We currently have 101 people with their hands raised in
19 Zoom. I will start with the first five. That will be
20 Priscilla Quiroz, Daniel Gilroy, David Rothbart, Bob
21 Shepherd, and Stephen Jepsen.

22 So, Priscilla, I have activated your microphone.
23 Please unmute and you can begin.

24 PRISCILLA QUIROZ: Thank you. Can you hear me?

25 BOARD CLERK GARCIA: Yes, we can.

1 PRISCILLA QUIROZ: Okay. Good afternoon, Madam
2 Chair and members. My name is Priscilla Quiroz and I'm
3 presenting on behalf of the Solid Waste Association of
4 North America's Legislative Task Force. Thank you for the
5 opportunity to comment specifically on the State and local
6 government agency fleet regulation requirements within the
7 regulations.

8 Specifically, our areas of concern are with the
9 proposed regulations with the needed support for organic
10 waste diversion activities and alternative approaches.
11 There's been a considerable focus that has been placed on
12 the need to divert solid waste from landfills as critical
13 needs for reducing fugitive methane emissions. One of the
14 most cost effective ways of meeting this is to divert
15 organic waste and produce methane for renewable natural
16 gas for transportation, which can significantly contribute
17 to the methane emissions that could be used immediately.

18 The solid waste industry has already have a large
19 percentage of fuel -- vehicles fueled by natural gas, so
20 we're asking the CARB to amend the ACF to allow for
21 alternative compliance request -- pathways for essential
22 solid waste fleets that use RNG. This makes environmental
23 sense and economic sense and will allow the solid waste
24 sector to avoid unnecessary purchases of ZEVs, building up
25 charging infrastructure and incurring the costs associated

1 with the stand -- stranded assets, their existing natural
2 fleets.

3 The LTF also recommends that CARB allow our
4 sector time to perform the necessary testing of ZEVs and
5 propose what level electrification makes sense for a solid
6 waste sector.

7 Thank you.

8 BOARD CLERK GARCIA: Thank you.

9 And it looks like Daniel dropped off, so now
10 we'll from David Rothbart. David, I have activated your
11 microphone. Please unmute and you can begin.

12 DAVID ROTHBART: Good afternoon, Chair Randolph
13 and Board members. I'm David Rothbart and I work for the
14 Los Angeles County Sanitation Districts and I'm the Air
15 Quality Committee Chair for SCAP. We're members of CASA
16 and support their comments and we're here today to ask for
17 your help.

18 The wastewater sector is responsible for treating
19 society's waste, which will continue to generate biogas as
20 long as people flush their toilets. In addition, SB 1383
21 will divert food waste from landfills to waste water
22 treatment plants increasing biogas production
23 exponentially. Unfortunately, we won't have a viable home
24 for this renewable local carbon fuel without your
25 assistance. Pipeline injection, as recommended by staff,

1 won't work for many wastewater treatment plants due to
2 Cal/OSHA requirements and the distance from needed
3 infrastructure. Without your assistance, cities and
4 counties will not have market certainty needed to invest
5 in costly food waste diversion projects. We greatly
6 appreciate staff's acknowledgement of the challenges posed
7 by SB 1383 and we need to work together to achieve the
8 methane emission reductions envisioned by SB 1383.

9 We respectfully request a 10-year extension
10 subject to a technology demonstration of biogas to
11 hydrogen options validating the commercial viability of
12 using renewable wastewater derived biogas in zero-emission
13 technologies for various uses. Thank you very much for
14 your consideration.

15 BOARD CLERK GARCIA: Thank you.

16 Bob Shepherd, I have activated your microphone.
17 Please unmute and you can begin.

18 BOB SHEPHERD: Good afternoon Chair Randolph and
19 Board members. I'm Bob Shepherd speaking on behalf of the
20 six California Caterpillar dealers.

21 As proposed, this regulation is not feasible for
22 our industry. While we've provided letters to staff and
23 your Board and had meetings with staff, none of the
24 concerns have been addressed and instead were quickly
25 dismissed.

1 With the existence of many power outages and the
2 lack of DC power infrastructure for heavy-duty vehicles,
3 dependence on electric power for service, rental, and
4 transportation vehicles used in our specialized businesses
5 that are crucial to construction and ag and critical to
6 emergency generators at hospitals, and floodwater control,
7 and fire equipment will put lives in jeopardy and severely
8 hamper services to these industries.

9 Specialized electric vehicles in these business
10 models do not exist and trying to force them into
11 existence will simply create unsafe and unfunctional
12 vehicles. In addition, rental electric heavy-duty
13 vehicles, such as water trucks and dump trucks are not
14 feasible because DC electric power is unavailable in areas
15 such as construction, ag, and forest sites

16 Specialized service for transportation vehicles
17 that require power takeoff don't exist. There's no DC
18 power charging infrastructure along the highways for these
19 vehicles, so our techs will be stranded. Infrastructure
20 requirements for our large private fleets is remarkably
21 cost prohibitive. Vehicles under 14,000 must not be
22 excluded in daily mileage and ZEV unavailability, because
23 vehicles meeting our needs are not available as presumed
24 by staff.

25 This regulation will severely impair our ability

1 to respond to the many emergencies and service needs
2 crucial to heavy (inaudible). We ask the board to direct
3 staff to exempt heavy-duty rental and heavy-duty equipment
4 repair vehicles and heavy equipment transportation
5 vehicles.

6 BOARD CLERK GARCIA: Thank you.

7 BOB SHEPHERD: Thank you.

8 BOARD CLERK GARCIA: Okay. After Stephen, we
9 will hear from Andrew Schwartz, Randy Lee, Robert
10 Ferrante, Randa Abushaban, and Alison Torres.

11 Stephen I have activated your microphone. Please
12 unmute and you can begin.

13 STEVE JEPSEN: Hello, Chair Randolph and Board
14 members. My name is Steve Jepsen, Executive Director for
15 the Southern California Alliance of Publicly Owned
16 Treatment Works, or SCAP. We represent 80 public
17 wastewater agencies in Southern California managing
18 wastewater for 20 million people. We support the comments
19 from CASA, my colleague David Rothbart, and wastewater
20 representatives.

21 The wastewater sector recognizes climate change
22 must be slowed. We plan for climate change by having
23 multiple layers of resilience ensuring our ability to
24 society's wastewater regardless of the weather conditions.
25 During the wastewater cleaning process, regenerated

1 renewable biogas that cannot be turned off. This biogas
2 plays a key role in our resiliency. Senate bill 1383
3 consideration in the staff presentation is encouraging and
4 we look forward to additional engagement prior to the next
5 draft regulation.

6 Lowering methane emissions by diverting organics
7 from landfills is crucial. The wastewater sector has
8 existing constructive digester capacity to process all of
9 the state's food waste. This would increase our biogas
10 production by 1,000 percent, at a minimum. Without
11 multiple reliable homes for our biogas, it will be
12 challenging for our sector to participate in SB 1383. We
13 asking for a 10-year extension subject to a technology
14 demonstration of biogas-to-hydrogen options validating the
15 reliability of using wastewater derived biogas and
16 zero-emission technologies for the future.

17 Thank you.

18 BOARD CLERK GARCIA: Thank you.

19 Andrew, I have activated your microphone. Please
20 unmute and you can begin.

21 ANDREW SCHWARTZ: Chair Randolph and members of
22 the Board, thank you for the opportunity to address you
23 today. My name is Andy Schwartz speaking on behalf of
24 Tesla. My comments focus on concerns we have regarding
25 the regulatory framework for high priority and federal

1 fleets, and more specifically the ZEV milestone pathway.

2 Under this option, a fleet operator's obligation
3 is the sum of its obligations calculated across three
4 different vehicle groups. In order to meet this
5 obligation, the regulation makes no distinction between
6 vehicle type. Nothing would preclude a fleet operator
7 with a diverse fleet facing obligations stemming from its
8 Class 8 trucks from deploying ZEV delivery vans to meet
9 that obligation. For compliance purposes, the regulation
10 treats a ZEV delivery van as equivalent to a ZEV Class 8
11 truck.

12 Needless to say, this does not conform with the
13 reality on the ground and creates the very real risk of
14 diluting the emission and public health benefits the ACF
15 intends to provide. To be clear, we strongly support
16 compliance fungibility across vehicle groups. However,
17 this approach should be grounded in real world differences
18 between vehicles in terms of their emission impacts.

19 CARB has recognized this in the ACT where such
20 differences are captured in the weight class modifiers
21 that are used to calculate compliance credits and the
22 decision to limit the ability to meet Class 8 truck
23 compliance obligations by using credits from lighter duty
24 vehicle classes.

25 To address this, we ask that the Board direct

1 staff to incorporate measures within the ZEV milestone
2 pathway similar to those codified in the ACT. In addition
3 to this, Tesla also encourages CARB to accelerate the 100
4 percent ZEV sales requirements to the 2035 time frame.
5 The exigent circumstances created by climate change and
6 air pollution demand it. And CARB's own analyses suggest
7 doing so would represent a boon to the state.

8 Again, thank you for opportunity to speak today.

9 BOARD CLERK GARCIA: Thank you.

10 Randy, I have activated your microphone. Please
11 unmute and you can begin.

12 RANDY LEE: Good afternoon. My name is Randy Lee
13 and I'm speaking on behalf of the Inland Empire Utilities
14 Agency's Board of Directors and General Manager. We are a
15 public regional wastewater treatment agency that serves
16 approximately 875,000 people in western San Bernardino
17 County. Wastewater utilities provide an essential public
18 service.

19 And to propose the Advanced Clean Fleet
20 Regulation being considered today may severely hinder our
21 ability to respond to local emergencies and maintain
22 wastewater operations as a store to the environment. The
23 Inland Empire Utilities Agency is supportive of CARB's end
24 goal. But as an essential public service, we can't put
25 the integrity of our system operation at risk.

1 We, along with other wastewater agencies and
2 CASA, have provided written comments and suggestions to
3 CARB staff on how to update the regulation in a way that
4 ensures essential service, like wastewater, are
5 maintained. That is why we respectfully request an
6 exemption for wastewater agency until the ongoing concerns
7 are addressed.

8 A formal letter has been submitted detailing
9 these issues. We hope it is taken into consideration.
10 Finally, we support the comment made by CASA and other
11 wastewater agency representatives today.

12 Thank you.

13 BOARD CLERK GARCIA: Thank you.

14 Robert, I have activated your microphone. Please
15 unmute and you can begin.

16 ROBERT FERRANTE: Thank you. Good afternoon,
17 Madam Chair, Board members, and staff. My name is Robert
18 Ferrante. I'm a manager for the Los Angeles County
19 Sanitation Districts. We serve a population of 5.5
20 million providing wastewater services for them. We're
21 members of CASA and we support their efforts.

22 Our treatment -- our main treatment plant
23 produces roughly 8,000 cubic feet of biogas every minute.
24 And we utilize that gas in many different ways, producing
25 power for the plant, producing vehicle fuel, and heat for

1 the plant as well. And we're looking into pipeline
2 injection.

3 We need all of those pathways in order to use all
4 our gas, especially since we are seeing increasing amounts
5 of biogas being generated due to over 500 tons per day of
6 food waste and organics to assist in compliance with
7 Senate Bill 1383.

8 We request a 10-year extension subject to a
9 technology demonstration of a biogas-to-hydrogen
10 conversion. We appreciate that staff also sees that --
11 sees that need as well. Furthermore, we would like to
12 partner with CARB on the demonstration and can provide gas
13 and a site for the research. Thank you very much for
14 allowing me to comment.

15 BOARD CLERK GARCIA: Thank you.

16 Randa, I have activated your microphone. Please
17 unmute and you can begin.

18 RANDA ABUSHABAN: Thank you. Good afternoon,
19 Madam Chair and Board members. I'm Randa Abushaban with
20 the Orange County Sanitation District. We operate two
21 publicly owned wastewater resource recovery facilities,
22 which provide essential wastewater treatment services for
23 roughly 2.6 million people in Southern California. OC San
24 has been highly proactive in planning for the
25 implementation of SB 1383 and for the long-term beneficial

1 use of the renewable, non-fossil, low carbon intensity
2 biogas.

3 As long as there's a need to flush, wastewater
4 derived biogas will continue to be a valuable renewable
5 by-product of the wastewater treatment process and our
6 facilities cannot risk any interruption in service to our
7 communities, while complying with the proposed fleet
8 requirements. We ask that the proposed regulation call
9 for the continued recovery and diversified beneficial use
10 of the non-fossil renewable biogas generated from publicly
11 owned treatment works, POTWs.

12 In support of the comments heard by CASA and our
13 public sector peers thus far, we ask that CARB Board and
14 staff to strongly consider the proposed public wastewater
15 exemption. This is consistent with OC San's testimony
16 from the July 24th meeting, where we stressed our request
17 for the public wastewater sector exemption of heavy-duty
18 vehicles supporting resilient, essential, public service
19 operations.

20 Thank you.

21 BOARD CLERK GARCIA: Thank you.

22 And after Alison, we will hear from Curtis
23 Paxton, Craig Murray, Leela Rao, Todd Campbell, and Lisa
24 McGhee.

25 So Alison, I have activated your microphone.

1 Please unmute and you can begin.

2 ALISON TORRES: Good afternoon, Madam Chair
3 Randolph and Board members. My name is Alison Torres with
4 Eastern Municipal Water District. EMWD is a water,
5 wastewater, and recycled water agency located in southwest
6 Riverside County and serves more than 827,000 people. We
7 operate four wastewater treatment facilities that
8 currently treat a combined total of approximately 46
9 million gallons per day. We are a CASA member and we
10 support the request and comments made by CASA today.

11 Water delivery and treatment and wastewater
12 treatment are necessary functions that are vital to human
13 life and must always operate. The use of wastewater
14 derived non-fossil fuel biogas supports community
15 resilience through the recovery of renewable natural
16 resources. No single use is sufficient for all the
17 wastewater biogas produced today and in the future,
18 especially when each pathway has regulatory limitations.
19 Maintaining multiple pathways is critical.

20 We appreciate the inclusion of SB 1383
21 considerations and the list of proposed changes in today's
22 presentation, and we look forward to discussing this
23 further. We appreciate -- we ask the Board to direct CARB
24 staff to work in partnership with the wastewater sector
25 towards a solution that outlines the Advanced Clean Fleet

1 regulation with State legislation and policy.

2 We respectfully request a 10-year extension
3 subject to the technology demonstration of biogas to
4 hydrogen options. EMWD also submitted a written comment
5 letter that highlights some additional comments. Thank
6 you for considering our written and verbal comments and
7 the comments made by CASA today.

8 BOARD CLERK GARCIA: Thank you.

9 Curtis, I have activated your microphone. Please
10 unmute and you can begin.

11 CURTIS PAXTON: Thank you. Good afternoon, Chair
12 Randolph, Board members, and staff. My name is Curtis
13 Paxton. I'm general manager of the Las Gallinas Valley
14 Sanitary District in San Rafael. We serve a population of
15 around 30,000 people and the District is a member of
16 California Association of Sanitation Agencies, or CASA.

17 We utilize non-fossil -- non-fossil renewable
18 biogas production from our wastewater treatment operations
19 to help run our treatment facilities, fuel vehicles, and
20 maintain operations during power outages. We are
21 beginning the process of electrifying our fleet, but the
22 medium- and heavy-duty service vehicles needed to continue
23 to provide reliable, critical services to our community
24 are not yet available.

25 We appreciate the work items identified by staff

1 in today's presentation and we also are asking the Board
2 to direct CARB staff to work in partnership with the
3 wastewater sector toward a solution that aligns the
4 proposed regulations with State legislation and policies,
5 specifically Senate Bill 1383. We respectfully request a
6 10-year extension subject to a technology demonstration of
7 biogas-to-hydrogen options. We also request robust public
8 workshops prior to any new language in the regulations.
9 And our district is in full agreement with the items
10 identified in the comment letter submitted by CASA.

11 Thank you for your time and the opportunity to
12 provide comments.

13 BOARD CLERK GARCIA: Thank you.

14 Craig, I've activated your microphone. Please
15 unmute and you can begin.

16 CRAIG MURRAY: Hello, Chair Randolph, CARB Board
17 members. My name is Craig Murray. I'm a Director at Las
18 Gallinas Valley Sanitary District in San Rafael,
19 California. Our District is a leader in advancing carbon
20 neutrality for the State's circular economy. We have the
21 largest solar field in Marin County, a new recycled water
22 plant, a regional distribution network. We have plans for
23 a regional biosolids facility and expectations soon that
24 our district, like many other districts, will be obligated
25 to handle much more renewable natural gas.

1 Our district has a biogas operation for our
2 operations as well as transportation fuel. We are a
3 super -- are using a super ultra low emission natural gas
4 heavy-duty vehicle as a -- available now in our industry
5 and that we have invested in for substant -- sustainable
6 and essential service for field operations.

7 Las Gallinas is a member of CASA and requests
8 CARB to promulgate regulations that provide more tools not
9 less. With that, we're asking the Board to direct CARB
10 staff to work in partnership with the wastewater sector
11 towards a solution that aligns the proposed regulations
12 with State legislation and policies supporting SB 1383.
13 We respectfully request a 10-year extension subject to
14 technology demonstration of biogas-to-hydrogen options.

15 Thank you.

16 BOARD CLERK GARCIA: Thank you.

17 Leela, I have activated your microphone. Please
18 unmute and begin.

19 LEELA RAO: Hi. I'm Leela Rao with the Port of
20 Long Beach. The Port appreciates the intent of the ACF
21 Regulation as it supports the Port's goal to achieve 100
22 percent zero-emission drayage operations by 2035.
23 However, as detailed in our joint San Pedro Bay Ports
24 comment letter, there are a few issues that we feel need
25 to be addressed.

1 First, as you've been hearing today from many
2 others, the lack of infrastructure to support
3 zero-emission trucks is staggering. In 2021, we procured
4 an assessment of public truck charging and the fueling at
5 the Port of Long Beach and found that there will be a
6 significant need for publicly available infrastructure for
7 drayage, but that there is little development occurring
8 today.

9 The Port has installed the first two publicly
10 available charging stations for drayage trucks and leased
11 two sites to support partially publicly available
12 charging, but much more is needed and will take many years
13 to develop and install. The lack of zero-emission truck
14 infrastructure is particularly concerning for drayage
15 given that the San Pedro Bay ports have significant truck
16 turnover every year on the order of 4,000 trucks leaving
17 and a similar number entering the port's drayage fleet
18 annually. This amount of turnover raises questions with
19 regard to the availability of both trucks and
20 infrastructure starting as early as 2024 when the
21 zero-emission entry requirement for drayage is supposed to
22 begin.

23 In addition to these larger issues, the Port is
24 concerned that the one visit per year requirement to
25 remain in drayage could eliminate the transport of

1 break-bulk material through the port because the drayage
2 trucks that transport these materials are largely
3 out-of-state trucks that utilize our day pass system. We
4 would like to see some sort of low use exemption to
5 accommodate these infrequent visitors, many of whom come
6 only once during a given year.

7 Thank you.

8 BOARD CLERK GARCIA: Thank you.

9 Todd, I have activated your microphone. Please
10 unmute and you begin.

11 TODD CAMPBELL: Good afternoon. Todd Campbell
12 representing Clean Energy. We support the State's
13 proposed rulemaking, but ask that the Board make three
14 critical amendments to strengthen the rule.

15 First, numerous Board members that we have talked
16 with expect significant exemptions to zero-emission
17 vehicle purchases for some time. We share this concern
18 and we strongly urge the Board to add a safety net to
19 prevent the purchase and deployment of new diesel trucks
20 that will otherwise operate on California's roads for
21 nearly two decades per Senate Bill 1.

22 Diesel exhaust is a known toxic air contaminant
23 and a leading source of smog in California's hardest hit
24 and most populous communities. Today, you can close this
25 diesel loophole by requiring the purchase of internal

1 combustion engines certified to the 2027 Heavy-Duty
2 Omnibus Standard, when and if a fleet is granted an
3 exemption for purchasing a zero-emission vehicle.

4 Under this amendment, only if a 2027 omnibus
5 engine is not available for purchase or able to meet fleet
6 needs would a fleet be allowed to purchase a new diesel
7 truck. The 2027 Heavy-Duty Omnibus Standard approved by
8 this Board is the cleanest internal combustion engine
9 standard globally. By adding the safety net, you will
10 further cut pollution avoid needless diesel truck
11 purchases, help address California's out-of-state truck
12 pollution problem, and encourage engine manufacturers to
13 pull forward and produce the cleanest internal combustion
14 engine to the market.

15 Finally, we ask the Board staff -- Board to
16 support staff's proposed changes to provide more
17 flexibility to SB 1383 fleets and to enhance the criteria
18 used for determining ZEV unavailability.

19 Thank you.

20 BOARD CLERK GARCIA: Thank you.

21 Next, we will hear from Lisa McGhee. Lisa, I
22 have activated your microphone. Please unmute and you
23 begin.

24 Are you there, Lisa?

25 Okay. She might be having audio issues. I'm

1 going to try the phone number. Okay. I don't see her
2 phone number on either. Lisa, we'll try you again later.

3 So next we will hear from Carol Kaufman,
4 Alejandra Mier, Rex Hime, Greg Zlotnick, and a phone
5 number ending in 292.

6 So Carol, I have activated your microphone.
7 Please unmute and begin.

8 CAROL KAUFMAN: It just unmuted. Can you hear
9 me? My goodness.

10 BOARD CLERK GARCIA: Yes, we can.

11 CAROL KAUFMAN: Oh, so you can hear me now?

12 BOARD CLERK GARCIA: Yes, we can.

13 CAROL KAUFMAN: Oh, thank you very much. Okay.
14 Good afternoon. My name is Carol Kaufman representing
15 Metropolitan Water District of Southern California. Thank
16 you for the opportunity to comment on the public fleet
17 requirements of the proposed Advanced Clean Fleets
18 Regulation. Metropolitan supports the comments heard
19 today from other agencies including commercial
20 availability and grid reliability and has also submitted a
21 detailed comment letter.

22 Metropolitan is a regional water wholesaler that
23 provides water through its member agencies to nearly 19
24 million Southern Californians over a 5,200 square mile
25 service area in six counties. We have 900 vehicles, 60

1 percent of which are subject to the proposed regulation
2 and which routinely operate in remote off-road areas and
3 power auxiliary equipment, and tow specialized equipment.

4 Metropolitan requests that the proposed
5 regulation be modified to allow essential water service
6 providers an additional three years to meet the 100
7 percent ZEV purchase requirement from the currently
8 proposed date of 2027 to 2030. The 50 percent ZEV
9 purchase requirement would still begin in 2024. This
10 modification is needed to ensure Metropolitan can meet its
11 mission for delivering safe and reliable water to its
12 region to ensure public health and safety, even during
13 such occurrences as the labor day extreme heat event that
14 coincided with the two-week emergency shutdown to repair a
15 critical pipeline that impacted four million residents.

16 Thank you for your consideration to modify the
17 proposed regulation to allow and to water service fleets
18 an additional three years to meet the 100 percent purchase
19 requirement.

20 BOARD CLERK GARCIA: Thank you.

21 Alejandra, I have activated your microphone.
22 Please unmute and begin.

23 ALEJANDRA MIER Y TERAN: Good afternoon. My name
24 is Alejandra Mier y Teran. I'm the Executive Director of
25 the Otay Mesa Chamber of Commerce and we have submitted a

1 letter with recommendations.

2 But my main point this afternoon is that this
3 regulation was drafted by air pollution experts, but
4 unfortunately not in conjunction -- not in conjunction
5 with an expert -- expert or someone who really understands
6 international supply chains. And I state this because if
7 approved as is, California is on its way to losing even
8 more competitiveness. A major surge in inflation, massive
9 delays on products available to the public, just to name a
10 few examples why.

11 Because of the heavier weight of electric trucks,
12 you need more trucks on the roads the way the technology
13 exists today. Because of the amount of time it takes to
14 charge electric trucks, we will need more truck drive --
15 truck drivers, which, by the way, we do not have and
16 basically additional trips.

17 It makes absolutely no sense for CARB to have
18 zero-emission mandates while assuming the private sector
19 will ensure the infrastructure will be in place. That is
20 certainly not occurring in Otay Mesa. It makes more sense
21 for truckers, Class 8 trucks, to invest in hydrogen, but
22 frankly the technology is not there yet.

23 The focus on funding has been on maritime ports
24 and land ports are being ignored. For example, just a few
25 days ago, I saw the final guidelines -- well, thank you

1 very much.

2 BOARD CLERK GARCIA: Thank you.

3 Rex, I have activated your microphone. Please
4 unmute and begin.

5 REX HIME: Thank you. Good afternoon, Madam
6 Chair and CARB Board members. My name is Rex W. Hime and
7 I'm here on behalf of California Business Properties
8 Association, Building Owners and Managers Association of
9 California, NAIOP California, and ICSC representing over
10 10,000 members in the office, industrial, and retail real
11 estate industry in the State. We have members involved in
12 a crucial part of the California supply chain that was
13 just mentioned and are looking for ways to improve not
14 hinder that sector. We're asking you to fix the issues
15 with the rule before there's any adoption.

16 There are numerous problems with the proposed
17 rule. And apart from the lack of technology and
18 infrastructure, along with commercial availability
19 concerns, Californians will feel the negative
20 reverberations of this rule, if not fixed, in the form of
21 another toilet paper or baby formula shortage resulting in
22 compromising the delivery of essential goods and services
23 to Californians.

24 From the diverse public comment and concerns from
25 our coalition of more than 50, I think it is clear today

1 this proposal isn't fully baked and we're asking for more
2 time to fix this before adoption.

3 Thank you very much for your time.

4 BOARD CLERK GARCIA: Thank you.

5 Next, we will hear from Greg. I have activated
6 your microphone. Please unmute and begin.

7 GREG ZLOTNICK: Thank you. Can you hear me?

8 BOARD CLERK GARCIA: Yes, we can.

9 GREG ZLOTNICK: Thank you. Thank you, Madam
10 Chair, Board members. My name is Greg Zlotnick. I'm with
11 the San Juan Water District and we associate our comments
12 with those from ACWA today and the letters that they have
13 written.

14 One minor comment would be as you deal with these
15 large issues is not to forget some of the smaller issues
16 that impact administration of the program whenever it goes
17 into place. For example, there's a requirement for
18 reporting within a month of new vehicles. We already have
19 an annual reporting requirement and adding administrative
20 burden is not necessary.

21 So again, we thank you for the opportunity to
22 comment and we urge you to look seriously at the comments
23 that ACWA has provided to make this a feasible program
24 going forward.

25 Thank you.

1 BOARD CLERK GARCIA: Thank you.

2 And then we have a phone number ending in 292. I
3 have activated your microphone. If you could please state
4 your name for the record.

5 You may have to dial star six to unmute.

6 Okay. We will try back to Lisa McGhee. So Lisa,
7 I have activated your microphone. You can unmute and
8 begin.

9 So back to the phone number ending in 292, it
10 looks like you've unmuted.

11 ANDREA VILLARAIN: Yes. Can you hear me now?

12 BOARD CLERK GARCIA: Yes, we can. Can you please
13 state your name for the record?

14 ANDREA VILLARAIN: Yes. Andrea Villarain on
15 behalf of the Los Angeles Department of Water and Power.

16 Good afternoon. As the nation's largest
17 municipal utility serving more than more four million
18 customers, our priority is to safely deliver reliable
19 water and power to our customers. And this is made
20 possible through our dependable fleet.

21 We ask you to support CARB's transportation
22 electrification goals but believe that the rule language
23 needs to be revisited to ensure that it doesn't impact
24 their ability to provide essential services. LADWP has
25 been proactively updating its fleet with ZEVs as they

1 become available.

2 In fact, 76 percent of our sedans are now ZEVs
3 and we've recently ordered all electric bucket trucks. We
4 also continue to evaluate emerging ZEV alternatives, but
5 we have yet to find proven ZEV alternatives for medium-
6 and heavy-duty specialty vehicles. Careful consideration
7 of potential ZEV replacements for these vehicles is
8 necessary to ensure our continued ability to maintain
9 water and power service within and outside of cities.

10 We urge CARB to continue working with the
11 stakeholders to refine the rule language and include a
12 definition for commercial availability that extends beyond
13 market availability and accounts for vehicle reliability.
14 We also ask that CARB consider allowing the 50 percent
15 purchase requirement extend past 2027 until 2030. This
16 may not be a one-size-fits-all solution for all POUs, but
17 LADWP sees this as a way to allow additional time for
18 medium- and heavy-duty ZEV technology to mature and yield
19 ZEV options that are reliable and capable of performing
20 essential functions.

21 Thank you.

22 BOARD CLERK GARCIA: Thank you.

23 Okay. We'll try Lisa one more time. Lisa, if
24 you can hear me, please unmute and begin.

25 Okay. Lisa, if you're there --

1 LISA MCGHEE: Hi.

2 BOARD CLERK GARCIA: Yes.

3 LISA MCGHEE: Yes, we just go through. I'm on
4 the phone that was why.

5 BOARD CLERK GARCIA: Oh, Okay.

6 LISA MCGHEE: Hi. I'm Lisa with GreenPower
7 Motor. And I just wanted to first say thank you very much
8 for this proposal and I highly support it and encourage
9 strengthening the rule. One of the things I want -- want
10 to state is, is that there are many concerns that are
11 being addressed today, but there are also many solutions
12 that aren't being addressed as it relates to public
13 charging is widely accessible. Any fleet can phase this
14 in over the proposed program over the life of 10 years or
15 15 years. We're not asking everyone to scale overnight.
16 There truly is no reason why a smaller fleet or a large
17 fleet can't phase in a project and use public charging.

18 I've gone from Arizona to Washington and traveled
19 on average 146 miles in a route and I've been able to
20 charge throughout the country without any issues in high
21 voltage fast charging. So I think there's a lot to come
22 as it relates to the experiences and the advantages of the
23 technology by experienced end-users and stakeholders
24 versus those that may not well understand it yet with real
25 world use cases. So I highly recommend that we support

1 the proposal and move it forward. It's long overdue and
2 happy to address any issues as it relates to some of our
3 experiences. And I also provided comments relating to
4 some of these routes that I'm sharing today.

5 Thank you.

6 BOARD CLERK GARCIA: Thank you.

7 Okay. Next, we will hear from Avi Mersky, John
8 Kinsey, Amber Coluso, and Dan Potter. So Avi, I have
9 activated your microphone. Please unmute and begin

10 AVI MERSKY: Thank you. I am Avi Mersky speaking
11 on behalf of the American Council for an Energy-Efficient
12 Economy. ACEEE supports CARB in their mission to protect
13 the health of California citizens by passing this
14 regulation. The ACF Rule would complement the existing
15 Advanced Clean Trucks Rule by providing an in-state market
16 for the rule's required zero-emission vehicle sales. Of
17 particular importance are the emission requirements on
18 drayage trucks and buses, both of which causes severe and
19 concentrated health impacts in the State.

20 Courts and intermodal yards are
21 disproportionately located near disadvantaged communities
22 that have long faced unsafe criteria air pollutant levels.
23 A major source of emissions from these facilities come
24 from drayage trucks. Disadvantaged communities are
25 likewise more reliant on buses to get their children to

1 school and themselves to work. Buses also represent a
2 threat to their health. With the tailpipes emissions of
3 buses having been shown to infiltrate into the cabin.

4 The ACF would help to address these concerns by
5 requiring a swift transition of the state's areas on bus
6 road and -- on-road bus and drayage fleets to ZEVs. The
7 ACF Rule is achievable. Amazon, UPS, FedEx, and USPS are
8 purchasing hundreds of thousands of EVs now through 2030.
9 The electric bus market has already established major
10 players, such as Blue Bird having had EV buses in their
11 catalogues for years.

12 For these reasons, ACEEE supports CARB in the
13 proposed ACF regulation and recommends the Board
14 expeditiously approves the rule without weakening any of
15 the provisions. ACEEE would like to once again thank CARB
16 for the opportunity to speak today. If CARB has any
17 questions, please do not hesitate to contact us.

18 Thank you.

19 BOARD CLERK GARCIA: Thank you.

20 John, I have activated your microphone. Please
21 unmute and begin.

22 JOHN KINSEY: Yes. Good afternoon. My name is
23 John Kinsey with Wanger Jones Helsley. I submitted a
24 comment letter a few weeks ago on behalf of the California
25 Trucking Association and the Western States Trucking

1 Association and I do recommend that the Board consider the
2 issues raised in that letter before providing direction to
3 staff.

4 One issue that I did want to make sure that the
5 Board is aware of relates to criteria pollutant emissions.
6 That's central obviously to CARB's mission. CARB's
7 analysis quantifies the potential emissions benefits
8 associated with the proposed regulation. At the same
9 time, the Environmental Assessment recognizes the proposed
10 regulation would result in several potential negative
11 environmental effects, and that includes increased
12 criteria pollutant emissions associated with new
13 construction and infrastructure.

14 However, the Environmental Assessment performs no
15 qualitative analysis of what those emissions might be or
16 no quantitative analysis of what those emissions might be.
17 The assessment only contains a qualitative analysis and
18 with conclusion that those effects would be significant.
19 Now, this is problematic, because the approach makes it
20 impossible to understand what the true benefits and the
21 true negative impacts of the proposed regulation would be,
22 particularly with respect to criteria pollutants. And
23 this approach violates CEQA and a full analysis of the
24 effects of the regulation should be considered before
25 adoption.

1 Thank you.

2 BOARD CLERK GARCIA: Thank you.

3 Amber, I have activated your microphone. Please
4 unmute and begin.

5 AMBER COLUSO: Hi. My name is Amber Coluso from
6 the Port of Los Angeles. The Port of Los Angeles
7 appreciates CARB's efforts to decarbonizing truck
8 operations throughout the state. These are the Port of
9 Los Angeles verbal comments emphasizing some of the key
10 points on the join comment letter from the ports of Los
11 Angeles and Long Beach on truck turnover rate and
12 non-container terminal compliance verification.

13 The ports have provided analysis on annual truck
14 fleet turnover rate of drayage trucks of CARB staff from
15 2013 to 2021. The ACF requirements will require any new
16 truck entering the state drayage truck registry be ZE
17 starting in 2024. As my colleague from the Port of Long
18 Beach stated, there is a concern that the supply of ZE
19 trucks will not match the pace in which trucks need to be
20 replenished in the drayage truck fleet annually. Thus
21 shrinking the fleet over time. A smaller fleet may not be
22 able to meet the operational demand of moving cargo in and
23 out of the port in a timely manner.

24 We are also concerned about the ACF Regulation
25 obligating terminal operators to record information and

1 verify compliance on all trucks entering and operating on
2 their property. While this --

3 BOARD CLERK ESTABROOK: Excuse me, ma'am.

4 AMBER COLUSO: Um-hmm. Yeah. Oh sorry.

5 BOARD CLERK ESTABROOK: Ma'am, the interpreters
6 will not be able to interpret for you.

7 AMBER COLUSO: Oh, sorry.

8 While this process automated for our container
9 terminals through our electronic gate systems we impose is
10 a substantial administrative burden for the non-container
11 terminals while currently using a sticker-based system
12 (inaudible) in the clean truck program. These stickers
13 are replaced annually at our terminal access center.
14 Compliance will now need to be checked manually on our
15 trucks entering the non-container terminals causing
16 unnecessary terminal gate delays.

17 This issue was first brought to light to the CARB
18 staff during the Heavy-Duty Inspection and Maintenance
19 Regulation process. CARB staff provides the regulation to
20 include a new alternative compliance verification terminal
21 definition that will allow non-container (inaudible) to
22 verify truck compliance annually through the sticker
23 verification process.

24 The ports request a similar revision to the
25 proposed ACF Regulation language that will account for the

1 sticker verification site to be the terminal access
2 center.

3 BOARD CLERK GARCIA: Thank you.

4 Dan Potter, I have activated your microphone.
5 Please unmute and begin.

6 DAN POTTER: My name is Dan Potter and I'm
7 representing Daimler Truck North America.

8 I'd like to start by thanking the Board for the
9 opportunity to comment today and additional to thank CARB
10 staff for their willingness to engage with stakeholders
11 and accept feedback. We are fully committed to supporting
12 the emerging zero emissions vehicles market and we expect
13 that these technologies will play a significant part in
14 the future of commercial transportation. And we know that
15 they are of a vital contributor to lowering NOx and
16 greenhouse gas emissions. We believe they are the future.
17 We submitted comments to the Board in response to the ACF
18 proposals and we believe there are some areas where the
19 Board could seek greater harmony between the ACF and the
20 ACT.

21 Today, though, I'd like to speak to a relatively
22 minor issues for your consideration. Vehicle
23 manufacturers operate and test demonstration fleets around
24 the country and in California. These fleets are not
25 engaged in typical commerce and moving freight around the

1 state. Instead, they are test rigs in Baker, California
2 or show trucks at events like the Advanced Clean
3 Transportation Expo showcasing future technologies that
4 will make a cleaner world.

5 While vehicle manufacturers are very likely to
6 test an increasing number of ZEVs in their test fleet,
7 manufacturer test needs and dictated by program
8 development timelines. And if we need to test a specific
9 model, it's not feasible to substitute a ZEV in its place.
10 These are not the fleets that ARB is intending to regulate
11 with this rule. I would ask that the Board grant an
12 exemption from the high priority fleets' rule for vehicles
13 owned by vehicle manufacturers that are not engaged in
14 freight shipment, passenger transportation, or otherwise
15 engaged in difficult commerce.

16 Thanks again for your consideration.

17 BOARD CLERK GARCIA: Thank you.

18 Next, we will hear Austin Avery, Omar Gonzales,
19 Alison Kerstetter, Ileagh MacIvers, and Margret Edwards.

20 So Austin, I have activated your microphone.
21 Please unmute and begin.

22 AUSTIN AVERY: Good afternoon, Chair Randolph and
23 Board members. My name is Austin Avery and I'm with
24 Turlock Irrigation District. TID appreciates the
25 opportunity to comment on the proposed Advanced Clean

1 Fleets Regulation.

2 TID is concerned CARB's financial analysis
3 concerning the total cost of ownership for Class 7 and 8
4 trucks does not reflect the financial burden ratepayers
5 will be forced to bear. Many public agencies such as TID
6 keep their vehicles in use for about 20 years. At this
7 time, due to EV technology for heavy-duty trucks being
8 nascent, nobody knows how long the battery life will be
9 for Class 7 and above trucks.

10 What we do know is that light-duty EV batteries
11 tend to last about a decade. We also know that roughly
12 half the cost of a heavy-duty EV is the battery, which can
13 range from 200,000 to \$300,000. This cost alone is four
14 to five times more than what a traditional internal
15 combustion vehicle would cost TID.

16 The consequences of CARB's ACF financial analysis
17 will ultimately be borne by the utility ratepayer
18 especially those in our disadvantaged communities. To
19 ensure this problem does not occur -- occur, we would
20 implore CARB staff to undertake the following action. TID
21 would encourage CARB to implement the suggested regulatory
22 text modifications proposed in a joint comment letter
23 submitted for this hearing by the California Municipal
24 Utilities Association, the Northern California Public
25 Power Agency, and the Southern California Public Power

1 Authority.

2 Thank you.

3 BOARD CLERK GARCIA: Thank you.

4 Omar, I have activated your microphone. Please
5 unmute and begin.

6 OMAR GONZALES: Good afternoon, Chair Randolph
7 and members of the Board. My name is Omar Gonzales
8 calling on behalf of Nikola Corporation. Nikola is a
9 technology and compliance solution provider manufacturing
10 heavy-duty batter electric vehicles, fuel cell electric
11 vehicles and developing the entire hydrogen ecosystem.
12 We're currently in production of our battery electric
13 Class 8 Tre Bev, which is listed on the HVIP catalogue,
14 and has a range of up 350 miles. And we will begin
15 production of our Class 8 fuel cell electric day cab truck
16 in 2035, which provides a range of up to 500 miles.

17 Nikola supports the Advanced Fleets regulation
18 and the adoption of the accelerated ZEV transition
19 alternative. However, we are concerned about the ability
20 to reduce emissions benefits by front-loading Milestone
21 Group 1 procurement activities at the expense of other
22 milestone group vehicle classes. To achieve CARB's
23 desired emissions reductions from the ACF Regulation, the
24 optionality to procure ZEVs between tier categories should
25 be removed, especially as Milestone Group 2 and 3 vehicles

1 contribute disproportionately to emissions.

2 Additionally, if the ACF proposal is to be
3 successful, funding carve-outs for fuel cell electric
4 vehicles should be implemented in agency administered
5 purchase programs and more investments need to be made in
6 hydrogen fueling infrastructure for all classes of
7 vehicles.

8 With these intentional investments in the fuel
9 cell space, fleet purchasers will have additional options
10 available to them to meet California's clean
11 transportation goals in a way that will best suit their
12 operational duty cycle and fleet economic needs. We look
13 forward to working in partnership with you and other
14 stakeholders to improve our air pollution, reduce GHG
15 emissions, increase investment in California, and change
16 the trajectory of public health and environmental issues in
17 communities which have been disproportionately impacted by
18 freight activities in the state.

19 Thank you all for your leadership on this issue.

20 BOARD CLERK GARCIA: Thank you.

21 Alison, I have activated your microphone. Please
22 unmute and begin.

23 ALISON KERSTETTER: Thank you. This is Alison
24 Kerstetter, Fleet Manager for the City of Sacramento. The
25 City appreciates the ability to provide comments on the

1 ACF proposal. We are committing -- we are committed to
2 creating a zero-emission fleet for all vehicles and
3 equipment that are purchased for City use. We strongly
4 support California's zero-emission future. The proposed
5 reso -- regulation should have modified timelines or
6 penalties excluded to provide man -- to provide
7 manufactures with the time needed to advance technologies
8 and test vehicles in the zero-emission field. The City
9 understands and agrees with the intent in the regulations.
10 However, the implementation timeline is concerning.

11 CARB should delay the effective date of the
12 regulation or adjust the time frame in which the vehicles
13 must be procured. The exemption for construction delays
14 should be expanded to accommodate the range of charging
15 infrastructure challenges that local agencies face.

16 Funding for charging infrastructure is posing one
17 of the biggest concerns for the City. The needing --
18 needed funding for the installation of charging
19 infrastructure to cover the next five years of electric
20 vehicle purchases is limited. Most grant opportunities do
21 not cover fleet chargers that are not available to the
22 public. Unfortunately, with the increased cost of
23 vehicles and in -- installing infrastructure, local
24 municipalities will be forced to increase rates and taxes
25 to cover additional funding needed.

1 Thank you for the time in allowing the city to
2 provide comments and feedback to the proposed Advanced
3 Cleans -- Clean Fleet regulations.

4 Thank you.

5 BOARD CLERK GARCIA: Thank you.

6 MS. JENSEN: I do just want to take a moment to
7 let everybody know that apologies to the Spanish
8 community. The court reporter and the interpreters are
9 having a really hard time keeping up with trying to catch
10 all the verbiage that's being spoken. So the transcript
11 will go up approximately two weeks after the Board meeting
12 and the webcast will be available usually a day or two
13 after. Maybe go to that, but they just can't keep with
14 the speeds that people are speaking.

15 Thanks.

16 Yes, we are asking for people to please slow
17 down. We know you don't have a lot of time. The docket
18 is open. You can submit written submissions until the
19 docket closes today. So maybe go there with your longer
20 remarks and keep your verbal remarks shorter and slower.

21 Thanks.

22 BOARD CLERK GARCIA: Thank you.

23 So we'll continue with Ileagh MacIvers. Ileagh,
24 I have activated your microphone. Please unmute and
25 begin.

1 And I apologize for mispronouncing anybody's
2 name.

3 ILEAGH MACIVERS: Good afternoon. My name is
4 Ileagh MacIvers and I'm the Clean Cars Organizer at the
5 non-profit Interfaith Power and Light. I'm here today to
6 speak on behalf of my organization, as well as IPL
7 affiliates in 40 states that reach out to more than 22,000
8 congregations. I'm asking the Board to adopt the Advanced
9 Clean Fleet accelerated ZEV transition alternative that
10 will allow California to achieve 100 percent electric
11 truck sales by 2036. We also urge CARB to reduce the
12 priority fleets from 50 to 10 trucks for Class 7 and 8
13 tractor trailers. Heavy-duty vehicles are the fastest
14 growing source of climate emissions and truck miles
15 traveled are projected to grow rapidly in the coming
16 years. A loss of this rule, even in part, would create
17 major negative implications for California's climate
18 goals.

19 We must also keep in mind that these rules target
20 air pollution that disproportionately harms marginalized
21 communities of color and low income communities that face
22 environmental racism. Immediate pollution reductions are
23 a matter of environmental justice.

24 So again, on behalf of millions of people of
25 faith and conscience around the country, I urge the Air

1 Resources Board to approve the alternative rule in full so
2 California and other states across the country can reap
3 the benefits of heavy-duty vehicle electrification and
4 accelerate the transition to zero-emission vehicles.

5 Thank you.

6 BOARD CLERK GARCIA: Thank you.

7 Margret Edwards, I have activated your
8 microphone. Please unmute and begin.

9 MARGRET EDWARDS: Hello. Margret Edwards on
10 behalf of the National Star Route Mail Contractors
11 Association. NSRMCA believes the Advanced Clean Fleets
12 Rule will significantly impact Postal Service
13 transportation providers operating in California, impact
14 the interstate movement of mail into and out of the state,
15 and indirectly burden the entire Postal Service
16 transportation network.

17 While NSRMCA supports CARB's goal of
18 significantly reducing greenhouse gas emissions, it is
19 concerned with the ACF Rule as currently written.
20 Transitioning a fleet to include ZEVs is not currently
21 feasible due to the lack of commercially available
22 vehicles, current technological capability and charging
23 infrastructure. But we are pleased to hear that CARB is
24 revisiting related revisions of this rule.

25 NSRMCA has the following concerns about the

1 current version specific to postal service transportation.
2 One, ACF burdens in-state operations, because it is
3 inconsistent with the use case of even short haul postal
4 service transportation contracts, two, it is not possible
5 for interstate postal service transportation to comply,
6 and three, it is inconsistent and perhaps impossible to be
7 complied with by brokerage operations that contract with
8 the postal service.

9 NSRM -- NSRMCA recommends that CARB provide
10 better clarity and accountability regarding the
11 application of exemptions for complying with the ACF, that
12 CARB consider an alternative extended compliance timeline
13 and that CARB adopt an exemption for vehicles that spend a
14 de minimis amount of time operating in California.

15 And so thank you. We look forward to, you know,
16 being involved as this process moves forward.

17 BOARD CLERK GARCIA: Thank you.

18 Next, we will hear from Claire Buysse, East
19 Peterson-Trujillo, Samuel Sukaton, and Alicia Appel.

20 So Claire, I have activated your microphone.
21 Please unmute and begin.

22 CLAIRE BUYSSE: Hi. Can you hear me?

23 BOARD CLERK GARCIA: Yes, we can.

24 CLAIRE BUYSSE: Hi. I'm Claire Buysse, a
25 researcher at the International Council on Clean

1 Transportation. The ICCT is an independent non-profit
2 research organization that provides technical analysis to
3 inform clean transportation policies. We appreciate the
4 opportunity to provide input to CARB on the ACF
5 Regulation.

6 The ICCT strongly supports the proposed ACF
7 regulation, which is needed to reduce the harmful
8 emissions from combustion engine heavy-duty vehicles and
9 to achieve the State's climate and air quality targets.
10 Total cost of ownership modeling by CARB staff shows that
11 such a transition will also deliver savings to fleet
12 owners. And we find CARB staff's TCO to fall largely in
13 line with recent literature.

14 We strongly support setting a clear target year
15 for 100 percent zero-emission heavy-duty vehicles sales by
16 or before 2040, which would align California with other
17 leading governments and enable a path to limit global
18 warming to below two degrees celsius according to our
19 research.

20 We commend CARB for proposing 100 percent
21 zero-emission drayage trucks by 2035, which prioritizes
22 health and air quality benefits in disproportionately
23 impacted communities. To this end, we encourage CARB to
24 consider strengthening high priority fleet requirements
25 for tractor trucks. We recommend harmonizing ZEV fleet

1 composition milestones for sleeper cabs with the more
2 stringent Group 2 requirements proposed for day cabs.

3 More details on the topics I've covered can be
4 found in ICCT's public comments on the comments log or on
5 our website. Thank you very much.

6 BOARD CLERK GARCIA: Thank you.

7 East Peterson-Trujillo, I have activated your
8 microphone. Please unmute and begin.

9 EAST PETERSON-TRUJILLO: Good afternoon. My name
10 is East Peterson-Trujillo. I'm a Clean Vehicles
11 Campaigner with Public Citizen, and a national -- a
12 national public interest organization with more than
13 90,000 California members and supporters.

14 Electric truck technology is here now. Setting a
15 100 percent electric truck sales goal by 2036 will achieve
16 greater pollution reductions, save more lives, and achieve
17 almost \$10 billion more in additional social benefits,
18 compared to the current proposal. Public Citizen also
19 encourages adopting a dynamic compliance threshold for
20 tractor truck fleets. The disproportionate pollution
21 contribution of big rigs, semis, and 18-wheelers --
22 wheelers is not adequately accounted for in the current
23 proposal. A threshold of 10 trucks for Class 7 and 8 is
24 needed. Additionally, Class 8 sleeper cabs should be
25 moved from Group 3 to 2 vehicles in the high priority

1 fleets rule.

2 I grew up in the Bay Area. My family home in
3 Richmond is a mere 3,500 feet away from Highway 80, a
4 route that thousands of polluting diesel trucks traverse
5 every day. Heavy-duty vehicles are spewing dangerous
6 emissions that elevate asthma rates and cancer risks in
7 our communities. Tailpipe pollution causes tens of
8 thousands of premature deaths nationwide each year,
9 especially in communities of color.

10 I urge CARB to adopt a plan that phases out
11 internal combustion engines by 2036 and to regulate Class
12 7 and 8 tractors at a dynamic threshold.

13 Thank you for your time and leadership.

14 BOARD CLERK GARCIA: Thank you.

15 Samuel, I have activated your microphone. Please
16 unmute and begin.

17 SAMUEL SUKATON: Chair Randolph, members of the
18 Board. Good afternoon. Sam Sukaton for the 150,000
19 members of California Environmental Voters based in San
20 Bernardino, California -- calling from San Bernardino,
21 rather.

22 I want to thank your staff for the hard work that
23 they've already undertaken as stakeholders. Particularly
24 impressed with the accelerated ZEV transition timeline
25 that sets a 100 percent ZEV sales goal by 2036. Your

1 staff's own research illustrate that this will include
2 more pollution reduction, save more lives, and accrue \$10
3 billion more in silent benefits, the majority of that
4 being health care costs, which given a lot how -- how many
5 industries in trucking and logistics corridors misclassify
6 workers or -- or structure their lives as to kind of deny
7 access to health care, I just want to emphasize the really
8 crucial importance of -- direct life-changing importance
9 of that.

10 I would, however, add the suggestion that CARB
11 review priority fleets for Class 7 and 8 tractor trailers
12 from 50 to 10. Again, this kind of intersects with the
13 misclassification problem that we're seeing in the
14 trucking industry, as well as avoiding a potential
15 loophole where truck fleets can break to get underneath
16 the 50 -- 50 person limitation.

17 You know, in short, there are not -- especially
18 on climate and health, there are not always moments when
19 answers are clear. You have clear answers from the
20 talent -- talented CARB staff.

21 Again, thank you very much. Looking forward to
22 working with you.

23 BOARD CLERK GARCIA: Thank you.

24 After Alicia, we will hear from Victoria
25 Leistman, Pearl McLeod, Camilla Getz, Katie Patterson, and

1 Jo Ann Lawson.

2 So Alicia, I have activated your microphone.

3 Please unmute and begin.

4 ALICIA APPEL: Hello, Chair Randolph and CARB
5 Board members. My name is Alicia Appel, Director of
6 Environmental Compliance for Encina Wastewater Authority
7 in Carlsbad, a resource recovery facility serving 390,000
8 residents and businesses in North San Diego County. We
9 serve our communities as environmental stewards and
10 support State of California efforts to manage sources of
11 greenhouse gases and slow climate change, but we implore
12 CARB to recognize biogas from wastewater facilities as a
13 renewable source of fuel for transportation purposes.

14 We are members of CASA and SCAP and support their
15 comments, along with other water utility sector
16 representatives. Please encourage staff to amend the
17 regulation to provide exemptions and extensions for
18 natural gas vehicles and exploration of new technologies
19 for wastewater biogas. This renewable source of
20 non-fossil fuel should be part of the portfolio in
21 California's leadership in resource management, especially
22 considering the pressures on the industry from SB 1383.

23 Thank you so much for listening to our comments
24 today.

25 BOARD CLERK GARCIA: Thank you.

1 Victoria, I've activated your microphone. Please
2 unmute and begin.

3 VICTORIA LEISTMAN: Hello, Chair Randolph and
4 members of the Board. My name is Victoria Leistman. And
5 I work with Standout Earth and I'm the Network Coordinator
6 for the Clean Mobility Collective in the U.S. The CMC is
7 an international network working to address the growing
8 emissions and public health crises in the global transport
9 sector. We advocate for zero-emission deliveries and
10 urban mobility solutions.

11 I urge the Board to adopt the accelerated ZEV
12 transition alternative to require 100 percent
13 zero-emission sales by 3036 and to lower the high priority
14 fleets threshold to fleets of 10 trucks or more,
15 especially for Class 7 and 8 trucks. CARB staff has
16 confirmed this pathway is feasible and will lead to
17 significant emissions reductions.

18 Dependence on online shopping has become a new
19 normal, and one where delivery vehicles are allowed to
20 further congest our streets and pollute our air. The U.S.
21 is currently the second biggest E-commerce market in the
22 world and is expected to reach a staggering 1.3 trillion
23 by 2025.

24 The ACF is critical to addressing the climate and
25 environmental justice crises associated with the boom in

1 E-commerce. The impacts associated with diesel trucks
2 have on communities and the worsening impacts for
3 low-income communities of color cannot be addressed soon
4 enough.

5 Strengthening ACF is a critical intervention and
6 the clean mobility partners in the U.S. are watching this
7 rulemaking closely to see what it means for how their
8 states can advocate. Globally, we work in Europe and
9 India and folks there are awaiting to see what California
10 can do. Do not underestimate the role you have to set the
11 stage for national and international precedence for our
12 air and quality planet.

13 Thank you for the opportunity to speak today.

14 BOARD CLERK GARCIA: Than you.

15 Pearl, I have activated your microphone. Please
16 unmute and begin.

17 PEARL McLEOD: Hello. My name is Pearl McLeod
18 and I represent E2 Environmental Entrepreneurs. Thank you
19 for the opportunity to discuss our support of adopting the
20 Advanced Clean Fleet accelerated ZEV transition
21 alternative that hits the electric truck sales goal by
22 2036. E2 is a network of 11,000 business individuals that
23 advocate for policies that are good for the economy and
24 good for the environment. Policies like the Advanced
25 Clean Fleet Rule create market certainty, which drive the

1 decisions of many businesses to invest in new technologies
2 and to create job opportunities.

3 California has already established itself as the
4 epicenter of the clean energy economy with nearly 540,000
5 clean energy workers according to E2's research. That
6 figure includes almost 40,000 clean vehicle jobs. The ACF
7 Rule holds enormous promise to build upon existing action
8 to slash the transportation sector's greenhouse gas
9 emissions and toxic air pollution while ensuring
10 California capitalizes on the clean energy economy of the
11 future.

12 However, a more ambitious final rule is needed to
13 expand and accelerate these economic benefits, while
14 better protecting public health and addressing the climate
15 crisis. Thank you for the opportunity to speak.

16 BOARD CLERK GARCIA: Thank you.

17 Camilla, I have activated your microphone.
18 Please unmute and begin.

19 CAMILLA GETZ: My name is Camilla Getz and I
20 represent the Center for Biological Diversity and its
21 members.

22 There is no greater threat to continued human
23 existence than climate change. Also, California has the
24 most polluted cities in the county -- in the country when
25 linked by ozone and PM pollution. A driver of this

1 pollution is diesel trucks. These burdens are not borne
2 equally. Rather, it is California's disadvantaged
3 communities who face the brunt of these threats.

4 For these reasons, the Board should adopt the
5 modified version of the accelerated ZEV transitional
6 alternative, including requiring a 100 percent ZEV sales
7 by 2036 instead of 2040. This four-line -- four-year
8 timeline shift makes a world of difference for
9 communities, our climate, and it makes sense economically.
10 Requiring 100 percent ZEV sales by 2036 will provide 34
11 billion in additional hospital benefit to communities and
12 additional reduction of 41 tons per day of NOx, and over
13 32 -- 3,200 additional premature deaths will be avoided.
14 How could savings -- how could saving 3,200 lives not be
15 justification enough to move the deadline by four years?
16 But there will be additional beneficial climate impacts,
17 including a 54 percent greater reduction in greenhouse gas
18 emissions.

19 Finally, this recommendation makes sense
20 economically as there will be an additional \$10 billion
21 saved in net benefit savings.

22 Thank you for the opportunity to testify.

23 BOARD CLERK GARCIA: Thank you.

24 Katie, I have activated your microphone. Please
25 unmute and begin.

1 KATIE PATTERSON: Good afternoon. I'm Katie
2 Patterson with South San Joaquin Irrigation District.
3 SSJID serves over 51,000 acres of irrigated agricultural
4 lands around the cities of Manteca, Escalon, and Ripon,
5 and provides treated drinking water to the cities of Tracy
6 Lathrop, and Manteca benefiting over 200,000 citizens
7 across Southern San Joaquin County.

8 SSJID also stewards significant hydropower
9 resources through our Tri-Dam Partnership with Oakdale
10 Irrigation District which functions in a remote high
11 Sierra environment. We appreciate the opportunity to
12 comment on this significant rulemaking process and
13 acknowledge the big challenges facing our essential public
14 service providers.

15 I'd like to first echo ACWA and CMUAs comments
16 especially the amendments to the emergency exemptions and
17 the fleet availability. Second, like Truckee Donner PUD,
18 our Tri-Dam facilities are in highly remote areas and
19 significant demands are placed on our equipment due to the
20 challenging conditions of that work environment. Reliable
21 and properly powered vehicles are a must for the safety of
22 our employees in the -- working in these areas.

23 For SSJID, simply put, our fleets are working
24 fleets. These trucks must be able to drive to worksites
25 and contain enough power to get the job done, not just

1 simply get there. The technology must mature before
2 implementation is mandatory.

3 Lastly, adoption of this rule cannot ignore the
4 fact that the state is facing record demand for
5 electricity and multi-year grid instability. Just this
6 year, the State requested irrigation districts to shift
7 our demand to backup generation sources to help the state
8 through this grid emergency. We know we -- we remain
9 vulnerable and these issues are not going away soon.

10 Thank for your consideration.

11 BOARD CLERK GARCIA: Thank you.

12 And after Jo Ann, we will hear from Olivia
13 Seideman, Michael Geller, Joe Rajkovicz, Steven King, and
14 John Shears.

15 So Jo Ann, I have activated your microphone.
16 Please unmute and begin.

17 Jo Ann Lawson, please unmute and begin.

18 Okay. Let's go to Olivia.

19 Olivia, I have activated your microphone. Please
20 unmute and begin.

21 OLIVIA SEIDEMAN: Thank you. Hello. Thank you
22 Chair and members. My name is Olivia Seideman, climate
23 policy coordinator with Leadership Counsel for Justice and
24 Accountability, a community-based organization that
25 organizes alongside communities in the San Joaquin and

1 Eastern Coachella valleys, two of the most polluted
2 regions in the state, around environmental justice issues
3 such as land use, transportation, and climate.

4 We strongly urge CARB to adopt a stronger ACF
5 Rule, one that requires 100 percent transition by 2036 and
6 reduces fleet thresholds for all Class 7 and 8 vehicles
7 from 50 to 10. Leadership Counsel works alongside
8 community leaders in South Central Fresno, where
9 communities live in some of the worst polluted areas in
10 the state in the top one percent of CalEnviroScreen census
11 tracts.

12 South Central is also a truck route in an AB 617
13 community, but Caltrans is currently planning and
14 interchange expansion on Highway 99 in the neighborhood,
15 which will facilitate more truck traffic and industrial
16 development. The proliferation of warehouses and other
17 industry facilities that are indirect sources have
18 contributed to poor air quality and an accelerated ACF is
19 a key tool to ensure that diesel pollution is reduced and
20 eliminated in communities like South Central Fresno.

21 As long as trucks and truck routes course through
22 communities, it is incumbent on agencies like CARB to pass
23 strong protections like an accelerated ACF that moves
24 California to zero-emission trucks as soon as possible.
25 Communities have been suffering for far too long from

1 racist policies that have led to disproportionate burdens
2 of pollution in low-income communities of color. South
3 Fresno residents have a life expectancy that is 20 years
4 shorter than those of Fresno residents in the northern
5 part of the city. (Inaudible) equity goals, this is
6 imperative.

7 Thank you so much.

8 BOARD CLERK GARCIA: Thank you.

9 Let's try Jo Ann, one more time. Jo Ann, if
10 you're there, please unmute and begin.

11 Okay. Let's move on to Michael Geller. Michael,
12 I have activated your microphone, please unmute and begin.

13 MICHAEL GELLER: Good afternoon, Chair Randolph
14 and members of the Board. My name is Michael Geller,
15 Deputy Director of MECA Clean Mobility. MECA members
16 provide the technology solutions that enable heavy-duty
17 on-road vehicles to be as clean as possible, including
18 batteries and fuel cells, motors, power electronics,
19 transmissions, and various other components used in the
20 manufacturer of ZEV.

21 We commend CARB's continued leadership on
22 electrification. However, there remains uncertainty in
23 the pace of electrifying some commercial vehicle segments,
24 where fleets are facing lack of truck availability as well
25 as long lead times. We suggest CARB allow alternative

1 compliance options. We believe that this will be
2 particularly beneficial over the next decade as critical
3 mineral supplies are developed, more vehicles become
4 available, infrastructure is installed, and fleet
5 experience matures.

6 While ACT allows for partial compliance crediting
7 for near-zero-emission vehicles, the ACF places more
8 limits on fleet operators to add NZEV to their fleets.
9 Removing limitations on NZEV for compliance would increase
10 purchasing flexibility needed for fleets. There's broad
11 international industry commercialization of internal
12 combustion engines fueled with clean hydrogen or H2ICE.
13 Fleets can begin to transition their vehicles to zero CO2
14 at competitive initial capital costs while maintaining
15 familiar maintenance practices, which allows time for
16 employee training and infrastructure development.

17 Utilizing hydrogen fuel coupled with proven low
18 NOX aftertreatment provides a commercial path for fleets
19 to transition from combustion to fuel cell sooner in the
20 hardest to electrify applications. To conclude, we share
21 your ambition to transition the heavy-duty fleet to net
22 zero emission and our members investments to that goal.

23 Thank you.

24 BOARD CLERK GARCIA: Thank you.

25 Joe, I have activated your microphone. Please

1 unmute and begin.

2 JOE RAJKOVACZ: Can you hear me all right?

3 BOARD CLERK GARCIA: Yes, we can.

4 JOE RAJKOVACZ: Okay. My name is Joe Rajkovacz,
5 Director of Governmental Affairs for the Western States
6 Trucking Association. Thanks for the opportunity to make
7 these comments. Our comments that we filed, our written
8 comments, to the docket as well as many other industry
9 comments can be summed up best as this proposal before you
10 from staff is not ready for prime time. The proposal is
11 really aspirational and either ignores or glosses over
12 significant shortcomings, that will ultimately undermine
13 the intent and success of the rule.

14 For example, staff claims there are many
15 commercially available trucks now, especially in the Class
16 7, 8 -- 7 and 8 marketplace. That is not correct. The
17 lead time, for instance, to get a new diesel powered truck
18 right now is measured in at least a year, if ordered.
19 Zero-emissions truck production isn't and won't be near
20 where the ACF mandate kicks in, especially for the port
21 drayage markets in California or that could begin 1/1 of
22 24.

23 Other issues have been covered. Infrastructure,
24 the proposal does nothing to mandate both dramatic
25 increases to necessary electrical generation necessary for

1 the success of this rule nor the charging infrastructure
2 that would desperately be needed.

3 Many industry-written comments to this proposal
4 echo the same warning. Staff should -- thank you.

5 BOARD CLERK GARCIA: Thank you.

6 Steven, I have activated your microphone. Please
7 unmute and begin.

8 Oh, it looks like, Steven, I'm getting a message
9 that you're using an old version of Zoom. So choose -- I
10 think you'll need to call -- call in Steven - it's not
11 letting me unmute you - or you can submit your written
12 comments to the docket. Sorry about that.

13 So let's move on to John Shears. John, I have
14 activated your microphone. Please unmute and begin.

15 JOHN SHEARS: Good afternoon, everyone. And I
16 want to thank you all for your comprehensive hard work on
17 the proposed regulation. My name is John Shears with the
18 Center for Energy Efficiency and Renewable Technologies.
19 I'm here today to speak in support of the ACF accelerated
20 ZEV transition alternatives that would require 100 percent
21 ZEV truck sales by 2036.

22 The transition can yield greater reductions in
23 toxic truck emissions with the move of the start date for
24 Group 3 vehicles in the high priority fleet. Fleets
25 forward from 2030 to 2027 matching the dates for the Group

1 2 vehicles. And with the lowering of the threshold for
2 high priority fleets for Class 7 and 8 tractors required
3 to comply with the requirements from 50 down to 10 trucks.
4 Adopting the accelerated ZEV transitional alternative will
5 strengthen the regulatory -- regulation's ability to lower
6 the dangerous air and climate pollution that is negatively
7 impacting the public environmental and economic health of
8 California.

9 This is again reinforced by the UM climate change
10 in its COP27 report released yesterday. Humanity is
11 running out of time to take action to void catastrophic
12 climate change. Please adopt the accelerated ZEV
13 transition alternative.

14 Thank you.

15 BOARD CLERK GARCIA: Thank you.

16 Next, we will hear from David Prescott, Derrick
17 Robinson, James Fahy, and Rudy Guzman.

18 So, David, I have activated your microphone.
19 Please unmute and begin.

20 DAVID PRESCOTT: Good afternoon, Chair Randolph
21 and members of the Board. My name is David Prescott and
22 I'm here on behalf Hazard Construction Company. We are a
23 heavy civil construction company, and as such, we own a
24 fleet of various style trucks. They range from
25 three-quarter ton pickup trucks, to dump trucks, water

1 trucks, and sweepers. We employ 250 persons and those
2 jobs, along with thousands more, could be in jeopardy, if
3 these new requirements are rolled out before the State's
4 electrical infrastructure has been sufficiently upgraded
5 to support inevitable increase in demand.

6 Furthermore, there will always be dirt spread
7 jobs or remote roadway construction and renovation
8 projects where there is no infrastructure, so charging
9 stations cannot be utilized. When these jobs are a
10 sufficient distance from our home port, such that the
11 trucks must remain on the job, an all electric fleet
12 cannot be reasonably utilized. There needs to be an
13 exception for station situations such as these.

14 California is a great state. Concern for our
15 environment is important and electric vehicles will play
16 an important part of moving towards the healthier future.
17 But forcing those proposed requirement on the companies
18 that keep California moving and growing before the grid
19 can handle it is ill-advised and will cause irreparable
20 damage to those companies, like Hazard, that help to build
21 the future California that we all want.

22 Thank you.

23 BOARD CLERK GARCIA: Thank you.

24 Derrick, I have activated your microphone.

25 Please unmute and begin.

1 DR. DERRICK ROBINSON: Can you hear me?

2 BOARD CLERK GARCIA: Yes, we can.

3 DR. DERRICK ROBINSON: Hello, CARB members. My
4 name is Dr. Derrick Robinson with the Center on Policy
5 Initiatives in San Diego. Today, I'm speaking in support
6 of CARB instructing staff to strengthen the Advanced Clean
7 Fleets rule by asking for 100 percent electrical truck
8 sales by 2036 with two additional changes, moving Class 8
9 sleeper cabs from Group 3 to Group 2 vehicles in the high
10 priority fleet rule to begin in 2027, and lowering the
11 high priority fleet threshold for Class 7 and 8 tractors
12 from 50 to 10 trucks.

13 These sales targets will bring more electric
14 trucks to the road faster while supporting job in the
15 electric vehicle manufacturing industry where wages are 33
16 percent more than wages across all industries. These
17 targets will also help protect the communities surrounding
18 our ports, warehouses, distribution and fulfillment
19 centers, and other areas impacted by heavy-duty truck
20 traffic by reducing air pollution in those areas.

21 Cleaning the air can lead to an additional \$10
22 billion in health savings over four years and reduce
23 environmental racism caused by companies and policies that
24 have helped to disproportionately concentrate air
25 pollutants in our Black and Brown communities.

1 Lowering the fleet threshold from 50 to 10 trucks
2 allows the Advanced Clean Fleet Rule to protect truck
3 drivers from companies that profit, some in the billions,
4 from the misclassification of truck drivers and other
5 workers while also polluting our air resources.

6 In San Diego, we are calling on you, our Air
7 Resources Board, to do your duty and protect our workers
8 and communities being most negatively impacted by these
9 practices.

10 Thank you for your time.

11 BOARD CLERK GARCIA: Thank you.

12 CHAIR RANDOLPH: Can I ask -- sorry, could I ask
13 the timekeeper to wait till the people start talking to
14 hit to go, because sometimes there's a lag when we guys
15 ask to unmute and then they unmute. And so I just want to
16 make sure everybody gets their 1.5.

17 Okay. All right.

18 BOARD CLERK GARCIA: All right. James, I have
19 activated your microphone. Please unmute and begin.

20 JAMES FAHY: Good afternoon, Chair Randolph,
21 Board members, and staff. I'm James Fahy with
22 Mercedes-Benz Research and Development North America.
23 Mercedes-Benz plans to be carbon neutral by 2039 and all
24 of our vehicles will be electrified by the end of the
25 decade wherever market conditions allow.

1 Mercedes-Benz applauds CARB's effort to champion
2 the ZEV market and staff's time and hard work in
3 developing its ZEV Program. CARB's work with Advanced
4 Clean Trucks, ACC II, and now Advanced Clean Fleets will
5 require unprecedented levels of investment in every facet
6 of the auto industry. Therefore, we firmly believe that
7 complementary measures are needed to ensure adequate
8 infrastructure and incentives are made available while
9 continuing to work on outreach activities.

10 Mercedes-Benz supports CARB's incentive program
11 such as HVIP. However, this program is heavily
12 oversubscribed and funding is rapidly depleted. As
13 operators work to electrify their fleets, particularly for
14 last mile delivery operation and vocational use, cost and
15 availability of new EVs remain a major concern for
16 end-purchasers.

17 We believe that further support from CARB is
18 needed in three areas. First, development of networks of
19 charging infrastructure and charging programs for medium-
20 and heavy-duty vehicles. While charging infrastructure is
21 expanding for light-duty EVs, additional attention is
22 needed for commercial fleets and operators.

23 Second, alignment of minimum all electric range
24 requirements to match requirements with customer and fleet
25 operator needs. Requiring range capabilities in excess of

1 customer demand could artificially increase costs without
2 providing meaningful benefit to operators.

3 Third, clarification that manufacturers test
4 fleets are not subject to ACF. We believe the
5 manufacturer test fleet exemption is appropriate and
6 necessary for manufacturer development works to continued.

7 That concludes my remarks. Thank you again for
8 your leadership and the opportunity to testify today.

9 BOARD CLERK GARCIA: Thank you.

10 Rudy, I have activated your microphone. Please
11 unmute and begin.

12 Rudy Guzman, please -- I have activated your
13 microphone. Please unmute and begin.

14 Okay. We will move on to Julia Levin, Maurissa
15 Brown, Sofia Magallon, and Jesica Cleaver.

16 So Julia, I have activated your microphone.
17 Please unmute and begin.

18 JULIA LEVIN: Good afternoon. Julia Levin with
19 the Bioenergy Association of California. We strongly
20 support the State's transition to ZEVs and the direction
21 of the proposed ACF Regulation with four important
22 changes. We support the staff proposal to increase
23 flexibility for SB 1383 fleets. Those are the fleets that
24 are on the front lines of the State's methane reductions
25 from the solid waste sector. And we urge staff to work

1 closely with the solid waste industry and the wastewater
2 industry to finalize what the -- that flexibility will
3 look like.

4 Slide -- the second point is slide 27 makes very
5 clear that we are talking about a multi-decade transition
6 and that more than half of the medium- and heavy-duty
7 trucks on the road in 2040 will not be ZEVs. So I'd like
8 to echo the comments of Todd Campbell and others that we
9 need to make sure that anything other than a ZEV is the
10 cleanest possible truck on the road.

11 Third, I urge the Air Board to continue to
12 incentivize vehicles running on low carbon fuels generated
13 from organic waste. This will help us meet the
14 requirements of SB 1383, the Forest Carbon Plan, the plan
15 to phase out open burning of agricultural waste, et
16 cetera.

17 And finally, I want to echo many of the comments
18 that we need a clear and consistently applied definition
19 of commercial availability.

20 Thank you very much. Bye-bye.

21 BOARD CLERK GARCIA: Thank you.

22 Maurissa, I have activated your microphone.

23 Please unmute and begin.

24 MAURISSA BROWN: Hello. My name is Maurissa
25 Brown. I'm a Transportation Equity Program Manager at the

1 Greenlining Institute. Thank you to the Board and the
2 Chair for your hard work on this effort. Today, I'm
3 speaking in support of the ACF Rule and in support of the
4 ACF coalition recommendations to strengthen the rule.
5 CARB's own research shows that we will achieve greater
6 pollution reductions, avoid premature deaths, and achieve
7 over 34 billion in additional health benefits by adopting
8 the ZEV transition alternative and moving up the 100
9 percent electric truck sales goal to 2036.

10 The infrastructure needed to support this gradual
11 transition is here and growing with billions of dollars in
12 State and federal investments on the way. In addition, we
13 would like to see CARB ensure all Class 7 and 8 tractors
14 are subject to the same transition schedule beginning
15 2027, and second, lower the high priority fleet threshold
16 for Class 7 and 8 tractors from 50 to 10.

17 These are both feasible and cost effective
18 actions that will lead to much greater emissions
19 reductions. Diesel trucks are one of the fastest growing
20 sources of greenhouse gas emissions and the largest source
21 of air pollution disparity in the United States. People
22 of color and low-income communities are exposed to
23 exorbitant rates of heavy-duty vehicle pollution, so much
24 so that physicians have labeled these areas diesel death
25 zones, because asthma rates and cancer risks are so

1 drastically elevated.

2 We urge CARB to seize this opportunity to protect
3 front-line communities and front-workers. Heed our
4 recommendations and be a flagship for equity and climate
5 justice to other states. Thank you for your time.

6 BOARD CLERK GARCIA: Thank you.

7 Sofia, I have activated your microphone. Please
8 unmute and begin.

9 SOFIA MAGALLON: Hi. My name is Sofia Magallon.
10 I am a resident of Oxnard, California and a policy
11 advocate with the organization CAUSE in the central coast.

12 I am calling on CARB to achieve environmental
13 justice by adopting the ACF ZEV alternative that hits 100
14 percent electric truck sales by 2036. I also ask that
15 CARB lowers the high priority fleet threshold for Class 7
16 and 8 tractors from 50 to 10 trucks. In my home town
17 Oxnard, hundreds of heavy-duty diesel trucks travel daily
18 from the local port through our neighborhoods directly
19 parallel to homes and sensitive receptors, one being
20 Haycox Elementary School where my mom works, which has an
21 enrollment of 800 Spanish and Mixtec. Speaking students.
22 Two teachers at the elementary school have unfortunately
23 passed away from cancer within the last three years after
24 working at the elementary school for a decade. I fear for
25 my mom's health to a great degree as well.

1 Because of this pollution, Oxnard communities
2 living near the port and its trucking routes are in the
3 top 80th to 90th percentile of pollution burden according
4 to data from CalEnviroScreen 4.0. Our planning commission
5 just voted to allow the port to expand to 34 acres of
6 important car storage space, which will increase the
7 number of diesel trucks on the road. These statewide
8 policies will be the most important things that force
9 industries to transition to zero emissions.

10 I want to emphasize my ask for high priority
11 fleet threshold for Class 7 and 8 tractors from 50 to 10
12 trucks, because drayage trucks, especially those carrying
13 automobiles travel back and forth from our port to
14 dealerships and warehouses. Heavy diesel trucks are the
15 largest source of smog forming emissions.

16 Thank you for your time.

17 BOARD CLERK GARCIA: Thank you.

18 Next, we will hear from Jesica Cleaver. Jesica,
19 I have activated your microphone. Please unmute and
20 begin.

21 JESICA CLEAVER: Thank you. Good afternoon. My
22 name is Jesica Cleaver with the San Diego County Water
23 Authority. We're a wholesale water agency that provides
24 water to over three million residents in our region. We
25 appreciate the work that CARB staff has done to prepare

1 this draft regulation and the opportunities for
2 stakeholder feedback.

3 And while we agree with importance of greenhouse
4 reduction -- greenhouse gas reduction efforts, we are
5 concerned that without additional considerations, this
6 regulation will cause unintended consequences for water
7 agencies. A safe, reliable, and affordable water supply
8 is essential and our customers rely on us 24 hours a day,
9 seven days a week. Water utilities respond to Emergency
10 events on a regular basis from pipeline breaks to
11 supporting firefighting efforts. We cannot afford
12 downtime due to vehicle or charging infrastructure
13 limitations or grid reliability issues. Our work is
14 essential an unique.

15 Our previous comment letters detail the unique
16 fleet requirements that set our water agencies apart from
17 other fleets. We've spoken with many vehicle
18 manufacturers and most have estimated that they will not
19 have ZEV offerings for the specialize vehicles we require
20 for at least five more years.

21 We support the Association of California Water
22 Agencies' comments on creating a commercial availability
23 list and formally defining commercial availability as
24 vehicles that can be delivered in an acceptable time frame
25 and in quantities that allow for a competitive bidding

1 process and competitive pricing to protect water
2 affordability. Thank you for your time and consideration.

3 BOARD CLERK GARCIA: Thank you.

4 Next, we will hear from Tim Sasseen, Odette Moran,
5 Ashley Remillard, and Cynthia Pinto-Cabrera.

6 So, Tim, I have activated your microphone.
7 Please unmute and begin.

8 TIM SASSEEN: Hi. My name is Tim Sasseen. I'm
9 the Director of Market Development and Public Affairs for
10 Ballard Power Systems for North America. Thank you very
11 much for the opportunity to speak. Ballard has been
12 putting fuel cell vehicles on California roads for almost
13 25 years and we highly support the ACF effort. We very
14 much appreciate the environmental justice community in the
15 ACF coalition pushing us for a more aggressive regulation.

16 It will be a challenge for manufacturers, but if
17 other stakeholder groups agree it is appropriate, we are
18 ready to step up to the challenge. The gating item,
19 assuming economic goals can be achieved is almost
20 certainly infrastructure as we've heard today. California
21 faces what may be the greatest challenge in energy
22 infrastructure history undertaken by any U.S. State or
23 country for that matter, considering the combination of
24 ambitious but necessary decarbonization timelines and
25 massive step increases in State and federal funding both

1 for grid and hydrogen.

2 Gridlock is coming, where projects will go on
3 indefinite hold due to overloaded utility queues.

4 Hydrogen will be critical for avoiding gridlock and
5 breaking it, as will the free marketplace, both for fuel
6 cell vehicles and for charging EVs without emissions,
7 particularly in the early years of the transition. We
8 strongly advise the State to coordinate this massive
9 deployment of grid and hydrogen resources from a single
10 unbiased entity capable of dealing with a complex and
11 competitive energy industry. This action will ensure that
12 the successful deployment of ACF vehicles in the
13 quantities and time that we need.

14 Thank you very much for your attention and your
15 hard work on this effort.

16 BOARD CLERK GARCIA: Thank you.

17 Odette, I have activated your microphone. Please
18 unmute and begin.

19 ODETTE MORAN: Hello, everyone. My name is
20 Odette. I am from Oxnard here with CAUSE. And I'm
21 speaking today in support of CARB's alternative plan to
22 bring more electric trucks to the road faster. Oxnard is
23 a large immigrant working class community of color and
24 we're experiencing increasing levels of freight pollution.
25 Less than two years ago, we got a large Amazon warehouse

1 and now we're facing expansions from our local ports.
2 More freight is and will be crossing by our communities
3 polluting the air that we breathe with even more
4 cancer-causing diesel exhaust.

5 And as these big companies like our local port
6 and Amazon continue to grow and make more money, it is our
7 communities' bodies that bear this unjust impact. My body
8 has been breathing this reality more and more lately and I
9 come to this meeting in search for hope, because we need
10 to strengthen the rule that better addresses the dangerous
11 polluting trucks on our roads now. Our health is on the
12 line and it is important.

13 No one should be born premature with small lungs
14 and life-long allergies like me and on top of that be at
15 higher risk of developing cancer and asthma. Being from
16 freight community means that by just living your lives,
17 you're being exposed to more pollution that as folks have
18 said choke our lives. This Board can protect your health
19 by requiring 100 percent electric truck sales by 2036 and
20 reduce the priority fleets from 50 to 10 trucks for Class
21 6 -- sorry, 7 and 8 tractor trailers. That's why I am
22 calling on you, our Air Resources Board, to do your duty
23 for communities like mine.

24 Thank you.

25 BOARD CLERK GARCIA: Thank you.

1 Next, we will hear from Ashley Remillard.

2 Ashley, I have activated your microphone. Please unmute
3 and begin.

4 ASHLEY REMILLARD: Hi. Good afternoon. My name
5 is Ashley Remillard and I'm Vice President of Legal and
6 Government Affairs at Hexagon Agility. Hexagon Agility is
7 the leading global provider of renewable natural gas fuel
8 systems for medium- and heavy-duty commercial vehicles.
9 Thank you for the opportunity to speak today. I have a
10 few quick comments regarding the proposed ACF Rule.

11 First, we strongly encourage CARB to require fleets
12 using the ZEV unavailability exemption to purchase the
13 cleanest vehicles available. Without this requirement,
14 any fleets obtaining an exempt -- an exemption will
15 default to diesel. This is unacceptable. Requiring
16 exempted fleets to use the cleanest commercially available
17 vehicles will result in emissions reductions in the near
18 term.

19 Second, as noted in the staff presentation, we
20 request that CARB establish a standardized requirement for
21 determining commercial readiness and ZEV unavailability.
22 One option would be to use the ZEP Cert as the threshold
23 requirement. But regardless of the metric, we need a
24 requirement that can be applied consistently across
25 different vehicle types and a predictable and objective

1 manner.

2 Third, as also recognized in the staff materials,
3 we request that CARB recognize the investment made by
4 early adopters of low-NOx technologies. We specifically
5 request that SB 1383 fleets have a compliance deadline
6 extended out to 2040 or beyond.

7 Lastly, we encourage CARB to hold additional
8 workshops over the coming months to help revise ACF to
9 allow CARB to adopt a rule that works for all impacted
10 stakeholders.

11 Thank you.

12 BOARD CLERK GARCIA: Thank you.

13 And after Cynthia, we will hear from Jim Korkosz,
14 Ryan Kenny, Christina Angelides, and Jose Luis De La
15 Fuente.

16 So Cynthia, I've activated your microphone.
17 Please unmute and begin.

18 CYNTHIA PINTO-CABRERA: Good afternoon, Chair
19 Randolph and Board members. Cynthia Pinto-Cabrera, Policy
20 Coordinator with the Central Valley Air Quality Coalition,
21 or CVAQ. CVAQ has worked as a broad endeavors coalition
22 unified in our advocacy to restore clean air in the San
23 Joaquin Valley for 20 years.

24 As the rule is written, the valley will not
25 directly benefit from the Advanced Clean Fleets Rule. AB

1 617 communities from Stockton all the way to Arvin and
2 Lamont have expressed their concerns for trucks moving
3 through their communities. Big rigs are responsible for a
4 majority of the most harmful pollution that is faced by
5 this community, compared to fleets of vans or smaller
6 trucks. These big rigs spew 14 times more smog forming
7 pollution, four times more deadly diesel soot, and 4.5
8 more climate pollution.

9 Valley residents suffer adverse health impacts as
10 a result of the diesel pollution emitted by trucks
11 throughout the valley. Not -- and not only does our
12 health suffer, but so does our economy. Because of this,
13 we urge CARB to adopt the accelerated ZEV transition to
14 hit 100 percent electric trucks by 2036 and the lower --
15 to lower the high priority fleets for Class 7 and 8 from
16 50 to 10 trucks. This will allow the trucks originally
17 missed in the valley to also be subject to the
18 requirements of this rule. Overall, valley residents,
19 we've been waiting for decades for clean air and we can't
20 wait any longer. The valley needs CARB to be ambitious
21 and adopt this accelerated alternative to protect the
22 health, and well-being, and economy of valley residents.

23 Thank you.

24 BOARD CLERK GARCIA: Thank you.

25 Jim, I have activated your microphone. Please

1 unmute and begin.

2 JIM KORKOSZ: Can you hear me?

3 BOARD CLERK GARCIA: Yes, we can.

4 JIM KORKOSZ: Good afternoon. My name is James
5 Korkosz. I'm the facilities and fleet manager with the
6 Las Virgenes Municipal Water District. Las Virgenes
7 provides critical and reliable water -- wastewater and
8 reclamation services for 95,000 customers within the Santa
9 Monica Mountains in Los Angeles -- Los Angeles County.

10 Reliability is the cornerstone of our utility
11 service and we support the written comments of the
12 California Association of Sanitation Agencies, as well as
13 Association for California Water Agencies. We ask staff
14 to consider the written comments and accept only the
15 highest in commercial availability and reliability when
16 considering -- (clears throat) -- excuse me -- Advanced
17 Clean Fleet regulations.

18 This is especially critical for an agency like
19 ours, who must be maintain reliable serve in a wildfire
20 prone area of the Santa Monica Mountains that is
21 continuously subject to Public Power Safety Shutoffs. We
22 thank you for your consideration.

23 BOARD CLERK GARCIA: Thank you.

24 Ryan Kenny, I have activated your microphone.
25 Please unmute and begin.

1 RYAN KENNY: Yes. Hi. Good afternoon. My name
2 is Ryan Kenny with Clean Energy. We are part of a 42
3 stakeholder coalition looking to be a collaborative
4 partner to improve the regulation as drafted. We're
5 recommending three pragmatic improvements to the
6 regulation, because it does not prevent the purchase of
7 new and used diesel trucks.

8 ACF does little to nothing for near-term emission
9 reductions this decade. Our intention is to be
10 constructive by providing three key amendments to make the
11 regulations stronger. One, allow all early adopter
12 fleets, especially 1383 fleets, to postpone ZEV an NZEV
13 purchases until 2020 -- 2040. Fleets that invested early,
14 either by rule or at the urging of agencies, should get
15 their investment and actions recognized. This supports
16 CARB Short-Lived Climate Pollutant Strategy.

17 The second is the -- allow the pull forward the
18 Omnibus Regulation by requiring the purchase of internal
19 combustion engines certified at 0.02 NOx Omnibus Standard
20 during the calendar years of 2024 and 2026.

21 Third would be to require as a basic requirement
22 of commercial readiness the inclusion of criteria for a
23 ZEV or zero-emission powertrain certification. We also
24 encourage the Board to conduct a more open process and to
25 come back with another draft for public comment and a

1 review.

2 Thank you for your time.

3 BOARD CLERK GARCIA: Thank you.

4 Christina, I have activated your microphone.

5 Please unmute and begin.

6 CHRISTINA ANGELIDES: Hi. Can you hear me?

7 BOARD CLERK GARCIA: Yes, we can.

8 CHRISTINA ANGELIDES: Thank you, Chair Randolph
9 and members and staff of the California Air Resources
10 Board for the opportunity to testify today. My name is
11 Christina Angelides and I'm the Director of the Policy Lab
12 for Elemental Excelerator, a non-profit climate tech
13 investor that is working to scale climate technologies for
14 the benefit of all communities.

15 Elemental strongly supports CARB's -- CARB's
16 alternative plan to bring more electric trucks to the road
17 faster and we ask that you consider further improvements,
18 specifically moving up the ZEV transition start date for
19 Group 3 vehicles and the high priority fleet by three
20 years to begin in 2027 and lowering the high priority
21 fleet threshold for Class 7 and 8 tractors from 50 to 10
22 trucks.

23 As an investor and partner with transportation
24 electrification companies, we know the market is ready to
25 meet the goals of this rule today, and do so equitably

1 preserving jobs for small independent truckers, and
2 creating new jobs for underserved communities. Elemental
3 Excelerator has offices in East Palo Alto and has invested
4 in over 150 portfolio companies and deployed over 130
5 projects and communities. Our investments have catalyzed
6 seven billion in climate tech. We work with companies
7 that are offering solutions to keep small independent
8 truckers in business through this transition, improve port
9 efficiency and resilience, and provide workforce training
10 and job placement, companies like Xos trucks, Forum, which
11 is electrifying drayage trucks, WeaveGrid related to grid
12 integration, and many more that are here in California and
13 ready to meet the timelines.

14 While there are some businesses present today
15 that will argue the technology is not ready, we believe
16 otherwise, a strong line with speed and scale by which the
17 climate solutions in the market is moving and we urge CARB
18 to support a strengthened alternative plan.

19 BOARD CLERK GARCIA: Thank you.

20 Jose, I have activated your microphone. Please
21 unmute and begin.

22 JOSE LUIS DE LA FUENTE: Thank you. Good
23 afternoon. Jose Luis De La Fuente, ATS Transportation
24 Company, a member of Otay Chamber of Commerce.

25 I just want to state out some facts that are

1 important. Today, the trucks, EV trucks will weigh
2 between 8 and 12 thousand pounds more. That is that we
3 will need a third of more trucks on the road, a third of
4 more drivers on the road. And this is going to impact
5 every single freeway, highway, and street. I think we
6 should wait for the technology of the batteries to be in a
7 better way that they weight what they have to in order to
8 comply better with the rule. We're supporting the EZ
9 vehicles.

10 But on Class 8 vehicles, we need to be able to
11 move the same amount of product we are moving today. If
12 not everybody, as last consumers are going to be impacted
13 and we're going to be impacted. When you need more
14 road -- more trucks on the road, when you need more
15 drivers on the road, which we don't have, it's going to
16 impact everybody. So we have to think about that to see
17 the best way possible to put this into matter.

18 Thank you.

19 BOARD CLERK GARCIA: Thank you.

20 Next we will hear from Kyle Heiskala, Tyrone
21 Thompson, a phone number ending in 852, and Michael Munoz.

22 So Kyle, I have activated your microphone.
23 Please unmute and begin.

24 KYLE HEISKALA: Good afternoon, Board. This is
25 Kyle Heiskala, Policy Advocate with Environmental Health

1 Coalition. I urge the Board to adopt a stronger ACF per
2 the recommendations from the ACF Coalition, which EHC
3 endorses, especially the hundred percent ZEV sales by 2036
4 and lowering the fleet size from 50 to 10.

5 I want to echo the other speakers so far today
6 from environmental justice communities who have been
7 breathing toxic air for long enough. We shouldn't have to
8 wait another 20 years for clean air. And for decades,
9 communities like Barrio Logan and National City have been
10 treated like industry sacrifice zones. That means every
11 day a parent is getting the news that their child has
12 asthma, as a diesel truck roles by their home.

13 There's an opportunity here as CARB is getting
14 ready to adopt an updated Scoping Plan. I urge the Board
15 to continue to be bold, as you have done so far with the
16 Scoping Plan, and adopt a stronger ACF, because it could
17 result in as much as 100 to 150 million metric tons of
18 carbon dioxide reductions. Please don't leave those GHG
19 reductions on the table. It is time for CARB to take bold
20 action for clean air and climate by adopting a stronger
21 ACF that will literally save lives.

22 Thank you.

23 BOARD CLERK GARCIA: Thank you.

24 Tyrone, I have activated your microphone. Please
25 unmute and begin.

1 TYRONE THOMPSON: Hello, I'm Tyrone Thompson of
2 Clean Star Products. We have environmental solutions that
3 should be reviewed. And this is Richard Skaggs of Omstar
4 Environmental.

5 RICHARD SKAGGS: Hello, yes. Richard Skaggs. A
6 couple of comments. I think the Air Resource Board has
7 done a great job. We've been working with the Air
8 Resource Board, AQMD, for -- since 1974, and we -- we
9 worked with Dr. Alan Lloyd and we've been testing with the
10 Air Resource Board on diesels. We're an environmental
11 company, Omstar Environmental, in research and
12 development.

13 We've been developing new technology for the
14 diesel industry. We've been working with the ships
15 locomotives, American President Lines. Our office is in
16 the Los Angeles harbor. We recently did the white paper
17 on taking sulfur out of coal. It took us 20 years, but we
18 did it. We have some of the top scientists in the world
19 and their comment is that we really have to look at how
20 many tons of emissions that we're going to create in the
21 stationary source to run these trucks -- and new trucks.
22 All they're doing is transferring the emissions from
23 mobile to stationary. And we're concerned about that,
24 because we have not done any studies. How many tons of
25 each of the emissions that are -- we're putting out right

1 now.

2 But I think it would be a good idea for the Air
3 Resource Board to consider that and to exempt some of the
4 things like biofuels and hydrogen. Thank you for your
5 time.

6 BOARD CLERK GARCIA: Thank you.

7 Next, we will hear from a phone number ending in
8 852.

9 It looks like you've unmuted. If you could
10 please state your name for the record.

11 TIM CROMARTIE: Tim Cromartie, Executive Director
12 of the Environmental Justice League.

13 Madam Chair and members, thank you for the
14 opportunity to address you on this item. We represent
15 communities, many of them Black and Brown across
16 California who have borne the brunt of suffering due to
17 poor air quality. We need emissions reductions now. We
18 are very concerned that there is no explicit requirement
19 of the fleet operators for just the cleanest possible
20 propulsion technology when they replace their trucks.
21 This is of critical importance to providing fleet
22 operators with real implementation guidance in the event
23 there are not enough zero-emissions vehicles or sufficient
24 infrastructure to support them by the 2045 deadline.

25 Without such a requirement, we feel the Advanced

1 Clean Fleet rulemaking will become a default to diesel
2 rule in practice. It is a well documented fact that
3 diesel powered heavy-duty trucks are the single largest
4 source of smog-forming pollution and toxic air
5 contaminants in California.

6 Public health considerations should therefore be
7 a key factor in driving the specific requirements of the
8 Advanced Clean Fleet rulemaking and the underlying
9 policies. For this reason, we respectfully ask the Board
10 to require all fleets granted a ZEV unavailability
11 exemption to purchase the cleanest available vehicles
12 certified to 0.02 nitrous oxide and to ask that you direct
13 staff to work with stakeholders on implementing the
14 appropriate solutions that ourselves and others have
15 advocated here today.

16 Thank you for your time. And if you were to do
17 this, this would be a clear signal to --

18 BOARD CLERK GARCIA: Thank you.

19 TIM CROMARTIE: -- that CARB is serious about
20 protecting --

21 BOARD CLERK GARCIA: Michael Munoz, I have
22 activated your microphone. Please unmute and begin.

23 MICHAEL MUNOZ: Hello. My name is Michael Munoz
24 and I'm the Director of the Port Campaign for the Los
25 Angeles Alliance for a new Economy.

1 For 15 years, we followed alongside port truck
2 drivers, Teamsters, and environmental allies seeking
3 justice for our port truck drivers. Misclassification is
4 an illegal -- is illegal and it allows employers to shift
5 the economic burden of operating a trucking business to
6 those who can least afford it, truck drivers. This
7 includes purchasing and maintaining trucks to ensure they
8 comply with emission standards. CARB's own research shows
9 that misclassified drivers have the lowest compliance
10 rate -- compliance rates with emission standards. And
11 this has a devastating impact on front-line communities.

12 While we've seen CARB take great strides on
13 misclassification by looking a common ownership and
14 control, there is much more that CARB can do. The draft
15 language proposed by CARB sets the fleet size at 50
16 trucks. This is too high. The threshold needs to be
17 lowered to 10 trucks. By setting the fleet size at 50,
18 CARB will leave most of the trucking fleet unregulated.

19 These unregulated -- unregulated fleets will be
20 allowed to drive cheaper, dirtier trucks for decades and
21 undercut trucking companies who are doing the right thing
22 and taking responsibility for the drivers and their
23 trucks. A strong standard of 10 trucks would capture
24 these fleets, while allowing the true independent
25 contractors to operate until a used zero-emission truck

1 becomes available. This will have a massive impact, not
2 only for labor, but also for the health of millions of
3 Californians, and further reduce toxic emissions and
4 greenhouse gases that current thresholds will deliver. We
5 urge you to make common sense changes proposed by the
6 Advanced Clean Fleet Coalition.

7 Thank you.

8 BOARD CLERK GARCIA: Than you. Next, we will
9 hear from Miguel Parra Mendez, Alfonso Esquer, Rob
10 Spiegel, and Katie Little.

11 So Miguel, I have activated your microphone.
12 Please unmute and begin.

13 Miguel Parra Mendez, please unmute and begin.

14 Okay. Let's try Alfonso. So I have activated
15 your microphone, Alfonso. Please unmute and begin.

16 ALFONSO ESQUER: Hello. Can you hear me?

17 BOARD CLERK GARCIA: Yes, we can.

18 ALFONSO ESQUER: Hello. My name is Alfonso
19 Esquer. Good afternoon. Thank you for having us. We are
20 a private company called Multimodal Esquer Trucking
21 Company based out of San Diego, California. We operate a
22 hundred, give or take a couple, Class 8 tractors that
23 apart of dozen of Class 8 tractors that in total work in
24 California.

25 After COVID, our activity was considered in

1 California and all countries of the world as essential.
2 So we stayed active supplying food, medicines, furniture,
3 clothes and everything that people in California and the
4 world need. Our trucks have been compliant with the
5 letter of EPA regulations since day one, but now the new
6 rule is making us replace diesel trucks by ZEV trucks,
7 which capacity to work is way smaller than the -- what we
8 currently have. So we won't -- we won't be replacing one
9 truck by one truck. We will be replacing one truck by one
10 and a half or possibly two trucks, meaning that we will
11 have more trucks on the road.

12 I have been gathering information on ZEV trucks
13 in cost, capacity, and maintenance costs from people from
14 Kenworth in Washington -- Kirkland, Washington, and in San
15 Diego, California.

16 BOARD CLERK GARCIA: Thank you.

17 Rob, I have activated your microphone. Please
18 unmute and begin.

19 ROBERT SPIEGEL: Thank you and good afternoon,
20 Madam Chair and members. Rob Spiegel, Senior Policy
21 Director, the California Manufacturers and Technology
22 Association.

23 Having discussed ACF with our impacted
24 membership, other state and national organizations that
25 representative a diverse set of perspectives and interests

1 of business, industry, alternative fuels, transportation,
2 the collective feedback is not only is ACF imperfect, but
3 it is also structurally and pragmatically deficient. The
4 nearly 70 coalition members presented in our letter each
5 have challenges with the regulation.

6 We understand why some are asking CARB to
7 accelerate implementation, but this is unwise given that
8 the underlying regulation is significantly flawed. By
9 arbitrarily lowering the threshold from 50 vehicles --
10 fleets of -- to fleets of 10, excuse me, we are also
11 greatly expanding the economic impacts and implementation
12 challenges. The concerns of commercial availability of
13 scale, capital investment, delays in permitting and
14 environmental review, and statewide concerns surrounding
15 energy reliability are being raised by our coalition and a
16 multitude of stakeholders.

17 It's also important to note that it's not just
18 new electrical loads from ACF, but the entirety of the
19 electrification proposals that are underway, which are
20 amplifying our concerns. The staff recommendation
21 provides no public -- no additional public process or
22 input opportunities and we ask that CARB please direct
23 staff to collaborate with stakeholders on fixes to ACF
24 instead of simply allowing us to comment on what is
25 developed.

1 We appreciate the time and consideration. Thank
2 you.

3 BOARD CLERK GARCIA: Thank you.

4 Katie, I have activated your microphone. Please
5 unmute and begin.

6 KATIE LITTER: Thank you Chair and members. My
7 name is Katie Little and on behalf of the California Farm
8 Bureau.

9 We align our comments with CMTA and our coalition
10 partners and share concerns with this proposed regulation.
11 I will just quickly add that agricultural commodities are
12 perishable in nature, which this regu -- regulation does
13 not take into account. Livestock, fruits, and vegetables
14 need to be transported in a timely manner to ensure food
15 and animal safety. A majority of California farmers and
16 ranchers live in remote and rural communities that have
17 limited access to the infrastructure required for this
18 proposal.

19 The time required to charge these vehicles, in
20 addition to the time needed to travel to these charging
21 facilities could jeopardize food security and
22 availability. California farmers and ranchers provide the
23 state, nation, and the world with safe reliable, and
24 nutritious food.

25 We look forward to continuing conversations with

1 CARB staff about our concerns and urge them to take into
2 account these unique circumstances.

3 Thank you.

4 BOARD CLERK GARCIA: Thank you.

5 Next, we will hear from Beverly Des Chaux,
6 Melanie Beikman, LaDonna Williams, and Matt Zerega.

7 Beverly, I have activated your microphone.
8 Please unmute and begin.

9 BEVERLY DES CHAUX: Hi. Beverly Des Chaux with
10 the Electric Vehicle Association of the Central Coast.
11 Thank you for all of your work in considering the multiple
12 stakeholders that are expressing their interests here.

13 One thing I would like to say is -- that hasn't
14 been discussed today is that requiring the -- the -- I
15 don't know, disposal of the -- the -- sorry, Class EVs --
16 sorry. When the EV replaces the Class 8 trucks, they
17 should be disposed of and not be able to continue in use.
18 I would like to dispel the myths about hydrogen use and
19 some of the myths about EVs.

20 Sorry I'm not going to have enough time.

21 Hydrogen is not necessary. The vehicles that are
22 using hydrogen are running on batteries, but they're
23 having an additional piece of having a fuel cell in there
24 that is not necessary. Ninety-five percent of hydrogen is
25 produced from natural gas. There are DC fast charge

1 stations that will not require four to five hours
2 charging. That's a myth. And the charging can occur
3 overnight for somebody who expressed concern about having
4 to pay their employees.

5 The supplies and limits to the grid and supply --
6 and -- are limited. They will be -- they will become
7 available very soon.

8 Thank you.

9 BOARD CLERK GARCIA: Thank you.

10 Melanie, I have activated your microphone.
11 Please unmute and begin.

12 MELANIE BEIKMAN: Thank you. I am Melanie
13 Beikman with Arizona Interfaith Power and Light. We work
14 with a hundred diverse congregations across Arizona and
15 are one of the 40 Interfaith Power and Light affiliates
16 across the nation.

17 As people of faith in Arizona, our organization
18 asks you to approve this plan and enable the transit --
19 transition to electric heavy-duty trucks in California.
20 We know that front-line communities in both California and
21 Arizona consist of low wealth households and communities
22 of color. These communities, especially along the
23 interstate highway corridors that we share with your state
24 suffer the greatest impacts of heavy vehicle pollution.

25 As your neighbors in Arizona, we affirm that your

1 leadership in California will both protect -- will protect
2 the health of disadvantaged communities by the accelerated
3 clean transition of both local and interstate transport.
4 We look forward to your actions paving the way for a
5 similar transition in Arizona.

6 Thank you for your leadership in moving toward
7 environmental justice.

8 BOARD CLERK GARCIA: Thank you.

9 LaDonna, I have activated your microphone.
10 Please unmute and begin.

11 LaDONNA WILLIAMS: Yes. Good afternoon. LaDonna
12 Williams with All Positives Possible.

13 In the spirit of what is fair and equitable, I
14 would like to recommend moving forward that the Board
15 limit their comments to three to five minutes, so that the
16 public can get in more time, rather than this rapid fire
17 talking with a minute and a half. So if we're going to be
18 fair, you should also put a time limit on the Board and
19 the back and forth that eats up a lot of the time.

20 Also too, I want to know what is the Board
21 planning on doing in light of the fact that the world has
22 seen the unfairness and the racism targeted at Black
23 Americans in these processes, and we continue to get the
24 least resources. I want to recommend that -- that they
25 make Black communities and neighborhoods a priority. We

1 see how the city council folks in leadership roles have
2 limited and prevented their voices. I want to know what
3 are you going to do about that moving forward. We've
4 raised these issues also here in the Bay Area about the
5 discrimination targeted at Black Americans.

6 So we must be made a priority in these processes.
7 And this first come, first served that has blocked
8 disadvantaged communities from fair inclusion in getting
9 these resources, we need to look at your plans and your
10 action to ensure that real environmental justice and
11 equity hits the communities, that disadvantaged
12 communities, as they've been ignored over the last several
13 years.

14 BOARD CLERK GARCIA: Thank you.

15 Matt, I have activated your microphone. Please
16 unmute and begin.

17 MATT ZEREGA: Thank you, Board members and Chair
18 Randolph. My name is Matt Zerega. I'm an independent
19 transportation electrification consultant. I'm an
20 analytical and technical person with about 13 years at a
21 California utility and its holding company and more years
22 working the new energy's arm of a global diversified
23 energy company, nearly always focused on EVs

24 I built a variety of exploratory rate models for
25 the utility, some of which produce results that were

1 folded into the PUC general rate case and EV
2 infrastructure testimony, excuse me. I led the
3 development of one of the largest employee charging
4 Deployments in the country, which included designing
5 equipment and defining novel TOU rate based on day-ahead
6 prices from the wholesale market. And we did that loaded
7 to the CalISO market.

8 And there's one ever present issue throughout all
9 of that experience that's still here. And that is rules
10 and tariff documents that use esoteric language and
11 significant complexity and wild variability in rate
12 designs, it's often daunting to get a complete accurate
13 understanding of what a kilowatt hour costs in any
14 particular EV charging context, and often used averages
15 are just not useful for financial planning. And in
16 contrast, everybody knows what a gallon costs. Everybody
17 does. And as an example, a recent review of a default
18 rate, and for commercial sites in Southern California,
19 suggest that demand charges alone would be \$100,000 a
20 month for megawatt plus charging.

21 On the other hand, we see news about new special
22 rates for which demand charges may not apply. I'm pleased
23 to hear about cooperation between various agencies and the
24 CPUC to reduce commitments of up-front capital and I urge
25 you to collectively move toward the additional objective

1 of making electrical fuel costs not just consistently
2 competitive, but also easy to accurately understand.

3 BOARD CLERK GARCIA: Thank you.

4 Next, we will hear from Rebecca Schenker, Jack
5 Symington, Chris McGlothlin, and Alessandra Magnasco.

6 So Rebecca, I have activated your microphone.
7 Please unmute and begin.

8 REBECCA SCHENKER: Hi. Good afternoon, members
9 of the Board and staff. My name is Rebecca Schenker
10 commenting on behalf of Gladstein, Neandross and
11 Associates, a consulting firm with more than 25 years of
12 experience in low- and zero-emission projects for the
13 commercial fleet sector.

14 We appreciate that CARB and multiple public
15 agencies are working through the complexities of
16 infrastructure challenges for fleets. However, our
17 experience has shown that one-year, one-time construction
18 focused delays will be insufficient.

19 We're asking for vehicle purchase delays to be
20 based on project-specific timelines for fleets with
21 in-progress infrastructure projects. We've seen projects
22 far larger than one megawatt, even five, taking three to
23 five years in a best case scenario and we want to make
24 sure that these kinds of delays also account for real
25 estate acquisition, which can take one to two years in a

1 state like California.

2 And we hope that anybody with a validated
3 in-progress infrastructure project, with all that entails,
4 fleet owned or retail, should be eligible for a -- to time
5 vehicle purchases with actual infrastructure and
6 timelines.

7 We also want to note our concern about counting
8 transitory vehicles as part of the California ACF fleet,
9 especially given the lack of infrastructure. And these
10 vehicles are not yet suitable for cross-state operations.
11 We hope the Board will consider a category of ZEV
12 unavailability exemption for this vehicle class, as well
13 as a temporary pass allowing one-time access to California
14 roads each year, for any heavy-duty vehicle -- inspection
15 and maintenance compliant vehicle, without the need for a
16 complicated pre-approval process.

17 Thank you so much.

18 BOARD CLERK GARCIA: Thank you.

19 Jack, I have activated your microphone. Please
20 unmute and begin.

21 JACK SYMINGTON: Hi. My name is Jack Symington.
22 I am Senior Program Manager with the Los Angeles Cleantech
23 Incubator. We are a leading business incubator focused on
24 renewable energy and zero-emission transportation
25 companies. Thank you, Madam Chair, the Board and the

1 staff for your -- for your time and your thoughts put into
2 this rule over the last couple years.

3 LACI certainly supports implementation of the
4 rule and with the utmost expediency. We see this as an
5 unprecedented economic development opportunity and an
6 important market signal that CARB needs to put out. We
7 had the opportunity for companies and fleets in California
8 to be leaders in the zero-emission transportation space
9 and manufacturers to create, you know, next-generation
10 equipment and products and services that will support this
11 transition. This is an -- a phenomenal opportunity to
12 spur innovation and create entrepreneurs, something that
13 California has -- has been great at throughout time.

14 Certainly, what we'd advocate to be cautious with
15 exemptions. They certainly can be needed on the
16 infrastructure side. Additionally, there are some
17 alternatives -- or factors in the ISOR, Alternative 2,
18 pushing up the ZEV 100 percent sales to 2036 and lowering
19 the fleet threshold will both send market signals and
20 avoid loopholes from the former and the latter. This is
21 difficult, but feasible and essential.

22 So thank you for the time

23 BOARD CLERK GARCIA: Thank you.

24 Chris, I have activated your microphone. Please
25 unmute and begin.

1 CHRIS MCGLOTHLIN: Thank you. Good afternoon,
2 Madam Chair and members of the Board. My name is Chris
3 McGlothlin with the California Cotton Ginners and Growers
4 Association and Western Agricultural Processors
5 Association.

6 Our associations understand the necessity of a
7 regulation like this in order to meet California's
8 ambitious climate goals. However, we have our concerns
9 for our industry. The lowering of the threshold from 50
10 trucks down to 10 would only exacerbate many issues
11 presented before you from previous industry
12 representatives, from manufacturing delays to utility
13 connectivity concerns, increased costs, as well as export
14 delays with ZEV equipment. All of these avenues will
15 further cause impacts to seasonal - and I want to
16 emphasize the word seasonal - the seasonal nature of
17 agricultural deliveries and exports experienced within our
18 State. Adverse impacts to goods movement are magnified
19 within the agricultural industry.

20 We're appreciative of Board member Sperling's
21 comments on connectivity concerns and we are dissatisfied
22 with the CEC and CPUC's responses earlier. We have heard
23 from members just outside of larger Central Valley cities
24 who have been informed of a cap on their electricity
25 demand by major utility companies and this is prior to any

1 planning to electrify their fleet.

2 On the other hand, we have members out in rural
3 areas of the -- of the state waiting well over two years
4 for replacement transformers and other grid connection
5 equipment. It is also very depressing to hear that
6 ratepayers will again bear the burden of paying for
7 utility infrastructure upgrades specific to this rule. A
8 majority of our operations on located in rural areas and a
9 granular evaluation is not helpful in what is proposed
10 today.

11 Thank you for your time.

12 BOARD CLERK GARCIA: Thank you.

13 Alessandra, I have activated your microphone.
14 Please unmute and begin.

15 ALESSANDRA MAGNASCO: Thank you. Good afternoon,
16 Chair and members. Alessandra Magnasco on behalf of the
17 California Fuels and Convenience Alliance.

18 We align our comments with CMTA and our coalition
19 partners. Our members are small, family, and minority
20 owned businesses that provide services to nearly every
21 family in California, as well as local governments and
22 agriculture. The insufficient range of the vehicles
23 currently offered on the market will not adequately serve
24 the needs of the fuel, food, and beverage transportation
25 industries and will creat profound inconsistencies in our

1 supply chains for our small, family, and independently
2 owned retailers and fuel marketers.

3 Additionally, purchasing these trucks presents
4 substantial business continuity issues as wait times
5 typically range from 18 to 14 months before potential
6 delivery. Disrupting the state supply chain for food and
7 fuel will create shortages and increase the cost of goods
8 at every level.

9 With a limited supply and options for heavy-duty
10 ZEVs, large companies with greater capital will be
11 prioritized by manufacturers as compared to their small
12 business counterparts. The highly restrictive timeline
13 will only serve to further exacerbate this problem in the
14 market for our small businesses. We urge the Board to
15 consider the inclusion of alternative fuels, such as
16 renewable diesel and biodiesel as part of the solution to
17 reduce the state's emissions. These alternative fuels
18 significantly reduce emissions while making use of
19 existing infrastructure and operating comparable to
20 traditional fuels. This makes alternative fuels a much
21 more efficient and equitable solution to reducing the
22 states transportation footprint immediately.

23 Thank you.

24 BOARD CLERK GARCIA: Thank you. Next, we will
25 hear from Cristina Marquez, Thomas Greene, Jennifer

1 Goodsell, and Jordan Brinn.

2 So Cristina, I have activated your microphone.
3 Please unmute and begin.

4 CRISTINA MARQUEZ: Thank you. Cristina Marquez,
5 speaking on behalf of IBEW Local 569 and our 3,600 power
6 professionals and union electricians in San Diego and
7 Imperial counties. We're asking you to support CARB's ACF
8 alternative plan to bring more electric trucks to the road
9 faster and address the dangerous pollution emitted by gas
10 powered trucks on our roads with 100 percent electric
11 sales by 2036 and lowering the fleet to 10 from 50 for
12 Class 7 and 8.

13 Electric truck technology is here and strategies
14 are funding -- and funding are already in place to grow
15 charging options. This is an ideal win-win opportunity to
16 improve our health and safety while also generating good
17 paying jobs.

18 IBEW electricians have been training in the
19 electric vehicle infrastructure training program
20 certification and are ready to build out the electrical
21 infrastructure. There are already plans and funding to
22 build a total of at least 250,000 public and shared
23 private chargers by 2025. Clean electrified
24 transportation is already a fast growing source of high
25 paying jobs in the state. And strong sales targets can

1 help build on these progresses. The ACF starts pretty
2 slowly with just 10 percent of fleets with smaller trucks
3 to go electric by 2025. And other larger trucks are not
4 required to even go until 2027. This gives fleets three
5 to five years to start planning on how to electrify their
6 fleets.

7 The bottom line, the infrastructure and workforce
8 needed to support this gradual transition is here, the
9 time is now. Thank you.

10 BOARD CLERK GARCIA: Thank you.

11 Thomas, I have activated your microphone. Please
12 unmute and begin.

13 THOMAS GREENE: Hello. I am Tom Greene from
14 Rancho California Water District. We serve over 150,000
15 people with over 1,000 miles of pipes and with 100 trucks.
16 We have six vehicle charge points installed so far and
17 many of our employees are early adopters with good
18 results. We have checked the specifications of over 50
19 trucks from over 30 manufacturers, but we haven't yet
20 found any chassis cabs or heavy-duty pickups that can meet
21 the gross vehicle weight ratings and trailer towing
22 ratings along with the distances needed to replace our
23 current trucks. Many don't even have a prototype yet or
24 an assembly line. Some bus chassis look promising but a
25 few manufacturers have told us that the drivetrains are

1 not rated for towing and would void the warranty.

2 Thus, we are settling on purchasing some all
3 electric half-ton pickups for inspectors in the
4 short-term. Thus, we join with the Association of
5 California Water Agencies and the California Municipal
6 Utilities Association in calling for CARB to keep an
7 ongoing commercial availability list showing all of the
8 specification of the vehicles instead of a vehicle
9 unavailability list. This includes the range results when
10 fully loaded and with trailers and pricing.

11 We need to know about trucks that are actually
12 being built on assembly lines, instead of just ones that
13 are on the drawing boards. To have every single agency
14 searching every single vehicle manufacturer to find
15 specifications for all the vehicles every year at budget
16 time is wasteful and detrimental to getting the --

17 BOARD CLERK GARCIA: Thank you.

18 Jennifer Goodsell, I have activated your
19 microphone. Please unmute and begin.

20 JENNIFER GOODSELL: Hi. My name is Jennifer
21 Goodsell and (inaudible) at the Imperial Irrigation
22 District.

23 On September --

24 BOARD CLERK GARCIA: Jennifer.

25 JENNIFER GOODSELL: (inaudible) in conjunction

1 with the --

2 BOARD CLERK GARCIA: I'm sorry, Jennifer. We're
3 having trouble hearing you. It's breaking up pretty bad.

4 JENNIFER GOODSSELL: Let me try this again. Can
5 you hear me better now?

6 BOARD CLERK GARCIA: Yes, we can. Thank you.

7 JENNIFER GOODSSELL: Okay. On September 28th, IID
8 in conjunction with the member agencies of the Southern
9 California Public Power Authority hosted a demonstration
10 and roundtable discussion at our La Quinta facility. That
11 event was attended by CARB Board Member Riordan, CARB
12 staffer Paul Arneja, Assemblymember Eduardo Garcia and his
13 chief of staff, as well as representatives from the
14 Assembly Utilities and Energy Committee, the Assembly
15 Transportation Committee, California Municipal Utilities
16 Association, and the Northern California Power Agency.

17 We appreciate CARB's presence and want to thank
18 everyone who attended and made an effort to understand the
19 unique needs of public utilities. Our goal for this event
20 was education and to give attendees an intimate look at
21 the equipment we use, let them witness a live
22 demonstration of real working conditions, and experience
23 what we mean when we talk about duty cycle and the
24 performance requirements of a PTO, or a power take-off
25 system.

1 Most of the attendees didn't know what a PTO was
2 or what purpose it served. Mother Nature is a force that
3 we cannot predict or control. And this equipment is the
4 heart and soul of our fleets and it's what our customers
5 rely on in times of emergency, whether it is a lack of
6 commercially available technology, exemptions an agency
7 can't qualify for until a certain percentage of the fleet
8 is already electrified, or the reality that the
9 infrastructure of the California grid isn't ready for this
10 regulation.

11 It is respectfully requested that you fully
12 consider the implications of your decision on public
13 utilities and the services that we provide to the
14 residents of this state.

15 Thank you.

16 BOARD CLERK GARCIA: Thank you.

17 Jordan, I have activated your microphone. Please
18 unmute and begin.

19 JORDAN BRINN: I'm Jordan Brinn here on behalf of
20 the Natural Resources Defense Council.

21 BOARD CLERK GARCIA: Excuse me, Jordan. We are
22 having trouble hearing you. Can you speak up?

23 JORDAN BRINN: Yes. Sorry. Let me see.

24 BOARD CLERK GARCIA: Are you there, Jordan?

25 JORDAN BRINN: Yes. Sorry. Can you hear me now?

1 BOARD CLERK GARCIA: Yes, that's better. Thank
2 you.

3 JORDAN BRINN: Okay. Awesome. Thank you. Sorry
4 about that. Jordan Brinn here on behalf of the Natural
5 Resources Defense Council. And thank you for the
6 opportunity to speak today in support of Alternative 2 of
7 the Advanced Clean Fleets Rule.

8 Alternative 2 provides additional net benefits
9 through two main pathways. So that first pathway is the
10 accelerated 100 percent sales target. This provides and
11 additional \$10 billion dollars in net societal benefits by
12 2050, and this timeline is feasible. It includes --
13 including analysis of a few federal programs and private
14 charging investments and infrastructure into analysis. It
15 shows a total cost of ownership as well as up-front
16 purchase price parity with diesel vehicles occurs well
17 before 2036.

18 The second main pathway for additional benefits
19 to Alternative 2 is cleaning up the most polluting
20 vehicles faster by ensuring that high priority Class 7 and
21 8 tractors be subject to the same transition schedule
22 beginning in 2027, while also expanding fleets covered by
23 the rule.

24 So changing the threshold to 10 vehicles will
25 cover 90 percent of emissions from California trucks while

1 only regulating 13 percent of the on-road fleets. And the
2 total cost of ownership parity for trucks like sleeper
3 cabs will occur several years earlier than up-front price
4 parity in 2031 making the 10 percent by 2027 requirement
5 feasible.

6 I'll also note these economic benefits still hold
7 true for used trucks for smaller business purchases. We
8 applaud CARB's efforts throughout the ACF rulemaking
9 process and we urge you to officially adopt Alternative 2
10 to reduce costs for fleet owners, improve public health,
11 and emission choices easier.

12 Thank you.

13 BOARD CLERK GARCIA: Thank you.

14 Okay. Next, we will hear from Marissa
15 Flores-Acosta, Joel Ervice, Patricio Portillo and Matthew
16 Schrap.

17 Marissa, I've activated your microphone. Please
18 unmute and begin.

19 MARISSA FLOREZ-ACOSTA: Good afternoon, Chair
20 Randolph, Board Members, and staff. My name is Marissa
21 Florez-Acosta and I am here representing the City of San
22 Bernardino Municipal Water Department, a municipal utility
23 that provides potable water and wastewater collection and
24 treatment services to approximately 200,000 persons in the
25 City of San Bernardino and unincorporated areas of San

1 Bernardino County, and in addition provides sewer
2 treatment and wastewater services to the City of Loma
3 Linda East Valley Water District and the City of Colton.

4 As a provide of essential public services and a
5 member of both CASA and SCAP, I'd like to echo and support
6 the comments made by those associations and other water
7 and wastewater agencies. SBMWD is a steward of the
8 environment and of ratepayer funds and we support the
9 overall goal -- goal of transitioning to zero-emission
10 vehicles. In order to maintain resiliency in -- in our
11 service, we ask the Board to support the continued
12 recovery of biogas and help maintain the diversity of
13 beneficial reuses of this non-fossil, renewable,
14 low-carbon fuel by aligning the proposed regulations with
15 SB 1383.

16 We appreciate the various opportunities for
17 public participation throughout the regulation development
18 process and we respectfully ask for additional engagement
19 to discuss the list of proposed changes presented by staff
20 prior to the final language being drafted. Thank you for
21 your time and consideration.

22 BOARD CLERK GARCIA: Thank you.

23 Joel, I have activated your microphone. Please
24 unmute and begin.

25 JOEL ERVICE: Good afternoon, Honorable Chair and

1 members of the Board. I'm Joel Ervice with RAMP, Regional
2 Asthma Management and Prevention.

3 Like my ACF coalition colleagues, we support
4 CARB's alternative plan to bring more electric trucks to
5 the road faster. I'll also request that you strengthen
6 the rule to better address pollution from trucks. CARB's
7 own research -- research shows that the accelerated ZEV
8 transition alternative recommended by the agency will
9 result in substantial additional reduction in pollution.
10 These pollution reductions are near and dear to RAMP's
11 mission, which is to reduce the burden of asthma with a
12 focus on health equity.

13 Diesel soot and smog are asthma triggers and
14 levels of these pollutants are typically elevated in
15 low-income communities and communities of color. You have
16 the opportunity to remedy this unjust situation by
17 adopting the Advanced Clean Fleet accelerated ZEV
18 transition alternative, with two important changes for
19 Class 7 and 8 tractors, which emit nearly 50 percent of
20 NOx from all medium- and heavy-duty vehicles.

21 First, please move up the ZEV transition start
22 date for Group 3 vehicles in the high priority fleet by
23 three years to begin in 2027. Second, lower the high
24 priority fleet threshold for Class 7 and 8 tractors from
25 50 to 10 trucks. Additionally, please require 100 percent

1 zero-emission vehicle sales by 2036.

2 Thank you for all that you've done to develop
3 these rules. Please make these changes so we can realize
4 more clean air benefits to the hardest hit communities as
5 quickly as possible. I appreciate the time. Thank you.

6 BOARD CLERK GARCIA: Thank you.

7 Patricio, I have activated your microphone.
8 Please unmute and begin.

9 PATRICIO PORTILLO: Hey, good afternoon, Chair,
10 members of the Board. This is Patricio Portillo with the
11 Natural Resources Defense Council.

12 I just wanted to, you know, share my general
13 support for the proposal, but feel that it can and must be
14 strengthened. I also wanted to just raise a concern about
15 the uni -- unibody exemption in the drayage portion of the
16 rule, specifically for -- for auto transporters, you know,
17 the trucks that move cars around. Since they're exempt
18 from the drayage requirement, it appears that they fall
19 into the high priority specialty vehicle category, which
20 is on furthest out electrification timeline. But these
21 are high polluting Class 8 vehicles operating in and
22 around the ports and railyards and have a very significant
23 impact on the front-line communities that surround those
24 freight hubs.

25 For example, the Port of -- the Port of LA

1 important and exported over 100,000 automobiles in 2021.
2 And in past years, they've imported and exported a quarter
3 million of these vehicles. And it's worth noting that not
4 all of these cars are imported or exported -- that are
5 imported or exported are moved by trucks by the port.
6 They're -- some of them are also -- (inaudible).

7 This comes to another point that I had here,
8 which is the -- it seems like the Mira Loma rail yard is
9 excluded again from this drayage regulation, which, you
10 know, that sits in one of the most high polluted areas in
11 the state. And because that they -- they are serviced
12 predominantly by these unibody vehicles. So I think it's
13 something that the staff need to look into.

14 Thank you.

15 BOARD CLERK GARCIA: Thank you.

16 Matthew -- Matthew Schrap, I have activated your
17 microphone. Please unmute and begin.

18 MATTHEW SCHRAP: Thank you, Chair Randolph and
19 Board members for the opportunity to comment here today.
20 My name is Matt Schrap. I am the CEO of the Harbor
21 Trucking Association. We represent motor carriers moving
22 most of the containerized freight going to and from
23 maritime ports across the Golden State.

24 To reiterate what my colleague from the CTA
25 mentioned, the trucking industry is not necessarily

1 opposed to advancing cleaner technology. However, the
2 concept before you today, especially for the provisions
3 with -- for drayage trucks is not reflective of reality
4 and should be reconsidered, not only for the reasons
5 shared in our written comments, but also for the many of
6 the concerns shared by industry stakeholders today.

7 For drayage, likely the largest hurdle to
8 successful implementation of this rule will be timely
9 deployment of ZE fueling infrastructure, not just
10 deployment of behind-the-fence depot fueling, but more
11 importantly publicly accessible fueling. This is of
12 critical importance, since according to CARB staff up to
13 75 percent of truck tractor operators will need to rely on
14 public placing ZE fueling. This number represents both
15 large and small drayage companies who do not own the
16 property from which they operate, and therefore cannot
17 deploy private infrastructure.

18 While this has been repeatedly stated to staff,
19 the only provision for drayage infrastructure delay has to
20 do with behind-the-fence deployment. This is concerning
21 since there will likely be thousands of existing trucks
22 needing to upgrade in 2025 and thousands more in the
23 following years with nowhere near the public facing ZE
24 fueling capacity available to service those vehicles.
25 Without charging capacity -- capability, the fleets

1 operating those trucks will cease to exist.

2 Please reconsider this rule and direct staff back
3 to the drawing board to work with industry and craft a
4 rule that is reflective of reality.

5 Thank you.

6 BOARD CLERK GARCIA: Thank you.

7 Next, we will hear from a phone number ending in
8 050, Laura Brown, Anthony Budicin, and Lauren Navarro.

9 So phone number ending in 050, I have activated
10 your microphone. Please unmute and begin. You should
11 dial star six to unmute. And please state your name for
12 the record.

13 SEAN EDGAR: Hi. How is my volume?

14 BOARD CLERK GARCIA: Go ahead.

15 SEAN EDGAR: Hi. Good afternoon. How is my
16 volume?

17 BOARD CLERK GARCIA: Sounds good.

18 SEAN EDGAR: Great. Thank you. This is Sean
19 Edgar. I'm the Director of Clean Fleets here in
20 Sacramento and proud to work for the last 22 years on
21 diesel risk reduction programs in conjunction with Board
22 staff.

23 I offer a couple focused comments today. Number
24 one, you heard from Mr. Kinsey, and in the docket at
25 document number 290 in the comment log, indicating that

1 there are serious CEQA problems that need to be resolved
2 prior to adoption and there is really no demonstration of
3 readiness when it comes to infrastructure.

4 So just borrowing from what we saw play out
5 earlier in the Board meeting between the PUC and Energy
6 Commission and Vice Chair Berg's questioning of readiness,
7 there's a big discrepancy between the three to six months
8 the PUC thinks it's going to happen and the two, to three,
9 to seven years that PG&E told you infrastructure is going
10 to take in their docket -- their letter on the docket. In
11 document 342 on page seven, they tell you that.

12 So the bottom line is that the staff needs to
13 really do the analysis that's requested in Mr. Kinsey's
14 letter. And well before the next Board hearing, we should
15 have a series of workshops specific to the issue of CEQA
16 and infrastructure readiness.

17 Second, on the issue of commercial availability,
18 we really underscore, both on behalf of the Western States
19 Trucking Association -- Association letter on the docket
20 in Document 334, that there really needs to be an
21 independent process needed and guardrails put around
22 technology determination and we need to encourage hybrid
23 technology.

24 BOARD CLERK GARCIA: Thank you.

25 Laura Brown, I have activated your microphone.

1 Please unmute and begin.

2 It looks like you've unmuted Laura, but we are
3 unable to hear you.

4 I'll circle back with you Laura.

5 Let's go to Anthony. I have activated your
6 microphone. Please unmute and begin.

7 ANTHONY BUDICIN: Hello, Chair Randolph, Board
8 members, and staff. My name is Anthony Budicin. I'm the
9 Environmental and Regulatory Compliance Manager at Western
10 Municipal Water District. Western provides drinking
11 water, wastewater, and recycled water services in Southern
12 California. Covering 527 square miles, we serve a
13 population of over one million people. Western oversees
14 the operation of two wastewater facilities, both of which
15 generate non-fossil, renewable, wastewater derived biogas.
16 Western is member of CASA and supports CASA's comments and
17 asks.

18 Western appreciates the efforts of CARB staff and
19 the proposed changes identified in the presentation today.
20 We ask the Board to direct CARB staff to continue to work
21 in partnership with the wastewater sector toward a
22 solution that aligns the proposed regulations with State
23 legislation and policy.

24 We produce a renewable resource that can be
25 utilized to power vehicles, equipment, and maintain

1 operations during power outages being able to have a
2 reliable, readily available, and renewable energy source.
3 Biogas is critical to the services our sector provides.
4 Biogas provides us an alternative fuel option that is not
5 reliant upon grid power. The use of biogas supports
6 community resilience through the recovery of renewable
7 natural resources that would otherwise be wasted.

8 We are continuing to look into electrifying our
9 fleet. However, as a provider of essential public
10 services and operator of a wastewater treatment facility,
11 we want to ensure that renewable biogas derived from
12 wastewater treatment processes is considered and properly
13 evaluated.

14 Thank you for your time.

15 BOARD CLERK GARCIA: Thank you.

16 Let's try Laura one more time. So Laura, if you
17 can hear me, please -- I have activated your microphone.
18 Please unmute and begin.

19 Okay.

20 DANA CERVANTES: Hello.

21 BOARD CLERK GARCIA: Oh, I see you've unmuted.

22 Yes, we can hear you.

23 DANA CERVANTES: Hi. My name is Dana Cervantes.

24 I am calling in for Laura Brown. I work on regulatory
25 issues for JG Boswell Company, which farms in California.

1 Due to the remote setting of our farming
2 operations, we service farm equipment in the field. To
3 assist in this process, our mechanic trucks operate from
4 remote locations on the ranches. They not come into a
5 centralized shop on a regular basis.

6 These mechanic trucks are amongst the smallest
7 trucks being affected by the proposed rule. I ask that
8 the -- that the Executive Officer consider an amendment
9 for the proposed regulations, so that mechanic trucks
10 based in rural and remote locations are not to be included
11 in the first phase-out proposed. We would be happy to
12 meet and discuss the dynamics surrounding our request.

13 Thank you.

14 BOARD CLERK GARCIA: Thank you.

15 Okay. Next, we will hear from Lauren Navarro.

16 Lauren, I have activated your microphone. Please
17 unmute and begin.

18 LAUREN NAVARRO: Hi. Good afternoon. This is
19 Lauren Navarro with Environmental Defense Fund.

20 We ask you to support Alternative 2 of the ISOR.
21 Alternative 2 provides an additional 60 percent reduction
22 in NOx and PM emissions, avoids over 3,000 more premature
23 deaths, and loses none of the cost savings realized by
24 fleet operators. Alternative 2 is a win-win.

25 These additional benefits are desperately needed.

1 Your recently adopted plans illustrate that attainment of
2 the 2037 ozone standard and the Governor's vision of a
3 zero-emission truck fleet by 2045 are dependent on future
4 Board actions that are yet uncertain. Alternative 2 will
5 make a doable and tangible down payment of more NOx
6 reductions and 230,000 more zero-emission trucks that will
7 help meet these goals while saving money.

8 Alternative 2 would move the 100 percent sales
9 requirement forward four years to 2036. Every year
10 there's more progress than we envisioned the year before.
11 Concerns about the early years of the ACF will be resolved
12 before 2036. This strengthening of the staff proposal is
13 also in line with ACC II and the Governor's directives.

14 Two other improvements in Alternative 2 focus on
15 Class 7 and 8 tractors. Tractor's operational proximity
16 to disadvantaged communities also results in
17 disproportionate impacts. They are the trucks with the
18 biggest impact on our health. Please direct the staff to
19 incorporate alternative 2 extensions in preparing --

20 BOARD CLERK GARCIA: Thank you.

21 Okay. Next, we will hear from Rebecca Baskins,
22 Tim Blubaugh and Muhammed Patel.

23 Okay. It looks like Rebecca is not there any
24 more.

25 Let's try Tim. So, Tim, I have activated your

1 microphone. Please unmute and begin.

2 TIM BLUBAUGH: My name is Tim Blubaugh and I am
3 speaking on behalf of the Truck and Engine Manufacturers
4 Association.

5 The Advanced Clean Fleets Rule must be consistent
6 with the Advanced Clean Trucks Rule on the timing,
7 quantities, and types of ZEVs. Our written comments
8 detail several aspects of the two rules that must align to
9 ensure that ACF requires fleets to purchase the same ZEVs
10 that ACT requires manufacturers to sell.

11 Additionally, the proposed 2040 100 percent ZEV
12 sales mandate is not aligned with the fleet purchase
13 requirements in ACF and there is no data in the rulemaking
14 record showing that the mandate is achievable. ZEV
15 charging infrastructure is essential to the success of ACT
16 and ACF with estimates showing that more than 130,000
17 chargers must be installed in California by 2030.

18 In other words, approximately 360 new chargers
19 will need to be brought online every week over the next
20 seven years. Those chargers and the electricity grid must
21 provide enough power for medium- and heavy-duty ZEVs, and
22 the chargers should be located at terminals and
23 warehouses, where trucks park. Buildout of the
24 infrastructure must meet the pace of the ZEV deployments
25 anticipated by ACF and ACT. To ensure that is the case,

1 we urge the Board to direct staff to work with the
2 California Energy Commission to track the expansion of the
3 medium- and heavy-duty ZEV infrastructure. The agencies
4 should make publicly available real-time data on the
5 installation of ZEV chargers.

6 BOARD CLERK GARCIA: Thank you.

7 Muhammed, I have activated your microphone.
8 Please unmute and begin.

9 MUHAMMED PATEL: Good afternoon. My name is
10 Muhammed Patel and I am testifying today as an individual
11 citizen in support of adopting Alternative 2 of the ACF
12 rule. I've had asthma for eight years. Despite that,
13 I've been able to main an active -- maintain an active and
14 healthy lifestyle. And with consistent access to health
15 care, asthma has not gotten in the way of my life. That
16 was until three weeks ago when I left the house without my
17 Emergency inhaler and after a short walk I began to have
18 trouble breathing. Within 10 minutes, I was heaving for
19 breath and I couldn't find enough air to talk. An hour
20 later, I was in the hospital on a nebulizer unable to
21 breathe without assistance. Over the next week, I had to
22 take six times as many inhaler doses as normal,
23 prescription steroids, antibiotics, and a medication to
24 protect my stomach from the other medication.

25 I've spent the past three weeks recovering still

1 unable to go back to my normal routine, play sports, or
2 even go on a long walk without my inhaler. If CARB adopts
3 Alternative 2 of the ACF rule, it can save over 4,000
4 people from going through the same experience. That's
5 2,500 more avoided ER visits than the current proposal.
6 There have been a lot of thousands, millions, and billion
7 numbers thrown around today in terms of public health
8 benefits. And while each are so important, I think we
9 sometimes miss the human aspect to these numbers.

10 It's saving thousands of dollars on the costs of
11 inhalers, prescription medication and doctors visits. And
12 it's an invaluable peace of mind that you can breathe
13 normally, something that you don't realize you have until
14 it's been taken from you.

15 Dirty air has robbed so many of their past and
16 continues rob them of a fulfilling present. Do not let
17 dirty air rob them of their future too. Adopt Alternative
18 2 and make a difference in the lives of the 2.8 million
19 Californians living with asthma.

20 Thank you.

21 BOARD CLERK GARCIA: Thank you.

22 And lastly we'll hear from Faraz Rizvi and Halim
23 Choucair.

24 Faraz, I have activated your microphone. Please
25 unmute and begin.

1 FARAZ RIZVI: Hi. Can you hear me?

2 BOARD CLERK GARCIA: Yes, we can.

3 FARAZ RIZVI: Hi. My name is Faraz Rizvi. I'm
4 calling with Asian Pacific Environmental Network, APEN.
5 And we're an organization that has historically promoted
6 environmental justice in the Bay Area. And I myself am a
7 former resident born and raised in the Inland Empire,
8 which is seeing some of the most drastic expansion of
9 logistics across the west coast with heavy-duty trucks
10 coming into these communities, polluting neighborhoods
11 between sensitive receptors, homes, schools, with Amazon
12 profiting and building warehouses nearby homes and almost
13 on the same land across from schools.

14 And so I'm calling to support the accelerated ACF
15 Rule to bring more local trucks on roads faster,
16 especially with 100 percent ZEV sales for heavy-duty by
17 2036. This is a need in communities like Riverside and
18 San Bernardino, which have been burdened by air pollution
19 and smog because of the logistics sector that continues to
20 profit through expanding into regions where environmental
21 justice communities have not had the ability to push back
22 on the rapid development. This is something that we've
23 seen across the board in communities such as Barrio Logan
24 and National to even in the Bay Area, in Oakland, where
25 the ports are -- in the Bay Area are home to drastic

1 logistics and shipping.

2 So as CARB is getting ready to adopt an updated
3 Scoping Plan, I urge the Board to really update and adopt
4 a stronger ACF. We really could use the reductions of 150
5 MMT of carbon dioxide. And it could help us to get our
6 climate targets even faster.

7 Thank you.

8 BOARD CLERK GARCIA: Thank you.

9 Halim, I have activated your microphone. Please
10 unmute and begin.

11 HALIM CHOUCAIR: Good afternoon, madam Chair and
12 members of the Board.

13 My name is Halim Choucair and I thank you for the
14 opportunity to let me speak on this very important topic,
15 which for me and my family is a matter of economic
16 uncertainty and our future. We're immigrants that own a
17 small trucking company with my father starting the company
18 about 15 years ago, starting as an owner/operator and
19 slowly building to six trucks. We now operate in Long
20 Beach and Los Angeles port complex.

21 Our story is one of many in the hispanic
22 community that have leveraged trucking as a means to
23 escape poverty and provide for their families. The
24 efforts of this body are commendable and we can all relate
25 to our desire as Californians to want clean air.

1 However, the extent and speed to which this body
2 intends to reach these efforts is simply not feasible for
3 a family-run business like ours, given the lack of
4 infrastructure and commercial availability of these
5 technologies. The blatant gap in timing of when we're
6 expected to purchase and transition to ZEVs versus the
7 timing of when this infrastructure to support these is
8 ready to go simply do not align.

9 Let's remember, just eight weeks ago, we were
10 told not to charge our Teslas at night to avoid blackouts.
11 If I were told tomorrow, after making a half a million
12 dollar investment, that I could not charge my Class 8
13 electric truck overnight to not overbear the power grid,
14 it would mean I would not -- I would have no equipment to
15 operate the next morning. At that rate, my drivers would
16 sooner be out of work and my company would likely cease to
17 be a going concern shortly thereafter.

18 Ultimately, I beg you to take into account the
19 burden that these regulations will have on small business
20 and owner/operators across the state, both intentionally
21 and unintentionally.

22 Thank you.

23 BOARD CLERK GARCIA: Thank you.

24 Madam Chair, that concludes the Zoom commenters
25 that came in before the cutoff.

1 CHAIR RANDOLPH: All right. Thank you.

2 Staff, any specific issues raised in the comments
3 you want to address before I close the record?

4 It looks like no.

5 Okay. So this is the first of two Board
6 hearings. So I will now close the record on this agenda
7 item. However, it is determined that additional
8 conforming modifications are appropriate, the record will
9 be reopened and a 15-day Notice of Public Availability
10 will be issued. If the record is reopened for a 15-day
11 comment period, the public may submit written comments on
12 the proposed changes which will be considered and
13 responded to in the Final Statement of Reasons for the
14 regulation. Written or oral comments received after this
15 hearing date, but before a 15-day notice is issues will
16 not be accepted as part of the official record on this
17 agenda item.

18 Okay. Thank -- thank you to everyone who
19 commented, particularly those who came in person to share
20 their thoughts.

21 I'm going to make a few comments before I turn it
22 over to my colleagues for -- for their questions and
23 comments. I just want to take a moment to note how
24 important and transformative this work is. We are the
25 first to do this and we have the opportunity to bring

1 other states with us and I'm really excited about what we
2 are doing here today and the importance of this work, but
3 I also feel the weight of responsibility to do it as
4 effectively as possible.

5 We know we can achieve significant health
6 benefits for communities, if we move with all possible
7 speed to remove diesel trucks from our roadways tomorrow.
8 But we also know --

9 (Spanish interpreter.)

10 CHAIR RANDOLPH: Sorry. We also know this is
11 going to be a transition with many challenges. And so for
12 the most part, I do think staff's recommendation has been
13 able to strike a good balance in terms of trying to be
14 aggressive but realistic as we move forward. But as you
15 have heard from the comments, there are key areas that
16 need to be addressed. I'm pleased to hear staff is
17 considering giving public fleets more flexibility with the
18 same optional paths as private fleets. I'm pleased to
19 hear they're considering modifying the mutual aid
20 provisions. Mutual aid is a critical piece of our
21 emergency response and we need to retain as many options
22 as possible until zero-emission vehicles become more
23 widely available.

24 BOARD CLERK ESTABROOK: Chair Randolph?

25 CHAIR RANDOLPH: Yes.

1 BOARD CLERK ESTABROOK: Can we take a quick
2 break? The Spanish channel just dropped.

3 CHAIR RANDOLPH: Oh, okay. Yeah. No, we
4 absolutely can take a break.

5 BOARD CLERK ESTABROOK: But don't leave, like a
6 short break.

7 (Off record: 4:37 p.m.)

8 (Thereupon a recess was taken.)

9 (On record: 4:41 p.m.)

10 CHAIR RANDOLPH: Thank you so much.

11 Okay. As I was saying -- we're not back yet.
12 Oh, now we're back. Okay. We're back online. Thank you.

13 Anyway, I -- I am concerned that we do have some
14 short-term challenges. I'm concerned that the one-year
15 exemptions for construction delays don't recognize the
16 reality of the current situation with interconnection
17 delays, charging equipment component shortages, and other
18 possible delays. At the same time, I think it's really
19 difficult for staff to spend a lot of time collecting
20 confirming information and trying to suss out what the
21 delays really are.

22 So I am pleased to hear that staff is open to
23 working on this issue and I encourage you to come back
24 with a proposal, as you have suggested, that will address
25 possible ways to deal with delays around equipment and

1 interconnection, including priority around the question of
2 whether a fleet can apply for more than one delay if it
3 can be documented.

4 As commenters noted, commercial unavailability
5 needs some significant discussion. Issues like duty cycle
6 number of models in different categories, how equipment
7 needs play into that. In our comments, we heard some
8 information about things like length of routes. Trucks
9 used -- being used for multiple purposes like snow removal
10 and more complex specialty trucks. And I'm worried about
11 a backlog of requests and some lack of clarity for the
12 regulate entities. And so some more discussion, maybe
13 some more interactions with stakeholders before the rule
14 comes back thinking about ways to gain real-world feedback
15 during ongoing implementation.

16 But I think those challenges are possible to be
17 resolved. I am concerned that reducing the fleet size or
18 moving up timelines for certain classifications would be
19 counterproductive given the short-term challenges we have.
20 If we have availability issues, if we have infrastructure
21 issues, if we have cost issues in the short term, then
22 forcing small fleets to compete with larger fleets, as
23 we're resolving those, might create more burden than is
24 necessary.

25 The misclassification issue is a real one and I'm

1 really appreciate -- appreciative that in staff's proposal
2 they included the control language to ensure that the
3 fleet counts include trucks that are controlled by the
4 covered fleets, but I'm not convinced that reducing the
5 fleet size rather than directly applicable regulatory
6 strategies, like AB 5, are not the correct way to handle
7 that.

8 So on the other hand, I do think that we as a
9 Board should discuss the possibility of an earlier 100
10 percent sales date of 2036 to set that manufacturer market
11 signal and really push manufacturers to step up and make
12 these vehicles available. I think that's a proposal worth
13 discussing. We may need some kind of reporting back
14 mechanism in the 2026 or 2027 time frame to see how these
15 short-term challenges are getting resolved and are playing
16 out. But I would be very supportive of looking at a 2036
17 100 percent requirement.

18 There are a lot of other issues that we talked
19 about today, the 1383 issues, temporary use issues,
20 cleanest available trucks. So we have a lot to discuss
21 other than what I've already laid out, so I am going to
22 turn it over to my colleagues and -- and I'm sure we will
23 have a lot to say and plenty of questions for staff.

24 So who would like to go first?

25 Don't all raise your hands at once.

1 BOARD MEMBER RIORDAN: Madam Chair.

2 CHAIR RANDOLPH: Oh, there's people online. Oh,
3 I have to turn my Zoom screen up. I apologize.

4 Okay. Let's start with Dr. Balmes.

5 BOARD MEMBER BALMES: Thank you, Chair Randolph.
6 And the reason I raised my hand first is I'm actually in
7 Durban, South Africa and it's almost two o'clock in the
8 morning, so I appreciate it. And I also appreciate the
9 way you just laid out both your thoughts about how we
10 should move forward and the challenges. I agree with many
11 of your concerns.

12 So I'll start off by saying it wasn't mentioned
13 as much as I thought. We're in a climate crisis. We have
14 to reduce greenhouse gas emissions. We have to stop -- we
15 have to reduce the combustion of fossil fuel and that's
16 even before I get into the public health benefits from
17 reduction of emissions of NOx and PM2.5. I'm the public
18 health member of the Board and I agree with all of the
19 people that testified about the need to reduce diesel
20 emissions, especially in low income communities of color.
21 It's a top priority of for me as someone who wants to see
22 environmental justice be instituted. And we have -- we
23 have to have aggressive emission reductions achieved
24 through ambitious ZEV targets. And if we don't put in
25 place such targets, we won't achieve what we promised in

1 our ozone SIP, our Scoping Plan, or meeting the Governor's
2 directives.

3 I appreciate all the hard work and thoughtful
4 presentation of that work by staff. I think they've done
5 a tremendous job. So I'm not, in any way, criticizing the
6 staff, but I -- I really do support the 100 percent ZEV
7 sales by 2036 instead of 2040. And I'm glad to hear that
8 Chair Randolph, you know, would consider that, but I would
9 also lower the threshold for high pri -- high priority
10 fleets, for Class 7 and 8 tractors, from 50 to 10. I
11 realize that may impact the smaller firms, but I think we
12 need it for the emission reductions that we get. And I'm
13 really pleased that over 30 legislators, including my
14 State Senator Nancy Skinner, sent us a letter supporting
15 that, as well as the 100 percent sales by 2036.

16 And I think the support from the Teamsters and
17 the other labor groups is important to acknowledge,
18 because I think, you know, the misclassification as you
19 said Chair Randolph is a -- it's a long-standing problem
20 that I, you know, think we have to respond to.

21 I also think that, you know, moving the -- the
22 class -- the sleeper cabs from Group 3 to Group 2, so that
23 they -- their transition schedule would begin in 2027
24 instead 2030 is a good move. So support all three of the
25 asks that our State Legislature has put in the letter to

1 us. I mean, I've been on the Board since the start of
2 2008. I don't ever remember over 30 legislators sending
3 us such a letter. So I'll be curious to hear what Senator
4 Leyva has to say.

5 And the -- the amount of NOx reductions we get
6 from moving more aggressively to institute these three
7 changes to what staff has proposed, it's huge. It's like
8 the equivalent of two Advanced Clean Car rules. And I --
9 and I think that the total cost of ownership analysis is
10 also supports this -- this approach.

11 I know it's hard for people to see the immediate
12 economic benefits, because these vehicles cost more.
13 There's all this issue about infrastructure, which I don't
14 minimize. But over the lifetime of these trucks, I think
15 the truck firms will save money, will create a lot of
16 jobs. I think it's overall of economic benefit to the
17 state, even though there may be bumps on the road in the
18 transition. And I -- so in terms of the bumps in the road
19 in terms of the transition, I do support having better
20 definition of commercial availability.

21 Matter of fact, I think there should be an
22 advisory committee of some sort. I know the devil is the
23 details, but I think there should be an advisory committee
24 that has representation from stakeholders who can describe
25 the real-world experience both in terms of technology

1 development and deployment experience. So I was glad to
2 see that Chair Randolph -- I don't know if you'd support
3 an Advisory Committee. I don't like to create new
4 bureaucracy, but I think it actually could even help
5 staff, given I think there'd be this deluge of exemption
6 requests if we don't have better definition of what is
7 available or unavailable.

8 I also like the idea of when an exemption is
9 given that you have to buy the cleanest truck available
10 that's not a ZEV. And so I like the idea of having it the
11 same as our Omnibus Rule -- the low-NOx Omnibus Rule that
12 goes in place in 2027. So I think those kinds of trucks
13 are the ones we should let people -- require people to buy
14 when they get an exemption. And I'm very supportive of
15 the -- and I'm please that the staff is going in this
16 direction, of SB 1383 flexibility, because, you know, as
17 many people said, the methane is a potent greenhouse gas.
18 So using that to fuel the -- the trucks that public
19 agencies and private refuse firms use I think is a good
20 transition and has both climate change and lower emissions
21 than diesel, in terms of criteria Pollutants.

22 And I guess the last thing I would say -- the
23 last two things is I think the one-year extension for
24 construction delays regarding infrastructure buildout is
25 unrealistic from all the -- all that I've heard from

1 multiple stakeholders and again today. So I'd be
2 supportive of reevaluating that and having longer
3 extensions available, especially for -- especially if --
4 if folks can show that they've -- they're trying to get
5 the infrastructure built.

6 And I guess the last thing I would say I think
7 because of all the bumps in the road, that we'll have to
8 have some kind of reporting in the time frame, like Chair
9 Randolph suggested maybe 2026 to see how things are going.

10 So those are my comments. Thank you for letting
11 me go first, because I'm not sure how much longer I can
12 stay awake. I'll try to stay awake as long as possible to
13 hear my other Board members.

14 CHAIR RANDOLPH: All right. Thank you so much.
15 All right. Senator Leyva.

16 SENATOR LEYVA: Thank you, Madam Chair. Let me
17 put my pen down. I don't want to be that person -- Dr.
18 Balmes, go to bed. It's very late or early, I suppose.

19 I'll start with commenting about the letter
20 signed on by 30 of my colleagues. They actually asked me
21 to sign on as well and I would have, but I said it would
22 probably be better as a Board member if I just said I
23 support the letter. And I would also say it's a very
24 unique time right now with the Legislature. We have so
25 many legislators that really support all the work we're

1 doing. So we want to make sure that anything we want to
2 do, this is the time. And as we know the last part of the
3 session, the Governor jumped in and we got a lot of
4 climate change activity done.

5 So with that said, staff, I want to thank you so
6 much for all of your hard work answering all of my
7 questions, talking to all of us who call in, when I meet
8 with folks and I call you and ask you what you think. So
9 thank you. We appreciate you very, very much.

10 And then I would also say change is hard. And I
11 kind of liken this back in, you know, what a hundred
12 years -- over a hundred years ago when we went from the
13 horse and buggy to the gas engine. And probably no one
14 thought that the gas engine would take off. Well, now
15 we're trying to get rid of gas engines and we're trying to
16 move to something cleaner, and --

17 (Phone ringing).

18 SENATOR LEYVA: Sorry -- and go with electric
19 vehicles. So, yes, it will be hard, but it's imperative
20 that we do this.

21 And I love that the other states were on. It
22 shows that California is a leader, as we know we are, and
23 that they want to follow us, and that they want us to set
24 good policy, so that they know what to do. I want to
25 thank all of the folks from the Inland Empire who joined

1 us -- sorry, my little charge. There she is -- all of
2 those from the inland empire that drove all the way up.
3 Thank you. I think it's very important to note that the
4 people who are most impacted came up and testified in
5 person. They did not Zoom in, like I'm doing. They came
6 up in person, because it affects them every single day.

7 When I was a kid - you guys have heard me say
8 this - we had smog alerts every day. My chest hurt. My
9 col -- my friend's chest hurt. And then things happened,
10 we changed regulations, and things got better. Well,
11 we're back in that same time frame where things aren't
12 good again, where we need to change the regulations so
13 that we can make sure that everyone has clean air to
14 breathe.

15 I went on a toxic tour when I first elected. And
16 this is probably a little inappropriate, but my takeaway
17 was we do bad shit to poor people. Most of what's
18 happening is happening in poorer areas of the state.

19 I have all my little notes here. Let me make
20 sure -- I do not agree with the person who called in and
21 said that the future is hydrogen. I think that hydrogen
22 can happen us transition, but it shouldn't replace our
23 march towards electricity -- electric vehicles.
24 Batteries, remember cell phone batteries when they were
25 big and cumbersome, well, we will get better with electric

1 vehicles as well too.

2 I also want to agree with the caller who said we
3 need to be bold today. I think we do. We can always move
4 backwards she said and that is true, but we can't move
5 backwards if we don't fix climate change.

6 The League of Cities' gentleman, he said local
7 governments will face severe challenges. Well, these are
8 the same local governments that approve warehouse, after
9 warehouse, after warehouse. And you can't have it both
10 ways, so we have to do something. My district has more
11 warehouses than any place else in the country and only
12 other place in the -- in the world, and it's not the
13 warehouses that pollute, but it's the trucks. So if we
14 don't do something, all of my cities will continue to be
15 impacted.

16 Bill Magavern, I agree with and the many others
17 who said we should decrease -- or the threshold should go
18 from 50 to 10, or something closer to 10. The faster we
19 get there, the better it's going to be for everyone.
20 Adopting these regs will not be easy, but it's essential.

21 I think that's all of my notes. Madam Chair, I
22 thank you. All of my colleagues, I thank all of you. All
23 of you who participated, thank you. This is a big change,
24 but a really, really important one.

25 Thank you.

1 CHAIR RANDOLPH: All right. Thank you.

2 Supervisor Vargas followed by Dr. Pacheco-Werner.

3 BOARD MEMBER VARGAS: Thank you so much, Chair.

4 And let me again first just say thank you to all the staff
5 for their hard work on getting this proposed regulation
6 before the Board. Absolutely vital to address our
7 California air quality climate, environmental justice,
8 especially for the communities that were impacted. I
9 think we heard firsthand from our folks in San Diego and
10 what it meet -- you know what it means directly for us in
11 our communities.

12 And so I like -- I just want to say that I
13 support the staff recommendations. And I really think
14 that these are big shifts and big transitions, and
15 absolutely big enough that for San Diego it's going to
16 have, you know, long-term impacts, particularly in how we
17 introduce new clean infrastructure. As I mentioned
18 earlier today, I just want to make sure that we're
19 keeping -- keeping in mind some of the border area needs
20 to urgently address the environmental impacts of
21 heavy-duty diesel trucks carrying goods passing through
22 the border communities that have seen -- been suffering
23 from air quality.

24 I think electrification is more possible and
25 urgent than ever. And I do believe that it offers the

1 potential to make the air we breathe cleaner. I know
2 change is scary, but I -- we can't afford to pass up
3 electrification. And as -- and as leaders, we have to
4 fight for clean air clean and clean -- you know, climate
5 justice.

6 The only other thing I'll mention is that
7 particularly the cities in my district, right, in terms of
8 air quality, the overarching problems and the compounding
9 of air pollution impacts, in Barrio Logan and National
10 City, diesel and industrial pollution from the Port of San
11 Diego operations ship repair and the freight moving from
12 heavy diesel trucks is a huge impact.

13 So the concentration and cumulative impacts from
14 air toxics and emissions produced in facilities as well as
15 the transform -- transition to the 6,000 diesel trucks
16 that visit the port every month that supports those
17 operations, I think these are the other communities
18 adjacent to the ports that suffer the most from these high
19 diesel pollution.

20 And so again, as I mentioned, the border area is
21 one that I think we need to figure out, as we're looking
22 at long-term what is that going to look like? The
23 impacts -- you know, we're trying to open up East Otay
24 Mesa so that, you know, the trucks that are idle are not
25 impacting us as much. And I know we're going to have a

1 specific conversation, but I think like the -- like the
2 senator mentioned, right, they're -- we're experiencing a
3 proliferation of warehouses also and distribution centers
4 in -- in that area. And so there's very unique
5 environmental issues that need to be dressed at the border
6 and also require new economic development and
7 environmental justice collaborations.

8 And so with that, I'll just say that I appreciate
9 the staff. I agree with you in terms of the
10 recommendations, and really going to be focused on really
11 looking at advancement of cleaner fuels around
12 infrastructure, particularly in this area.

13 So thank you very much for -- for the time and
14 for all of the folks that called in today. Very much
15 appreciated as well.

16 CHAIR RANDOLPH: Thank you.

17 Dr. Pacheco-Werner.

18 BOARD MEMBER PACHECO-WERNER: Thank you, Chair.
19 Thank you.

20 You know, for me, as -- I just want to start off
21 with gratitude to the staff for everything -- all the work
22 that they've done to get us to this place. It's very
23 complicated. I think for me, as I was giving my four year
24 old his maintenance asthma inhaler this morning, I
25 couldn't help thinking much like our commuter commenter

1 earlier, Julieta from the Inland Empire about how what
2 we're doing here today will impact him and other children
3 around California.

4 I do think that everyone is being asked to make
5 sacrifices today, but those who have had to sacrifice the
6 most are those living in the neighborhoods who have had to
7 ensure the diesel exhaust in their back yards, in their
8 schools, and in their communities for generations. So I
9 do think at the end of the day, we need to prioritize them
10 first and foremost in our commitments to this rule.

11 I think we have an opportunity to make the most
12 ambitious regulation we can, while not setting up our
13 communities to fail with exemptions that will leave diesel
14 on the table as a purchase option.

15 I do support that call for accelerating the
16 timeline to 2036 and lowering the fleet size from 50 to
17 10. However, I do think that the infrastructure problems
18 we have are great ones. I know I've been one to raise
19 them from day one, as Analisa knows. And thanks for
20 bearing with me, Analisa, on that.

21 While I do hope to see the solutions and answers
22 on that, I would rather choose to focus on how we refine
23 and solidify what the exemption process will look like and
24 how we ensure we continue to reduce emissions in
25 community. Right now, the way the exemption language is

1 written out, there is the opportunity for someone, even
2 with the interaction of the Omnibus Rule, to be granted an
3 exemption and for them to choose between a diesel truck
4 and a least -- less polluting truck.

5 What options -- we need options to bridge that
6 gap, so that that option is not available, and especially
7 if we lower the fleet size requirement and have a lot more
8 owners be challenged with getting the necessary
9 infrastructure. While I have heard the argument that we
10 don't want to create stranded assets, I don't think --
11 think that applies in this situation where a company is
12 going to purchase a truck regardless and we've granted
13 them an exemption to a ZEV.

14 So I'd like to see this process and if staff has
15 any insight on how we can continue to refine this process.
16 I think that that needs to be something that's -- that we
17 focus on, especially as we -- we know that we're going to
18 detail with -- deal with the infrastructure issues.

19 So another question that I had and -- and this is
20 directly -- you know, someone that I heard in the
21 comments, but if you can please say more about how the
22 purchase requirements from ACF do or don't align with ACT.
23 And just a last comment I do want to just echo Supervisor
24 Vargas on the need to make sure that we refine what border
25 and interstate issues may be raised.

1 Thank you.

2 CHAIR RANDOLPH: Staff, do you want to address
3 the question about the ACT requirements.

4 MSCD DIVISION CHIEF VERGIS: Yes. Thank you so
5 much for the questions. So overall ACF has a higher
6 vehicle sales requirement than ACT. So -- so ACF does
7 have an overall higher vehicle sales requirement than ACT.
8 So, in general, manufacturers will see significantly
9 greater demand for their products and their requirements
10 already established in the ACT Regulation.

11 CHAIR RANDOLPH: Okay. Dr. Pacheco-Werner, does
12 that answer your question?

13 BOARD MEMBER PACHECO-WERNER: So, I mean, I guess
14 will it raise issues in terms of what people are being
15 required to purchase in terms of are we incentivizing --
16 you know, if these two don't align, like do we incentivize
17 more ZEVs or is it the other way around?

18 EXECUTIVE OFFICER CLIFF: Dr. Pacheco-Werner,
19 this is Steve Cliff, Executive Officer. So in last
20 month's hearing, the Board did direct staff to go back and
21 look at this issue. And so we're going to be following up
22 to better understand how the Advanced Clean Fleets and the
23 Advance Clean Trucks Regulation would work together, and,
24 if necessary, come back and propose an updated Advanced
25 Clean Trucks Rule that would align better were the

1 Advanced Clean Fleets Rule. That requirement was included
2 in the SIP item from last month.

3 BOARD MEMBER PACHECO-WERNER: Thank you.

4 CHAIR RANDOLPH: As long as we are doing
5 questions for a moment, can we also talk about the
6 difference between 10 and 50 in terms of fleet size and
7 how staff is thinking about that issue?

8 MSCD DIVISION CHIEF VERGIS: Well, overall, I
9 would say that we are and will be addressing smaller
10 fleets through focused incentives and follow-up
11 regulations. I think the question before you today is
12 whether the Board mandates that using this tool, ACF, or
13 uses future policy tools that are more geared towards
14 smaller fleets. These are policy tools that, as you're
15 aware from the SIP conversation, we're exploring in the SB
16 1 report, which will come out in the next year or so.

17 Overall, we're in the first wave of getting
18 zero-emission Class 7 and 8 trucks to market, so we think
19 that this proposal that will get two-thirds of all Class 7
20 and 8 trucks is ambitious, given the early state of the
21 market, but achievable. I also think it's worth noting,
22 especially since this is in the analysis regarding the
23 costs of the draft regulation to the State government that
24 reducing the cap to 25 or 10 will result in a two- to
25 three-fold increase in the numbers of fleets that are

1 covered in the regulation. So we'll need to reexamine the
2 resources and the timeline we'll need to implement this
3 regulation in terms of the outreach and compliance
4 assistance that will be needed for smaller fleets.

5 BOARD MEMBER SERNA: Madam Chair, can I ask
6 follow-up?

7 CHAIR RANDOLPH: Um-hmm.

8 BOARD MEMBER SERNA: So this is a follow-up to
9 the general question that obviously has been presented by
10 many folks that testified, siting the 50 versus 10. Is
11 there anything particularly magic about 10, other than
12 kind of the multiplier effect that you just mentioned,
13 Sydney?

14 MSCD TRANSPORTATION AND CLEAN TECHNOLOGY BRANCH
15 CHIEF BRASIL: Yeah, I can -- this is Tony Brasil, Branch
16 Chief. Yeah, I -- there isn't a magic number that we can
17 look at. There is no break point that you would make a
18 split as to where small and large fleets are. When we
19 looked at the regulation, we did collect data from fleets
20 of 50 or more. And so we do have that information as the
21 basis for the proposal we have today.

22 And the concern really comes down to is as you
23 bring in more small companies with the handful of trucks,
24 they're simply less likely to have of many locations to
25 choose from to do the easy infrastructure or the easy

1 trucks first. They're more likely to be more homogenous
2 in terms of the fleet, and aren't going to have the
3 compliance officers and things.

4 And so the real question is, you know, should
5 they be in the same timeline as bigger companies, if you
6 will. In the drayage category, we are looking at all the
7 trucks, but we're also looking at strategically placing
8 infrastructure, where it's going to be needed so they have
9 access to it. So ultimately, it's kind of a timing
10 question and a risk scenario.

11 BOARD MEMBER SERNA: So -- so with all due
12 respect to the folks that -- that did mention the number,
13 there's -- I mean, it's arbitrary it sounds like, for all
14 intents and purposes, at this point in the discussion of
15 how this would be implemented.

16 MSCD TRANSPORTATION AND CLEAN TECHNOLOGY BRANCH
17 CHIEF BRASIL: Well, and I'll just add that as part of
18 the -- the SIP, one of the things we are committed to is
19 to coming back to the Board in the 2028 time frame with
20 how we would address all other trucks. And as Dr. Vergis
21 mentioned is, you know, we're looking at other ways to do
22 than just a command and control regulation, but we can
23 always default to that.

24 BOARD MEMBER SERNA: Thank you.

25 CHAIR RANDOLPH: Okay.

1 BOARD MEMBER BALMES: I'm just going to say my
2 last thing before I go to bed --

3 (Laughter)

4 BOARD MEMBER BALMES: -- (inaudible) -- 50 is an
5 arbitrary number too, just to be clear. It's a magic
6 number also.

7 CHAIR RANDOLPH: I think you said 50 is an
8 arbitrary number too, is that what you said?

9 BOARD MEMBER BALMES: That's what I said.

10 CHAIR RANDOLPH: Okay. Thank you.

11 Okay. Board Member Hurt has a question.

12 BOARD MEMBER HURT: Just a quick question. So as
13 we talk about pulling more fleets in and smaller fleet
14 sizes, I think about public infrastructure being a
15 necessity. And so could you or someone talk a little bit
16 about the outlook on public infrastructure and any kind of
17 timelines or what you understand to be that progression
18 that would support smaller fleets sizes being pulled into
19 the ACF? I know that's a big question, but --

20 MSCD ASSISTANT DIVISION CHIEF BEVAN: Right.
21 This is Analisa Bevan. We know that there are truck stops
22 and others that are interested in pursuing establishment
23 of public infrastructure for trucks and they all have
24 their own timelines. And CEC is also funding public
25 infrastructure specifically for those applications. But I

1 don't have a good answer for how many stations we'll have
2 open by a specified time at this time, but that's
3 definitely something that we're going to be tracking.

4 BOARD MEMBER HURT: Okay. That's enough for now.

5 CHAIR RANDOLPH: Okay. Board Member Kracov.

6 BOARD MEMBER KRACOV: So Chair Randolph, just so
7 happy to be here today. I really wouldn't rather be
8 anywhere else with any other group of people than -- than
9 everyone here. I've been waiting for, you know, this
10 hearing really since I joined the Board. I want to thank
11 all the stakeholders that came out today and everyone that
12 helped us, you know, get to this day and all the staff,
13 La'Shaye Cobley, and Paul Arneja, and everybody else here.
14 You know, especially Tony Brasil, I want to give you a
15 special call-out. You've sort of been the tip of the
16 spear on this with all the stakeholders and just really
17 appreciate everyone's efforts here. There's just a long
18 list, but I'll stop there. But thank you so much, staff,
19 for this.

20 You know, I just imagine what it would be like
21 when there's zero-emission trucks servicing our ports and
22 our warehouses and just imagine what it would be like to
23 drive on the 710 freeway and there is no diesel truck
24 exhaust or at our railyards. And, you know, imagine the
25 benefits that it's going to bring our economy and the

1 goods movement sector for all our regional and city
2 planners for the sustainable long-term growth of our state
3 and of the goods movement sector in our Pacific Rim
4 economy to have clean trucks in our goods movement sector.
5 I mean, that's what I think is really at stake here.

6 For 2036, I, too, Chair am persuaded about the
7 2036 mandate. I don't see how we get to the Governor's
8 Executive order of 100 percent zero-emissions fleet where
9 feasible by 2045 without moving the sales mandate, not to
10 mention ozone attainment in my district. 2036 is already
11 studied in the ISOR. The legislators, Senator Durazo,
12 labor stakeholders like IBEW and the Teamsters support it.
13 And I do recognize Dr. Cliff that we may need to revisit
14 the Advanced Clean Truck Rule, we may need an ACT 2 to
15 make sure we can match supply and demand.

16 On the power issues, you know, I'm concerned
17 about infrastructure, energy supply, and delivery
18 challenges, but, you know, our Governor and the
19 administration a laser focused on this. They just
20 extended Diablo Canyon. They just did a huge renewable
21 permitting reform. You know, and I also want to be clear,
22 we don't need to change everything all at once with this
23 rule. In most sectors, the rule starts slow and it has a
24 two-decade phase-in to 2040 and beyond in some cases.

25 And the rule, as proposed, only applies to high

1 priority fleets over 50. We're going to have time to see
2 how this works out. And I'm really confident that by the
3 time the rule kicks in, in the 2030s, we are going to have
4 the competence, the equity, and the accountability to get
5 the energy infrastructure right.

6 For drayage, you know, I come from the South
7 Coast. There's nothing more important than my service on
8 this Board than cleaning up the ports and the drayage
9 sector. The LA times just yesterday editorialized again
10 on the dreadful pollution from our ports. So drayage
11 comes first in this Advanced Clean Fleet Rule, and it
12 should. Starting in 2024, mandatory SB 1 useful life
13 retirement and mandatory zero-emissions replacement, plus
14 the important common ownership rules to prevent labor
15 misclassification.

16 Now, this is not going to be easy. But let's
17 look at the drayage registry. Let's say maybe it's 2,000
18 new zero-emissions trucks in 2024 and each year thereafter
19 just in the drayage registry. That's not folly.
20 Colleagues, I think that's doable. Volvo, Freightliner,
21 and BYD Class 8 trucks, electric tractor trucks are
22 already running in the ports right now in fleets like 4
23 Gen and they love them. That's the reality.

24 Now, I'm going to give everything that I possibly
25 can in my Board service to make the Drayage Rule

1 successful and so too must our port partners at the San
2 Pedro ports with their tens of millions of dollars from
3 their truck rate, which by the way should be increased.

4 So to the Harbor Trucking Association, Pacific
5 Maritime Association, CEC, CALSTART, the Air District, the
6 Feds with hundreds of millions, if not billions of dollars
7 in funding. Now Vice Chair Berg and Mayor Hurt and I just
8 spent hundreds of hours this year working on the Incentive
9 Advisory Program for the small fleets, learning the
10 strengths and the needs of the existing programs. We are
11 not naive. We have to get drayage right. I'm convinced
12 that clean trucks are the only way to keep growing our
13 ports, to gain community support and guarantee our
14 economic future.

15 We need zero-emission drayage to stay
16 competitive. It's not the other way around. Drayage is
17 going to show the way. Looking at Heather Arias, TTD
18 staff, we need to focus like a laser on drayage. It's
19 coming first and it has to be a model of how we can do
20 this right.

21 As for the 15-day changes, if everyone can turn,
22 you know, the stakeholders to page 32 of the presentation,
23 the proposed 15-day change, you know, I'm sorry, if we
24 seem too aspirational up here. And I'm sorry you just
25 want to run your business without us regulators changing

1 the rules, but we are listening. Staff is listening,
2 listening to stakeholders, listening to the Board. Look
3 at page 32, I support all these 15-day changes. More time
4 for infrastructure exemptions, yes. A single one-year
5 exemption is not sufficient. Let's find the right balance
6 between recognizing real delays and not granting endless
7 extensions for foot draggers.

8 Added flexibility for public fleets, more time
9 for smaller public fleets, and making the mutual aid for
10 emergency events more workable, yes. To the energy
11 utilities, water utilities, emergency service providers,
12 we are listening. More flexibility for 1383 fleets, yes.
13 Wastewater and solid waste facilities and the renewable
14 natural gas fleets that service them, bring them the
15 feedstock pursuant to SB 1383 contracts and franchise
16 agreement. These are essential providers, the early
17 adopters, folks who have relied on LCFS taking organics
18 out of the landfills, using RNG fleets, as CARB's 2017
19 Scoping Plan told them to, as CalRecycle tells them to.

20 The methane, the shorts-lived climate pollution
21 is our own waste. It's our own sewage discharges. We
22 need to align our rules with State policy at CalRecycle
23 and PUC, and appropriate exemptions and extensions are
24 warranted for this limited discrete category for 1383
25 compliance.

1 More criteria and perhaps process for the
2 unavailability exemption. Yes, especially in the early
3 years, staff -- we need to be reasonable, transparent, and
4 streamlined in these determinations. And then the
5 transient trucks, yes, the rule has to be reasonable to
6 short-term entries into California and the rental
7 industry. So, yes, to all these page 32 proposed changes.

8 Thank you, Dr. Cliff, and staff, you know, you're
9 listening. Now we need to put the meat on the bones to
10 these bullet points. We have a lot of work to do in the
11 next few months as these 15-day changes are published.
12 And I hope we can have a dialogue shared today about the
13 process for that, so that the Board, the staff, and all
14 the stakeholders are clear on when and how these bullets
15 are going to turn into red-line language.

16 We need to improve the rules, but we also need to
17 get it done, and then to figure out how and when we
18 revisit this, along with our zero-emission truck proposal
19 from the SIP for the small fleets. Nobody on this Board,
20 stakeholders, is going to walk away from these challenges.

21 Mr. Rasool from CEC, heck, he should have a
22 permanent chair right there next to Analisa Bevan.

23 (Laughter).

24 BOARD MEMBER KRACOV: We need frequent reports
25 back, or perhaps some structure, Chair, on how we revisit

1 and monitor how things are going to make adjustments,
2 especially if we do end up with a 2036 100 percent sales
3 target that I support.

4 So in closing, I'm just convinced we have to do
5 this. We need a healthier foundation upon which to grow
6 our economy and our all important goods movement industry.
7 There is no other way for industry to succeed in my air
8 basin.

9 And we heard from New York, Wisconsin, and
10 Washington today. The world is watching. It's going to
11 be a challenging road, but at the end it's going to be
12 worth it. Working together, I really hope all
13 stakeholders to make this a reality and to show, you know,
14 that we Californians, you know, can chart the course. So
15 thanks, Chair

16 CHAIR RANDOLPH: Thank you.

17 Board Member Takvorian.

18 BOARD MEMBER TAKVORIAN: Thank you, chair and
19 thanks to everyone today. I know it's been a long day.
20 Actually, it's been a long 20 years, I think, of really
21 thinking about how we're going to bring relief to the
22 communities that are the most impacted. So I want to say
23 to staff, I really think the ISOR is the most amazing
24 document that shows us exactly what the conditions are or
25 were a number of months ago and give us the resources we

1 need to really move forward.

2 So I just want to appreciate that and hope that
3 we retain lots of copies of it, because I think it's
4 already changed with what the federal government has done,
5 and you've acknowledged, you know, that can't be
6 incorporated immediately. But it really shows us, I
7 think, how smart, and how dug in, and how weedy, if you
8 will, our staff are and able to really look at the issues
9 that we need to examine. And I don't think anyone up here
10 could ever hope to understand all of it. No disrespect.
11 But I think we all very, very grateful to you and
12 dependent on you.

13 And I think the other thing I really want to
14 compliment staff about is public participation. That's
15 not just today. That really is the last several years.
16 That's all of the people that have come forward, that
17 you've engaged with, over, and over, and over again. And
18 I want to appreciate all those public people who have been
19 there to work with you and who brought solutions forward.

20 Honestly, I feel like those who have said to us
21 again this just won't work. We're not there. We don't
22 have all the charging stations and we don't have all the
23 trucks. No, we don't, but we will. And if we don't set
24 these goals today, we won't have them in five years. And
25 they will be right to say we still don't have them. So we

1 have to set bold -- as Senator Leyva sold, bold -- bold
2 goals and ones that really give us the health and economic
3 benefits that -- that we deserve. So I really appreciate
4 the work that everyone has done to -- to carve a path
5 through both the known and the unknowns that we're going
6 through right now.

7 This unprecedented support from our legislators,
8 from the environmental justice community, from health
9 advocates, from labor, from the environmental community,
10 business, and 30 legislators. I agree with Dr. Balmes.
11 And I'm going to take that as a commitment that they're
12 going to help smooth out the rough spots. I think that
13 that's exactly what that legislative letter says is that
14 they know that this isn't a path that's going to be
15 entirely smooth and we're going to need their help. So
16 that's -- that's how I'm reading the letter. So I hope
17 that that's -- that's how they meant it.

18 And I do want to echo something I think Dr.
19 Balmes said, this is a climate and health crisis. And if
20 we adopt the Alternative 2, which I strongly support, we
21 end up with over \$34 billion in additional health benefits
22 and 3,200 additional avoided premature deaths. And I want
23 to focus on that, because that's without another pandemic.
24 Remember, that we have an eight percent higher rate of
25 death in the communities that are most impacted with high

1 air pollution. And I just don't want us to forget that,
2 because while some are declaring COVID to be over, and
3 perhaps it is, I hope it is, we cannot afford to continue
4 throwing our communities away. And that's what we're
5 doing, if we don't move forward with strong, strong
6 measures that are really going to bring these health
7 benefits that I think that moving the -- reducing the
8 fleet size and moving the -- the compliance years up will
9 give us.

10 So I want to stalk -- talk first about reducing
11 the fleet size. And I -- I want to focus on something
12 that I think Supervisor Serna said, in regards to what the
13 fleet size is. I -- I wasn't thinking it was arbitrary,
14 but I did have a huge question about why we're looking at
15 50, when the 50-truck in the fleet size shows us that
16 those trucks are the newest and cleanest trucks that are
17 out there. They're the ones that are five years old or
18 younger. But we're you move to 10 to 24 trucks, you're
19 looking at trucks that are eight to ten years old. So
20 those are the dirty trucks. Those are the ones that we
21 really need to get to.

22 And so I'm worried that we're kicking the can. I
23 appreciate that we have to gear up, but we're in a climate
24 crisis. We're in a health crisis. So I want to go after
25 those trucks that are the worst actors. And I think

1 they're in that category. I'm not sure why we're going
2 down to five trucks, given that five and under are
3 classified as small fleets.

4 So I'd like to know, and my request is to -- to
5 at least amend the proposal to 10 truck fleets, but I'd
6 like to see an analysis of 5, 10, and 20, if people are
7 concerned about the 10. But I want to see what that
8 impact is, because I know for sure that we need to get to
9 those smaller fleets, which are not small. I mean, if
10 you're talking 10 to 20 trucks, that's not -- that's not a
11 small fleet. So let's look at what those -- what the
12 trucks are in those fleets and how much pollution we can
13 save, because if they're older, we're saving more and it's
14 not getting averaged across the Board.

15 I want to raise an issue that's related to this,
16 and that has to do with unibody trucks, primarily the auto
17 carriers. For whatever reason, they are exempted from the
18 drayage provisions of the Advanced Clean -- the drayage
19 definition and therefore they are exempted from the
20 Advanced Clean Fleet Rule. And I -- I have never
21 understood why car carriers are exempted from drayage.
22 They have been for quite a while. There's no
23 technological reason for that. They service intermodal
24 seaports and railyards. And just for a point of
25 reference, the Port of San Diego at National City Marine

1 Terminal imports about half of all of the cars that come
2 into the state of California, half a million truck -- half
3 a million cars per year, which is about 50,000 truck trips
4 per year. So we need to find a way that those trucks are
5 being regulated. And I -- when they're in a community
6 that's in the top 10 percent of the worst diesel pollution
7 in the state of California, I think we have a strong
8 reason to do that.

9 So I'd like to see us look at what the methods
10 might be for including unibody trucks into the ACF Rule.
11 And if -- if that is changing the drayage definition, that
12 would work. And I think that would work the best, but we
13 could also -- that's another reason why I'm very
14 supportive of reducing the fleet size, because I think
15 it's going to include more of those trucks. So that's
16 something I would appreciate hearing a response on or
17 including in the -- in the 15-day changes.

18 And then accelerating the date for 100 percent
19 ZEV sales from 2040 to 2036 I think is -- is key, it's
20 feasible, it's necessary, and they -- I think they're
21 available and we need to move that forward, as well as the
22 sleeper cab tractors moving from Group 3 to Group 2. And
23 I -- I think that's really important, because as some --
24 one of the business commenter said that we want to be sure
25 that we're retaining competitiveness, so we need these

1 across-the-board kinds of measures, so that -- that we're
2 ensuring that we have an even playing field.

3 So those are my -- my key points. And I
4 appreciate responses to those comments and also including
5 those when we -- we come back for the next hearing.

6 Thank you.

7 CHAIR RANDOLPH: Can I ask staff to respond to
8 the question about the auto transport trucks. Patricio in
9 his comments mentioned that they're in the specialty truck
10 category. And so, I -- I'm very interested to hear what
11 our options are. You know, historically why are those not
12 included in drayage and -- and is there a possibility of
13 capturing them a little earlier, given that they are
14 traveling in those same corridors.

15 TTD AIR POLLUTION SPECIALIST COBLEY: I
16 appreciate the question. Can you guys hear me.

17 (Yeses).

18 TTD AIR POLLUTION SPECIALIST COBLEY: So
19 currently, as the proposal stands, those auto carriers
20 would be captured under the high priority fleets section
21 of A -- of the rule. And I think it's important to keep
22 in mind that the benefit of having it there is that it --
23 they have a more flexibility timeline on the high priority
24 fleets. According to our large entity reporting data,
25 auto carriers had the second highest mileage of all the

1 trucks, second to sleeper cabs. And so given the
2 infrastructure that's need for it and the range
3 requirements that ae associated with it, we -- staff
4 thinks that it fits better under high priority fleets.

5 CHAIR RANDOLPH: So -- so. Sorry. Could you --
6 what does that -- can you just tell me what -- remind us
7 what exactly that their compliance requirement would be
8 then.

9 TTD AIR POLLUTION SPECIALIST COBLEY: For the
10 high priority fleets?

11 CHAIR RANDOLPH: Yeah.

12 MSCD TRANSPORTATION AND CLEAN TECHNOLOGY BRANCH
13 CHIEF BRASIL: I'll -- this it Tony. I'll go ahead and
14 take that piece. Yeah, the -- excuse me, the unibody
15 trucks you're referring to are the car carriers would, in
16 essence, be in that Group 2, so their requirement would be
17 starting 2027 at the 10 percent and then they would all
18 zero-emission by 2039. And that would be --

19 CHAIR RANDOLPH: The second thing in the box on
20 slide 24.

21 MSCD TRANSPORTATION AND CLEAN TECHNOLOGY BRANCH
22 CHIEF BRASIL: Yes, provided these are companies with over
23 50 million in revenues or operating 50 or more trucks.

24 BOARD MEMBER TAKVORIAN: Do we know how many of
25 those car carriers are in the 50 or more?

1 TTD AIR POLLUTION SPECIALIST COBLEY: It's
2 currently a small portion of the drayage truck registry
3 when we looked. They're -- they're not a -- the auto
4 carriers are not a high percentage.

5 BOARD MEMBER TAKVORIAN: Well, they're not in the
6 drayage truck registry at all, I wouldn't think, since
7 they're not classified as drayage trucks. So I'm just
8 saying that if they're -- again, I think that we need to
9 reduce the fleet size, so that they are caught, because I
10 don't think they're in the 50 or more fleets.

11 TTD CHIEF ARIAS: So this is Heather. And
12 according -- we'll obviously take the Board's direction on
13 where you would like us to go. So I would -- what I'm
14 hearing is that you would like us to look at that
15 particular issue. And depending on where the Board goes
16 on the fleet threshold, that may also answer the question
17 as to what high percentage or not is covered with the
18 unibodies. So we can look at that and come back with a
19 proposal on how best to include them.

20 BOARD MEMBER TAKVORIAN: That's a good summary.
21 Thank you, Heather.

22 TTD CHIEF ARIAS: You're welcome.

23 BOARD MEMBER TAKVORIAN: I don't want to conflate
24 these issues. I think it's important overall that we
25 reduce the fleet size. That's me. And I think it's

1 important that we include the unibody. So appreciate
2 that.

3 TTD CHIEF ARIAS: Understand.

4 BOARD MEMBER TAKVORIAN: Thank you. And -- and
5 the analysis may give us the answers on both of those.

6 TTD CHIEF ARIAS: Right. We can look at what the
7 difference would be if we included them in either -- by
8 changing the drayage definition or depending on the
9 Board's direction for fleet size, how much would be
10 included with that analyses.

11 BOARD MEMBER TAKVORIAN: Okay.

12 CHAIR RANDOLPH: Okay. Dr. Sperling.

13 BOARD MEMBER SPERLING: Thank you. So I want to
14 note -- reinforce one observation that's been made and
15 that is we are the first in the world to have done a
16 manufacturer sales requirement for trucks. And we did it
17 in a big way and no one else is even close in the world.
18 And now, we're doing a Fleet Rule that almost no one else
19 has even conceived of in the rest of the world. And I
20 think it's great and I'm very proud of California's
21 leadership, but we are, I think -- I disagree with several
22 of my previous Board members. I think we're going way too
23 far, if we think we're going to more aggressive. I'm
24 absolutely opposed to reducing the fleet compliance to 10
25 vehicles.

1 You know, we already have the ACT in place that's
2 binding, that's going to bring the vehicles here,
3 although, I do agree with the 2040 part of the A -- of
4 this requirement getting to 100 percent. I agree with
5 that part. But the fleet purchase part makes me really
6 nervous, bring it down to 10 vehicles I think is a big
7 mistake. You know, if -- on top -- there's so many
8 reasons. You know, on top of everything, it's going to
9 create even more of a vehicle availability problem, which
10 is definitely going to happen for many years going into
11 the future, and especially creates a problem with the 7
12 and 8. I know the NGOs were pushing it just for the 7 and
13 8 tractors, but those are the -- those are the vehicles
14 that -- the smaller fleets of those use public charging
15 much more than the bigger fleets. And the public charging
16 is going to be really the weak point of this getting that
17 in place.

18 So it just seems like a disas -- I have to -- you
19 know, I don't know what words to use except going to 10
20 seems like a disaster to me, for the staff how it's going
21 to manage it, and administer it, and enforce it. We're
22 going to have to, you know, triple our department to even
23 deal with it.

24 And I think going to 2036 is also wrong. You
25 know, the important part of this is setting that 100

1 percent target. And so that's the part of it I think is a
2 really good one, really important. And what we've learned
3 on light-duty side is you put that in place. It gets
4 everyone on the same page, you know, thinking of the
5 solutions, getting aligned, permits, local governments,
6 utilities, but 2040 -- but 2040 is going to be really
7 hard. As I said no one else is doing this in the world
8 and, you know, it's pretty brazen of us already to go
9 2040, but if we were to go 2036, I mean, that's only 14
10 years away. So I -- okay. So, you know, what we're --
11 you know, just to kind of add to that is what we're doing
12 is going to be incredibly disruptive to many businesses,
13 many companies. And it's going to be very complex. You
14 know, we have never done -- I don't think we've ever done
15 anything that's so prescriptive with so many -- you know
16 affecting so many different parties. And I don't think
17 we're appreciating the challenges. We did the bus and --
18 Truck and Bus Rule, and, you know, that was very
19 difficult. I'll leave it to others to use more colorful
20 language.

21 (Laughter).

22 BOARD MEMBER SPERLING: There were lawsuits and I
23 know many of you are intimately aware of that.

24 So I think going forward -- I mean, just to
25 summarize some of the ideas here. You know, the key

1 challenges are vehicle availability and infrastructure.
2 And we've talked about both of those quite a bit, so I'm
3 not going to elaborate, except to say that I think that we
4 need to be very cautious in our expectations that the
5 infrastructure is going to be in place.

6 You know, the -- the electric utilities, despite
7 everything the PUC might say, the utilities are not
8 exactly the most agile entrepreneurial organizations in
9 our economy. And we've heard so many stories about delays
10 and problems, so that makes me very nervous. So I would
11 just say we need to be -- you know, adding time beyond a
12 year is -- is a good idea and other kinds of flexibility.

13 Let me just -- the last thing I just want to talk
14 about is the major one that Board Member Kracov referred
15 to, and that is the issue of the trucks being fueled at
16 sanitation districts waste water facilities. And this is
17 a case -- okay. So what's going on here is you have these
18 facilities, where there's going to even be a lot more
19 methane gas generating the future because of the law, was
20 it 1383, that requires organics to be diverted. So
21 there's going to be a lot more methane gas produced. And
22 the question is what's going to happen with it? So they
23 have three choices, they can generate electricity on-site,
24 they can put it in a pipeline, or they can put it in
25 Trucks.

1 BOARD MEMBER KRACOV: Or they could flare it.

2 BOARD MEMBER SPERLING: Or they can flare it and
3 burn it. But I -- I'm going to say the good option -- or
4 three good options. You know, generating electricity
5 on-site that can be a good option, but there's -- a lot of
6 times there's permitting requirements, the scale issues,
7 so it doesn't work. Pipelines is a great option. You
8 know, in many ways, the best, because then you can get the
9 gas into the system and use it where it -- the best
10 application is, but pipelines don't go to all these
11 facilities. In fact, I don't believe they go to -- don't
12 go to most of them.

13 And so trucks. And then you end up with trucks.
14 So I -- I think that, you know, there's a discussion about
15 delaying for 10 years. I would say at least 10 years. I
16 would say why do need to be so prescriptive? Because when
17 you put methane -- if you have remote -- renewable natural
18 gas, it's essentially zero carbon. You put it in a
19 low-NOx engine, you know, really small emissions. And so
20 this is a really good option. It's not as good as
21 zero-emission, but you've got that gas. You've got to do
22 something with it.

23 So I would argue that we definitely give the
24 10-year delay. And I'd even -- you know, I've said this
25 and I know it probably won't carry the day, but I think

1 forever should be acceptable. I mean, why not?

2 That's it for me.

3 (Laughter).

4 CHAIR RANDOLPH: Thank you.

5 Board Member De La Torre.

6 BOARD MEMBER DE LA TORRE: Thank you. I'm in
7 between places down here in Southern California, so I
8 apologize for this weird screen thing that I'm doing.

9 I'm going to jump right into it. I want to
10 highlight something that really bothers me, that there
11 were companies who when we were doing the ACT, the
12 Advanced Clean Truck Rule, were clamoring for a market.
13 They wanted a Fleet Rule and -- to match the Advanced
14 Clean Truck Rule. And today, some of those very same
15 people are telling us they're opposed to the Advanced
16 Clean Fleet Rule. And if that isn't a shell game, I don't
17 know what is.

18 So people acting in bad faith is something that
19 always bothers me, and we have seen it here today. That
20 is not going to deter us from doing an Advanced Clean
21 Fleet Rule, as Dan just mentioned, the first of its kind
22 certainly in the United States, and I think he said on
23 the -- on the planet. So we do need to move forward with
24 the Advanced Clean Fleet Rule. And connecting back to the
25 Advanced Clean Truck Rule, we do have to re-visit it as we

1 discussed on the SIP last month.

2 So we will be coming back to the Advanced Clean
3 Truck Rule. Now that we've done this, the two should be
4 very much in sync and pushing for those trucks to be
5 available, which is one of the big uncertainties of this
6 regulation. So that isn't all. We also have LCFS that we
7 need to adjust as many people mentioned today. I have
8 asked for a useful life provision where the 18 years and
9 SB 1 is a floor and a ceiling -- apologize for that
10 noise -- is a floor and a ceiling. And we will see if we
11 can get there either here over the next couple of years
12 with our regulatory abilities.

13 2036 for all trucks, I'm okay with that. The
14 hardest part is going to be these next few years. So once
15 we get to, you know, mass production and the market
16 transformation that we all know is going to happen, as
17 it's happening on the passenger vehicle side, then that
18 extra leap doesn't concern me as much.

19 Moving from 50 to 10 on the fleet size does
20 concern me, mostly because all of the work that's been
21 done to queue up the 50 and it is consistent with other
22 regulations that we have. We do have the common ownership
23 language. I do want to have the strong labor protections
24 within what we have in the regulation. And another added
25 bonus is that other states are going to be following our

1 lead here. Maybe some of the Section 177 states, maybe
2 all of them, but we know we are going to drive the market
3 with this action here today.

4 In terms of that availability, just -- just today
5 I saw an analysis that said that in 25 and -- 2025, 2026,
6 we're going to have between 600 and 700 gigawatts of
7 battery production in the United States. That's
8 incredible. There's going to be a lot of demand for those
9 batteries, whether it's for transportation or energy
10 storage, but that is a game changer. However, it's a
11 couple of years out.

12 And then that is what will trigger, I think, the
13 price drop for -- the sticker price for electric vehicles,
14 which we can use at that point. It will lessen the
15 pressure on our incentives -- incentive dollars that we
16 have to fund these trucks. If they're the same price,
17 then a lot of this complaining that we're hearing about is
18 a moot point.

19 And then finally, kind of where I started, 67
20 percent of the Class 7 and 8 trucks in the state of
21 California are regulated with the regulation as is by
22 2035. That is an -- a very impressive measure in the face
23 of the uncertainty that many people have raised. So to
24 me, we are taking this unprecedented leap that is going to
25 take care of over two-thirds of the trucks that are out

1 there and get them converted to zero emissions.

2 So I'm very supportive of this, Chair, and, you
3 know, let -- let's keep moving ahead.

4 Thank you.

5 CHAIR RANDOLPH: Okay. Board Member Riordan is
6 next.

7 BOARD MEMBER RIORDAN: Thank you, Madam Chair.
8 First, let me just congratulate the staff on the work that
9 you've done and what you're going to do in the future,
10 because there's going to be a lot of work between now and
11 when this comes back to the Board.

12 I have a few requests and then a comment. The
13 request would be for the application process for
14 requesting these compliance extensions, both for the
15 availability of the utilities or whether or not there is a
16 ZEV available for the use of that particular vehicle
17 replacement. I would just ask that we have a very simple
18 and clear application process that is good for those who
19 are making the request and for you who are the staff
20 that's reviewing it, so that everybody knows exactly what
21 is necessary.

22 I would also encourage you to look at the -- and
23 I'm going to -- I'm glad it was brought up today, the more
24 rural areas where the availability of charging is near to
25 impossible. And you're going to have to make some sort of

1 accommodation for that. And I would think that would be
2 in the extension process, but just keep it in the back of
3 your mind that that may be a request that you have from
4 some of our northern counties and some of our desert
5 counties, because there's little or no, you know,
6 infrastructure there for them to charge. And some of
7 those mileages that we put on our vehicles traveling
8 through the Mojave or the Imperial area, I mean, those are
9 significant, very significant. And you -- you may need
10 chargers at that point in time that just aren't available.

11 And then finally, to Professor Sperling's point,
12 I would caution the idea of moving to 10 vehicles to force
13 that regulation, because I believe they're small
14 businesses. They don't have the capability and the
15 ability to move forward. And when you talk about a 50
16 vehicles number, that's a pretty sizable business. And
17 they're going to have the ability to get consultants.
18 They may have them on the Board -- or already on staff,
19 but this is going to be, I think, a process that we're
20 going to have learn, as well as -- as Professor Sperling
21 pointed out, it's more competition. The bigger operators
22 are going to be in their getting those vehicles and
23 there's going to be a limited amount of vehicles
24 available.

25 And I would say to you, while I understand the

1 idea of setting goals, I also know that stepping back is
2 not as easy as everybody thinks, if and when we make an
3 incorrect decision. So for that reason, I -- I would
4 really caution us to move off of the recommendation of 50
5 vehicles.

6 Other than that, I am absolutely supportive of
7 all of those proposed change items that appear on slide
8 32, and I think staff have done a great job.

9 CHAIR RANDOLPH: Thank you.

10 Senator Florez.

11 BOARD MEMBER FLOREZ: Thank you. Can you hear me
12 okay?

13 CHAIR RANDOLPH: Yes.

14 BOARD MEMBER FLOREZ: Okay. Great. I'll be very
15 brief. First, I want to thank the staff and more
16 importantly I'd like to thank the Chair for saving about
17 two hours of discussion as you opened this item up for
18 members spoke -- got a chance to speak, because I think --
19 I think you've captured pretty much what most of us heard
20 during the hearing, and that is this really needs some
21 work, and work -- you know, we'll have disagreements
22 around the edges, the margins, whether or not it needs
23 other chapters, but I do think clearly the thought is that
24 we do need additional work on a really, really important
25 rule and the next in California I think as Dan Sperling

1 said.

2 I also want to say that, you know, I thought a
3 lot about the last big meeting we had when we were talking
4 about residential, if you will, EVs and our big, you know,
5 news shattering boat that said California would be the
6 first to really hit this goal per the Governor. And then
7 after that meeting, like all of us, we got -- you know,
8 what -- in some sense, talk to regular people, people in
9 districts, people in coffee houses, et cetera.

10 What really struck me was the thought that as we
11 move to this rule, as we, you know, sent the signal to the
12 manufacturers and all the things that we're -- we're
13 doing, even with this rule, but there's going to be a lag.
14 And I -- and I can't help but think the re -- there's a
15 reality and a wish. So we have a wish that this all works
16 out, but then there's a reality that there's a lag. And
17 the lag, at least for me -- you know, I think about the
18 Central Valley. You know, I know where Palo Alto will be,
19 and I know where LA, San Francisco, parts of San Diego
20 will be, but I do worry about, you know, even the other
21 rule, you know, what -- who are stuck with the gas powered
22 used cars that will still be part of the process. In
23 other words, you know, you -- we Can't sell any more EVs
24 after a certain period of time, but there is still going
25 to be, in some sense, the need for and the demand for --

1 until used cars come in EVs or, you know, some of the
2 technology that's been spoken about moves quicker and
3 faster to reduce the cost.

4 But I do think there's going to be -- I think
5 everyone realizes there's going to be a lag. It's going
6 to be in the poorest communities, the most disadvantaged
7 communities, the communities that need this the most
8 because of the air issues, the asthma rates, et cetera.

9 So knowing that, I kind of looked at this rule
10 today and I was listening very carefully to see if we are
11 in the mode of wishful thinking and whether or not we
12 actually are looking at, you know, the lag and whether or
13 not there is going to be some sense of vehicles still out
14 there, no matter how smart we go. You know, 10, 20,
15 whatever it may be, it feels like there's still going to
16 be a need for and a use of some type of combustion engine.
17 And I -- you know, I felt like the overall thing I heard
18 today from everyone was that diesel shouldn't be the
19 default. No matter what we are doing in this, we have to
20 look at those left over you laggards or that -- that gap
21 between things that are being, you know, in some sense
22 retired and replaced, or going first and then somehow
23 being, you know, caught up in some way with CARB.

24 It just feels to me like we do need a safety net.
25 I think that's what Dan Sperling is saying. And it's a

1 rare thing that I -- I don't know if I ever really agreed
2 with Dan on much in any of these meetings, because I
3 respect him tremendously. But I think on this one, I
4 would say that we really do need to think very hard about
5 a backstop or, as I would call it, you know, some -- some
6 pool, some thought that isn't wishful thinking, but really
7 is a safety net for the marginal folks that will still
8 have diesel trucks moving through their areas in a certain
9 period of time. I think that should go along with this
10 somehow. I don't know what that looks like. I've
11 listened really carefully today, but it feels like getting
12 that right would be super important as you start to -- to
13 work with staff on this.

14 The other thing I want to say is it feels to
15 me -- and Madam Chair, I will just point to your days on
16 the PUC, I know, we have a joint meeting with the
17 California Transportation folks. And those are amazing
18 because we -- they deal with a lot of important issues. I
19 really feel like even last time we voted on a big rule
20 for, you know, EVs, and now we're moving on to fleets. At
21 some point, maybe it makes some sense to have a joint
22 meeting with CEC and PUC, and maybe a couple of meetings,
23 to really kind of talk about how it all gels together from
24 a platform support perspective.

25 In other words, you know, I've heard a lot of

1 folks here say, you know, the electricity isn't going to
2 be there, so we have critical mission types of vehicles.
3 I agree with all of that, but it feels like we're talking
4 and then they go to CEC, and then they -- you know,
5 somebody else goes to PUC. I think one of the more
6 valuable hearings, we probably have, or series, as we look
7 these rules is to maybe jointly sit with some of our --
8 you know, PUC and the CEC to -- with an agenda that sees
9 if it all gels together in some way. So I don't know if
10 that's -- you know, what the Board would wish to do or
11 you, Madam Chair, but it feels like it's something worth
12 thinking about in moving forward.

13 The last thing I'm going to say, and I think
14 Hector hit on it really well, and that is it's been an --
15 it's been an amazingly interesting thing to see advocates,
16 and people against, and then people for. I think what
17 they're all saying is that, you know, in some sense,
18 everyone is looking for, you know, a safety net. And in
19 that safety net, the hard part is -- and I think Diane
20 knows this better than anyone. It's really -- the safety
21 net can't come at the expense of public health. I mean,
22 this is, at the end of the day, our mission. Whatever
23 that safety net is, it does feel like diesel should not be
24 that baseline default.

25 And I think as we start to work up from that,

1 whatever it looks like, you know, Professor Sperling
2 mentioned, you know, the new push to organics. I think we
3 can't underestimate how much is going to be created.
4 Where it goes, I think that's something we have to
5 critically think about given the legislation and given the
6 fact that counties are just gearing up for this new
7 methane, which I think at some point we have to kind of
8 figure out what we're doing.

9 If we can build something that is reducing, I
10 think that's something to think about as well. So those
11 are my comments and I thank you very much.

12 CHAIR RANDOLPH: All right. Thank you.

13 Okay. Board Member Hurt.

14 BOARD MEMBER HURT: Thank you, Chair. So first
15 off, thank you to staff for the diligence and the hard
16 work on this rule. And many thanks to all the speakers,
17 the folks who traveled down to speak with us and share
18 their perspectives, and all the stakeholders that I met in
19 meetings to discuss the impact of this to their businesses
20 and also to their communities. It was very helpful. And
21 I think, especially when I look at the proposed changes, I
22 think this is exactly in line with the areas that I was
23 intending to talk about, so I can shorten some of my
24 comments. I think everybody is in that same space.

25 But when I do think about the power of ACF,

1 public health is front and center in my mind. And this
2 rule, as others have said, is bold and it's sensible.
3 It's getting to our Executive Order. And we have got to
4 be aggressive and ambitious for our children's future.
5 And that's all I keep thinking about over and over,
6 especially those low-income BIPOC communities who have
7 been struggling to exist and breathe, and where many of
8 the highways, and the distribution centers, and the ports
9 have been located for decades.

10 And this rule is going to get to many of those
11 trucks. In fact, we heard two-thirds is going to be
12 pulled into this regulation. And that's those trucks that
13 go in and out of these communities. And I'm concerned too
14 about the challenges, especially the infrastructure. I
15 think you heard it in some of my comments and questions.
16 And I -- I hope we can continue to just kind of dive in to
17 studying how we can improve those challenges in working
18 with our sister agencies.

19 When it comes to the infrastructure, I like the
20 idea of meeting with them more often, so that we can have
21 these conversations. But I do implore the Board to pull
22 more trucks into the fold, so reducing to a least 10 or 20
23 fleet size. And I'm open to understanding the pros and
24 cons of maybe putting a varied time scheduled for those
25 smaller fleet owners so that they do not compete with

1 larger fleets for trucks. Maybe there's something to that
2 approach. And I also would like to learn more, as Ms.
3 Bevan talked about, with regards to public infrastructure
4 and maybe trying to align timing with when we see shovels
5 in the ground and public infrastructure that folks can
6 use.

7 For me relief is really needed in a lot of the AB
8 617 communities. We're already investing millions of
9 dollars in these neighborhoods with other programs for
10 clean air, so we need to make sure this regulation touches
11 as many individuals as possible to complement that work.

12 I think lowering the fleet number is also a two
13 for one. There's an environmental justice win, but
14 there's also a social justice win as we heard from many of
15 the public commenters, as well as Senator Durazo as she
16 stated earlier. And so I -- I cannot emphasize enough us
17 trying to look at this lowering of the fleet size as an
18 environmental justice win and a social justice win and a
19 positive labor standard that will keep our economy moving
20 forward with the change and this transition, and will help
21 the communities.

22 As it relates to the timing for the ZEVs, as much
23 as I'd like to go sooner, faster, it's not enough for us
24 to want it to happen, but it really needs to be
25 actionable. I think there are people waiting in the wings

1 for this not to be successful. And I -- I want us to be
2 very cautious that we create a regulation that everyone
3 won't be out of compliance in, that they can actually meet
4 this regulation. So I have a little pause when we talk
5 about speeding up the timeline.

6 But -- but I'm -- I'm interested in learning
7 more. I think about the light-duty vehicles. I think
8 about supply, material availability, the 2035. I read the
9 other day how other countries and subnationals have signed
10 their own MOU for 2030-2040 time frame. So there's going
11 to be a lot of pressure globally and nationally. And so I
12 just want us to be really thoughtful about compressing the
13 time.

14 When it comes to the 1383 fleets, I had the
15 opportunity to visit South San Francisco Scavengers and
16 look at their anaerobic digestion. And as Dr. Sperling
17 said, some of the benefits of that closed system and what
18 are the options. I think the flexibility that is
19 suggested, I just want to emphasize that's important. And
20 I also want to emphasize that they were early adopters of
21 technology. And I don't think we want to penalize or put
22 a cooling effect on that for any future early adopters
23 that we'll need in this transition.

24 And so really looking closely at the 1383 fleets
25 and giving flexibility is important. Flexibility also for

1 the rural fleets that are in rural communities, as Board
2 Member Riordan talked about, I think is really important
3 and a concern of mine.

4 I'm excited. This is the first. And I'm glad to
5 be a part of this. And we'll -- we -- we'll have more
6 conversations, because I think with these proposed
7 changes, there's quite a lot that still needs to be Edited
8 and done, but I'm looking forward to the work.

9 Thank you.

10 CHAIR RANDOLPH: Okay. Supervisor Serna, then
11 Board Member Eisenhut.

12 BOARD MEMBER SERNA: Great. Thank you, chair.

13 So I'll start by saying that I greatly
14 appreciated the Chair's preamble to our comments, because
15 if you recall, she really emphasized, and I think rightly
16 so, the need to be effective. It's, I think, very easy
17 quite frankly to be aspirational, and we should be
18 aspirational as a regulatory agency that embraces the fact
19 that we regulate to effect change, but I think we always
20 have to kind of temper some of -- some of that as we
21 consider new rules like this, which there's no doubt is
22 groundbreaking, to make sure that we keep our eyes on the
23 prize.

24 And for me, the -- you know, the prize is not
25 regulating for regulation's sake. It's to be able to say,

1 yes, we actually were thoughtful about how we met the
2 intent of Executive Orders or legislation. And this is
3 kind of a rare instance. And I think staff probably knows
4 this more than anyone in this room, where you're getting
5 some very different perspectives shared on something for a
6 change.

7 Normally, we're a fairly unanimous group when it
8 comes to rulemaking, I think, but that's kind of the
9 beauty of this Board too. We have, you know, by design
10 very different perspectives based on our professions and
11 our service in other areas of government. But I -- you
12 know, I do really feel very strongly that if we are going
13 to commit ourselves to accomplishing what we have to do,
14 and we heard very clearly today again and again why we
15 have to do it. We have to do it for the climate. We have
16 to do it most importantly for people's health and
17 well-being.

18 I, too, want to extend my thanks, especially to
19 those who testified today that really, you know,
20 enlightened us with their own personal histories, with --
21 with health challenges that are associated with, you know,
22 toxic air contaminants. And that's always some of the
23 most influential testimony that we received, you know, on
24 a regular basis. But I really want to go back to the fact
25 that I'm taking bits and pieces from what I'm hearing from

1 my colleagues and trying to kind of put into words where
2 I'm at this point. And I suppose as it gets into the
3 specifics of what we're being asked to consider in terms
4 of the evolution of next steps.

5 The reason I asked the question earlier about the
6 relevance of the fleet size was because I want to know the
7 why. I know that maybe going from 50 to 10, and the fact
8 that you would capture -- you know, you'd capture more
9 fleets to do what we're trying to do makes a lot of sense
10 if you end the sentence there. But if the -- if there's a
11 rationale behind what the sweet spot number is, I'm much
12 more interested in knowing that before we would go down
13 the path of making changes from the 50 as it stands today.
14 So I'm gauging from my colleagues that that is something
15 that we're going to probably charge staff to do, which I
16 would look forward to seeing the results of that.

17 But I also have a lot of questions too. I mean,
18 the party that we really didn't hear a lot from today, but
19 we may have been -- may have heard individually as Board
20 members in the weeks prior to this hearing, is from the
21 OEMs. And oftentimes, I think we probably get the best
22 idea about where the technology is based on how people are
23 investing -- how companies are investing today. For
24 example, I've had an opportunity recently to speak with
25 the folks Nikola and understanding kind of their

1 trajectory in terms of what they hope to achieve in the
2 months and years to come in terms of both battery electric
3 factors and fuel cell.

4 I would have to disagree respectfully with
5 Senator Leyva in terms of hydrogen. I think hydrogen fuel
6 cell technology necessarily has to be just as front and
7 center, because there's a lot of different, I think,
8 technological reasons, at least from what little I've
9 learned as it relates to the application in a heavy-duty
10 context, that that may be much more feasible in many
11 instances in terms of range, and the duty requirements of
12 the -- of the trucks.

13 I have questions about kind of what constitutes
14 daily usage. When we say daily usage of these vehicles,
15 are we taking into account the power take off issue? And
16 do we think -- do we have a level of comfort right now in
17 terms of power take off needs of specialty vehicles when
18 it comes to battery electric especially?

19 So I think this -- you know, this has been one of
20 the more rich post-testimony discussions and I think
21 feedback from all of us. And I think it's very health
22 quite frankly that -- that staff is hearing different
23 perspectives. But for me, this really, at the end of the
24 day, has to be effective.

25 And I'll just end with this, I think one of the

1 things we really need to be cognizant of is setting false
2 expectations. That can be very dangerous in almost any
3 level of governance or agency activity. So I think that's
4 what we're trying to -- we're all trying to avoid. I
5 think we're hopefully all trying to be very practical, and
6 again, as the Chair said, effective, while we're trying to
7 also maintain our aspirations for achieving what we want
8 in terms of public health and carbon emission reductions.

9 Thank you.

10 CHAIR RANDOLPH: Thank you.

11 Board Member Eisenhut.

12 BOARD MEMBER EISENHUT: Thank you, Chair.

13 I also very much appreciate the Chair's setting
14 the context for this discussion and wish her well in her
15 summary.

16 (Laughter).

17 BOARD MEMBER EISENHUT: They -- they -- I -- this
18 is a far-reaching and extraordinarily complex rulemaking
19 process, reaching out 14 or 18 years. And I absolutely
20 support the delegation to the Executive Officer for the
21 granting of extensions. And -- and Ms. Riordan's
22 admonition that those -- that process needs to be as
23 smooth as possible for those folks granting extensions.
24 And in the discussion of extensions, I'm not convinced
25 that there needs to be, as proposed, a one-year cap on the

1 extension. I think that should be part of the
2 delegated -- of the process that's delegated to the
3 Executive Officer, the timeline of such extension rather
4 than held by us.

5 And with the granting of those extensions, I am
6 supportive of a retraction of the end date from 2040 to
7 2036, because I think some of those uncertainties can be
8 dealt with through extensions, which raises the question
9 of whether they -- we delegate to the Executive Officer
10 the ability to extend beyond 36, and that's an open
11 question. With -- with those -- well, that -- that --
12 that's what I have on that topic.

13 Going from -- to the 10 years, I -- I am
14 reluctant to reduce the number to 10 years, but I'm very
15 supportive of Ms. Takvorian's request for data supporting
16 that discussion, and -- because I believe in the
17 transparency and that decision process, and the discussion
18 that we'll undoubtedly have moving forward, so I would
19 endorse her request for metrics around that conversation.

20 And then lastly, and this is a topic not to
21 expand the conversation, but none of our testifiers raised
22 this issue, I have concerns about the \$50 million metric.
23 And I'm going to present it not to advocate for ag, but to
24 view it through the lens of potentially ag operations.
25 And as I understand the \$50 million metric, that's gross

1 income for an entity. And in the agricultural world,
2 those -- that's an industry of very low margins where
3 trucks may be peripheral to the operation of the entity.
4 And so we're, I think, extending the regulatory net into
5 potentially -- and -- and I want to acknowledge that 50
6 million is a large number, but I could envision some
7 sector operation that had a limited number of say diesel
8 service trucks with a gross income of \$50 million through
9 commodity sales and was cast into this regulatory net, and
10 I'm not sure that's our intention. So I would -- I would
11 invite a rigorous look at the unintended consequences of
12 that rule.

13 And those are my comments. Thank you.

14 CHAIR RANDOLPH: All right. Dr. Pacheco-Werner,
15 I see you have your hand up. Did you want to make another
16 comment?

17 BOARD MEMBER PACHECO-WERNER: Just a really
18 quick -- if -- when -- when staff comes back around the
19 logic from 50 to 10, if there could be also a breakdown
20 around, you know, by district in terms of how much of
21 those fleets is -- you know, the fleets get captured by 50
22 versus 10, because I believe that staff had a conversation
23 with stakeholders from the San Joaquin Valley where that
24 wasn't an issue in terms of the significant difference in
25 impact in the San Joaquin Valley going from 50 to 10.

1 So -- and please correct me if I'm incorrect, but
2 if -- if that could also be part of the analysis. And
3 also, Chair, I guess if -- this is a part of your -- your
4 final comments, the processes as Gid -- Board Member
5 Kracov mentioned seems like it needs to be more rigorous
6 than just coming back with suggestions at the next
7 hearing. So I don't know if there needs to be more
8 intermediate interactions around that, but this just feels
9 like a lot of -- a lot of asks and a lot of new analyses.

10 Thank you.

11 BOARD MEMBER EISENHUT: I'm sorry, Chair.

12 CHAIR RANDOLPH: Okay. Board Member Eisenhut.

13 BOARD MEMBER EISENHUT: I remembered my final
14 comment about the Executive Officer discretion. And that
15 is that I believe the -- one follow-up from that should
16 be, and I don't know what the metric is, but we need, I
17 think, to hear a summary of the extensions granted by the
18 Executive Officer on some regular basis.

19 CHAIR RANDOLPH: Okay. Vice Chair Berg.

20 VICE CHAIR BERG: Thank you so much, Chair. I've
21 got a few things going on here. I am so appreciative of
22 everybody's comments here, my colleagues, and Chair, your
23 leading the conversation off, and certainly all the
24 testimony today.

25 I have felt very strongly that we will be

1 successful in this. But the first three to five years is
2 going to be telling as to how successful, because
3 unfortunately, even with all of the planning, with all the
4 discussion, this rule is dependent upon a whole ecosystem
5 that isn't thus partners with us, and that's
6 infrastructure. And even with all of the discussion, it
7 doesn't matter if it was light-duty, and medium- and
8 heavy-duty, there has been no major projects started to
9 date. Everything has been in discussions and reports, and
10 now it's time to go. Now, we're going to have 2040 -- I'm
11 sorry, 2024 (inaudible) vehicles. And it's time to charge
12 them and it's time to get going.

13 So it is critical that 2024, 2025, 2026, is, in
14 my opinion, that the CARB staff have every tool that they
15 need for all the things we know -- we do not know what we
16 do not know, because we know there is going to be
17 disruption and we need to be able to think like
18 innovators, like entrepreneurs. We need to be proactive.

19 And so when I look at where we are today, it's
20 more important to me that I hear that we're ready to
21 tackle what we don't know in a way to make 2030
22 successful. And so to that end, I am supportive of
23 staff's recommendations specifically. I also have a few
24 in-the-weeds, which I'm not going to take a lot of time
25 with to extend our hearing today, but I will be getting

1 back to staff on things like the acquisition, 30 days, on
2 things that are in the weeds that we want to make sure
3 that everything we can, we are successful in being able to
4 help these fleets accomplish what they need to do.

5 As far as our -- so I am -- I am supportive of
6 staff looking at, from what they've heard not only today
7 but throughout this public process, the
8 commerciability[SIC]. And the clearer we can be to
9 understand what decisions have to be made, the smoother
10 this is going to go.

11 I am supportive of every tool that we can give
12 staff, so the increase in infrastructure delay. To my
13 knowledge, of 18 years, I never remember stakeholders or
14 quite frankly NGO stakeholders of any type accusing staff
15 of giving away the farm. And so we want to make sure that
16 you have what you need, so when you hit 2024 and 2025 --
17 and sunset things, consider sunsetting, because that is --
18 also sets market signals. So that could be a tool.

19 I appreciated absolutely some of my fellow Board
20 members' concern about 2035. I also appreciate why we do
21 want to send strong market signals, but I'm a very literal
22 person, and a hundred percent means a hundred percent.
23 I'm, quite frankly, very nervous about a hundred percent
24 in 2040. I'm very enthusiastic about very beach-front
25 duty cycles and -- and specific vehicles that can be a

1 hundred percent by 2035.

2 But I -- I do not believe at this point, if I was
3 asked to vote today, that I would be able to support 2035
4 at a hundred percent. We're talking about logging trucks
5 up in Northern California would be a hundred percent
6 electric. I just don't quite see that yet. So -- and
7 then that will -- I am very supportive and I do want to
8 state my support for the wastewater and sanitation, and
9 the SB 1383. I do believe we should align to our
10 regular -- the State law and we should be supportive. And
11 if staff believes that the best and highest purpose of
12 this gas is some place else, okay, let's help them find
13 the market, develop that market, and transfer over. But
14 in the mean time, we do need to support SB 1383 and -- and
15 with low-NOx engines and really encourage you to work with
16 those stakeholders.

17 On the fleet of 10 or more, my biggest struggle
18 is I fear that we're trying to fix something on another
19 definition that will have more unintended consequences
20 than it will fix what we want. We have some very exciting
21 and aggressive incentive programs coming up.

22 I -- I get very concerned once you become a
23 regulated party if you're able to take advantage of
24 incentives. These -- I attend to agree that these are
25 small businesses. And I'm not convinced that changing

1 this will change any status of misclassified. It boggles
2 my mind quite frankly as a business owner how people --
3 other businesses are able to misclassify and misuse
4 independent drivers. But if they've figured it out,
5 they'll continue to figure it out, and there will be a lot
6 of small businesses that will be swept up and it will be
7 problematic.

8 So I do look forward to the discussion. But
9 again if I was voting today, I would vote that I could not
10 this increase the fleet size. And so with that, I really
11 do look forward to continuing to work with staff. I know
12 that we have had lots of discussions. And I am in favor
13 of all the things that -- the continued discussion,
14 including the continued public interface and public
15 workshop. That really should be part of this next round,
16 because it's such a big rule. We have got to keep our
17 stakeholders engaged. Even though sometimes it's
18 problematic and we might be talking past each other, we've
19 got to keep at it.

20 I think, Madam Chair, I would ask in your
21 closing, if so that the Board is very clear, not only are
22 the next steps, but when we come back for our next
23 hearing, it will be an up or down vote is my
24 understanding. And so I think we have to make it very
25 clear to our fellow Board members that our engagement

1 needs to take place over this next six months. We're not
2 going to have another bite at the apple at this so to
3 speak. And so whether and how we do interact with staff,
4 maybe Dr. Cliff can give us some ideas, and so that when
5 we arrive here some time in the spring of 2023, we don't
6 have disappointment from the dais.

7 Thank you, Madam Chair.

8 CHAIR RANDOLPH: All right. Thank you.

9 Okay. That was a great discussion. I'm going to
10 try to summarize where we are. And I think the easiest
11 way to do that is to start with the cheat sheet that is
12 slide 32, because I heard a lot of support amongst the
13 Board for more clarity around infrastructure exemptions
14 and consensus that the one-year construction delay
15 exemption is insufficient to address those issues, and
16 input about wanting the process to be as clear and
17 straight forward as possible, more clarity around
18 determining commercial unavailability. There will be the
19 unavailability list. There was also interest among the
20 stakeholders, and some discussion with staff, about also
21 maybe having some separate sort of informational guidance
22 around what vehicles are available in -- kind of in the
23 same way we do with our incentive programs. So I would
24 certainly encourage that.

25 Flexibility for public fleets to use the same

1 compliance option as commercial fleets. The mutual aid
2 exemption, a few Board members spoke about the importance
3 of that. Okay. And there was general -- those who spoke
4 on the temporary use of transient trucks were comfortable
5 with that. And I didn't hear any objection.

6 Then -- so did you want to add something on one
7 of the things on the slide, Vice Chair Berg. I'm going to
8 get to that.

9 VICE CHAIR BERG: No, ma'am. I'm just adding
10 that I will -- the mutual aid again.

11 CHAIR RANDOLPH: Oh, Vice Chair Berg was
12 expressing support for the mutual aid exemption clarity.

13 Okay. On some of these other big issues,
14 listening carefully, there were -- there was definitely
15 support for reducing the fleet size to 10, but there was
16 not consensus to do that. There was an interest in
17 getting more data on that topic and more information. And
18 perhaps we'll circle back to that when we talk about next
19 steps in terms of process.

20 Similarly, I would put the request to move up the
21 sleeper cabs in that same category. There was interest,
22 but the majority seemed to indicate they were comfortable
23 with staff's proposal. 2036 was kind of on the bubble,
24 I've got to say, because not everybody was super clear
25 about how they felt about the idea of accelerating to

1 2036.

2 So -- and then on 1383, I think -- I think there
3 was a lot of interest and support -- yeah, a lot of
4 interest and support in continuing to support those
5 facilities who are producing that fuel and supporting
6 transportation as a market for that fuel, unless and until
7 another market is developed. So I think staff is going to
8 need to do some work on the 1383 question and figure out
9 what the next step forward on that would be.

10 I think there was definitely some interest in
11 kind of taking a deeper look, aside from this question of
12 fleet size reduction, this -- the auto transport trucks,
13 and, you know, are there any -- is there any opportunity
14 to perhaps accelerate in that sector and what potential
15 options there are there and maybe some more information
16 about those trucks.

17 The other thing I heard pretty clearly is that
18 there's a lot of work to be done and that there's a
19 certain amount of discomfort with, yes, sort of having
20 another proposal kind of hit the street without some
21 interaction and work with the stakeholders. And I don't
22 know what form that's going to take, whether it's going to
23 be a workshop, more than one workshop, some kind of
24 working group process, you know, individual stakeholder
25 engagement. But I think it's -- it's going to be really

1 important to keep working on that stakeholder piece. So I
2 will -- oh, Supervisor Serna, do you have a suggestion?

3 BOARD MEMBER SERNA: Thank you, Madam Chair. I
4 just was going to suggest that if there's going to be more
5 stakeholder outreach, I think it would be helpful to give
6 a robust invitation to the OEMS that are working in this
7 space right now and to hear from them in terms of where
8 they're at.

9 CHAIR RANDOLPH: Okay. That is helpful. So I
10 think that was most of the feedback we got. I would be
11 interested to hear from the Executive Officer what his
12 thoughts are on process. A few Board members asked about
13 how you all are seeing next steps and to Vice Chair Berg's
14 point, how do we get to clarity on a lot of these
15 complicated issues between now and another hearing.

16 EXECUTIVE OFFICER CLIFF: Well, we'll certainly
17 take all these suggestions back and develop a plan for
18 getting to a final Board hearing. We obviously are always
19 open to talking to any Board members should they have
20 questions, and we'll see what data are available to answer
21 some of these questions. For example, there specific
22 questions around fleet size in districts. I don't believe
23 that we necessarily have those data, so we'll have to go
24 back and evaluate those sorts of questions to make sure
25 that we understand.

1 And then we'll also evaluate how we're going to
2 work with stakeholders in advance of developing the 15-day
3 changes. Of course, there's always an opportunity to
4 comment during those 15-day changes. So that will be the
5 official opportunity to get feedback from stakeholders.
6 But in an ideal world, we would have addressed most of the
7 questions and concerns in adherence to the comments and
8 direction that's come from the Board as well.

9 BOARD MEMBER TAKVORIAN: Chair, I have a question
10 about -- I may not have heard you correctly, but on the
11 sleeper cabs, I guess I thought that looking at how those
12 might be incorporated when we look at the data for the
13 fleets was going to be -- I know they're different issues,
14 but I do -- I -- I did wonder whether or not that's
15 another way to cut the data to see whether or not those --
16 that category of vehicles could be included, because it
17 seemed to me -- and I wasn't sure if -- where folks were
18 on it, because I didn't hear a lot of comment on it. And
19 I know for myself, I didn't spend a lot of time on it,
20 because I thought that it was kind of -- I don't know why
21 I thought it was kind of a foregone conclusion that we
22 would look at it more closely.

23 So the Vice Chair says, no, we're not, but -- oh,
24 okay. Sorry. So anyway, it would be helpful to be able
25 to get additional information about that and to -- and to

1 include it as we begin -- as we look what the impacts of
2 including them would be, because I feel like we're cutting
3 the categories in a bit of a different way as we look at
4 some of these different proposals. So it would be useful
5 to me anyway, to be able to look at that. But I -- I
6 wasn't sure what you had heard on that, so I wanted
7 clarify.

8 CHAIR RANDOLPH: Can I get a little feedback from
9 staff on that, because I'm not quite sure how to unpack
10 that from the concept of -- I mean, I think -- the way I
11 was interpreting comments that in -- you know, in support
12 of staff proposal and not necessarily wanting to change
13 categories, I sort of interpreted that as not, you know,
14 going faster on certain -- not taking the commenter's
15 suggestion on moving the sleeper cabs from -- into
16 different categories. That's how I interpreted kind of
17 silence on that question.

18 But I guess maybe I would like to run to ground a
19 little more clarity on the difference between
20 understanding the data and what staff's -- where staff's
21 recommendation is coming from versus actually modifying
22 staff's recommendation between meetings.

23 BOARD MEMBER TAKVORIAN: Right. That's -- that's
24 a great point on all of these points I think, but on this
25 one in particular, it seemed to me that it was related to

1 the charging infrastructure and the fact that the sleeper
2 cabs may not just represent longer range, higher mileage
3 trucks, and that there are others that -- is that the best
4 way to classify those trucks that go farther, I guess, is
5 the question. And what I heard was maybe not. So that's
6 why I thought if we look at the charging infrastructure
7 and how it's going to change, especially given the federal
8 contributions that are coming forward, and we look at how
9 sleeper cab -- the adoption of sleeper cabs could be a way
10 for some non-long truck -- long range trucks to get out of
11 the -- the regulation, then I thought maybe there was a
12 another way that we could begin to look at it.

13 So that's why I thought we should -- we should
14 take another look at it and maybe look at distance and
15 where these trucks are going versus whether a sleeper cab
16 or not.

17 CHAIR RANDOLPH: I will ask the experts.

18 MSCD TRANSPORTATION AND CLEAN TECHNOLOGY BRANCH
19 CHIEF BRASIL: There we go. Oh, sorry. So this is Tony.

20 Yeah, so the data we were able to collect from
21 the fleets with 50 or more trucks were over 50 million,
22 shows that for the sleeper cab category that at least 85
23 percent of them were effectively long haul or well over
24 300 miles a day is kind of where the bin was. And that's
25 partly -- a little more anecdotal aspect to that is that

1 those are predominantly where the new trucks are being
2 purchased used for long-haul applications. When they come
3 into the secondary market, we do see that sleeper cabs and
4 sleeper berths are being used in drayage and other
5 categories when they're purchased used, but not because of
6 that secondary market, which we expect would tend to be
7 the smaller fleets.

8 So -- and so with the targeting of the 50 or
9 more, we're targeting people who are typically buying the
10 new trucks specifically for long-haul operation before
11 they get used in different ways in the secondary market,
12 if that helps.

13 BOARD MEMBER TAKVORIAN: Okay. So they're both,
14 and so then perhaps we do need to look at how they're
15 getting utilized and whether or not they should be subject
16 to this regulation. I don't know, but it's -- it --
17 that's what I'm hearing, because the way in which sleeper
18 cabs are getting used today, because they're a hundred
19 percent diesel, or -- right, it's going to be different
20 than in five years when there are those that are available
21 in an alternative fuel. So I'm just not sure that you
22 could use the data as to what they do today as to what
23 they're going to do in five years. And that's what I
24 think you're trying to project. I know it's hard, but

25 CHAIR RANDOLPH: Yeah, I see what you're saying.

1 I guess maybe we could back up a little bit and sort of
2 start with why did you put them in the category you put
3 them in the first instance, because to me -- well, I'll
4 just let you talk first before I start talking.

5 MSCD TRANSPORTATION AND CLEAN TECHNOLOGY BRANCH

6 CHIEF BRASIL: Yeah, this might be an iterative process.
7 Well, we put them in that category in part because of the
8 rationale that you're going to buy a truck with a sleeper
9 berth to do long distance travel. And then that means
10 that infrastructure needs to be available where you're
11 going to operate. So if you're operating to the midwest,
12 or Texas, or east coast, you're going to need an
13 infrastructure to get there and back. And so for -- you
14 know, we don't have a crystal ball any more than anybody
15 else does. But the infrastructure being available here in
16 California is likely to happen first. We do see that some
17 of the major manufacturers have already announced that
18 they're planning infrastructure for different parts of the
19 country. Tends to be the south -- southern part of the
20 country at this point.

21 But whether that will be in place is still not
22 certain. So if we start requiring them to be used in
23 2027, you kind I need the infrastructure to be national in
24 2027. And so we thought 2030 is a good marker that's just
25 where they would be starting and that would provide

1 sufficient time to do that. And then if we're ultimately
2 not correct, then to an extent some of the provisions
3 we've built in would allow us to address that.

4 CHAIR RANDOLPH: That was -- that was sort of my
5 assumption and why I was originally hesitant about moving
6 it, because it seemed to me that those were sort of the --
7 the most challenging vehicles in terms of a deployment.
8 And I guess that's -- the same thing may be true of the --
9 the auto carriers, right, or do you think they have a
10 different sort of use pattern.

11 MSCD TRANSPORTATION AND CLEAN TECHNOLOGY BRANCH
12 CHIEF BRASIL: Well, the data again we collected from the
13 auto carriers where they were the second highest category.
14 I don't the exact percentage, but it was at least 70 plus
15 percent. Another issue with them is that the -- they are
16 a -- the term unibody is being used, but the equipment is
17 mounted on the truck, so that cars usually are actually on
18 top of the -- of the semi, if you will, so they're not
19 truly separate most of the time. And there are weight
20 considerations to factor in as well. And in both cases,
21 in terms of the longer distance you need, bigger batter,
22 even if it's a fuel cell vehicles, there are some -- going
23 to be some weight considerations where that 2,000 pound
24 limit should not be an issue. The 2030 time frame earlier
25 than that, it's -- it's a little dicier in terms of -- of

1 all of those balances.

2 CHAIR RANDOLPH: Okay. That's helpful. I think
3 probably --

4 VICE CHAIR BERG: I just have --

5 BOARD CLERK GARCIA: Oh, go ahead, Vice Chair
6 Berg.

7 VICE CHAIR BERG: From Dr. Cliff. So you were
8 saying that there would be -- that the next release that
9 there would be comments on the 15 day, but does that mean
10 that you're going to take those comments and there is an
11 opportunity for an additional change?

12 EXECUTIVE OFFICER CLIFF: To the extent that we
13 would have to do multiple 15-day changes, that would draw
14 out the timeline for a final rule. So depending on how
15 right we can get it in that first 15-day is -- is, I
16 think, our best chances of ensuring that we get a -- get a
17 final rule back in the spring.

18 VICE CHAIR BERG: And I agree with that, so I
19 would really encourage the public process, so that
20 everybody can be heard, because at some point, you're
21 right, you've got to pull the trigger, got to move on, but
22 really encourage the public process.

23 CHAIR RANDOLPH: Okay. So I think that -- I
24 think staff can kind of take back that -- the feedback
25 around if there's any sort of additional kind of pushing

1 that you can do in terms of the timeline. You know that
2 that's always something we're interested in, but, you
3 know, any additional analysis you could share with us if
4 you decide to, you know, keep the milestones as proposed
5 would be -- would be very helpful.

6 As I mentioned at this point, I don't hear a lot
7 of consensus to move sleeper cab tractors forward, but I
8 do hear interest in sort of, you know, showing as much
9 work as possible. So does that sound -- okay. All right.

10 I think we might be done.

11 (Laughter).

12 CHAIR RANDOLPH: Okay. So thank you so much
13 staff. This was really great work.

14 And now, we are done with this agenda item and we
15 are moving on to open public comment on items not on the
16 agenda.

17 BOARD CLERK GARCIA: We have no commenters at
18 this time.

19 CHAIR RANDOLPH: Well. All right. Okay. We are
20 now adjourned.

21 I forgot. I forgot. I just have one more thing
22 to say before I adjourned. I have to apologize.

23 I just unadjourned momentarily. So I just wanted
24 to note that we have a staff departure that I wanted to
25 share, which is that Todd Sax, the head of our Enforcement

1 Division is going to be going to one of our sister
2 agencies, the Department of Toxic Substances Control. So
3 I just want to thank Todd for all of his dedication, and
4 in particular his dedicated work with communities in the
5 AB 617 Program and being really creative and thoughtful
6 about how we can use enforcement as a tool to make
7 people's lives better and improve the air quality in our
8 617 communities. So congratulations, Todd, and good luck
9 in your next endeavor.

10 BOARD MEMBER RIORDAN: That's a real loss.

11 CHAIR RANDOLPH: Oh, and we are -- do we have to
12 mention that we're -- okay. All right. We're adjourned.

13 Thank you.

14 (Thereupon the Air Resources Board meeting
15 adjourned at 6:44 p.m.)
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