

MEETING

STATE OF CALIFORNIA

AIR RESOURCES BOARD

ZOOM PLATFORM

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

BYRON SHER AUDITORIUM

1001 I STREET

SACRAMENTO, CALIFORNIA

THURSDAY, APRIL 27, 2023

9:00 A.M.

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

APPEARANCES

BOARD MEMBERS:

Liane Randolph, Chair

John Balmes, MD

Hector De La Torre

John Eisenhut

Senator Dean Florez

Assemblymember Eduardo Garcia

Eric Guerra

Davina Hurt

Gideon Kracov

Tania Pacheco-Werner, PhD

V. Manuel Perez

Bill Quirk, PhD

Senator Henry Stern

Susan Shaheen, 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

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

Ellen Peter, Chief Counsel

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

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

Heather Arias, Chief, TTD

Analisa Bevan, Assistant Division Chief, MSCD

Ian Cecere, Senior Attorney, Legal Office

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

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

Rhead Enion, Senior Attorney, Legal Office

Layla Gonzalez, Air Pollution Specialist, Freight Activity Branch, TTD

Ajay Mangat, Manager, Freight Systems Section, TTD

Lucina Negrete, Assistant Division Chief, MSCD

Sydney Vergis, PhD, Division Chief, MSCD

Alex Wang, Senior Attorney, Legal Office

APPEARANCES CONTINUED

ALSO PRESENT:

Yasmine Agelidis, Earthjustice

Lucia Aguilar, People's Collective for Environmental Justice

Dennis Albiani, California Grain and Feed

Fariya Ali, Pacific Gas and Electric

Amaru, Youth vs. Apocalypse

Whitney Amaya, East Yard Communities for Environmental Justice

Jan Victor Andasan, East Yard Communities for Environmental Justice

Kea Andrales, CAUSE

Andrew Antwih, Metrolink

Maria Arenas, People's Collective for Environmental Justice

Ruben Aronin, Better World Group

Enrique Arroyo, Warehouse Worker Resource Center

David Asti, Southern California Edison

Jose Avalos, People's Collective for Environmental Justice

Tom Bair, Golden State Freight

Angie Balderas, Sierra Club

Will Barrett, American Lung Association

Rebecca Baskins, California Advanced Biofuels Alliance

Nick Blair, Association of California Water Agencies

Thomas Boylan, Zero Emission Transportation Association

APPEARANCES CONTINUED

ALSO PRESENT:

Kevin Brown, Manufacturers of Emission Controls Association

Maurissa Brown, The Greenlining Institute

Adam Browning, Forum Mobility

Noemi Bueno, People's Collective for Environmental Justice

Teresa Bui, Pacific Environment

Suzanne Caflisch, BlueGreen Alliance

Silvia Calzada, Environmental Health Coalition

Todd Campbell, Clean Energy

Michael Caprio, Republic Services

Nicolas Cardella, Western States Trucking Association, California Trucking Association

Jennifer Cardenas, Sierra Club

RaMauri Cash, Youth vs. Apocalypse

Jamila Cervantes, East Yard Communities for Environmental Justice

Christopher Chavez, Coalition for Clean Air

Julian Cluster, Youth vs. Apocalypse

Damon Conklin, League of California Cities

Kristian Corby, California Electric Transportation Coalition

Elba Cordoba, People's Collective for Environmental Justice

Jon Costantino, California Council for Environmental and Economic Balance

APPEARANCES CONTINUED

ALSO PRESENT:

Jacob DeFant, Agriculture Council of California

Elisabeth de Jong, Southern California Public Power Authority

Jocelyn Del Real, East Yard Communities for Environmental Justice

Sarah Deslauriers, California Association of Sanitation Agencies

Cindy Donis, East Yard Communities for Environmental Justice

Evan Edgar, Compost Coalition

Monica Embrey, Sierra Club

Joel Ervice, Regional Asthma Management and Prevention

David Fink, Los Angeles Business Council

Brian Giron Flores, Youth vs. Apocalypse, Warriors for Justice

Marissa Flores-Acosta, San Bernardino Municipal Water District

Julieta Fuentes, Warehouse Worker Resource Center

Angeles Garcia, CAUSE

Cecilia Garibay, Moving Forward Network

Kelsey Genesi, Environmental Health Coalition

Myla Grayson, Youth vs. Apocalypse

Ashley Valentin Gonzalez, Environmental Health Coalition

Lizbeth Gonzalez, CAUSE

Ma Carmen Gonzalez, People's Collective For Environmental Justice

APPEARANCES CONTINUED

ALSO PRESENT:

Michelle Gonzalez, Youth vs. Apocalypse

Tania Gonzalez, People's Collective for Environmental Justice

Jennifer Goodsell, Imperial Irrigation District

Adrian Gopar, Warehouse Worker Resource Center

Adrian Guerrero, Union Pacific Railroad

Maravilla Guiles, Sierra Club

Delia Guzman, Warehouse Worker Resource Center

Heidi Hannaman, California Special Districts Association

Frank Harris, California Municipal Utilities Association

Woody Hastings, The Climate Center

Staci Heaton, Rural County Representatives of California

Monserrat Hernandez, Environmental Health Coalition

Darius Hughes, Youth vs. Apocalypse

Linda Hutchins-Knowles, Mothers Out Front, EV Charging for All

Kurt Honold, Baja California Secretary of Economy

Yoana Ibanez, CAUSE

David Isen, Denali Water Solutions, Imperial Western Products

Steve Jepsen, Clean Water SoCal

Hedy Juarez, CAUSE

Aravind Kailas, Volvo Group North America

APPEARANCES CONTINUED

ALSO PRESENT:

Carol Kaufman, Metropolitan Water District of Southern California

Yassi Kavezade, Sierra Club

Ryan Kenny, Clean Energy

Greg Kester, California Association of Sanitation Agencies

Steven King, Environment California

Heather Kryczka, Natural Resources Defense Council

Ruy Laredo, Otay Water District

Katharine Larson, Sacramento Municipal Utility District

James Leach, Santa Margarita Water District

Emily Lemei, Northern California Power Agency

Alberto Leon, People's Collective for Environmental Justice

Manny Leon, California Alliance for Jobs

Julia Levin, Bioenergy Association of California

Michael Lewis, Construct Industry Air Quality Coalition

Katie Little, California Farm Bureau

Michael Lopes, Lopes Trucking Service

Daisy Lopez, Warehouse Worker Resource Center

Dana Ignacio Lorenzo, Youth vs. Apocalypse

John Lormon, Charter Communications

Benjamin Luna, People's Collective for Environmental Justice

Sofi Magallon, CAUSE

APPEARANCES CONTINUED

ALSO PRESENT:

Bill Magavern, Coalition for Clean Air

Alessandra Magnasco, California Fuels and Conveyance Alliance

Mariah, Youth vs. Apocalypse

Cristina Marquez, California State Association of Electrical Workers Local 569

Oliver Martinez, CAUSE

Alondra Mateo, People's Collective for Environmental Justice

Sheila Mathias, Youth vs. Apocalypse

Noelle Mattock, City of Roseville

Lisa McGhee, GreenPower Motor Company

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

John McNamara, CR&R Environmental

Matthew Meyer, CalPortland

Mike Monagan, California State Building and Construction Trades

Gem Montes, The Air I Breathe

Meli Morales, Environmental Health Coalition

Odette Moran, CAUSE, Powerswitch Action

Margarita Moreno, Environmental Health Coalition

Jose Emmanuel Munoz, Sierra Club

Craig Murray, Las Gallinas Valley Sanitary District

Asn Ndiaye, Powerswitch Action

APPEARANCES CONTINUED

ALSO PRESENT:

Mark Neuburger, California Association of Counties

Don Nguyen, Orange County Sanitation District

Carolyn Norr, Youth vs. Apocalypse

Graham Noyes, Sierra Northern Railway

Kristian Nunez, CAUSE

Susan Olavarria, Stericycle

Ben Palmer, Enterprise Holdings

Veronica Pardo, Reserve Recovery Coalition of California

Sinai Pantoja, People's Collective for Environmental
Justice

Curtis Paxton, Las Gallinas Valley Sanitary District

Leonardo Penaloza, People's Collective for Environmental
Justice

Gema Pena-Zaragoza, Sierra Club

Corey Peters, Best Drayage

Susan Pham, Youth vs. Apocalypse

Ray Pingle, Sierra Club

Cynthia Pinto Cabrera, Central Valley Air Quality
Coalition

Steven Poncelet, Truckee Donner Public Utility District

Amando Juarez Quintero, Youth vs. Apocalypse, Warriors for
Justice

Saira Ramirez, People's Collective for Environmental
Justice

David Renschler, CFPF, MEMA/COF

APPEARANCES CONTINUED

ALSO PRESENT:

Nicole Rice, California Renewable Transportation Alliance

Enrique Rivas

Lynnette Robb, Canthegasban.com

Dave Robba, Ceres

Derrick Robinson, Center on Policy Initiatives

Matt Robinson, California Transit Association

Katelyn Roedner Sutter, Environmental Defense Fund

Taylor Roschen, California Rice Commission, California
Citrus Mutual, California Fresh Fruit Association

David Rothbart, Los Angeles County Sanitation District

Mariela Ruacho, American Lung Association

Sasan Saadat, Earthjustice

Sanaiya, Youth vs. Apocalypse

Alicia Sanchez, Environmental Health Coalition

Christina Scaringe, Center for Biological Diversity

Rebecca Schenker, GNA

Andy Schwartz, Tesla

Olivia Seideman, Leadership Counsel for Justice and
Accountability

Suzanne Seivright-Sutherland, California Construction and
Industrial Materials Association

John Shears, Center for Energy Efficiency and Renewable
Technologies

Elaine Shen, PhD, South Coast Air Quality Management
District

APPEARANCES CONTINUED

ALSO PRESENT:

Chris Shimoda, California Trucking Association

Brenda Soto, People's Collective for Environmental Justice

Samuel Sukaton, California Environmental Voters

Michael Taylor, NAFA

Orville Thomas, CALSTART

Ivette Torres, People's Collective for Environmental Justice

Kevin Torres, Warehouse Worker Resource Center

Ada Trujillo, People's Collective for Environmental Justice

Michael Tunnell, American Trucking Association

Madison Vander Klay, Silicon Valley Leadership Group

Jim Verburg, Western States Petroleum Association

Andrea Vidaurre, People's Collective for Environmental Justice

Vanessa Villanueva, Sierra Club

Terry Wigglesworth, The Wigglesworth Company

Sam Wilson, Union of Concerned Scientists

Joani Woelfel, Far West Equipment Dealers Association

Brian Yanity

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PROCEEDINGS

1
2 CHAIR RANDOLPH: Okay. Good morning. The April
3 27th, 2023 public meeting of the California Air Resources
4 Board will come to order. Board clerk, will you please
5 call the roll.

6 BOARD CLERK GARCIA: Yes.

7 Dr. Balmes?

8 BOARD MEMBER BALMES: Here.

9 BOARD CLERK GARCIA: Mr. De La Torre?

10 Mr. Eisenhut?

11 BOARD MEMBER EISENHUT: Here.

12 BOARD CLERK GARCIA: Senator Florez?

13 BOARD MEMBER FLOREZ: Florez here.

14 BOARD CLERK GARCIA: Assemblymember Garcia?

15 Mr. Guerra?

16 Mr. Hurt?

17 BOARD MEMBER HURT: Present.

18 BOARD CLERK GARCIA: Mr. Kracov?

19 BOARD MEMBER KRACOV: Here.

20 BOARD CLERK GARCIA: Dr. Pacheco-Werner?

21 BOARD MEMBER PACHECO-WERNER: Here.

22 BOARD CLERK GARCIA: Mr. Perez?

23 Dr. Quirk?

24 BOARD MEMBER QUIRK: Quirk here.

25 BOARD CLERK GARCIA: Senator Stern?

1 Dr. Shaheen?

2 BOARD MEMBER SHAHEEN: Here.

3 BOARD CLERK GARCIA: Ms. Takvorian?

4 BOARD MEMBER TAKVORIAN: Here.

5 BOARD CLERK GARCIA: Supervisor Vargas?

6 BOARD MEMBER VARGAS: Vargas 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 very much.

12 Before we launch into today's proceedings, I just
13 wanted to take a moment to acknowledge Deputy Executive
14 Officer Craig Segall for his amazing work here at CARB.
15 This is his last Board meeting before he goes on to
16 greener pastures. And I have -- in the time I've been
17 here, I've enjoyed his intellect, his wit, and his hard
18 work and strategic mind quite a bit. And so we will miss
19 you very much when you move on.

20 (Applause).

21 CHAIR RANDOLPH: All right. I will continue with
22 the usually housekeeping items.

23 We are conducting today's meeting in person as
24 well as offering remote options for public participation
25 both by phone and in Zoom.

1 Anyone who wishes to testify in person should
2 fill out a request-to-speak card available in the foyer
3 outside the Board room. Please turn it into a Board
4 assistant prior to commencement of the item. If you are
5 participating remotely, you will raise your hand in Zoom
6 or dial star nine if calling in by phone. The Clerk will
7 provide further details regarding how public participation
8 will work in a moment.

9 For safety reasons, please note the emergency
10 exit to the rear of the room. In the event of a fire
11 alarm, we are required to evacuate this room immediately
12 and go down the stairs to the lobby and out of the
13 building. When the all-clear sign -- signal is given, we
14 will return to the auditorium and resume the hearing.

15 A closed captioning feature is available for
16 those of you joining us in the Zoom environment. In order
17 to turn on subtitles, please look for a button labeled
18 "CC" at the bottom of the Zoom window as shown in the
19 example on the screen now. I would like to take this
20 opportunity to remind everyone to speak clearly and from a
21 quiet location, whether you are joining us in Zoom or
22 calling in by phone.

23 Interpretation services will be provided today in
24 Spanish. If you are joining us using Zoom, there is a
25 button labeled "Interpretation" on the Zoom screen. Click

1 on that interpretation button and select Spanish to hear
2 the meeting in Spanish. If you are joining us here in
3 person and would like to listen to the meeting in Spanish,
4 please speak to a Board assistant and they will provide
5 you with further instructions. I want to remind all of
6 our commenters to speak slowly and pause intermittently to
7 allow the interpreters the opportunity to accurately
8 interpret your comments.

9 (Interpreter translated in Spanish).

10 CHAIR RANDOLPH: I will now ask the Board Clerk
11 to provide more details regarding public participation.

12 BOARD CLERK GARCIA: Thank you.

13 Good morning, everyone. I will be providing
14 additional information on how public participation will be
15 organized for today's meeting.

16 We will first be calling on any in-person
17 commenters who have turned in a request-to-speak card and
18 then we will be calling on commenters who are joining us
19 remotely. If you are joining us remotely and wish to make
20 a verbal comment on one of today's Board items or during
21 the open comment period, you must be using Zoom webinar or
22 calling in by telephone. If you are currently watching
23 the webcast on CAL-SPAN, but you wish to comment remotely,
24 please register for the Zoom webinar or call in.
25 Information for both can be found on the public agenda.

1 To make a verbal comment, we will be using the
2 raise-hand feature in Zoom. If you wish to speak on a
3 Board item, please virtually raise your hand as soon as
4 the item has begun to let us know you wish to speak. To
5 do this, if you are using a computer or tablet, there is a
6 raise-hand button. And if you are calling in on the
7 telephone, dial star nine to raise your hand. Even if you
8 previously indicated which item you wish to speak on when
9 you registered, you must raise your hand at the beginning
10 of the item, so that you can be added to the queue.

11 And for anyone giving verbal comments today in
12 Spanish and requiring an interpreter's assistance, please
13 indicate so at the beginning of your testimony and our
14 translator will assist you. During your comment, please
15 pause after each sentence to allow for the interpreter to
16 translate your comment into English.

17 When the comment period starts, the order of
18 commenters will be determined by who raises their hand
19 first. And we will call each commenter by name and will
20 activate each commenter's audio when it is their turn to
21 speak. For those calling in, we will identify you by the
22 last three digits of your phone number. We will not show
23 a list of remote commenters, however, we will be
24 announcing the next five or so commenters in the queue, so
25 you are ready to testify and know who is coming up next.

1 Please note, you will not appear by video during your
2 testimony. I would also like to remind everyone to please
3 state your name for the record before you speak. This is
4 especially important for those calling in by phone.

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

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

20 And if you experience any technical difficulties,
21 please call (805)772-2715 so that an IT person can assist.

22 Thank you. I'll turn it back to Chair Randolph
23 now.

24 CHAIR RANDOLPH: Thank you. The first item on
25 the agenda is Item number 23-4-1 the proposed In-Use

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

9 This is the first of two items today that focuses
10 on the need to transition freight transport in California
11 to zero-emission operations. In addition to locomotives,
12 we will hear the plans for heavy-duty trucks to continue
13 the transition to zero emissions. But first, we're going
14 to start with locomotives.

15 The proposed regulation was first presented to
16 the Board at its November 18th, 2022 public hearing as it
17 is front of us today for a final vote. At the last
18 hearing for this proposed regulation, we discussed how it
19 is imperative that locomotives moving freight as well as
20 people transition to zero emission, especially as
21 additional new railyards are being built in this state and
22 passenger rail services are expected to expand.
23 Communities near facilities where locomotives operate bear
24 a disproportionate health burden due to the proximity to
25 toxic emissions from diesel powered locomotives. The

1 communities tend to be low income communities and
2 communities of color.

3 In fact, 90 percent of AB 617 community steering
4 committees have identified air pollution from locomotives
5 as a concern in their communities. The proposed
6 regulation will achieve near-term emission reductions from
7 locomotives operating in this state and will begin the
8 transition of the sector to zero emission within
9 California, which is needed to reduce and eventually
10 eliminate the health harms caused by toxic emissions from
11 these locomotives.

12 During the first hearing, the Board expressed
13 support for staff's initial proposal, but requested
14 additional modifications to address industry concerns in
15 providing additional flexibility where feasible.

16 Staff have -- has worked with industry to resolve
17 those issues as we will hear in the presentation.

18 Dr. Cliff, will you please introduce the item.

19 EXECUTIVE OFFICER CLIFF: Thank you, Chair
20 Randolph. To reduce the impacts of locomotive emissions
21 from California communities, the proposed In-Use
22 Locomotive Regulation would apply to all switch,
23 passenger, industry and line haul locomotives operated in
24 California.

25 As you may recall, the proposed regulation would:

1 require operator -- locomotive operators to set aside
2 money for cleaner locomotives and technology development;
3 beginning in 2030, require locomotives operating in
4 California to be less than 23 years old to phase out the
5 oldest and dirtiest locomotives; have zero-emission
6 operation -- operational requirements for locomotives
7 beginning in 2030; require CARB to enforce a 30-minute
8 idling limit; and require location-specific reporting of
9 California locomotive activity.

10 Following the November 2022 Board hearing, staff
11 has continued to work with industry and included
12 additional provisions that would provide compliance
13 flexibility to address their concerns while still
14 achieving essential emission reduction and zero-emission
15 goals.

16 Additionally, the United States Environmental
17 Protection Agency responded to the CARB 2017 locomotive
18 petition in November, acknowledging the need to reduce
19 emissions from locomotives. Since then, EPA has proposed
20 to revise some regulatory language for locomotives and we
21 continue to coordinate on reducing emissions from
22 locomotives with them, not only in California, but
23 throughout the United States.

24 I will now ask Layla Gonzalez of the
25 Transportation and Toxics Division to begin the staff

1 presentation.

2 Layla

3 (Thereupon a slide presentation).

4 TTD AIR POLLUTION SPECIALIST GONZALEZ: Thank
5 you, Dr. Cliff. Good morning, Chair Randolph and members
6 of the Board.

7 Today, we will be presenting the proposed In-Use
8 Locomotive Regulation. This is the second of two Board
9 meetings on this item. We presented our initial proposal
10 last November and are here today with a final proposal
11 that includes 15-day changes, that were released last
12 month for public comment.

13 --o0o--

14 TTD AIR POLLUTION SPECIALIST GONZALEZ: The
15 proposed regulation would drive emission reductions for
16 health, air quality, and climate objectives. Some of the
17 programs include Assembly Bill 617, the 2022 State SIP
18 Strategy, the Scoping Plan and Short-Lived Climate
19 Pollutant Reduction Strategy, and Executive Order N-79-20.

20 The In-Use Locomotive Regulation is just one of
21 the regulations and programs needed to help achieve our
22 emission reduction goals.

23 --o0o--

24 TTD AIR POLLUTION SPECIALIST GONZALEZ: In fact,
25 as we mentioned at the last hearing, in addition to the

1 reduction in toxic diesel particulate matter, the proposed
2 regulation would provide the largest NOx reduction needed
3 by 2037 for the 2022 State Strategy for the State
4 Implementation Plan.

5 --o0o--

6 TTD AIR POLLUTION SPECIALIST GONZALEZ: This
7 slide highlights the locomotives that would be regulated.
8 Line haul locomotives are the large powerful locomotives
9 you see moving freight locally and nationwide. Switch
10 locomotives are smaller than line haul and are usually
11 found in and around railyards and industrial facilities
12 moving railcars. Passenger locomotives are used to
13 transport passengers nationwide and locally. These differ
14 from other rail services such as what is operated by BART
15 or LA Metro. Those are considered multiple units and are
16 off-road equipment. A passenger locomotive is one that
17 pulls passenger cars, but does not itself carry
18 passengers. And then we have historic locomotives, which
19 are used for preservation and educational experiences.

20 --o0o--

21 TTD AIR POLLUTION SPECIALIST GONZALEZ: We have
22 often heard that locomotives or trains are the cleanest
23 and most energy efficient way to move freight. This may
24 have been the case in the past, however, as shown in
25 staff's truck versus train analysis released in 2020,

1 trucks moving the same amount of freight are actually
2 cleaner than trains in both toxic diesel PM and NOx
3 emissions. And soon with our efforts to advance trucks to
4 zero emission, it will also be the most efficient mode of
5 transporting freight for greenhouse gases as well.

6 The advancement to zero-emission transportation
7 is not unique to trucks. Almost all freight transport
8 vehicles and equipment that operate at railyards are
9 transitioning to zero-emission operations, including
10 transportation refrigeration units and off-road equipment,
11 such as forklifts.

12 --o0o--

13 TTD AIR POLLUTION SPECIALIST GONZALEZ: There are
14 several zero-emission locomotives that have been
15 demonstrated and are in use throughout the U.S. and
16 worldwide. OEMs are now offering fuel cell and battery
17 freight locomotives. One CARB-funded ZE locomotive
18 project has been successfully completed and several more
19 ZE locomotives are planned to be in service in California
20 starting this year. OEMs are also offering ZE passenger
21 trains. ZE trains have been operating in Europe and Asia
22 for years. Soon, California will be the first in the U.S.
23 to use hydrogen passenger trains. And Caltrans plans to
24 transition to a hundred percent ZE fleet by 2035.

25 It is not just major OEMs. Smaller manufacturers

1 are working on zero-emission conversion projects. The
2 California Energy Commission funded a hydrogen fuel cell
3 project that will be demonstrated just a few minutes from
4 here in West Sacramento. There are also other small
5 manufactureries -- manufacturers that we have talked with
6 recently that are working on, but not yet advertising
7 their ZE locomotives.

8 --o0o--

9 TTD AIR POLLUTION SPECIALIST GONZALEZ: Now,
10 let's revisit the key aspects of the proposal before you
11 today. First, there is the spending account. The
12 spending account would require operators to pay for the
13 emissions they create in the State and put them in a
14 dedicated account. The funds could only be used for
15 cleaner locomotive technologies.

16 Beginning in 2030, under the in-use operation
17 requirements, only locomotives less than 23 years of age
18 could operate in California. Additionally, switch,
19 industrial, and passenger locomotives with engine build
20 dates of 2030 or newer must be operated in a zero-emission
21 configuration while in California.

22 And beginning in 2035, line haul locomotives with
23 engine build dates of 2035 or newer must be operated in
24 zero-emission configuration. The idling requirement
25 establishes an idling limit of 30 minutes unless for

1 specific exempt reasons and is consistent with federal
2 idling requirements.

3 Finally, reporting and record keeping
4 requirements will help enforce the program and further
5 understanding of locomotive emissions throughout the
6 state. The summary is available on this slide for your
7 future reference.

8 --o0o--

9 TTD AIR POLLUTION SPECIALIST GONZALEZ: The
10 proposed regulation includes flexibilities to help achieve
11 the greatest levels of compliance. The Temporary
12 Operating Extension would allow operators to request an
13 emergency provision to use a locomotive that would
14 otherwise be banned. The Small Business Hardship
15 Extension would allow businesses with an average gross
16 revenue of less than \$5 million annually to delay
17 compliance with the spending account and/or in-use
18 operational requirements for up to three years at a time.

19 The historic locomotive low-use exemption would
20 recognize the special work of operators such as museums
21 and allow them to operate locomotives in original
22 condition with some limitations. The 2027 and 2032
23 assessments will reevaluate the readiness of zero-emission
24 locomotive technologies and infrastructure and provide an
25 opportunity to adjust compliance deadlines, if needed.

1 There are alternate compliance options included in the
2 proposed regulation that can be used in lieu of directly
3 complying with the spending account and in-use operational
4 requirements. And in the 15-day changes, which will be
5 discussed shortly, a new flexibility was added to the
6 proposal in response comments from industry.

7 --o0o--

8 TTD AIR POLLUTION SPECIALIST GONZALEZ: That is
9 not the right slide.

10 There are three compliance options operators may
11 choose from within the proposed regulation. The first
12 being the direct compliance option, the spending account
13 and in-use operational requirements. There is also the
14 Alternative Compliance Plan, a customizable alternative
15 that can be used instead of the spending account and/or
16 the in-use operational requirements. It allows operators
17 to reduce emissions multiple ways as long as equivalent or
18 greater emission reductions are achieved and within three
19 miles of current California locomotive operations.

20 For example, a California class 1 operator has
21 recently indicated that they are considering converting
22 all cargo handling equipment in their facilities to zero
23 emission using renewable fuels in their locomotives and
24 upgrading their California intrastate locomotive fleets.
25 These are all things that could be included in an

1 Alternative Compliance Plan.

2 For smaller operators with lower use, the
3 Alternative Compliance Plan could result in only idling
4 and reporting requirements for the first five years. This
5 allows for additional time to secure funding for upgrades
6 or conversions of older locomotives or to purchase
7 currently available Tier 4 or ZE locomotives.

8 The Alternative Fleet Milestone Option, which
9 will be discussed in detail next, provides flexibility for
10 operators that have already invested in Tier 4 locomotives
11 or that would like to skip Tier 4 locomotives and move
12 more quickly to zero emission. We are confident that with
13 these three pathways, there is a compliance option that
14 works for all locomotive operators, large and small.

15 --o0o--

16 TTD AIR POLLUTION SPECIALIST GONZALEZ: On March
17 1st, staff released a notice of modified text and
18 availability of additional documents for comment for 15
19 days. We call these 15-day changes. Per the Boards'
20 direction, staff worked with passenger operators and came
21 up with a proposed 15-day change, the Alternative Fleet
22 Milestone Option, or as we call it the AFMO. The AFMO can
23 be used in place of directly complying with the spending
24 account and in-use operational requirements, but all
25 operators must still comply with idling, registration,

1 reporting, and record keeping requirements. Although we
2 believe the AFMO will be most useful to passenger
3 operators, this compliance option is available to all
4 locomotive operators.

5 The requirements of AFMO are:

6 By the year 2030, an operator would need to
7 demonstrate that 50 percent of their operations are
8 accomplished by Tier 4 or cleaner locomotives. Right now,
9 in 2023, many passenger operators are already at or near
10 this milestone; by 2035, 100 percent of the operations
11 must be accomplished by Tier 4 or cleaner locomotive; by
12 2040, at least half of the operations need to be zero
13 emission; and finally in 2047, 100 percent of the
14 operations must be zero emission.

15 This option relies heavily on the early adoption
16 of ZE technologies, forgoing some early emission
17 reductions for the ultimate goal of a fully ZE fleet by
18 2047. Cumulatively, the AFMO provides similar emission
19 reductions to the spending account and in-use operational
20 requirements, as well as the Alternative Compliance Plan.

21 --o0o--

22 TTD AIR POLLUTION SPECIALIST GONZALEZ: In
23 addition to the 15-day changes, we also took comment on
24 the ability for operators to apply for a one-year
25 compliance extension due to equipment manufacturer

1 still confident with the ZE timelines we have proposed and
2 we would like to enforce a 30-minute idling requirement
3 that is consistent with the federal requirements prior to
4 making any changes to the idling limits.

5 However, we will be tracking the progress made in
6 ZE technologies and also reviewing idling data for the
7 2027 assessment, and could potentially begin an amendment
8 process then, if necessary.

9 --o0o--

10 TTD AIR POLLUTION SPECIALIST GONZALEZ: Several
11 comments asked for additional compliance options to be
12 included in the proposal, such as ability for operators to
13 purchase and operate Tier 3 locomotives rather than Tier
14 4s, or for emissions reduction credit for using renewable
15 diesel. Staff determined that the Alternative Compliance
16 Plan already allows for such alternatives to be used and
17 we encourage operators to think creatively about ways they
18 may reduce emissions quickly and at the lowest price.

19 We also received comments requesting that smaller
20 operators, such as industrial and Class 3, be exempt from
21 the proposed regulation, either due to cost, their small
22 overall emissions contribution, or both, similar to what
23 we heard at the last hearing. We would like to reiterate
24 that these smaller operators are using some of the oldest
25 and highest polluting locomotives, and generally perform

1 for communities within a mile of railyards is estimated to
2 be deduced by over 90 percent. The proposed regulation
3 will not only reduce toxic diesel particulate matter, a
4 toxic air contaminant with no known safe level of
5 exposure, but it will also reduce as many as 40 other
6 contaminants found in diesel exhaust that are considered
7 hazardous air pollutant of the U.S. EPA and toxic air
8 contaminants by CARB.

9 --o0o--

10 TTD AIR POLLUTION SPECIALIST GONZALEZ: Although
11 the benefits of the proposed regulation greatly outweigh
12 the costs, transitioning locomotives to cleaner operations
13 can be expensive and some operators may need funding
14 assistance. As we reviewed at the last hearing, there are
15 billions of dollars in incentives available for
16 locomotives and zero-emission infrastructure.

17 Currently, State funding is available through AB
18 617 community air protection funds, the Carl Moyer
19 Program, the Clean Off-Road Voucher Incentive Program, the
20 low carbon transportation funds, the Air Quality
21 Improvement Program's grants, VW Mitigation Trust, and the
22 Transit and Intercity Rail Capital Program.

23 Additionally, the Federal Railroad
24 Administration's Consolidated Rail Infrastructure and
25 Safety Improvement Plan -- Program or CRISI, includes \$1

1 billion for rail projects each year through the year 2026.
2 Many of these programs renew every year and have been
3 earmarked for locomotive projects for several years to
4 come. This unprecedented amount of funding could go a
5 long way to help California's locomotive operators
6 transition to cleaner emission -- locomotives.

7 --o0o--

8 TTD AIR POLLUTION SPECIALIST GONZALEZ: Staff
9 prepared a Draft Environmental Analysis, or EA, for the
10 proposed regulation and released it for comment on
11 September 20th, 2022 for 45 days. The EA concluded that
12 implementation of the proposed regulation could result in
13 beneficial impacts to air quality, greenhouse gas
14 emissions, and climate change, and could result in some
15 potentially significant impacts primarily due to
16 short-term construction related activities. Of the
17 comments we received on the Draft EA, several focused on
18 the potential of mode shift from trains to trucks. Staff
19 posted written responses to all comments received on the
20 Draft EA on our website earlier this month.

21 --o0o--

22 TTD AIR POLLUTION SPECIALIST GONZALEZ: We
23 recommend that the Board adopt the proposed resolution,
24 which would approve the written responses to environmental
25 comments, certify the Final EA, and make the required CEQA

1 findings, and adopt the proposed regulation, including
2 15-day changes.

3 That concludes the presentation. Thank you for
4 your time today.

5 CHAIR RANDOLPH: All right. Thank you very much.
6 We will now hear from the public who signed up to speak on
7 this item, either by submitting a request to speak card or
8 by a raised hand in Zoom. I will ask the Board Clerk to
9 begin to call the public commenters.

10 BOARD CLERK HARRINGTON: Thank you. We currently
11 have 35 in-person commenters signed up. And as a
12 reminder, we will be closing sign-ups in 30 minutes at 10
13 a.m.

14 And our first commenter is Yasmine Agelidis.

15 BOARD CLERK ESTABROOK: And can we have you --
16 sorry, can we you wait until the clock is up?

17 Sorry. We'll just pull it up.

18 YASMINE AGELIDIS: Great. Good morning, Chair
19 and Board members. My name is Yasmine Agelidis and I'm an
20 attorney with Earthjustice.

21 I'm standing here this morning and I'm humbled.
22 I'm humbled by the more than 60 community members who took
23 time out of their lives to be here to share their stories
24 on how diesel locomotives have impacted them. I'm humbled
25 by the generations before me that live next door to

1 railyards forced to breathe in black soot day in and day
2 out to feel the house shake and hear horns blare every day
3 and night.

4 I'm humbled by the advocates who fought for
5 decades to see this day. And I'm humbled by the Board
6 members before me today, and those that were on the Board
7 at the last hearing, and have been part of this rulemaking
8 for several years that feel the weight of the diesel
9 pollution crisis that rail has caused in our state.
10 Today, you the power to change the course of history for
11 Californians who have suffered from locomotive pollution
12 for far too long. CARB has the law and justice on its
13 side.

14 I urge you to please adopt this Locomotive Rule
15 today and to save more than 3,500 lives, 63 tons per day
16 of NOx emissions and \$32 billion in health costs.

17 Thank you.

18 BOARD CLERK HARRINGTON: Thank you.

19 Next is Cecilia Garibay.

20 CECILIA GARIBAY: Good morning. My name is
21 Cecilia Garibay and I'm the Project Coordinator for the
22 Moving Forward Network. MFN is a national network of over
23 50 member organizations that centers grassroots front-line
24 community knowledge, expertise, and engagement,
25 communities across the U.S. that bear the negative impacts

1 of the freight transportation system.

2 I'm speaking today in support of our members most
3 of whom live near railyards and near ports, members who
4 live, in some cases, just feet away from where the
5 dirtiest switcher and line haul locomotives belch diesel
6 pollution every day.

7 The health impacts are well known, asthma, lung
8 disease, premature death. And yet, there have been no
9 rail regulations adopted in over a decade at the federal,
10 State, or local level. So a yes vote is a critical step
11 to addressing the deadly air pollution caused by the
12 freight transportation system.

13 I want to thank the Board for finally introducing
14 a zero-emissions Locomotive Rule. I do want to note that
15 we need the strongest, most protective In-Use Locomotive
16 Regulation because we know these CARB's rulings have
17 impact not only in California but across the U.S.

18 The communities speaking here today and all those
19 thousands that they represent in California, but also
20 those millions that they represent across the U.S., need
21 action now. They need action now, especially on a largely
22 unregulated rail and locomotive sector. I reiterate, the
23 decisions made in California have implications across the
24 U.S. And so I want to remind you that pollution from all
25 diesel rail is harmful and we are here supporting and need

1 the strongest possible zero-emission requirements for all
2 rail.

3 We are demanding your support and your -- and
4 your yes. Thank you for your time.

5 BOARD CLERK HARRINGTON: Thank you.

6 Next is Cindy Donis. And I'd like to let
7 everybody know that if you see your name coming up, you
8 can fill free to line up at the podium.

9 CINDY DONIS: Hi. My name is Cindy Donis,
10 pronouns she/her. I'm an organizer and community member
11 with East Yard Communities for Environmental Justice from
12 Tongva territory, or so-called South East LA.

13 I grew up counting and noting the colors of the
14 containers on the freight and rail lines in my community,
15 as a game to entertain myself as I walked in my
16 neighborhood, commuted to school, and visited friends.
17 Little did I know that I was tracking sources of pollution
18 and harm as a child and a teenager, sources of
19 environmental health issues that I saw my neighbors deal
20 with on a daily basis as a tenant. I was surrounded by
21 community always, but also the different health issues
22 that they were facing on a day-to-day basis. And these
23 health issues continue to this day.

24 Diesel and this dependency on fossil fuel is so
25 harmful, to me, to my community, to the land, the air, and

1 the water, all resources and exist -- things that we exist
2 with, and that we need, and have a co-dependency with.

3 And so I strongly urge the Board to vote yes on
4 the Locomotive Rule to review and strengthen this rule
5 further and protect communities like mine.

6 Thank you.

7 BOARD CLERK HARRINGTON: Jocelyn Del Real.

8 JOCELYN DEL REAL: Yeah. Good morning, CARB
9 Board members. My name is Jocelyn and I am here with East
10 Yard Communities for Environmental Justice.

11 I live in the City Bell Gardens, which is in
12 Southeast LA, which is in unceded Tongva territory. I am
13 resident that is deeply impacted by Locomotive Rules. And
14 so we all came this far, because many of our community
15 members they did not make it today. They didn't make it
16 to see a day like today, where there will be some sense of
17 accountability.

18 Many of us here also have a lower lifespan simply
19 because we are next to locomotives and railyards. And
20 with so many rage, but also hope, we are here, because we
21 want to make sure that you all do right by our communities
22 that have been deeply impacted for decades. These rail
23 companies have been allowed and enabled to pollute our
24 communities with no accountability and we've had enough.
25 We've had enough.

1 You know, these regulations they can reduce
2 emissions and they can also save lives. And we need to
3 think about how to make these rules even more impactful,
4 right? So ensuring that switcher locomotives, transition
5 to ZE as soon as possible and reducing idling limits, but
6 also continuing to center our communities during these
7 decision-making processes. And we understand, right, that
8 the shift won't be easy, but it is long overdue for many
9 of us. And we will continue to be here to ensure that
10 these rules a carried out to the best of their ability,
11 and that we honor, right, all the folks that have passed
12 that are not here with us anymore, a lot of us that have
13 family members and community members that are slowly
14 deteriorating because of this.

15 So we'll be here to continue to fight.

16 Thank you.

17 BOARD CLERK HARRINGTON: Thank you.

18 Maravilla Guiles.

19 MARAVILLA GUILLES: Good morning. My name is
20 Maravilla Guiles and I work with the youth of the Inland
21 Empire. And I would like to start by telling you short
22 story. I happen to work with kindergartners. And there's
23 a little girl who loves to run. She wants to be the
24 fastest in her class. She wants to beat everyone in the
25 race.

1 And over and over again, I have to prevent this
2 little girl from running, because she has asthma, because
3 she lives in San Bernardino, where she is put at a higher
4 risk for having asthma. So I would -- I'm urging this
5 Board to really take these into consideration not just for
6 our lifetime, but for those who are coming after us.

7 So, I also wanted to read to you that our youth
8 have learned to share inhalers. I just want to sit with
9 that. They have learned to share inhalers, because air
10 quality is impacting their health faster than health care
11 can even keep up. We owe it to the future stewards of
12 this earth to keep them safe and lead by example by
13 passing wonderful regulations like this. We show them how
14 they need to take care of the earth.

15 I know this Board will do the right thing by
16 passing these regulations, but I urge that we cannot stop
17 here. This is the beginning of prioritizing futures and
18 we need to see it as the beginning, because we can be
19 doing even more.

20 Thank you for your time and please consider
21 taking this a step further, because our future deserves
22 it.

23 Thank you.

24 BOARD CLERK HARRINGTON: Thank you.

25 Next, is it Leonardo Penaloza.

1 LEONARDO PENALOZA: Good morning. Since I've
2 been cut down from time, I'll keep this nice and short for
3 you guys. Hi. My name is Leonardo Penaloza. And I want
4 to start off by saying I'm 17. I am -- I'm a senior in
5 high school so I will be graduating this year. And to be
6 quite honest with you guys, I should be in school right
7 now, but instead, I find myself standing before you guys,
8 because I deserve, I have the right to breathe clean air
9 and so do the people in this room and the people that we
10 are here fighting for.

11 I come in support of the proposed locomotive
12 regulation whose importance truly cannot be overstated. I
13 find that the Inland Empire, where I live, is basically a
14 dumping ground for pollution from locomotives operating
15 next to schools and other sensitive receptor areas.

16 Yes, modernizing towards new ZE locomotives is a
17 huge step in the right direction, but the fight for clean
18 air does not end here. I urge you to do right by the
19 citizens that have elected you to represent us here today
20 and pass this regulation.

21 Thank you very much.

22 BOARD CLERK HARRINGTON: Next is Gema
23 Pena-Zaragoza.

24 GEMA PENA-ZARAGOZA: Hi. Good morning. I'm Gema
25 Pena-Zaragoza. I'm here representing my community in San

1 Bernardino, one of the many cities the Inland Empire that
2 is continuously being ignored, pushed to the side by
3 politicians and leaders that are supposed to be focused on
4 us, helping us, being here with us.

5 I am here urging you to look at us, listen to us,
6 see us. We are the ones in our communities being faced --
7 experiencing it all, seeing the pain, seeing the struggles
8 or our people. Every single day we are living it. We are
9 here. We're coming here.

10 I'm supposed -- I'm supposed to be -- you know, I
11 had to quit my job to be here today. It matters to us
12 that we -- we're here fighting for a basic living right of
13 air. Our children -- we are here fighting for our
14 children. I work with English learning students, with
15 elementary students, who I am seeing have to struggle with
16 the quality of the air every single day. I am an
17 immunocompromised individual. I have psoriasis which
18 affects my skin and I have to go do my infusion medication
19 once a month. I'm taking injections.

20 The quality of the air is affecting me. It's
21 affecting my mental health. It is affecting me. I am
22 having to continuously push through for my students, for
23 my community, for my family, and I'm exhausted. We're
24 exhausted. We shouldn't have to be here fighting. There
25 are lives on your hands. You have the right, you have the

1 power to do something.

2 And when I'm tired of being fed crumbs, when you
3 have -- when you can do something to really help us, to be
4 here fighting for our people. We shouldn't have to be
5 here urging you to do something that you know is what
6 you're supposed to do. You're supposed to help us. We're
7 fighting for air. For air. I'm saddened that we have to
8 do this. And I really do urge you to listen to us to hear
9 everybody here. Don't be desensitized to our stories. I
10 know you hear constantly people up here commenting, but
11 we're experiencing it. We're here for a reason. Listen
12 to us, see us, and do something to help us, because we
13 shouldn't be here. We shouldn't be doing this. So make a
14 change, please. I urge you. Thank you.

15 BOARD CLERK HARRINGTON: Julieta Fuentes.

16 JULIETA FUENTES(through interpreter): Hello.
17 Good morning. My name is Julieta Fuentes. I reside in
18 the Inland Empire in Southern California. Those of us who
19 live in industrialized areas tend to suffer much more from
20 health problems. It is vital that we strive to keep our
21 air, our water, and other environmental resources clean.
22 Negative and respiratory impacts can include asthma,
23 allergies, and respiratory diseases. And not only that,
24 but cardiovascular impacts can include, as you know,
25 hypertension, coronary artery disease, heart attack, even

1 stroke. Worldwide, millions of premature deaths are
2 caused by air pollution.

3 I am a community organizer in Inland Empire and
4 there over 55 percent of children have asthma.
5 Approximately, half a million trailers pass daily on our
6 roads. In addition to the horrible smog, the streets are
7 in terrible state. They often cause accidents and often
8 end in death. Pollution is also drastically affecting at
9 least one person in every family who dies of cancer.

10 Effective measures, so as to improve air quality
11 must also include alternatives to switch trains -- switch
12 trains, excuse me. The first and best option would be
13 reducing the rest time to no more than 15 minutes per
14 train. And now is the time to change, because it's been
15 over a decade that there have been no regulations for
16 locomotives. Passing locomotive regulations can help
17 reduce the level of emissions of ozone, as well as
18 particulate matter and other air pollutants. And that's
19 why we're here today to ask, to demand that there be a
20 rule for locomotives to be regulate.

21 Thank you.

22 BOARD CLERK HARRINGTON: Next is Adrian Guerrero.

23 ADRIAN GUERRERO: Good morning, Chair Randolph
24 and members of the Board. My name is Adrian Guerrero.
25 And I'm the Assistant Vice President of Public Affairs for

1 Union Pacific Railroad. I appreciate the opportunity to
2 share a brief comment on behalf of UP. Over the years,
3 the rail industry has demonstrated a strong and productive
4 commitment reducing to reducing its environmental
5 footprint and continues to search for ways to reduce air
6 emissions.

7 Agreements between CARB and the Class 1
8 railroads, for example, in 1998 and 2005 resulted in
9 significant gains for clean air from line haul and yard
10 operations in California, well ahead of the rest of the
11 United States. Today, UP and the California railroads are
12 exploring and testing technologies such as battery
13 electric, and fuel cell locomotives, in addition to
14 modernizing our current locomotive fleets to be more
15 efficient, and as a result reduce both greenhouse gas and
16 criteria pollutant emission.

17 The industry is also testing biodiesel and
18 renewable diesel blends, the use of which will reduce
19 greenhouse gas and criteria pollutant emissions and are
20 replacing yard equipment with zero and lower emissive
21 versions of that equipment to improve air quality in the
22 communities in which they operate. In seeking ways to
23 reduce air emissions, the railroads partner with their
24 suppliers and governmental agencies. The railroads and
25 governmental agencies share the goal of reducing

1 emissions. The railroads have made public commitments and
2 have invested billions of dollar to achieve this goal. In
3 fact, UP has committed to net zero by 2050.

4 However, currently, there is no clear path to
5 zero-emission locomotives. Some technologies seem well
6 suited to yard operations, but are new and untested.
7 Similarly, the infrastructure and capacity required for
8 replacing conventional locomotives with electrification or
9 other alternatives is inadequate.

10 The rail industry has a working -- history of
11 working collaboratively with CARB to achieve air quality
12 objectives. We remain hopeful that we can work together
13 with CARB to find a balanced solution that provides
14 Californians a sustainable future and a vibrant economy.

15 Thank you.

16 BOARD CLERK HARRINGTON: Thank you.

17 Next is Jose Dudlos[SIC].

18 JOSE AVALOS: Avalos.

19 THE INTERPRETER: Correction for the record.

20 Last name is Avalos, A-v-a-l-o-s. Okay.

21 JOSE AVALOS(through interpreter):

22 Representatives of the locomotives, who didn't
23 feel chills in their skin when Santa Fe locomotive 3755
24 crossed over from Los Angeles to San Bernardino? Who here
25 was able to see that beautiful piece of machinery the

1 Pacific Union[SIC] 4014 Big Boy as it crossed the Union
2 Pacific? And who of you was able to see that beautiful
3 majestic Kansas City 4006 that was painted beautifully
4 with the American flag as it traversed the entire Mexican
5 Republic? Didn't you feel proud? Where is that American
6 pride? Members of the Board, are you tired now of doing
7 great things? Have you become tired of being the number
8 one country in the world?

9 It's today where we together can pound our fists
10 on the table. Napoleon said let China sleep. When they
11 awake, the world will shake. You're here. You have
12 everything you need, infrastructure, supplies, labor.
13 You've got everything you need. The question here today
14 is are we able to leave biology aside? Can we instead use
15 our minds -- can we instead use our minds and do some
16 critical thinking and learn from our mistakes? This way,
17 we can look ahead to the future or should we sit back and
18 watch as other countries do what we should be doing?

19 Long live California and Long live United States.

20 Thank you.

21 BOARD CLERK HARRINGTON: Gem Montes.

22 GEM MONTES: Good morning. My name is Gem Montes
23 and I am proud to be here representing the Inland Empire,
24 where most everyone's online orders come from.

25 The Air I Breathe Project, which we started last

1 year, is a project where we place personal air monitors on
2 community youth from grades 6 to 12. We've collected data
3 that shows the outrageous levels of PM2.5 that our
4 families are exposed to simply walking to school and going
5 through their day-to-day routines. They walk by trains on
6 the way to school. They take recess and play sports in
7 their fumes and hang out in this invisible poison. Our
8 future is compromised.

9 We should not have to plan our days around air
10 pollution levels. We should not have to teach our
11 children and our families how to protect themselves
12 against air pollution. We shouldn't have to close up our
13 houses and run the air conditioner all day just to breathe
14 clean air. We shouldn't have to roll up our car windows
15 when we're driving. We should be able to feel the air
16 blowing through our hair, enjoy the sunshine, and do all
17 of those other things that everybody else in communities
18 get to do, where they do have clean air.

19 We deserve to live the way others do. We
20 shouldn't have -- we should be able to jog and ride our
21 bikes to benefit our health instead of hurt our health.
22 I'm asking you to acknowledge that you hear our voices and
23 our pleas for help and pass the locomotive regulations
24 today. I remind you that this is not just for us, but for
25 you too, and for your families. The pollution will not

1 stay in one place and it will continue to poison our
2 planet. So do the right thing, be brave, and pass the
3 rules today.

4 BOARD CLERK HARRINGTON: Andrea Vidaurre.

5 ANDREA VIDAURRE: Hi there. My name is Andrea
6 Vidaurre. I'm with the People's Collective for
7 Environmental Justice. And I have a quick little video
8 that I'm going to be sharing from someone in San
9 Bernardino.

10 (Thereupon video played).

11 ANDREA VIDAURRE: That's the sound of a BNSF
12 train that's idling, that has been idling for over 10
13 minutes in front of a residential community in San
14 Bernardino right in front of a whole block of homes. It
15 will stay there idling for hours throughout the day. And
16 that's what thousands of people in the Inland Empire have
17 to hear every single day, not just for 30 seconds.

18 And what's missing is the fact that you can't
19 feel the ground shake under you through that video, you
20 can't see or breathe the smog through that video, and you
21 can't see the way that the 30 seconds that that pollution
22 has irreversible harm on someone's health.

23 These train companies don't care about us. These
24 train companies make billions off of our suffering and
25 they have been allowed to for decades, but not today and

1 not anymore. We traveled here to finally see the industry
2 get what they deserve and we expect you all to stand with
3 us and approve this rule in honor of all of those folks
4 that didn't make it today and the ones fighting to
5 breathe.

6 Thank you.

7 BOARD CLERK HARRINGTON: Jamila Cervantes.

8 JAMILA CERVANTES: Hello. Good morning. My name
9 is Jamila Cervantes. My "R"s just look like "V"s or my
10 "V"s just look like "R"s.

11 I'm a community member here on behalf of East
12 Yard Communities for Environmental Justice. I live in the
13 City of Maywood in Southeast LA and I live off the
14 Bandini/Atlantic of the 710 freeway. And I'm short of
15 giving you all the geo coordinates of my house. But I
16 share these details because if you know the area, you know
17 that there is a train railyard nearby. So I consider
18 myself somewhat of an expert in the health impacts that
19 train pollution and contaminants have on communities like
20 mine.

21 And I definitely consider myself more of an
22 expert than an industry mouthpiece that dismisses himself
23 right after his comment. It's almost too beautiful a
24 metaphor that when all is said and done, our communities
25 are the ones that stay.

1 Pollution caused by train coupled with all the
2 other things that our communities face, like lead and
3 noise pollution continue to lower the lifespan and health
4 outcomes of families like mine. And I'm here to ask the
5 Board to adopt this rule and to strengthen it by
6 committing to lower train idle times, and also to set
7 timelines that address the urgency of these issues.

8 Thank you.

9 BOARD CLERK HARRINGTON: Noemi Bueno.

10 NOEMI BUENO (through interpreter): Hello. Good
11 morning. My name is Noemi Bueno and I have been living in
12 the City of San Bernardino, California for 23 years. I am
13 the mother of two girls. The oldest is 17 years old.
14 When she was 14 months old, she was hospitalized for four
15 days as a result of a respiratory virus in the sinus known
16 as RSV in English. After that, she was left with some
17 health effects and very susceptible to pollution. And for
18 that, for years, she was on medications, nebulizers, and
19 inhalers. And that is not taking into account the anguish
20 and the fear that I felt as a mother, seeing how my little
21 girl had difficulty breathing and having to go frequently
22 to the hospital. She was able to overcome that bad
23 episode in her life, but she still struggles with
24 allergies, due to high pollution in the city where we
25 live.

1 However, my second daughter, who is only 15 years
2 old, her entire life has had to be with her medications,
3 inhalers, because she has asthma from so much pollution.
4 Well, she has asthma because of the high pollution where
5 she lives, and this is caused by the irresponsible people
6 that don't care that they leave their engines idling for
7 more than 15 minutes without there being a need. And that
8 is the reason why I'm here before you. I'm asking for you
9 to put yourselves in my shoes and if you would only cover
10 your nose and mouth for 60 seconds, you would understand
11 the situation that my daughters and myself have had to
12 live through for so many years. We need for you guys to
13 pass this regulation that is so important. We need zero
14 emissions.

15 Thank you.

16 BOARD CLERK HARRINGTON: Thank you.

17 And I'd like to announce that comments sign-ups
18 are now closed.

19 Our next speaker is Ivette Torres.

20 IVETTE TORRES: Good morning, Board members. My
21 name is Ivette Torres. I'm coming from the Inland Empire.
22 I want to share with everyone here today that the national
23 particulate matter 2.5 is set at 12 micrograms per cubic
24 meter. Last year, we did an air study on the west side of
25 San Bernardino 200 meters of the BNSF intermodal facility.

1 On an average, community members were exposed to, in their
2 homes where they should be relaxing, to more than 80
3 micrograms per cubic meter, more than 65 micrograms per
4 cubic meter, more than 40 micrograms per cubic meter, with
5 some up to exposures higher than 100 and even at points
6 thousands of micrograms per cubic meter.

7 This is a place where folks should feel at home
8 relaxed, but instead they deal with not only outdoor but
9 indoor air quality that is ruining their health. We had
10 community members who were suffering from cancer,
11 respiratory issues, cardiovascular issues, and they are
12 tired. And yet, they were still participating, monitoring
13 themselves, monitoring because they care fighting for the
14 air around them and for the folks that are coming after
15 them.

16 Not only is BNSF expanding in that community and
17 displacing that community, they're continuing to pollute
18 this community. The last air study that was done and
19 health study was in 2008. We still have railyards talking
20 about that study or their 1998 advancements. We're in
21 2023. People have died in those past 20 years, 15 years.
22 It is time to move forward and I urge you to come back in
23 2027 even sooner because technology is moving and we need
24 more health studies and technology planning up with that.

25 Thank you for your time.

1 BOARD CLERK HARRINGTON: Jennifer Cardenas.

2 JENNIFER CARDENAS: Good morning, everyone. My
3 name is Jennifer Cardenas and I am from Fontana,
4 California, one of the many cities in the Inland Empire
5 that is impacted by industry, by representatives that
6 continuously line their pockets by representatives that
7 sit on boards similar to yours and tell us that the
8 environmental impact it's going to be minimal, that the
9 environmental impact is right at the surface, that they're
10 doing everything they can.

11 Today, you listened to my community tell you
12 about their children. You listened about -- to my
13 community tell you about the kids that they work with.
14 The thing is we could all tell you stories. We could tell
15 you stories of our neighbors. We could tell you stories
16 of our family. We could continue to tell you stories
17 about the violence that these children feel that our
18 elderly feel.

19 I call it violence, because if you've ever been
20 in a playground where a child is struggling to breathe,
21 where a child is having an asthma attack, you feel like
22 it's violent. We say can we say environmental impact.
23 Have you ever seen a child watch another child have an
24 asthma attack? Have you ever had someone call you and
25 tell you to go to school to pick up your child, because

1 they just couldn't run up the monkey bars? This is
2 violence, and the minimum you can do is pass this
3 regulation. But you are more powerful than that and I
4 expect that you go beyond the minimum, that you look at
5 our communities not just as numbers, but as people that
6 are watching and having to breathe this violent
7 environmental that has been created for us.

8 Thank you for your time.

9 BOARD CLERK HARRINGTON: Thank you.

10 Next is Jose Emmanuel Munoz.

11 JOSE EMMANUEL MUNOZ: Hello. My name is Jose
12 Emmanuel Munoz. I'm nomad who's had the pleasure of
13 living in California for the past five years, four in Los
14 Angeles, and I'm about to celebrate a year in the
15 community of Colton with many of my community members here
16 from the Inland Empire.

17 I'm a mindful media educator. I work at the
18 intersections of mindfulness and critical media literacy
19 and I find it really hard to take a moment to breathe with
20 students when I cannot guarantee them that the air that
21 we're breathing together is clean air. I have worked with
22 youth from South Central LA to Studio City, for rural
23 California in the Cuyama Valley. And now I'm in the
24 Inland Empire and I try to tell my students when it comes
25 to media narratives to be very careful when we get pushed

1 into us versus them binaries.

2 This is an us versus the problem situation. And
3 I hope that we're able to take time to acknowledge that
4 all of my community members here are acknowledging what
5 problems we're facing on a day-to-day basis. Colton
6 already has a Union Pacific rail facility, gas plants,
7 warehouses, truck traffic, and the proposed Colton
8 intermodal facility is 1.1 mile from where I currently
9 live.

10 I live between railroads and highways. And I'm
11 with all of my college educated data and privilege to
12 advocate for he/she relatives across the IE, for green
13 jobs and clean air. I have cousins that work in the
14 warehouses. I have an uncle in the railyards and I have
15 countless community members that have been breathing air
16 in the IE for decades.

17 In the five years that I've been in California,
18 this year I experienced the most intense allergy attack
19 just two weeks ago and I'm still recovering. Hearing
20 these stories helps me better understand what it is that
21 I'm up against and I just want to say that California is a
22 leader, but we shouldn't be leading in polluted air. I
23 think everyone here and everyone on the Board wants to
24 make sure that California is setting an example for the
25 U.S. to witness and follow. And this is just the

1 beginning.

2 Thank you.

3 BOARD CLERK HARRINGTON: Thank you.

4 Next, is Vanessa Villanueva.

5 VANESSA VILLANUEVA: Hello. My name is Vanessa
6 Villanueva and I am here from the community of Colton.
7 I've traveled all the way out here to remind you of the
8 value of doing your jobs. There are calls from industry
9 rail ex -- calls from industry for rail expansions
10 throughout Colton to Anaheim. These are communities that
11 are already being impacted only to be further impacted.
12 Expansions that are purely for the sake of logistics and
13 profit, while the need for the public -- for public
14 transportation infrastructure continues to go unmet. I'm
15 asking you is cargo more important to you than our lives?
16 This unchecked pollution is costing us our health
17 and ultimately our lives. And these are violent deaths.
18 I need you to reframe your idea of violence, reframe your
19 idea of tragedy, because I assure you that if you are
20 experiencing what we experience every day, you would --
21 what we experience in San Bernardino and in Riverside
22 counties, the asthma, the higher risk of long COVID, the
23 higher rates of cancer cases. I don't know so many people
24 in my community directly who right now are waiting on
25 diagnosis of if they have cancer or not.

1 If you are experiencing this, you would quickly
2 recognize that passing anything short of strict
3 regulations on these polluters is nothing short of
4 violence. So I need you to do better by us, by the people
5 who wouldn't -- weren't able to come today. And I want to
6 remind you that our quality of life should never be a
7 topic that is compromisable. We should never be
8 negotiated upon, and that is your jobs. And I hope that
9 you all take this into consideration and do better,
10 because it's not import -- thank you.

11 BOARD CLERK HARRINGTON: Thank you.

12 Next is Alberto Leon.

13 ALBERTO LEON: Good morning, everyone. My name
14 is Alberto Leon. I'm from San Bernardino. I have been
15 living there for more than 20 years. My community suffers
16 the ravages that air pollution causes, cancer, asthma, et
17 cetera. My community is being devastated. We understand
18 that trains are part of this problem. I join the People's
19 Collective for Environmental Justice to come here
20 demanding strong, local, moral regulations.

21 We all have the right and deserve better air to
22 breathe. Please pass those regulations.

23 Thank you so much.

24 BOARD CLERK HARRINGTON: Graham Noyes.

25 GRAHAM NOYES: Good morning, Chair Randolph,

1 members of the governing Board. My name is Graham Noyes.
2 I'm here on behalf of Sierra Northern Railway. They're a
3 Class 3 short line railway in California. Quite distinct
4 situation here where we have a simple proposal that
5 enables more emissions to be reduced faster, sooner, and
6 cheaper. And sort of the crux of this is the makeup of
7 the Class 3 short line fleet in California, which is
8 primarily pre-Tier 0 locomotives that have not been
9 upgraded.

10 We have more than 60 percent of those on the
11 tracks today. And the early adopter milestone proposal
12 builds on the AFMO, but looks -- rather than being focused
13 on passenger trains, looks at the Class 3 inventory and
14 sees this adopt -- this opportunity to essentially speed
15 the retirement of these pre-Tier 0 locomotives by five
16 years, and thereby enable these emission reductions to
17 start sooner, and occur, and ultimately achieve cumulative
18 reductions of 15 percent additional NOx across the entire
19 span of the program, and also 15 percent on the NOx side,
20 and 30 percent on the particulate matter side get to zero
21 emission locomotives essentially 12 years earlier than
22 direct regulatory compliance. And the way this is done is
23 essentially by skipping over the Tier 4 locomotives and
24 going directly into zero-emission locomotives.

25 Sierra is an industry leader in this regard.

1 They've received a grant from CEC to build a hydrogen
2 switcher locomotive in Sacramento. We appreciate very
3 much the engagement with staff and the Board that we've
4 had regarding this proposal. We understand that there's
5 tremendous momentum to get this approved today, but we
6 think this is a real improvement to the regulation and
7 hope you'll consider it.

8 Thank you.

9 BOARD CLERK HARRINGTON: Benjamin Luna.

10 BENJAMIN LUNA (through interpreter): Good
11 morning, members of the Board. When people in Sacramento
12 sneeze, it's because people in San Bernardino have a cold.
13 The pollution is incredible over there. There are very
14 hard working people over there who every day wake up to
15 make this a better nation, but that are slowly dying due
16 to the pollution. It breaks my heart to see young
17 children with problems, irritations in their eyes. They
18 cry and they're unaware that it's caused by these big
19 companies that are contaminating our air.

20 This is a historic day and we are here filled
21 with hope. We trust each and every one of you. This
22 morning when I woke up, I got on my knees and thanked God
23 to represent all those people that you don't know. You
24 don't what they look like. They don't have a voice. But
25 today, today they will heard, the right to clean air. We

1 should not be discussing such as stupid topic, which is
2 clean air, which is a right that every person should have,
3 but we trust you.

4 In my prayer, I asked God to bless each and every
5 one of you when you make this decision, because life or
6 death is in your hands. When I arrived here, I saw Ms.
7 Diane Takvorian working and I interrupted her. She left
8 what she was doing and she turned to me. She greeted me
9 and gave me a hug. Thank you for being kind and for
10 having a good heart. We expect a lot from you. Don't
11 fail us. We love and appreciate your work. May God bless
12 you.

13 BOARD CLERK HARRINGTON: Thank you.

14 Heather Kryczka.

15 HEATHER KRYCZKA: Good morning, Board members and
16 staff. My name is Heather Kryczka and I'm an attorney
17 with Natural Resources Defense Council. We applaud the
18 staff for their work on the In-Use Locomotive Rule. This
19 rule will save thousands of lives. The vote today is an
20 opportunity for CARB to lead the country in cleaning up
21 this deadly source of pollution. Locomotive operations
22 have devastating impacts on health of neighboring
23 communities, as you've heard from the dozens and dozens of
24 residents who are here today speaking from their lived
25 experience. And this is well documented. Exposure to

1 diesel exhaust in study after study has been linked to
2 cancer, asthma, abnormal lung function, airway
3 inflammation, cardiovascular disease, birth defects, and
4 premature death.

5 This rule will provide an astounding \$32 billion
6 in health benefits and will provide critical pollution
7 reductions that are necessary for California to meet
8 federal air quality standards. The time to act is now.
9 Voluntary measures have been woefully inadequate.
10 Railyards in California are still operating antiquated,
11 decades old locomotives, despite cleaner locomotives being
12 available. And across the world, trains are running on
13 electricity. This rule will spur investments in
14 developing and deploying zero-emission technology,
15 modernize California's rail system, and provide astounding
16 health benefits.

17 Please vote yes today.

18 BOARD CLERK HARRINGTON: Thank you.

19 Ma Carmen Gonzalez.

20 MA CARMEN GONZALEZ (through interpreter): Good
21 morning. My name is a Maria -- Ma Carmen Gonzalez, an
22 organizer for the Popular Collective of Environmental
23 Justice or (Spoke in Spanish).

24 I've been a resident for the last 18 years in San
25 Bernardino. San Bernardino, one of the most contaminated

1 counties in this country in which the air quality is
2 horrible, disastrous, terrible, a place in which illnesses
3 continue on the rise, illnesses such as asthma, cancer,
4 allergies, premature deaths, cardiovascular illnesses. In
5 Inland Empire, 55 percent of our children have either
6 already asthma or are beginning to show symptoms of
7 asthma.

8 And it's horrible. It's not nice to see a child
9 who should be out playing during recess rather they're not
10 able to. We have to see them sitting down with their
11 inhaler. Years and years can pass and nobody takes the
12 time to stop and look at these horrible statistics that
13 continue on the rise. And in addition to that,
14 communities who live next to train rails don't only suffer
15 physical ailments, they suffer psychological ailments too.

16 One example, when there's vibrations, vibrations
17 because of trains passing by, people get confused. They
18 have no idea whether it's an earthquake or whether it's a
19 train. They have no idea defining which. For that reason
20 and many more, but because I don't have enough time, I'll
21 express this is why I'm here. So we ask you please adopt
22 the regulation for locomotives.

23 Not only that, we ask that it also be updated and
24 reinstated by 2027. Illnesses have no expiration date.
25 The time is now, today. Don't wait until tomorrow to do

1 what you can do today. Let's end contamination. Don't
2 let financial gain or financial interest be above the life
3 and health of families. And don't let this massacre be on
4 your conscience.

5 And lastly, I have a message for my community. I
6 have this banner that has hand prints all over it. You'll
7 see especially from children with asthma in our community.
8 Children who are being affected because of pollution in
9 our area. This is affecting the health in my community,
10 my family, even my own health. They put their hand prints
11 here for you and this is the message that I want you to
12 see.

13 Thank you.

14 BOARD CLERK HARRINGTON: Thank you.

15 Next is Angie Balderas.

16 ANGIE BALDERAS: Good morning, Board. My name is
17 Angie Balderas and I'm a longtime resident of the IE where
18 I've been living for over three decades.

19 The fact that I even have to be here to tell you
20 to do the right thing saddens me. Our people are dying
21 every day, not only in the IE but in LA and all over.
22 It's time for you all to -- this vote is vital, so we need
23 you to vote yes. We need you to always make sure you're
24 centering community in all your decisions. When you
25 center community, you could never go wrong. We ask you to

1 do the right thing and stop enabling these polluters who
2 are abusing our health, who are abusing our well-being,
3 who are abusing our mental health. It's time now. The
4 abuse must stop now and stop enabling.

5 We want to be better and do better. This is your
6 time now. We need a strong foundation. This is just the
7 beginning. We need a strong foundation in order to get to
8 zero emissions. And with you, that's the only way we can
9 do that.

10 As one of the persons before mentioned that they
11 missed school just to be here. And I heard some of the
12 corporations, some of the polluters chuckling, laughing.
13 This is no laughing matter. He came here because he had
14 to miss school to fight for his right to breathe clean
15 area. And we have so many kids in our district that have
16 to miss school every day because of (inaudible).

17 They're as toxic as the companies who put
18 pollution in our air. Please make the right choice and
19 always stand with community. Thank you.

20 BOARD CLERK HARRINGTON: Next is Christina
21 Scaringe.

22 CHRISTINA SCARINGE: Good morning. Christina
23 Scaringe for the Center for Biological Diversity in strong
24 support of a comprehensive In-Use Locomotive Rule
25 applicable to all locomotive types We support the account

1 funding to purchase cleaner technologies as well as idling
2 limits, the ban on older, dirtier locomotives after 2030,
3 and the 2030 and 2035 deadlines.

4 However, these deadlines should be a floor and
5 the Board should investigate ways to accelerate timelines,
6 especially for switchers, which are dirty near communities
7 and well suited for electrification. The Boar should also
8 consider interim timelines for new ZE trains and lower
9 idling limits to 15 minutes. With this one rule more than
10 any other on the docket this year, CARB can make an
11 immense emissions reductions impact. The locomotive
12 standard represents the single largest source of ozone
13 forming nitrogen oxide emission reduction and is central
14 to meet CARB's obligations under the Clean Air Act and its
15 own related State Implementation Plan as well as to the
16 people of California for a cleaner, healthier state.

17 The climate and health benefits alone make this a
18 no-brainer. CARB's own staff report cites an associated
19 90 percent reduction in average cancer risk in 2045 for
20 railyard communities and 32 billion in non-cancer health
21 benefits through 2050.

22 The IPCC made clear, every tenth of a degree
23 matters. No action is too soon and the single most
24 important bottom line for a livable planet is to rapidly
25 phase out fossil fuels. The news is dire but it also

1 presents great opportunity. We can design a cleaner,
2 safer, healthier, sustainable and vibrant future.
3 California can model climate and EJ leadership with
4 meaningful action here. We urge the Board to adopt the
5 strongest rule possible.

6 Thank you to the Board and also to the powerful
7 community voices we've heard this morning.

8 BOARD CLERK HARRINGTON: Maria Arenas.

9 MARIA ARENAS: Hola. My name is Maria Arenas and
10 I'm -- I came here with People's Collective for
11 Environmental Justice. I graduated from UC Merced and I
12 am a current resident in Riverside.

13 Trains are supposed to a helping source in
14 reducing fossil fuels. As we know, it is not. All the
15 pollutants from these trains are affecting the communities
16 these trains tracks are placed. As we see, the most
17 impacted communities are communities of color, whom are
18 underrepresented and don't have the resources to combat
19 the pollution in the air, and are causing health issues.

20 I asked myself, where are all these vibrant
21 trees, plants, and bushes that I see in richer
22 communities? Why aren't they in mine? I live in
23 Riverside, where we know it's one of the most polluted
24 cities in California. These locomotives -- the loc --
25 these locomotives pass throughout the IE without much

1 regulation and it needs to stop. I want my family,
2 friends, and people in general living in the IE to have a
3 chance to experience what clean air feels like.

4 I want -- I want you to place yourself in those
5 children's shoes, living in the IE who have to learn to
6 breathe with -- to breathe with taking in the air. The
7 human body can only take so much harmful and -- harmful
8 toxins from the environment. I ask -- I ask that you all
9 come back in 2027 to update the locomotive regulation,
10 adopt the resolution, and approve this rule.

11 Thank you for your time.

12 BOARD CLERK HARRINGTON: Mariela Ruacho.

13 MARIELA RUACHO: Good morning. My name is
14 Mariela Ruacho with the American Lung Association in
15 California. Thank you, Chair and Board members for taking
16 the time to bring you the Locomotive rule for final
17 review. This is a life-saving regulation. Represents
18 most important NOx reduction measures in the ozone SIP,
19 and will greatly improve public health.

20 As noted with our State of the Air Report
21 released last week, Californians continue to face the most
22 difficult pollution challenges in the nation. We view
23 this rule as one step of the most -- one of the most
24 important steps the agency can take to fulfill our joint
25 public health mission. The Lung Association and dozens of

1 health and medical organizations, and health professionals
2 are in support of the In-Use Locomotive Rule and urge you
3 all to approve.

4 In addition to locomotives being a major source
5 of NOx, they also release carcinogenic diesel particle
6 emissions. When implemented, the rule -- the rule will
7 reduce cancer risk over 90 percent for railyard workers
8 and those living nearby, over other health benefits from
9 reduced emissions are estimated of -- to be over 3,000
10 lives saved and \$32 billion by 2050.

11 So again, we urge you to approve the rule and
12 thank you and all the staff for their hard work approving
13 the rule. It will protect lung health and bring
14 California once step closer to meeting federal ozone
15 standards.

16 Thank you.

17 BOARD CLERK HARRINGTON: Thank you.

18 Next is Jan Victor Andasan

19 JAN VICTOR ANDASAN: Thank you. I want to share
20 this quote, mainly to my community but to you all, Board,
21 before I go with my public comment, and reflecting on what
22 people have shared.

23 If we wanted to, people of color, could burn the
24 world down, for what we have experienced, are
25 experiencing, but we don't. How stunningly beautiful that

1 our sacred respect for the earth, for life is deeper than
2 our rage. And that's from Nayyirah Waheed, Salt.

3 My name is Jan Victor Andasan, a community
4 organizer and member with East Yard Communities for
5 Environmental Justice. I was actually here in November
6 2022 when we were discussing this rule and I advocated and
7 shared my story with you all. And to be honest, I'm
8 taking this from a community member, I am exhausted of
9 diesel train pollution. I am exhausted of sharing my
10 story about how my brother was born next to the Union
11 Pacific Railyard in West Long Beach to need a nebulizer to
12 breathe as a newborn child. I am exhausted.

13 In the one year I lived here in this country, I
14 developed asthma, and I am exhausted, because 30 years
15 after my mom had to leave me at two months old to come to
16 this country for better opportunities, she developed, at
17 the age of 65, adult asthma. But you know what, I am not
18 exhausted to fight and advocate for my community and the
19 land we live on. We need you all to pass this Locomotive
20 Rule now and, yes, to revisit it, but also to push harder
21 as many others have said, because we have waited too long
22 and we know that you all can make stronger rules.

23 We need you all to continue to invest in zero
24 omissions, because that zero emissions are all the
25 solutions that we have been waiting for for decades. And

1 while I am exhausted and angry that your bodies are
2 collateral damage from multi billion dollar railyards who
3 continue to benefit off of our bodies as air filters, I am
4 not exhausted to fight along with my community, because we
5 have so much love and respect for our people and the land
6 we live on, and that's why we continue to advocate here.

7 Pass this rule now and accept the resolution.

8 Thank you.

9 BOARD CLERK HARRINGTON: Whitney Amaya.

10 WHITNEY AMAYA: Good morning, Board members. My
11 name is Whitney Amaya. I'm a community member with East
12 Yard Communities for Environmental Justice and I'm coming
13 from West Long Beach.

14 Literally every border of our community is a
15 source of pollution, one of which is a railyard, multiple
16 refineries, another of which is the ports, an incinerator,
17 and multiple other industries, another of which is the 710
18 freeway. My community and so many others like mine are
19 bombard with so much pollution on a daily basis. We're
20 literally just trying to breathe a breath of fresh
21 neighborhood, but instead are taking in diesel exhaust,
22 particulate matter, and so many other contaminants, and
23 the impacts are heart breaking.

24 Door knocking in my neighborhood, I have come
25 across so many community members that have allergies,

1 respiratory illnesses, or cancer, or that have had family
2 members that have passed from these illnesses. Our
3 community deserves better. That's why I'm here to urge
4 you all today to pass a strong Locomotive Rule and not
5 delay this any longer. Like so many others have iterated,
6 we've been waiting for a really, really, really long time.

7 This rule will regulate all rail, and in all
8 honestly an industry that for decades has rarely been
9 regulated and rarely held accountable for all of the harm
10 that they've caused to our communities.

11 In addition to this, I ask that you accelerate
12 the zero-emission requirements for switcher
13 locomotives -- for switcher locomotives up three years
14 to 2027 instead of 2030, and that this includes interim
15 benchmarks, so that we can track our progress. We also
16 need you to reduce idling time to 10 to 15 minutes max.
17 Doing so will allow us to breathe a little bit easier.
18 And I do say a little bit easier, because this is a start.
19 We need a lot of work to do.

20 And doing this is not only a benefit to our
21 communities. In 2017, I think it's the first time that I
22 heard the hash tag climate change starts in our hoods.
23 And that's the reality, because all of the industries are
24 located in our communities. And so cleaning up this
25 contamination is not only for us, but for all of us in our

1 communities and our -- the land that we live on. Thank
2 you.

3 BOARD CLERK HARRINGTON: Bill Magavern.

4 BILL MAGAVERN: Good morning. Bill Magavern with
5 Coalition for Clean Air in support of the rule.

6 As I was leaving the house this morning, my wife
7 asked if I was going to yet another legislative hearing.
8 And I told her that, no, this was actually the biggest day
9 this year for reducing air pollution in California. And I
10 think that between this Locomotive Rule and Advanced Clean
11 Fleets Rule, you will be doing more at this meeting than
12 anything else that's done this year to reduce air
13 pollution in California. And this Locomotive Rule will
14 accomplish by far the most reductions in NOx of anything
15 that you have in your State Implementation Plan.

16 We want to move freight by rail, but only if the
17 engines are cleaned up. We know these cleaner engines
18 exist, but the problem is that the big railroad companies
19 are still using very dirty, very old diesel locomotives.
20 And you've already heard a lot of powerful testimony this
21 morning about the effects that their choices are having on
22 the people who have to breathe the air.

23 So we need to get them to upgrade to Tier 4 as
24 soon as possible, and eventually get to zero emissions.
25 The proposal you have in front of you from your

1 hardworking staff does exactly that. I think they've done
2 a great job. They've set it up for you, so that really
3 this is a free throw. So you just have to step up to the
4 line and sink that basket.

5 Thank you.

6 BOARD CLERK HARRINGTON: Sam Wilson.

7 SAM WILSON: Hi. Good morning, Chair Randolph
8 and members of the Board. My name is Sam Wilson and I'm a
9 Senior Vehicles Analyst with the Union of Concerned
10 Scientists. On behalf of our half a million supporters
11 nationwide, thanks so much for giving us the opportunity
12 to comment today in strong support of this In-Use
13 Locomotive proposal.

14 Locomotives are a primary source of both
15 ozone-forming nitrogen oxides and lung damaging fine
16 particulate matter in our state and historically
17 marginalized communities bear the brunt of this exposure.

18 Addressing pollution from locomotives is a key
19 part of our equitable transition to a zero emissions
20 freight paradigm. Although cleaner options have existed
21 for many years, over 75 percent of Class 1 switchers in
22 our state are still operating at the dirtiest emissions
23 tier. We can't allow the railroad industry to delay -- or
24 to continue to allow -- allowing the delay of its
25 transition to cleaner and zero emissions locomotives. The

1 flexible phaseout of older locomotives and more protective
2 idling requirements under this rule will deliver
3 meaningful pollution reductions estimated to save
4 thousands of lives and around \$32 billion in cumulative
5 health benefits through 2050.

6 The rule also would bring us closer to meeting
7 federal NAAQS and the zero emissions commitments by the
8 State. UCS supports the comments provided by members of
9 the disproportionately impacted communities that we've
10 heard so far today and we urge the Board to unanimously
11 adopt this regulation without delay.

12 Thanks.

13 BOARD CLERK HARRINGTON: Matt Robinson.

14 MATT ROBINSON: Thank you, Board members. Matt
15 Robinson with the California Transit Association. We are
16 in support of the proposed regulation before you today. I
17 just want to begin by thanking staff and the Board members
18 for working with us over the last several months to
19 address a number of our concerns as was described by the
20 presentation earlier this morning.

21 I think it's no surprise, but our transit
22 agencies across the state are in a bit of a funding crisis
23 right now. And a lot of that funding crisis is being
24 borne out by our rail agencies. I think the path forward
25 through the AFMO acknowledges that and does set real

1 milestones and targets for getting our fleets to zero
2 emission, while recognizing the public transit aspect of
3 those systems and the good that they do in our communities
4 in helping reduce VMT and reduce air quality.

5 I would just conclude my remarks by noting that
6 under the 15-day comment, we did submit a letter with some
7 technical changes for the regulation. Those were not
8 taken, but we do look forward to working with staff as
9 it's being implemented to address some of those technical
10 aspects of the regulation moving forward.

11 So thank you very much and look forward to your
12 support today.

13 BOARD CLERK HARRINGTON: Elaine Shen.

14 DR. ELAINE SHEN: Chair Randolph and Honorable
15 Board members, my name is Elaine Shen. I'm Planning and
16 Rules Manager with the South Coast Air Quality Management
17 District.

18 So I'm here today to support our agent -- to
19 express our agency's support for the proposed In-Use
20 Locomotive Regulation. The 17 million residents of our
21 region suffer from some of the worst air pollution in the
22 country and we fail to meet the federal air quality
23 standards for both ozone and fine particular matter.

24 Over 80 percent of smog-forming emissions of
25 our -- in our region are from mobile sources. Emissions

1 from locomotives contribute substantially to smog
2 formation, and you also hinder our ability to meet health
3 protective air quality standards. Locomotive emissions
4 also impose significant health risk for our communities
5 adjacent to railyards and real tracks through toxic diesel
6 pollution.

7 In tandem with CARB's proposed regulation, our
8 agency is continuing to develop a series of Indirect
9 Source Rules, or ISRs, in order to implement a broader
10 facility based mobile source measures, including in our
11 Air Quality Management Plans, or AQMPs. These ISRs are
12 designed to reduce mobile source emissions associated with
13 freight hubs. We are currently working on three ISRs for
14 new railyards, existing railroads, as well for marine
15 ports, where locomotives operate among all other engine
16 sources. And all of these three proposed ISRs may well
17 complement the proposed State regulation.

18 We need action at all levels of government to
19 collectively address locomotive engines. The proposed
20 statewide regulation is a very key piece. For more than
21 40 percent of Californians in our jurisdiction, South
22 Coast AQM -- AQMD fully supports the adoption of this
23 critical regulation today and we also look forward to
24 continuing working with CARB to encourage our federal
25 partners to do their share.

1 Thank you.

2 BOARD CLERK HARRINGTON: Thank you.

3 BOARD MEMBER KRACOV: Chair, if I could just --
4 thank you, Dr. Shen, for coming from the South Coast and
5 for the good communication with our staff. And it's very
6 important that our staff at CARB and South Coast staff
7 work together on the ISRs with good communication,
8 feedback, and mutual good work. So thank you for coming
9 today.

10 BOARD CLERK HARRINGTON: Next is Cynthia Pinto
11 Cabrera.

12 CYNTHIA PINTO CABRERA: Hello. Good morning,
13 Board member -- Chair Randolph and Board members. Cynthia
14 Pinto-Cabrera, Madera County resident, asthmatic and
15 Policy Coordinator with the Central Valley Air Quality
16 Coalition.

17 First I'd like to start off by thanking staff for
18 all the work that they've done on this regulation in
19 working with advocates. And I'd like to thank the Board
20 for taking such a strong positions and maintaining this
21 strong regulation. It's incred -- this regulation is
22 incredibly important for the San Joaquin Valley, as we
23 continue to be the worst -- have the worst air quality in
24 the nation and continue to top the charts for the worst
25 air quality in the nation as seen in various reports

1 released recently.

2 As a valley resident who suffers from asthma and
3 grew up with a railyard in my backyard, I, firsthand, know
4 the great implications that this regulation is going to
5 have for our health, especially in environmental justice
6 communities, low-income communities, and communities of
7 color who have been forced to live near these polluting
8 sources due to racist land use decisions and our captured
9 agencies who put people over profit.

10 The technology to adapt -- to adopt this measure
11 is here and we should really -- we should adopt it as
12 expeditiously as possible. We urge this Board to continue
13 to strengthen enforcement and adopt regulations like
14 idling policies in the sector. And as the valley
15 continues to be at risk for not meeting our air quality
16 standards on time, and our health continues to worsen, we
17 urge the Board to adopt this regulation to bring much
18 needed relief to not only the San Joaquin Valley
19 residents, but all environmental justice communities
20 throughout the state.

21 Thank you.

22 BOARD CLERK HARRINGTON: Andrew Antwih.

23 ANDREW ANTWIH: Good morning, Madam Chair and
24 members, Andrew K. Antwih on behalf of the Southern
25 California Regional Rail Authority, otherwise known as

1 Metrolink. We support the proposed modified In-Use
2 Locomotive Regulation that was released on March 1st, and
3 particularly the Alternative Compliance Plan.

4 Achieving emissions reductions objects under an
5 ACP scenario will require some robust grant funding. We
6 look forward to working with the Air Resources Board and
7 other stakeholders in supporting and securing the
8 necessary funding to implement this very important pathway
9 for compliance.

10 We thank, Chair Randolph, Director Gideon Kracov,
11 Director Hector De La Torre, Director Barbara Riordan, and
12 the entire Board for your work on this for -- and the CARB
13 staff especially for being very creative. Some of the
14 conversations were tough, but it's toward a good end, and
15 a good goal, and we're here to say thank you.

16 BOARD CLERK HARRINGTON: Next is Teresa Bui.

17 TERESA BUI: Good morning to CARB Board and
18 Chair. My name is Teresa Bui with the environmental
19 non-profit Pacific Environment. Huge thanks to the CARB
20 Board for -- and staff for bringing this zero-emission
21 Locomotive Rule forward.

22 You might have seen American Lung Association's
23 newest report, the National Air Quality Report, showing
24 that California continue -- continues to have worsening
25 air.

1 Thank you.

2 Rail pollution has significant and long-lasting
3 public health impacts. This rule will have massive health
4 and emission benefit with almost \$32 billion in health
5 benefits and almost \$22 million metric -- million metric
6 tons of greenhouse gas reduction. So we're asking that
7 the Board to strengthen the rule in three ways. One is to
8 accelerate the zero-emission requirement for switcher
9 locomotives for up to three years to 2027, including
10 interim time lines and then reducing the idling to 15
11 minutes.

12 Right now, there's record funding available both
13 at the California level with the \$1.2 million in port
14 modernization that includes rail projects, as well as the
15 federal Inflation Reduction Act, including \$3 billion for
16 reducing greenhouse gas, and \$60 million under the Diesel
17 Emission Reduction Act.

18 So we would -- we urge you to adopt this rule
19 swiftly. Thank you for your consideration.

20 BOARD CLERK HARRINGTON: Dennis Albiani.

21 DENNIS ALBIANI: Thank you very much. Dennis
22 Albiani on behalf of the California Grain and Feed
23 Association and we submit these comments with the
24 coordinated livestock groups as well.

25 We propose passing rule today, but amended to

1 provide the flexibility to the staff to address some of
2 the unique elements of the grain and feed industry and our
3 terminal usage of the locomotives in California. We're a
4 critical essential industry and critical to the food
5 supply. And so a couple of the key points we want to
6 bring today is we were only 0.04 percent of the emissions
7 of the state. The entire grain and feed emissions are
8 less than one Class 1 locomotive.

9 The industry operates in a much different in
10 line -- than an in-line operator. Obviously, we're a
11 terminal destination, more like a stationary source. The
12 alternative technology such as electricity --
13 electrification, sorry, are infeasible, as we are a single
14 locomotive operation. We have, you know, 24 hours to
15 clear off a hundred cars and unload them. And so there's
16 no time to charge during that 24-hour time period, that we
17 pull, then we idle, we pull, we idle. It requires low
18 torque, which is not suited well for electrification, and
19 it's frankly very ineffective.

20 We encourage the Board to exempt the grain and
21 feed locomotives until 2027 update and then work with the
22 staff to figure out how these unique elements can be
23 implemented here locally within the -- within the state
24 and provide the authority to work with us as it goes
25 forward.

1 And then one final thing, we think the escrow
2 account is -- actually needs to be eliminated.
3 Unnecessary and actually kind of not a thing that will --
4 it will be counterin -- counterproductive.

5 Thank you very much. Appreciate it.

6 BOARD CLERK HARRINGTON: Thank you.

7 This concludes our in-person commenters for this
8 item. I will now pass it over to Lindsay.

9 BOARD CLERK GARCIA: Thank you. We currently
10 have five commenters who have raised their hand in Zoom
11 that signed up before the time cutoff. So those people
12 will be Joel Ervice, Christopher Chavez, Victoria
13 Leistman, Brian Yanity, and Woody Hastings.

14 Joel, I have activated your microphone. Please
15 unmute and begin.

16 JOEL ERVICE: Are you able to hear me?

17 BOARD CLERK GARCIA: Yes, we can.

18 JOEL ERVICE: Great. Thanks so much.

19 I'm Joel Ervice, with RAMP, Regional Asthma
20 Management and Prevention, a project of the Public Health
21 Institute. And our mission is to reduce the burden of
22 asthma with a focus on health equity.

23 It's not every day that you get to save lives,
24 but today is one of those days. Your yes vote on the
25 In-Use Locomotive Regulation will mean an anticipated

1 3,233 lives saved, with monetized health benefits
2 estimated at \$32 billion. The regulation will help clean
3 up the air in communities that bear some of the State's
4 highest burden of asthma.

5 BOARD CLERK GARCIA: Joel, I'm sorry to interrupt
6 you.

7 JOEL ERVICE: Yes.

8 BOARD CLERK GARCIA: Can you speak up please?
9 We're having a little trouble hearing you.

10 JOEL ERVICE: Sure. Is that better?

11 BOARD CLERK GARCIA: A little bit more.

12 JOEL ERVICE: Okay. Okay. While the tox --

13 BOARD CLERK GARCIA: Loud as you can.

14 JOEL ERVICE: Sorry?

15 BOARD CLERK GARCIA: As loud as you can.

16 JOEL ERVICE: Okay. Will do.

17 Let me actually try something different here.

18 Is that better?

19 BOARD CLERK GARCIA: Slightly.

20 JOEL ERVICE: Okay. So while approximately one
21 in seven people have asthma in California, there are
22 considerable disparities in health outcomes among
23 communities of color and low-income communities. Some of
24 these disparities are due to air pollution, particularly
25 from the freight transportation sector. Ensuring cleaner

1 locomotive operations and moving California to cleaner
2 zero-emission technologies in this sector is critical to
3 meeting regional air quality standards. The regulation
4 will also help meet the National Ambient Air Quality
5 Standard for ozone.

6 Ultimately though, this regulation is about
7 people, including vulnerable communities nearest
8 railyards, not to mention rail industry employees and
9 passengers. A yes vote on this regulation is a yes for
10 clean air, better health, and environmental justice for
11 low-income communities and communities of color.

12 Thank you for your support.

13 BOARD CLERK GARCIA: Thank you.

14 Next we'll hear from Christopher Chavez.
15 Christopher, I have activated your microphone. Please
16 unmute yourself and begin.

17 CHRISTOPHER CHAVEZ: Yes. Good morning, Board
18 members. My name is Chris Chavez. I'm with the Coalition
19 for Clean Air. I'm also a resident of Long Beach downwind
20 of the proposed SCIG railyard facility as well as near
21 other existing railyards and lines.

22 We strongly support the proposed In-Use
23 Locomotive Rule. As CARB staff has pointed out, this rule
24 is the single most important rule in California's strategy
25 in attaining federal clean air standards. All

1 Californians suffer from air pollution, but communities
2 near goods movement corridors, such as mine, take the
3 brunt of the impact.

4 Just a day or two ago, we put out a call to
5 action in support of this rule. In that short amount of
6 time, we collected 135 signatures in favor of the proposed
7 In-Use Locomotive Rule. Thanks to CARB and our air
8 districts, most pollution sources are expected to see
9 emission reductions. Locomotives, notably, are one of the
10 exceptions. The South Coast Air Quality Management Plan,
11 for example, anticipates locomotive emissions staying the
12 same or even increasing between now and 2037.

13 Rail is often portrayed as being an inherently
14 cleaner option for goods movement. And if done correctly,
15 that very well could be true. Yet, freight rail is
16 powered entirely by diesel locomotives, the bulk of which
17 only meet outdated, decades-old emission standards. It's
18 also worth noting, absent of this rule, these locomotives
19 are likely to stay in service for decades more, as they can
20 be rebuilt to the same emissions tier as they are now.

21 We agree that California will need to continue
22 funding its incentive programs members to help transition
23 locomotives towards cleaner technologies. And we also
24 recognize that some railroad operators have been more
25 proactive in deploying cleaner technologies than others.

1 But this rule is important to both protect public health
2 and improve air quality in California, which will make a
3 healthier California with a longer lifespan.

4 So please pass this rule. Thank you to the staff
5 and thank you to all the advocates who stood up in support
6 of this rule today.

7 BOARD CLERK GARCIA: Thank you.

8 And then Victoria Leistman, it looks like you
9 you've lowered your hand. If you would still like to
10 speak, go ahead and raise your hand and I will call on you
11 next.

12 For now, we will go the Brian Yanity. Brian, I
13 have activated your microphone. Please unmute and begin.

14

15 BRIAN YANITY: Good morning, Board members. Can
16 you hear me okay?

17 BOARD CLERK GARCIA: We can hear you, yes.

18 BRIAN YANITY: Oh, yes. Thank you for this
19 opportunity to speak today. My name is Brian Yanity and I
20 live less than two blocks from the BNSF main line in
21 Fullerton, so I support voting yes on this rule.

22 I want all the trains going through my
23 neighborhood to be zero emissions for all the reasons that
24 so many speakers have stated before me so eloquently.
25 However, in reviewing the CARB locomotive regulation

1 materials, I continue to be very disappointed that battery
2 and hydrogen are the only technologies mentioned for
3 cleaning up rail, with presumed emphasis on hydrogen as
4 the primary way to power California trains in the future.

5 Why does conventional overhead wire
6 electrification continue to be completely dismissed by
7 CARB, as if it doesn't even exist? The State, CARB
8 included, needs to develop and implement policies that
9 weill electrify the California Rail Network. The emphasis
10 should be on conventional overhead wire electrification
11 for main line railroads.

12 Hydrogen and battery-powered locomotives and
13 trains have a very limited range, and are much more
14 expensive to purchase, operate, and maintain compared to
15 conventional all-electric locomotives using an overhead
16 wire. Conventional, zero-emissions electric rail
17 technology utilizing overhead wire is very well
18 established, over a century old. Most of the major
19 railways of the world, outside of the Americas, have
20 rectified their main lines. The world's most powerful
21 locomotives are all electric, pulling 40,000 ton iron ore
22 trans in South Africa, and Australia. The hydrogen trains
23 in Germany that were mentioned have been a very expensive
24 failure. They've been a catastrophe of reliability
25 problems, extreme cost overruns, and they're about the

1 size of like a light rail train. They're not a big train
2 at all. They can't haul freight. And leakage is a very
3 serious problem with hydrogen and has environmental
4 justice implications.

5 CHAIRPERSON RANDOLPH: Thank you, Brian.

6 BOARD CLERK GARCIA: Lastly, we will hear from
7 Woody Hastings. Woody, I have activated your microphone.
8 Please unmute and you can begin.

9 WOODY HASTINGS: Okay. Good morning. Can you
10 hear me?

11 BOARD CLERK GARCIA: Yes, we can.

12 WOODY HASTINGS: Great. Good morning, Chair
13 Randolph and Board members. Woody Hastings with The
14 Climate Center on behalf of our thousands of supporters
15 statewide and in solidarity with the communities that are
16 suffering from diesel locomotives, I'm calling in this
17 morning just to add our voice in support of the Locomotive
18 Rule. And from The Climate Center's perspective, you
19 know, in addition to being extremely helpful, as has been
20 pointed out by Coalition for Clean Air and others in terms
21 of addressing nose level pollution, this rule will help
22 measurably -- quite measurably in terms of addressing the
23 global climate crisis and reducing climate pollutants. So
24 again calling in full support. Urge you to -- your eye
25 vote on this -- on this rule.

1 Thank you.

2 BOARD CLERK GARCIA: Thank you. That concludes
3 the Zoom commenters. And just a reminder that the docket
4 will remain open until the Chair closes the record on the
5 item, if you would like to submit written comments.

6 Thanks.

7 CHAIR RANDOLPH: Okay. Thank you very much.

8 Staff, are there any issues raised in the
9 comments that you want to address before I close the
10 record officially?

11 EXECUTIVE OFFICER CLIFF: No, Chair Randolph.
12 Thank you.

13 CHAIR RANDOLPH: Okay.

14 BOARD MEMBER BALMES: I have one question of
15 staff though. I don't know if --

16 CHAIR RANDOLPH: I think we do it after we close
17 the record.

18 BOARD MEMBER BALMES: All right, that's fine.

19 CHAIR RANDOLPH: Yeah. I will now close the
20 record on this agenda item. However, if it is determined
21 that additional conforming modifications are appropriate,
22 the record will be reopened and a 15-day Notice of Public
23 Availability will be issued. If the record is reopened
24 for a 15-day comment period, the public may submit written
25 comments on the proposed changes, which will be considered

1 and responded to in the Final Statement of Reasons for the
2 regulation. Written or oral comments received after this
3 hearing date, but before a 15-day notice is issued will
4 not be accepted as part of the official record on this
5 agenda item. The Executive Officer may present the
6 regulation to the Board for further consideration, if
7 warranted. And if not, the Executive Officer shall take
8 final action to adopt the regulation after addressing all
9 appropriate conforming modifications.

10 All right, it is time to bring the discussion to
11 the Board. I know Board Member Eisenhut needed to say a
12 few words and then we'll take other questions and
13 comments.

14 BOARD MEMBER EISENHUT: Thank you, Chair, for
15 that accommodation. I have somewhat of a emergency family
16 situation and I need to excuse myself. I'm going to
17 attempt to vote via Zoom and hope that works well. But if
18 not, I want to clearly indicate I support this action. My
19 vote will be yes, if I'm able to make it. So I'll make
20 that note.

21 I -- this is a -- thank you, Bill Magavern, for
22 your metaphor.

23 (Laughter).

24 BOARD MEMBER EISENHUT: It's timely. This is
25 compelling and necessary and I'm not going to summarize

1 all the reasons why. I will -- I do want to, and this is
2 not a pro forma acknowledgement. This was a Herculean
3 effort on the part of staff and that effort needs to be
4 acknowledged.

5 One of the -- I've got two items to further
6 comment on. One of the -- of the staff proposals is the
7 alternative pathway for small, single engine, or small --
8 someone other than the main line users. And I just want
9 to express my support for that alternative pathway and
10 encourage both stakeholders and staff to continue that
11 conversation.

12 I would also ask, I didn't -- I don't remember
13 seeing it in the proposal, but I would very much like a --
14 I'll just pick a number, and if someone wants to modify
15 it, that's fine, but a five-year review in a very formal
16 way. And I don't need to have this be part of the
17 resolution, but I'd like a nod from the Executive Officer
18 that this is achievable and --

19 EXECUTIVE OFFICER CLIFF: (Nods head).

20 BOARD MEMBER EISENHUT: Okay. I'm getting that
21 nod. Thank you.

22 (Laughter).

23 BOARD MEMBER TAKVORIAN: For the record.

24 BOARD MEMBER EISENHUT: For the record I have a
25 nod.

1 (Laughter).

2 BOARD MEMBER EISENHUT: Thank you and that
3 concludes my remarks.

4 CHAIR RANDOLPH: So correct me if I'm wrong, but
5 I we have check-ins reviews in 2027 and 2032 -- so, okay.

6 EXECUTIVE OFFICER CLIFF: That's correct.

7 CHAIR RANDOLPH: Thank you.

8 All right. Dr. Balmes you said you had a
9 question.

10 BOARD MEMBER BALMES: Yes. Thank you, Chair
11 Randolph. So I was intrigued, and I wanted to -- by Mr.
12 Noyes's comment, on behalf of Sierra Northern Railway,
13 about amending the alternative pathway. Could you just
14 sort of comment about that.

15 TTD FREIGHT SYSTEMS SECTION MANAGER MANGAT: Sure
16 thing, Dr. Balmes. First and foremost, I do really want
17 to commend Sierra -- I'm sorry?

18 Hi, Dr. Balmes. I'm Ajay Mangat. I'm manager
19 the Freight Systems Section, the groups that's bringing
20 plan to the Board.

21 So I really do want to acknowledge Sierra for
22 their leadership in pursuing the first-of-its-kind
23 zero-emission fuel cell switcher. You know, so that's a
24 really big deal. I'm very excited to see that project
25 coming to fruition. My team appreciates the

1 back-and-forth conversations we've had and don't
2 believe -- or we do believe there's a path forward within
3 the current reg as it stands and that the special
4 carve-out isn't needed in this case. When the AFMO, for
5 example, was first constructed, it was the team working
6 with the passenger agencies to kind of form a consensus on
7 a option that would suffice for the majority.

8 So in this case, we don't have consensus on how
9 many other takers there would be within the Class 3 or
10 smaller -- you know, smaller railroad community, and so we
11 don't know how many folks would be willing to pursue the
12 early adopter option. We also need to keep in mind that
13 these options, once we add one, they're available to
14 everybody. So then, you know, how does that affect the
15 other fleets potentially?

16 But I do want to reiterate that our first
17 technology assessment is slated for 2027, provides an
18 opportunity to reassess the state of technology and
19 potential adjustments that need to be made. And I'm
20 encouraged that their plan, as it stands right now, will
21 work at least through 2030 and welcome the opportunity to
22 continue to work closely, together with Sierra, in mapping
23 out a future -- the future turnover basically.

24 BOARD MEMBER BALMES: Thank you. May I continue
25 in terms of just my comments?

1 CHAIR RANDOLPH: Yes.

2 BOARD MEMBER BALMES: So as I said the last Board
3 meeting, I'm now the Board member who has the most
4 seniority on the Board. And we've been fighting the
5 railroads for that entire time. I started on the Board in
6 2008. And I am really -- I'll probably get choked up.
7 People know that I do this. I'm really glad we're here
8 today to adopt this regulation.

9 I hear you, community members. I've been hearing
10 you for several decades now. And it's really time that we
11 move forward to adopt this regulation. You know, I wish
12 we could do more, but this is a good first step and I
13 really agree with Mr. Eisenhut in terms of thanking the
14 staff for working hard on this proposal that I'm time, you
15 know, proud to support, and for members of the rail
16 industry, such as the passenger fleets and Sierra Northern
17 Railway. You know, those folks are part of the solution
18 and I just urge the long haul mainline railroads to be
19 part of the solution.

20 I stomped and yelled when we last discussed this,
21 because there was a threat of lawsuit. I'm glad that
22 nobody's -- from the railroad is threatening today.

23 And -- yeah, I know it's not over.

24 (Laughter).

25 BOARD MEMBER BALMES: But I'm not stomping today.

1 I'm -- again, for all the reasons that have been so
2 eloquently communicated by community members, you know, I
3 take care of people with asthma, so I know exactly how the
4 folks with asthma feel about cleaning up emissions at
5 railyards. And I also agree that this is the biggest
6 single thing we can do to reduce NOx emissions. So for
7 both public health and for the environment, I'm strongly
8 in support of -- I'm strongly in support of this
9 resolution and regulation. Thank you.

10 CHAIR RANDOLPH: Board Member De La Torre.

11 BOARD MEMBER DE LA TORRE: Thank you. Thank you,
12 staff. The -- somebody mentioned that we had two MOUs,
13 one-in the late nineties, one in the early aughts. Eleven
14 years ago when I came onto this Board, we were talking
15 about another MOU and we were this close to approving it
16 before our great staff did a double check on the numbers
17 and showed that it wasn't worth paper it was written on.
18 We were not going to get the reductions that we wanted. I
19 remember a meeting with South Coast Air Quality Management
20 District on this issue, maybe 10 -- 9, 10 years ago that
21 didn't go anywhere.

22 So then that was when we decided this was the
23 path we were going to take, but we didn't know exactly
24 that this was going to be the path, but we were going to
25 do something through regulation respecting federal

1 jurisdiction, wanting it to be something that would impact
2 the communities that are affected.

3 And so I want everyone to know that we haven't
4 just been -- just because it's taken a long time doesn't
5 mean we have not been working this problem for a very long
6 time. We have never lost our focus. Our stance on this
7 issue has not changed. The path that it took us to get
8 here was a little bit different. We've been exasperated
9 by the railroad's failure to mitigate their impacts on
10 these communities, but we never stopped looking for
11 options in my 11 years on this Board. We continue to
12 seek, and we think we have found, a legally enforceable
13 regulation and one that would be approved by federal
14 agencies. That is very, very important.

15 If you'll recall, there was a time when we did
16 not send anything to Washington D.C. So we know, in this
17 case, because we're talking to them, and we're getting
18 positive feedback from them that we're on the right path
19 with this regulation. That is something we haven't had
20 for a while, so it's very important. These pieces all
21 have to fit together and I understand the frustration.

22 I grew up about a hundred feet from a rail line,
23 one house however from a rail line with trains that were
24 running 24-hours a day, much like what you're describing
25 in the Inland Empire. So I live still in that same

1 community, not next to the line, but very close, and close
2 to two railyards. And so I'm aware of the harm that this
3 diesel spewing these locomotives have on underserved
4 communities.

5 California has a thousand miles north/south and
6 almost 600 east/west. We're huge. And so the solutions
7 that we come up with for this industry have to meet that
8 geography. That's just a fact. And so the things that
9 are in this regulation will fit that geography, will give
10 us zero-emission solutions eventually for that geography.

11 For short haul rail, I agree with the comments of
12 Dr. Balmes, and what was said, and staff. The alternative
13 compliance mechanism does it. There's only 20 something
14 of you in the state, so you all can come to us with your
15 ideas. If the net effect is less emissions, we're good.
16 If it's not, we're not. So figure it out. If the data is
17 as compelling as you said, then we shouldn't have a
18 problem, in terms of getting that net emissions reduction.

19 On the technology, the two things we know about
20 today are battery electric and hydrogen fuel cell.
21 They're being tested. There are samples. I've talked to
22 manufacturers -- not rail companies, manufacturers who are
23 trying these things out. I think there's even one at
24 Roseville even as we speak, or maybe that's -- that pilot
25 is already done, where Roseville is.

1 (Laughter).

2 BOARD MEMBER DE LA TORRE: I'm from Southern
3 California. I don't know where the hell I am. It's
4 somewhere around here. So we are testing -- these are
5 being tested. And we are making breakthroughs on the
6 trucks, on diesel engines, in the same -- in the same
7 space. We can say this today. We couldn't say it five
8 years ago. And that's another dynamic in what has evolved
9 in these last few years.

10 So with that, I'm absolutely supportive. It has
11 been a long time coming, but I really wanted to emphasize
12 that we have not set this aside at any point. It's always
13 been something we wanted to accomplish and thankfully
14 today we finally get to do it.

15 Thank you.

16 CHAIR RANDOLPH: Board Member Hurt.

17 BOARD MEMBER HURT: Thank you, Chair.

18 When I was trying to think about what I would say
19 this morning, I think I started with just this idea of
20 history, and the thought that locomotives have really come
21 a long way since its inception. We've had the wood, and
22 steam, and coal, and oil, and diesel. And now it's time
23 for investment in cleaner, improved zero-emission
24 technology. And the time is now to continue that
25 evolution and transformation.

1 And I was looking at one of the larger rail
2 providers history page on their website. And they showed
3 the world's most powerful locomotive in 1969 that was both
4 gas and electric. And I'm thinking it's 2023. It is time
5 to kick-start the next step of transformation with trains
6 in this regulation. And this kick-start is not based on
7 technology that's not present. It's present and
8 improving. And plus, there's just no denying that very
9 dirty and old trains are being used near communities of
10 color, that are highly impacted, and already struggling
11 under a lot of other environmental racist issues.

12 We need to start the turnover and guided change.
13 And that's what this regulation is doing. And it's even
14 acknowledged by many of the major rail providers. And, in
15 fact, one I quote in their literature said, "The use of
16 battery-electric locomotives will reduce carbon emissions
17 and noise. And since battery-powered locomotives are
18 quieter than the diesel counterparts, it's time for
19 change". It's just that simple.

20 So we know what we need to do. No one, including
21 industry, is denying that there are many health and
22 environmental benefits with zero-emission locomotives. So
23 again, getting on the road of transition starts with this
24 regulation. So many thanks to the staff for being
25 extremely thoughtful and trying to tie this regulation to

1 meet the many different needs of the many different
2 locomotives that I had no clue. And so I started digging
3 into this regulation.

4 And I also just want to uplift, because I've
5 heard it many times before, and I want to say I agree, all
6 people have a fundamental right to breathe clean air.
7 Clean air and clean water are both essential to human
8 health and well-being. It's our mission to protect and
9 improve public health, air quality, and the climate. And
10 so we need to do what's right, those next steps. Air
11 pollution clearly violates the rights of life, health, the
12 rights of the child, the right to live in a safe, clean,
13 healthy, and sustainable environment.

14 And I'll tell you, our economy is so closely tied
15 with fossil fuel production, we tend to be crippled with
16 no action or slow action. And it comes to proper
17 regulations like this to protect the air that we all
18 breathe. And this regulation is us being better and
19 starting those necessary actions really to meet our SIP
20 goals.

21 So I want to thank the public commenters. I hear
22 the urgency and the pleas. I hear the youth voice, the
23 community voices. Gema, I heard your voice loud and
24 clear. You're right, we need to do what's right in this
25 moment. Is there ever a right time? I would say never a

1 right time, but now to do the right thing. This is going
2 to be a statement of our values. And I am sup -- highly
3 supportive of moving forward and will vote yes for this.

4 I do want to lift up one thing though, which is
5 the idling issue and my large concern around it. I
6 remember renting a car in Switzerland and getting to a
7 stop light and it shut off. And I thought, oh, is
8 something wrong with this car? Well, they have idling
9 rules, right, for automobiles. And I'm thinking, they are
10 being mindful about the future and the environment. Well,
11 what about us being more mindful about idling of
12 locomotives and the future and now.

13 And I want to turn to staff to talk about the
14 idling piece and how we arrived to kind of the 30 minutes?
15 And is this something that we can return to with the
16 technology reviews to just take a closer look at its
17 impact to those communities? Because I did hear the
18 video, which I appreciate, but I'm just thinking 30
19 minutes? There might be some technology issues why we
20 arrived there, but that's a long time to be polluting
21 quote/unquote in the communities.

22 TTD FREIGHT SYSTEMS SECTION MANAGER MANGAT:

23 Sure. And I'll Jump in with where the 30 minutes
24 came from. That's from EPA. And so OEMs have an
25 automatic -- the new locomotives, they have automatic

1 start and stop that cuts off to 30 minutes. So what we
2 don't have that we're going to achieve with this
3 regulation is reporting data on idling as well. So one
4 thing that we could bring back in that 2027 time frame is
5 the data we've acquired from the regulation going into
6 effect, the reporting data.

7 So at that time, we'll have data from operators.
8 We can make an informed decision. And just wanted to
9 mention that we've also included that language within the
10 resolution as well, the opportunity to make tweaks to that
11 in the future.

12 BOARD MEMBER HURT: Thank you. And I'll just
13 kind of wrap up here by saying, I know this is a
14 challenging regulation, especially for passenger fleets.
15 And I, too, think about public transit. I'm a big
16 supporter of it and the impacts that this may have, but I
17 know the State and staff has been working really hard with
18 public transit fleets and passenger fleets, so that we
19 don't face too long those financial cliffs, I hope.
20 Fingers crossed. But we have to move into the future and
21 everybody has to do their part. And so I will be voting
22 yes on this -- on this regulation.

23 Thank you for all the hard work.

24 CHAIR RANDOLPH: Okay. I'm -- we have a lot of
25 board participation, so I'm just going to go down the

1 line.

2 Board Member Takvorian.

3 BOARD MEMBER TAKVORIAN: Okay. Thank you.

4 Preach, Board Member Hurt. I love it.

5 (Laughter).

6 BOARD MEMBER TAKVORIAN: Thank you. I, too, want
7 to express a lot of gratitude. I want to start with all
8 of the community members and stakeholders who are here
9 today. I have to think about my own multiple decades of
10 concern about diesel pollution from rail, from trucks,
11 from ships, from cargo handling equipment. And I know
12 that all of you are not experiencing these impacts from
13 just rail. All of you are living in communities with
14 multiple sources of pollution. And I am so grateful
15 that -- I know that some of you are the children of people
16 who were here two decades ago to talk about these rules
17 and to talk about other rules. And I'm grateful for all
18 of the folks that came before you and the fact that you're
19 carrying on the fight and the demand for clean air to
20 breathe in our communities. So a lot of gratitude to all
21 of you.

22 And I know we think about data and we -- and it
23 kind of gets compared to stories -- individual stories. I
24 think it's all very important and I appreciate that you're
25 here telling the stories of individuals like yourselves,

1 but like your neighbors who can't be here to tell those
2 stories. And, you know, in San Diego and National City,
3 we lost someone to cancer this week and so we are
4 experiencing that. We'll have a memorial service for
5 someone that we lost in December and it goes on. And I
6 know that that's what's happening in your communities as
7 well. So I hear you and feel you more importantly, I
8 think, because we're all experiencing this.

9 And so when I think about the fact that this is
10 going to have such a huge impact on our health, I have to
11 think about those individuals that I know and that you
12 know. And I have to think about that avoided health costs
13 in terms of lives and money are invisible, right? We
14 don't know who of us is not going to get cancer as a
15 result of this rule. But what we know, is that there's a
16 90 percent reduction in cancer risk as a result of this
17 rule when it goes into -- when it's fully implemented.
18 Ninety percent, that is huge.

19 And I want to appreciate staff for the incredible
20 work that they've done. They are not necessarily the
21 children of folks that worked on this. They are all
22 getting a little older, as I am, but I know that you all
23 have worked for a very long time, for many years to bring
24 this to fruition in a way that will pass muster and will
25 bring those benefits to our communities, and is a

1 reasonable rule.

2 And I want to reinforce what Board Member De La
3 Torre said. It has been a long time in coming, but I also
4 want to say, it's -- while it's a historic step, and a
5 step that will save lives, let's be clear, it's 25 years
6 until we're at 100 percent zero emission. I support this
7 rule. I'm going to vote for this rule, but this is not
8 tomorrow and we all know that. And I appreciate the hope
9 and the patience that everyone here is demonstrating, both
10 from a legal perspective and from a community perspective.
11 I think this is reasonable. It's phased. It has -- staff
12 has taken into consideration the concerns that industry
13 has raised about costs and time. And I think we're --
14 we've done very well altogether and I'm really proud to be
15 able to sit here today and be able to take this vote.

16 So I, too, had the question about idling. And
17 I'm pleased that we got a response and that we'll be able
18 to work on that -- continue to work on that. I think that
19 maybe part of the reporting ought to be us all sending in
20 the audio of all of the trains, so every time, I'm sitting
21 there, I will just turn my little recorder on. I know
22 everyone, but -- but no, we all know that these are
23 critical impacts and I think we all want to make them make
24 it go as quickly as possible, but we need to do that
25 within the confines that we -- that we have.

1 So appreciation to everyone, to staff, and I look
2 forward to voting yes for this. Thank you.

3 CHAIR RANDOLPH: All right. Board Member Guerra.

4 BOARD MEMBER GUERRA: Thank you, Chair, very
5 much. I want to first also thank all the stakeholders and
6 all the folks who drove here from across the state.

7 (Spoke in Spanish).

8 BOARD MEMBER GUERRA: I know some people
9 referenced Sacramento as a capital, but this is a
10 community, and one that -- one that has a long history
11 with the railroad, and, you know, a tumultuous history.
12 And I won't go deep into the history. I'll let you all go
13 10 blocks up west to the Railroad Museum for it, and --
14 but it's one that I think for today it's a very historic
15 vote for Sacramento as well and what it means to our
16 state, what it means to public health and our community,
17 and -- you know, and the significant impacts that diesel
18 emissions have caused and what locomotives have
19 contributed to.

20 And I -- you know, I had an opportunity to sit
21 down with a lot of the different operators and appreciate
22 some of the concerns that they brought up, you know. And
23 one point though that was brought up a few times from
24 different folks was that this is just a small part of the
25 overall emissions. But, you know, thinking about where

1 you live -- and, you know, my mother, and my sister, and
2 my brother were able to purchase a home. And happen to be
3 next to a rail line and that's because it's where they
4 could afford. And, you know, I think about the -- that
5 impact. And even though it's a small area, it's a
6 localized impact. And that is what this rule intends to
7 do.

8 And I have heard from, not even just my
9 community, but communities in Sacramento that are probably
10 well off and also in other areas. And the one thing that
11 is common is it doesn't matter your income level, the
12 health impacts are the same. You know, everyone is
13 impacted by the localized source, even if it's small in
14 that area.

15 And so, you know, from our region here that has a
16 long history in Sacramento, Roseville, Colfax, all of
17 those areas where a built economy was built around the
18 railroad, lives were built around the railroad, they've
19 been -- they've been forced to live with the noxious fumes
20 and the impacts generationally. You know, obviously no
21 point of reference or no point to conclude to it, but, you
22 know, my own son was born a month prematurely. And we see
23 more of that data coming out, so I'm very sensitive to
24 that point.

25 And I think railroad companies should be

1 particularly sensitive to the activities that they do,
2 especially when they're around these receptors, these
3 communities, around areas where they're parked and idle.
4 And I remember working for, you know, a -- you know, a
5 legislator that represented Wilmington and visiting a
6 elementary school. And right behind it, there was a
7 parked locomotive, and 710 freeway as well. And so I
8 think about the long-term effects of those impacts. And I
9 think this -- where we're going and that recognition that
10 rail companies should be conscious of that effort, and
11 many have.

12 And so I want to thank Sierra Northern Railway,
13 because, you know, Board Member De La -- De La Torre, you
14 know, we're proud in Sacramento to have Sierra Northern
15 working on a hydrogen facility here at the Port of
16 Sacramento. And they would probably do more switchers if
17 they had other partners willing to join in. So in
18 Sacramento, as dark as, and as complex, and as rich as the
19 history in -- of the railroad has been, there's also a lot
20 of positiveness to it in that aspect that we're looking at
21 innovation.

22 I also want to, you know -- so thank you for --
23 Sierra Northern Railway for taking that step, that
24 initiative. But I also want to, you know, recognize some
25 of the stakeholders here and bring up a valid point of

1 service disruption, particularly when it comes to, you
2 know, food and agriculture, and the issue of feed and
3 livestock. And that comes from my experience in working
4 as farmworker. You know, we came to this country. We
5 worked as farmworkers because we needed an opportunity to
6 survive. And so one thing that I do know as a farmworker
7 is that, you know, food has a shelf life and livestock
8 must eat, but we all must breathe. And that is -- that is
9 a message I hope the industry also remembers is that --
10 and as a farmworker, we survive off the industry to be
11 able to provide for our family and get a path for us to be
12 where we are today to be able to be homeowners.

13 But it was regulations that made changes to crop
14 dusters spraying above us. They made changes to
15 regulations of when you burn and not burn a field where
16 we're all living in. So the progress has changed and
17 there's still much more work to do in that area.

18 All I'll say is I'm going to ask staff to work
19 with the stakeholders. I know we have the 2027 and '32
20 review, but understanding and making sure that service
21 disruptions when it comes to food is recognized, is
22 important, because it does lead to costs in food and
23 produce and we see it today. And who bears a higher
24 percentage of impact to those cost of foods? It's many
25 working families.

1 So I'd like to make sure that we address as we
2 move forward -- and I think the regulation has that -- has
3 that flexibility for staff to be working with those to
4 address the issues, the serious issues of service
5 disruption.

6 I'll chair -- I'll close here by saying that I
7 support this initiative. I'm going to vote for this
8 initiative, and particularly because of the idling issues
9 and how detrimental idling does to -- particularly in
10 communities that -- where the people are living adjacent
11 to it, kids are playing, and the long-term effects they
12 have to those today.

13 So a very historic day, but much more work to do.
14 And I'm more excited about the innovation that will come
15 and that we're pushing forward. Proud that that
16 innovation is actually coming here out of Sacramento. And
17 I hope the rest of the state will pick that up, so I will
18 be supporting this motion.

19 Thank you.

20 CHAIR RANDOLPH: All right. Thank you.

21 Dr. Pacheco-Werner.

22 BOARD MEMBER PACHECO-WERNER: Thank you, Chair.
23 In-Use Locomotive Regulation is needed now and California
24 is brave to do this regulation today, because you are
25 brave to keep raising your voice on this issue.

1 (Spoke in Spanish).

2 BOARD MEMBER PACHECO-WERNER: As a child, I lived
3 less than half a mile away from a railyard. I see you, I
4 hear you, and I commend everyone that came out to give
5 testimony at the first hearing and are here today.

6 As a fellow asthmatic with kids who also have
7 asthma, I know and see your urgency as well. I want to
8 thank the staff for their careful listening, for coming
9 down to the San Joaquin Valley and meeting with some of
10 those terminal operators, and understanding some of the
11 complexities, and seeing those reflected in the 15-day
12 changes. So I appreciate your thoughtfulness and
13 engagement with all of the stakeholders on this to be
14 where we are today.

15 I want to echo others around the idling issue. I
16 think -- I'm glad to see that we're going to come with
17 data in 2027. And I think that we also have -- I'm
18 wondering if we can also pull from the research and the
19 data that we already have had before the -- this
20 regulation around idling to really combine that knowledge
21 and not only come with new data, but in the context of
22 that old data as well to be able to come up with a path
23 forward. And the reason why I'm pushing at that 2027 to
24 come with recommendations is because I do see how, you
25 know, folks are maybe going to take that path of the --

1 you know, the AFMO, and thinking about, you know, what are
2 the opportunities if we do have, you know, in 12 years
3 most of these folks doing Tier 4, which will be fantastic,
4 but still idling right for 30 minutes at least, if not --
5 if not more if they're exempt.

6 So I would -- I would want to see something
7 sooner, if possible, and, you know, taking all the data
8 that we have into the context, not only from today on, but
9 from before as well. So thank you. Thank you so much.

10 CHAIR RANDOLPH: Board Member Kracov.

11 BOARD MEMBER KRACOV: So I want to thank the
12 staff for all the work here, Heather and Ajay, Cari,
13 Layla, Rhead for this. It's taken a lot of work to go to
14 this point, so thank you very much. I want to thank the
15 community members that came today, especially those, but
16 of course not limited to those from the South Coast Air
17 District for the really moving testimony.

18 I'll never forget years ago some of my first
19 visits to the Hobart and Commerce railyards. Never forget
20 the things that I saw that day, the proximity of the
21 locomotives to the community, and the impacts that those
22 railyards have on people's lives in Southern California
23 and throughout the state.

24 I want to thank Maria Carmen for the banner
25 today. Maybe that gets hung up here somewhere at

1 Headquarters, Chair. And Jan Victor. We were joking up
2 here when you said you're exhausted. That's one of the
3 words I would never use to describe you, January Victor.
4 But then you came back and said you're not exhausted and
5 that's the truth. So thank you and East Yard for your
6 advocacy on these issues.

7 I want to thank the passenger folks today. So
8 much work went into the work with them, CTA and Metrolink
9 especially in the Alternative Compliance Plan or the AFMO.
10 And just so happy to see that that worked out. I want to
11 thank the Air Quality Management District for coming
12 today. Let's get the gang back together when we consider
13 our Indirect Source Rule for the railyards coming up this
14 year. I'm also excited about the EPA's proposal with
15 regard to Clean Air Act preemption. It's very important
16 in this area.

17 I'm satisfied, Chair, with the proposal with
18 regard to the Class 3 locomotives -- railyards and
19 locomotives. They need to clean up their fleet. I do
20 believe that the alternative compliance mechanism, or the
21 AFMO, and the funding should be available to them. But
22 eager to see how that works out and think that our staff
23 really did try to accommodate them.

24 So that takes us to the Class 1s, BNSF and Union
25 Pacific. Let me first say sorry. Last Board meeting, I

1 noted that you didn't call me, you didn't reach out to me.
2 It turns out that was not true. You did. And there was a
3 SNAFU with the emails and I take accountability for that.
4 The good news is is that we have had the opportunity to
5 meet. And we really did have some good meetings with Mark
6 Lutz from UP, John Lovenburg from BNSF, Peter Okurowski
7 from the Association of American Railroads. And I learned
8 so much in those meetings and really eager to keep
9 talking. Please, let's keep talking.

10 And I do think that the tide is turning on this
11 point at the Class 1s. They have real sustainability
12 goals. Their investors are demanding cleaner fleets and
13 more sustainability. Their customers are demanding
14 cleaner fleets and more sustainability. And I do believe
15 up to the highest levels of management that they are
16 committed to changing, that they are committed to having
17 the tide turn when it comes to their air quality
18 emissions. And we heard today from Mr. Guerrero from UP
19 speaking about that a little bit.

20 And, yes, there are big constraints. These are
21 real, legal constraints, technology constraints,
22 infrastructure constraints. And we did frankly talk all
23 those things through. So let's keep talking here at the
24 Air Board and also at AQMD with regard to our Indirect
25 Source Rules.

1 But just respectfully, a few observations for the
2 Class 1s. The first, you know, to me, bellyaching, you
3 know, that you need money from CARB for your pilot
4 projects just simply is not persuasive. Do you know what
5 BNSF's operating income was in 2022? Nine billion
6 dollars. Do you know what UP's operating income was in
7 2022? Ten billion dollars. So come on, you have the
8 money to invest in cleaner air. You have the money to lay
9 a foundation for a cleaner economy and to grow your
10 businesses in this state with less acrimony in a more
11 sustainable way. So you have the money. And I hear the
12 hopeful talk from Mr. Guerrero at UP. Didn't hear from
13 the others today noticeably.

14 But also I want to say we need now to see the
15 details. What is the proposal about switchers? What is
16 your proposal about use of hybrids? What is your proposal
17 specifically on use of Tier 4s? What are your specific
18 infrastructure plans for electrification? What is your
19 proposal, railroads, for ZE cargo handling equipment?
20 What is your proposal for use of renewable fuels? You
21 know, what's the old expression, "Where is the beef"?

22 CARB and AQMD can keep passing the rules and
23 doing what we can. You can keep participating in these
24 meetings or maybe you don't. But if you really want to
25 change the dynamic, if you really want to turn the tied as

1 I believe you do, we need to see the beef at this point in
2 time.

3 So thank you, Chair. No surprise I'm supportive
4 of this rule. I know the work will really continue.
5 Heather and your team, please work with us at the South
6 Coast on our Indirect Source Rules. We need your
7 knowledge and support. I'm here, South Coast AQMD is
8 going to be here, CARB, of course, with all the
9 stakeholders to continue to lean in to this really
10 important work and cleaning up the railroads.

11 So thank you, Chair.

12 CHAIR RANDOLPH: Senator Stern.

13 SENATOR STERN: Thank you, Chair. And I'll echo
14 the sentiments of my colleagues here on the dais to staff.
15 But to the people who have been grinding for generations
16 who are here today, who are representing people they lost
17 or people who came before them, you know, this is -- this
18 is some comfort, but the real work begins now.

19 I think this is a crucial first step from the Air
20 Resources Board in a very long journey. And it will, I
21 hope, prompt the federal government to truly engage in
22 this conversation, as the Congress looks at what the
23 future of rail looks like in this country, what I would
24 call transformative scales of investment being offered to
25 the rail industry that are going to afford opportunities

1 well beyond even those operating budgets.

2 The buy-in from government to help show the path
3 towards change is there and I would express the same from
4 the State Legislature, not just as a sort of open-ended
5 promise, but just looking even at recent actions. To the
6 extent, you know, we need to be doing things differently
7 in California to make space for the kind of change that
8 needs to happen rapidly here, to bring the kind of
9 electrification retrofits that will be needed in switching
10 yards, complexities with interconnecting with utilities.
11 In the hydrogen fuel cell applications finding, you know,
12 those tweaks in law and those sort of impediments that may
13 stand in the way of you, but I would say especially to
14 the -- to the Class 1 folks now is the leadership moment.

15 And I would love to see us get out of this sort
16 of posture of exceptionalism and to say that, you know,
17 you can go deal with clean air in California except for
18 us. That there's sort of the unwritten part of I'm
19 listening to Board Member De La Torre talk about, you
20 know, the railyard and then the freeway. Well, we've done
21 a lot on those freeways. We're working very hard on those
22 freeways.

23 But to ten suddenly have to just look past the
24 railyard that's sitting right in your backyard, and say
25 that that doesn't have -- that we don't have a role to

1 play in changing that industry belies the nature of the
2 Clean Air Act and of State law. We've made a number of
3 efforts that we hope send that signal. And I think CARB
4 has more than heard that signal today. I think they've
5 led.

6 So I applaud the Chair, staff, Board, especially
7 the community for coming up. And I extend an open -- open
8 arms to all sectors of the supply chain that are going to
9 have to feed this transformation. And it will force a lot
10 of us to get into maybe some uncomfortable questions about
11 how to, you know, expedite this kind of infrastructure
12 that we need to fuel this system, questions around
13 questions around hydrogen that we may have to say yes in
14 big ways in certain places, you know, questions about even
15 parts of the renewable fuel chain that folks may be
16 uncomfortable with, but that we have to force ourselves to
17 wrestle with and say yes to in many cases to make this
18 possible.

19 So I think, you know, today is a really important
20 historic, I would say, flag planting moment for CARB in
21 driving regulatory innovation. I applaud you for it and
22 ready to get to work.

23 Thank you.

24 CHAIR RANDOLPH: All right. Thank you.

25 I think everybody had really eloquent things to

1 say. I will just note, as my colleagues have discussed,
2 locomotives are a key part of our goods movement sector.
3 And as over the years with CARB's leadership, the internal
4 combustion trucks have gotten a lot cleaner. We are now
5 moving to zero emission in the trucking industry as we
6 will discuss later today, but the -- but the railyard --
7 the railroads are behind and we need them to catch up. We
8 need them to be part of the solution. We need them to get
9 cleaner and this is a key step to do that.

10 I appreciate Councilmember Guerra's point about
11 the Class 3s and the opportunity for them to do an
12 alternative compliance mechanism. And so I think it will
13 be important for staff to continue those conversations, to
14 keep working with them to see if they can achieve the
15 emissions in the same way, and to provide them as much
16 sort of certainty as they -- as they plan going forward
17 for the -- for, you know, trying to develop a plan and
18 trying to implement the plan and make it work.

19 So I encourage those conversations to continue,
20 because there may be opportunities for early reductions.
21 And I understand that each of these smaller rail
22 operations have unique characteristics, as Board Member
23 Guerra mentioned. So we really need to keep those lines
24 of communication open and try to make this achievable,
25 because we want to see those reductions.

1 And again, thank you to the transit fleets for
2 the hard work that they did with staff to really
3 understand how best to make this transition for their
4 operations, and look forward to continuing to work with
5 them on the implementation issues.

6 Thank you to the community members who came and
7 who shared your thoughts, and your advocacy, and your
8 lived experiences. And, of course, thank you to staff.
9 This is a lot of work. And, you know, you guys really
10 unpacked a lot of key issues and found solutions for them,
11 so appreciate that work. And I look forward to continuing
12 to engage with South Coast on their ISR. I look forward
13 to continuing to engage with the EPA. We were so excited
14 to see that they are willing to discuss the issue of
15 preemption and how states communities can really step up
16 and address the impacts of locomotive operations in their
17 communities.

18 So with that -- yes. Oh, sorry. I didn't see
19 you over there. Go ahead.

20 BOARD MEMBER PEREZ: Hello, Madam Chair and thank
21 you. I've been watching this historical movement --
22 movie, if you will, from afar sitting back there and from
23 my room earlier. I want to thank staff and I want to
24 thank as well my colleagues here for your words of wisdom.
25 I also want to thank the community.

1 (Spoke in Spanish).

2 BOARD MEMBER PEREZ: Thank you for being here
3 with us.

4 (Spoke in Spanish).

5 BOARD MEMBER PEREZ: I was just mentioning to
6 folks from Imperial County, thank you for coming from
7 afar. It's very far. And this is how you make things
8 happen. This is how you transform our society, how you
9 change conditions by advocating and taking action, like
10 they just have. Their voice counts.

11 (Spoke in Spanish).

12 BOARD MEMBER PEREZ: I want to thank my colleague
13 Hector, Eric, Gideon, Senator Stern for your words of
14 wisdom, as well as my new colleagues that I get to meet
15 today. You know, watching the movie from back there is
16 very different than being right here on the dais. Being
17 out there with the folks and hearing you guys speak is
18 impressive. You make me proud, so thank you.

19 It reminds me of the good old days in the State
20 Legislature.

21 (Laughter).

22 BOARD MEMBER PEREZ: So back in the day,
23 Assemblymember Calderon once said when he was the Majority
24 leader and I was in my first two years, he'd say, you
25 know, the most important action we can take, even more

1 than speeches, is to demonstrate our values through our
2 vote. So less is more.

3 Why are we here, CARB? Why does this institution
4 exist? To improve air quality in California and to
5 safeguard the public health of California, so I will be
6 voting yes.

7 Thank you, Madam Chair.

8 CHAIR RANDOLPH: Thank you, Supervisor Perez.

9 The Board has before them a -- Resolution 23-12.

10 Do I have a motion?

11 BOARD MEMBER BALMES: So moved.

12 BOARD MEMBER TAKVORIAN: So moved.

13 CHAIR RANDOLPH: Okay. Well don't --

14 BOARD MEMBER TAKVORIAN: I'll second it.

15 CHAIR RANDOLPH: Okay. Dr. Balmes moves, Board
16 Member Takvorian seconds.

17 Clerk, would you please call the roll.

18 BOARD CLERK GARCIA: Yes. Dr. Balmes?

19 BOARD MEMBER BALMES: A very happy yes.

20 BOARD CLERK GARCIA: Mr. De La Torre?

21 BOARD MEMBER DE LA TORRE: Aye.

22 BOARD CLERK GARCIA: Mr. Eisenhut?

23 BOARD MEMBER EISENHUT: Aye.

24 BOARD CLERK GARCIA: Senator Florez?

25 BOARD MEMBER FLOREZ: Florez, aye.

1 BOARD CLERK GARCIA: Mr. Guerra?
2 BOARD MEMBER GUERRA: Guerra, aye.
3 BOARD CLERK ESTABROOK: Ms. Hurt?
4 BOARD MEMBER HURT: Aye.
5 BOARD CLERK GARCIA: Mr. Kracov?
6 BOARD MEMBER KRACOV: Yes.
7 BOARD CLERK GARCIA: Dr. Pacheco-Werner?
8 BOARD MEMBER PACHECO-WERNER: Yes.
9 BOARD CLERK GARCIA: Mr. Perez?
10 BOARD MEMBER PEREZ: Yes.
11 BOARD CLERK GARCIA: Dr. Quirk?
12 BOARD MEMBER QUIRK: Aye.
13 BOARD CLERK GARCIA: Dr. Shaheen?
14 BOARD MEMBER SHAHEEN: Aye.
15 BOARD CLERK GARCIA: Ms. Takvorian?
16 BOARD MEMBER TAKVORIAN: Yes.
17 BOARD CLERK GARCIA: Supervisor Vargas?
18 BOARD MEMBER VARGAS: Vargas, yes.
19 BOARD CLERK GARCIA: Chair Randolph?
20 CHAIR RANDOLPH: Yes.
21 BOARD CLERK GARCIA: Madam Chair, the motion
22 passes.
23 CHAIR RANDOLPH: All right. Thank you.
24 (Applause).
25 (Cheering).

1 CHAIR RANDOLPH: All right. Okay. A few
2 logistics. We are going to need to take a 10-minute break
3 to deal with a technical issue on Zoom that I'm going to
4 ask the Clerk to explain in a moment. Then we will have
5 the staff report for our next item. Then we will take a
6 lunch break. So it's -- how long, staff, about like half
7 an hour.

8 Yeah, so, 10-minute break. About after an hour
9 or so lunch -- I mean, staff report, then a lunch break,
10 then we will be taking public comment. So clerk -- wait,
11 don't go.

12 Clerk.

13 BOARD CLERK GARCIA: No. You pretty much covered
14 it. Just a reminder for those of us joining us in Zoom,
15 we will be shutting down the webinar. You'll need to
16 rejoin the webinar and then reraise your hand if anyone
17 had their hands raised. Thank you.

18 CHAIR RANDOLPH: Okay. So anybody who is on Zoom
19 will need to rejoin after the 10-minute break.

20 (Off record: 11:51 a.m.)

21 (Thereupon a recess was taken.)

22 (On record: 12:02 p.m.)

23 CHAIR RANDOLPH: Okay. All right, we are ready
24 to reconvene with our next agenda item. That item is Item
25 number 23-4-2, the proposed Advanced Clean Fleets

1 Regulation.

2 If are you here with us in the room and wish to
3 comment on this item, please fill a request to speak card
4 as soon as possible and submit it to a Board assistant.
5 If you are joining us remotely and wish to comment on this
6 item, please click the raise-hand button or dial star nine
7 now. We will first call on in-person commenters followed
8 by any remote commenters when we get to the public comment
9 portion of this item. As I noted before we took the
10 break, we're going to hear the staff report first, then
11 we're going to be taking a lunch break, but go ahead and
12 raise your hand and submit your comment cards now. This
13 regulation would accelerate the deployment of
14 zero-emission trucks in California -- in California in
15 fleets that are well suited to accommodate those trucks.

16 This is the second of two hearings on this item.
17 The first one was on October 27th, 2022. At that hearing,
18 the Board provided direction for staff to hold additional
19 meetings and to work with stakeholders to develop proposed
20 modifications to the initially proposed regulation. Staff
21 has accordingly engaged interest in parties and members of
22 the public through a series of two issue-focused work
23 group meetings and a more general workshop, and developed
24 proposed modifications to the proposed regulation. The
25 proposed modifications were released for a 15-day public

1 review and comment period. Today, the Board will be
2 considering the proposed changes and voting on the final
3 proposal.

4 For the past 20 years, CARB's fleet regulations,
5 like the Truck and Bus Regulation, have substantially
6 reduced criteria pollutants and particulate matter from
7 trucks operating within California. When it takes effect
8 next year, the Heavy-Duty Omnibus Regulation will
9 substantially reduce NOx emissions from new engines sold
10 in California and the Heavy-Duty Inspection and
11 Maintenance Program, adopted by the Board last year,
12 establishes a new Clean Truck Check Program that will
13 reduce real-world tailpipe emissions from existing
14 internal combustion engine powered trucks. These measures
15 help achieve significant emissions reductions from those
16 internal combustion engines, but there is still more to
17 do.

18 It is clear that the internal combustion engine
19 cannot achieve the emissions requirements needed to reach
20 California's public health, air quality, environmental
21 justice, and climate goals. We need zero-emission
22 vehicles everywhere feasible. And this regulation is a
23 next major step in the direction. Zero-emission vehicles
24 completely eliminate exhaust pollution benefiting those in
25 communities that are disproportionately impacted by truck

1 traffic. Not only are the majority of California's
2 seaports and railyards located within one mile of
3 disadvantaged communities, all 19 of the AB 617 community
4 steering committees throughout the state have identified
5 air pollution from heavy-duty vehicles as a concern in
6 their communities. These communities will directly
7 benefit from the proposed regulation.

8 Decarbonizing the transportation sector is one of
9 the most decisive actions we can take to drive down
10 emissions and reduce the harmful impacts of climate
11 pollution. The proposed regulation would accelerate the
12 deployment of zero-emission trucks and would
13 simultaneously help address the climate crisis, improve
14 air quality, and make significant improvements to key
15 concerns identified by communities. We also recognize
16 that more action will be needed to ensure an equitable
17 transition to zero emissions for all trucks.

18 The proposed Advanced Clean Fleets Regulation
19 would complement increasing zero-emission truck sales
20 require -- truck sales required by the Advanced Clean
21 Trucks Regulation starting in 2024. We have already
22 committed to future actions identified in the State
23 Implementation Plan that include further zero-emission
24 trucks measures that are scheduled to be considered in
25 2028.

1 There is no doubt that this transition would be
2 challenging. Staff has incorporated quite a bit of
3 feedback from stakeholders throughout this process and in
4 the staff presentation, I'm looking forward to hearing how
5 they're planning on tackling some of these challenges. We
6 know infrastructure is a common concern as is vehicle
7 availability. We have heard many concerns from wastewater
8 treatment facilities and landfills that want to know how
9 we plan to work with them to ensure that they're able to
10 continue to find a market for the renewable gas they
11 produce and grow new market opportunities.

12 Successful implementation of our methane
13 reduction goals in 1383 is critical to achieving our
14 climate goals, as we highlighted in the 2022 Scoping Plan.
15 And I want to make sure we have plans to continue to work
16 with our sister agencies and the facilities subject to
17 1383 to take advantage of opportunities to use waste gas
18 to produce hydrogen and decarbonize other sectors that do
19 not currently have a path to zero emission.

20 Dr. Cliff, would you please provide an overview
21 of the changes and the process to implement the Board
22 direction from last October.

23 EXECUTIVE OFFICER CLIFF: Thank you, Chair
24 Randolph.

25 As you said, the proposed regulation would phase

1 in zero-emission vehicles, or ZEVs, in fleet operations
2 that well suited for such vehicles and would establish a
3 clear date to end new medium- and heavy-duty combustion
4 vehicle sales in California.

5 At the first hearing last October, the Board
6 directed staff to consider advancing the end date for
7 sales of trucks with internal combustion engines and to
8 hold addition additional meetings with stakeholders to
9 consider developing additional compliance exemptions and
10 flexibility for fleets. The Board also requested
11 additional information, including information regarding
12 fleet sizes to help inform decisions on how to better
13 protect public health. Staff found that adding proposed
14 requirements for fleets to purchase California certified
15 engines when ZEVs aren't being purchased would achieve
16 similar benefits as lowering the fleet size threshold.
17 This change is part of the proposal for your consideration
18 today.

19 After the Board hearing in October, staff held a
20 number of workshops and meetings to closely work with
21 affected stakeholders to develop proposed changes in
22 accordance with the Board's recommendations.

23 Last December, staff heard from public and
24 private fleets involved in the diversion of organic waste.
25 Staff is proposing to extend the compliance deadlines for

1 these fleets, giving them until 2030 to start the
2 transition to their compressed natural gas vehicles to
3 ZEVs.

4 This would provide about two decades to shift
5 biomethane production to hydrogen or other
6 hard-to-decarbonize sectors, such as industrial or
7 residential uses.

8 In January, staff held a work group meeting
9 focused on ZEV infrastructure delays and ZEV availability,
10 and staff developed a number of proposed changes in
11 response to stakeholder concerns. In February, staff held
12 a workshop to share a preliminary draft of the proposed
13 changes. Then in March, the final draft of the proposed
14 modifications was published.

15 This package included a number of proposed
16 modifications to provide more flexibility for public
17 fleets to address a range of stakeholder concerns and to
18 implement the Board's direction from the first hearing. I
19 will leave the details to the staff presentation.

20 As you mentioned briefly in your opening remarks,
21 we recognize more will need to be done to reduce truck
22 exhaust in disadvantaged communities. Staff's
23 presentation will also discuss how this regulation will
24 address equity, specifically as it relates to provide
25 direct benefits to low-income communities adjacent to

1 freight hubs, such as warehouses, railroads and seaports,
2 as well as mitigating the impacts of truck exhaust for
3 these communities.

4 I will now ask Paul Arneja from the Mobile Source
5 Control Division to begin staff the presentation. Paul.

6 (Thereupon a slide presentation).

7 MSCD AIR POLLUTION ENGINEER ARNEJA: Thank you,
8 Dr. Cliff and good afternoon Chair Randolph and members of
9 the Board.

10 --o0o--

11 MSCD AIR POLLUTION ENGINEER ARNEJA: I'll start
12 by going -- providing background, summarizing Board
13 direction from our first hearing, go over the regulation
14 with 15-day changes we've made, and discuss next steps.

15 --o0o--

16 MSCD AIR POLLUTION ENGINEER ARNEJA: Reducing air
17 pollution is critical to protect the health of
18 Californians. Much of the air pollution and greenhouse as
19 emissions in California come from the transportation
20 sector with medium- and heavy-duty trucks being among the
21 highest emitters. Trucks can come in many different
22 configurations and sizes. And there are nearly two
23 million trucks operating in California. However, Class 7
24 and 8 tractors have a disproportionate share of the
25 emissions burden in communities living near freight hubs.

1 It accounts for 12 percent of the total truck population
2 or represent about 48 percent of the daily NOx emissions.

3 --o0o--

4 MSCD AIR POLLUTION ENGINEER ARNEJA: The Board
5 has taken many key steps to reduce medium- and heavy-duty
6 vehicle emissions. The zero-emission transition began
7 with regulations on transit buses in 2018 and airport
8 shuttles in 2019. In 2020 and 2021, the Board adopted
9 three major truck regulations. The Advanced Clean Trucks
10 Regulation will ensure a supply of new zero-emission
11 trucks from major manufacturers. The Heavy-Duty Omnibus
12 Regulation will reduce criteria and -- pollutant emissions
13 from internal combustion engines sold in California.
14 Heavy-Duty Inspection and Maintenance Program will ensure
15 that combustion engines and the emission control systems
16 are maintained and repaired promptly.

17 The proposed Advanced Clean Fleets Regulation
18 highlighted in the red box is a next step to drive
19 commercialization of zero-emission vehicles in fleets that
20 are best suited to lead the way.

21 Finally, last September, the Board adopted the
22 State Implementation Plan that includes the proposed
23 regulation and a new zero-emission truck measure, which
24 emphasizes that more is still needed to achieve federal
25 attainment standards.

1 has made significant investments over two billion dollars
2 to clean up combustion-powered vehicles through our
3 portfolio of incentive programs including Carl Moyer,
4 HVIP, Prop 1B, and Volkswagen Mitigation Fund. Despite
5 these past investments, the trucking fleet remains
6 large -- mainly diesel powered. However, at the same
7 time, we are seeing rapid uptake of zero-emission
8 technology, which is now the third most common powertrain
9 type sold in California.

10 Given the need for more emission reductions and
11 reaching the limit of the combustion-powered engine, we
12 need to transition California's fleet to zero-emission
13 technologies everywhere feasible.

14 --o0o--

15 MSCD AIR POLLUTION ENGINEER ARNEJA: There are
16 about 150 models available for order in all weight
17 classes, and the market is growing rapidly as new
18 manufacturers enter the zero-omission market. Vehicles
19 are available in the most common configurations, while
20 more specialized bodies are in the early market stage.

21 --o0o--

22 MSCD AIR POLLUTION ENGINEER ARNEJA: The Advanced
23 Clean Trucks Regulation ensures the supply of available
24 zero-emission vehicles will continue to grow in the
25 upcoming years. It requires manufacturers to sell

1 zero-emission vehicles as a growing percentage of sales in
2 all weight class -- vehicle classes starting in 2024.
3 Eight other states have joined California on the Advanced
4 Clean Trucks Regulation, with the most recent partners
5 being Colorado and Maryland. Other states are actively
6 considering the regulation.

7 The Board's resolution sets zero-emission targets
8 for future fleet requirements: 100 percent zero-emission
9 drayage, last-mile delivery and public fleets by 2035; 100
10 percent zero-emission buses, utility fleets, and refuse
11 trucks by 2040, and 100 percent zero emission everywhere
12 feasible by 2045.

13 --o0o--

14 MSCD AIR POLLUTION ENGINEER ARNEJA: Staff has
15 engaged in a thorough public process over the past four
16 years of rule development.

17 These communication efforts include hosting 27
18 public events, participating in listening sessions, and
19 steering committee meetings with communities, and holding
20 nearly 500 individual stakeholder meetings. In the past
21 month since the first Board hearing, we've held a number
22 of public workgroups hosted by Board Member Kracov and
23 former Vice Chair Sandy Berg, as well as the Zero-Emission
24 Infrastructure Roundtable in Otay Mesa hosted by
25 Supervisor Vargas and attended by Assemblymembers Garcia

1 and Alvarez.

2 Staff has also performed outreach to fleets
3 through informational resources, letters, postcards,
4 emails, radio interviews, and training events across the
5 state.

6 --o0o--

7 MSCD AIR POLLUTION ENGINEER ARNEJA:

8 Infrastructure is crucial to successfully
9 transition California's fleets to zero-emission
10 technology. Last week, the Governor announced a joint
11 agency statement of intent between California's partner
12 agencies. The statement of intent outlines the State's
13 shared approach to ensuring there is enough electricity
14 and hydrogen supply and there are enough fueling stations
15 to serve the growing zero-emission transportation market.

16 Among our shared principles for coordination and
17 cooperation are ensuring equity is a consideration in
18 decision-making, robust and frequent communication between
19 agencies, including the sharing of data and analyses where
20 feasible, joint stakeholder engagement, and coordination
21 of planning and funding programs.

22 In addition, CARB continues to discuss the issues
23 surrounding infrastructure with stakeholders and
24 electrical providers. Staff hosted several infrastructure
25 workgroups in order to foster collaboration and

1 coordination on this topic.

2 --o0o--

3 MSCD AIR POLLUTION ENGINEER ARNEJA: The fleet
4 components of the proposed regulation are consistent with
5 the statutory requirements of Senate Bill 1 to provide a
6 minimum useful life for commercial motor vehicles when new
7 regulations are adopted.

8 --o0o--

9 MSCD AIR POLLUTION ENGINEER ARNEJA: During the
10 first hearing in October, staff received the following
11 direction from the Board: to accelerate the 100 percent
12 zero-emission sales requirements; give public fleets more
13 flexibility and compliance options; to provide more time
14 for waste and wastewater fleets or diverting organic waste
15 and using biomethane in their trucks; to improve the
16 extensions and exemptions available by providing
17 additional flexibility and increasing clarity, and to
18 evaluate the effects of lowering the high priority fleet
19 size threshold from 50 vehicles to a lower value. Staff
20 sent a memo to the Board in February which outlined the
21 impacts and considerations with this change.

22 --o0o--

23 MSCD AIR POLLUTION ENGINEER ARNEJA: Now, I will
24 provide a summary of the proposed regulation.

25 --o0o--

1 MSCD AIR POLLUTION ENGINEER ARNEJA: The Advanced
2 Clean Fleets proposal has four main components which
3 complement each other. On manufacturers, a 100 percent
4 zero-emission vehicle sales requirement and three fleet
5 requirements on drayage trucks, State and local government
6 fleets, and high priority fleets.

7 --o0o--

8 MSCD AIR POLLUTION ENGINEER ARNEJA: First, on
9 the manufacturer side, staff is proposing a
10 first-of-its-kind requirement for medium- and heavy-duty
11 trucks establishing an end to internal combustion engine
12 sales. Per Board direction beginning 2036, all medium-
13 and heavy-duty vehicles sold into California must be zero
14 emission. This piece of the proposal is a key element for
15 meeting the State's carbon neutrality target, and the
16 goals laid out in the Governor's Executive Order. The 100
17 percent requirement also sends a clear signal to the
18 trucking market including manufacturers, fleets,
19 infrastructure providers, service technicians, and local
20 governments.

21 --o0o--

22 MSCD AIR POLLUTION ENGINEER ARNEJA: Next, is the
23 drayage truck requirements which apply to tractors
24 operating at the state's seaports and railyards. This
25 requirement will create a fully zero-emission drayage

1 fleet by 2035. To conduct drayage operations in
2 California, trucks must be registered in the CARB online
3 system. Legacy combustion-powered drayage trucks will be
4 allowed to register through December 31st, 2023. Legacy
5 drayage trucks will be able to -- will be able to remain
6 in drayage service until the end of their minimum useful
7 life, as long as they visit California seaport or
8 intermodal railyard annually.

9 Again, January 1st, 2024, only zero-emission
10 trucks can be added to the registration system. Starting
11 2025, legacy trucks that exceed their useful life must be
12 removed from drayage service. And in 2035, all trucks
13 must be zero emission.

14 --o0o--

15 MSCD AIR POLLUTION ENGINEER ARNEJA: Third are
16 the high priority and federal fleet requirements. This
17 portion of the regulation applies to well capitalized
18 business well suited for electrification. The proposed
19 requirements apply to any fleet with 50 or more vehicles
20 under common ownership and control or any fleet greater
21 than 50 million in annual revenue, as well as federal
22 government agencies. There are additional requirements on
23 brokers and motor carriers to ensure they're hiring
24 complying fleets. In addition to Class 2b through 8
25 vehicles, this requirement applies a off-road yard

1 tractors and light-duty delivery vehicles, such as those
2 operated by the postal service.

3 --o0o--

4 MSCD AIR POLLUTION ENGINEER ARNEJA: The default
5 option for high priority fleets is to follow the model
6 year schedule, which I'll describe first. Starting
7 January 1st, 2024, fleet owners must report which trucks
8 will be part of their California fleet. From that point
9 forward, all new additions to the California fleet must be
10 zero-emission or near-zero-emission vehicles. A
11 near-zero-emission vehicle is a plug-in hybrid that can
12 achieve a minimum all-electric range. Trucks that have
13 reached the end of their useful life must be removed from
14 the California fleet.

15 --o0o--

16 MSCD AIR POLLUTION ENGINEER ARNEJA: To
17 illustrate how this will work in practice, this slide
18 shows the schedule to remove legacy trucks based on the
19 age of the vehicle. 2010 model year trucks can operate
20 until 2028 and newer trucks have additional time. High
21 mileage vehicles like tractors a guaranteed a minimum of
22 13 years of operation, but would need to removed from the
23 fleet once they reach 800,000 miles or 18 years. Broadly,
24 this structure ensures a phase-in over time to
25 zero-emissions based on the age of the vehicles and the

1 company's fleet today.

2 --o0o--

3 MSCD AIR POLLUTION ENGINEER ARNEJA: For State
4 and local government fleets, the default option is a
5 zero-emission purchase requirement that aligns with public
6 fleet purchasing cycles. Starting in 2024, 50 percent of
7 purchase must be zero emissions. That means the other
8 half can be combustion powered until 2027. As part of the
9 15-day changes, near-zero-emission vehicles can be
10 purchased equally to full zero-emission vehicles to
11 provide more flexibility. However, agencies that are in
12 designated counties remain exempt from the purchase
13 requirements until 2027. Also, part of the 15-day
14 changes, this exemption has been granted to divisions that
15 have 10 or less vehicles. Starting in 2027, all purchases
16 made would need to be zero-emissions or near
17 zero-emissions. In this structure, if no vehicles are
18 being purchased, then no action is required. This means
19 that fleets can continue to operate their vehicles as long
20 as they wish.

21 --o0o--

22 MSCD AIR POLLUTION ENGINEER ARNEJA: The
23 zero-emission vehicle milestone schedule is a more
24 flexible approach. This is available to high priority
25 fleets and, as part of the 15-day changes, now State and

1 local government fleets. Under this option, a certain
2 portion of their fleet needs to be composed of zero- or
3 near-zero-emission emission vehicles. The requirements
4 are more aggressive for well-suited vehicles and delayed
5 for more specialized or longer distance vehicles. This
6 phase-in happens gradually over the next two decades.

7 As long as the ZEV milestones are met fleet own
8 -- fleet owners have considerable flexibility with the
9 rest of their vehicles. Fleets can prioritize which
10 vehicles to electrify and can purchase combustion-powered
11 engines as long as they meet need overall phase-in
12 requirements. As part of the 15-day changes, staff have
13 added a requirement that when purchasing a new combustion
14 engine, it must be certified to the California Omnibus
15 Standard. These are the cleanest engines available in the
16 nation.

17 --o0o--

18 MSCD AIR POLLUTION ENGINEER ARNEJA: Now, I'll go
19 over the various provisions available to fleets which were
20 added as part -- after the October hearing in response to
21 Board and stakeholder feedback.

22 The waste and wastewater fleet provision provides
23 more time for natural gas trucks that support waste
24 diversion and biomethane production to better align with
25 programs that support greenhouse gas reductions. The

1 five-day pass allows vehicles to temporarily operate in
2 California without affecting compliance. The
3 non-repairable vehicle provision allows the fleet owner to
4 replace a total combustion-powered vehicle without
5 changing the expected compliance date for the vehicle.

6 Dedicated snow removal vehicles are exempt from
7 the rule, but this provision was expanded to exempt
8 vehicles periodically used as snow removal vehicles until
9 2030. Lastly, transit agencies would be excluded until
10 2030 to ensure that they can focus their efforts on
11 electrifying their buses rather than their service and
12 maintenance trucks.

13 --o0o--

14 MSCD AIR POLLUTION ENGINEER ARNEJA: This slide
15 shows the various provisions in the regulation which staff
16 have updated. Most were significantly modified to make
17 them more flexible and to provide more tools to address
18 situations beyond the fleet owners control. I will
19 highlight two main proposals that have been revised.

20 --o0o--

21 MSCD AIR POLLUTION ENGINEER ARNEJA: The
22 zero-emission vehicle purchases exemption has been updated
23 to provide more flexibility and clarity to stakeholders.

24 First, CARB will develop a list of which
25 configurations do not have a zero-emission vehicle

1 currently available. Fleets would be able to purchase
2 listed vehicles as combustion-powered without applying for
3 an exemption. Staff have clarified what criteria we'll be
4 using to determine whether a vehicle is available. It
5 must meet our zero-emission powertrain certification,
6 cannot be a demonstration vehicle, and must be available
7 to purchase within the next two model years.

8 This provision would also allow for exemptions
9 when a zero-emission vehicle is listed as available, but
10 the body cannot be configured with the features necessary
11 to meet its primary intended function. If criteria are
12 met, the Executive Officer will approve the extensions
13 within 45 days of receiving a complete application. This
14 exemption ensures that fleets have options if a
15 zero-emission vehicle is not available. So any claims you
16 may hear about being required to buy a ZEV that isn't
17 available are incorrect.

18 --o0o--

19 MSCD AIR POLLUTION ENGINEER ARNEJA: The
20 infrastructure delay extension was modified significantly
21 in response to Board feedback. First, the construction
22 delay has been expanded to cover delays of up to two years
23 instead of one. Additionally, fleets may claim this
24 exemption if there is a delay in delivery of fueling
25 equipment for zero-emission vehicles, such as chargers.

1 vehicle into California temporarily without affecting
2 their compliance.

3 --o0o--

4 MSCD AIR POLLUTION ENGINEER ARNEJA: So in
5 summary, the proposed regulation is phased in over the
6 course of the next two decades and all combustion-powered
7 vehicles are guaranteed their full useful life. This
8 transition will not happen overnight. Both public fleets
9 and high priority fleets can use a ZEV milestones option
10 and have flexibility to purchase near-zero-emission
11 vehicles with all-electric range.

12 Lastly, the regulation includes numerous
13 provisions to ensure a fleet owner would not be out of
14 compliance for situations outside the fleet's control.
15 They include vehicle delivery delays, infrastructure
16 delays, accidents, and other unforeseen events. Likewise,
17 the proposed regulation allows for the purchase of
18 combustion-powered vehicles if a zero-emission vehicle is
19 not available or does not meet the fleet's duty-cycle
20 needs.

21 --o0o--

22 MSCD AIR POLLUTION ENGINEER ARNEJA: Turning to
23 benefits. This widespread electrification of the state's
24 trucks and buses is expected to result in significant
25 emission reductions in particulate matter, oxides of

1 nitrogen, and greenhouse gas emissions. The proposed
2 regulation is expected to result in substantial criteria
3 emission reductions. These reductions will be key in
4 meeting the State's 2031 and 2037 ozone attainment target
5 goals.

6 In addition, the proposed regulation is expected
7 to result in major greenhouse gas benefits. Zero-emission
8 vehicles produce zero tailpipe emissions and less upstream
9 emissions than gasoline or diesel vehicles.

10 --o0o--

11 MSCD AIR POLLUTION ENGINEER ARNEJA: The proposed
12 regulation would ensure there are significant benefits in
13 disadvantaged communities. All drayage trucks that
14 operate at seaports, railyards, and warehouse would be
15 zero emission by 2035 and about 70 percent of all
16 semi-trucks that operate at warehouses and in all
17 communities will be zero emission by 2040.

18 --o0o--

19 MSCD AIR POLLUTION ENGINEER ARNEJA: The proposed
20 regulation is expected to result in extraordinary benefits
21 to Californians. This includes over 26 billion in health
22 savings to Californians due to avoided premature
23 mortalities, avoided hospitalizations, and avoided
24 emergency room visits.

25 The proposed regulation is also expected to

1 result in nearly \$46 billion in net cost savings to
2 California fleets. While zero-emission vehicles are
3 expected to cost more up front, reduce fuel costs, lower
4 maintenance expenses, and Low Carbon Fuel Standard revenue
5 are expected to deliver a net savings to fleets.

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

11 --o0o--

12 MSCD AIR POLLUTION ENGINEER ARNEJA: We want to
13 highlight some concerns we will hear today and provide
14 related information to the Board.

15 --o0o--

16 MSCD AIR POLLUTION ENGINEER ARNEJA: Some of the
17 issues you might hear today will ask to require the lowest
18 certified engines, referring to natural gas engines. As
19 mentioned before, the proposed regulation already requires
20 the engines certified to California standards, which are
21 the cleanest engines available due to the Heavy-Duty
22 Omnibus Regulation. This proposal would limit fleets'
23 abilities to purchase legal California certified engines
24 and effectively sets a new emissions standard, one that
25 could not be justified when the Heavy-Duty Omnibus

1 engines are more than 300 percent of the standard. For
2 goods movement, diesel operate at 500 percent of the
3 standard, while natural gas is more than 200 percent of
4 the standard.

5 Similar results occur for natural gas engines
6 certified to the older test procedure for the optional
7 0.02 standard shown on the right. These engines operate
8 at 600 percent of the certified standard. While these
9 vehicles did emit less than vehicles at the 0.2 standard,
10 they were still 500 percent above this older test
11 standard. Our main takeaway is that regardless of the
12 fuel type, combustion-powered vehicles regularly produce
13 emissions above their certified levels. The Heavy-Duty
14 Omnibus Bus Regulation and Inspection and Maintenance
15 Program will help to mitigate this, but ultimately,
16 zero-emission vehicles are the only technology that cannot
17 become high emitters.

18 --o0o--

19 MSCD AIR POLLUTION ENGINEER ARNEJA: This slide
20 highlights the current status of natural gas stations in
21 California. Currently, the population is stagnant.
22 Conversely, we've seen rapid growth in the number of
23 charging stations for light-duty vehicles and are
24 beginning to see a significant investment in heavy-duty
25 recharging refueling stations.

1 --o0o--

2 MSCD AIR POLLUTION ENGINEER ARNEJA: During the
3 fist Board hearing, we heard numerous concerns from public
4 utilities asking for more flexibility. Staff have worked
5 with the utilities over the past several months to address
6 many concerns raised by offering new flexibilities or
7 improving additional ones -- improving existing ones. We
8 have provided public fleets the option to use a ZEV
9 milestones option. This provides flexibility over the
10 default requirements for government fleets by allowing
11 combustion purchases and delaying requirements for work
12 trucks and specialty vehicles.

13 We have modified their requirements to allow
14 purchasing near-zero-emission vehicles or plug-in hybrids
15 with a minimum all-electric range to meet the
16 requirements. These vehicles should be ideal for many
17 cases, as utility vehicles typically only operate a short
18 distance per day, but may required to operate for extended
19 periods for emergency operations.

20 We have expand the zero-emission vehicle purchase
21 exemption to address situations where a specific
22 configuration oh vehicle function is not available for the
23 fleet to purchase. We're allowing greater flexibility in
24 applying for the daily usage exemption by letting utility
25 fleets pull data from any event in the past five years.

1 Access to the mutual aid exemption has been
2 greatly improved. Fleets now need to have a quarter of
3 their vehicle -- their fleet be zero emission to qualify,
4 down significantly from the previous threshold of 75
5 percent. Public fleets have more -- public fleets have
6 more time to make purchases when they're granted an
7 exemption to recognize longer procurement cycles else for
8 public fleets.

9 Broadly, these changes ensure that utilities can
10 comply with the regulation while ensuring their ability to
11 respond to emergency events.

12 --o0o--

13 MSCD AIR POLLUTION ENGINEER ARNEJA: Staff have
14 been evaluating ways to achieve additional emission
15 reductions. The newly added requirement to purchase
16 California certified engines and accelerating the 100
17 percent zero-emission sales requirement to 2036, both
18 generate significant benefits.

19 The reductions were comparable to what would
20 have -- what would have been achieved by lowering the
21 fleet size to 10 or more vehicles. The Board has
22 committed to returning with a zero-emission truck measure
23 in 2028 to electrify the rest of the fleet. This measure
24 is a commitment in the recently approved State
25 Implementation Plan.

1 Lastly, the Board has discussed with staff
2 potential upgrades -- updates to the Advanced Clean Trucks
3 Regulation to better align manufacturer sales and fleet
4 purchases.

5 --o0o--

6 MSCD AIR POLLUTION ENGINEER ARNEJA: Now, to
7 discuss next steps.

8 --o0o--

9 MSCD AIR POLLUTION ENGINEER ARNEJA: Staff
10 recommends the Board adopt Resolution 23-13, which staff
11 updated yesterday on April 26th, which does the following:
12 approve the written responses to environmental comments;
13 certify the Final Environmental Analysis and make the
14 required CEQA findings; adopt the Advanced Clean Fleets
15 Regulation; and direct the Executive Officer to submit the
16 regulation to the U.S. Environmental Protection Agency for
17 its inclusion in the California State Implementation Plan.

18 --o0o--

19 MSCD AIR POLLUTION ENGINEER ARNEJA: The
20 Resolution gives further direction on transitioning
21 California's fleet to zero-emission vehicles: to develop
22 the Zero-Emission Truck Measure, as proposed in the State
23 Implementation Plan; staff will evaluate increasing the
24 Advanced Clean Truck rules requirements to meet or exceed
25 the fleet requirements consistent with the State

1 Implementation Plan; and to coordinate with our sister
2 agencies on policy discussions moving biomethane from
3 transportation to other decarbonized --
4 hard-to-decarbonize sectors aligned with Senate Bill 1440.

5 As mentioned before, this past week, CARB and our
6 partner agencies have signed a joint statement of intent
7 formalizing coordination on infrastructure development
8 moving forward.

9 Lastly, we are hearing recommendations from
10 stakeholders on the course of action for future
11 zero-emission measures and have proposed language in the
12 resolution addressing this.

13 Thank you. This concludes staff's presentation.

14 CHAIR RANDOLPH: Okay. Thank you. We are going
15 to go ahead and take a 50 minute lunch break. So we will
16 be back at 1:30 to hear public comment on this item.

17 Thank you.

18 (Off record: 12:39 p.m.)

19 (Thereupon a lunch break was taken.)
20
21
22
23
24
25

1 committed to assisting customers through the transition to
2 a decarbonized economy. We appreciate CARB staff's
3 efforts and request that the Board mandate the additional
4 modifications we've discussed in our comments, two of
5 which I just want to highlight now. First, we ask that
6 CARB clarify that the concept of common ownership or
7 control does not apply to temporary requests and is
8 instead specific to relationships where the controlling
9 party has the exclusive right to direct vehicle control
10 for a period of one year or longer.

11 Without this clarification, fleets could be
12 required to track information for all vehicles used by the
13 third parties they hire, even though this was served to
14 multiple customers for single purpose requests, like the
15 delivery of lights, generators, or even portable toilets
16 to a job site.

17 Secondly, we recommend that CARB modify the rule
18 to make clear that the Executive Officer has the
19 discretion to adjust the site electrification delay
20 extension beyond the pre-established time frame, if
21 needed, by the utility and if no other alternative
22 solutions can satisfy the fleet owner's charging needs.

23 Thank you very much.

24 BOARD CLERK HARRINGTON: Thank you. Next is
25 Frank Harris.

1 FRANK HARRIS: Thank you very much. My name is
2 Frank Harris. I represent the California Municipal
3 Utilities Association. CMUA's members are essential
4 public service providers including publicly owned electric
5 utilities and public water and wastewater agencies.

6 California's POUs and public water and wastewater
7 agencies use highly specialized vehicles to maintain these
8 essential public services safely and efficiently. Similar
9 to Governor Newsom, CMUA and our members support a
10 transition to ZEV fleets, where feasible.

11 Unfortunately, as currently presented, the CMUA
12 members remain concerned that this rule will limit their
13 ability to respond to emergency circumstances safely and
14 quickly. CMUA and our members have presented these
15 concerns in meetings with CARB leadership and staff by
16 multiple comment letters and regulatory red lines.

17 But today I want to address one element of the
18 rule that is paramount to my members. CMUA requests that
19 the Board direct the Executive Officer to initiate further
20 regulatory action to eliminate the 13th model year
21 restriction. While staff referenced SB 1 in this regard,
22 SB 1 was written to prohibit regulations from requiring
23 fleets to abandon their vehicles too early and not intend
24 to require fleets to keep their vehicles longer than their
25 expected useful life. And this restriction effectively

1 renders many of the flexibility measures just described
2 before lunch unusable for fleets that follow official
3 practices of retiring specialty vehicles earlier than 13
4 years.

5 To better ensure that vehicles can continue to
6 work reliable -- reliably, excuse me, many CMUA members
7 follow a path -- a policy of replacing these vehicles
8 every 7 to 10 years. This information has been provided
9 in various meetings and comment letters as I mentioned.
10 But the regulation before you does not reflect the real
11 world practice and often formal governing board policy of
12 many CMUA members.

13 Thank you for the time today.

14 BOARD CLERK HARRINGTON: Thank you. Next up will
15 be Yasmine Agelidis followed by Manny Leon, and Suzanne
16 Seivright-Sutherland.

17 YASMINE AGELIDIS: Hi. Good afternoon. Good
18 afternoon, Chair and Board members. My name is Yasmine
19 Agelidis and I'm an attorney with Earthjustice. I'm
20 speaking today in unison with more than 50 members of a
21 united coalition of environmental groups, frontline
22 advocates, public health organizations, truck driver and
23 electrical worker unions, business groups and fleets. We
24 are united in our strong support of the Advanced Clean
25 Fleets Rule.

1 In your vote today, you wield the power of
2 determining whether thousands of Californians will avoid
3 the emergency room for heart and lung disease, whether we
4 can meet the IPCC's call for immediate action to limit the
5 worst impacts of climate change, whether California's
6 economy will get a \$48 billion boost, whether firms and
7 not drivers will be accountable for the financial
8 responsibility of transitioning to zero, and whether
9 California will create thousands more high road jobs for
10 electrical workers and truck manufacturers.

11 The opportunity for this rule's success has never
12 been greater. We've seen dramatic progress on electric
13 truck technology, significant policy tailwinds from the
14 federal government, and a torrent of funding that is
15 rapidly ramping up charging infrastructure in our state.

16 Please vote to adopt this rule today.

17 Thank you.

18 BOARD CLERK HARRINGTON: Manny Leon.

19 MANNY LEON: Oh, sorry. Manny Leon California
20 Alliance for Jobs. I come before this Board many times
21 before initially stating that we and the construction
22 industry understand the need for the green transition to
23 address our climate crisis. However, we strongly urge
24 this Board to vote down this proposal presented today.
25 The negative economic impacts to private industry and our

1 public sector partners will significant -- will be
2 significant and damaging.

3 We have all read countless articles about
4 projects being delayed or stalled due to lack of capacity
5 or a sizable number of existing charging stations that do
6 not effectively operate. We should be aggressively
7 addressing these issues before imposing a regulation that
8 will cost both public -- the public and private sector
9 millions to achieve compliance with no real assurance that
10 specialty ZEVs vehicles will be available or the state's
11 electrical grid will be able to handle the increased
12 demand.

13 Specifically for our sector, the proposed
14 regulation fails to address the unique nature of the
15 con -- of construction sites and vehicles. Construction
16 sites are not permanent, yet charging stations will need
17 to be built on sites, and it's been proven that ZEV
18 construction vehicles will not be able to handle the same
19 workload as existing ICE construction vehicles.

20 As a result, entities will have to purchase
21 double if not more the amount of ZEV construction vehicles
22 to handle the same workload. Ultimately, project costs
23 will rise in order to reach ACF compliance. To that end,
24 and into -- California's entering, at the very minimum,
25 and economic slow down. As project costs -- as projects

1 costs increase due to ACF, this will cut into the funding
2 available for construction projects and just as important
3 infrastructure maintenance. This will result in the
4 decline of -- in construction jobs at a time when these
5 jobs will be critical to generate economic activity.

6 For those and many other reasons associated with
7 the proposed ACF, we urge a no vote. Thank you very much.

8 BOARD CLERK HARRINGTON: Suzanne
9 Seivright-Sutherland. And that will be followed by David
10 Renschler and Michael D. Taylor.

11 SUZANNE SEIVRIGHT-SUTHERLAND: Good afternoon.
12 It's a pleasure to join you all this afternoon at today's
13 hearing. I'm Suzanne Seivright-Sutherland from California
14 Construction and Industrial Materials Association, better
15 known as CalcIMA.

16 CalcIMA supports the regulations aimed to make
17 California a health and beautiful place to live, but also
18 understands that regulations with a more workable path to
19 compliance are going to yield more successful results.
20 There are clear motivations for the prompt approval of
21 this regulation that seems to have created an obstacle for
22 CARB staff to address the several concerns that are
23 detailed in our comment letters. As a solution, we kindly
24 request your consideration for the establishment of a
25 feet -- a fleet advisory group by CARB staff to support

1 the successful implementation of this regulation. We also
2 request a date for CARB staff to review with the governing
3 board a general status update on the regulation meeting
4 its projected targets, compliance issues, along with
5 proposed adjustments to the regulation that may resolve or
6 minimize compliance issues. Specific to the fleet
7 advisory group, I brought a proposed model for your
8 consideration. I can provide that with you now and I can
9 also email it to you and the CARB rulemaking team.

10 Thank you.

11 BOARD CLERK HARRINGTON: David Renschler.

12 DAVID RENSCHLER: Good afternoon, Chairman and
13 Board. My name is David Renschler. I represent the
14 Northern California MEMA group as well as a member of
15 NAFA. And I happen to be the Fleet Division Manager for
16 the City of Fairfield as well.

17 So, I started out I wanted to talk about some of
18 the budget constraints that our members, which a lot of
19 Northern California smaller cities, are having and looking
20 at budget shortfalls for next year and possibly the year
21 after as well, as sales taxes is going down a lot and
22 property values are just starting to dip, which is going
23 to cause property tax revenue to go down.

24 And our own City of Fairfield project that Phase
25 1 for our to meet ACF regulations is \$60 million of

1 infrastructure and Phase 2 is 72 million. So far though,
2 we have gotten \$12 million in federal grants, but it
3 doesn't look like that we'll get much more.

4 So with a budget deficit coming and a small
5 amount of federal funds, we're not sure how we're going to
6 be successful as we want to be successful. All of our
7 members want to be successful in going to zero emission.
8 However, an example that happened to me this morning is
9 we're looking at temporary charging for some heavy-duty
10 vehicles we have coming and we looked at using a propane
11 powered generator. However, the air district is now
12 saying they may not give us a permit, so that we can
13 charge our electric vehicles until our permanent
14 infrastructure. So I'm not sure that the interagency is
15 actually working.

16 Thank you.

17 BOARD CLERK HARRINGTON: Michael Taylor, who will
18 be followed by Jennifer Goodsell, and Elisabeth de Jong.

19 MICHAEL TAYLOR: Good afternoon. I serve as the
20 advocacy lead for NAFA, the Fleet Management Association.
21 We have 3,000 members across the U.S. in nearly 300
22 members based in California, and others based in other
23 states that operate vehicles in California.

24 On an annual basis, NAFA members manage 4.6
25 million vehicles, providing all manner of essential

1 services on a regular basis. Please allow me first to
2 echo the remarks made by David Renschler, a NAFA member,
3 who just spoke before me. NAFA supports the ZEV goals of
4 the proposed regulation, but our members need a more clear
5 and feasible path to compliance.

6 We provided a number of specific examples that
7 needed additional clarity in and our 15-day period
8 comment. We hope that CARB staff will go even further
9 than before when it comes to FAQs, trainings, fact sheets,
10 designated State holder group meetings, and keeping the
11 relevant resource websites as up-to-date as possible.

12 NAFA wants to be an engaged, credible, and
13 helpful partner in making the goals contained in this
14 proposed regulation a reality. In the spirit of support
15 and cooperation, we work hard to offer viable solutions
16 whenever we identify problems.

17 In conclusion, I also want to acknowledge today's
18 announcement from CARB staff regarding the May 9th Next
19 Stop to Zero breakout session getting started in ZEV 101.
20 Thank you. And again, please continue with such actions
21 and keep in mind it is vital for you to go even further in
22 this area.

23 Thank you for the time.

24 BOARD CLERK HARRINGTON: Jennifer Goodsell.

25 JENNIFER GOODSELL: Good afternoon, CARB Board

1 members and staff. Imperial Irrigation District supports
2 a comprehensive strategy to accelerate the
3 transmission[SIC] to zero-emission vehicles. And we are
4 implementing pilot projects and purchasing programs to
5 incorporate ZEVs when they're available, tested, and
6 suitable for electrification.

7 However, we do remain concerned that the draft
8 ACF Rule will jeopardize our ability to restore essential
9 water and energy delivery services to our customers in
10 Imperial and Riverside counties, specifically, the
11 provisions related to emergency response and the 13th
12 model year requirement are the most concerning to us.

13 Under the ACF Rule, public fleets would have the
14 ability to apply for certain exemptions, but unfortunately
15 we cannot obtain those exemptions unless a vehicle has
16 reached its 13th model year. IID has Board-adopted
17 vehicle retirement criteria based on industry standards
18 and maintenance history, which is 7 to 10 years, not 13.
19 We are seeking your Board's consideration to allow us to
20 replace a vehicle when it reaches the end of its useful
21 life and remove the 13-year threshold.

22 Power outages and unplanned utility repairs are
23 urgent in nature. They do require immediate deployment of
24 staff and specialized equipment. While some emergency
25 events will eventually to disaster declarations, we aim to

1 be more proactive in our response to prevent further
2 cascading events and avoid such declarations if at all
3 possible.

4 We are again seeking your consideration to
5 consider on the emergency response provision to redefine
6 the emergency operation to include non-declared events as
7 well as remove the exclusion of high usage days from its
8 analysis on the daily usage requirement. To be clear, IID
9 does support a transition to ZEVs, but we ask for narrow
10 modifications to this very important rule to avoid
11 unintended impacts to our operations as well as to our
12 rate payers.

13 Thank you so much for your time.

14 BOARD CLERK HARRINGTON: Next up is Elisabeth de
15 Jong followed by Noelle Mattock and then Nicholas
16 Schneider.

17 ELISABETH De JONG: Hello. My name is Elisabeth
18 de Jong with the Southern California Public Power
19 Authority, or SCPPA, consisting of 12 local publicly owned
20 electric utility members.

21 We are committed to supporting the zero-emission
22 vehicle transition by prioritizing purchasing ZEVs for our
23 public agency fleets wherever feasible. However, the rule
24 must recognize that POUs play an essential role in
25 responding to emergencies such as extreme climate events

1 and physical attacks. If POU's are delayed in restoring
2 power, it can be a matter of life and death, which is why
3 it is so important that the rule accommodates POU needs
4 including eliminating our arbitrary standards and not
5 ignoring how POU's have used their vehicles when they are
6 needed the most.

7 First, we ask that you remove the recently added
8 13th model year restriction precluding POU fleets from
9 utilizing necessary exemptions. This standard is out of
10 touch with POU's like IID that Board-adopted retirement
11 schedules well below 13 years. Staff's justification for
12 this restriction is based on a provision in SB 1 that is
13 not relevant to the issue at hand.

14 Second, we ask that you remove the provision that
15 excludes the three highest data readings for justifying
16 need to use the daily usage exemption. We cannot ignore
17 the highest dates, because those are precisely when those
18 vehicles are needed to protect our communities. SCPPA
19 asks you to provide one more round of 15-day changes under
20 direction of the Executive Officer as authorized in
21 today's resolution. We also ask that CARB open a
22 subsequent implementation rulemaking to monitor progress
23 and make timely amendments as needed. We urge you to
24 review the letter that you received signed by 61 general
25 managers of public agencies.

1 With that, I'd like to thank you for your time
2 and consideration.

3 BOARD CLERK HARRINGTON: Noelle Mattock.

4 NOELLE MATTOCK: Good afternoon, Chair Randolph
5 and members. Noelle Mattock with the City of Roseville.
6 I'm here today to express the concern that we've had from
7 the outset of this process. In 2017, Roseville took the
8 cues from the Governor and Legislature and embarked on an
9 ambitious \$30 million circular economy project. Our
10 energy recovery project now diverts biosolids and organics
11 from the waste stream and is creating renewable natural
12 gas to fuel our refuse fleet and will offset 10 percent of
13 the wastewater treatment plant's energy use.

14 Using RNG in our refuse fleet is the highest and
15 best use, both economically and environmentally.
16 Roseville appreciates the time Board members took to
17 understand our issue when they directed staff to work out
18 our unique situation, where we have control of the waste
19 streams and are transforming them into RNG, a beneficial
20 use, and providing carbon negative fuel for our fleet
21 today.

22 The regulation before you today absolutely does
23 not address our issue. We appreciate the language to the
24 resolution -- that was added to the resolution yesterday
25 attempting to address that 1383 issue. But the fact

1 remains, Roseville is in a catch-22 position with our
2 statutory obligations to meet the requirements of SB 1383
3 and the rush to move to the state's transportation sector
4 to all electric, all while the state struggles to meet
5 current energy demands and their not proven technologies
6 in the marketplace to meet our needs. Roseville requests
7 your no vote today or at minimum direct staff to modify
8 the resolution, so that it does not choose a predetermined
9 priority like pipeline injection for the RNG that we
10 produce. Specifically, we would suggest adding -- can I
11 finish? Okay. That's -- I'll finish. Specifically, it
12 would be just adding "and SB 1383" right after 1440 in the
13 very last sentence of the resolution. And that would help
14 us out a lot.

15 CHAIR RANDOLPH: Thank you.

16 NOELLE MATTOCK: Thank you.

17 BOARD CLERK HARRINGTON: Thank you.

18 Next up is Nicholas Schneider, followed by Nick
19 Blair, and then Corey Peters.

20 Nicholas Schneider?

21 Nick Blair.

22 NICK BLAIR: Good afternoon, Chair Randolph and
23 Board members. My name is Nick Blair. I'm a State
24 Relations Advocate with the Association of California
25 Water Agencies, also known as ACWA. We represent over 460

1 public water agencies throughout California, which
2 accounts for 90 percent of delivered water. And we -- our
3 fleets have many specialty vehicles that provide essential
4 public services throughout the state.

5 Thank you for the opportunity to speak today.
6 ACWA has been engaged throughout this process of the
7 proposed ACF. And as we've said throughout, we're
8 supportive of transitioning to ZEVs where feasible to meet
9 the State's goals and where -- and we appreciate where
10 changes have been made by staff through our conversations
11 with staff and Board members, but we continue to be
12 vigilant in our concerns that we've raised throughout this
13 process. We've submitted numerous comment letters to
14 discuss tweaks to exemption pathways the public fleets
15 need, more specifically the -- on the ZEV purchase
16 exemption pathway for feasibility of having ZEVs that meet
17 public water agency functions, not being forced to buy
18 higher class vehicles unnecessarily, and the ability to
19 replace vehicles with conventional vehicles if necessary,
20 when the ZEVs do not yet exist.

21 Additionally, the -- looking at the daily usage
22 exemption. We want further consideration for the effects
23 of temperature and weight on the performance of ZEVs
24 compared to conventional vehicles.

25 Next, on the ZEV infrastructure delay, we think

1 that further consideration needs to be given on the
2 reliability of the grid beyond 2030. And lastly, similar
3 to our colleagues on the electric side, we have concern
4 with the 13th model year requirement. We think it
5 unnecessarily hinders fleet managers from making their
6 best engineering judgment on when a vehicle needs to be
7 replaced.

8 We advocate as we do on all this, because ACWAs
9 public water agency members are dedicated to upholding
10 water standards to safely maintain drinking and wastewater
11 services to communities throughout the state by
12 maintaining fleets that meet our needs.

13 So I'll be brief in finishing. We recommend that
14 following potential adoption of the --

15 CHAIR RANDOLPH: Your time is up.

16 NICK BLAIR: Sorry.

17 CHAIR RANDOLPH: We're going to keep it moving.
18 Thank you.

19 BOARD CLERK HARRINGTON: Corey Peters, who will
20 be followed by Tom Bair, and Chris McGlothlin.

21 COREY PETERS: Hello. My name is Corey Peters.
22 I'm with Best Drayage.

23 With all due respect, I don't think that CARB
24 staff truly understands what a drayage truck is. There
25 are many of us in the drayage industry that run our trucks

1 400 plus miles a day. There's hundreds of trucks that are
2 based in the Central Valley, Fresno, Madera going back and
3 forth to the ports of Oakland, the ports of Long Beach
4 every day. These are -- these are drayage trucks.
5 They're not the local trucks that you guys think of.

6 Currently, there is no zero-emission truck
7 available today that can make that trip. Yet, you are
8 requiring that all new drayage trucks be zero emission
9 starting in less than nine months from now. For those of
10 us in that area and those of us that buy new trucks
11 yearly, how are we to buy something that does not exist?

12 You spent the past year carving out exemptions
13 for nearly every other part of this industry, but any time
14 somebody brings up drayage, you go silent. The 1/1/24
15 requirement that all new drayage trucks be zero emission
16 is not attainable for some of us. This will have a
17 devastating effect on Central Valley shippers who rely on
18 getting their goods to the rest of the world. You guys
19 need to be realistic and push the 1/1/24 deadline back
20 until technology exists that can accomplish those round
21 trips between the Central Valley and the ports.

22 Thank you.

23 BOARD CLERK HARRINGTON: Tom Bair.

24 TOM BAIR: Tom Bair, Golden State Freight,
25 Stockton, California.

1 Fact, trains move large amounts of freight
2 cleaner than trucks. Subjecting drayage trucks to ACF or
3 accelerated ACF Regulations will move a large amount of
4 freight off the trains and off rail onto a large number of
5 trucks over the road, diesel, combustion, ICE trucks.

6 Most drayage companies are small fleets, less
7 than 50 trucks, and are not well capitalized. And they
8 will need to increase the intermodal drayage rates to --
9 substantially to pay for -- to pay for the ZEVs and the
10 infrastructure. The increased drayage rates will make
11 intermodal or rail uncompetitive versus the over-the-road
12 trucks. The huge increase in the use of over-the-road
13 trucks instead of rail will further congest California
14 highways and further impact already heavily impacted
15 areas. More trucks will be stuck in traffic, idling in
16 traffic. Therefore, subjecting drayage fleets to ACF will
17 have an adverse effect on what CARB is trying to
18 accomplish here, which is less emissions from trucks. I
19 urge you to exempt small drayage companies from
20 accelerated ACF.

21 Thank you very much.

22 BOARD CLERK HARRINGTON: Chris McGlothlin who
23 will be followed Cecilia Garibay, and then Lucia Aguilar.

24 CHRIST MCGLOTHLIN: Good afternoon, Chair
25 Randolph, members of the board. My name is Chris

1 McGlothlin. I'm with California Cotton Ginners and
2 Growers Association as well as the Western Agricultural
3 Processors Association.

4 I'd like to echo the sentiments of the commenters
5 before me. Major concerns in regards to equipment costs,
6 fleet connectivity. But we detailed several of our
7 concerns within an industry sponsored comment letter
8 earlier this month and I want to highlight a couple
9 examples specific to the interconnectivity that we've
10 faced within the agricultural community and how difficult
11 it is to interconnect in rural communities, even in some
12 urban settings as well.

13 So in the worst air pollution district in the
14 state, we have a food processor that currently runs on two
15 natural gas engines solely because PG&E has refused to go
16 out and interconnect their system for the last two years
17 to be able to provide them the electric power to be able
18 to run their plant. They've been constantly downgraded on
19 their work list, been told that if they really want to
20 make the upgrades to the substation that they should go
21 out and buy the equipment themselves and invest that money
22 to upgrade the system themselves. We don't feel that
23 that's an adequate response.

24 Additionally, we have a grower that's weighted
25 almost six years for the -- for their power provider to be

1 able to interconnect their simple shop. It's like 40
2 kilowatts. It's not that much power that's necessary to
3 power that shop, but it's been six years on a waiting list
4 before that process is even started.

5 And lastly, we have a Title 5 permit holding food
6 processing facility who's been denied an estimated service
7 date to replace four existing diesel powered motors with
8 four electric motors to reduce their emissions footprint.
9 And their service provider has told them that they aren't
10 a priority on their list and they don't anticipate the
11 ability to go out and service them in the oncoming years.

12 So all of these situations within our industry
13 and agriculture specifically only lead that a rule like
14 this will severely negative impacts to the achievement of
15 the rule. So one of the main asks that we have is that
16 you as ARB and the Board put more emphasis on those
17 utilities coming and providing you updates. And we sat
18 through plenty of these other meetings where they said
19 everything was fine, but in reality for our industry,
20 we're constantly under delays.

21 So thank you.

22 BOARD CLERK HARRINGTON: Cecilia Garibay.

23 CECILIA GARIBAY: Good afternoon. My name is
24 Cecilia Garibay. I'm with the Moving Forward Network. I
25 MFN is a national network with over 50 member

1 organizations that centers grassroots and frontline
2 expertise. And I'm speaking today in support of our
3 members and a yes vote is a critical step to addressing
4 this deadly pollution. We need the strongest most
5 protective ACF Regulation. For MFN, we know that the
6 implications of CARB's decision affects communities across
7 the country, especially as federal rules are falling short
8 of meeting California's standards. Members across the
9 country have advanced to have their state pass the
10 heavy-duty -- heavy-duty truck rules, like the ACT and the
11 HCO. And we know that the ACF is another example where
12 members and states have been following what is happening
13 in California.

14 MFN is here supporting our members and supporting
15 the frontline and fenceline communities in their call for
16 a yes vote on the ACF. Communities here in California and
17 across the country need action now. MFN is led by our
18 frontline and fenceline members. And their communities
19 are impacted by asthma, cancer, and other
20 emissions-related illnesses at an alarming
21 disproportionate rate. We have an obligation and a
22 responsibility to do more than merely listen, but actually
23 act in support of the true experts, these community
24 members, community members who have been battling the
25 public -- the public health and environmental impacts from

1 deadly emissions caused by freight for decades. These
2 communities members are here today asking that you do more
3 than just listen. They're here demanding that you vote
4 yes. There are representing millions from across the
5 state and country that are living in the shadow of freight
6 operations. There is an urgent need to reduce harm to our
7 communities here in California and beyond. Thank you for
8 your time.

9 BOARD CLERK HARRINGTON: Next up is Lucia
10 Aguilar, who will be followed by Cindy Donis, then Jocelyn
11 Del Real. And just to mention, we -- the commenter
12 sign-ups are now closed.

13 LUCIA AGUILAR (through interpreter): Good
14 afternoon. My name is Lucia Aguilar. I've been -- I'm
15 here from the City of San Bernardino. I've lived there
16 for 23 years now. My husband has health problems. His
17 lungs are very, very -- in very bad state, so badly, he
18 spent several months connecting to an oxygen machine. The
19 reason, his place of employment decided to build some
20 warehouses, and because his boss didn't want to sell his
21 shop and two or three homes. So what did they do? They
22 built warehouses around them. And so now you have so many
23 trailers coming and going all day. And, of course, now
24 you have dust that's kicked up all the time because of the
25 constant passing of trucks.

1 And so now the doctor tells him he should leave
2 that job. And not only that, but because of all that
3 pollution, my husband continues having health problems.
4 Now, he has to work from home and that's why we need you
5 to regulate any vehicle -- any vehicle fleets that are
6 between 15 and 10 -- or excuse me, 10 to 15 fleets.

7 And thank you.

8 BOARD CLERK HARRINGTON: Cindy Donis.

9 CINDY DONIS: Good afternoon. My name is Cindy
10 Donis, pronouns she/her. I'm an organizer and community
11 member with East Yard Communities for Environmental
12 Justice, based in Tongva territory or so-called Southeast
13 LA. I grew up living not too far away from the 710
14 freeway, later learning that it holds 40 to 60 thousand
15 truck trips every single day and I experienced that in my
16 life unknowingly. Those trucks then seep into the streets
17 in my neighborhood to get to warehouses, get to railyards,
18 and other bus -- other communities, all while fuming and
19 emitting diesel pollution.

20 This rule is one step closer at allowing my
21 community to breathe with dignity. I urge the Board to
22 pass this rule and commit to reviewing and strengthening
23 this rule, to include all fleets regardless of size and
24 ensure clean air for everybody. I hear all the different
25 issues that industry is naming, but that should not come

1 at the cost of my friends, of my family, and communities
2 and next generations. That sounds again an issue in the
3 industry, an issue with capitalism. And I really urge you
4 to think of the huge transformational shifts that this
5 policy can create in slowing down, because I also think of
6 the workers, the truck drivers themselves. If the truck
7 can't last that long, what condition is the worker then
8 in?

9 How are we prioritizing community health and
10 wellness holistically for everybody? And I hope you make
11 us -- a choice based on hope, on love, instead of fear.

12 Thank you.

13 BOARD CLERK HARRINGTON: Next up is Jocelyn Del
14 Real, who will be followed by Emily Lemei, and then Sarah
15 Deslauriers.

16 JOCELYN DEL REAL: Hello again, Board members.
17 My name is Jocelyn Del Real with East Yard Communities for
18 Environmental Justice. As I mentioned previously, I am a
19 community member that lives right next to the 710
20 corridor, which sees some of the most heaviest truck
21 traffic in the nation as it hauls 40 -- you know, 40
22 percent of the goods that come into this nation. And
23 sometimes what this looks like, it looks like cleaning
24 soot off my window sill and understanding that this is,
25 you know, heavily impacting my life, and my family's life,

1 and my community members's lives, my friends' lives.

2 And so I'm here once again. This is my second
3 time here in support for the ACF Rule. We cannot afford
4 to not center impacted communities when it comes to
5 cleaning up the air. And, you know, as you know, and as I
6 mentioned diesel pollution is cutting our lives short from
7 the IE, to LA, and frontline communities all cross the
8 state. And this is yet another sector that has allowed
9 companies to put their needs first before our lives, to
10 fill their pockets at the expense of our lives. And this
11 is not the first time that we have to stand up here to
12 advocate and name the -- it's our health and lives versus
13 the loss of profit or a business. And that fact is --
14 it's so disheartening, but I'm also reminded of all of the
15 families that will benefit from a strong ACF Rule.

16 And I hope that no one here has had to support,
17 right, a family member getting oxygen tanks just to
18 breathe. This is a reality for a lot of us. So Board
19 members, please recognize that, you know, you need to keep
20 this momentum going. And I ask that you pass this rule
21 and, you know, revisit this rule as soon as feasible,
22 right, to include more into this rule. And, you know, we
23 stand by the hopes that we can do better in the future.
24 And as my good friend Cindy mentioned, we have to lead off
25 of hope, right, not off of fear, which is something that

1 is felt, you know, by the previous speakers. Our
2 communities deserve accountability and transparency.

3 Thank you.

4 BOARD CLERK HARRINGTON: Emily Lemei.

5 EMILY LEMEI: Hi. I am Emily Lemei with the
6 Northern California Power Agency, or NCPA. We represent
7 16 public power entities throughout Northern California.
8 And we appreciate the incremental changes made in the
9 15-day package to recognize the challenges that public
10 utilities face in electrifying their fleets and the
11 important role that electric utilities play in supporting
12 the State's transition to electric vehicles.

13 However, the rule continues to contain provisions
14 that may hinder local utilities' ability to respond to
15 emergencies and outages. We support the resolution's
16 language authorizing the Executive Officer to issue
17 additional 15-day changes and we urge the Board to
18 recognize that modifications are both appropriate and
19 necessary at this time.

20 We're asking the Executive Officer to make two
21 specific changes in additional 15-day language. First,
22 that the 13th model year restriction on exemptions be
23 removed for the public fleet regulation. Staff's reliance
24 on SB 1 is misplaced and rationale is counterintuitive,
25 because the statute was specifically intended to provide

1 certainty to fleet owners by ensuring that the replacement
2 of vehicles not be required sooner than 13 years and not
3 restricting fleet owners from replacing vehicles earlier
4 than 13 years when necessary.

5 It is critical that a utility is able to replace
6 its vehicles when necessary in order to maintain safe and
7 reliable utility service and emergency response
8 capabilities.

9 Second, the daily usage calculation should not
10 remove the highest three usage days, as those days are
11 exactly the type of vehicle usage that utilities need to
12 plan and be ready for.

13 We are committed to supporting California's
14 transition to zero-emission technologies, but these
15 changes must be adopted to ensure successful
16 implementation of the regulation, without comprising the
17 provision of safe and reliable essential utility services.
18 We also ask that CARB closely monitor progress on
19 implementation and make timely amendments to the rule as
20 needed.

21 Thank you.

22 BOARD CLERK HARRINGTON: Next up we have Sarah
23 Deslauriers, followed by Jan Victor Andasan, and then
24 Whitney Amaya.

25 SARAH DESLAURIERS: All right. Good afternoon,

1 Chair Randolph, Board members, and staff. My name is
2 Sarah Deslauriers and I serve as the Climate Change
3 Program Manager for the California Association of
4 Sanitation Agencies, or CASA. We represent over 90
5 percent of the sewered population of California, cleaning
6 the waste society flushes to protect public health and the
7 environment and recovering renewable resources, including
8 wastewater-derived biomethane to achieve community
9 resilience.

10 Since the October 27th public hearing, CASA
11 members have actively participated in the additional
12 workshops, as well as engaged in meetings with staff,
13 Board members, and other State agencies. And while we are
14 disappointed with the final proposed ACF regulations for
15 which our members have, and will speak to, and we've
16 commented on, we really do appreciate the Board's
17 resolution recognizing the importance of further
18 coordination with State agencies, air districts, and CASA
19 for the successful implementation of Senate Bill 1383, for
20 which our members have existing digestion capacity to
21 receive all divertible food waste and significantly
22 increase our biogas protection, thus also really
23 appreciating the highlight of the need for multiple
24 reliable uses for non-fossil biomethane.

25 We ask that you please add Senate Bill 1383 in

1 front of SB 1440 in the last sentence of the resolution to
2 provide equal prioritization. And we look forward to
3 collaborating with staff, air districts, and other State
4 agencies in the next steps.

5 Thank you.

6 BOARD CLERK HARRINGTON: Jan Victor Andasan.

7 JAN VICTOR ANDASAN: My name is Jan Victor
8 Andasan. And like I said earlier, I'm a member of and
9 organizer with East Yard Communities for Environmental
10 Justice. And I'm not exhausted to do another public
11 comment, even though I just did one earlier. That's for
12 you, Gideon.

13 But why am I commenting on this item and many
14 people are commenting on the two items that are before
15 you? It's because we know the goods movement is
16 interconnected. And while we start to clean up rail, that
17 all of these issues add in. And like the community I grew
18 up in in West Long Beach, we are surrounded by multiple
19 sites of pollution from railyards to freeways, and truck
20 traffic, and the port complex. And so when I grew up in
21 West Long Beach, I experience all of this at the same
22 time. And I can change locomotive health impacts and
23 literally put truck impacts, and it's the same thing, that
24 we are experiencing health issues as a result of living
25 next to these sites.

1 And I want to uplift -- you know, I was -- I
2 wanted to pull out, because particularly with trucks, they
3 expose us to diesel particulate matter, which in 1998 CARB
4 voted as a carcinogen. So we talk about respiratory
5 issues, but over the long term, many of our communities
6 face cancers, that for me, I only learned over 15 years
7 later after living in the region, that it was connected to
8 the neighborhoods I grew up in. And so frontline and
9 fenceline communities experience multiple sites of
10 pollution. And they come up to these meetings to speak on
11 multiple issues, because we know that they're
12 interconnected and we needed to stand up for each of these
13 issues.

14 And I'm here to ask you all and push you to get
15 zero-emission trucks, because while you may have passed a
16 Locomotive Rule, you'll said that was the first step.
17 This is another step. This is a continued commitment to
18 prioritizing public health and moving CARB to all the
19 reductions that we need for the state, but also for
20 people. We need a yes vote on the ACF rule. We need to
21 make sure that this rule catches the trucks that you all
22 aren't going to catch in this rule, and we need you all to
23 stand with community and adopt the resolution and approve
24 this rule today. We can no longer foot the bill that
25 massive industries benefit off of by contaminating our

1 neighborhoods.

2 Thank you.

3 BOARD CLERK HARRINGTON: Next up is Whitney
4 Amaya, who will be followed by Mark Neuburger, and then
5 Adriana Gopar.

6 WHITNEY AMAYA: Good afternoon, CARB Board
7 members. My name is Whitney Amaya. I'm a community
8 member with East Yard Communities for Environmental
9 Justice and a resident of West Long Beach.

10 I'm here to urge you to support the adoption of
11 the Advanced Clean Fleet Rule and to consider revisiting
12 and improving this rule as technology continues to
13 advance, which it will.

14 Our communities are constantly breathing in
15 diesel pollution for many industrial sources, and
16 especially from trucks that run through our communities
17 right next to our schools, our parks, and our homes. A
18 yes vote will help provide cleaner air, which will lead to
19 healthier communities and help save our lives. And I also
20 just wanted to make sure to take this opportunity to say
21 that unless it's true zero emissions, we don't want it.

22 I've heard previous commenters talking about near
23 zero, talking about hydrogen, biogas, renewable natural
24 gas or diesel. Those aren't solutions. And it's
25 interesting seeing the intersections between a lot of the

1 different issues that are facing our community,
2 particularly with the speakers that are talking about
3 getting biogas from waste. There's other things that we
4 could be doing with organic waste and it's unfortunate
5 that SB 1383 made an exemption for anaerobic digestion or
6 creating this biogas from waste, because if there was
7 actually true investment in our communities, we would be
8 building or constructing community composting hubs. We
9 would be looking at composting as solutions instead of how
10 do we create biogas, how do we continue to burn? We need
11 to move away from that idea of burning and really
12 investing in our communities and our health.

13 Thank you.

14 BOARD CLERK HARRINGTON: Mark Neuburger.

15 MARK NEUBURGER: Good afternoon. I'm Mark
16 Neuburger with the California State Association of
17 Counties representing the state's 58 counties to provide
18 essential local services, such as sewer, flood control,
19 roads, and much more.

20 We support the State's climate goals and
21 appreciate the recent changes circulated in the current
22 iteration of these regulations. However, we remain
23 seriously concerned with several items and must request a
24 no vote or postponements, so clarifying language can be
25 added.

1 First, to timelines and public funding.
2 Mandating compliance on January 1st, 2024 is unattainable
3 for a regulation requiring significant and immediate
4 resources for county budgets for the permitting,
5 preconstruction, site preparation, and coordination with
6 energy providers to implement. We are requesting an
7 extension of four years from this regulation's proposed
8 adoption. We also strongly urge the State to provide
9 funding resources to support local governments in
10 complying without imposing an undue burden upon ratepayers
11 and taxpayers.

12 Secondly, more exemptions are needed for
13 emergency response vehicles. Also, small counties must be
14 granted an automatic exemption based on fiscal hardship.
15 And the delayed implementation for small vehicle fleets in
16 non-designated counties must be expanded to include
17 counties that purchase less than two vehicles a year.

18 Finally, concerning inventory list and commercial
19 availability, CARB should provide a list of available
20 manufacturers that have market-ready vehicles in the
21 medium- to heavy-duty class sizes to 2B through 8.

22 We also request that any replacement requirements
23 coincide with the availability of these vehicles from
24 large national auto and equipment manufacturers that are
25 already manufacturing the gas and diesel versions of this

1 equipment.

2 In closing, CSAC and the Californians we
3 represent request your no vote on this regulation today,
4 so we can work with CARB to refine it and help ensure its
5 success.

6 Thank you.

7 BOARD CLERK HARRINGTON: Next up, we have Adriana
8 Gopar who will be followed by Julieta Fuentes, and then
9 Jose Avalos.

10 ADRIANA GOPAR(through interpreter): Hello,
11 everybody. My name is Adriana Gopar. I'm here on behalf
12 of Warehouse Worker Resource Center and the Collective for
13 Environmental Justice. And I'm here today to support the
14 regulation of zero-emission trailers. The community in
15 Inland Empire is being impacted by the demand placed on it
16 by thousands of warehouses.

17 THE INTERPRETER: And one second for interpreter
18 clarification.

19 (Interpreter communicated with witness).

20 ADRIANA GOPAR(through interpreter): Residents
21 and workers of San Bernardino are suffering because of the
22 greed of these great -- these large corporations that are
23 invading our neighborhoods. And these, of course, create
24 tremendous hazards to the health of thousands of human
25 beings and they impact the community with illnesses, such

1 as asthma, cancer, et cetera. No one is safe. It's our
2 own air that we breathe in our own homes which is killing
3 us. Where is security and justice for all? Save our
4 communities please by giving us the right to breathe clean
5 air.

6 Thank you.

7 BOARD CLERK HARRINGTON: Julieta Fuentes.

8 JULIETA FUENTES (through interpreter): Good
9 afternoon again. My name is Julieta Fuentes. I'm here on
10 behalf of the Warehouse Worker Resource Center and I come
11 from the Inland Empire. And I'm here as a voice to
12 Isabel, a young lady who suffers because of air
13 contamination.

14 Her words. "My name is Isabel. I'm only 18
15 years old and it seems that I've lived only half my life.
16 At the age of 4, I was stricken by one of the most common
17 illnesses, diseases in this country in the entire world,
18 asthma. This has negatively impacted not just my personal
19 but my emotional growth and development. 'Isabel, don't
20 run. Don't jump. You can't exercise. You're not going
21 to school today. Don't go outside'. Those are the words
22 I heard most often from my parents.

23 "Not only that, but I had to sit there right next
24 to my teacher while the rest of my classmates enjoyed
25 recess and played. Also being dependent on medication on

1 a daily basis has left me with many emotional scars. A
2 chronic disease as serious as asthma makes you live with
3 fear and anger, and ask yourself every morning, why me?
4 If only I could live a normal life without having to
5 depend on an inhaler.

6 "I'll be graduating high school soon, but I'm not
7 satisfied. I'm unsatisfied. My childhood was taken from
8 me. It has been stolen from me, not only from me, but
9 from millions of children who like me suffer from this
10 disease. Asthma and other respiratory problems are not
11 the only diseases caused by pollution and other sources of
12 contamination, so I encourage you please act responsibly
13 and improve the lives of people who suffer from this
14 disease".

15 Those were Isabel's words. She thanks you for
16 hearing her out and that's why I feel it's urgent that we
17 approve the zero-emissions rule for trucks. It's in your
18 hands. Please prevent children like Isabel and many more
19 from getting sick or dying due to human negligence or
20 political purposes.

21 Thank you.

22 BOARD CLERK HARRINGTON: Next we have Jose Avalos
23 followed by Gem Montes and then Andrea Vidaurre.

24 JOSE AVALOS (through interpreter): Isabel, I want
25 you to know that the Air Resource Board, and all the

1 residents, and communities in San Bernardino, and everyone
2 else that's here stand with you.

3 Those of you who work in the transportation
4 sector, please answer these questions. Are trucks
5 responsible for fine particulate matter, yes or no? Are
6 they responsible for damaging particulate matter that
7 damages our lungs, yes or no? Are trucks responsible for
8 greenhouse gas emissions, yes or no? Are trucks
9 responsible for the majority or are they greatest source
10 of this most lethal contamination that we see, those that
11 inflict our communities, like asthma like cancer? Are
12 trucks responsible for diesel contamination -- diesel
13 pollution, excuse me?

14 Especially since we know that diesel has more
15 than 40 carcinogen -- carcinogenic substances that we know
16 of, which makes them responsible for approximately 70
17 percent of cancer risk, cancer risk that's associated with
18 air contamination in California. If the answer was yes,
19 then why are we here? Please, take your responsibilities
20 seriously. Let's work hard so that tomorrow we can go to
21 a coffee shop together, sit down, drink a coffee, and been
22 able -- and be able to breathe deeply without having our
23 lungs affected by bad air quality.

24 Remember, contamination or pollution is one
25 vessel to the next. It doesn't matter how many there are

1 in the road. All of them contribute to pollution in our
2 air. P.S., I get no exemption to pay my rent. I'm either
3 pay it today or I'm on the street tomorrow.

4 Thank you.

5 BOARD CLERK HARRINGTON: Gem Montes.

6 GEM MONTES: Hi. My name is Gem Montes and I'm a
7 community advocate but spent approximately 15 years in the
8 trucking industry repairing vehicles, but more
9 specifically, estimating and servicing truck retrofitting
10 for diesel particulate filters. I say this so you know
11 that I had a very intimate relationship with these
12 vehicles. My work with trucks ended for multiple reasons.
13 One was that I found lumps in my right breast. Another
14 reason was that I could no longer bear to tell operators
15 that the retrofit and fines would far exceed the value of
16 the vehicles and put them out of business.

17 I have seen both sides. And while the
18 regulations are not perfect, no policy is, but we have to
19 start somewhere. And from what I can see, these
20 regulations provide for reasonable flexibility. They
21 health challenge I experienced left my family homeless
22 more than once. If not for community, I would not be here
23 today. I am grateful that the earlier vote resulted in
24 passing regulations to clean up our railroad vehicles.
25 However, we need ACF regulations to pass as well.

1 Otherwise, we'll continue to play whack-a-mole at the
2 expense of our community lives. I've sat and listened to
3 the industry complain how their lifestyles will be
4 impacted mainly through financial burdens.

5 Guess what? Our lives have been impacted too and
6 we're no longer willing to bear that burden for them. Our
7 impacts have included cancer, eczema, low birthweight,
8 ADHD and more. Do you really, really believe that you can
9 compare these things?

10 It's not breaking news that the trucks are
11 contaminating the air we breathe and worsening the climate
12 crisis we're experiencing. It's not like you didn't know
13 these changes were coming. We're here today through the
14 decisions we have made in the past. And while today's
15 plan will phase out legacy vehicles, we need to breathe
16 clean air now.

17 Today, please solidify your commitment to the
18 community, and to our planet, and pass the ACF
19 Regulations. We can work together. Thank you.

20 BOARD CLERK HARRINGTON: Next, we have Andrea
21 Vidaurre, followed by Jamila Cervantes, and then Fariya
22 Ali.

23 ANDREA VIDAURRE: Hi there, Board. Hi again.
24 I'd like to just start off by saying thank you for passing
25 the locomotive rule and I hope we can bring the same

1 energy into this rule.

2 Before we got here today, our groups went outside
3 and we had grounding, and we thought about all the people
4 that we're bringing in here with us today that are not
5 here right now. And immediately I thought of my younger
6 brother who works at a freight airport that see hundreds
7 of big rigs enter a day on top of the planes that he works
8 on. I thought of my dad who has worked for the
9 warehousing industry for over two decades who was -- who
10 had load and unload diesel trucks every single day. And
11 then now I think about my little nephew who's going to be
12 home-schooled because his school doesn't know how to deal
13 with his asthma and he's lost too many days of school.

14 As Jan said earlier, their bodies have been used
15 for filters for the poison that these trucks spew. And
16 that's the reality for all the workers in this industry
17 and the community that lives next to it. I hope that you
18 all pass this regulation, but cannot forget about all the
19 other trucks that are not included in this rule. You
20 forget about those trucks, you forget about our
21 communities, because those trucks drive in our
22 communities. We'll get rid of -- we'll clean up the rest
23 of the state, but what will happen to the trucks that are
24 still coming into disproportionately Brown and Black
25 communities?

1 So this rule has to go farther. Pass the
2 resolution, commit to our community that you're going to
3 address all the trucks, and let's keep working together to
4 get even more investment that we've gotten over the past
5 decade. We cannot complain that there's not enough
6 infrastructure and investment when groups like ours have
7 been fighting at the State to get millions of dollars of
8 investment for infrastructure for this -- for this
9 transition.

10 So thank you.

11 BOARD CLERK HARRINGTON: Jamila Cervantes.

12 JAMILA CERVANTES: Hi. Good afternoon. My name
13 is Jamila Cervantes. I'm a community member with East
14 Yard Communities for Environmental Justice.

15 A few things about me. I live in Southeast LA
16 along the 710 corridor. I developed asthma and allergies
17 as an adult. And another factor about me is that I come
18 from a family of truck drivers. My brother has his Class
19 A and my dad quite literally picked up a shipment in the
20 Sacramento area this morning. Shout-out to my dad.

21 Trucking is part of our literal livelihood and
22 our financial well-being is intrinsically tied to the
23 success of this industry. But still, our family supports
24 regulations like this one that prioritizes health over
25 profit. And we encourage you to support this regulation

1 alongside us. My financial well-being means nothing to me
2 if and when, because research shows that I will die
3 prematurely due to continued ongoing exposure to diesel
4 pollution, among the other kind of toxins that I'm
5 involuntarily exposed to every day.

6 In addition to urging you to pass this rule, I
7 also ask that you strengthen the regulation by lowering
8 the eligibility or criteria for those who would be
9 required to switch out their trucks, even from something
10 like 50 to 10.

11 And the other thing that I wanted to make note of
12 is that when I was learning about this rule, there was a
13 lot of rhetoric that wanted to pit workers against those
14 seeking environmental justice now, but we are one in the
15 same. I want to emphasize my desire to see the
16 accountability of large firms and corporations.

17 Thank you.

18 BOARD CLERK HARRINGTON: Next up is Fariya Ali,
19 followed by Delia Guzman, and then Kevin Torres.

20 FARIYA ALI: Good afternoon. My name is Fariya
21 Ali speaking on behalf of Pacific Gas and Electric.

22 We believe that powering vehicles with
23 electricity and hydrogen that is increasingly sourced from
24 zero-emission resources is one of the most impactful
25 measures California can take to reduce GHGs and other

1 harmful pollutants. It is therefore critical that we
2 acknowledge that CARB's work and our work as impacted
3 parties and supporting industries does not end with
4 today's vote. Today's vote marks the beginning of the
5 hard work that will be necessary to navigate the myriad
6 operational, technological, and economic challenges to
7 successful implementation of this rule.

8 In response to the 15-day changes, we've noted
9 several such operational challenges that will be faced by
10 fleet owners that provide essential public services such
11 as utilities. These concerns and those raised by other
12 speakers today deserve the staff and Board's continued
13 attention to ensure emergency and critical services are
14 not compromised.

15 As an electricity, fuel, and infrastructure
16 provider, we understand PG&E will also play a crucial role
17 in the implementation of this rule. There will be
18 challenges and we acknowledge the impacts that
19 longer-than-expected timelines can have, but we are
20 committed to making it right for our customers and
21 delivering for our hometowns. For example, in the near
22 term, we are exploring new technologies to develop
23 solutions to manage capacity constraints and combining
24 capacity upgrades with other grid solutions like system
25 hardening.

1 In the long term, we are creating and adopting a
2 new integrated grid planning approach to meet the needs of
3 our customers and support the State's bold climate goals.
4 We have a lot of work ahead of us, but this rule is
5 crucial for improving our air and protecting our future,
6 and we stand ready to engage with you, CARB staff, your
7 sister government agencies, and most importantly our
8 customers to realize the transformation of our
9 transportation and energy sector that this rule requires.

10 Thank you.

11 BOARD CLERK HARRINGTON: Delia Guzman.

12 DELIA GUZMAN (through interpreter): Hello. Good
13 afternoon. My name is Delia and I'm from Inland Empire.
14 And today I'm before you asking you please to know, be
15 aware the fact that the access of non-electric trailers
16 that constantly daily pass through our area, through our
17 streets are resulting in much contamination, pollution,
18 and even death. Just see -- just see how many thousands
19 of people are becoming sick, dying, even every day on a
20 daily basis because of pollution and contamination.

21 See how the asthma rates or other respiratory
22 illnesses are affecting our community, especially older
23 ones, and our children who suffer constantly with these
24 respiratory illnesses. These illnesses cause deaths. I
25 have two beautiful granddaughters and I want to see them

1 grow old. I want to see them grow healthy, breathe clean
2 air. I want all of us to be able to have that. It's not
3 fair for us to be breathing in poisoned air. No, it's a
4 right for us to have clean air.

5 The working class in San Bernardino is also
6 suffering, in fact, constantly. Why? Because warehouse
7 owners, the bosses, the people in charge, they view a
8 worker as a number, as something to be used, not as human
9 being. Many corporations like Amazon, for example, have
10 used these workers to line their own pockets. And they do
11 this without taking to any consideration the needs of the
12 worker. We need to prioritize the well-being of our
13 communities. We need to prioritize well-being and not
14 financial gain. That's why I'm here to ask you today
15 please to adopt and approve the regulation of fleet
16 vehicles to get to zero emissions.

17 Thank you very much.

18 BOARD CLERK HARRINGTON: Next up we have Kevin
19 Torres who will be followed a Daisy Lopez, and then Sinai
20 Pantoja.

21 KEVIN TORRES: There we go. Check. Okay.
22 Perfect.

23 All right. Good afternoon, CARB. My name is
24 Kevin Torres, organizer with the Warehouse Worker Resource
25 Center, born and raised in Riverside. I grew up within

1 the Inland Empire, which curiously is known for having one
2 of the biggest industrial frontiers, an award we were
3 again, and not by choice. Growing up, we acknowledged the
4 differences that we can't look up at a beautiful sky,
5 neither drive through clean streets within our very
6 neighborhoods, filled up to the brim with commerce.

7 With business at top staring down at as asking
8 ourselves why does greed make the decisions over our
9 lives? Has clean air become such a privilege that we have
10 had to grow up seeing how sadly one can't run, play, or
11 simply do the things other can for the fear of having to
12 lose their breath or even life? Such a restriction that
13 shouldn't even exist for the children of today, but
14 continue suffering the consequences of this invasion.

15 All of you are placed in a position to help bring
16 our communities into a healthier environment. We are but
17 left in the dark and quite in the literal sense too. So
18 don't turn your back on the millions of humans that have
19 been affected by this and continue to be affected, unless
20 you are willing to have the death and infection of many on
21 your hands. Take a stand, CARB, and take accountability
22 for all of those corporations that continue to day by day
23 Polluting our homes and enforce the Advanced Clean Fleet
24 Rule.

25 Help make cleaner alternatives necessary to save

1 the generations of yesterday, today, and tomorrow. Thank
2 you and hope you make the right choice to bring us the
3 opportunity to take a deep breath and look up at a blue
4 sky too.

5 Thank you.

6 BOARD CLERK HARRINGTON: Daisy Lopez.

7 DAISY LOPEZ: Hello. My name is Daisy Lopez.
8 I'm a lifelong resident of the Inland Empire and a
9 community organizer with the Warehouse Worker Resource
10 Center.

11 I am here today, because it's time to bring
12 polluting truck fleets into the 21st century with
13 electrification and labor protections that support the
14 quality of life for families that are harmed twice by the
15 industry, first, with unfair business and hiring practices
16 that rob workers of critical benefits and income, and
17 second, by exposing them to diesel pollution in their
18 communities. The Inland Empire is home to the largest
19 logistics hub in the nation, not by our choice. Yet, we
20 are burdened with the largest impacts.

21 I am calling on you, CARB, to make another right
22 choice today and approve the Advanced Clean Fleet
23 Regulation, and not forget about those fleets that are
24 less than 50, because we still need to find ways to cut
25 pollution from all fleets. It's time to prioritize our

1 community's health and well-being and not the profit of
2 corporations who benefit from it.

3 Thank you.

4 BOARD CLERK HARRINGTON: Next up we have Sinai
5 Pantoja and then it will be followed by Ada Trujillo and
6 then Elba Cordoba.

7 SINAI PANTOJA: Hello. My name is Sinai Pantoja.
8 I live in San Bernardino. I've lived for my entire life.
9 I love my city, which is the reason I would like to better
10 the situation.

11 Currently, I'm a senior at Cajon High School. I
12 will be graduating this year and continuing my education
13 at UCLA this upcoming fall. Everyone as a kid has dream,
14 hopes, and ambition and mine was to go to UCLA. In middle
15 school, I made a friend that really wanted to pursue a
16 career in running. He would talk about it like it was his
17 whole life and he wanted to dedicate himself to that
18 sport.

19 In high school, I saw him join the track team in
20 hopes that one day he would be noticed by his dream
21 college. Suddenly, he stopped running and I wondered why.
22 I finally asked him and he said that it was because his
23 asthma was getting worse and as he got slower, he just
24 became disappointed in himself. I was absolutely
25 devastated when I heard this from him. He had dreamed of

1 this for his entire life and it was over because of air?
2 He had a right to breathe clean air and he had a right to
3 make his dream come through just like I did.

4 An example that I personally witnessed is my
5 sister. She suffers from asthma and the air that we
6 breathe does not make her condition any better. My family
7 has the responsibility of carrying a small bag everywhere
8 we go with all of her medications. We also live with
9 three filters in our house. One in our room, one in my
10 mom's, and one in the living room. One day I made the
11 mistake of unplugging the filter accidentally. I went to
12 sleep without any worries. I woke up the next day and my
13 sister was freaking out because she couldn't breathe. She
14 felt like her lungs were collapsing and she needed to take
15 a breath of fresh air, so my mom helped her outside.
16 Going outside was not going to make her any better.

17 We live in a city where all we breathe is
18 contaminated air. Approve this rule and don't stop here.
19 There are thousands of trucks that this rule does not
20 catch and those drive in my community. Approve this
21 regulation and tell us how you're going to address the
22 rest of the trucks.

23 Thank you.

24 BOARD CLERK HARRINGTON: Ada Trujillo.

25 ADA TRUJILLO(through interpreter): Hello. Good

1 afternoon, CARB members. My name is Ada Trujillo. I live
2 in South California in San Bernardino County, which, in
3 fact, is the largest county in the country. San
4 Bernardino is a beautiful place. It has mountains. It
5 has deserts. It has lakes. But the area of Inland Empire
6 has been invaded, almost you can say, by warehouses, by
7 trains, by cement companies. And this has caused that the
8 air that we breathe become dangerous and affect our
9 health.

10 So the American Lung Association recently had a
11 report done in our area and unfortunately the area in
12 which we live was -- came with a very low score. Our
13 home, which of course is composed of myself, my husband,
14 my three children -- my children actually 17, 14, and 9
15 years of age are -- they participate in cross-country and
16 track and field. They do open air sports and our
17 community came in with such a bad score, in fact not even
18 an acceptable score. The score that we got was an F.
19 Imagine that, an F. I don't even let my kids come up with
20 anything less than a B. And this, of course, causes us
21 sadness. It hurts us. And it's terrible because those of
22 us who live in Inland Empire, it's almost like we're being
23 pushed out of the place where we live.

24 And that's why we're here before you today.
25 Those of us who do decide to stay and live where we are

1 affected and impacted in a negative way. Our health is
2 negatively impacted and that's why we're here asking you
3 please consider and approve electrifying trucks. This can
4 help reduce particulate matter and diesel pollution that's
5 causing so many illnesses in our area.

6 Diesel pollution is responsible for so many
7 respiratory infirmities, including asthma. But not just
8 that, also health problems, premature death. We ask you
9 please, please vote on this matter and we hope that it's
10 positive and that we can finally breathe clean air.

11 Thank you.

12 BOARD CLERK HARRINGTON: Elba Cordoba, who will
13 be followed by Tania Gonzalez, and then Ivette Torres.

14 ELBA CORDOBA: Good afternoon. My name is Elba
15 Cordoba. I've lived in San Bernardino for 25 years.

16 ELBA CORDOBA (through interpreter:) Good
17 afternoon. My name is Elba Cordoba. I've lived in this
18 area -- or excuse me in San Bernardino for 25 years. This
19 is my first time here in Sacramento. And I live just
20 about close to everything in San Bernardino. Now, I'm
21 experiencing respiratory illnesses. It's not easy and
22 it's not good to not be able to breathe, even for a
23 second, and to have to depend on medication. And this is
24 increasing day to day the pollution that we see. We need
25 to stop this. Yes to regulations.

1 Behind my house there's this huge building and
2 it's turned into what looks like an illegal parking space.
3 Trucks come, they park there, and they are left idling.
4 In fact, they'll be on all night. And, of course, they're
5 emitting NOx or NOx, which, of course, as you know is
6 fatal for anyone.

7 Thank you and my motto is breathe in, breathe
8 out, live. Thank you.

9 BOARD CLERK HARRINGTON: Tania Gonzalez.

10 TANIA GONZALEZ: Hello. My name is Tania. I'm a
11 resident of Fontana and I'm member of the People's
12 Collective for Environmental Justice.

13 So I was here last November actually to talk
14 about the same thing. And I'm here again today to ask you
15 once again to pass a strong Advance Clean Fleet and to
16 lower the fleet number to 10. I want to start off also by
17 just referencing back to what Board Member Diane
18 Takvorian -- I'm sorry if I mispronounced your name. You
19 know, you mentioned that our communities are not just
20 being polluted by rails, and you're correct. We're being
21 polluted by everything in San Bernardino. I work in the
22 City of San Bernardino, so -- and there we have the
23 airport, we have the railyard, and we have warehouses,
24 right?

25 But, yeah, so I'm just going to talk a little bit

1 more about the Inland Empire. So also the Inland Empire
2 is very overwhelmed by warehousing, which means that we
3 have diesel trucks driving in and out of our communities
4 every day. We are breathing all of this contaminated air
5 daily. I am the eldest of four. I have a sibling who's
6 about to turn 20 on Monday, a 14 year old little sister,
7 and an eight year old little sister.

8 So my eight year old little sister is currently
9 in second grade, and I usually drive her to school most
10 mornings. Her ride to school is filled with trucks, but
11 it's not -- it does not end there. The trucks are driving
12 around her school all day, which means that she's
13 breathing all of this in all day. Our children in our
14 communities do not deserve to breathing this in. We
15 deserve better. We deserve the right to clean air.

16 And my younger siblings deserve a healthier and,
17 you know, stronger future with clean air. And so I'm
18 asking you today, you know, to put our lives over profit.
19 And I will be back tomorrow to hear the vote and hold you
20 all accountable as well.

21 Thank you.

22 BOARD CLERK HARRINGTON: Next up is Ivette Torres
23 followed by Alondra Mateo, and then Katelyn Roedner
24 Sutter.

25 IVETTE TORRES: Hello, everyone. Good afternoon.

1 Before I start, I would like to invite the Board members
2 and everyone in the audience to close your eyes and take a
3 deep breath, as we're talking about air and breathing.

4 So, ready? One, two, three.

5 (Deep breathing).

6 IVETTE TORRES: Thank you. I was excited to come
7 to Sacramento, because in the IE I have extreme allergies
8 that turn into irritated eyes and migraines, but I also
9 forgot pollen exists, because I'm so worried about
10 particulate matter and smog in Southern California, which
11 is unfortunate, because before we left yesterday, we
12 already had an extremely smoggy day, which was impacted
13 even more by some wildfires that were going on in the area
14 and are still happening and it's only April. So excited
15 to see that for the next couple months until October, if
16 anything.

17 And hearing what everyone has been talking about
18 and the fact that we have to deal with extremely bad air
19 quality from April to October is not a lifestyle. I hear
20 folks on the fleets -- the smaller fleets, but I want to
21 share with you all a personal story. When I first
22 mentioned the Advanced Clean Truck Rule to my relatives
23 who are truck drivers and own their own truck fleets, they
24 are like why are you working to kick us out of work? Do
25 you -- do you not want us to have a living? Three years

1 later, they're like let us know when this Advanced Clean
2 Fleet Rule passes, because we're ready for those
3 incentives. We want funding.

4 It's possible. We need these regulations and we
5 need them stronger. My uncles, they have smaller fleets,
6 around four trucks, and they're ready. So let's get those
7 fleets down. Let's help the workers as well who are
8 independent and working with the larger corporations.

9 Thank you.

10 BOARD CLERK HARRINGTON: Alondra Mateo.

11 ALONDRA MATEO: Hi, everyone. My name is Alondra
12 Mateo. I'm a member of the People's Collective for
13 Environmental Justice. And today, I urge you to approve
14 this rule, because the reality is that we needed this
15 yesterday.

16 I know technology was behind, but as you know,
17 it's exponentially catching up to the need. In the Inland
18 Empire, it has become inevitable to avoid being around
19 trucks. Whether you're sitting at home, going to school,
20 on your way to work, the pollution is everywhere and we
21 cannot escape it. Unfortunately, in the large part of
22 where we live, our local leaders have chosen warehouses
23 over people. In Bloomington and unincorporated area in
24 San Bernardino County, residents are being coerced, for
25 lack of a better word, to sell their homes so that a

1 warehouse can be built. The school district also sold an
2 elementary school for the same project and is now moving
3 all those students to a new school next to a truck stop.

4 This rule will help us to minimize the impact
5 that all of this pollution is having on people. But as
6 Ivette mentioned, don't forget to include the trucks that
7 this regulation does not -- does not include.

8 CARB really needs a strategy for these ASAP, that
9 includes financial help and incentives for small trucking
10 companies. Please take these considerations and approve
11 the rule. Thank you.

12 BOARD CLERK HARRINGTON: Katelyn Roedner Sutter.
13 And then after that will Enrique Arroyo, and followed by
14 Brenda Soto.

15 KATELYN ROEDNER SUTTER: Good afternoon. Thank
16 you. I'm Katelyn Roedner Sutter, State Director for
17 Environmental Defense Fund representing our 500,000
18 members and activists here in California.

19 First, I want to express my appreciation to CARB
20 staff for their extensive outreach to stakeholders and the
21 incredible work that has gone into this rule. EDF
22 supports the latest staff proposal as presented. The
23 acceleration of the timeline from 2040 to 2036 will
24 increase the cumulative societal benefits of the ACF by
25 nearly \$10 billion through 2050, ranging from fewer

1 premature deaths to lower operational costs for the
2 operators of the 130,000 additional zero-emission trucks
3 that will be on our roads.

4 I understand the concern expressed by some that
5 the ACF Rule may reach too far too fast, but EDF's recent
6 economic analysis makes two important findings. First is
7 that urban used zero-emission trucks in all weight classes
8 will reach price parity with diesel trucks by 2025. The
9 second is the lifetime total cost of ownership for those
10 same trucks and regional trucks will be less than diesel
11 trucks also by 2025. Together these findings point to an
12 economically viable path forward for implementation.

13 And finally, I would echo many comments that the
14 ACF Rule is completely necessary, but not alone sufficient
15 to address the significant air quality threats faced by
16 California communities. We appreciate the proposed
17 resolution language acknowledging this and look forward to
18 working with CARB staff going forward and we ask for your
19 support today.

20 Thank you.

21 BOARD CLERK HARRINGTON: Enrique Arroyo.

22 ENRIQUE ARROYO: Good afternoon. My name is
23 Enrique Arroyo, organizer for the Warehouse Workers
24 Resource Center. I come before you to address my concerns
25 about the contaminants that are affecting the lives of my

1 family and people in my neighborhood. I am here to urge
2 you to take my po -- your position seriously and make
3 it -- the change for zero-emission fleets. Any move that
4 you don't take is only harming us more and more every day.

5 I have a two-year old daughter with her whole
6 life ahead of her. This is one -- this is not what I
7 envisioned when I think about her future. I talk about --
8 I talked to her about how beautiful this world could be --
9 is when she grows up. And the reality is that she isn't
10 going to -- this isn't -- this is not the picture I
11 painted for her.

12 Respiratory illnesses like asthma, and not to
13 forget COVID-19, have one thing in common, and that is
14 they impact communities of colors the most because of the
15 air we breathe every single day. It's time to put a stop
16 to this and make the change for cleaner air and healthier
17 lives. A lot of the pollution is truck exhaust. At any
18 given time semi-trucks and -- are ravaging through our
19 streets creating more than half a million daily trips that
20 turn blue skies gray.

21 Put yourself in our shoes for a moment and think
22 about how concerned and affected you would be by this.
23 Please pass the truck regulation and don't forget about
24 the trucks that aren't included.

25 Thank you.

1 BOARD CLERK HARRINGTON: Next is Brenda Soto, who
2 will followed by Alberto Leon and then Benjamin Luna.

3 BRENDA SOTO: Hi, everybody. My name is Brenda
4 Soto and I'm a member with The People's Collective for
5 Environmental Justice.

6 I'm here to ask CARB to stand on the right side
7 of history and adopt the resolution and approve the rule.
8 Our communities in the Inland Empire suffer from the worst
9 air quality in the nation, as you know and have heard from
10 many community members here today. We have more than
11 4,000 warehouses, which means that a half million diesel
12 trucks pass next to schools, homes, and parks every single
13 day. The majority of warehouses are placed in the areas
14 that only shopping is done the least.

15 Imagine the while others around the nation enjoy
16 the benefits and convenience of online shopping without
17 having to be in close proximity to these warehouses, EJ
18 communities pay the consequences. No matter where we go,
19 all we see around is diesel trucks contaminating the air
20 that we breathe. The IE has become a dumping ground for
21 many companies like Amazon, who profit and destroy our
22 environment. Our communities are not disposable. The
23 Inland Empire is one of the most beautiful places in
24 California and it's in your hands to hold these
25 corporations accountable.

1 As we see the logistics industry grow rapidly do
2 not forget about all the trucks that this regulation does
3 not include. CARB has to have a strategy for these trucks
4 as soon as possible. I hope all of you keep the same
5 energy from earlier and approve this rule.

6 Thank you.

7 BOARD CLERK HARRINGTON: Alberto Leon.

8 ALBERTO LEON: Good afternoon, everyone. My name
9 is Alberto Leon. I'm from San Bernardino. I have been
10 living here for more than 20 years. I thank you to The
11 People's Collective for Environmental Justice to give me
12 the opportunity to participate again.

13 CARB's -- CARB staff to work on stricter
14 regulations. For example, consider as a limit not a
15 minimum the fleets, but less than this. Yes, like one of
16 the members of my community already said, why? Because
17 any amount of pollution worsens the air quality in San
18 Bernardino. Where I live in San Bernardino,
19 geographically is located in a place that is like a park
20 -- like a park, because it's surrounded by the mountains.
21 And all the pollution from the -- from the cities located
22 on the coast, that pollution when the air pushes the
23 pollution. So because of the mountains, the pollution
24 concentrate in San Bernardino. So that why researchers
25 show that the expectation of life in San Bernardino is

1 less than any other place in that area.

2 So that's why I would like the CARB to start on
3 strict regulations to help us with this problem.

4 Thank you so much.

5 BOARD CLERK HARRINGTON: Next will be Benjamin
6 Luna, who will be followed by Heather Kryczka, then Ben
7 Palmer.

8 BENJAMIN LUNA (through interpreter): Good
9 afternoon. Before starting, I wanted to let you know that
10 I lost my phone earlier. If anybody finds it, you'll
11 be -- you'll be thanked with a huge hug from me.

12 Thank you.

13 After seeing what took place here today, my
14 gratitude towards God is even greater and my trust in you
15 is much greater. There's huge forests with huge trees
16 that give us oxygen, but there's an enemy, an almost
17 invisible one, and it's an insect. It's a pest. It eats
18 through the bark straight into the center or the core of
19 the tree and it eats its way up. The tree starts drying
20 out, at first from the very top until it dies. That pest
21 is responsible for the drying out of entire forests. You
22 can't see it, but it's destructive.

23 The particulate matter that's spewed out by
24 trucks, we don't see it, but they go in deep and they
25 kill. I ask myself what would happen if at this very

1 moment we restrict or say no to that type of
2 transportation? What would large companies do? I'm sure
3 they would use all resources available and find
4 replacements, new ways. Why? Because they're not willing
5 to lose.

6 Please, we need your help. We need your help, so
7 that we can breathe better and live in a dignified way.
8 We're here today this afternoon to ask for your support.
9 We are full of hope. We dare to dream with a clean and
10 better future, and it starts here with us right now. We
11 need to make the places where we live better, because
12 we're there, and so we ask you please to help us, so that
13 these large corporations, these large companies do what
14 they should.

15 And thank you for listening.

16 BOARD CLERK HARRINGTON: Heather Kryczka.

17 HEATHER KRYCZKA: Good afternoon. My name is
18 Heather Kryczka and I'm a staff attorney with the Natural
19 Resources Defense Council.

20 NRDC urges the Board to vote unanimously in favor
21 of the Advanced Clean Fleets standard, which will protect
22 public health, the environment, and grow the economy. We
23 strongly support sending a clear market signal that by
24 2036 all new medium- and heavy-duty vehicle sales must be
25 zero emission, and cleaning up drayage on advanced

1 timeline to address their outsized harm.

2 Driver misclassification provisions in the rule
3 will provide overdue labor protections to work -- to
4 workers and truckers who've been exploited for
5 generations, and this will, in turn, help to ensure
6 compliance with environmental standards.

7 Electric transportation is a fast-growing source
8 of exports and manufacturing. Strong electric truck
9 standards can build on this progress, create market
10 certainty, and drive investments in growth. Other aspects
11 of the rule must be strengthened if the State intends to
12 keep its equity, public health, and climate commitments.

13 We urge the Board to direct staff to develop an
14 updated ACT sales schedule by 2026 to reflect the latest
15 technology developments and capture a greater share of the
16 federal incentives from the Inflation Reduction Act, many
17 of which sunset in 2032. And critically, the Board should
18 direct staff to identify ways to reduce pollution from
19 trucks in frontline communities that are not currently
20 regulated by the ACF Rule. Please vote yes today.

21 Thank you.

22 BOARD CLERK HARRINGTON: Next, we have Ben
23 Palmer, who will be followed by Christina Scaringe, and
24 then Katharine Larson.

25 BEN PALMER: Good afternoon, Madam Chair and

1 members. Benjamin Palmer, Director of government and
2 public affairs for Enterprise Holdings one of the world's
3 most trusted mobility companies.

4 We really appreciate the conversations we've had
5 thus far with CARB staff and Board members on our concerns
6 with the ACF. Fundamentally, rental is different. Rental
7 customers are the end users and rental fleet companies are
8 simply the conduit through which our customers obtain
9 vehicles for use. And we request that the distinction be
10 reflected in the ACF.

11 We've had productive discussions with CARB Board
12 members and staff around the idea of allowing fleets to
13 count the rental of ZEV towards their compliance
14 obligation. However, this idea did not make it into the
15 15-day comment language. The proposal must be adopted now
16 for two reasons. First, it will help fleets meet their
17 compliance obligations in early days when fleets need to
18 overcome barriers, such as costs and infrastructure.
19 Second, this will drive the much needed demand for rental
20 companies vehicles who must procure these vehicles. And
21 we want to avoid a situation where these vehicles sit idle
22 on our lots.

23 Along these lines, our second request is that
24 vehicles rented by entities that are exempt from the ACF
25 be deducted from the denominator in our compliance. There

1 seems to be overall consensus that this approach makes
2 sense, so we would urge the Board and staff continue
3 working with us to address these concerns as soon as
4 feasible and before the first compliance period to ensure
5 that fleets have enhanced compliance tools and that rental
6 companies can help the State with successful
7 implementation of ACF.

8 Thank you.

9 BOARD CLERK HARRINGTON: Christina Scaringe.

10 CHRISTINA SCARINGE: Good afternoon. Christina
11 Scaringe for the Center for Biological Diversity
12 supporting the adoption of a robust Advanced Clean Fleets
13 Rule.

14 Specifically, we strongly support the mandates
15 for 100 percent ZEV medium- and heavy-duty vehicle sales
16 by 2036, 100 percent ZE drayage by 2035, public fleet
17 purchases starting in 2024, and cleaner California
18 certified ICE engines where limited exemptions are
19 granted. These proposals provide market certainty and
20 stimulate critical investments for a necessarily speedy
21 transition to clean fleets and position California as a
22 leader in the competitive market for the inevitable new
23 energy economy, promising billions in public health
24 savings and benefits, saving lives, and improving
25 Californians quality of life.

1 However, we oppose CARB's unfortunate and
2 unnecessary decision to delay waste and wastewater fleet
3 implementation, which surrenders GHG benefits to,
4 according to your own analysis, a level lower than the
5 baseline before 2036. This missed opportunity is
6 especially disturbing, as these are particularly well
7 suited to electric adoption.

8 We agree with prior comments that this rule is
9 necessary but not sufficient, as the latest IPCC report
10 makes clear the window to act is still open, but is
11 rapidly closing. And the bottom-line answer for a livable
12 planet is to halt all new fossil fuel extraction and
13 production. Every tenth of a degree matters. No action
14 is too soon. And the single most important action we can
15 take is to rapidly phase out fossil fuels and transition
16 to the new energy future. The news is dire, but it
17 presents great opportunity for cleaner air and water,
18 safer, healthier communities, but also for California's
19 economy.

20 CARB's March cost-benefits analysis identified 48
21 billion in net savings, not including any health or
22 environmental benefits. California can serve as a model
23 for other jurisdictions. The barrier to success on the
24 climate crisis is more political than technological. To
25 quote a colleague, this is more auto mechanics than rocket

1 science. We urge the Board to adopt the strongest rule
2 possible.

3 Thank you.

4 BOARD CLERK HARRINGTON: Next is Katharine Larson
5 who will be followed by Orville Thomas, and then Saira
6 Ramirez.

7 KATHARINE LARSON: Good afternoon, Chair Randolph
8 and members of the Board. My name is Katharine Larson and
9 I manage State Regulatory Affairs for SMUD, the Sacramento
10 Municipal Utility District.

11 SMUD supports the State's efforts to decarbonize
12 the transportation sector and reduce harmful pollutants,
13 and the ACF is a key piece of this strategy. As a
14 publicly owned electric utility, SMUD is committed to
15 transitioning our own fleet as well as supporting affected
16 fleets within our service.

17 We appreciate many of the changes in the latest
18 iteration of the ACF Rule, including a ZEV milestones
19 option, but we still have remaining concerns, most notably
20 around emergency response and the uncertain development of
21 specialty ZEV vehicles that can meet utility requirements,
22 which we believe are not sufficiently addressed in the
23 proposed language.

24 As many of you know, we experienced historic
25 storms in January that caused extensive damage in SMUD's

1 service area. To restore power as quickly as possible, we
2 relied on mutual aid from utilities large and small across
3 the state. It typically takes crews about eight hours to
4 replace a pole and we had over 300 down, so it was a
5 really around-the-clock, all-hands-on-deck effort.

6 This experience underscores the importance of
7 having vehicles capable of working extended shifts in
8 inclement weather doing energy intensive tasks, and also
9 ensuring that your partner agencies have the capacity to
10 send vehicles to support us in our time of need.

11 We filed detailed written comments and recommend
12 that CARB make several changes to allow fleets to respond
13 to the determination that a ZEV would meet their needs,
14 consider the practicality of ZEV mobile fueling options in
15 the mutual aid exemption, and clarify the exemption
16 process for fleets using the milestones option.

17 We respectfully request CARB address these
18 issues, ideally in 15-day changes, but we look forward to
19 working with staff on implementation.

20 Thank you for the consideration.

21 BOARD CLERK HARRINGTON: Orville Thomas.

22 ORVILLE THOMAS: Good afternoon, Chair Randolph,
23 Board members, and staff. My name is Orville Thomas, and
24 I serve as CALSTART's State Policy Director.

25 CALSTART is a California-based non-profit focused

1 on helping clean transportation technology companies
2 accelerate the transition to zero emission. CALSTART
3 plays a strong role and strategy and hands-on
4 implementation of a zero-emission truck technology future
5 to support the state, which gives us unique perspectives
6 on the reality of readiness of the tech and how to address
7 the stages of scaling deployment.

8 The proposed Advanced Clean Fleet Regulation is
9 and aggressive, but necessary and fully achievable
10 regulation that provides alignment and clarity for the
11 full power of the public and private sectors to pull it
12 together. We strongly support the proposed Advanced Clean
13 Fleet Regulations and encourage the Board to adopt them.

14 During this process, CALSTART has advocated for
15 an accelerated zero-emission sales requirement. We're
16 happy to see a 100 percent goal for 2036 instead of the
17 previous deadline of 2040. We feel that this provides
18 opportunities for manufacturers, supply chain partners,
19 and the ZEV ecosystem to grow with certainty. We wouldn't
20 make the recommendation if we didn't feel that the
21 technology as either currently available or on the cusp of
22 being commercially available. We applaud staff for their
23 work to engage with stakeholders on the exemptions and the
24 exceptions. We feel that they are fair and offer
25 opportunities for compliance. While fair, we hope that

1 their usage is minimal, because of accelerated work on
2 infrastructure and accelerated manufacturing of compliant
3 vehicles.

4 CALSTART will continue to work with CARB and our
5 300 plus member companies to ensure conversations are
6 being had over the current state of technology and how
7 best to meet the intent of the proposed regulation.

8 Humanity may be experiencing our last best chance
9 to avoid human-caused climate disaster. Decarbonizing the
10 transportation sector, especially medium- and heavy-duty
11 vehicles, is imperative for us to meet the moment and
12 mitigate damage from emissions and greenhouse gases. For
13 the reasons stated and many more, CALSTART asks the Board
14 to adopt the proposed Advanced Clean Fleet Regulation.

15 BOARD CLERK HARRINGTON: Next is Saira Ramirez,
16 who will be followed by Madison Vander Klay, then Ray
17 Pringle[SIC].

18 SAIRA RAMIREZ: Good afternoon, Board members.
19 My name is Saira Ramirez and I am here with People's
20 Collective for Environmental Justice.

21 As an active member of the Inland Empire, I stand
22 in unison with other environmental justice organizations
23 and leaders. I speak for my mother who lives on Reservoir
24 Street in Pomona, California with over hundreds of trucks
25 passing by every day, and is also a cancer survivor.

1 I know businesses can rise to the occasion and
2 create strategies and partnerships to continue to operate,
3 even if that means making a few stops.

4 But none of us can ask many of our family members
5 who have passed away from lack of health access and clean
6 air and are being overworked to their bones to rise. So I
7 want to thank the people who lead with compassion and
8 bravery, and lead our country to zero emissions. I
9 support this regulation and I hope you do too.

10 Thank you.

11 BOARD CLERK HARRINGTON: Madison Vander Klay.

12 MADISON VANDER KLAY: Good morning, Board Chair
13 and members. My name is Madison Vander Klay with the
14 Silicon Valley Leadership Group. Thank you for the
15 opportunity to comment today. The Leadership Group
16 represents over 350 of Silicon Valley's most respected
17 employers, many of who are key players in decarbonizing
18 fleets. Those include businesses with fleets to
19 decarbonize as well as those producing zero-emission
20 vehicles and related infrastructure.

21 SVLG is pleased to support the accelerated
22 deadline for the 100 percent ZEV sales requirement.
23 Additionally, we appreciate the expansion of the
24 infrastructure delays and extensions. These extensions
25 are a pragmatic response to the very real supply chain and

1 material shortages that entities face transitioning to
2 ZEVs. However, these extensions should be further
3 expanded by including a process for CARB staff to permit
4 additional discretionary delays as needed, if unforeseen
5 circumstances arise.

6 Additionally, we urge CARB to include a mechanism
7 to allow fleet owners to generate and trade compliance
8 credits. This market-based system would allow fleet
9 owners to make decisions to maximize both cost savings and
10 emissions reductions.

11 Likewise, SVLG reiterates that NZEVs should only
12 be permitted for compliance in very limited scope when
13 full ZEVs are not available. The Leadership Group is
14 available to assist or clarify these comments. Thank you
15 for the opportunity to comment today.

16 BOARD CLERK HARRINGTON: Next, we have Ray
17 Pringle[SIC] who will be followed by Will Barrett and then
18 Heidi Hannaman.

19 RAY PINGLE: Good afternoon, all. My name is Ray
20 Pingle and I am with Sierra Club California. Sierra Club
21 California has over 500,000 members and supporters and we
22 strongly recommend your approval of the Advanced Clean
23 Fleets Rule as proposed. CARB's adoption of the ACF Rule
24 to transition high-polluted commercial vehicles to clean
25 zero emission will be a historic initiative that will cut

1 toxic air pollution and help save our planet from a
2 climate catastrophe.

3 It will achieve a hundred percent ZEVs on the
4 road by 2035 for drayage trucks and a major portion of
5 other vehicles by 2042. Requiring 100 percent of medium-
6 and heavy-duty vehicle sales to be ZEVs beginning in 2036,
7 we believe will be the earliest such target day globally.
8 It will send a strong signal to industry that we can and
9 must transition to ZEVs urgently and will catalyze already
10 engaged stakeholders towards successfully achieving and
11 exceeding its objectives.

12 California's leadership will serve as a model to
13 inspire other states and nations to do the same. We also
14 appreciate that CARB realizes that this rule does not
15 cover all trucks and that it will need to commit to take
16 further future action to capture trucks in fleets of fewer
17 than 50 vehicles, and the remaining unregulated vehicles.
18 It will also need to seek to reconcile the existing ACT
19 Rule with this new rule with a hundred percent sales by
20 2036 in order to smooth the ramps year by year.

21 And as I've listened to some of the other
22 commenters from fleets, I think several of their
23 problems -- it's probably a majority can be accommodated
24 with the new expanded delays in exemptions that CARB has
25 developed. And secondly, I would echo an earlier

1 commenter that whatever CARB can do to have more and more
2 educational programs, so people know all the
3 infrastructure funding that's out there, the total cost of
4 ownerships, what's happening in infrastructure, truck as a
5 service model, charging as a service model. I think a big
6 problem is just the lack of understanding what's out there
7 to help.

8 Thank you very much.

9 BOARD CLERK HARRINGTON: Will Barrett.

10 WILL BARRETT: Good afternoon. I'm Will Barrett.
11 I'm the National Senior Director for Clean Air Advocacy
12 with the American Lung Association. The Lung Association,
13 the American Cancer Society, Regional Asthma Management
14 and Prevention, the California Black Health Network are
15 among two dozen health and medical organizations
16 supporting the ACF Rule adoption today. So very much
17 appreciate all of the work that's gone into getting it
18 here.

19 The shift to zero-emissions technologies in
20 California is critical to address our ongoing public
21 health and air pollution crises in the state. Our recent
22 State of the Air Report issued last week found that 98
23 percent of Californians continue to live in a county that
24 receive a failing grade. And we certainly don't like
25 giving out failing grades in the report, but here we are

1 with 98 percent of us living in a county with at least
2 one.

3 The trucking sector, as we saw in the
4 presentation, is a leading source of that harm. And we
5 know that we need to get to the core of it. It's a major
6 source of disparities in pollution burdens throughout the
7 State. And the ACF Rule really goes to that. The ACF
8 Rule offers critical opportunities to improve health. The
9 early focus on zero-emission drayage fleets and useful
10 life turnover at port trucks, graduated ramps to
11 zero-emission truck fleets, the 100 percent zero-emission
12 truck sales program at 2036 is critical, but also the ACF
13 is the second most productive strategy in the State
14 Implementation Plan to achieve our ozone standards. You
15 took care of the locomotives today. That was number one.

16 The ACF will save 2,500 lives over the course of
17 implementation and generate 26.5 billion in public health
18 benefits. And today, you've heard many, many stories of
19 communities impacted by the damages of failing to address
20 air pollution from the trucking sector through more
21 zero-emission trucks on the road. We echo their call for
22 zero-emission trucks and approve this -- urge you would
23 approve this critical public health measure.

24 So with that, I want to say thank you. I look
25 forward to implementation. We know there's more work to

1 do to coordinate ongoing truck policies at CARB, whether
2 the ACT, the zero-emission truck policy that was included
3 in the SIP, and others, but really appreciate all of the
4 work and the professionalism of the staff throughout the
5 process.

6 Thank you.

7 BOARD CLERK HARRINGTON: Next is Heidi Hannaman,
8 who will be followed by Sam Wilson and then David Isen.

9 HEIDI HANNAMAN: Good afternoon. I'm Heidi
10 Hannaman with the California Special Districts Association
11 representing over 1,000 independent special districts who
12 provide essential local services, such as fire protection,
13 water, sanitation, mosquito abatement and more.

14 We support the State's climate goals and
15 appreciate the recent changes circulated in the most
16 recent iteration. However, we remain seriously concerned
17 with several items and requesting a no vote or
18 postponement, so clarifying language can be added.

19 First regarding timelines and public funding.
20 Mandating compliance on January 1st, 2024 is unattainable
21 for a regulation requiring significant and immediate
22 allocation from local agency budgets for the permitting,
23 pre-construction, site prep, and coordination with energy
24 providers. We are requesting an extension of at least
25 four years from regulation adoption. We also strongly

1 urge the state to develop a grant program to support local
2 governments in complying without imposing an undue burden
3 upon ratepayers and taxpayers.

4 Second, more exemptions are needed for emergency
5 response. Local agency vehicles are essential to health
6 and safety of our residents. While some of these vehicles
7 are captured under the current emergency vehicle
8 exemption, it must be expanded to all vehicles that must
9 be operable 24 hours a day, 365 days a year. The risk of
10 disruption from wildfire, flood, power shutoffs, and other
11 natural disasters is too great to risk the operability of
12 these vehicles and the health and safety of Californians.
13 Our comment letter details examples of other vehicles we
14 think need this exemption.

15 Finally, small agencies and departments must be
16 granted an exemption based on fiscal hardship and the
17 delayed implementation for small vehicle fleets in
18 non-designated counties should include agencies that
19 purchase less than two vehicles a year.

20 In closing, CSDA and the Californians we serve
21 request your no vote on this regulation today, so we can
22 continue to work with CARB to refine it and help ensure
23 it's ultimate success. Thank you.

24 BOARD CLERK HARRINGTON: Sam Wilson.

25 SAM WILSON: Hi, Chair Randolph and members of

1 the Board. My name is Sam Wilson. I'm a Senior Vehicles
2 Analyst with the Union of Concerned Scientists. Thanks
3 again for the opportunity to comment today in strong
4 support of the Advanced Clean Fleets Rule.

5 The ACF is an effective, feasible, and flexible
6 regulatory foundation to accelerate the heavy-duty vehicle
7 market towards the zero-emission freight paradigm that we
8 all need so urgently.

9 Combined with the ACT, the ACF takes a crucial
10 step towards environmental justice, efficient and cleaner
11 freight, and a more stable climate. ACF will
12 significantly reduce harmful emissions from the state's
13 heavy-duty fleet, resulting in thousands of avoided early
14 deaths and hospitalizations due to exposure to toxic air.

15 The rule also delivered nearly \$50 billion in
16 benefits to fleets through savings related to reduced fuel
17 and maintenance expenses, as well as speeding the sticker
18 price parity between combustion and clean truck models.

19 I strongly urge the Board to adopt this
20 regulation unanimously. However, ACF is not a civil --
21 silver bullet. We should recognize that today. It does
22 have its own -- its intrinsic problems like in counting
23 fossil fuel in ZEVs as ZEVs and leaving some of the
24 state's dirtiest trucks outside of its electrification
25 strategies to address this.

1 We recommend that the Board direct staff to adopt
2 additional rules that focus on strall -- smaller -- or
3 focus on emissions from small tractor-truck fleets, and,
4 you know, tailored to their specific impacts and needs.
5 We also request that the Board direct staff to begin
6 working on a rule to smooth the new sales requirements
7 with the existing ACT requirements.

8 And then finally, just thanks so much to the
9 Board and staff for your hard work on this in a robust
10 public process, and adopting this incredibly meaningful
11 regulation. I, and UCS, and our partners are looking
12 forward to continuing working with you all in the future
13 as we move towards a clean and equitable freight paradigm.

14 Thanks.

15 BOARD CLERK HARRINGTON: Next is David Isen who
16 will then be followed by Staci Heaton and then Michael
17 Tunnell.

18 DAVID ISEN: Good afternoon. David Isen on
19 behalf of Denali Water Solutions, Imperial Western
20 Products. Our company is very proud of the hard work we
21 do in California and United States diverting organic
22 material from landfill and turning used cooking oil, fats
23 oils, and greases into biodiesel, lowering emissions in
24 California.

25 Our concern is that the narrowly focused proposed

1 ACF Regulation ignores the millions of organic waste being
2 diverted away from landfills under SB 1383 by only
3 exempting franchise waste haulers and delayed that haul
4 and process diverted and organic waste. The same
5 exemptions and extensions should be granted to
6 non-franchise waste fleets providing waste diversion
7 services using alternative fuels such as biodiesel,
8 renewable diesel, SAF and the like under the Low Carbon
9 Fuel Standard, which is something I'm very proud of, that
10 assists local governments in achieving their SB 1383 goals
11 and mandates in AB 32.

12 Under CDFA's oversight and SB 1383 compliance,
13 the rendering industry creates biodiesel, renewable
14 diesel, and sustainable aviation fuels. Collectively,
15 BMVD is a drop-in fuel replacement displacing natural
16 petroleum, lowering emissions.

17 Additionally, under CDFA's oversight and SB 1383
18 compliance the livestock feed industry diverts well over
19 10 million tons annually and an additional 1 million tons
20 of organic food waste material being upcycled into animal
21 feed, lowering emissions at a massive rate.

22 Obviously, there's going to be some issues
23 implementing this at such a flat rate of speed. And a lot
24 of it's been discussed, but a lot of it -- with ours, we
25 go to a lot of stops. It's a very intensive job to go

1 and -- to go to 50, 60 stops in a location, and it just
2 isn't going to work at this exact time with the current
3 technology available.

4 The trucks are -- that I'm looking at are under
5 200 mile per trip. And we go anywhere from six to seven
6 hundred miles at a time. Again, I respectfully urge the
7 Board to consider the same exemption extensions to be
8 granted to non-franchise fleets, assisting California
9 under SB 1383 diverting organic waste landfills.

10 I appreciate your time. Thank you very much and
11 I appreciate working with you all.

12 CHAIR RANDOLPH: Okay. We're going to go
13 slightly out of order, because the Baja, California
14 Secretary of Economy, Kurt Honold, has joined us online
15 and wants to speak briefly.

16 BAJA CALIFORNIA ECONOMY SECRETARY HONOLD: Thank
17 you very much. Can I talk?

18 CHAIR RANDOLPH: Go ahead. Thank you.

19 BAJA CALIFORNIA ECONOMY SECRETARY HONOLD: Thank
20 you. Good afternoon, dear CARB members.

21 On behalf of the State of Baja California, I
22 would like to thank you for the opportunity to share our
23 insight on the zero-emission proposal discussed today.

24 San Diego is home to California's largest
25 commercial land port of entry with an estimated 7,000 to

1 9,000 truck crossings every day. These trucks connect
2 large manufacturers south of the border with maritime,
3 ports, marine ports in the Los Angeles area and consumer
4 markets in California, contributing significantly to
5 California and Baja California's economies.

6 This trade has been integral to the State's
7 success as the fourth largest economy in the world and
8 supports over 565,000 jobs across the state. I'm talking
9 about California. To ensure a successful transition to
10 zero-emission vehicles while avoiding a negative impact on
11 integrated, co-producing supply chains, and our shared
12 economy, I respectfully urge CARB to consider the
13 following facts that highlight the urgent need to revise
14 the proposed regulations.

15 The weight of the batteries, additional 5,000
16 pounds at least, will reduce the carrying capacity of a
17 truck by one-third of its current capacity. This will
18 translate into 33 percent additional trucks on the road to
19 transport the same load as a diesel truck. This extra
20 cost will be absorbed by industry or consumers.

21 There is also an 11-hour driving limit for
22 commercial truck drivers in California. By adding
23 charging stops of about two hours for a full charge,
24 delivery times will increase and have an impact on our
25 integrated supply chains whose success and efficiency

1 depends on the just-in-time dynamic.

2 Charging stations take up -- about 16 months to
3 be completed and there is currently no stations to ensure
4 transportation from San Diego to Sacramento or at all
5 ports of entry.

6 This takes us to growing concern based on the
7 energy capacity on both sides of the border to supply a
8 growing fleet of electric vehicles and to cover that
9 purchase of battery chargers of up to \$75,000 per unit.

10 Specifically, on the drayage ruling, please also
11 consider an extension or exception to register natural gas
12 operated trucks that have already been purchased to comply
13 with the current regulations but that have an estimated
14 delivery time of November '24, which leaves companies with
15 no ability to access marine ports upon receiving these
16 trucks. A complete lack of availability of ZE Class 8
17 trucks in Mexico.

18 Without the tools and support of a gradual and
19 realistic transition to electric commercial vehicle
20 fleets, we face the possibility of trucking companies
21 migrating out of the state and potentially losing
22 multinationals and investment projects that flee from the
23 uncertainty of these causes.

24 Our administration has worked with the private
25 sector to install electric charging stations across the

1 state for vehicles, increasing the state investment in the
2 production of clean energy and acquiring natural gas
3 operated vehicles for public transit. Unfortunately, the
4 proposal is evidencing our current short-term adaptation
5 challenges. Baja California is unable to transition in
6 the same speed as with the same intensity as California.
7 We do not have comparable financial incentives, federal
8 government programs, private enterprise resources, and
9 infrastructure.

10 Adopting the rule as is will have drastic
11 inflationary impacts in California and major supply chains
12 delays. Of the 7,000 to 900[SIC] daily trucks crossings,
13 as I mentioned, 80 percent are from Mexico. They, of
14 course, are not able to transition because of the reasons
15 I mentioned above and I don't believe California can
16 absorb these additional crossings. Baja is betting on
17 hydrogen and I will make more sense to wait just a few
18 more years for this technology to be ready and available.

19 I look forward to continued collaboration on this
20 and other financial priorities.

21 We also want to comply and change this way of
22 using our vehicles, either commercial or normal cars,
23 because that's the future and because we all want to
24 protect our beautiful planet.

25 Thank you for your great disposition and

1 considerations.

2 CHAIR RANDOLPH: All right. Thank you Secretary
3 Honold. I know you had hoped to speak earlier, but were
4 unable to, so I appreciate the cross-border discussion and
5 collaboration.

6 BAJA CALIFORNIA ECONOMY SECRETARY HONOLD: Thank
7 you.

8 CHAIR RANDOLPH: Okay. Next speaker, please.

9 STACI HEATON: Good afternoon. Staci Heaton with
10 the Rural County Representatives of California
11 representing 40 rural counties statewide.

12 First, I'd like to thank CARB staff for the work
13 that they've Done on getting these regulations to the
14 point where they're at. They have really worked hard to
15 work with stakeholders on adopting and amending these
16 regulations to include some exemptions and things that
17 we've asked for, so we really appreciate that.

18 We also appreciate the work of Board Member
19 Kracov on really digging into these regulations and
20 working with stakeholders. We appreciate that work and
21 tireless effort there. We believe that I -- we stand
22 ready to work with CARB staff on implementation of these
23 regulations. We have some lingering concerns, but we know
24 that as things crop up, we are there ready to work with
25 our member counties and work through these things.

1 Experience tells us that things will crop up, so we're
2 going to work as hard as we can, because we believe that
3 the only successful regulations are those that are fully
4 implemented, so we're going to work on that.

5 One lingering concern that we do have though that
6 was not addressed in the regulations are the issues of
7 Public Safety Power Shutoff and Enhance Power Safety
8 Settings events. And we believe that that could be pretty
9 easily taken care of if the backup mileage -- mileage on
10 backup vehicles could be exempt from counting during those
11 documented events for public vehicles, so that when
12 they're traveling a lot of miles during times when they
13 can't charge for three, four, or five days at a time
14 during a PSPS or EPSS event, that they could still use
15 their backup vehicles and not have those miles count
16 against that thousand miles. So we just -- I just wanted
17 to make that comment and appreciate all your work on this.

18 Thank you.

19 BOARD CLERK HARRINGTON: Next is Michael Tunnell,
20 and then followed by Lynnette Robb, and then Michael
21 Caprio.

22 MICHAEL TUNNELL: Good afternoon, Chair Randolph
23 and members of the Board. My name is Mike Tunnell. I'm
24 with the American Trucking Associations. ATA is the
25 largest national trade organization representing the more

1 than seven million men and women working in
2 trucking-related jobs. Our members are at the forefront
3 of determining how to successfully deploy zero-emission
4 technologies, which will be advanced by the ACF
5 Regulation.

6 These fleets are extremely concerned over the
7 regulation's unrealistic timelines, given the unproven
8 nature of the vehicle technology and the lack of charging
9 and fueling infrastructure. They are concerned their
10 limited resources will be spent justifying exemptions,
11 rather than delivering the nation's freight.

12 Exemptions are not available to everyone. Auto
13 haulers with heavier zero-emission tractors will need to
14 reduce the number of cars carried, because there is no
15 exemption for weight. As you heard earlier, daily round
16 trips to and from the San Joaquin valley or Reno to the
17 state's ports will not be able to use new trucks, because
18 there is no daily use exemption for drayage trucks. And
19 interstate trucks that rely on public fueling will not be
20 able to comply since there is not exemption for lack of
21 public fueling infrastructure.

22 Equally concerning is the State's efforts to
23 prohibit the operation of EPA certified engines.
24 Seventeen states are only authorized to sell EPA certified
25 engines under federal law. Prohibiting trucks sold in

1 other states will severely restrict the flow of commerce
2 and result in higher prices for goods and services. The
3 newly proposed California-only certification requirement
4 is unworkable and needs to be removed from the regulation.

5 We urge you to take a pause and reevaluate the
6 proposal before you today. We'll get there, but
7 achievable timelines and targets matter. We simply ask
8 you to be realistic about the path forward.

9 Thank you.

10 BOARD CLERK HARRINGTON: Lynnette Robb.

11 LYNNETTE ROBB: Hello. My name is Lynnette Robb
12 and I represent canthegasban.com. We're a grass roots
13 lobby coalition of people made up that enjoy gas, gas
14 cars. We are opposed to both the ACF and the ACC, which
15 is our primary target is the ACC. We feel that everybody
16 has a right to energy in California, all types of energy.
17 And we fell that it is CARB's position to provide for your
18 residents with renewable and regular energies that
19 includes gas also for trucks. I'm a bus driver. I drive
20 an electric bus, but my bus only goes a hundred miles and
21 has to charge all night, and it's very unreliable.

22 There's no infrastructure for the type of thing
23 that you're trying to implement now. It is too fast.
24 Only 46 percent of people say -- 46 percent of people say
25 they will never drive electric. Only nine percent of

1 people in California want electric infrastructure, want
2 electrification at the -- the way that you want to do it
3 total electrification.

4 It's not something that we want. It's not
5 something that the people want. You need to listen to the
6 people what they want. We're the ones that hire you.
7 We're the ones that pay for your jobs. Okay. We are not
8 interested in what you're trying to sell here. It's not
9 ready and you're jeopardizing our state by doing it. It's
10 going to be billions of dollars to implement this. You
11 know this. At least a half a trillion dollars at least,
12 minimum, to implement what you're trying to do. And it's
13 not going to be effective especially in rural areas of
14 California. They're going to suffer. The people are
15 going to suffer. The people that are here talking about
16 doing it are the very people that are going to suffer, low
17 and moderate income people.

18 The air where I live in San Pedro -- I live right
19 in the port. I'm right at the cruise center. I'm at the
20 cruise ships. I'm -- all the trucks come in, the trains.
21 My air is great. It's 1990. Forty percent in 1990. And
22 greenhouse gas emissions in California is only one
23 percent, one percent.

24 CHAIR RANDOLPH: Your time is up.

25 BOARD CLERK HARRINGTON: Thank yo.

1 CHAIR RANDOLPH: Thank you.

2 BOARD CLERK HARRINGTON: Next up, we have Michael
3 Caprio and he'll be followed by Damon Conklin and then Jon
4 Costantino

5 MICHAEL CAPRIO: Good afternoon, Chair Randolph,
6 Board members, and staff. Michael Caprio, Director of
7 Government Affairs for Republic Services. We're here in a
8 position of support today and our comments are
9 specifically related to the high priority fleet segment of
10 the rule.

11 First off, we'd like to start by thanking Board
12 members, and especially staff for their incredible amount
13 of work that's been done on this rule. It's been a very
14 thorough process and has involved input from multiple
15 stakeholders. And the staff reports notes the number of
16 workshops and hundreds of meetings that have occurred over
17 the course of the last year plus. Our testament to the
18 level of effort that's been put forth and we Truly
19 appreciate that level of effort and the open public
20 process that's occurred.

21 But we realize that the end result has come with
22 a rule that has a very high probability of success, but we
23 also realize that that success won't come without its
24 challenges. It's going to require collaboration between
25 utilities, several industries, several States agencies,

1 and local entities. And we think that Republic Services
2 is well positioned to be leader as the rule is
3 implemented.

4 We've made major investments in staffing and
5 research and development over the last couple of years.
6 And some examples of that are as follows. We have a
7 full-time team of four people that are tasked with
8 infrastructure development and permitting. We've
9 partnered with an OEM manufacturer to participate in a
10 ground-up development of a fully electric collection
11 vehicle that will be deployed in California later this
12 year. We've been very thoughtful about the removal of
13 diesel trucks that are in our fleet first and having them
14 be removed and replaced by ZEVs as a priority. But also
15 as a first priority, making sure the ZEVs are placed in
16 communities that will benefit the most as soon as
17 possible.

18 So in closing, we appreciate the opportunity to
19 participate in the process and look forward to continuing
20 our journey in this space and appreciate all the efforts
21 of CARB Board and staff members. Thank you.

22 BOARD CLERK HARRINGTON: Damon Conklin.

23 DAMON CONKLIN: Good afternoon, Chair and
24 members. Damon Conklin representing the League of
25 California Cities representing local municipal fleet

1 operators who provide critical and essential services to
2 our communities both big and small. We value the staff's
3 work and the conversations leading up to the most
4 iteration. We support decarbonization of our fleets.
5 However, we remain seriously concerned with several items.

6 First, fiscal feasibility. Local budgets are
7 typically formed every two years, capital outlay projects
8 every five years. And if a disaster were to occur like a
9 fire devastating a region or in causing massive
10 outmigration of a tax base, these cities are struggling to
11 meet its core missions and services and need to rely on
12 provision that would, when it's feasible and cost
13 effective, price caps.

14 Medium- and heavy-duty vehicles are not produced
15 to the same scale as passenger vehicles and they require
16 massive batteries to compensate for the heavier weight,
17 more lithium, more graphite, magnesium and the every
18 contentious cobalt. There is nothing in this proposal
19 that prevents an unscrupulous manufacturer to artificially
20 inflate retail costs of these vehicles, knowing that these
21 vehicles are mandated to be purchased without a true,
22 free, and competitive market, and reasonable price caps
23 must be included.

24 And just finally concerning inventory lists and
25 commercial availability. If the Legislature approves

1 CARB's request for nearly \$20 million over the next three
2 years to implement this particular rule, then CARB should
3 have the means and capability to provide a list of
4 availability, not unavailability, but availability of
5 manufacturers that have market-ready vehicles to the
6 medium- and heavy-duty class size.

7 With respect, we look forward to working with
8 staff if the -- moving forward with any implementation,
9 but for today we ask you to hit the pause button. Let's
10 do it right and not rush this.

11 Thank you very much.

12 BOARD CLERK HARRINGTON: Next is Jon Costantino,
13 who will be followed by Susan Olavarria, and then Bill
14 Magavern.

15 JON COSTANTINO: Good afternoon. Jon Costantino
16 representing CCEEB, the California Council on
17 Environmental and Economic Balance.

18 And first, I'll start by acknowledging all the
19 hard work of the Board and staff. There's been lots of
20 meetings to get us here today. To say that the ACF is
21 impactful is a gross understatement, both in --
22 economically, every sector of the state will be impacted,
23 but also the -- it's a pillar of both attainment and the
24 GHG goals. So it needs to be able to be successful. And
25 so implementation is the key to making that work. Given

1 the success of these -- given the importance and scope of
2 these regulations, the success or failure is going to be
3 seen by the whole world.

4 And therefore, you could say the same thing about
5 the 2022 Scoping Plan. But that was a plan. It was a
6 vision document. This is a regulation. It becomes
7 enforceable the minute you vote on it. There are
8 compliance risks. There are costs. And there are
9 enforcement repercussions, so we've got to get it right.

10 It is that reason that CCEEB works so diligently
11 at all levels of CARB to -- for pragmatic and reasonable
12 approaches, so we're asking for two things today. One is
13 a data dashboard, similar to what was used -- what's used
14 today in the LCFS. Posted, reasonably available,
15 transparent data that shows the exemptions, the number of
16 vehicles, the number of chargers. It would really be
17 helpful for implementation and oversight. And the second
18 ask is that we have regular maybe semiannual updates to
19 the Board on how the program is doing. Without that
20 oversight, without that follow-up, this sort of goes into
21 a vacuum. And I know you don't want that to occur. So
22 oversight and implementation is really the ask today.

23 Thank you.

24 BOARD CLERK HARRINGTON: Susan Olavarria.

25 SUSAN OLAVARRIA: Hello. Good afternoon. Thank

1 you for the opportunity address the Board regarding the
2 proposed ACF Regulations. My name is Susan Olavarria and
3 I'm Vice President of Government Relations for Stericycle.
4 We have more than 1,000 employees working at 23 facilities
5 across California servicing hundreds of businesses and
6 hospitals, providing essential secure information,
7 destruction, and regulated medical waste disposal
8 services. Our mission is to protect people in brands,
9 promote health and well-being, and safeguard the
10 environment.

11 We share CARB's commitment to achieving
12 meaningful emission reductions that will help the State
13 achieve its climate goals. We commend CARB staff and
14 appreciate their hard work that has been done so far on
15 this important precedent-setting rule and appreciate that
16 they worked with us and heard our concerns. We appear
17 with you -- before you today to ask you, however, because
18 we're still concerned about some issues that haven't been
19 addressed. We ask you to please postpone the adoption of
20 the hearing until a later date, so that staff have
21 additional time to address the important issues raised by
22 Stericycle and others in written comments.

23 This is a first-of-its-kind regulation. It is
24 likely to be replicated, as has already been heard here,
25 across the country. And it is imperative that CARB get it

1 right the first time. There's still many outstanding
2 questions about equipment availability, infrastructure
3 efficiency, and the practicality of implementing this
4 rule, which will have wide-ranging implications. If you
5 move forward with a vote today, we ask you to -- we
6 actually support what staff has already stated, that
7 they're going to be considering stakeholder suggestions to
8 provide guidance, which is a wonderful step forward. And
9 we ask the Board to please simultaneously issue a
10 resolution directing staff to draft clear guidelines and
11 FAQs for the regulated community that addressed the gaps
12 and uncertainties created by the current version of the
13 proposed rule.

14 Thank you for your time today.

15 BOARD CLERK HARRINGTON: Next is Bill Magavern
16 who will be followed by Jacob DeFant, and then Aravind
17 Kailas.

18 BILL MAGAVERN: Madam Chair and members, Bill
19 Magavern with the Coalition for Clean Air urging you to
20 adopt the rule that's in front of you today. It's an
21 excellent proposal. It's particularly important that
22 drayage is sector that is prioritized for cleaning up
23 early on, because we know that so many people exposed to
24 the emissions from drayage trucks are in disadvantaged and
25 low-income communities and are already excessively

1 burdened by air pollution. I think a couple of the
2 changes that you're looking at now are also particularly
3 important moving up the new sales date to 2036 and the
4 California engine requirements. So thank you for
5 including those.

6 We know that this will not end the work that
7 needs to be done in cleaning up trucks. And so I think it
8 is important that the resolution notes that there is more
9 work to be done, including with the zero-emission truck
10 measure, which was included in the State Implementation
11 Plan. So we look forward to working with all of you on
12 that one.

13 Infrastructure is a challenge. You know, we do
14 not downplay that, but you have allowed here for an
15 exemption process. This morning I suggested that the
16 Locomotive Rule was a free throw. This one might be more
17 of a bank shot, because the infrastructure challenges,
18 which will require significant amount of teamwork working
19 with other agencies like the Energy Commission and
20 Utilities Commission to make sure we have that
21 infrastructure available.

22 But with this agency, I think when you're at your
23 best, you really put public health first. You did that
24 this morning. And I think with this rule, again that's
25 the key. I noticed that today, Los Angeles is suffering

1 air quality that's unhealthy for sensitive groups. April
2 is a time when we usually expect the air to be at its
3 cleanest. So we're already reaching those levels of
4 concern. It's not a good sign for the rest of the year.
5 And it does just show the importance of adopting this
6 rule.

7 Thank you.

8 BOARD CLERK HARRINGTON: Jacob DeFant.

9 JACOB DeFANT: Hi. Thank you, Chair Randolph,
10 members of the Board and the dedicated CARB staff. My
11 name is Jacob DeFant and I'm here presenting comments on
12 behalf of the Agricultural Council of California. We are
13 a member supported organization that advocates on behalf
14 of 15,000 farmers across California ranging from small
15 farmer-owned businesses to some of the world's best known
16 brands.

17 We're very appreciative of staff for inserting
18 language for compliance extensions for delays associated
19 with transition costs and electric infrastructure.
20 However, we still remain concerned about these issues.
21 ZEV technology has seen dramatic rises in prices, creating
22 cost burden on agricultural producers, deepening a
23 competitive disadvantage for California agriculture. Over
24 the past few years, several producers have taken advantage
25 of existing incentive funding to replace diesel yard

1 trucks with electric models. These conversions would not
2 have been made possible without the pairing of local air
3 district funding programs.

4 Additionally, many producers use specialty
5 vehicles during seasonal harvests. Transitioning to not
6 yet released or untested alternatives and specialty
7 vehicles on farm could cost producers additional hundreds
8 of thousands of dollars, and some have estimated wait
9 times of up to three years for first generation models,
10 which would delay compliance.

11 Further more, we are still concerned with the
12 ability of infrastructure and utilities to provide
13 consistent energy supply to meet the increased demand
14 anticipated by these regulations. We ask that the Board
15 consider additional extensions to allow time for utilities
16 to catch up with the anticipated demand that will be
17 generated by this rule.

18 Furthermore, producers have shown a dedication
19 and willingness to step up to incorporate new technologies
20 that assist in cleaning up our air, but we remain
21 concerned about the cost burdens on producers without
22 additional funding mechanisms. We are concerned about the
23 demand and reliability challenges faced by utility
24 providers and the effect it has on producer's ability to
25 comply with the proposed regulation as it is written

1 today.

2 Thank you for your time.

3 BOARD CLERK HARRINGTON: Next, we have Aravind
4 Kailas, who will be followed by Kristian Corby and then
5 Chris Shimoda

6 ARAVIND KAILAS: Madam Chair, members of the
7 Board, ARB staff, a very good afternoon to you. Aravind
8 Kailas with the Volvo Group, Volvo Group North America to
9 be specific.

10 First off, thank you so much for the opportunity
11 to provide comments. We are the leader in serial
12 production and deployment of heavy-duty, or Class 8,
13 electric trucks today and we'd like to keep it that way.
14 We thank ARB for creating this unparalleled market here in
15 our country and the rest of the world. We want our state
16 to succeed in attaining the Governor's goal of 100 percent
17 zero-emission transport by 2045.

18 Unfortunately, that's not guaranteed. We
19 strongly believe that the only way to success is by coming
20 up with a holistic solution. As has been stated
21 previously, attaining this goal is predicated on a
22 three-legged compliance stool, vehicle manufacturers, that
23 includes folk like -- folks like the Volvo Group and
24 others, fleets, and charging, and fueling infrastructure.
25 The Advanced Clean Fleets Rule, or ACF, would finalize

1 regulation on two of those legs. The third leg remains
2 unobligated and threatens the success of the other two.
3 We recog -- we appreciate that CARB has recognized the
4 likelihood that charging infrastructure deployment will
5 not keep pace with the compliance timelines set forth in
6 the rule. And we have many examples of witnessing this
7 unfortunate incident again and again.

8 Many of our HVIP vouchers are not being redeemed,
9 because the charging infrastructure is not available. And
10 so we are already starting to face these upstream effects.
11 If the fleets won't buy the trucks because the charging
12 infrastructure is not available, it's only a matter of
13 time that we are not able to sell and meet our sales
14 quota. For that reason, Volvo cannot be held responsible
15 for not meeting the sales targets because of factors
16 outside of our own control.

17 Therefore, Volvo respectfully urges ARB staff to
18 consider and amend the ACT compliance timeline to comport
19 with those considered in the ACF.

20 Thank you so much.

21 BOARD CLERK HARRINGTON: Kristian Corby.

22 KRISTIAN CORBY: Hello. My name is Kristian
23 Corby. I'm the Deputy Executive Director at the
24 California Electric Transportation Coalition.

25 CalETC supports the ACF Rule. The ACF Rule is a

1 necessary -- necessary compliment to the ACT Rule. And
2 for the truck markets that are ready to transition, these
3 rules will be an effective combination, driving both
4 supply and demand. I'd like to note that CalETC's Board
5 members are made up of the five largest utilities in
6 California, SCPPA, and NCPA. And we're committed to
7 making this transition a reality by working closely with
8 stakeholders on infrastructure planning.

9 In some cases, meeting the infrastructure need
10 will take time, but there are major planning and funding
11 efforts underway to help meet the demand as this
12 regulation ramps up. There will be challenges, but we are
13 motivated to meet those challenges. I'd like to thank the
14 CARB Board and staff for working with us on this rule,
15 their attention to our concerns, and willingness to adopt
16 some of our recommendations. We still have concerns that
17 we'd like to see addressed in this language or an
18 additional 15-day comment period after the Board vote
19 today. We believe these recommendations are critical for
20 implementation of the rule.

21 We recommend removing or reducing the 13-year
22 requirement to access certain exemptions from the public
23 fleet rule. This is critical to allow public agencies and
24 utilities to replace their trucks sooner than 13 years in
25 order to maintain a fully functional fleet that can

1 provide critical public services.

2 We recommend the non-repairable vehicle exemption
3 include breakdown of the engine or the vehicle, and that
4 new and used vehicles be allowed to replace broken ones.
5 We recommend removing the exclude the three highest
6 readings from the daily uses exemption. This is
7 particularly important as we see utilities responding to
8 impacts from more frequent and extreme climate events. We
9 recommend the definition of the common ownership and
10 control only apply to contractors that do work for one
11 year or more. To eliminate confusion about any short-term
12 or one-off contractors.

13 I really appreciate your hard work on this
14 landmark regulation and for your consideration of our
15 recommendations.

16 Thank you.

17 BOARD CLERK HARRINGTON: Next is Chris Shimoda
18 followed by Julia Levin and then Elaine Shen.

19 CHRIS SHIMODA: So good afternoon, Chair Randolph
20 and Board members. Chris Shimoda with the California
21 Trucking Association. I just wanted to revisit some of
22 the concerns we expressed in October and I know we have
23 several new Board members. But just to see whether or
24 those were alleviated in the 15-day changes.

25 There were really three buckets that we raised

1 back in October. One was the basic feasibility of the
2 regulation. This rule still does apply to vehicles that
3 we do not believe are well suited for zero-emission
4 technology. We continue to encourage the ARB to focus on
5 return-to-home-base vehicles, predominantly Class 5 and
6 below, that have the opportunity to centrally charge
7 overnight.

8 Two was lack of infrastructure. The analysis
9 says that we need 300 plus DC fast chargers in the ground
10 every week, depending on, you know, which year you're
11 looking at for ACF. In the infrastructure workgroups that
12 we held between October and now, I actually raised that we
13 need more than a hundred megawatts in the ports of LA and
14 Long Beach alone by the year 2025. And the response I
15 received was we do not actually know what projects are in
16 the ground or in the works to meet that demand, so that
17 continues to be a concern.

18 I want to acknowledge the site electrification
19 delay provisions at five years. However, the utility
20 which covers half this state said in October that some of
21 these projects could take seven years or more, so it
22 continues to be a concern.

23 And then just continued lack of fairness to
24 truckers who are going to rely on retail infrastructure,
25 but cannot access it. There is no exemption. They're

1 going to be forced to buy trucks that cannot plug in.
2 That just simply is not fair.

3 And I know I'm running short on time, so I'll
4 just say this. We continue to want to work with your
5 staff. I've been working with ARB for 10 years now.
6 We've never failed to come to a compromise on a
7 regulation, but we just have to express our concern and
8 opposition to this rule. We do not believe it is
9 feasible. Thank you.

10 BOARD CLERK HARRINGTON: Julia Levin.

11 JULIA LEVIN: Good afternoon. Julia Levin with
12 the Bioenergy Association of California. I'd like to
13 thank the Board and the staff for your very thoughtful
14 process leading up to the decision today or tomorrow. I'd
15 also like to echo the comments from both the wastewater
16 and the waste hauler sector. These are two essential
17 services, wastewater treatment and waste hauling protect
18 public health and safety, and it is critical that they
19 continue at full capacity. And so the flexibility that
20 you provided to these two sectors is really, really
21 essential to protect public health and safety.

22 These two sectors are also essential to meet that
23 state's short-lived climate pollutant reduction
24 requirements though, because the wastewater treatment
25 facilities can take a lot of the diverted food waste. The

1 waste haulers need to get the rest of the diverted organic
2 waste to beneficial alternatives, much more beneficial
3 than landfilling. And that is one of the most effective
4 and cost effective tools we have to reduce short-lived
5 climate pollutant emissions.

6 As the Air Board itself recognized in the 2017
7 Scoping Plan, effectively managing waste streams is
8 perhaps the most basic of environmental tenets. These are
9 critical sectors, so thank you for the flexibility that
10 you are Providing them.

11 I'd also like to echo the recommendation of the
12 City of Roseville. We really, really appreciate the
13 inclusion of the last paragraph of the resolution. It is
14 critical to finding new home for biomethane, renewable
15 hydrogen, and other end products from diverted organic
16 waste and other organic waste streams. But we agree with
17 the City of Roseville that in addition to including the SB
18 1440 program, it's important to mention SB 1383. SB 1440
19 is limited to residential and small business uses, which
20 are also supposed to be electrified in the coming decade.
21 So that, at least in its current form, is really not the
22 right long-term home either.

23 And then in addition, we think that that last
24 paragraph should mention electricity reliability.
25 Biomethane, renewable hydrogen, other renewable gases,

1 while really important for hard-to-electrify end uses, are
2 also critical for electricity reliability.

3 Thank you.

4 BOARD CLERK HARRINGTON: Next is Elaine Shen, who
5 will be followed by Ruben Aronin, and then Veronica Pardo.

6 DR. ELAINE SHEN: All right. Good afternoon,
7 Chair and members of the Board. My name is Elaine Shen.
8 I'm Planning and Rules Manager with the South Coast Air
9 Quality Management District.

10 I'm here today to support -- to express our
11 agency's support for the proposed Advanced Clean Truck --
12 Clean Fleet Regulation, ACF. So the turnover to
13 zero-emission truck fleets, as mandated by ACF, will bring
14 about much needed clean air and public health benefits for
15 our entire region, especially for the environmental
16 justice communities living in and around freight hubs and
17 freight corridors that attract heavy-duty trucks.

18 However, we do share similar concerns that the
19 road to zero-emission trucks at least will be bumpy due to
20 truck delivery and infrastructure delays. With the
21 recently added compliance extensions to accommodate these
22 potential delays, we respectfully request that CARB commit
23 to annual compliance tracking and reporting, and
24 specifically on the compliance extensions, the use of it
25 and also the associated near-term air quality impacts.

1 And emissions from any on-site electricity
2 generators, if used for truck charging, should be tracked
3 and reported as well. We heard about this from a
4 gentleman earlier working with a public agency and we also
5 heard it from private industry that they are
6 complaining -- contemplating in using on-site electricity
7 generators.

8 The annual tracking and reporting can also help
9 inform the effectiveness of ACF before key compliance
10 milestone years and whether CARB should consider any
11 future amendments to improve implementation outcomes.
12 Regarding the proposed purchase exemption in the event ZEV
13 and NZEV is not available, we respectfully also request
14 that CARB institute a mechanism such that the cleanest
15 available truck will be purchased.

16 And thank you again for the opportunity to
17 comment and for considering our requests. Thank you.

18 BOARD CLERK HARRINGTON: Ruben Aronin.

19 RUBEN ARONIN: Thank you, Chair Randolph, and
20 Board members, and staff for all of your tireless work on
21 this rule, including all the stakeholder meetings and
22 workshops. This is a really momentous day. We can
23 finally see some clear air coming and California won't
24 always have to be number one, LA; number two, Visalia;
25 number three, Bakersfield; number four, Fresno; number

1 seven, Sacramento; number eight, San diego; number 11; San
2 Jose. I don't like these rankings. Seven of the top 11
3 worst air basins in the country are poisoning our people
4 where we work, play, and live every day. And you've heard
5 many of the testimonials here and you know because you all
6 live in these communities too.

7 But we can unleash the entrepreneurial spirit of
8 the fourth largest economy to meet the challenge of
9 replacing dirty diesel trucks with the cost savings of
10 trucks available today.

11 I've had the privilege of working with more than
12 70 environmental justice, business health, science,
13 environmental, consumer, and labor groups who have engaged
14 deeply with staff and many of you as this rule has
15 developed over the last 18 or 24 months. Thank you for
16 listening to the Teamsters and our labor partners to
17 ensure this rule doesn't regulate misclassified truck
18 drivers, but rather shippers.

19 Hopefully you saw our coalitions full page ad in
20 the LA Times and have seen the impressive number of op-eds
21 and log posts touting the job benefits, the equity
22 importance of this rule, and the need to clean up our air.

23 I also hope you have a chance to review some of
24 our support materials and letters at
25 electrictrucksnowca.com including that letter from 31

1 legislators urging adoption of this rule and urging you to
2 go further.

3 Our coalition also strongly opposes natural gas
4 truck exemptions for all the reasons staff has noted. I
5 point you to the recently submitted opposition letter from
6 our equity partners submitted today. We thank you for the
7 comprehensive Board resolution that recognizes this is the
8 start of truck regulation and the end of it. We urge you
9 to bring future regulations sooner than '28 and we look
10 forward to working with you on implementation.

11 Thank you so much.

12 BOARD CLERK HARRINGTON: Next up is Veronica
13 Pardo, followed by Kelsey Genesi, then Ashley Gonzalez.

14 VERONICA PARDO: Good afternoon CARB Board and
15 staff. I'm here today on behalf of the Resource Recovery
16 Coalition of California. Our members provide critical
17 waste and recycling services throughout California and
18 have led the state in recycling and organic waste
19 management innovation. Those who operate in the waste
20 industry are essential service providers and unique
21 implementers of SB 1383, California's new organic waste
22 diversion regulation.

23 We would like to express our gratitude for the
24 Board's recognition that the successful implementation of
25 California's organic waste diversion requirements and

1 methane emission reduction goals mandated by SB 1383 are
2 critical to the State's climate goals. Multiple reliable
3 uses for non-fossil biomethane will be needed for
4 successful implementation of SB 1383.

5 We want to underscore the need for coordination
6 with other State agencies and relevant stakeholders to
7 implement our organic waste diversion goals. SB 1440
8 implementation is supplementary to this goal and we need
9 additional support if we intend to transition biomethane
10 into the harder to decarbonize sectors or as a feedstock
11 to produce hydrogen or to produce electricity to charge
12 battery electric vehicles.

13 Additionally, as included in our written comments
14 and as we have stated in public meetings, our industry is
15 trying to procure ZEVs now, but have already been faced
16 with significant delivery delays and ZEV infrastructure
17 development delays by no fault of their own. Ultimately
18 as essential service providers who protect the health and
19 safety of communities by managing municipal solid waste,
20 it is critical that we continue to have the ability to
21 deploy the cleanest available technology if ZEV
22 infrastructure and vehicles are unavailable.

23 I just want to, you know, acknowledge that this
24 has been a three-year effort and thank you very much to
25 CARB staff for all your hard work and we're almost there.

1 Thank you.

2 BOARD CLERK HARRINGTON: Kelsey Genesi.

3 KELSEY GENESI: Good afternoon. My name is
4 Kelsey Genesi and I'm the National City Policy Advocate at
5 Environmental Health Coalition. Almost every resident I
6 have met suffers from asthma or has someone in their
7 family who does. Children's asthma hospitalization rates
8 in National City are more than double the county average.
9 And the percentage of low birth weight is higher than 84
10 percent of California.

11 The pollution burden from cars and trucks is
12 higher for low income communities of color and National
13 City is no exception. Ninety percent of west side
14 residents are Latinx and almost a quarter live below the
15 poverty level. National City is home to Pasha, one of the
16 Port of San Diego's largest tenants. The Pasha Group
17 delivers cars to 49 states resulting in approximately
18 60,000 truck loads of cars each year. It is no surprise
19 that National City residents breathe more diesel polluted
20 air than 90 percent of the state.

21 Of the National City marina district's 60 acres,
22 residents only have access to green space on less than two
23 percent of that acreage at Pepper Park. Residents have
24 fought for nearly 10 years for funding to expand and make
25 improvements to Pepper Park and we are still waiting. We

1 know that living near highways, ports, warehouses have
2 devastating effects and can cause chronic health issues
3 leading to premature death.

4 Without crucial green space and investment from
5 the port, the only hope National City residents have to
6 breathe cleaner air is swift and significant regulatory
7 action to stop the burning of any fossil fuels. We cannot
8 afford to leave any more emission reductions on the table.
9 Without including auto carriers in the ACF Rule,
10 communities like West National City will have to wait
11 longer breathing more of the most toxic air in the state
12 before they can hope to see the air quality benefits from
13 this regulation that other cities will see first. This
14 rule is our best opportunity to do something about the
15 trucks and auto carriers on our streets. We ask that you
16 pass the ACF rule and include auto carriers without
17 exemption for natural gas vehicles so we are not left
18 behind. Frontline communities like ours are desperate for
19 relief and deserve to benefit from this rule. Thank you
20 for your time and consideration of our request.

21 BOARD CLERK HARRINGTON: Next is Ashley Gonzalez,
22 followed by Adam Browning and then Silvia Calzada.

23 ASHLEY VALENTIN GONZALEZ: Hello. My name is Ash
24 Valentin and I'm a resident of Logan Heights and an AB
25 1617[SIC] steering committee member. I'm here today to

1 call on the Air Resources Board to vote in favor of the
2 Advanced Clean Fleets standard.

3 My little sister and I find it very difficult to
4 breathe or enjoy the two parks in our community due to the
5 horrible air quality. We are struggling to survive and
6 are consumed with the aftermath of having these
7 developments in our homes. Instead of protecting my
8 neighborhood from the potential of more diesel trucks
9 entering our community, I should be in my dorm studying
10 for my mid-terms this week. It is heartbreaking and
11 exhausting to continue fighting against the presence of
12 toxic Corporations that don't have the best interests of
13 our communities.

14 Just a couple months ago the MCC wanted to double
15 the number of diesel trucks in our community. I chose to
16 prioritize fighting to protect the health of loved ones
17 over my mid-terms at that time too. Our community didn't
18 ask for these diesel trucks to come into our home nor the
19 health issues. Therefore, just as my elders and past
20 community members have been urging for clean air in our
21 community, I am here to urge you to vote yes to help
22 people live longer healthier lives, especially in
23 communities of color and low-income communities, where
24 exposure to smoke and diesel soot is one of the clearest
25 examples of environmental racism.

1 If we do not have CARB take action to find more
2 ways to cut pollution from all front-line communities,
3 just as our past and present generations who are
4 struggling to breathe, our future generations will also be
5 negatively impacted. Thank you.

6 BOARD CLERK HARRINGTON: Adam Browning.

7 ADAM BROWNING: Good afternoon, Madam Chair,
8 members of the Board, I'm. Adam Browning with Forum
9 Mobility. We're building a network of heavy-duty charging
10 depots designed specifically for drayage in and around the
11 ports of LA, Long Beach, Oakland, and out to common
12 warehouse destinations. Over the next 18 to 24 months, we
13 are working to bring our first tranche of depots on line,
14 which should support about 600 Class 8 heavy-duty trucks.
15 And that hopefully will be just the beginning.

16 I just want to say that the passage of this,
17 which we support, marks the beginning of our collective
18 effort, not the end. For successful implementation, the
19 State is going to need make some Biblical investments in
20 charging and in infrastructure. I calculate for drayage
21 alone five billion for chargers, 11 billion for real
22 estate, 13 billion for trucks. We can catalyze a
23 successful market transformation through building
24 economies of scale, like the State did with solar where I
25 began my career, but current efforts really do need to be

1 dramatically increased. We need a Manhattan Project for
2 charging. And I don't mean Manhattan, Kansas. We do not
3 yet have the Manhattan Project for charging.

4 I say you hold in your hands right now an
5 incredibly potentially effective tool for helping to
6 support the transition in the small businesses that needs
7 soft landings as they invest in this transition, and that
8 is the Low Carbon Fuel Standard, which provides about
9 three and a half billion dollars annually, most of which
10 goes to biofuels. We are now looking to mandate
11 zero-emission solutions. And you could help direct that
12 fund evergreen to the same solutions that you're
13 mandating. We've provided voluminous comments of exactly
14 how that could happen and I hope you'll support that going
15 forward as well.

16 Lastly, I just want to say California is capable
17 of great things and I look forward to working in
18 collaboration with you all on this great thing.

19 Thank you.

20 BOARD CLERK HARRINGTON: Next is Silvia Calzada
21 followed by Margarita Moreno, and then Alicia Sanchez.

22 SILVIA CALZADA: Good afternoon, CARB Board
23 members. My name is Silvia Calzada, constituent and
24 community leader in the National City, San Diego. I am a
25 Community Health Worker with the Environmental Health

1 Coalition and I am also a member of the AB 617 Portside
2 Community steering committee, member for the Joint
3 Implementation Committee of the AB 617 CERP, and the Port
4 of San Diego's Maritime Clean Air Strategy, along with
5 being a Board member for the community housing works. For
6 over 25 years, I have Lived in the portside community of
7 Old Town in the west side of National City, a neighborhood
8 overburdened by toxic emissions due to the heavy presence
9 of polluting businesses, because city and just mixed land
10 use in existence for more than 50 years.

11 The toxic air we breathe from heavy-duty trucks
12 including a automobile carrier has affected our quality of
13 life, increasing asthma, and respiratory disease cases
14 dramatically. As a patient with asthma and a resident of
15 the Paradise Creek Apartments, an affordable housing
16 project of community housing works, was a recipient of the
17 Greenhouse Gas Reduction Fund supported by CARB yourself.

18 Unfortunately, there are other challenges that we
19 are facing outside the gated community. To the east, we
20 site the Ford company where auto carriers travel to and
21 park with their engines on in the middle of the street
22 polluting the air and interrupting the traffic flow. To
23 the west, exists Pasha, a large automotive business which
24 transports more than 500 new cars in its auto carriers
25 throughout the portside communities. For this reason, I

1 am here demanding you include the car carriers to the
2 Advanced Clean Fleet. It is essential you approve and
3 define the power you have to support healthier, safer, and
4 thriving communities. Thank you.

5 BOARD CLERK GARCIA: Thank you. Margarita
6 Moreno.

7 MARGARITA MORENO (through interpreter): Good
8 afternoon. My name is Margarita Moreno. I'm a resident
9 of National City and an organizer for the coalition of --
10 the Environmental Health Coalition. I'm also part of the
11 steering committee AB 617. I have been for more than two
12 years now. And I'm here today representing not just my
13 community, but anybody else, the residents in our area who
14 are experiencing respiratory issues because of the
15 contamination air pollution. Personally, I've seen it
16 with my own family. My child has asthma and has caused us
17 to be able -- or excuse me, caused us to have to receive
18 medical care very, very frequently. And this is something
19 that we're seeing in all the port cities, especially
20 National City and Barrio Logan.

21 And as part of the AB 617 steering committee, we
22 support the Maritime Clean Air Strategy, which we
23 understand is the document, so that the port can have the
24 authority to make any changes and adapt any strategy, so
25 that they can make sure that the work is taken care of in

1 a cleaner way and electrify any trucks that come and go
2 into the port by the year 2030.

3 Today, we're here to support the Advanced Clean
4 Fleets Regulation, because that would help lower pollution
5 significantly. We need companies to buy clean
6 zero-emission trucks. In National City, we have a company
7 called Pasha. They transport new cars in semi trucks and
8 that is one of the highest sources of pollution in our
9 area. I live so close to this freeway and pollution, you
10 know, it doesn't stop. It goes on day to day all day, so
11 we want car carriers, those who transport these vehicles,
12 to be included in this regulation in the next five years.
13 And I hope you can take into account our requests.

14 Thank you.

15 BOARD CLERK GARCIA: Thank you. Alicia Sanchez.

16 ALICIA SANCHEZ (through interpreter): Good
17 afternoon. My name is Alicia Sanchez. I'm a resident of
18 National City and an organizer with the Environmental
19 Health Coalition as well as a member for the AB 617
20 steering committee. And I'm here because too many trucks
21 come by our area polluting and they cause respiratory
22 illnesses, such as asthma, not just in the community, but
23 within my own family. We want trucks to be electrified by
24 2035, which is why I support the Advanced Clean Fleets
25 Regulation. In fact, in our community, we have a company

1 called Pasha, which is dedicated to transporting new
2 vehicles throughout California. They do it throughout the
3 entire United States. They make more than 60,000 daily
4 trips and this affects so many of us, too many of us, who
5 live near the I-5 freeway, where there are residential
6 homes and schools very close to where they make these
7 trips. We are here to support the advanced regulation of
8 clean fleets and we ask you please to consider including
9 any company that transports vehicles, since they are one
10 of the primary sources of contamination. And we'd like to
11 see this implemented within the next five years.

12 Thank you for listening and we would love for you
13 to take our request into account.

14 BOARD CLERK HARRINGTON: Next is Monserrat
15 Hernandez followed by Meli Morales, then John McNamara,
16 then Andy Schwartz, then Mike Monagan.

17 MONSERRAT HERNANDEZ (through interpreter): Good
18 afternoon. My name is Monserrat Hernandez. I'm a
19 resident of Logan Heights in San Diego. And for the last
20 two years I've been part of the AB 617 steering committee.
21 One of the great achievements that we've had with this
22 community is to get the CERP approved, a CERP that will
23 improve our air quality in the portside communities of San
24 Diego. Today, we're here in support of the Advanced Clean
25 Fleets Regulation, because we feel it will help improve

1 what we've already supported in San Diego with AB 617,
2 which is to have a statewide regulation to have zero
3 emission trucks in California in the coming years. The
4 health of all those who live in this -- near the port is
5 at stake, if we don't improve our air quality soon. We do
6 not want to continue having the highest rates of asthma
7 among the children in our community. And that's why we
8 ask that car carriers be included in the Advanced Clean
9 Fleets Regulation. Why? Because, for example, National
10 City these trucks take approximately 60,000 daily trips
11 that pollute our community and that's why we want to see
12 them included in this regulation within the next five
13 years.

14 Thank you.

15 BOARD CLERK HARRINGTON: Meli Morales.

16 MELI MORALES: Meli Morales representing the
17 Environmental Health Coalition from the San Diego and
18 Tijuana region in support of the Advanced Clean Fleet Rule
19 and acceleration of the 100 percent ZEV sales requirement
20 to 2036.

21 Less than one percent of the planet has safe air
22 to breathe. The impacts of this crisis are concentrated
23 and exploited in BIPOC communities like Logan, a majority
24 Latina neighborhood adjacent to the Port of San Diego.
25 There, diesel emissions are responsible for 84 percent of

1 the cancer risk from air toxics and children have five
2 times more asthma hospitalizations than kids in the
3 affluent community of La Jolla.

4 Additionally, the San Diego international border
5 617 communities experience the highest traffic percentile
6 in the state and PM2.5 levels in the 95th percentile. A
7 million trucks are crossing the border each year and we
8 need them to be zero emission. Our air quality crisis
9 leaves no room for exemptions for natural gas vehicles.
10 Our dependence on fossil fuels harms EJ communities many
11 times over when it's pulled from the ground, when
12 pipelines enable land up, when pipelines leak, and again
13 when spewed from a tailpipe.

14 Studies have shown that natural gas engines can
15 produce five to 50 times more ultrafine soot particles
16 than diesel-fueled vehicles. Residents have worked
17 tirelessly on the Portside AB 617 CERP and the Port of San
18 Diego's goals to full electrify by 2035. But just one
19 year after the Port approved the Maritime Clean Air
20 Strategy, a prospective port tenant threatened to double
21 diesel truck trips. Residents rose up and fought back,
22 but there are currently no policy mandates that would
23 prevent something like this from succeeding in the future.

24 For our region to benefit from the rule, we urge
25 the Board to consider incentives and mechanisms to assist

1 cross-border trucks, and to include auto carriers as high
2 priorities fleets required to transition as soon as
3 possible. Opponents worry that it won't be workable for
4 them, but we already know that the burning of fossil fuels
5 only works for company shareholders.

6 Thank you for your consideration of our requests
7 and we look forward to adoption of a stronger resolution
8 today.

9 BOARD CLERK HARRINGTON: John McNamara.

10 JOHN McNAMARA: Good afternoon, Board Chair,
11 Board members, and staff. My name is John McNamara with
12 CR&R Environmental Services. We've been working with the
13 staff for over three years on rule language and we
14 appreciate the opportunities we've had to discuss and work
15 on that rule language. I especially want to thank them
16 for including the SB 1383 language and working with SB
17 1383 implementers like CR&R on a unique pathway within the
18 rule language. And we look forward to continuing to work
19 with CARB and the other State agencies on finding a home
20 for that important material that we produce from recycled
21 organic wastes including RNG.

22 Thank you.

23 BOARD CLERK HARRINGTON: Andy Schwartz.

24 ANDY SCHWARTZ: Good afternoon, members of the
25 Board. My name is Andy Schwartz, speaking on behalf of

1 Tesla. I want to thank the CARB Board and staff for the
2 opportunity to engage in this discussion this afternoon.

3 As an initial matter, I want to express Tesla's
4 strong support for the proposed acceleration of the
5 hundred percent ZEV sales requirements for medium- and
6 heavy-duty vehicles.

7 In terms of the specific changes, we hope the
8 Board will consider, if not today then in future
9 refinements, we have a couple of recommendations specific
10 to the ZEV milestone framework applicable to high priority
11 and federal fleets. First, we recommend that the
12 framework incorporate credit trading, provide additional
13 compliance flexibility to fleets. The nature of the
14 market covered by the ACF lends itself to this compliance
15 tool, recognizing the different costs of compliance that
16 different entities will face.

17 As it stands, the ACF relies extensively on
18 granting exemptions and extensions, which necessarily
19 reduces the overall impacts of the regulation. Credit
20 trading would provide a way of channeling demand for ZEVs
21 that can't be met directly by a given fleet toward the
22 deployment of additional ZEVs by other entities, thereby
23 preserving overall stringency of the framework. This is
24 not to say that Tesla doesn't support providing exemptions
25 and extensions in certain circumstances, but those should

1 be an option of last resort.

2 Second, we have concerns regarding the uniform
3 compliance value that the ZEV milestone framework ascribes
4 ZEVs regardless of vehicle type. As drafted, an entity
5 facing an obligation to deploy ZEVs associated with its
6 Class 8 vehicles can meet those obligations by deploying
7 lighter duty vehicles on one-to-one basis. The regulation
8 should be revised to ensure that fleets don't focus
9 exclusively on lighter duty vehicles in meeting their
10 compliance obligations to the detriment of efforts to
11 replace the heaviest duty vehicles like Class 8 trucks,
12 which are of the greatest concern given their emission
13 impacts and where they operate in the state.

14 Thank you again for the opportunity to address
15 you today and thank you for your continued leadership on
16 these important issues.

17 BOARD CLERK HARRINGTON: Next is Mike Monagan and
18 that will be followed by Brian Giron Flores, then Dana
19 Ignacio Lorenzo, then Teresa Bui, and then Amaru.

20 MIKE MONAGAN: Thank you, CARB members. Mike
21 Monagan on behalf of the California State Building and
22 Construction Trades. We represent about 500,000 men and
23 women in construction, including about 70,000 in our
24 state-approved apprenticeship programs.

25 As we've stated before in previous comments

1 before CARB, increasing California's electrical
2 consumption without a corresponding commitment to new
3 power generation will only further the strain on
4 California's grid. We urge CARB to work to ensure that
5 ZEV deployment and related infrastructure buildout
6 schedules are technologically feasible, cost effective,
7 and support market conditions.

8 To help meet its carb -- decarbonization, air
9 quality targets, we urge you to ensure that proposed
10 regulations provide parity for the use of battery electric
11 vehicles, plug-in hybrid vehicles, and fuel cell electric
12 vehicles.

13 Lastly, as California works towards its
14 accelerating deployment of ZEVs, we strongly believe that
15 an equally accelerated deployment in fueling and charging
16 infrastructure is critical. By prior -- by prior --
17 excuse me. By prioritizing this approach, California can
18 create tens of thousands of opportunities for women and
19 men in the construction industry, while simultaneously
20 creating a market for fueling options that makes broad
21 deployment of reduced emission vehicles key.

22 Thank you.

23 BOARD CLERK HARRINGTON: Brian Giron Flores.

24 BRIAN GIRON FLORES: All right. Good afternoon.

25 My name is Brian and I'm here presenting Warriors for

1 Justice, an Urban Promise Academy.

2 My whole life I've seen diesel trucks on the
3 highway leaving behind large gas clouds from their exhaust
4 pipes. This is bad for many reasons, but the most obvious
5 one is definitely the large amount of pollution being
6 emitted and the disease that comes with it. I witnessed
7 this firsthand with my grandpa. My grandpa was a truck
8 driver for most of his life and this led to cancer later
9 on. I've see what the horrible illness does to people and
10 their families. I don't want that for anyone else. This
11 is why I strongly support the transition from diesel to
12 electric trucks.

13 Thank you.

14 BOARD CLERK HARRINGTON: Amaru.

15 Oh, sorry, Dana Ignacio Lorenzo.

16 DANA IGNACIO LORENZO: Good afternoon. My name
17 is Dana Ignacio Lorenzo. I am 14 years old and I'm here
18 with Warriors for Justice, Urban Promise Academy in
19 Oakland. Pollution has affected my community in many
20 ways, making it hard, because of the amount of gas that's
21 being released, making it hard for kids to play outside
22 and have breathing problems. I am also affected by this,
23 because I have asthma making it hard for me to do sports
24 and play with my sibilings whenever I want to.

25 Making the shift to electric trucks will help

1 reducing the amount of pollution that's being let out and
2 helping these kids breathe better and have less health
3 problems. This is why I hope you support the change from
4 gas trucks to electric trucks in order to help my families
5 and other people's families too. So thank you.

6 BOARD CLERK HARRINGTON: Amaru.

7 AMARU: Hello. My name is Amaru. I'm here
8 representing UPA Warriors for Justice in Oakland. When
9 diesel trucks pass through my community on the 880, they
10 leave behind pollution in the air. There is so much of
11 this pollution that where I'm from, babies are born with
12 asthma and lung diseases are common. Now picture this, a
13 place where these huge polluters are replaced with the
14 green alternatives. It would bring so much good to
15 communities like mine. So please, for the sake of
16 communities like mine, people like me and you, please vote
17 yes and support people who just want to live.

18 Thank you. Sorry.

19 BOARD CLERK HARRINGTON: Amando Juarez Quintero.

20 AMANDO JUAREZ QUINTERO: Good afternoon. My name
21 is Amando Juarez Quintero. I'm 13 years old and I'm a
22 student in Urban Promise Academy in Oakland.

23 Pollution can cast -- can cause asthma, cancer,
24 and cardiovascular diseases. The 880 freeway in Oakland
25 is located in the low-income communities affecting those

1 with low income. I had to use an inhaler for a while when
2 I was a little kid, because they identified me with having
3 asthma, but then the doctors changed that later on.

4 Diesel trucks are the ones that are mainly
5 causing health problems. Switching to electric trucks
6 will reduce pollution in the atmosphere and will also
7 reduce the climate change. This is why I support the
8 transitioning to electric trucks and -- trucks and I ask
9 you to do the same.

10 Thank you.

11 BOARD CLERK HARRINGTON: Teresa Bui.

12 TERESA BUI: Good afternoon, members of the
13 Board. My name is Teresa Bui with Pacific Environment.
14 Thank you to staff for all your hard work to get us to
15 this point. We are urging you to unanimously adopt the
16 Advanced Clean Fleet Rule that requires a hundred percent
17 of drayage trucks by 2035 and require manufacturers to
18 sell a hundred percent pollution-free trucks by 2036.

19 The IPCC report has a made it clear that the
20 climate crisis is here, it's deadly, and it's caused by
21 fossil fuel. The good news is that the technology for
22 zero-emission trucks is already here for communities to
23 cut pollution and for us to help climate change. We want
24 to make sure that the trucks are truly zero emission and
25 not the cleanest combustion that some stakeholders are

1 asking or have suggested.

2 Natural gas methane engines help extend the life
3 of fossil fuel industry and can actually be worse for the
4 climate and for our lungs. Switching from one form of
5 fossil fuel to another fossil fuel technology is -- does
6 not benefit us or the climate and it actually locks us
7 into decades of additional air pollution and creating
8 stranded assets. So with that, we urge you to swiftly
9 adopt this rule and thank you so much for all the work
10 that you've done.

11 Thank you.

12 BOARD CLERK HARRINGTON: Next is Sanaiya who will
13 be followed by Susan Pham, Michelle Gonzalez, Ryan Kenny,
14 and Lisa McGhee.

15 SANAIYA: Hi. Good afternoon. My name is
16 Sanaiya. I'm from Oakland. I go to United for Success
17 Academy.

18 I'm here because I don't think we deserve
19 pollution in our city. This affects me because me and my
20 twin brother have asthma and my brother has it badly. He
21 has been to the hospital eight times because of his
22 asthma. It has been a lot for me and my family. Some
23 people die off of asthma and some people get through it.
24 It hurts our city and it hurts our lungs. This is why we
25 should transition from diesel to electric. If you don't

1 know, diesel has "die" in and we shouldn't die, we should
2 live. Thank you.

3 BOARD CLERK HARRINGTON: Susan Pham?

4 SUSAN PHAM: Hello. Good afternoon. My name is
5 Susan. I go by she/her. I go to United for Success
6 Academy in Oakland. I am 13 years old. The reason why I
7 came here in Sacramento to talk about bad air pollution.
8 It affects people that are around us and ourself. Asthma,
9 cancer, it could cause all type of problems. We demand to
10 stop big trucks from using diesel and transition to
11 electric. None of us deserve to have asthma, or cancer,
12 or other illness. Fossil fuel affects us and everybody
13 around us. Everybody has a lot to take care of and have
14 their own things to do. We need -- we all need to demand
15 to stop diesel fuel usage. Thank you very much.

16 BOARD CLERK HARRINGTON: Michelle Gonzalez.

17 MICHELLE GONZALEZ: Hi. My name is Michelle.
18 I'm -- first of all, good afternoon. I'm from Oakland
19 representing Youth versus Apocalypse. And all my life,
20 I've literally seen diesel trucks drive within my
21 community and in those of my friends and family.

22 I come from a family of truck drivers. When my
23 dad immigrated here from Colombia, that was one of the
24 first jobs he took on to provide for us. And yet so many
25 of us have suffered from asthma, cardiovascular issues,

1 cancer, and we've seen firsthand what this does. These
2 trucks idle in our communities. They park in our
3 communities. They drive in our communities. And they put
4 these toxic chemicals into what we breath on the daily.
5 And is it really a coincidence that these trucks are in
6 our communities when the majority of us are Black, Brown,
7 and poor?

8 In Oakland, we have the 580 and the 880 highway.
9 And rich white people are the ones that usually live along
10 the 580, while for the 880 a majority of us are Black,
11 Brown, and poor. And the difference between the 580 and
12 the 880, apart from like the demographics of who lives
13 there, is that diesel trucks are not allowed to drive on
14 the 580. And if they do, they get fined. And meanwhile,
15 they have to resort to the 880 to drive. And why is that?
16 Like as I mentioned, we are communities of Black, Brown,
17 and poor people. And why do we have to breathe in this
18 contaminated air? Like why?

19 When I was younger, I would have hope by the time
20 I was 20, which I am now, everything would be okay and I
21 wouldn't need to worry about this stuff. But I'm at that
22 age where my friends -- like literally the people I grew
23 up with are raising the next generation. And a childhood
24 spent worrying about asthma and cancer will now be in
25 adulthood worrying about these same things for our

1 children. My friend just had a baby and she had childhood
2 asthma. She had all these issues and I do not want that
3 for him. He's seven months old.

4 Thank you.

5 BOARD CLERK HARRINGTON: Ryan Kenny.

6 RYAN KENNY: Good afternoon, Chair Randolph,
7 members of the Board. My name is Ryan Kenny with Clean
8 Energy. And my testimony today is to ask that you improve
9 on the regulation. We do support the requirement that an
10 exemption is provide for vehicles with an ICE, internal
11 combustion engine, be Omnibus certified. But, it falls
12 short of where this regulation needs to be. This
13 regulation allows legacy diesel to proliferate in the --
14 as much of an option as the cleanest available technology.

15 Omnibus allows legacy diesel to be purchased
16 above 50 milligram standard in some percentage quantities.
17 Now, I want to emphasize that the Heavy-Duty Omnibus
18 Regulation allows for the dirtiest engines that may only
19 meet 2010 standards through 2026, in order to provide
20 diesel manufacturers more time to comply with the more
21 stringent standards set by the Omnibus Rule. And Board
22 members, I want to emphasize that again. Heavy-Duty
23 Omnibus allows for the dirtiest engines that may only meet
24 the 2010 standards through 2026 in order to provide diesel
25 manufacturers more time to comply with the more stringent

1 standards set by the Omnibus Rule.

2 We have a solution to that. The solution is to
3 prioritize the most stringent stand -- stringent standard
4 vehicles under Omnibus as a priority in ranking order,
5 starting with the 20 milligram engines, then 50, then the
6 omnibus -- or not Omnibus engines.

7 If a cleanest available technology, which is
8 technology neutral. We're not asking for a specific
9 vehicle type, not a fuel type, just strictly performance
10 standard. If it can't meet that, then go to the next one.
11 But start off with the 50 -- the 20 milligram engine and
12 don't let legacy diesel proliferate with this regulation.

13 Thank you.

14 BOARD CLERK HARRINGTON: Next will be Lisa
15 McGhee, and then Sheila M., and then Mariah.

16 LISA MCGHEE: Hi. I'm Lisa McGhee. I've been
17 the operations manager for an airport parking facility.
18 This fleet runs on average 250 miles per day on a shuttle
19 and ends at 30 percent state of charge daily. The fleet
20 is 100 percent electric as of January 2021 due to the ASD
21 mandate. I'm currently the business development manager
22 with GreenPower Motor Company, which is a medium-,
23 heavy-duty EV OEM. Please approve Resolution 23-13 and
24 adopt the ACF. This will provide certainty to OEMs and
25 the supply chain. It provides many societal and fleet

1 benefits. It provides ample time of 12 to 20 years with
2 the phase-in option at 10 percent of the fleet size.

3 There are many benefits, programs, and billions
4 in funding to align with the transition. There are many
5 technology advancements and operational benefits for
6 fleets, for example, trucks as a service, fleets as a
7 service, the innovate small electric fleet rebates, the
8 Carl Moyer Plus-Ups for fleet size ten or fewer, the high
9 voltage ultra fast charging technology, a new DAC map, the
10 passing an amendment last month of the tampering exemption
11 for EV conversions allowing retrofits on used vehicles to
12 become ZEV compliant.

13 There is much to gain upon EA adoption. You
14 don't know what you have not experienced. ZEV technology
15 and values can be very complex with kilowatts and kilowatt
16 hours. There's opportunity for risk limitation adopt
17 early. Keep your vehicles in your existing vehicle and
18 transition as you age out. For high mileage fleet
19 concerns, calculate if a charging opportunity exists. For
20 example, a nine hour driver shift, a 300-mile route at 50
21 miles per hour this equals six hours on. The downtime is
22 three hours and an opportunity to charge another 100 to
23 200 miles. A 200 mile route, a 40-mile per hour average,
24 five hours on, a downtime of four hours and an opportunity
25 to charge and increase 100 to 300 miles.

1 EV plan priorities. Plan the best route,
2 calculate your data and your use gauge, gaining knowledge
3 and be open to changes that are different. The benefits
4 are 50 percent fuel, maintenance, and increase uptime.
5 Thank you.

6 BOARD CLERK HARRINGTON: Sheila M.

7 SHEILA MATHIAS: Hi. My name is Sheila Mathias.
8 I'm with Youth versus Apocalypse. In my opinion, all
9 diesel trucks should switch to electric power. I live in
10 Oakland and there are two freeways in our city, 880 and
11 580. 880 has more trucks than 580. The gas pollution
12 there is a higher range and a higher air pollution. The
13 equality of trucks -- of trucks in safe places should be
14 the same. There shouldn't be inequality of saving lives.
15 580 is in the upper hills where more of the White people
16 live. If you've noticed, white people don't have the same
17 health issues that we Brown and Black people have. I have
18 asthma and I'm an indigenous. My skin color is brown. I
19 notice people who are white and they don't have the health
20 issues me and my people have. The people living in these
21 hills are safe, because freeways are farther from them.
22 If you see, many people don't have the liberty to breathe
23 air safely or to see the world in -- or see the world out
24 there. We're not convincing you guys just for us in here,
25 we're also for the generations, and the people, and the

1 youth out there.

2 Thank you.

3 BOARD CLERK HARRINGTON: Next is Mariah, who will
4 be followed by De'Avieus[sic] Hughes, then RaMauri Cash.

5 MARIAH: Hello. Hi. My name is Mariah. I'm
6 from a McClymonds High School in Oakland. I believe
7 people shouldn't have to go outside and feel like they
8 need an inhaler to breathe. What I'm saying is because
9 I'm a person with both asthma and allergies, I know that
10 the pollution can trigger both. And I have struggled with
11 breathing for a very long time. I've been rushed to the
12 hospital many times, because I couldn't breathe or being
13 hooked onto a machine to breathe.

14 Throughout the years, earth's pollution has an
15 issue for a very long time. All these trucks that we see
16 that's holding gas or anything that contains gas are
17 included in what I'm saying that affects the world today.

18 Thank you for listening.

19 BOARD CLERK HARRINGTON: De'Avieus[SIC] Hughes.

20 DARIUS HUGHES: Good afternoon. My name is
21 Darius Hughes and I am representing Youth versus
22 Apocalypse in Oakland, California.

23 With the betterment of our climate in mind, there
24 is no doubt that transitioning to ZEV is the ideal choice.
25 Diesel fuels are flawed in the vein that they are harmful

1 to our climate and also our mortality. It is no secret
2 that emissions can aggravate asthma, accelerate heart
3 disease, and cause lung cancer. The fact that there is a
4 zero-emission alternative in question that eliminates the
5 previously stated issues should make this a favorite
6 choice.

7 In my community, I witnessed a classmate of mine
8 contract cancer, largely due to higher-ups neglecting to
9 innovate the machines affecting our climate and
10 well-being. I can testify that these issues are real and
11 they deserve to be addressed.

12 Thank you.

13 BOARD CLERK HARRINGTON: Next will be RaMauri
14 Cash followed by Julian Cluster, then Myla Grayson.

15 RaMAURI CASH: Hello. My name is RaMauri Cash.
16 I'm a 15-year old high school student from Oakland,
17 California at Skyline High. So right now, I just want to
18 talk about the -- I just want to plead the betterment of
19 my community, because as a West Oakland resident, we
20 constantly have multiple industries using diesel trucks
21 passing through our communities, whether it's the Port of
22 Oakland, the cement -- the cement mill, or the -- sorry,
23 or the Post Office with their ginormous fleet of diesel
24 trucks that deliver the mail across country, which -- and
25 that really -- that really bothers me, because everybody I

1 know almost either has eczema or asthma, even my little
2 God sister last week was diagnosed with it and we had no
3 idea. And the doctors told us that was most likely -- it
4 was most likely she had it from birth and we had no idea.

5 These are the type of issues that Black and Brown
6 communities face on the daily, because of pollution from
7 diesel trucks. And people say that if you take these jobs
8 away from people, people will be devastated or people will
9 be harmed. The people are already being harmed by the
10 pollution caused by these infrastructures and the trucks
11 that they use.

12 So taking away these trucks would not bring it --
13 bring down -- bring the downfall of anybody. It would
14 bring a chance for betterment amongst many people from the
15 truck drivers contracting carbon poisoning or cancer from
16 their own trucks. Yet, people claim that electric
17 vehicles are not reliable. How reliable is a truck that
18 can give you cancer?

19 Thank you.

20 BOARD CLERK HARRINGTON: Julian Cluster.

21 JULIAN CLUSTER: Hi. My name is Julian. I'm
22 eight years old. I'm here today to have a say in everyone
23 having a livable future. I think if all trucking
24 companies go electric it will make a more equal and
25 healthy future for everyone. When I was three-years old I

1 was part of a study that showed there was toxic chemicals
2 from diesel pollution in my body and the bodies of other
3 kids in my community. That is not fair. I want you to
4 pass the ACF Rule so kids and adults will be able to know
5 that they won't get sick from diesel pollution and global
6 warming.

7 Thank you.

8 BOARD CLERK HARRINGTON: Next will Myla Grayson
9 followed by Carolyn Norv[SIC], then Linda
10 Hutchins-Knowles, then Angeles Garcia.

11 MYLA GRAYSON: Hi. My name is Myla Grayson and
12 I'm a student from McClymonds High School and I'm 15 years
13 old. I've heard a lot of people at my school saying I
14 have asthma and this air isn't good. I used to not
15 understand what it means. I feel that our community
16 should speak out against fuel required trucks. We have
17 health issues like asthma from gas and smoke from trucks.
18 There are more than two million lives lost from gas and
19 fumes. I feel like we need to switch to electric vehicles
20 because it's more healthier for us, and our communities,
21 and animals, then the yearly deaths will be reduced by a
22 lot. Pollution from cars, and trucks, and factories is
23 just making our air quality bad.

24 Thank you.

25 BOARD CLERK HARRINGTON: Carolyn Norv[SCI].

1 CAROYLN NORR: My name is actually Carolyn Norr.
2 I work with Youth versus Apocalypse. And as I was coming
3 here I realized I didn't have time to write our a speech
4 because I was spending all my energy supporting all the
5 young people that are coming out today. And I then I
6 realized that that's very much what I want to say, which
7 is that as an older person, when I think about the young
8 people that I'm working with, the reason that I work so
9 hard and try to hard to make sure that everyone is here
10 and taken care of is because I believe that they have a
11 right to speak here and they have a right to a livable
12 future. And not only is our communities under assault
13 from the immediate pollution, but also the long-term
14 consequences of climate change and climate breakdown that
15 we're facing.

16 As a parent, I can't think of anything I can do
17 more important than urge all of you and urge all of us to
18 take immediate action, because we all know in the back of
19 our minds what it means to not act. It means that we're
20 denying all these young people who are up here speaking a
21 future, the one -- like the same kind of thing that we had
22 when we were growing up. The world has never been perfect
23 and there's a lot of injustice to address. And also, we
24 need to give people a fair shot to keep going and to keep
25 fighting.

1 So I'm here today with all these young people
2 speaking out on their behalf and hoping that you all
3 continue to make real progress and do what needs to be
4 done, so that these kids can grow up and raise future
5 generations as well.

6 Thank you so much.

7 BOARD CLERK HARRINGTON: Linda Hutchins-Knowles.

8 LINDA HUTCHINS-KNOWLES: Hi, Chair Randolph and
9 Board members. My name is Linda Hutchins-Knowles. And as
10 a mother, like the previous speaker, I'm here to have
11 these amazing youths' backs. They and their communities
12 are the most important stakeholders you have and I hope
13 that you will take their powerful stories to heart. As a
14 volunteer I'm representing the 6,200 plus California
15 supporters of Mothers Out Front, a national movement of
16 mother and allies mobilizing for a healthy environment
17 today and a livable climate tomorrow for all children.

18 I'm also representing the EV Charging for All
19 coalition and the 25 organizations that joined on to our
20 letter to you. As advocates for the equitable and rapid
21 electrification of transportation, we urge you to adopt
22 the ACF Rule without delay. We agree with the other
23 speakers that the ACF Rule is necessary, but not
24 sufficient. We ask you to make an important change by
25 lowering the fleet size subject to this rule to 10 trucks

1 or more, not 50 or over. Imagine the massive amount of
2 pollution from 49 diesel and gas guzzling big rigs. The
3 people living in communities poisoned by this air
4 pollution don't have the luxury of getting exempted from
5 breathing bad air if they live in smaller homes. So why
6 should smaller fleets get exempted?

7 We also urge you to resist false solutions.
8 Currently, 98 percent of hydrogen is produced from fossil
9 fuels. This means that hydrogen fueled trucks can't be
10 truly considered zero emission. The methane gas that
11 powers them is 86 times more climate destabilizing than
12 carbon and leaks at every stage. It's extracted primarily
13 in communities of color and low-income communities. For
14 hydrogen fuel trucks to be exempted from this rule, they
15 should be required to use only green hydrogen produced
16 with truly renewable solar electricity not fossil gas or
17 biogas.

18 For the health of our communities, our children,
19 and our climate, we e-mobility advocates and mothers ask
20 you to adopt the ACF Rule without delay, dilution, or
21 carve-outs for hydrogen. Please have these youths' backs.
22 Lives are hanging in the balance.

23 Thank you.

24 BOARD CLERK HARRINGTON: Next is Angeles Garcia
25 followed by Kea Andrales, then Oliver Martinez.

1 ANGELES GARCIA: Hello. My name is Angeles and
2 I'm a sophomore at Hueneme High School in Oxnard. Before
3 I begin, thank you for working on such a progressive
4 transition to ZEVs. Although the rule is ambitious, I'm
5 here to ask to please include a plan for car-carrying
6 trucks and reduce fleet sizes from 50 to 10.

7 As a port community that is often a victim of
8 environmental racism, I have seen how air pollution not
9 only affects our environment but our mentalities as well.
10 When volunteered to advocate for my community's rights to
11 clean air at different events, including this one, I'm
12 often faced with individuals that believe that we are
13 exaggerating our flat-out belief that it's our own fault,
14 that it's because we're dirty. We internalize this fault,
15 even though we're not polluting like multi-million dollar
16 companies.

17 But I have seen firsthand how having diesel
18 emissions so close to us, that by the way account for 70
19 percent of cancer related air toxins and also cause
20 asthma, affects us. My mom unfortunately struggled with
21 her lungs and breathing as a whole. She couldn't laugh or
22 work properly for about two years. And where did she
23 work? Right next to the truck routes where every truck
24 that comes from the port passes.

25 We want to see a change in our community. We

1 want to know that we aren't just numbers on a screen that
2 are brushed aside. We matter just as much as anyone else.
3 We work hard and deserve clean air without car-carrying
4 trucks in this rule. My community and I will continue to
5 be heard and impacted by diesel. Please include them in
6 your plan and reduce fleet sizes from 50 to 10 so that we
7 can breathe cleaner air.

8 Thank you for our time.

9 BOARD CLERK HARRINGTON: Kea Andrales.

10 KEA ANDRALES: Good afternoon. I'm Kea Andrales
11 a student at Hueneme High School in Oxnard, California.
12 At the beginning of my life due to complication with my
13 birth, I was diagnosed with severe asthma. There would be
14 times where my parents would worry because I would fight
15 to receive a heap of air. It didn't help that our
16 homeland was so familiar with the gas emissions to the
17 point that the smell of it was so normal. This led to me
18 being homebound and my parents fearing that the next day
19 may be my last. I was called weak by my classmates and
20 whenever I coughed or clutched my inhaler, they'd say I
21 was a disease.

22 Now, here I am standing triumphantly in front of
23 you after overcoming the challenge of asthma. Since
24 moving to the states, I have always connected to others
25 who have experienced the same situation I did. Clean air

1 is essential for the health and well-being of everyone and
2 it is vital to take steps to ensure that the air we
3 breathe is as clean as possible.

4 Oxnard, like many other port cities faces
5 challenges related to air pollution due to factors such as
6 heavy traffic from our port and polluting industrial
7 sites, which are located within a mile from my school.
8 Due to heavy diesel traffic, our road have -- our roads
9 have traffic congestions, which contribute to poor air
10 quality. I would like to request the ACF Rule considers
11 lowering the high-priority threshold from 50 to 10 trucks
12 while committing to protecting corridors. Community
13 involvement and education can also play a critical role in
14 raising awareness and advocating for clean air
15 initiatives. By working together, it is possible to
16 create a healthier and more sustainable environment for
17 everyone. It only takes a vote yes to guarantee that we
18 all live healthy lives free from diesel, smog, and air
19 toxins.

20 Thank you.

21 BOARD CLERK HARRINGTON: Next will be Oliver
22 Martinez followed by Kristian Nunez, then Sofi Magallon,
23 then Lizbeth Gonzalez.

24 OLIVER MARTINEZ: Hello. My name is Oliver. I
25 am 10th grader at Hueneme High School. And I am here to

1 ask you all for clean air in Oxnard and to add an
2 ambitious electrification plan for car-carrying trucks. I
3 live in Oxnard and have seen firsthand how diesel can
4 negatively affect people living near this pollution. In
5 Oxnard, we have a lot of working class and people of color
6 communities affected by diesel pollution. In my working
7 class community, I see how students damage their lungs by
8 breathing in diesel pollution by walking to school or even
9 just by walking outside in the houses.

10 The local Port of Hueneme is known for its car
11 ex -- imports, but this also means they need car-carrying
12 trucks to move these cars. These trucks frequently pass
13 through our community in Oxnard right next to people's
14 homes, such as my classmates. I want to remind you that
15 diesel pollution is responsible for one in five deaths in
16 California. Yet these heavy duty trucks, which are the
17 largest source of smog-forming pollution in the state are
18 able to go right through the neighborhoods in my
19 community. These trucks also pass by right next to an
20 elementary school named Haycox. These little kids, our
21 future generation, do not deserve breathe in this toxic
22 pollution. Yet, my neighbors, my classmates, and I will
23 have to continue to breathe in diesel exhaust because
24 car-carrying trucks like the ones passing in my community
25 are not included in the ACF Rule.

1 My community of Oxnard does not deserve this. I
2 ask you to reduce the size of fleets from 50 trucks to 10
3 trucks. While it is a big change, it will help
4 communities and children in Oxnard breathe better and
5 cleaner air. I also ask you to please vote yes on this
6 rule. You will be helping people live better, longer
7 lives, especially in communities of color and lower income
8 communities, such as South Oxnard, where exposure to smog
9 and diesel soot show a clear example of environmental
10 racism.

11 Thank you for your time.

12 BOARD CLERK HARRINGTON: Kristian Nunez.

13 KRISTIAN NUNEZ: Good afternoon, everyone. My
14 name is Kristian Nunez. I am from Ventura County and I am
15 a policy advocate with the organization CAUSE in the
16 central coast.

17 And I am calling on CARB to pass the Advanced
18 Clean Fleet Standard that achieves a hundred percent
19 electric truck sales by 2036. Our communities deserve to
20 breathe clean air and not have to risk our health and
21 safety living near ports and warehouses that use diesel
22 trucks to operate.

23 Diesel is proven to cause severe health effects,
24 such as asthma and other respiratory diseases. These
25 cause high asthma rates in my neighborhood because of

1 diesel pollution and air contamination. So with a yes
2 vote on ACF, you can help people live longer and with
3 healthier lives, especially in communities of color and
4 low-income communities where exposure to smog and diesel
5 soot is one of the clearest examples of environmental
6 racism.

7 Indigent communities such as mine, cleaning up
8 fleets of 50 or more trucks is not enough. I ask that
9 CARB lower the requirement of fleet sizes of 10 or more.
10 Lowering this requirement would save thousands of lives
11 and infrastructure already exists for companies that take
12 responsibility for their pollution and transition to zero
13 emissions. I also ask that combustion vehicles and
14 natural gas exemptions not be included in this rule as
15 they are still proven to cause harmful pollution.

16 Thank you.

17 BOARD CLERK HARRINGTON: Sofi Magallon.

18 SOFI MAGALLON: Hi. My name is Sofi Magallon. I
19 am a resident of Oxnard, California and a policy advocate
20 with the organization CAUSE in the central coast.

21 Firstly, I want to thank CARB for all the
22 opportunities you have provided for community feedback on
23 the ACF Rule and passing the locomotive rule this morning.
24 Our group from CAUSE, including passionate high schoolers
25 from Oxnard began travels at 4 a.m. today to urge CARB to

1 pass the Advanced Clean Fleets Standard that achieves a
2 hundred percent electric truck sales by 2036. Our
3 communities have suffered and waited far too long for
4 clean air.

5 In our hometown Oxnard, hundreds of heavy-duty
6 diesel trucks travel daily from the local ports and
7 warehouses, especially from global corporations such as
8 Amazon, BMW, Chiquita, Glovis, and Del Monte Foods, and
9 have operated for generations without having to take
10 responsibility for contaminating our air and cutting our
11 lives short. The diesel trucks travel through our
12 neighborhoods directly parallel to homes and sensitive
13 receptors one being Haycox Elementary School where my mom
14 works, which has an enrollment of about 800 Spanish and
15 mixed X speaking students.

16 Because of this pollution Oxnard communities
17 living near the port and its trucking routes are in the
18 top 80th to 90th percentile of pollution burden, according
19 to data from CalEnviroScreen 4.0. Locally, our planning
20 commission voted to allow the Port of Hueneme Port of
21 Hueneme to expand to 34 acres of imported car storage
22 space and the port has announced that they are looking to
23 purchase an additional 240 acres for imported cars. These
24 ongoing expansion projects will increase the number of
25 diesel trucks on the road, which is why it is critical for

1 the community's health that the ACF Rule be passed today.

2 As others have stated, we need to continue
3 amplifying regulations to cover all remaining diesel
4 trucks. I ask that CARB considers lowering the high
5 priority fleet threshold for Class 7 and 8 tractors from
6 50 to 10 trucks, because drayage trucks, especially those
7 carrying automobiles, travel back and forth from our port
8 to dealerships and warehouses. Setting a zero-emissions
9 regulation for fleets sizes of 10 or more diesel trucks
10 would cover nearly 90 percent of the pollution from
11 California's diesel fleets.

12 Thank you very much.

13 BOARD CLERK HARRINGTON: Next is Lizbeth Gonzalez
14 followed by Yoana Ibanez, then Hedy Juarez, then Odette
15 Moran.

16 LIZBETH GONZALEZ: Hello. My nam is Liz. I'm
17 from South Oxnard, mostly working class immigrant
18 community. I am here to speak about clean air. I came
19 today to ask you all to vote in favor of the Advanced
20 Clean Fleet Standard. I live a few minutes away from a
21 local Port of Hueneme and I frequently go to Port Hueneme
22 Beach, walking or biking. However, I have to go through
23 the same roads the -- that big rigs carrying cars from the
24 port drive through and pollute.

25 Every time I can feel how the smog from those

1 trucks get into my body making it harder to breath. I
2 noticed a big difference in the air quality when I go to
3 other communities that don't have as many big rigs driving
4 through. And I want the same for the families in South
5 Oxnard.

6 I'm in favor of this rule and urge all of you to
7 vote yes, but we still need to find a way to cut pollution
8 from all fleets. Cleaning up fleets with 50 or more
9 trucks will not deliver the clean air justice these
10 communities need and deserve. By voting yes, you can help
11 people live longer, healthier lives, especially in our
12 low-income POC communities, where exposure to smog is one
13 of the clearest examples of environmental racism.

14 BOARD CLERK HARRINGTON: Yoana Ibanez.

15 YOANA IBANEZ: Good afternoon. My name is Yoana.
16 I am a student at Hueneme High School. I am here today to
17 speak about the importance of health and clean air, and
18 how they are affected by the diesel emission of vehicles.
19 I am here today to ask you to vote yes on the AF -- ACF
20 Rule and to reduce fleet from 50 to 10. Reducing the
21 number of fleet trucks in California can have a huge
22 impact in our air.

23 As a citizen of Oxnard, I have seen many vehicles
24 like public buses and car-carrying trucks, which increased
25 after the expansion of a 34-acre parking lot by our local

1 ports. Because I grew up seeing these vehicles, I thought
2 that they were normal and unharmed until recently. I
3 learned that these vehicles pollute our air and cause
4 health complications like asthma, cancer, and even death.

5 My youngest siblings were born premature, which
6 means they had more risk and complications when
7 developing. And they are the ones whose future this
8 decision depends on. I wouldn't like to see anyone
9 important to me suffer the consequences of something that
10 could have been prevented. If you vote yes, you will help
11 communities that suffer environmental racism and reduce
12 fleet sizes from 50 to 10.

13 Thank you.

14 BOARD CLERK HARRINGTON: Hedy Juarez.

15 HEDY JUAREZ: Hello. My name is Hedy. I am
16 ninth grader at Hueneme High School. I am here today to
17 talk about the clean air and health problems we have in
18 our communities. I believe we all deserve clean air,
19 especially little kids who are currently growing up with
20 the risks of getting any kind of sickness like asthma. We
21 have to start somewhere and help our air for ourselves and
22 future generations.

23 Children are, in fact, the most affected ones,
24 because their lungs are way smaller, and when they breathe
25 in all the pollution, it really affects the body and

1 health. Lowering the fleets from 50 to 10 is a clearly
2 big change, but we can do it. It's a really -- I think we
3 should do it because we have to start somewhere and try
4 our hardest. Any time anyone goes out, they start hurting
5 their lungs by breathing in all the pollution, for
6 example, students that walk to school every day and have
7 to take the risk of getting asthma or any kind of
8 sickness, which, in my opinion, should not be happening,
9 because going out is something everyone does. And you
10 can't just stop going out anywhere and we shouldn't have
11 to worry about ourselves or family members.

12 All of us should work together and help our air,
13 since trucks and buses have made California's air one of
14 the worse in the country. Living near ports in my
15 community are now considered a diesel death zone, because
16 of the high rates of asthma and cancer. I think the
17 amount of diesel trucks on the roads should be limited.
18 The worst thing about all of this is that if we don't do
19 anything, we will continue breathing in this pollution and
20 continue hurting our lungs. With just the vote as yes and
21 reducing fleet size, you can help everyone with a longer
22 and healthier life.

23 Thank you.

24 BOARD CLERK HARRINGTON: Next is Odette Moran,
25 followed by Asn Ndiaye, and then Derrick Jackson[SIC], and

1 then Nicole Rice.

2 ODETTE MORAN: Buenas tardes. My name is Odette.
3 My pronouns are they/them/theirs. And I am a resident of
4 unceded Chumash land, Oxnard, and here with CAUSE and
5 Powerswitch Action.

6 Thank you so much for this ambitious ACF Rule.
7 This is my third time speaking in support and grateful for
8 the added protections for drivers and more. Yet, I am
9 here to ask you to unanimously vote yes and push for more.
10 Zero-emission vehicles are not coming to Ventura County
11 soon enough and we cannot allow for the continued use of
12 natural gases to be part of this plan.

13 As many mentioned here, BIPOC communities like
14 ours not only get hit with one pollutant, but a toxicity
15 of so many. We are force-fed this toxic soup on a daily.
16 And what we are forced to breathe dictate how long we live
17 and the quality of our lives. We don't need to be
18 force-fed this same pollution twice.

19 I really grieve on every single day when I wake
20 up to the -- to the moments that I go to sleep for
21 families and homes like ours in Oxnard, as a lot of youth
22 here have mentioned, who advocated so fiercely against
23 their local port have mentioned. Car-carrying trucks are
24 not part of this plan. Cancer-causing car-carrying trucks
25 will continue to pollute the air that we breathe as we go

1 to school, as families work in the strawberry fields or as
2 we even try to de-stress for mental health and our
3 beaches. I understand that these are special category
4 trucks, but don't our lives and the lives that you see
5 here matter too?

6 Big industries are not going to choose our lives,
7 but you can. You have the power today to vote yes and
8 choose lives over profit. That's something we cannot
9 trust companies to do, but I know that you can make this
10 choice today.

11 Thank you.

12 BOARD CLERK HARRINGTON: Asn Ndiaye. Sorry, if I
13 mispronounced that.

14 ASN NDIAYE: No worries. Hi, members of the
15 Board. My name is Asn Ndiaye. I'm here representing
16 Powerswitch Action. We're a national network, but we're
17 also a California based network of seven affiliates
18 representing affiliates from the Bay Area all the way down
19 to San Diego. I'm here to speak in strong support of the
20 ACF Rule that I hope that you'll be voting for it
21 unanimously tomorrow. We think that the rule will help
22 empower workers to help fight back against worker
23 misclassification. We also encourage you to lower the
24 fleet size from 50 to 10. Children's lungs don't know the
25 size of fleets as they're having issues breathing.

1 And then lastly, we are also hoping that you will
2 limit natural gas exemptions as it continues to reinvest
3 in a polluting and bygone system.

4 Finally, and I said this the last time that I was
5 here, I'm -- I was raised Houston, Texas, and, you know,
6 in the wake of essentially oil refineries. You could
7 smell the gas when you woke up in the morning. California
8 is doing a lot better. And this rule would be a really
9 good first step around that, but it is not good enough as
10 of yet. So we really hope that you will make these
11 changes and include these larger fleet -- these smaller
12 fleets sizes.

13 Thank you so much.

14 BOARD CLERK HARRINGTON: Derrick Robinson.

15 DERRICK ROBINSON: Thank you. Hello, everyone.
16 My name is Derrick Robinson. I am with the Center on
17 Policy Initiatives in San Diego. And first off, just to
18 step off my script a little bit, I just want to give love
19 to all the young folks who stepped up to this mic today.
20 And I appreciate you all's attentiveness to hearing them
21 advocate for what their future needs to look like.

22 I have a beautiful child who's almost two years
23 old and he also deserves a future with cleaner air. And
24 so that's why today I am here in support of the Advanced
25 Clean Fleets Rule and asking CARB to vote unanimously

1 tomorrow in support of that standard. This vote will help
2 end some of those negative impacts that all the
3 communities that you've heard from today have spoken
4 about. And they're going to do that by limiting the
5 amount of diesel trucks that can be on the road and making
6 sure that they can transition in a proper way to
7 zero-emission vehicles without all these exemptions,
8 right?

9 We have these young folks coming in, standing in
10 the same -- and sharing space with all these leaders of
11 business communities and all these different leaders who
12 are benefiting from these trucks being out there, while
13 they're not the ones who are having to take on the burden
14 of what these -- what the youth and other folks who've
15 advocated for this particular rule has talked about. And
16 a yes vote without these exemptions will help our impacted
17 community members, especially in San Diego, live longer,
18 healthier lives, and especially those who live in
19 low-income areas, communities of color, et cetera, and
20 also, be able to provide worker protections, right?

21 You've already put the controlling component
22 within the -- within the rule to help stop
23 misclassification for fleets of 50 or more. Well, we want
24 to try to get that reduced to where it's fleets of 10 or
25 more, so that way folks in San Diego can ask you all to

1 step in line with them and their advocacy efforts.

2 Thank you for your time.

3 BOARD CLERK HARRINGTON: Next is Nicole Rice
4 followed by Monica Embrey, then Yassi Kavezade, and then
5 Evan Edgar.

6 NICOLE RICE: Good evening, Board members.
7 Nicole Rice, President of the California Renewable
8 Transportation Alliance.

9 I want to start by saying that we, too, agree
10 that we should transition away from diesel where it's
11 feasible and possible, which is why we're asking and
12 urging the Board today to direct staff to prioritize the
13 cleanest available technology when staff is granting a
14 zero unavailability exemption. Making this change will
15 not move us off of our zero pathway. It will only apply
16 when an exemption is granted and staff allows for the
17 purchase of an internal combustion engine. This change is
18 also technology neutral. This is not about natural gas.
19 This is about using CARB's own Omnibus Standard to
20 prioritize the best option, when those exemptions are
21 granted.

22 CARB should want to provide the best option to
23 all the communities that we heard from today looking for
24 immediate relief for -- in air quality when you're
25 granting these exemptions. Otherwise, this influential,

1 regulation will result in more higher emitting diesel
2 trucks being deployed.

3 Now, we've heard that under the Omnibus Rule
4 emission reductions will eventually average out in the
5 end, so this proposal isn't necessary. Well, that might
6 be true from a statewide perspective, but it will do
7 nothing to address the local impacts and immediately
8 improve the air quality in the communities that we've
9 heard from today.

10 I also want to remind the Board that the first
11 engine to be certified by CARB to the 50 milligram Omnibus
12 Standard is the Cummins 9-liter natural gas engine, and
13 they did it a year early. That -- now, I have to ask you
14 why would CARB certify something if it is all the things
15 that we've heard that have been purported to today? CARB
16 would not. So I ask the Board to prioritize community
17 health and welfare by prioritizing the cleanest available
18 technology under this regulation.

19 Thank you.

20 BOARD CLERK HARRINGTON: Monica Embrey.

21 MONICA EMBREY: Good afternoon, almost good
22 evening. Chair Randolph and Honorable Board members,
23 thank you. We've spent eight hours together today. I
24 just want to start by saying thank you for listening to so
25 many people. I am Monica Embrey and I am the California

1 Energy Director for the Sierra Club. And on behalf of our
2 500,000 members across the state of California, we are in
3 strong support of the ACF Rule and urge you to pass it,
4 along with the resolution to address all trucks, and
5 continue to pass regulations that protect our communities
6 and our climate.

7 When I think about this rule and the many years
8 we've been working together to pass it, I think about all
9 of the lives that will be saved and all of the lives that
10 have been lost by inaction to date.

11 You've heard from community members about asthma
12 and cancer. And I want to introduce you to someone. This
13 is my cousin. Her name was Claudine. Claudine passed
14 away the day after Christmas a few years ago due to
15 non-Hodgkin's lymphoma, which is a cancer that we know is
16 attributed to the pollution that comes from diesel trucks.
17 These trucks are taking our family members and our
18 community members, and she should be here with me today.

19 We are on the verge of passing and finalizing the
20 world's first electric truck fleet standard and we must
21 get it right. So thank you for passing this vote tomorrow
22 and continuing to move forward to protect our communities.
23 We really want to applaud CARB staff for including this
24 100 percent pollution-free truck sales by 2036. But the
25 measure must be strengthened, as you've heard from dozens

1 and dozens of community members today, to the size of 10
2 or more fleets. Because if not, we are putting
3 communities of color and low-income households, people
4 like my cousin Claudine's lives.

5 Thank you.

6 BOARD CLERK HARRINGTON: Yassi Kavezade.

7 YASSI KAVEZADE: Good afternoon. I'm a Senior
8 Campaign Representative with Sierra Club National. And on
9 behalf of our 3.5 million members who emphatically support
10 zero emissions in the Advanced Clean Fleet Rule, all eyes
11 are here nationally to see the market signal and standard
12 for heavy duty vehicles and zero-emissions technology.

13 No longer can we set the course for natural gas
14 in any combustible infrastructure, processing, and
15 detriment it continues to belong -- bring to community.
16 Shout-out to the youth. Shout-out to the workers.
17 Shout-out to everybody who's been living through those
18 impacts every single day of their lives and making the
19 time to remind you why this rule matters and why it's
20 needed now for true zero emissions and local green jobs to
21 come up -- come with it, tackling trucker
22 misclassification. The benefits are on and on.

23 Natural gas exemptions or special passes for
24 natural gas engines, however you spin it, do not belong in
25 this rule. And here we go to the benefits. I know I'm at

1 my halfway point. Here go to the benefits. Heavy-duty
2 electric trucks will grow, local green new jobs, benefit
3 our air quality, assist our grid with vehicle integration,
4 alongside time-of-use charging and virtual power plants
5 that could displace fossil fueled natural gas generation,
6 according to the Department of Energy.

7 These benefits are real and are being funded
8 today in hundreds of millions and with additional \$350
9 billion in the investment infrastructure recovery -- in
10 the investment -- infrastructure recovery act or IRA.

11 Utilities and charging infrastructure companies
12 can and must take advantage to bring back high road jobs.
13 You heard Pacific Gas and Electric, they're going to do it
14 today. In the South Coast region where I'm from, 13
15 people die every day because of air pollution. Let's work
16 and make that number to zero and we can with this rule.
17 Thank you so much for your time and thank you to everybody
18 for all that you've done for this rule. Especially staff,
19 than you.

20 BOARD CLERK HARRINGTON: Evan Edgar.

21 EVAN EDGAR: Evan Edgar. I'm a garbage man.
22 I've been in front of this board for 20 years. We're
23 early adopters of being decarbonized. You asked us to be
24 decarbonized and we did it 20 years ago. We used to take
25 dirty diesel direct to the landfill and then dump dirt

1 cheap. That was 20 years ago, but we decarbonized in
2 making compost. I'm with the California Compost Coalition
3 and we make an organic compost to get off pesticides and
4 all the life cycle of pesticides. We stand with the
5 Environmental Justice Committee.

6 But not only make compost, we make RNG. We have
7 a lot of organic waste out there and we make RNG out of
8 anaerobic digestion. You have to digest it, and we
9 compost it. We are the compost coalition. We can't
10 compost everything, but we make our own fuels to go back
11 in the same truck. And it's carbon negative and we're
12 halfway there. We got half way there with 50 percent of
13 our fleet is on carbon negative fuel.

14 But what is happening today is we're going to
15 stay on diesel for 13 to 18 years. We could have gone all
16 the way to RNG carbon negative by 2026, but what I hear
17 today is your forcing us on diesel for 13 to 18 years.
18 That's what's happening today, because you're stopping the
19 RNG play.

20 As part of the follow up to this, your work to
21 do -- implement this is called the California Battery
22 Directive. The Europeans adopted a battery directive on
23 three main points that you should endorse. If you want
24 the \$9 billion into ZEV as well as carbon intensity. AB
25 1012 is -- the carbon intensity of ZEVs are 62 to 90 of

1 grams of CO2 megajoule. It's a big lie. Zero-emission
2 vehicles aren't zero when it comes to greenhouse gases, 62
3 to 90.

4 There's no recycling bill with regards to all
5 these batteries. They're throwing them away. Why don't
6 you guys recycle it?

7 And the biggest crime against humanity is the
8 supply chain due diligence. What about the kids in the
9 Congo and these people here talking about Sierra Club?
10 They don't really care about digging up the Congo with
11 slave labor to mine the batteries. Why am I the only guy
12 say it for the last year? Nobody is stepping up for the
13 kids in the Congo. And EJAC supported everything I said,
14 as far as the Scoping Plan.

15 We can't -- we can't mine our way out of climate
16 change and that's what you're trying to do today.

17 BOARD CLERK HARRINGTON: Thank you.

18 That concludes the in-person commenters.

19 CHAIR RANDOLPH: Okay. We need to give our court
20 reporter a 10-minute break and then we will go to our Zoom
21 commenters. So we will be taking a 10-minute break.

22 (Off record: 5:25 p.m.)

23 (Thereupon a recess was taken.)

24 (On record: 5:38 p.m.)

25 CHAIR RANDOLPH: Okay. We are back from our

1 break and it is time to go to our Zoom commenters.

2 Board Clerk, will you please call the Zoom
3 commenters. And will those in the room quiet down a
4 little bit, so that we can hear the Zoom callers.

5 Go ahead.

6 BOARD CLERK GARCIA: Thank you.

7 All right. I'm going to call our Zoom commenters
8 now. So the, let's see, first five commenters will be
9 Curtis Paxton, Kevin Brown, Michael Lopes, Steven
10 Poncelet, and Steve Jepsen.

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

13 CURTIS PAXTON: Good evening, Chair Randolph,
14 Board members, and staff. My name is Curtis Paxton. I'm
15 general manager of the Las Gallinas Valley Sanitary
16 District in San Rafael in Marin County. The District is
17 a member of the California Association of Sanitation
18 Agencies, or CASA. And we are in full support of the
19 comments and requests made by Sarah Deslauriers of CASA
20 and the comments and requests made by my other colleagues
21 in the wastewater sector.

22 While we are disappointed that our previous
23 comments and concerns were not addressed in the final
24 proposed ACF Regulations, we support the Board adopting
25 the proposed resolution with one addition. Please add SB

1 1383 in front of SB 1440 in the last sentence of the
2 resolution. And we look forward to working with staff in
3 finding multiple reliable uses for our renewable
4 non-fossil fuel. Thank you for your time and for the
5 opportunity to provide comments.

6 BOARD CLERK GARCIA: Thank you.

7 Kevin, I have activated your microphone. Please
8 unmute and begin.

9 KEVIN BROWN: Good afternoon, Chair Randolph and
10 members of the Board. I'm Kevin Brown with MECA, which is
11 a trade association representing the leading suppliers of
12 clean mobility technologies for electric and conventional
13 vehicles that reduce greenhouse gases and criteria
14 emissions. We've also submitted written comments
15 summarized by my brief oral statement today.

16 MECA strongly supports the proposed expanded
17 fleet flexibilities provided in the proposed 15-day
18 changes and we look forward to working with staff in the
19 future on further alignment of the required ACF fleet
20 sales and Advanced Clean Truck manufacturing provisions.

21 Our further suggestions for CARB's consideration
22 are that CARB should give special consideration of the
23 infrastructure accelerating potential of zero carbon
24 hydrogen fuel combustion engines. This technology would
25 support CARB's zero carbon goals while facilitating

1 hydrogen refueling infrastructure development and lower
2 the costs of future fuel cell truck operations for fleets.

3 We'd also urge CARB to revisit the zero-emission
4 powertrain requirements to establish improved performance
5 and durability standards for the batteries and components
6 on electric trucks, analogous to what ACC II did for
7 electric cars. Stronger durability requirements provide
8 confidence in the reliability of electric technology to
9 fleet managers and truck owners.

10 Finally, the advancement of a hundred percent ZEV
11 sales requirements to 2036 will make ACF implementation
12 challenges even more challenging. Although the federal
13 Inflation Reduction Act incentives -- incentivizes
14 zero-emissions truck purchases through 2032, we believe
15 that infrastructure readiness will determine the market
16 rather than truck availability. MECA believes allowing
17 more market analysis time is appropriate before
18 determining whether 2040 or 2036 is the most credible date
19 with a hundred percent sales requirement.

20 In closing, MECA appreciates the hard work and
21 dedication that CARB staff have put into this important
22 rulemaking. Our industry remains committed to delivering
23 cross-effective technologies, simultaneously advance
24 electric vehicles, and ultra low NOx pollutant reductions
25 for remaining trucks.

1 Thank you.

2 BOARD CLERK GARCIA: Thank you.

3 Michael Lopes, I have activated your microphone.
4 You can unmute and begin.

5 MICHAEL LOPES: I'd like to thank the Board for
6 listening to my concerns regarding CARB's proposal. My
7 name is Michael Lopes and I'm with Lopes Trucking Service
8 in Northern California. Our company operates Class 8
9 truck tractors that have a gross weight of 80,000 pounds
10 varying from 250 to 480 miles per day moving freight of
11 all -- all over California including exports from San
12 Joaquin Valley to California seaports. On April 6th, I
13 met with managers from Peterbilt Motor Company's
14 alternative powertrain division. At this meeting, I
15 learned that ZEVs can be effective in a route application
16 with a range of less than 150 miles. ZEVs will increase
17 costs of Class 8 day cab tractors by nearly three times.
18 ZEVs provide only one-third of the range needed to operate
19 over 400 miles per day and ZEVs increase the tractor's
20 tare weight by nearly 7,000 pounds effectively reducing
21 cargo capacity by over three tons.

22 We're forced to ask, even with a functioning
23 on-road charging infrastructure, how can the required
24 daily miles be attained given the significant downtime
25 required by the driver to recharge the truck? Hours of

1 service regulations limit commercial drivers to 14
2 continuous hours per workday and 11 hours behind the wheel
3 driving. Taking ZEV and drivers down for recharging
4 during the driver's daily tour of duty will result in
5 fewer daily miles traveled per truck.

6 Although moving forward with the electrification
7 of trucks is a good thing, we need to acknowledge the
8 limitations of current technology for trucks that travel
9 more than 150 miles per day. The way it is written, the
10 proposed Advanced Clean Fleets Rule will curtail the
11 State's ability to bring goods and services to
12 Californians not to mention significant increased costs to
13 every consumer for these goods and services.

14 Thank you for your time.

15 BOARD CLERK GARCIA: Thank you.

16 Steven Poncelet, I've activated your microphone.
17 Please unmute and begin.

18 STEVEN PONCELET: Can you hear me?

19 BOARD CLERK GARCIA: Yes, we can.

20 STEVEN PONCELET: Yes. Good evening, Chair
21 Randolph and members of the Board. I'm Steven Poncelet,
22 strategic affairs director for Truckee Donner Public
23 Utility District. We are a public electric and water
24 utility serving 15,000 connections in Truckee near Lake
25 Tahoe. We operate and maintain critical infrastructure,

1 provide essential electric and water utility services, and
2 support emergency response.

3 We support the goals of the CARB ACF and
4 certainly the many comments of public health and safety,
5 and last month, purchased two EV service trucks and will
6 continue to procure ZEVs when commercially viable and
7 feasible in a one-to-one replacement. However, for the
8 ACF, we use highly specialized working trucks that are not
9 commercially available today nor on the horizon.

10 TDPUD is engaged with CARB staff and Board for
11 over two years to address significant concerns and offer
12 solutions including hosting CARB staff in Truckee. Most
13 recently our GM along with 60 others from electric water
14 and wastewater utilities signed a letter from CARB from
15 CMUA, and CPA, and SCPA highlighting the potential
16 negative impacts to community safety. Unfortunately, the
17 current rule has done little to address our concerns.

18 I would like to respectfully request that the
19 Board direct the Executive Officer to issue a follow-up
20 15-day package to make at a minimum the following
21 important changes to the regulation, remove the 13th model
22 year restriction, remove language that excludes the three
23 highest data readings when petitioning for a daily use
24 exemption. Public electric and water utilities cannot
25 ignore any outliers. When restoring essential public

1 services, we must plan for the outlier and create a
2 credible process for determining true commercial
3 availability. The current self-certification by
4 manufacturers requires independent non-biased review.

5 Thank you for your consideration and I appreciate
6 everyone's attention.

7 BOARD CLERK GARCIA: Thank you.

8 After Steve Jepsen, we'll hear from Greg Kester,
9 Allison Torres, Carol Kaufman, and Joel Ervice, and Taylor
10 Roschen.

11 So Steve, I have activated your microphone.
12 Please unmute and begin.

13 STEVE JEPSEN: My name is Steve Jepsen, Executive
14 Director for Clean Water SoCal formerly the Southern
15 California Alliance of Publicly-Owned Treatment Works or
16 SCAP. We represent 80 public wastewater agencies in
17 Southern California. Our members manage wastewater for 20
18 million people. In doing so, we produce recycled water
19 and a non-fossil renewable biomethane that cannot be
20 turned off. We support the comments from CASA and other
21 wastewater sector representatives. We are disappointed
22 that the Advanced Clean Fleet Regulation designed to clean
23 California air ignores an important existing air quality
24 Greenhouse Gas Regulation, Senate Bill 1383, and the
25 wastewater sector's unique ability to be a partner for

1 reducing greenhouse gas emissions in the State by
2 participating with Senate Bill 1383.

3 Senate Bill 1383 is designed to lower methane
4 emissions by diverting organics from landfills. The
5 public wastewater sector has existing already constructed
6 digester capacity to process all of the state's divertible
7 food waste. Unfortunately, without multiple reliable
8 homes for waste-derived biomethane, the wastewater sector
9 will not be able to participate in SB 1383 implementation
10 as envisioned by CalRecycle and the State Water Board.

11 On a positive note, we support the proposed Board
12 resolution stating a commitment to work with the
13 wastewater sector to find a reliable home for our
14 renewable non-fossil fuel while reducing greenhouse gas
15 emissions in the State. We request that SB 1383 be added
16 in front of SB 1440 in the last sentence of the resolution
17 and look forward to working with CARB and other State
18 agencies to provide clean air solutions for the public.

19 Thank you for the opportunity to comment.

20 BOARD CLERK GARCIA: Thank you.

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

23 GREG KESTER: Hello. My name is Greg Kester.
24 I'm the Director of Renewable Resource Programs with the
25 California Association of Sanitation Agencies. We're a

1 non-profit association representing the California public
2 wastewater sector.

3 We have worked diligently with staff, Board
4 members, and others on this rulemaking. And while the
5 proposed regulations do not address all of our concerns,
6 we look forward to working with staff, other regulatory
7 agencies, and the board to still find pragmatic solutions.

8 As we have noted, the public wastewater sector
9 can play a critical role in receiving organic waste
10 diverted from landfills as required by SB 1383 with
11 co-digestion and our existing anaerobic digesters. As
12 long as we have assurance and the ability to beneficial
13 use of biomethane.

14 The proposed regulations do not provide that
15 assurance and we fear that implementation of SB 1383, the
16 most significant climate mitigation legislation since
17 2006, will fail. The flexibility alluded to in the staff
18 presentation will not help the wastewater sector as we are
19 only now ramping up to receive organic waste and we'll not
20 have vehicles in our fleet by the end of this year as
21 required.

22 We're very appreciative of the resolution
23 included in the package, but urge that SB 1383 and the
24 continued use of our non-fossil dry biomethane be added to
25 the last sentence. We appreciate that it requires CARB to

1 work with other regulatory agencies and CASA and want to
2 ensure non-fossil derived biomethane and be beneficially
3 used. This is critical to successful implementation of SB
4 1383 and its organic landfill diversion requirements.

5 We urge the Board to amend and adopt the proposed
6 resolution and we look very forward to productive
7 engagement with all the regulatory agencies.

8 Thank you.

9 BOARD CLERK GARCIA: Thank you.

10 Allison Torres, I have activated your microphone.
11 Please unmute and begin.

12 Allison Torres, please unmute and begin.

13 Okay. We'll move on to Carol Kaufman.

14 Carol, I have activated your microphone. Please
15 unmute and begin.

16 CAROL KAUFMAN: Good evening. My name is Carl
17 Kaufman with Metropolitan Water District of Southern
18 California. Metropolitan supports California's air
19 quality improvement and greenhouse gas emission reduction
20 goals. The transition to a zero-emission vehicle fleet,
21 while maintaining safe and reliable water deliveries is a
22 key strategy in Metropolitan's 2022 Climate Action Plan.

23 Over the past few years, Metropolitan has
24 participated in the Advanced Clean Truck and Fleet
25 rulemakings to ensure the workability of a final

1 regulation for public agencies. However, with the final
2 ACF, the concern remains that the water agencies will not
3 be able to make a compliant ZEV transition without
4 significantly impacting service and reliability.

5 Metropolitan's fundamental request remains
6 unchanged. We support the 2024 50 percent ZEV purchase
7 compliance date, but request an extension to the 100
8 percent ZEV purchase mandate from 2027 to 2030. This
9 extension will allow the ZEV marketplace and accompanying
10 infrastructure to advance and is essential for water
11 providers to fully implement the ACF Rule.

12 Metropolitan's 530 ACF vehicles include specially
13 outfitted Class 3 to 6 vocational work trucks needed for
14 critical operations in our 5,200 square mile service
15 areas. While the Advanced Clean Trucks Regulation
16 requires increasing sales percentages beginning in 2024,
17 manufacturers priorities have been in developing drayage
18 and delivery vehicles. As such, publicly compliant states
19 need to reflect the pace of manufacturer development of
20 vocational trucks and statewide infrastructure
21 installation.

22 In implementing the ACF, we ask ARB to conduct
23 routine reviews of the ability of fleets to comply with a
24 multifaceted regulation. Metropolitan looks forward to
25 working with ARB staff and stakeholders to provide

1 real-world feedback to identify needed regulatory and
2 modifications to achieve the successful transition to a
3 zero-emission fleet without compromising public health and
4 safety.

5 Thank you.

6 BOARD CLERK GARCIA: Thank you.

7 Joel Ervice, I have activated your microphone.
8 Please unmute and begin.

9 Joel Ervice.

10 JOEL ERVICE: Hi. Can you hear me?

11 BOARD CLERK GARCIA: Yes, we can.

12 JOEL ERVICE: Great. Honorable Chair and members
13 of the Board. I'm Joel Ervice with RAMP, Regional Asthma
14 Management and Prevention, a project of the public health
15 institute. Our mission is to reduce burden of asthma with
16 a focus on health equity. Adopting the Advanced Clean
17 Fleet Standard will represent a tremendous step toward
18 cleaning the air. And the community is facing some of the
19 state's highest burden of asthma. Your yes vote today for
20 a comprehensive standard, including one that does not
21 include natural gas exemptions, will help literally
22 millions of people breathe easier.

23 Approximately one in seven people have asthma in
24 California. Yet, there are considerable disparities in
25 health outcomes among communities of color and low-income

1 communities. These disparities are due in part to the
2 inequitable burden of air pollution. The freight system
3 concentrates air pollution in zip codes where the median
4 income is far lower and the percentage of people of color
5 is far higher than the state average.

6 Heavy-duty trucks are the largest source of
7 smog-forming pollution in California, emitting nearly 40
8 percent of the state's deadly diesel soot. Your yes vote
9 can help people live longer healthier lives. The
10 technology is ready, the infrastructure needed is on the
11 way, and the standard includes strong labor protections
12 from misclassified truck drivers.

13 But above all the standard, especially one that
14 does not include natural gas exemptions will bring better
15 health and environmental justice to the communities who
16 need it the most.

17 Thank you.

18 BOARD CLERK GARCIA: Thank you.

19 After Taylor Roschen we'll hear from Ruy Laredo,
20 Marissa Flores-Acosta, Rebecca Baskins, Alessandra
21 Magnasco, and Done Nguyen.

22 So Taylor, I have activated your microphone.
23 Please unmute and begin.

24 TAYLOR ROSCHEN: Good evening, Chair Randolph and
25 members and ARB staff. Taylor Roschen on behalf of the

1 California Rice Commission, California Citrus Mutual,
2 California Fresh Fruit Association, and other agricultural
3 organizations. Thank you for the opportunity to comment.

4 I think while we recognize that the extensions
5 and exemptions will help regulated parties comply, we do
6 still have concerns with the feasibility of transitioning
7 medium- and heavy-duty trucks at scale. So specifically
8 the infrastructure and connectivity needed to make this
9 regulation is just not possible at this time. And I can
10 say our members have had several experiences with either
11 the inability of utilities to provide clear infrastructure
12 timelines or construction timelines that are extended
13 without regard.

14 So furthermore, the projected infrastructure and
15 rate costs associated with charging ZEVs will burden
16 California's agricultural community and drive our farms
17 further out of state. While we may experience long-term
18 savings from retiring our current fleet - and I want to be
19 clear that's a large assumption - the potential savings
20 will have no impact on the up-front capital that's needed
21 to purchase and accommodate ZEVs. So we ask the Air
22 Resources Board to work with the Legislature and the
23 administration to appropriate funding to help aid the
24 transition to ZEVs. We also request the Board to continue
25 to work with stakeholders. And per Mr. Eisenhut's comment

1 on the Locomotive Rule this morning, that CARB annually
2 evaluate the progress of ACF and the associated
3 infrastructure, and look to extend the extensions and
4 exemptions as they're necessary.

5 Thank you very much.

6 BOARD CLERK GARCIA: Thank you.

7 Ruy Laredo, I have activated your microphone.
8 Please unmute and begin.

9 RUY LAREDO: Good evening, Board members. My
10 name is Ruy Laredo and I'm making comments on behalf of
11 Otay Water District, which serves the water and sewer
12 needs of customers residing in the communities Chula
13 Vista, Bonita, Jamul, Spring Valley, Rancho San Diego, and
14 the unincorporated areas of El Cajon and La Mesa, and
15 Eastern Otay Mesa along the international border with
16 Mexico.

17 Otay Water District is a member of the
18 Association of California Water Agencies or ACWA and we
19 support their comments on this ruling as well. Otay
20 sincerely understands and supports efforts to transition
21 to a more sustainable future. However, in doing so, it
22 must be ensured that water agencies, which operate large
23 existing fleets and operate as first responders are not
24 inhibited from responding to emergencies. Otay remains
25 concerned that achieving compliance with this proposed

1 rule as currently drafted could challenge the water
2 agency's ability to reliably maintain core functions and
3 levels of service for delivering and treating as well as
4 responding to frequent mutual aid demands during emergency
5 responses.

6 Specifically, Otay is respectfully requesting
7 that CARB reconsider language on the five following
8 issues: the first being the backup vehicle exemption
9 process; second to provide a clearer definition on the
10 emergency support vehicle along with the exemption
11 process; third, reconsideration of mobile ZEV fuel
12 providers as part of the exemption process; fourth, change
13 language for ZEV purchase exemption lists; and lastly,
14 incorporated into the regulation guidelines for the
15 disposal and utilization of ZEV batteries once they reach
16 their normal life cycle to ensure proper disposal and
17 environmental protection.

18 We encourage CARB staff to revisit our previously
19 submitted comments and ACWA's comments and we appreciate
20 the opportunity to comment today.

21 Thank you.

22 BOARD CLERK GARCIA: Thank you.

23 Marissa Flores-Acosta, please unmute and begin.

24 MARISSA FLORES-ACOSTA: Good evening. My name is
25 Marissa Flores-Acosta and I'm here representing the City

1 of San Bernardino Municipal Water Department, a municipal
2 utility that provides potable water and wastewater
3 collection and treatment services to approximately 200,000
4 persons in the San Bernardino area. As a member of both
5 CASA and Clean Water SoCal, I'd like to echo and support
6 the comments made by our trade associations and the
7 wastewater sector. We appreciate that the proposed Board
8 resolution requires CARB staff to work with other State
9 agencies and the wastewater sector to support the
10 continued recovery of biogas and help maintain the
11 diversity of beneficial reuse of this non-fossil renewable
12 low carbon fuel.

13 Thank you for your time and consideration.

14 BOARD CLERK GARCIA: Thank you.

15 Rebecca Baskins, you can unmute and begin

16 REBECCA BASKINS: Good evening. Rebecca Baskins,
17 on behalf of California Advanced Biofuels Alliance. We
18 thank you for the opportunity to comment on the Advanced
19 Clean Fleets Regulation. While we appreciate the recent
20 amendments, we believe that there should be the same
21 extensions granted to waste and wastewater fleets using
22 biomass-based diesel and encourage consideration of an
23 exemption for waste fleet operators that provide waste
24 diversion services that assists local governments and
25 their subsidiaries in achieving SB 1383 goals and

1 mandates.

2 Biodiesel and renewable diesel are drop-in fuel
3 replacements from petroleum diesel. And roughly 70
4 percent of the biomass-based diesel consumed in the state
5 is derived from upcycle used cooking oil and animal
6 tallow. Without the demand created by biomass-based
7 diesel, these products would otherwise end up in
8 landfills.

9 The proposed regulation exempts wastewater
10 municipalities that haul and process diverted organic
11 waste to implement the organic waste diversion
12 requirements of SB 1383. This is a narrowly focused
13 exemption for a comprehensive SB 1383 recycling regulation
14 and ignores the millions of organic tons being redirected
15 by other SB 1383 diversion infrastructure.

16 Because of the benefits of biomass-based diesel
17 and their waste diversion capabilities, we believe that
18 the 2030 ZEV phase-in delay for existing trucks should be
19 extended to those other waste and wastewater fleets.

20 Thank you for your time and we look forward to
21 working with you further on this.

22 BOARD CLERK GARCIA: Thank you.

23 Alessandra Magnasco, I have unmuted -- or I've
24 activated your microphone. Please unmute and begin.

25 ALESSANDRA MAGNASCO: Good evening, Chair and

1 members. Alessandra Magnasco on behalf of the California
2 Fuels and Convenience Alliance. We remain opposed to the
3 adoption of the Advanced Clean Fleets Rule as modified. I
4 would like to align our opposition with many of the
5 industry groups today who have highlighted the drastic
6 consequences that will result due to the scarce
7 availability and unsatisfactory capabilities of existing
8 heavy-duty electric vehicles, the lack of sufficient
9 charging infrastructure and grid capabilities across the
10 State, and the pervasive permitting issues of electrifying
11 infrastructure projects.

12 We urge the Board to consider alternative
13 potential solutions to reduce the transportation sector's
14 carbon intensity, which includes renewable liquid fuels
15 and renewable compressed natural gas that provide
16 immediate and significant reductions in emissions.

17 CFCA appreciates the Board's consideration for
18 extensions. However, the extensions necessitate onerous
19 and detailed applications from our small business owners
20 that are of grave concern. And further exemptions for
21 particular use cases should be considered by the Board to
22 protect all drivers on the road.

23 Electric heavy-duty trucks transporting fuels
24 presents risks that are unquantifiable in nature should
25 collisions occur on the road. We also urge the Board to

1 address the ubiquitous parking shortages that already
2 exist for the heavy-duty sector. This critical issue will
3 only be further intensified by the extended charging times
4 of electric heavy-duty trucks.

5 This is especially concerning for trucks that do
6 not perform an out-and-back route. The proposed
7 regulations as modified will further frame already failing
8 supply chain and recklessly harm all Californians who will
9 face shortages on necessities including food, fuel, and
10 medicine.

11 Thank you.

12 BOARD CLERK GARCIA: Thank you.

13 After Don, we'll hear from Thomas Boylan, Michael
14 Lewis, Steven King, and Samuel Sukaton, and Terry
15 Wigglesworth.

16 Don, I have activated your microphone. Please
17 unmute and begin.

18 DON NGUYEN: Yes. Good evening, Chair Randolph,
19 members of the Board, and staff. My name is Don Nguyen
20 and I'm with the Orange County Sanitation District, which
21 operates two publicly owned wastewater resource recovery
22 facilities serving roughly 2.6 million people in Southern
23 California.

24 As noted in our previous testimonies, as well as
25 those echoed today by CASA and its other members, OCSAN is

1 vested in the implementation of SB 1383's diversion of
2 organic waste from landfills. However, the proposed ACF
3 Regulation hinders our ability to expand the use of
4 wastewater derived biogas as a sustainable non-fossil, in
5 other words non-diesel, fuel source. With that said, we
6 do acknowledge and appreciate the Board's resolution,
7 recognize the important role the wastewater sector will
8 play in order to successfully implement SB 1383 by adding
9 the term SB 1383 in front of SB 1440 within the
10 resolution.

11 Thank you again for the opportunity to testify.

12 BOARD CLERK GARCIA: Thank you.

13 Thomas Boylan, I have activated your microphone.
14 Please unmute and begin.

15 THOMAS BOYLAN: Good evening. My name is Thomas
16 Boylan and I'm the Regulatory Director at the Zero
17 Emission Transportation Association or ZETA. ZETA is a
18 coalition of member companies spanning the entire electric
19 vehicle supply chain, including vehicle and battery
20 manufacturers, charging companies, critical mineral
21 developers, and electricity providers, some of whom have
22 spoken here today.

23 I want to thank the Board for the opportunity to
24 speak on its proposal to adopt the Advanced Clean Fleets
25 Program. ZETA supports the adoption of ACF and we believe

1 it's an important step towards decarbonizing the
2 transportation sector. With an average lifespan of over
3 15 years, most heavy-duty vehicles spend more time on the
4 road and travel more miles before retirement than other
5 types of vehicles. As a result, failing to electrify
6 these vehicles now, means that many of the fossil fuel
7 powered engines rolling off the assembly line today will
8 remain on the road beyond 2040 adding hundreds of
9 thousands of vehicle miles continuing to emit harmful
10 pollutants over the coming decades.

11 Electrification will not only reduce emissions,
12 it will promote American economic competitiveness and
13 create good paying jobs right here at home. Based on
14 ZETA's own research, private sector investments in the
15 domestic EV supply chain total over \$200 billion and
16 support nearly 400,000 American jobs. ZEVs are now
17 available in all medium- and heavy-duty classes, with many
18 already presenting favorable total cost of ownership for
19 fleet operators today. That should be expected to further
20 improve over the time frame of the ACF Program and
21 continued innovation by industry will only increase
22 product offerings in vehicle capabilities in the coming
23 years.

24 I want to thank you again for the opportunity to
25 testify and for all the Board's hard work on this critical

1 issue.

2 BOARD CLERK GARCIA: Thank you.

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

5 MICHAEL LEWIS: Good afternoon. This is Michael
6 Lewis on behalf of the Construction Industry Air Quality
7 Coalition. Our industry largely works at remote sites
8 where there is no electricity or electricity is the last
9 thing to be installed. Our fleets move from one site to
10 another and may not return to the home charging site for
11 long periods of time. And the trucks are often driven
12 home by employees and not returned to the company yard.
13 Other trucks are very sophisticated like water trucks,
14 service vehicles, and bucket trucks.

15 I have a few suggestions for you to include in
16 your resolution that will direct the staff to take
17 measures that will greatly improve compliance with this
18 very expensive rule. First of all, the talk about -- for
19 all the talk about commercially available, there is no
20 definition in the rule. Please direct the staff to
21 develop with public input a definition that includes cost,
22 duty cycle, payload requirements, mileage range, charging
23 times, reliability, and cost effectiveness at a minimum.
24 Just because somebody makes a truck doesn't mean it fits
25 the application.

1 Second, there needs to be some recognition that
2 construction rental fleets are unable to operate under
3 this rule, because they have no control of the equipment
4 once it leaves the yard, and it may be gone for long
5 periods of time where no charging infrastructure will be
6 available.

7 Third, there is a lot of 45-day deadlines for
8 fleet owners to request extensions and exemptions, but
9 those don't appear to be similar deadlines for staff to
10 provide response for extensions. The urgency should be on
11 both sides.

12 Fourth, the ban on adding any internal combustion
13 vehicles after January 2024 is unrealistic and will result
14 in tens of thousands of requests for exemptions and
15 extensions in December. You should probably plan on
16 canceling time off for all the employees at the end of
17 this year.

18 Fifth, we vigorously oppose moving the fleet size
19 from 50 to 10 vehicles. That would add 20,000 fleets who
20 up to today thought they were not included in this rule
21 and did not participate in the process. We submitted a
22 petition with over 300 signatures from small fleet owners
23 opposing the idea.

24 And finally, we ask that your five-year review
25 include an analysis of the 49 findings and your adoption

1 resolution, and just how accurate those statements a fact
2 really turned out to be.

3 Thank you.

4 BOARD CLERK GARCIA: Thank you.

5 Steven King, I have activated your microphone.
6 Please unmute and begin.

7 STEVEN KING: Hi. My name is Steven King and I'm
8 the Clean Energy Advocate with Environment California.
9 I'm calling on the Air Resources Board to vote unanimously
10 in favor of the Advanced Clean Fleets Standard. This
11 historic vote will eventually put an end to diesel death
12 in California by gradually transitioning dirty diesel
13 truck fleets to pollution free technologies.

14 Voting for the Advanced Clean Fleets Standard
15 will save lives by cutting harmful air pollution and
16 dangerous climate pollution caused by trucks, which
17 contributes to escalating climate impacts, like extreme
18 heat, wildfires, drought, and more. We are running out of
19 time to cut this deadly pollution and avert the worst
20 impacts of climate change. Cars and trucks are the number
21 one source of pollution causing these devastating fires,
22 extreme weather, and air quality crises, and it will only
23 get worse if we don't act quickly.

24 We need zero omission technologies, like electric
25 trucks, to meet our climate goals. Electric truck

1 technology is here now and will grow and expand vehicle
2 options to meet the diverse needs of different industries.
3 The funding for the infrastructure we need for this
4 transition is already being supported by historic State,
5 utility, and private sector investments, and billions of
6 dollars in State and federal investment will make sure it
7 continues to grow. California is leading the way on zero
8 emission cars, so there's no reason why we shouldn't also
9 lead on deploying zero-emission trucks to expand the
10 environmental and health benefits of these technologies.

11 Additionally, we must not allow exemptions for
12 natural gas that will wed us to polluting trucks and
13 infrastructure for years to come. No Californian should
14 have to suffer daily from dirty air and impacts from the
15 climate crisis. The Air Resources Board has a historic
16 opportunity to improve public health and protect our
17 environment, while setting us on the right track to meet
18 our climate goals. Please vote yes on the Advanced Clean
19 Fleets Standard to protect Californians and the air we
20 breathe every day.

21 Thank you.

22 BOARD CLERK GARCIA: Thank you.

23 Samuel, I have activated your microphone. Please
24 unmute and begin.

25 SAMUEL SUKATON: Can you hear me?

1 BOARD CLERK GARCIA: Yes, 1.

2 SAMUEL SUKATON: Excellent. Thank you.

3 Chair Randolph, members of the Board,
4 distinguished guests and staff, I want to thank you. It's
5 been a very long two years. Sam Sukaton on behalf of
6 California Environmental Voters and the California
7 Environmental Voters Education Fund.

8 My congratulations on the unanimous adoption of
9 the locomotive rule this morning. And I'm -- I was
10 reminded of a saying by Earl Warren 80 years ago when he
11 was first elected as Governor to make no small plan for
12 California. With that in mind, I know there's been a lot
13 of trepidation about availability, about exemptions, about
14 looking at kind of the failures of the past, whether those
15 are failures of diesel pollution in our communities of
16 color, failures of government and of private industry
17 supply needs, and a failure of revenues to support some of
18 this work.

19 With the Governor's Executive Order with CARB's
20 leadership with a historic climate budget from last year,
21 we're on the way to making no small plans. And with that
22 in mind, I rise to ask for your unanimous aye votes in
23 support of the resolution and to adopt the Advanced Clean
24 Fleets Regulation.

25 Moreover, replying directly to some of the

1 comments from around best available. Just as, you know,
2 diesel is looking to the past and we recognize that that
3 is both dangerous to us collectively and individually, we
4 also know natural gas is a boondoggle. Locking ourselves
5 into fossil fuel infrastructure, whether that's natural or
6 fossil gas, or biomethane does us no favors, does our
7 State no favors, and is frankly a small plan that is again
8 unworthy of Californian. With that in mind, my
9 appreciations for your leadership these last two years.
10 My appreciation to staff for their absolutely Herculean
11 task.

12 And as we close this evening, again ask for a
13 unanimous vote. Thank you so much for your time.

14 BOARD CLERK GARCIA: Thank you. After Terry, we
15 will hear from Dave Robba, John Lormon, Jim Verburg, John
16 Shears Matthew and Sasan Saadat.

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

19 TERRY WIGGLESWORTH: My name is Terry
20 Wigglesworth. I serve as a technical consultant who's
21 worked with renderers, biofuel producers, California
22 Department of Food and Ag, CalRecycle, and dozens of
23 municipalities to implement SB 1383. SB 1383 will reduce
24 greenhouse gases and protect water supplies for California
25 communities.

1 Also, since January 1st, 2023, many cities have
2 had plans in place which rely on trucks to recycle organic
3 waste away from landfills. These plans were required and
4 they have been in place since January 1st. So today, I'm
5 focusing my comments on the impact of the Advanced Clean
6 Fuel Program on SB 1383. The proposed ACF Regulations
7 delay implementation of the ACF program for waste hauler
8 trucks, because they are essential to achieving SB 1383.
9 I certainly support that. But the proposed regulations do
10 not delay implementation of the ACF program for renderers.
11 Rendering trucks are equally essential to the SB 1383
12 program.

13 If all renderable products were sent to landfills
14 and not taken to rendering facilities for recycling, all
15 available landfill space would be full within four years.
16 CalRecycle has stated on their website that rendering
17 qualifies as landfill diversion under SB 1383 to include
18 one category of trucks, waste haulers, as essential to
19 1383 and give them delayed implementation, and to ignore
20 another category of trucks which CalRecycle also states
21 are essential to 1383 is inconsistent and unfair to the
22 cities, because many of them are already relying on both
23 types of trucks.

24 On January 4th, 2023, calRecycle released an
25 organic diversion implementation update, which stated that

1 California has not achieved the 2020 statutory target of
2 50 percent reduction, that today I ask that you modify the
3 regulations to include both of these trucks which are
4 essential.

5 BOARD CLERK GARCIA: Thank you. Dave, I have
6 activated your microphone, please unmute and begin.

7 DAVE ROBBA: Good afternoon, Chair Randolph and
8 members of the Board. My name is Dave Robba and I'm
9 speaking today on behalf of Ceres, a national non-profit
10 organization working to advance leadership among investor
11 companies, and capital market influencers to drive
12 sustainability solutions throughout the economy. We
13 organize several influential business networks including
14 the business for innovative climate and energy policy
15 network, a coalition of over 80 major businesses all
16 committed to driving sustainability throughout the
17 economy, and the Corporate Electric Vehicle Alliance, a
18 collaboration of 32 companies looking to completely
19 decarbonize and electrify their fleets that collectively
20 own, lease, or operate nearly 1.3 million on-road vehicles
21 in the United States.

22 Ceres applauds the Air Resources Board for the
23 development of the Advanced Clean Fleets Regulation and we
24 encourage a favorable vote on the proposed standards
25 today. Many of the companies we work with have committed

1 to transitioning to zero-emission vehicles to reduce
2 emissions and reap the economic and health benefits that
3 come with decarbonizing their fleets. This regulation
4 will accelerate the market for zero-emission trucks and
5 buses and help these companies access the models they need
6 to capture savings and achieve their ambitious climate
7 goals.

8 It will also help companies with commitments to
9 reduce emissions from transporting their products that do
10 not own their vehicle fleets by driving the deployment
11 zero emission commercial vehicles. This is why a diverse
12 coalition of 49 businesses, investors, and employee with
13 operations or business interests in California and 38
14 states overall signed a letter that Ceres organized and
15 submitted calling on CARB to adopt the most ambitious
16 standards feasible for the Advanced Clean Fleets Rule.
17 The signatories note this will allow California and other
18 states who adopt the rule to compete for private
19 investment in a global market, where demand for electric
20 vehicles is rising every day.

21 Thank you for your leadership and we look forward
22 to working with the State and its business community to
23 support implementation of this landmark regulation.

24 BOARD CLERK GARCIA: Thank you.

25 John Lormon, I have activated your microphone.

1 Please unmute and begin.

2 John Lormon, please unmute and begin?

3 JOHN LORMON: Okay. All right. Good afternoon,
4 Chair Randolph, members of the Board and staff. My name
5 is John Lormon. I'm an attorney with the Procopio Law
6 Firm. And I'm here today on behalf of Charter
7 Communications, a broadband connectivity, telephone, and
8 capable service provider to 5.2 million California
9 customers.

10 Charter has identified four areas of concern
11 related to the ACF Regulation for high priority fleets.
12 First, the emergency operation exemption is too
13 restrictive and may prevent charter from maintaining
14 connectivity services during emergency situations that do
15 not rise to the level of a declared emergency event.

16 Second, the proposed regulation may prevent
17 charter from complying with its existing statutory and
18 contractual obligations to provide time limited emergency
19 responses, and that would leave Charter in the untenable
20 position of having to choose between which legal
21 obligation to satisfy.

22 Third, the proposed regulations appear to be
23 inconsistent with the Board's delegated authority.

24 Fourth, five days after the AFC public comment
25 period closed on this regulation, the U.S. EPA on April

1 12th proposed new national vehicle and truck GHG emission
2 standards for model years 2027 through '32. Neither staff
3 nor the public has had time to review or evaluate the
4 impact of this. To address these concerns, we request
5 that before adoption of the professed high priority fleet
6 reg, that the emergency -- I'm sorry -- the emergency
7 regulation be expanded and time be allowed for EPA's
8 proposal to be evaluated, and that a 15-day public comment
9 with the revised rule be provided on these issues.

10 BOARD CLERK GARCIA: Thank you.

11 Jim Verburg, I have activated your microphone.
12 Please unmute and begin.

13 JIM VERBURG: Good evening, Chair Randolph and
14 members of the Board. My name is Jim Verburg. I'm with
15 WSPA. We sincerely appreciate the additional stakeholder
16 engagement efforts CARB staff and leadership made since
17 the releasing of the 45-day rulemaking package in October.
18 This will afford an opportunity to better understand the
19 significant stakeholder concerns and known implementation
20 challenges that this regulation will face. Unfortunately,
21 the 15-day package did not do enough to alleviate
22 significant outstanding concerns you've heard today.
23 Because of this, we ask CARB to defer adoption until staff
24 can present a cost effective regulation that can be
25 feasibly implemented given known permitting and other

1 challenges and anticipated CEQA litigation.

2 These challenges are expected to delay the
3 infrastructure and renewable energy capacity buildout at
4 scale that this proposed regulation would be dependent
5 upon. CARB should instead reconsider key points raised by
6 stakeholders including CEQA consideration of alternative
7 technologies, the need for a Federal Clean Air Act waiver,
8 permitting challenges and timelines, infrastructure
9 readiness, commercial availability of reliable and
10 affordable fleet vehicles at scale and life cycle analysis
11 of environmental impact of ZEVs.

12 Given that CARB itself has acknowledged the
13 presence of multiple barriers, including permitting,
14 infrastructure buildout, interconnection delays, if CARB
15 proceeds to approve this proceed -- this regulation, we
16 strongly encourage them to establish twice yearly staff
17 reports. This would also include input from affected
18 stakeholders gathered through workshops.

19 And we do not want to see this regulation
20 compromise the delivery of essential goods and services to
21 Californians or compromise the state's economy. We thank
22 you for your time and consideration.

23 BOARD CLERK GARCIA: Thank you.

24 Next, we'll hear from John Shears. John, it
25 looks like you've lowered your hand. If you still would

1 like to speak, please -- okay. There it goes. So I have
2 activated your microphone. Please unmute and begin.

3 JOHN SHEARS: Great. Can you hear me?

4 BOARD CLERK GARCIA: Yes, we can.

5 JOHN SHEARS: Thanks. Good evening, everyone,
6 and thank you again for your continued comprehensive and
7 excellent hard work on the proposed ACF Regulation. My
8 name is John Shears with the Center for Energy Efficiency
9 and Renewable Technologies.

10 CEERT urges the Board to adopt the latest
11 proposed ACF Regulation as presented by staff today that
12 will assist in the battle against accelerated global
13 warming and save lives by significantly reducing toxic air
14 pollution especially in the frontline communities most
15 impacted by combustion engine trucking emissions
16 especially diesel. We encourage CARB to refine the
17 implementation and coordination of this rule with the rest
18 of CARB's suite of heavy-duty vehicle policies consistent
19 with the 2022 State Implementation Plan's Zero-Emission
20 Trucks Measure, such as by avoiding exemptions for natural
21 gas trucks, minimize -- minimizing continued investments
22 in legacy combustion powered fleets.

23 CARB should act quickly to align the ACF Rule
24 more closely with the Advanced Clean Trucks Rule and
25 expeditiously develop and promulgate and updated ACT sales

1 role to smooth out the sales ramp requirements, while
2 identifying additional ways to reduce pollution in
3 frontline communities from trucks that are not regulated
4 by the ACF Rule.

5 I'd like to offer a final note for those who've
6 expressed concerns about vehicle battery waste. If
7 they're interested in this issue, they should support
8 Senator Ben Allen's legislation SB 615, which seeks to
9 address EV battery recycling.

10 Thank you for the opportunity to comment.

11 BOARD CLERK GARCIA: Thank you.

12 After Sasan Saadat we'll hear from Matthew Meyer,
13 Cristina Marquez, Joani Woelfel, and Maurissa Brown.

14 Sasan, I have activated your microphone. Please
15 unmute and begin.

16 SASAN SAADAT: Thank you, Chair and Board
17 members. I just -- I want to start by quickly pushing
18 back on the press to make even wider exemptions for
19 natural gas and methane. And, you know, I understand that
20 there are practical reasons why there have to be some
21 accommodations for biomethane in the waste trucks, which
22 staff have already accommodated by moving them to the
23 slowest ZEV transition timeline. But it should really be
24 clear to any serious climate person that we should not be
25 burning this extremely scarce source of biomethane in

1 on-road vehicles that can be electrified, when we have
2 things like the direct reduction of iron ore or feedstocks
3 for fertilizer that would be much better uses.

4 And, you know, it's much more than carbon that we
5 care about as you can hear from the testimony. Like this
6 is about listening to the climate -- the air quality
7 science that your own staff have done a really excellent
8 job in showing you in partnership with SoCalGas that these
9 trucks regularly blow past their stated certification
10 limit, and that's just on NOx, because we know actually
11 these methane burning trucks also emit ammonia and
12 worryingly appear to emit the most ammonia under the same
13 conditions that allow for controlling emissions of NOx.
14 And burning methane in trucks, it's just -- it's just not
15 an incremental improvement. And it's going to require
16 bespoke refueling infrastructure that will necessitate two
17 sharp fleet transitions instead of one gradual one.

18 But setting all that aside, I just want to thank
19 staff again, and thank the Board members. And most of
20 all, I really want to thank all the residents from the
21 frontlines of diesel pollution who fought for this,
22 because the benefits of your fight for your siblings and
23 your children, and parents, and neighbors will ripple far
24 beyond your communities. It's going to improve the air
25 that I breathe and that everyone listening will breathe.

1 And it's going to deliver a huge victory for the fight
2 against climate change. A hundred percent zero-emission
3 truck sales by 2036 is really a landmark gift that your
4 communities are on the cusp of delivering to the world.

5 And I -- just to be a little sentimental, I feel
6 so lucky and proud to be part of that. I hope you all do
7 too.

8 Thank you.

9 BOARD CLERK GARCIA: Thank you.

10 Matthew Meyer, I have activated your microphone.
11 Please unmute and begin.

12 MATTHEW MEYER: Sorry. Can you hear me?

13 BOARD CLERK GARCIA: Yes, we can.

14 MATTHEW MEYER: Good afternoon, everyone. Matt
15 Meyer with CalPortland. Been round since 1891, cement,
16 aggregate, ready mix concrete construction producer, 19
17 year energy star award recipients.

18 We partnered with South Coast and CARB and
19 converted our whole fleet, one of the first, if not the
20 first, in California to CNG, RNG, a \$40 million
21 investment. So it's hard to hear that CNG is bad now. I
22 heard that a year ago when I read the regulation. I
23 called Cummins and Cummins contacted UCR. UCR actually
24 did that study reference in the regulation incorrectly and
25 it was corrected. So CNG is by far cleaner than diesel.

1 That's why we invested in it.

2 I really hope everyone can look at the life cycle
3 analysis, because 18 years, 800,000 miles is not the life
4 cycle of a truck. It's the life cycle of an engine, so
5 you really need to understand the difference between the
6 two. My biggest part of this is just really looking at
7 CNG and what we're trying to accomplish here. We run
8 Cummins 12 Ns in these trucks. We were told we should
9 look at near ZEV, these Hyliion trucks that are five tons
10 heavier than our current trucks, run electric motors to
11 push the truck down the road, 75 miles worth of batteries.
12 But to keep the truck going down the road, there's a 12n
13 Cummins charging that, near-ZEV truck.

14 So exact same engines we run every day, you guys
15 are allowing to run till 2040. It just doesn't make
16 sense. This regulation doesn't, but we want to partner
17 and make it make sense. So please reach out and we'd love
18 to be the first in this regulation to make it happen.

19 Thank you.

20 BOARD CLERK GARCIA: Thank you.

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

23 CRISTINA MARQUEZ: Good evening. Cristina
24 Marquez speaking on behalf of California State Association
25 of Electrical Workers with 80,000 members, and

1 International Brotherhood of Electrical Workers, Local
2 569, with 3,600 power professionals and union electricians
3 in San Diego and Imperial counties. We encourage you to
4 vote yes to adopt the Advanced Clean Fleets standard that
5 will require 100 percent electric truck sales by 2036.
6 This historic vote will change the course of the hardest
7 hit communities all while creating good green energy
8 careers.

9 The electric truck technology is here.
10 Strategies and funding are already in place to grow
11 charging options to meet these reasonable and gradual
12 goals of the ACF standard, using the skilled and trained
13 workforce standards, which include the high road training
14 requirements to have electricians be certified in the
15 Electric Vehicle Infrastructure Training Program. And
16 statewide, we have over 3,000 EVITP certified electricians
17 ready to build and charge up electric vehicle
18 infrastructure.

19 IBEW is the nationally recognized electrical
20 workers union. We're trained and we're prepared to work
21 on the next generation of job-creating, job-protecting
22 infrastructure projects. We can do this. Please vote yes
23 to support the Advanced Clean Fleets Standard.

24 Thank you. Have a good night.

25 BOARD CLERK GARCIA: Thank you.

1 Joani, I have activated your microphone. Please
2 unmute and begin.

3 JOANI WOELFEL: Hi. Can you hear me?

4 BOARD CLERK GARCIA: Yes, we can.

5 JOANI WOELFEL: Hi. My name is Joani Woelfel.
6 I'm the CEO of the Far West Equipment Dealers Association.
7 We represent agricultural, industrial, material handling,
8 outdoor power, and rental equipment dealers in California
9 and six other western states.

10 Thank you for the opportunity to speak on the
11 proposed Advanced Clean Fleets Regulation. We support
12 efforts to reduce emissions but share many of the concerns
13 expressed here today. We emphasize the negative
14 consequences of mandating and expedited transition to
15 electric powered fleets and equipment when the technology
16 and infrastructure are not available or insufficient.
17 These regulations affect our stakeholders across almost
18 every category including small off-road equipment, LSI
19 forklifts, Advanced Clean Trucks, Advanced Clean Fleets,
20 and off-road equipment.

21 Equipment dealers across all sectors will bear
22 the brunt of these mandates as their companies attempt to
23 comply with them and support their customers in
24 compliance. Dealers must adapt their fleets to selling
25 service to both fuel and electric equipment, inventory and

1 service both types of equipment. They will increase
2 operating expenses and capital costs to deploy upgrades
3 and infrastructure, which is not feasible.

4 As we're seeing in discussions with CARB about
5 forklift rules, concepts on paper don't align with
6 reality. We've heard here today many attempting to
7 transition now are delayed because of insufficient
8 infrastructure and we expect adding fleets in all sectors
9 simultaneously will create a further strain at
10 significantly increased expense. The equipment industry
11 is plagued with supply chain shortages. We're
12 particularly concerned about fleets that respond to
13 farmers and ranchers in remote areas where charging
14 infrastructure is deficient or non-existent. Severe
15 weather more quickly degrades a battery charge and these
16 conditions could render fleets in operable at the worst
17 possible times.

18 We also encourage CARB to reconsider lowering the
19 fleet size threshold from 50 to 10 as it will increase the
20 financial and compliance burden on small businesses. We
21 concur with others in urging CARB to post -- postpone
22 adoption until construction -- thank you.

23 BOARD CLERK GARCIA: Thank you.

24 After Maurissa Brown, we'll hear from David
25 Rothbart, Woody Hastings, Olivia Seideman, Craig Murray,

1 and a phone number ending in 800.

2 Maurissa, I have activated your microphone.

3 Please unmute and begin.

4 MAURISSA BROWN: Hello. My name is Maurissa
5 Brown. I'm the Transportation Equity Program Manager at
6 the Greenlining Institute.

7 I deeply thank the Board and staff for your
8 dedication to this landmark regulation. The Greenlining
9 Institute strongly supports this regulation and I'm here
10 today to call on the Air Resources Board to have the
11 political courage to vote unanimously in favor. A yes on
12 this rule is a vital victory for human rights and a step
13 towards a just economy, not just a clean economy, but a
14 just economy. It's time to bring an end to diesel and gas
15 use in our transportation system. There is no quality
16 future here on this planet if CARB allows larger
17 exemptions and loopholes for the natural gas industry.

18 Biogas and renewable natural gas are just as
19 damaging and dangerous to pollution burdened communities,
20 make no mistake about that. It's time to bring an end to
21 toxic trucks. It's time for electric trucks and fair
22 labor standards that are steps towards a future where
23 communities and workers can live in healthy places filled
24 with fair economic opportunity. This rule is also a vital
25 victory for business and the economy. A stronger electric

1 truck standard like this one creates market certainty for
2 investments and even more opportunity for good paying
3 permanent clean economy jobs.

4 Fleet and truck owners themselves will save money
5 over the life span of their trucks by cutting fuel and
6 maintenance costs. Electric truck technology is here now.
7 Electric trucks are already on the road and California has
8 already invested millions of dollars in incentive funding
9 for clean trucks and infrastructure. Time is up. It is
10 time for change. Please vote yes on this regulation.
11 Please vote yes for clean air. And looking -- moving
12 forward after this hearing, I'd like to make sure CARB is
13 making continual efforts surrounding, one, zero-emission
14 truck insurance costs, and two, engagement with smaller
15 fleets and owner and operators.

16 Thank you so much CARB for your hard work on
17 this. Have a good night.

18 BOARD CLERK GARCIA: Thank you.

19 David Rothbart, I have activated your microphone.
20 Please unmute and begin.

21 DAVID ROTHBART: Good evening, Chair Randolph and
22 Board members. I'm David Rothbart and I work for the Los
23 Angeles County Sanitation Districts. And I'm the Air
24 Quality Committee Chair for Clean Water SoCal and we're
25 members of CASA.

1 The wastewater sector is required to treat
2 society's waste and we cannot tell the public to stop
3 flushing their toilets. The process of treating society's
4 waste creates a non-fossil fuel. And the source of energy
5 needs to be used productively. Unfortunately, the
6 management options outlined by staff for this waste gas
7 are insufficient for SB 138 implementation. Specifically,
8 most of this gas cannot be directed in the natural
9 pipeline, and creating hydrogen has many uncertainties.

10 While we're disappointed that our concerns have
11 not been addressed by the modified ACF language, we are
12 greatly appreciative that the Board resolution includes a
13 commitment to work with the wastewater sector to find a
14 reliable home for our renewable non-fossil fuel. To this
15 end, we would appreciate adding the words SB 1383
16 implementation into the last sentence of the resolution
17 for clarity. We look forward to working with you to
18 achieve clean air as quickly as possible. Thank you very
19 much.

20 BOARD CLERK GARCIA: Thank you.

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

23 WOODY HASTINGS: Good evening. Thank you for the
24 opportunity to comment remotely and for your stamina for
25 the climate, clean air, and the health of our communities.

1 The Climate Center urges the Board to approve the
2 strongest possible Advanced Clean Fleets Rule. Thank you
3 very much.

4 BOARD CLERK GARCIA: Thank you.

5 Olivia Seideman, please unmute and begin.

6 OLIVIA SEIDEMAN: Hi. My name is Olivia
7 Seideman, Climate Policy Coordinator with Leadership
8 Counsel for Justice and Accountability. We work with
9 community leaders in South Central Fresno, a truck route
10 community, where the life expectancy is 20 years shorter
11 than that in North Fresno. Twenty years discrepancy is
12 absolutely unacceptable. I'm here to speak in support of
13 the ACF as a crucial for step towards reducing and
14 eliminating pollution in environmentally overburdened
15 communities.

16 We're grateful to the Board for the acceleration
17 of the 100 percent sales target to 2036, but more progress
18 must be made to protect environmental justice communities
19 across California.

20 First, the final proposal does not include any
21 requirements for the vast majority of fleets in
22 California, a gap that will leave about tens of thousands
23 of highly polluting Class 7 to 8 trucks excluded from this
24 regulation. CARB must establish a plan for accelerating
25 the transition to ZEV for this tractors as well and we

1 strongly support lowering the fleet threshold from 50 to
2 10.

3 Furthermore, the proposed regulation allows State
4 and local agency fleets, and high priority, and federal
5 fleets to meet the ACF requirements with either ZEVs or
6 near zero-emission vehicles. NZEVs still pollute truck
7 route and environmental justice communities and should not
8 be considered equal to ZEVs or used to comply with the ACF
9 when ZEVs are available. Relatedly, natural gas and
10 biomethane powered trucks are not a substitute for ZEVs.
11 They still pollute communities, and dependence on these
12 dirty fuels will only exacerbate existing environmental
13 justices.

14 We must transition to ZEV as soon as possible to
15 promote health equity and environmental justice in
16 California's climate strategies. Finally, truck route
17 communities still experience many negative impacts not
18 addressed by a transition to ZEVs including break in tire
19 wear pollution, noise and vibrations, and safety concerns.

20 CARB must also address these larger concerns in
21 communities along truck freight routes to ensure that new
22 and existing freight routes and associated facilities are
23 taking into account sensitive receptors in all freight
24 impacts to neighboring communities.

25 So thank you. We support -- we ask for your vote

1 yes for ACF and recognize that there's still progress to
2 achieve environmental justice in California's
3 transportation sector.

4 Thank you.

5 BOARD CLERK GARCIA: Thank you.

6 Craig Murray, please unmute and begin.

7 CRAIG MURRAY: Good evening, Madam Chair
8 Randolph, Board members, staff. My name is Craig Murray.
9 I'm a Board Director of the Las Gallinas Valley Sanitary
10 District in San Rafael. We serve approximately 32,000
11 residents and are the largest public solar power producer
12 in Marin County. We have developed a modern water
13 recycling facility that serves the region to implement a
14 renewable natural gas facility for combined heat and power
15 as well as transportation fuel that has fueled a heavy
16 vehicle for essential services to your customers.

17 The California wastewater sector is helping
18 achieve the goals of SB 1383 that are upon us. Las
19 Gallinas Valley Sanitary District is looking at a regional
20 biosolids facility to serve our region as well.
21 California wastewater agencies will need more tools, not
22 less. Developing markets for biogas is important.

23 Request to CARB is to hear and work with my
24 fellow associates in CASA and those that provide local
25 services and thank those that amended the resolution. I'd

1 also like to ask to add SB 1383 in front of SB 1440 in the
2 resolution, and to keep space available in the ACF
3 Regulations for continued safe, effective, and reliable
4 operations in the bioenergy and wastewater sector.

5 Thank you.

6 BOARD CLERK GARCIA: Thank you.

7 After the phone number ending in 800, we will
8 hear from Rebecca Schenker, James Leach, Suzanne Caflisch,
9 Cathy Dervin, Katie Little, David Fink, Todd Campbell, and
10 Enrique Rivas.

11 So the phone number ending in 800, I have
12 activated your microphone. Please unmute and begin.

13 And you may need to dial star six to unmute.

14 NICOLAS CARDELLA: Can you hear me?

15 BOARD CLERK GARCIA: Yes, we can.

16 NICOLAS CARDELLA: Okay. Thank you.

17 Good evening, Chair Randolph, Board members, and
18 staff. My name is Nicolas Cardella and I'm speaking on
19 behalf of the Western States Trucking Association, the
20 California Trucking Association.

21 I have two brief comments, one related to the
22 EA's analysis of emissions impacts and one related to the
23 EA's analysis of grid impacts. With respect to emissions
24 impacts, the EA discusses the regulation's purported
25 emissions benefits with specificity, quantifying the

1 alleged benefits in tons per day or tons per year.
2 However, when it comes to adverse emissions impacts, the
3 EA declines to quantify the effects and instead uses only
4 general qualitative terms.

5 CARB defends this approach on two grounds.
6 First, the agency claims it isn't feasible to calculate
7 the detrimental impacts. However, the EA calculates
8 beneficial impacts. And if beneficial impacts could be
9 quantified, then adverse impacts could be quantified too,
10 as our expert report showed. CARB's response to our
11 comments ignores these facts.

12 Second, CARB claims a quantitative analysis of
13 adverse impacts would present a misleading picture because
14 air quality impacts significance thresholds differ across
15 jurisdictions. However, this concern is completely
16 illusory. Nothing requires CARB to apply to significance
17 thresholds of every local air district in the state. It's
18 well established that a lead agency has discretion to
19 determine appropriate significance thresholds based on the
20 circumstances. CARB could develop and apply its own
21 statewide thresholds or localized thresholds using
22 specialized criteria. Yet, no attempt is made to do so
23 and no explanation given as to why.

24 Because the EA fails to provide an apples to
25 apples comparison about --

1 BOARD CLERK GARCIA: Thirty seconds.

2 NICOLAS CARDELLA: -- the beneficial and adverse
3 emissions impacts, it obscures the regulation's potential
4 for unintended consequences, precludes informed
5 decision-making and fails as an informational document.

6 With respect to the EA's analysis of impacts on
7 the electrical grid, CARB admits the regulation will
8 increase demands on the grid, but declines to impose
9 mitigation, claiming there won't be any adverse impacts
10 due to various planned initiatives to improve grid
11 capacity and reliability. Yet, nothing in the EA actually
12 analyzes (inaudible) regulations (inaudible) over the long
13 term. This is inadequate. Thank you.

14 BOARD CLERK GARCIA: Thank you.

15 Rebecca Schenker, I have activated your
16 microphone. Please unmute and begin.

17 REBECCA SCHENKER: Thank you, Chair, members of
18 the Board, and the entire team at CARB for your landmark
19 commitment to zero emissions. My name is Rebecca
20 Schenker. I'm a Senior Director at GNA where I've been
21 working on fleet compliance since the early years of the
22 Diesel Risk Reduction Program.

23 Today is a new stage in California's regulatory
24 and energy system and GNA is proud of our work on the
25 implementation of the zero-emission transition for fleets.

1 Based on our experience, my comments today focus
2 on our ongoing concerns around the nuts and bolts
3 implementation challenges of ACF. We urge ongoing
4 formalized staff and Board level hearings and flexibility
5 around how the exemption provisions play out in the real
6 world. Our experience indicates that even proactive
7 fleets with EV plans underway may be unable to meet the
8 documentation deadlines to qualify for exemptions. To
9 name just one example, many fleets with EV plans that are
10 well underway won't be able to secure construction permits
11 prior to December 31st of this year, which is the deadline
12 necessary for the construction exemptions for near-term
13 drayage model year and Group 1 milestone deadlines.

14 We've seen throughout this process that it isn't
15 the intent of the Board staff to penalize entities working
16 in good faith on planning and implementation, but there's
17 so much we can't know about what timelines will look like
18 for real estate acquisition, engineering, utility, and
19 permitting, especially when the entire state of California
20 is raising to zero. These challenges mean that many
21 fleets actively working toward zero could still be
22 non-compliant.

23 And so we asked for a commitment to regulatory
24 flexibility and formalized hearings that continue
25 adjusting the rule and don't penalize proactive fleets, as

1 we continue to learn more via this real-world rollout.
2 Thank you again for California's leadership. We hope this
3 formal rule today is simply the starting point for a truly
4 collaborative energy transition for all.

5 BOARD CLERK GARCIA: Thank you.

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

8 JAMES LEACH: Thank you. Chair Randolph, members
9 of the Board, my name is Jim Leach. I'm with the Santa
10 Margarita Water District. We provide water and wastewater
11 service to some 200,000 customers.

12 Can you hear me? Hello.

13 BOARD CLERK GARCIA: Yes, we can.

14 JAMES LEACH: Okay. I'm sorry.

15 We provide water and wastewater services to some
16 200,000 customers in Orange County. We are a member of
17 CASA. Our coalition members have worked with the staff,
18 and Board members, and others on this rulemaking. A
19 number of our concerns haven't been addressed, but we
20 appreciate that the resolution included in the package now
21 includes provisions for staff to work with CASA along with
22 regulatory agencies and the Board to find solutions that
23 ensure that non-fossil derived biomethane can be put to
24 beneficial use.

25 While the resolution requires CARB to work with

1 us and regulatory agencies to advance pipeline injection
2 and hydrogen technologies. It's our view that in order to
3 be part of the full implementation of SB 1383, we want to
4 explore the role the public wastewater sector can play in
5 taking organic waste diverted from landfill for
6 co-digestion in our existing anaerobic digesters.

7 Again, we appreciate our inclusion in the
8 resolution. We urge the Board to adopt the resolution,
9 but we also ask that SB 1383 be added to the last
10 paragraph in addition to SB 1440. We look forward to
11 productive engagement with all the agencies.

12 Thank you very much for your time.

13 BOARD CLERK GARCIA: Thank you.

14 Suzanne, I have activated your microphone.
15 Please unmute and begin.

16 SUZANNE CAFLISCH: Thank you. Can you hear me?

17 BOARD CLERK GARCIA: Yes, we can.

18 SUZANNE CAFLISCH: Okay. Great. Good evening.
19 My name is Suzanne Caflisch. And I am a State Policy
20 Advisor with the BlueGreen Alliance. The BlueGreen
21 Alliance is founded on the principle that we don't have to
22 choose between good jobs and a clean environment.
23 Instead, we must have both.

24 We are here today to support the ACF Rule
25 alongside environmental and environmental justice groups,

1 as well as organized labor, including the Teamsters, IBEW,
2 the California Labor Federation, SEIU and others. The ACF
3 Rule will deliver direct health benefits to communities
4 suffering from diesel pollution, while simultaneously
5 addressing labor exploitation and driver
6 misclassification.

7 In fact, the ACF Rule marks the first time in
8 ARB's history that the trucking industry, which is one of
9 the Board's core focuses, could actually be regulated in a
10 way that delivers on driver's needs by addressing truck
11 driver misclassification. It is incumbent upon this Board
12 to take bold action on climate change to protect drivers
13 upon whom our supply chains depend, and to hear the voices
14 of the historic alliance of labor, environmental, and
15 environmental justice groups that you see in front of you
16 today, and this evening supporting the rule.

17 We appreciate ARB's leadership and applaud this
18 rule as one of many steps in centering the needs of
19 workers while addressing transportation sector emissions.
20 As our state continues to build a market for zero-emission
21 trucks, ARB must commit to making sure that there are high
22 road jobs and economic justice for workers across the
23 transportation sector, including those in manufacturing.

24 Than you so much.

25 BOARD CLERK GARCIA: Thank you.

1 Kathy, please unmute and begin.

2 Kathy Dervin, I have activated your microphone.
3 Please unmute and begin.

4 Okay. We'll move on to Katie Little. Katie, I
5 have activated your microphone. Please unmute and begin.

6 KATIE LITTLE: Good evening. And thank you,
7 Chair and members. My name is Katie Little and I'm here
8 on behalf the California Farm Bureau. We align our
9 comments with our fellow agricultural stakeholders and
10 continue to share concerns with this proposed regulation.

11 A majority of California farmers and ranchers
12 live in remote and rural communities that have limited
13 access to the infrastructure required for this proposal.
14 The time required to charge these vehicles in addition to
15 the time needed to travel to these charging facilities
16 could also jeopardize food security and availability.

17 This doesn't just affect my members' communities.
18 Farmers and ranchers are still feeling the effects of port
19 congestion caused by the COVID-19 pandemic in 2020. The
20 transportation of food and various agricultural
21 commodities was disrupted, which ultimately led to many
22 international consumers of these products to seek new
23 suppliers in different markets.

24 Another transportation disruption as this
25 regulation might affect at the ports could limit the

1 distribution of ag goods, which accounts for more than \$22
2 billion of California's economy. California farmers and
3 ranchers provide the State, nation, and the world with
4 safe reliable and nutritious food. If this is to
5 continue, a clearer path for rural implementation of the
6 infrastructure needed and transportation of these
7 agricultural commodities needs to move forward.

8 An affirmative vote doesn't mean the work is
9 complete. Continued engagement and support is needed by
10 all interested State agencies. We look forward to
11 continuing this conversation.

12 Thank you very much.

13 BOARD CLERK GARCIA: Thank you.

14 And lastly, we will hear from David Fink, Todd
15 Campbell, and Enrique Rivas.

16 David, I have activated your microphone. Please
17 unmute and begin.

18 DAVID FINK: Thank you. Good evening, Board
19 members. My name is David Fink and I'm the Sustainability
20 Director at the Los Angeles Business Council. We are a
21 business advocacy and research organization representing
22 over 500 members across greater Los Angeles. Today, we
23 call on the Air Resources Board to unanimously approve the
24 Advanced Clean Fleets Standard. As you know, Los Angeles,
25 currently ranks as the number one most ozone-polluted city

1 in the United States. With a yes vote, you can change
2 that. With a yes vote, you can help dramatically improve
3 air quality and in turn health outcomes, especially in
4 communities of color and low-income communities where
5 exposure to smog and diesel soot is most prevalent.

6 Stronger electric truck standards create market
7 certainty that drives new public and private investment
8 and market growth opportunities that support good,
9 permanent, clean economy jobs, all while helping drive
10 down costs for new pollution-free vehicles.

11 I would also add that we did not need more
12 national -- natural gas exemptions, as they will tie us to
13 higher numbers of polluting trucks years into the future,
14 further contributing to climate change, and harming public
15 health. More natural gas exemptions would be a setback
16 and counter to the intent of this rule.

17 We, again, ask for a unanimous vote in favor of
18 the Advanced Clean Fleets Standard. Thank you for your
19 time.

20 BOARD CLERK GARCIA: Thank you.

21 Todd, please unmute and begin.

22 TODD CAMPBELL: Can you hear me?

23 BOARD CLERK GARCIA: Yes, we can.

24 TODD CAMPBELL: Hi. Todd Campbell, Vice
25 President of Public Policy and Regulatory Affairs for

1 Clean Energy. Apologize for not being there in person. I
2 have a cold and I didn't want to infect anyone else, but I
3 want to, first of all, say thank you to everyone for
4 spending a very long day on a very important rule. As you
5 know, Clean Energy is strongly in support of a transition
6 to zero-emission transportation, not only in the state of
7 California, but throughout the entire country. We think
8 that renewable natural gas cannot only play a role in
9 powering very low emission natural gas internal combustion
10 engines, but also ultimately hydrogen powered trucks
11 throughout the country, and we are here to support
12 California in that endeavor.

13 I just want to make a couple clarifications.
14 First of all, there is no ask from our industry to have a
15 natural gas exemption. Our exemption, it doesn't -- we
16 don't care -- you know, we could spend a lot of time
17 debating whether or not diesel or natural gas will be
18 cleaner in the future. That's not our ask. Our ask of
19 this Board is that if and when a zero-emission vehicle
20 exemption or near-zero-emission vehicle exemption is
21 provided, that the Board require that the cleanest
22 internal combustion engine is purchased with priority. In
23 other words, there are multiple standards under the
24 Omnibus Rule that are more stringent. For example,
25 2027 -- the 2027 standard is a 20 milligram standard.

1 We're not talking about what fuel you power that vehicle
2 with. All we're talking about is if that's commercially
3 available, that should be chosen first, and the reason for
4 that is to protect (inaudible).

5 Thank you.

6 BOARD CLERK GARCIA: Thank you.

7 Enrique Rivas, please unmute and begin.

8 Enrique, I have activated your microphone.

9 Please unmute and begin.

10 ENRIQUE RIVAS: Can you hear me?

11 BOARD CLERK GARCIA: Yes, we can.

12 ENRIQUE RIVAS: Hi. My name is Enrique. I'm an
13 owner/operator here in Los Angeles, Long Beach. I go to
14 the ports every day and I am for the transition into
15 electric vehicles. I mean, I'm in a truck all day. I'm
16 at the ports. I know what it's like to inhale diesel all
17 day long. So I am for the changes. Just as an
18 owner/operator, I want you guys to know that these changes
19 are like really hard for us.

20 I bought a truck last year. It's a 2016
21 Freightliner and I was told by the Clean Truck Program
22 here in LA that I had until 2029. And I just called
23 yesterday to verify some things and they told me that it
24 might be 2028, because it's going to be the engine year,
25 not the model of the truck like I was told. So, you know,

1 all those things really hurt us. There's a lot of us out
2 here owner/operators, you know, trying to -- trying to,
3 you know, live that American dream, you know, have your
4 little business.

5 I grew up in South Gate, born and raised right
6 there by 710 on Atlantic closed to Tweedy Imperial right
7 there. So you know I was born and raised there too,
8 but -- you know, I am for the changes, but I just think we
9 need a little bit more time. This is going to be very
10 hard us, especially if we have to register another truck
11 by the end of this year, before January 1st 2024. I was
12 already thinking of selling this truck and buying another
13 one, but I can right now. And then if I have to do it by
14 the end of this year. I mean, it's just really, really
15 hard for us.

16 Just remember that we're up early before anyone
17 else and we come late, after everyone else leaves. We
18 sleep in our trucks. We're sleep deprived. And not
19 sleeping is actually worse for your heart than anything
20 else. I mean, we're working hard out there. I hope you
21 guys consider us too. There's a lot of us. And just
22 remember that if trucks stop, you know, everything stops,
23 you know.

24 Yeah, I'm all for it, but I hope you guys can
25 give us a little bit more time, because it's expensive to

1 do all these things. And, you know, the big guys always
2 push us out. You know, we're going to have to go out of
3 business because of these things and it's really hard.

4 Thank you very much.

5 BOARD CLERK GARCIA: Thank you. And that
6 concludes the Zoom commenters who signed up to speak
7 before the 2 p.m. cutoff time.

8 CHAIR RANDOLPH: Okay. Thank you very much.
9 Staff, do you need to make any comments before I closed
10 the record?

11 MSCD TRANSPORTATION AND CLEAN TECHNOLOGY BRANCH
12 CHIEF BRASIL: Yes. This is Tony Brasil, Branch Chief of
13 the Transportation and Clean Technology Branch.

14 I simply need to add that no new substantive
15 comments have been raised today regarding the
16 Environmental Analysis and we've -- we have previously
17 received and considered all of the environmental comments
18 we heard today.

19 Thank you.

20 CHAIR RANDOLPH: All right. Thank you very much.
21 This is the second of two Board hearings. I will now
22 close the record on this agenda item. However, if it is
23 determined that additional conforming modifications are
24 appropriate, the record will be reopened and a 15-day
25 Notice of Public Availability will be issued. If the

1 record is reopened for a 15-day comment period, the public
2 may submit written comments on the proposed changes, which
3 will be considered and responded to in the Final Statement
4 of Reasons for the regulation. Written or oral comments
5 received after this hearing date, but before a 15-day
6 notice is issued will not be accepted as part of the
7 official record on this agenda item.

8 The Executive Officer may present the regulation
9 to the Board for further consideration, if warranted. And
10 if not, the Executive Officer shall take final action to
11 adopt the regulation after addressing all appropriate
12 conforming modifications.

13 Okay. We are going to adjourn for the evening
14 and tomorrow morning we will take up Board questions and
15 comments. Our meeting tomorrow morning will begin at 9
16 a.m. 9 a.m. Not 8:30, 9 a.m., everyone. All right. See
17 you in the morning.

18 (Thereupon the Air Resources Board meeting
19 adjourned at 6:57 p.m.)
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