



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

September 11, 2025

Submitted via <https://ww2.arb.ca.gov/lispub/comm/bclist.php>

Clerk's Office
California Air Resources Board
1001 I Street
Sacramento, CA 95814

SUBJECT: Comments on the Proposed Amendments to the Advanced Clean Fleets Regulation

Dear California Air Resources Board,

The Metropolitan Water District of Southern California (Metropolitan) appreciates the opportunity to comment on the California Air Resources Board's (CARB's) Proposed Amendments to the Advanced Clean Fleets (ACF) and Low Carbon Fuel Standards Regulation dated July 29, 2025 (hereinafter referred to as the 45-Day Rulemaking Package). This rulemaking package combines the repeal of the private fleet provisions in the ACF rule and the addition of new rule language that addresses changes mandated by the passage of Assembly Bill (AB) 1594 (Garcia, 2023). Since 2020, Metropolitan has actively monitored and provided feedback on the ACF and remains committed to assisting CARB in crafting a feasible, realistic, and flexible regulation that can adapt to a slowly evolving and uncertain zero-emission vehicle (ZEV) market, particularly within the medium- and heavy-duty sectors.

Metropolitan, through its Climate Action Plan, is committed to transitioning its fleet and other operating equipment away from carbon-based fuels, aiming to reach carbon neutrality for all its operations by 2045. Metropolitan projects that 20 percent of our medium-to-heavy duty trucks will be zero-emission by the end of the 2025/2026 fiscal year. This transition must balance regulatory compliance with Metropolitan's obligation to provide reliable water deliveries and respond rapidly to emergencies and mutual aid needs across southern California.

We believe the proposed amendments in the 45-Day Rulemaking Package fall short of addressing the diverse concerns raised by Metropolitan during recent meetings and discussions with CARB staff. It is Metropolitan's understanding that CARB intends to release supplemental 15-day packages to address additional concerns raised by water agencies that are not covered by the subject 45-Day Rulemaking Package. Given this understanding, Metropolitan respectfully submits the following comments on the 45-Day Rulemaking Package, as well as comments to help guide any supplemental 15-day packages for CARB's consideration.

Background

Metropolitan is a regional water wholesaler that delivers approximately two million acre-feet of water per year to 26-member public agencies, who in turn provide water to nearly 19 million people in southern California. As the largest distributor of treated drinking water in the United States, Metropolitan's service area spans approximately 5,200 square miles throughout Los Angeles, Orange, San Diego, Riverside, San Bernardino, and Ventura counties. In addition, Metropolitan owns and operates an extensive range of facilities including the Colorado River Aqueduct, 15 hydroelectric plants, nine reservoirs, 830 miles of large-scale pipes, and five water treatment plants.

Metropolitan has dedicated standby staff who are always prepared to mobilize quickly in response to emergencies, critical infrastructure repairs, or mutual aid requests. For example, during the Palisades and Eaton Fires in early 2025, Metropolitan deployed staff and equipment to support local partners, often working around the clock for extended periods. Moreover, Metropolitan conducts routine preventative and corrective maintenance averaging 35 large-scale planned shutdowns annually. These efforts are critical to ensuring the integrity of our infrastructure and providing safe, reliable water deliveries to the southern California region. Each project varies in duration and location, with completion timelines extending from one week to several months, often involving continuous work to meet operational standards.

General Comments

1) Expand the Definition of “Traditional Utility-Specialized Vehicle”(TUSV)

Metropolitan recommends that CARB revise the proposed definition of TUSV in Section 2013(b) to permit internal combustion engine (ICE) Class 2b vehicles weighing less than 10,000 lbs. and under 13 years old to qualify as TUSVs until 2035, provided they satisfy the other criteria specified in the definition. Although the current TUSV definition covers many of Metropolitan’s Class 3 and heavier vehicles, this revision is crucial for facilitating early access for Class 2b vehicles to the Daily Usage or ZEV Purchase Exemptions outlined in Sections 2013.2(b) and 2013.2(d)(2). This is particularly important for heavily utilized “workhorse” Class 2b vehicles that may need to be replaced with ICE equivalents, especially if the Class 2b vehicle will primarily operate in remote areas where ZEV charging infrastructure is limited. Therefore, Metropolitan recommends the following revised language:

“Class 2b vehicles may be classified as Traditional Utility-Specialized Vehicles (TUSVs) until 2035, provided they meet most of the criteria outlined in the proposed TUSV definition. The fleet owner requesting Class 2b TUSV classification must provide a clear justification for why this classification is required. This criterion is subject to approval by the executive officer on a case-by-case basis.”

2) Amend the Mileage Threshold for the Early Access Exemptions

Metropolitan recommends amending Section 2013.1(g)(1) of the 45-Day Rulemaking Package and having CARB set a single mileage threshold of 70,000 miles for all vehicle classes. Currently, Section 2013.1(g)(1), provides multiple mileage thresholds based on vehicle class weight to qualify for the Daily Usage or ZEV Purchase Exemption provisions specified in Sections 2013.2(b) and 2013.2(d)(2), prior to the vehicle reaching 13 years of age (see Table A below). Many of Metropolitan's vehicles are low-mileage, and vehicles under 13 years of age may have even lower mileage, making this pathway to accessing the Daily Usage or ZEV Purchase exemptions infeasible for most of our TUSVs. Regardless of the vehicle class, lowering the mileage threshold to 70,000 miles will allow public fleets to easily access the Daily Usage or ZEV Purchase exemption pathways.

Table A: Usage Thresholds for Traditional Utility-Specialized Vehicles

Vehicle Class	Vehicle Mileage or Engine Hour Threshold
Class 3 and 4	70,000 miles
Class 5 and 6	115,000 miles
Class 7 and 8	175,000 miles
Trucks with PTO	4,000 miles

3) Mutual Aid Amendments

3.a. Expand Mutual Aid ICE Vehicle Percent Limit Based on Utility-Specific Criteria

Metropolitan recommends that CARB revise the Mutual Aid Exception to allow greater flexibility for public fleets to exceed the current 25 percent cap on ICE vehicles, under specific conditions. Recent data indicate that approximately 40 percent of Metropolitan's fleet meets the proposed definition of TUSV. Each of these vehicles plays a crucial role in both emergency response and mutual aid operations across our vast 5,200 square-mile service area and beyond. Additionally, as our operational or emergency response demands evolve, Metropolitan may need to increase the percentage of ICE vehicles designated for mutual aid. As such, Metropolitan recommends that CARB provide additional flexibility in the proposed rule to account for future adjustments based on utility-specific criteria, including service territory expansions and limitations of ZEV performance during emergency deployments, as well as other relevant factors that affect the percentage of ICE vehicles needed for mutual aid and emergency response.

3.b. Remove “Tractors” as a Configuration Available as Near-Zero Emission Vehicle (NZEV)

Metropolitan recommends excluding “tractors” from the list of vehicles not eligible for the Mutual Aid exemption when NZEV alternatives are present. If NZEV options for tractors become available, they may not meet the operational requirements of traditionally ICE tractors, which are designed to operate long hours in remote locales.

During a CARB site visit to Metropolitan’s La Verne, CA facility on June 17, 2025, Metropolitan showcased a range of vehicles used in emergency response and mutual aid operations. Notably, staff highlighted a tractor equipped with an excavator, as well as other essential vehicles impacted by ACF regulations. These vehicles are crucial for transporting critical chemicals and construction equipment to remote locations that lack adequate ZEV charging infrastructure. Additionally, they play a vital role in moving large off-road construction machinery needed for excavating pipelines in areas with limited charging facilities.

Another application emphasized was the use of tractors for transporting gaseous chlorine to our facilities, particularly during emergencies. Metropolitan is concerned about the implications of using lithium-ion battery-powered tractors in the event of a fire or accident that could lead to a runaway reaction. The heat generated in such situations could potentially cause a catastrophic rupture of the chlorine container, posing a significant risk to human health. In both of these examples, ZEV or NZEV tractors may not meet the operational needs of Metropolitan’s fleet in a safe and reliable manner.

4) Development of AB 1594 List for TUSVs

Metropolitan recommends that CARB create a list of vehicles that meet the weight, body configuration, and drivetrain requirements in the TUSV definition that utilities can purchase without having to submit any information or requests to CARB. Public agency utilities have demonstrated that there is a common group of TUSV vehicles that are critical not only to day-to-day operations but also to responding to emergency situations. By creating a centralized list, water utilities can be assured that their purchases will not be delayed based on reporting and/or seeking permission from CARB. This list will help water utilities in maintaining reliable service and responding to major foreseeable events.

5) Create Working Group to Evaluate ZEV Availability

Metropolitan recommends that CARB form a working group focused on determining if the new ZEVs can function as a one-to-one replacement for an ICE equivalent. As the ZEV market matures, this working group of public agency utility members should evaluate the performance and specifications of ZEVs that can replace TUSVs for common applications critical to day-to-day operations and responding to emergency situations. A minimum of 12 months of field data should be available for the group to review in order to make a final decision. It is imperative that these ZEVs can match the established performance of ICE vehicles.

Conclusion

We look forward to working with CARB and other public agency utilities to amend the ACF regulation in accordance with AB 1594 directives. If you have questions or need additional information, please contact Roxana Ramirez at rramirez@mw2o.com or 213-217-6407.

Very truly yours,

A handwritten signature in blue ink that reads "Keith Nobriga". The signature is fluid and cursive, with the first name "Keith" and last name "Nobriga" clearly distinguishable.

Keith Nobriga, P.E.

Group Manager, Integrated Operations Planning & Support Services