

April 17, 2026

Comment letter submitted via electronic commenting system

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

RE: Comment Letter – Advanced Clean Fleets Regulation Amendments/15-Day Changes

Dear California Air Resources Board,

The Association of California Water Agencies (ACWA) appreciates the opportunity to provide comments on the proposed 15-day change amendments to the Advanced Clean Fleets (ACF) regulation (15-day changes) as required by Assembly Bill 1594 (Garcia, 2023) [AB 1594]. ACWA represents approximately 470 public water agencies that collectively deliver approximately 90 percent of the water in California for domestic, agricultural, and industrial uses. ACWA has participated in ACF since its conception, throughout its development, and now into this latest amendment stage¹. We support the state goals that ACF aspires to reach, and our members continue to view ACF as a key proceeding to advocate on behalf of public water agencies in to ensure that our role as essential public service providers is considered and reflected in ACF². We continue to believe that more work is needed beyond the 15-day changes to meet the goals of AB 1594 (Garcia, 2023) [AB 1594] and reflect the current market for medium-and heavy-duty (MHD) zero emission vehicles (ZEV), and are ready to continue working with CARB moving forward beyond this comment period.

The comments provided below respond directly to the 15-day changes to: (1) acknowledge positive changes that are a result of working with CARB staff and the Board, (2) identify much needed additional work that must be addressed for successful implementation and to fulfill the direction of AB 1594³, (3) the need to allow the CARB

¹ ACWA has actively participated in ACF since Governor Newsom proclaimed Executive Order N-79-20 (2020) in anticipation of how key participation would be to provide public water agency input towards regulatory development.

² ACWA submitted a letter on May 2, 2025, and September 15, 2025 encouraging further consideration of public agency utilities needs in the AB 1594 amendment process to ACF.

³ ACWA fully anticipates and expects to have ongoing dialogue, as appropriate, with CARB following the closing of the ACF proceeding to communicate about ACF implementation.

Board to discuss and set direction for future changes, and (4) appreciation for the engagement we have received from CARB staff and the Board on ACF.

1. Express support for several important improvements to the 15-day language.

We want to acknowledge several important improvements made to the 15-day language, including:

§ Section 2013.1.(a)(1)(b) Extension of 50% Purchase Requirement to 2030

Extension of the 50% Purchase Requirements to 2030 (previously 2027) is an appreciated step to acknowledge ongoing market uncertainty and challenges that public fleets face in complying with ACF. This proposed change gives public fleets additional time to plan for the ZEV transition while retaining the ability to purchase internal combustion vehicles that are core to fleet operations and remain unavailable as ZEVs to maintain water and wastewater services.

§ Section 2013.2(e) Improved Usability of the Fleet Resilience Exemption

Expanded use (to include, but not limited to, emergency response, towing, or range limitations), and reduced need for current fleet to include ZEVs (proposed 5% of fleet must be ZEV instead of 25%) to apply for the Fleet Resilience Exemption are welcome changes that further acknowledge the critical role that public water agencies play in emergency response throughout the state.

§ Section 2013.1 Improvements made to regulatory clarity

ACWA has sought regulatory clarity throughout the ACF rulemaking process, and appreciates improvements made to clarify rounding, order cancellations, and manufacturer requirements for ZEVs to be considered “available”. These are key details that public fleet managers must consider when making future purchases to comply with ACF.

- 2013.1(b) Rounding: Clear guidance confirms rounding up is allowable, and exemptions can be applied the following year if rounding is used.
- 2013.1(e) Order Cancellations: Compliance is tied to past-year purchases, with clearer timing allowances to obtain replacement vehicles.
- § 2013.2(d)(2)(D) (6-8) Clear Additional Availability Criteria imposed on ZEV manufacturers: To be considered available, manufacturers must now meet the following criteria
 - Have issued CARB Executive Orders for chassis or complete vehicles sold in California for at least 3 of the previous 5 model years
 - Not be in bankruptcy or bankruptcy proceedings

- Offer a powertrain warranty of at least 3 years or 50,000 miles for ZEV powertrain components

§ Section 2013.1(f)(3) Improved Usability of the ZEV Infrastructure Delay Extension

Public fleets need certainty that the necessary charging infrastructure and power to sustain charging infrastructure are built and ready for oncoming ZEV fleet operations. Therefore, it is appropriate for public fleets to avoid being considered non-compliant when there is a need to purchase new vehicles, but lack charging infrastructure to support ZEVs. The proposed changes to the ZEV Infrastructure Delay Extension clarify usage for the time until infrastructure is built by fleets' respective electric utility providers at which time fleets would be expected to reach ACF compliance.

§ Section 2013.1(f)(2) Improved Guidance to use Daily Usage Exemption

CARB added much needed additional detail to describe two distinct options to apply for the Daily Usage Exemption. Previously, public fleets lacked clarity on necessary data, and the mechanics of Daily Usage exemption requests would be considered. The latest changes provide more detail, and also enable fleets to use a broader range of available data for exemption requests.

§ Section 2013.2(d)(1)(A) Additional vehicles added to the ZEV Purchase Exemption List

ACWA supports inclusion of digger derrick trucks, combination vacuum-jetter trucks, jetter trucks, and class 2b and 3 pickup trucks to the ZEV Purchase Exemption List.

2. Significant work remains for CARB and public fleets to address in ACF implementation.

ACWA retains significant concerns for successful ACF implementation, and is motivated, beyond adoption of the 15-day changes, to continue substantive dialogue with CARB to identify ongoing challenges and clarifications that will need to be addressed in future regulatory efforts. Therefore, we will seek to provide updates to CARB staff and Board members on the following issues, and others that we identify, as appropriate, leading to the next time ACF is updated in 2027-28.

2a. Broad considerations we will be watching.

ZEV Market Uncertainty

ACWA wishes to continue dialogue with CARB as we better understand the market availability of ZEVs in future years. Successful ACF implementation rests on future availability of ZEVs to meet our diverse fleet needs, and based on the assumption that

the market for MHD ZEVs will continue to grow. Recently, Ford Motor Company discontinued production of its F-150 Lightning model⁴, which will have significant ripple effects on public fleets' purchase strategies, and it remains to be seen if current models will remain available. Similarly, General Motors has paused its production of the Chevrolet Silverado EV model and laid off workers due to poor demand in recent quarters which further limits available options to meet ACF compliance with⁵. Public water agencies are responsible with ratepayer dollars, and have raised concerns about the optics of needing to purchase a luxury vehicle model, such as the Rivian R1T, to comply with ACF since other previously available, less expensive options may no longer be viable. Additionally, the federal government remains unsupportive of ZEVs and will hinder market development, including much needed funding, despite California's approach to adopting ZEVs everywhere feasible. It is appropriate to relay what we learn from ACWA members as they explore future purchases to inform ACF implementation and future regulatory revisions, as needed.

ZEV Affordability

ACWA encourages continued dialogue on ZEV affordability, and funding gaps to satisfy ACF compliance requirements. We understand that this ask goes beyond ACF and the 15-day changes, but feel that it is appropriate to raise this issue continually in CARB proceedings to raise awareness and advocate for additional funding to bridge this gap in CARB's funding programs⁶. Public fleets remain the sole entities required to comply with ACF, but are not provided priority access to funding to comply with ACF. Public fleets have been designated as the starting point for building the MHD ZEV market in California, and should receive greater incentives for playing this role in the state's transition to MHD ZEVs everywhere possible. We encourage CARB to approach the legislature to request additional funding to aid public fleets seeking to comply with ACF.

Grid Reliability

ACWA encourages CARB to continue monitoring the build out of the electric grid as a key component of future charging infrastructure to support ACF compliance. Making the ZEV Infrastructure Delay Extension more usable is a positive step, but we must continue to see deployment of additional charging infrastructure. Candid conversations with the California Energy Commission (CEC)⁷ and California Public Utilities Commission (CPUC)⁸

⁴ Ford Motor Company has [ceased production](#) of the all-electric F-150 Lightning, its flagship full-size electric pickup, and will focus instead on hybrid vehicles and a future line of smaller, cheaper EVs.

⁵ General Motors also has [paused production](#) of its Chevrolet Silverado EV, another option that many public water agencies could consider, but are concerned about remaining available.

⁶ CARB Funding Programs incentivize early action, but are not usable for reaching compliance.

⁷ CEC's AB 2127 Electric Vehicle Charging Infrastructure Assessment and Integrated Energy Policy Report must be consulted for future rulemakings.

⁸ CPUC's Transportation Electrification Framework, Energization Timeline, and Electric Vehicle Grid Integration proceedings must be consulted for future rulemakings.

are essential to make informed decisions on future ACF amendments and related exemption requests.

2b. Specific ACF Language we will re-visit with CARB.

§ Section 2013(b)(A)(1)- Fleet owner definition rental and lease language

ACWA requests reconsideration of language added to the fleet owner definition to include rental and lease agreements. This is a meaningful change from the original regulation language where the owner must also be specified in the terms of a rental or lease agreement, and we worry this addition will negatively impact public water agencies who rely upon these agreements to fulfill fleet needs. Identifying rented or leased vehicles as part of a public water agency fleet, for the purposes of ACF compliance, is categorically challenging because the private company providing the vehicle is performing the required maintenance and repairs of vehicles, conducting all regulatory compliance inspections, and maintaining vehicle registration. Given widespread use of this practice, across fleet functions, it is fair to question the impact it will have on public fleets that contract out for a wide range of services and to review the longer term effects of this proposed change in future conversations and amendments. As previously stated, the ZEV market is highly uncertain right now, and public water agencies need to be able to work towards ACF compliance without seeing core functions be challenged.

§ Section 2013.1(d)- Early or Excess ZEV Purchases

ACWA requests reconsideration of how early or excess purchase credits (credits) can be used. As written, the 15-day language requires that credits be used the following calendar year. This requirement can be challenging for public agencies that operate in two-year budget cycles who are then at risk of vehicle unavailability and budget uncertainty. Allowing public agencies to bank credits for use post-2030 is a simple solution that would enable fleets to avoid the need to apply for future exemptions while already having purchased ZEVs to add to the overall increase in ZEVs purchased.

§ Section 2013.2(e)(1)(D)- Fleet Resilience Exemption capped at 25% of fleet and subtracted by other exemptions

ACWA requests future consideration of flexibility to allow public fleets use of the Fleet Resilience Exemption beyond 25% of their respective fleets, and independent of other exemption pathways utilized. We can appreciate the Fleet Resilience Exemption is structured to enable needed relief in earlier compliance years, but request the opportunity to re-visit this conversation as the ZEV market continues to develop to maintain the critical water services Californians rely upon for their most essential daily needs as well as during emergencies and disasters to prevent unnecessary loss of life and property in the communities we serve. Public water agencies have numerous

mutual aid agreements, and rely upon a significant percentage of fleets to respond to emergencies, towing, and duty cycles that go beyond the range of available ZEVs. It is quite likely that fleets, large and small, may rely upon more than 25% of their fleet to perform fleet resilience activities and be unable to rely upon available ZEVs to meet fleet resilience activities. We will be sure to document future instances where this added flexibility will be needed to protect our communities.

§ Section 2013.6(i)(1)- Increased Requirements to apply for ZEV Purchase and Daily Usage Exemptions

ACWA has concerns regarding added requirements to successfully apply for ZEV Purchase and Daily Usage exemptions following review of all vehicles over 10 years old and the ability of the Executive Officer to deny requests based on existing fleets using older vehicles that remain functional to meet fleet needs. The ZEV Purchase Schedule pathway for state and local fleets has been based around the concept that public fleets are allowed to focus compliance on future purchases only. Scrutinizing all 10+ year old vehicles in a fleet changes this dynamic and will be an annual challenge to navigate while the ZEV market remains uncertain, and functional exemption pathways are essential.

§ Section 2013.2(e)(3)- Future Mobile Fueling Requirements to be reviewed for use in 2030

ACWA appreciates that CARB will rely upon stakeholder input and market factors to determine if future mobile fueling requirements will be implemented in 2030. It is essential to engage in dialogue with manufacturers developing this technology, and with the fleets using mobile fueling. We will engage as appropriate then.

§ Section 2049- Hiring Compliant Fleets

ACWA requests clarity on the definition and understanding of hiring a compliant fleet. In the March 26, 2026 CARB Board Meeting, there was substantive public commentary regarding mixed guidance in interpretation of what it means to hire a compliant fleet that may be different from text based on responses received from CARB staff to a public fleet. To ensure regulatory certainty and clear signaling, we encourage CARB to address this confusion in the Final Statement of Reasons prior to adoption of changes that the definition and understanding of hiring a compliant fleet remains in line with the 2023 rulemaking.

- 3. CARB staff should ensure future ACF Updates to the Board are provided at a public meeting.**

ACWA encourages that any future ACF update to the Board be provided in a public setting to ensure appropriate Board discussion occurs. The September 25, 2025 Board Meeting (Board Meeting) reminded us that ACF is a topic of high importance across the Board, and meaningful dialogue occurred that day to set direction for future staff priorities to update regulatory language and work with stakeholders to do so. As stated during the Board Meeting, the CARB Board can direct future ACF actions, which may include directing staff to take additional action on ACF, if appropriate, beyond the current rulemaking process and prior to the next scheduled update in 2028. This request is appropriate and responsible to allow for the same level of discourse to occur again, as needed, to set direction for future regulatory efforts on ACF and the broader suite of ZEV regulations that come before CARB.

4. Appreciate ongoing CARB staff and Board engagement on ACF.

ACWA appreciates the many meetings and site visits that CARB staff participated in with us in 2025-2026 over the course of this amendment process and our coalition partners more broadly to understand the challenges that public fleets face in working towards ACF compliance. We also appreciate that time that respective Board Members have given us over the course of the ACF rulemaking. All the improvements stated above are a direct result of our ongoing constructive dialogue to work towards solutions, and that same level of engagement will be necessary to continue this conversation. We encourage continuation of this conversation as public fleets work towards compliance so that we can solve ongoing implementation issues that will arise.

Conclusion

ACF remains a priority issue for our members and it is for reasons like this that ACWA continues to actively participate in ACF implementation to ensure that public agency fleet needs are prioritized. ACWA will continue to collaborate with its members on best practices for ACF compliance, and continue to communicate with CARB Board and staff about where compliance challenges arise. This is essential dialogue for a landmark regulation like ACF that is fundamentally changing the way we look at MHD fleet operations including essential public services like those that our members provide. ACWA appreciates CARB's consideration of these comments, and will continue to reach out to continue this dialogue. If you have any questions or would like to discuss the comments, please contact Nick Blair at nickb@acwa.com or (916) 669-2377.

Sincerely,



Nick Blair
Senior Policy Advocate
Association of California Water Agencies

cc:

The Honorable Lauren Sanchez, Chair, CARB
The Honorable Lynda Hopkins, Board Member, CARB
The Honorable Eric Guerra, Board Member, CARB
The Honorable Patricia Lock Dawson, Board Member, CARB
The Honorable Dr. Tania Pacheco-Warner, Board Member, CARB
The Honorable Dr. Susan Shaheen, Board Member, CARB
The Honorable Dr. John Balmes, Board Member, CARB
The Honorable Cliff Rechtschaffen, Board Member, CARB
The Honorable John Eisenhut, Board Member, CARB
The Honorable Dr. Steve Cliff, Executive Director, CARB
Ms. Michelle Buffington, Division Chief, CARB
Mr. Tony Brasil, Branch Chief, CARB
Mr. Paul Arneja, Manager, CARB
Mr. Chris Francheschi, Manager, CARB
Mr. Marwan Khalifa, Interim Executive Director, ACWA
Ms. Chelsea Haines, Director of State Regulatory Relations, ACWA