

City of Marysville (Jim Schaad)

Dear Chair and Members of the California Air Resources Board,

On behalf of the City of Marysville, I write to express strong opposition to the proposed 15-day modifications to the Advanced Clean Fleets (ACF) regulation.

While we recognize and support the State's broader goals of improving air quality and transitioning to cleaner fleets, the proposed modifications represent yet another unfunded mandate placed on local governments—shifting regulatory, administrative, and enforcement burdens from the State onto cities without providing corresponding resources or authority.

Under the modified proposal, cities that contract for essential public services—such as solid waste collection, street sweeping, and construction—would be required to:

- Incorporate new regulatory disclosure requirements into contracts;
- Annually verify contractor compliance through CARB systems; and
- Assume an ongoing administrative oversight role for private fleet compliance.

This fundamentally changes the nature of municipal contracting. Cities are not regulators of private fleet emissions, nor are we equipped or funded to serve as compliance monitors for State programs. Enforcement of emissions standards has historically and appropriately been the responsibility of CARB. The proposed changes blur that line and effectively deputize cities into a regulatory role without statutory clarity, funding, or practical tools to do so.

In addition to the policy concerns, the proposal creates significant operational and legal risks:

- **Administrative Burden:** Cities would need to develop new processes, allocate staff time, and potentially invest in systems to track and verify compliance—costs that are not reimbursed.
- **Contracting Complexity:** Mandating compliance verification introduces uncertainty and liability into public contracts, potentially increasing costs or limiting the pool of available vendors.
- **Risk Transfer Without Control:** Cities would be held responsible for verifying compliance of private entities over which we have limited visibility and no enforcement authority.

These impacts are particularly acute for smaller and mid-sized cities that do not have the staffing or technical capacity to absorb additional regulatory responsibilities.

If CARB determines that verification and reporting of private fleet compliance is necessary, those functions should remain with the State agency that has the expertise, authority, and resources to carry them out. At a minimum, any such requirements imposed on local governments must be accompanied by full funding, clear statutory authority, and streamlined processes that do not expose cities to undue liability.

For these reasons, the City of Marysville respectfully urges CARB to withdraw or substantially revise the proposed modifications to eliminate the requirement that cities assume responsibility for contractor fleet compliance.

We appreciate the opportunity to comment and would welcome further discussion on how to

achieve the State's environmental goals without imposing unfunded and impractical mandates on local governments.

Sincerely,
Jim Schaad
City Manager
City of Marysville