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April 13, 2025

The Honorable Lauren Sanchez
Chair, California Air Resources Board
1001 I Street
Sacramento, CA 95814

RE: Advanced Clean Fleets 15-Day Comment Period Response

Dear Chair Lauren Sanchez and the Members of the California Air Resources Board,

The City of Tracy appreciates the Board's continued efforts to refine the Advanced Clean Fleets (ACF) regulation and the opportunity for us to comment on the 15-day proposed modifications.

Cities across the state are pursuing robust, environmentally sound strategies to decarbonize their communities. However, cities must also ensure the uninterrupted delivery of critical public services. As currently structured, the proposed modifications do not adequately account for the operational realities of local government fleets, particularly those that support emergency response and essential infrastructure.

Cities serve diverse and often expansive communities, providing vital services that protect public health, safety, and welfare. During emergencies, city fleet vehicles must operate continuously for extended periods, often in extreme conditions, to support fire prevention and response, search and rescue, medical response, and the delivery and maintenance of essential utilities such as water, wastewater, stormwater, and electricity. Without appropriate and durable exemptions, ACF strict requirements risk constraining cities' ability to respond effectively to disasters, maintain critical infrastructure, and safeguard the communities we serve.

The proposed amendments to the ACF regulations significantly expand the scope of local government responsibility by extending compliance obligations beyond publicly owned fleets to include private contractors operating under municipal agreements. By redefining "waste fleets" to include contracted service providers, cities can no longer rely on outsourcing to manage fleet compliance and are instead indirectly responsible for ensuring that contracted operations meet state mandates. This shift effectively converts municipal procurement and service delivery into a vehicle for state enforcement, exposing cities to increased costs, reduced contractor availability, and diminished flexibility in negotiating long-term service agreements, particularly for essential services like waste hauling, street sweeping, construction, and public works.

In addition, the proposal imposes substantial new administrative and legal burdens on cities by requiring ongoing verification of contractor compliance, mandatory contract disclosures, and extensive recordkeeping subject to rapid state audit. These requirements transform routine contracting functions into compliance oversight roles, requiring cities to annually validate

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contractor status, maintain auditable documentation for multiple years, and respond to CARB inquiries within tight timeframes. Collectively, these changes create unfunded mandates, increase administrative complexity, and elevate legal and procurement risks, while also placing upward pressure on contract costs and potentially limiting competition among vendors unable to meet evolving regulatory thresholds.

The City of Tracy is actively pursuing fleet electrification and sustainability goals as part of its broader climate action commitments. Tracy has invested in zero-emission vehicle infrastructure, including the deployment of electric vehicle charging stations through the California Energy Commission's Clean Transportation Program, and has incorporated ZEV procurement goals into its fleet replacement planning. Tracy also recently secured grant funding to advance non-functional turf replacement, energy upgrades, and climate adaptive tree planting as part of a comprehensive sustainability strategy. Despite these investments, Tracy's municipal fleet includes vehicles that provide direct emergency response and essential infrastructure support across a rapidly growing community of nearly 100,000 residents located at a critical megaregion gateway along the I-580/I-205 interchange. Tracy Fire, Public Works, and Utilities vehicles routinely operate in extreme heat conditions in the San Joaquin Valley, often for extended durations during wildfire and flood emergencies. The proposed expansion of compliance obligations to contracted service providers, combined with the administrative burdens of contractor verification and expedited audit response requirements, would place significant strain on Tracy's already limited administrative resources and could jeopardize the continuity of essential public works and utility services during emergencies.

While the proposed amendments significantly increase obligations on local municipalities, we appreciate the amendments to provide increased compliance flexibility by delaying the 100 percent zero-emission vehicle purchase requirement from 2027 to 2030 and expanding eligibility for exemptions and extensions related to infrastructure constraints, operational limitations, and emergency response needs.

However, to prevent unintended consequences that could jeopardize life, property, and essential services, we respectfully urge the Board to reject these newly proposed mandates on cities and rather request that CARB establish clear, categorical exemptions, consistent with those in Section 2013(c) of Title 13 of the California Code of Regulations for city vehicles that respond to, support, and recover from emergencies and disasters. Thank you for allowing us the opportunity to provide written responses to the proposed Advance Clean Fleets Regulations.

Sincerely,



Midori Lichtwardt
City Manager
City of Tracy

cc Senator Jerry McNERney, Assemblywoman Rhodesia Ransom
Marla Livengood (Cal Cities Regional Public Affairs Manager),
League of California Cities, Tracy City Council