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Letter No.: M0426-004

April 14, 2026
Clerk's Office
California Air Resources Board
1001 I Street
Sacramento, CA 95814

COMMENT LETTER SUBMITTED VIA ELECTRONIC COMMENTING SYSTEM

Subject: El Dorado Irrigation District's Comment Letter – Advanced Clean Fleets Regulation Amendments/15-Day Changes

Dear California Air Resources Board,

The El Dorado Irrigation District (EID or District) appreciates the opportunity to provide comments on the proposed 15-day change amendments to the Advanced Clean Fleets (ACF) regulation (15-day changes).

EID is an irrigation special district formed in 1925 that serves more than 125,000 residents in northern California's El Dorado County. We provide drinking water and irrigation services, wastewater treatment services, as well as operating a hydroelectric power project (Project 184) and managing recreational facilities. EID serves approximately 220 square miles on the western slope of El Dorado County. The service area is generally bounded by Sacramento County to the west and the Pollock Pines/Sly Park area to the east and ranges from 500 feet to more than 4,000 feet in elevation. In addition to serving customers throughout its service area, EID must regularly operate and maintain multiple water reservoirs at 7,000 to 8,000 feet. Due to its diversity of services, facilities and geographic scope and range, EID is dependent on a large and diverse vehicle fleet to support its public services.

The District supports and joins in the comments submitted by the Association of California Water Agencies, the California Special Districts Association, and Mountain Counties Water Resources Association regarding the ACF regulation and the 15-day changes. While the latest iteration of the regulation reflects some of the exemptions and extensions that stakeholders requested, EID remains seriously concerned about the potential impacts of the regulation. EID reiterates its request¹ that CARB consider specifically exempting fleets that support the critical services of water service and wastewater treatment. Enabling the appropriate exemptions is necessary to ensure that the regulation advances the State's goals but does not interfere with critical health and

¹ EID submitted letter on April 6, 2023, and September 15, 2025, expressing its concerns regarding the ACF regulation and requesting appropriate exemptions for fleets that support critical water and wastewater services. In addition, on September 30, 2025, EID hosted an interagency meeting and site tour with CARB staff and numerous public entities regarding the ACF regulation.

safety services such as water service and wastewater treatment. Thus, the District offers the following comments, which respond directly to the 15-day changes and also provide feedback for future implementation.²

1. The Proposed Amendments Reflect Several Improvements but Additional Amendments Are Necessary to Protect Essential Services

EID acknowledges and expresses support for several improvements made in the 15-day proposed amendments, while also cautioning that additional amendments are necessary to ensure that public utilities can continue to rely on their fleets to provide essential services.

a) 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 Zero Emission Vehicle (ZEV) transition while retaining the ability to purchase internal combustion engine (ICE) vehicles that are core to fleet operations and remain unavailable as ZEVs to maintain water and wastewater services.

While the extension of the 50% ZEV purchase requirement is appreciated, EID remains concerned with the operational implications of requiring public agency utilities to convert, or partially convert, their fleets to ZEVs. In describing the extension of the 50% requirement, the 15-day Notice states that this “change allows fleets flexibility to better manage their concerns with ZEV technology until 2030, as they shall have the ability to deploy ZEVs where most suitable and ICE vehicles where most needed.” (15-Day Notice, p. 7.) The 15-day notice specifically refers to “the need for utilities to respond with their vehicles during severe weather events” as an issue considered in extending the 50% purchase requirement, but the ACF regulation still seeks to impose the 100% purchase requirement on public utilities starting in 2030. As described below, additional exemptions for public agency utilities need to be implemented to ensure that such fleets retain the “flexibility” to deploy ICE vehicles and maintain critical services during such events, which will continue beyond the 2030 mandate.

b) 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. However, as described in more detail below, the ACF regulation continues to narrowly define “emergency” and places a cap on vehicles necessary for “resiliency” as “25 percent of the total number of vehicles in the California fleet less the number of ICE vehicles already in the fleet purchased pursuant to a granted exemption[.]” Thus, while the expanded exemption seeks to address resiliency concerns, it still does not adequately account for emergency situations that can persist for many days and that

² EID believes that additional amendments and reform to the ACF regulation will be necessary in the future to ensure that essential public services are not compromised due to the regulation’s requirements.

require a large and continuous mobilization of a fleet that is not dependent on electricity to remain operable. For example, a severe winter storm, high wind event, or significant wildfire could result and/or have resulted in widespread power outages, extensive infrastructure damage, and sustained emergency operations over several days. The ACF regulation continues to put critical public services at risk by not providing practical exemptions for public agency utilities that account for real-world operations.

2. Further Amendments to the ACF Regulation Are Necessary to Ensure Reliable Fleets Can Continue to Support Critical Public Services

EID retains significant concerns regarding ACF implementation and will continue engagement with CARB to identify ongoing challenges and clarifications that will need to be addressed in future regulatory efforts. EID continues to advocate for additional amendments to the ACF regulation that acknowledge and support the essential services provided by public utilities.

a) Public Agency Utilities Should Be Provided Additional Exemptions and Flexibility

EID is concerned that the 15-day changes eliminate the previous regulatory recognition of the essential services provided by public agency utilities, and the ACF Regulation still fails to provide the necessary exemptions and flexibility for public agency utility fleets. The 15-day changes expand the flexibilities previously granted to a “public agency utility,” to now apply to all State and local government vehicles. While EID supports the expansion of the AB 1594 flexibilities, EID is concerned that the ACF regulation no longer recognizes the special role of public agency utilities and “traditional utility-specialized” vehicles.

The prior Staff Report,³ released on August 1, 2025, acknowledged the critical role of public agency utilities, stating:

Public agency utilities provide a quarter of California’s electricity needs, treat 90% of California’s residential water supply, and deliver water to California’s homes, farms and businesses. Public agency utilities provide critical services such as maintaining safe, reliable electricity and water, as well as restoring water and power after severe weather events such as wildfires and atmospheric river events. Some public agency utilities provide mutual aid by deploying portions of their fleet to restore critical services throughout the state, and, for larger, infrequent disasters, mutual aid fleet assets are deployed across the nation. Public agency utilities deploy traditional utility-specialized vehicles around-the-clock to restore grid outages, sometimes requiring long deployments in rural areas where ZEV fueling networks are harder to access.

(2025 Staff Report, p. 7.) Despite this prior recognition, the 15-day changes eliminate all reference to “public agency utility” and “traditional utility-specialized vehicle.” EID is concerned that the ACF Regulation, as proposed, fails to recognize the essential services provided by public agency utilities or provide appropriate exemptions or flexibility for public agency utility fleets.

³ Available at https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2025/acf_lcfs/isor...pdf

The ACF Regulation should be further amended to exempt or partially exempt “traditional utility-specialized” vehicles and “public agency utility” fleets. The existing exemptions are too narrow. For example, the definitions of “emergency operations” and “emergency support vehicle” are limited to vehicles specified in California Vehicle Code section 165, which does not include vehicles used for the repairing or servicing of water or wastewater infrastructure. The regulation refers to vehicles used to help alleviate an immediate threat to public health or safety but then narrowly defines both “emergency” and concepts of public health and safety. The regulation does not provide the necessary exemptions for “traditional utility-specialized” vehicles. These types of vehicles are particularly critical during and following the very events that could interrupt the ability of ZEVs to operate. These vehicles must be operable 24 hours per day, 365 days per year. Any interruption in their regular use could jeopardize the health and safety of the communities they serve. Given the most likely current or future ZEV options will depend upon electricity, the risk of disruption whether due to a public safety power shutoff, wildfire, flood, winter storm or other natural disaster is too great to risk the operability of these vehicles and public health and safety. It is imperative that the ACF regulation be further amended to exempt “traditional utility-specialized” vehicles and “public agency utility” fleets. At a minimum, the “public agency utility” fleets should be allowed to continue the 50% ZEV purchase requirement and not be forced into the 100% ZEV purchase requirement. However, at the same time, an agency should not be placed in a predicament where they must decide which 50% of their emergency vehicles must remain operational during an extended power outage. Public agency utilities must be able to quickly mobilize a large portion of their fleet without the constraints and limitations associated with ZEVs.

b) The Existing Exemptions Are Too Narrow and Do Not Account for the Operational Realities of a Public Agency Utility

Many of the existing exemptions are too narrow and have impractical thresholds that ignore the operational demands of a public agency utility. For example, the “Daily Usage Exemption” is premised on the concept that an EV may not be able to meet daily usage demands. And yet, under the 15-day changes, this exemption is only available if “at least ten percent of their California fleet is comprised of ZEVs or NZEVs.” This type of minimum EV fleet threshold for the exemptions is illogical – if an EV can’t meet daily usage demands, that fact remains true whether or not the fleet is comprised of at least 10 percent EVs. The minimum EV thresholds should be eliminated from the exemptions, to ensure that the exemptions are available from the start.

Similarly, the amended “Fleet Resiliency Exemption” includes a minimum ZEV fleet threshold of 5%. Yet, the exemption is supposed to be designed to “address fleet resiliency concerns such as emergency response, towing, or range limitations[.]” These types of concerns exist now, even if a public utility agency has only ICE vehicles in their fleet. Public utilities 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. Thus, exemptions should not be conditioned upon conversion to EV fleets.

Conclusion

El Dorado Irrigation District remains committed to providing reliable and essential public services and for engaging in advocacy and education to protect and maintain such services. The ACF regulation remains a priority issue for EID and EID will continue to actively participate in ACF implementation to ensure that public agency fleet needs are recognized. As proposed, the ACF regulation continues to put public agency utility fleets at risk, and further amendments and stakeholder engagement are necessary to protect public health and safety and maintain essential water and wastewater services. EID appreciates CARB's consideration of these comments. If you have any questions or would like to discuss the comments, please contact Elizabeth Leeper at eleeper@eid.org or (530)-642-4044.

Sincerely,



Pravani Vandeyar
General Manager
El Dorado Irrigation District

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
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