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June 10, 2026

Clerk of the Board
California Air Resources Board
1001 I Street
Sacramento, CA 95814

RE: Advanced Clean Fleets Second 15-Day Comment Period Response

Chair Sanchez and Members of the California Air Resources Board:

Olivenhain Municipal Water District appreciates CARB's continued efforts to refine the Advanced Clean Fleets regulation and the opportunity to comment on the second round of proposed modifications. OMWD continues to have concerns that our ability to serve our communities safely may be jeopardized unless emergency response vehicles are exempted. OMWD is a special district that provides 87,000 customers in northern San Diego County with water, wastewater, recycled water, hydroelectric, and recreational services.

We respectfully request that the board reconsider the amendments as outlined in the April 14 letter submitted by the California Special Districts Association, League of California Cities, and California State Association of Counties. These organizations collectively represent our state's 5,000 local agencies and 40 million residents.

The revised text in this most recent proposal is also untenable as it raises costs, administrative burdens, and legal liabilities for local government agencies by extending fleet compliance obligations to private contractors working under agreements with these agencies.

Public Safety & Emergency Response

As currently designed, the proposed ACF modifications do not adequately address the operational realities of OMWD's scale, geography, and service requirements, particularly in the context of emergency response.

According to the most recent CALFIRE map, about 70 percent of OMWD's service area is high or very high risk. Our responsibility during emergencies is to keep water flowing to



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customers and firefighters for the duration of the event. Yet when people evacuate, water continues to run through melted fixtures in destroyed homes—as we saw in the Palisades fires—draining the system. OMWD has a long history of emergency response experience to wildfires in 1996, 2003, 2004, 2007, 2014, and 2015. In particular, the 2007 fires burned 20 percent of OMWD’s service area and damaged infrastructure. During these events, OMWD staff deploy across the 48-square-mile service area to shut off meters and maintain water pressure for firefighting. In addition to turning off meters, we manually operate valves, adjust water flow, switch water sources, and fuel standby generators to keep pump stations operating.

Every one of these tasks requires vehicles that can travel long distances, remain ready at a moment’s notice, and operate continuously. There are currently no zero-emission alternatives that can provide the immediate readiness and operational dependability that the gasoline-powered vehicles offer, especially when power is shut off as is routinely done during red flag events.

The current CARB proposal places an artificial cap on resilience, allowing no more than 25 percent of our fleet to be exempt from conversion to ZEV. To serve our 87,000 customers, OMWD operates 31 medium/heavy duty vehicles, but a 25 percent exemption limits OMWD to just 8 vehicles that we can rely on during emergencies and power outages. This dangerous cap ignores the realities we face. Emergencies don’t wait for regulations, and they don’t scale to fit an arbitrary percentage of the fleet. Reducing our usable emergency vehicles by 75 percent would endanger the communities we serve. California has already experienced devastating wildfires and extreme weather—constraints like this will dramatically magnify future disasters.

Local agencies cannot have their ability to respond capped, especially when major incidents require regionwide support. Fire trucks, ambulances, and police vehicles are exempt, but the water and wastewater vehicles that enable this emergency response—such as trucks that tow fuel to water pumps—are not. This directly impacts firefighters’ ability to do their jobs.

The proposed ACF mandates are generating unnecessary challenges for local agencies in upholding essential services that Californians depend upon for their essential daily needs, as well as during emergencies and disasters. Vehicles that are categorically exempted from the regulations, similar to those specified in Part (c) of §2013 of Title 13 of the California Code of Regulations, **must include support vehicles that respond to, assist in, and recover from disasters and emergencies, including water and sewer utility vehicles. These vehicles should be included without an arbitrary 25 percent cap.** Emergencies do not conform to percentage-based limitations.

Regulatory Compliance: Private Contractor Fleets

The proposed amendments considerably broaden the responsibilities of local government agencies concerning private contractor fleets. OMWD depends on contracted fleets for waste hauling, organics collection, and construction activities, all of which are vehicles

typically owned (or leased) and operated by private contractors who run their own business. By extending ACF compliance obligations to contractors hired by local government agencies, the proposal indirectly holds the government agency accountable for private contractual fleet composition and compliance deadlines beyond its direct control.

For OMWD, this change would have immediate practical and financial impacts. It is excessively burdensome to make water districts act as de facto regulators responsible for verifying emissions compliance and auditing contractor fleets. Contractors have already expressed concerns that these procurement requirements might reduce bidder participation, increase contract costs, or delay service delivery due to limited vehicle availability and insufficient charging or fueling infrastructure.

Additionally, the proposed amendments impose significant new administrative and legal responsibilities on local government agencies, including verifying private contractor compliance, making mandatory disclosures, and maintaining detailed records for audit purposes.

In Summary

To prevent threats to emergency response, critical infrastructure, and public health, emergency response vehicles should be explicitly exempt from these rules, and the proposed expansion of local government's responsibility over contractor fleets should be withdrawn.

Thank you for the opportunity to share these comments and for your ongoing engagement in these regulations. Should you or your staff require any additional information, please do not hesitate to contact me at 760-753-6466 or kthorner@olivenhain.com.

Sincerely,

A handwritten signature in blue ink, reading "Kimberly A. Thorner". The signature is fluid and cursive, with the first name being the most prominent.

Kimberly A. Thorner
General Manager