



Utilities Department

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June 11, 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:

The City of Encinitas Utilities Department and the San Dieguito Water District greatly appreciate CARB's continued efforts to refine the Advanced Clean Fleets (ACF) regulations published June 1, 2026, and the opportunity to comment on the second round of proposed modifications. While the goals of these regulations are laudable, the reality remains that we cannot safely serve our communities unless emergency support vehicles are exempted.

The City of Encinitas Utilities Department oversees three essential systems that provide critical public health and safety services to the community: the San Dieguito Water District (SDWD) water system, the Cardiff Sanitary Division (CSD), and the Encinitas Sanitary Division (ESD). SDWD delivers potable water across a diverse 5,647 acre service area that includes Old Encinitas, Leucadia, Cardiff, and parts of New Encinitas, serving approximately 40,000 customers. CSD provides wastewater collection services to roughly 20,000 residents across an 8.3 square mile area in the southern and eastern portions of the city, while ESD serves about

17,000 residents within a three square mile area in the central and western parts of Encinitas.

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.

Local agencies like ours continue to do our part in achieving the State's climate and emissions goals; however, the current ACF mandates create unnecessary challenges in maintaining essential daily needs and emergency response capabilities. The current proposal places an artificial cap on resiliency by limiting exemptions to no more than 25 percent of a fleet, which ignores the reality that emergencies do not scale to an arbitrary percentage.

Vehicles that need to be categorically exempted from the regulations in the same manner as those found in Part (c) of § 2013 of Title 13 of the California Code of Regulations must include vehicles that respond to, assist in and recover from disasters and emergencies including water utility vehicles and sewer utility vehicles.

The proposed amendments considerably broaden the responsibilities of local government agencies concerning private contractor fleets. We depend on contracted fleets for construction activities, these vehicles typically are 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.

This change would have immediate practical and financial impacts. It is excessively burdensome to make local agencies 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.

To prevent threats to emergency response, critical infrastructure, and public health, utility 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.

Sincerely,

Signed by:

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City of Encinitas
Director of Utilities/General Manager