



FAIRFIELD-SUISUN SEWER DISTRICT

June 16, 2026

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

Submitted electronically via [CARB Comment Portal](#)

RE: Fairfield-Suisun Sewer District Comments on the Second 15-Day Amendments to the Advanced Clean Fleets Regulation

Dear California Air Resources Board:

Fairfield-Suisun Sewer District (FSSD or District) appreciates the opportunity to comment on the California Air Resources Board's (CARB's) most recent proposed amendments to the Advanced Clean Fleets (ACF) Regulation released June 1, 2026 (referred herein as the second 15-Day Changes).

FSSD is a California special district that provides wastewater collection and treatment services for a population of approximately 150,000 in the Cities of Fairfield and Suisun City in northern California. FSSD is a member of the California Association of Sanitation Agencies (CASA) and strongly supports CASA's 6/16/26 comment letter and incorporates it by reference.

The proposed amendments introduce a substantive expansion of regulatory scope by redefining "Fleet Owner" to include vehicles operated under contract for public agencies. This change fundamentally alters compliance obligations by shifting responsibility onto agencies for fleets they do not own or directly control. The revision creates substantial ambiguity regarding which contracted activities are subject to compliance, introduces new legal and administrative burdens, and raises serious concerns regarding adherence to established rulemaking requirements. At the same time, the amendments do not adequately evaluate or account for the practical constraints faced by public agencies, including procurement timelines, contractual limitations, infrastructure readiness, fleet availability, and cost impacts. As written, the regulation is not workable within existing operational frameworks, especially in the context of emergency response.

The District is particularly concerned with the real-world consequences of these changes. Wastewater agencies must provide uninterrupted, around-the-clock service to protect public health and the environment. We rely extensively on contracted services and specialized fleets to perform critical functions such as emergency response, capital project construction, maintenance, and system operations. Expanding compliance

obligations to contracted fleets—over which the District often has limited or no direct authority—creates significant uncertainty and risk.

These changes could result in contractors declining to bid on public agency work, terminating existing agreements, or passing through substantial cost increases. This would reduce competition, delay critical projects, and increase financial burdens on ratepayers. More importantly, it creates a credible risk of service disruption or system failure, which would directly impact the District's ability to meet its core mission of protecting public health and the environment.

The process by which these changes have been introduced further compounds these concerns. The introduction of substantive policy changes at this stage of the rulemaking, without adequate notice, analysis, or stakeholder engagement, raises concerns that the amendments could be interpreted as constituting an “underground regulation” under the Administrative Procedure Act. This lack of procedural clarity limits the ability of public agencies to plan for compliance, creates legal uncertainty, and undermines confidence that the regulation can be implemented as intended.

Given the scope and significance of these issues, the District strongly urges CARB to delay approval of the Second 15-Day Amendments. Additional time is necessary to fully evaluate the impacts, engage stakeholders, and develop workable solutions that align with the operational realities of public agencies while advancing the State's climate objectives.

Thank you for your consideration of these comments. FSSD remains committed to supporting California's climate goals; however, these efforts must be implemented in a manner that maintains the reliability of essential public services. Please contact Amanda Roa at (707) 428-9159 or aroa@fairfieldsuisunsewer.ca.gov if you have any questions or concerns.

Sincerely,



Jordan Damerel
General Manager

ACF 2nd 15-Day Amend FSSD Comment Letter

Final Audit Report

2026-06-16

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