

201 Vallecitos de Oro • San Marcos, California • 92069-1453 • (760) 744-0460

June 11, 2026

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

RE: Advanced Clean Fleets 15-Day Comment Period Response

Chair Lauren Sanchez and Members of the California Air Resources Board:

We greatly appreciate the time and effort that has gone into the 15-day comment draft that has been published for public comment. While the goals of these regulations are laudable, the reality remains that we cannot safely serve our communities unless emergency support vehicles are exempted.

As an independent, special district, the Vallecitos Water District is dedicated to providing water, wastewater, and reclamation services to over 105,000 people in a 45-square-mile area that includes San Marcos; the community of Lake San Marcos; portions of Carlsbad, Escondido, and Vista; and other surrounding unincorporated areas in San Diego County. During emergencies our vehicles may need to travel 22 miles or more. Further, they may need to operate for 16 hours or more in any weather conditions both on and off road.

Local agencies like ours continue to do our part in achieving the State's climate and emissions goals. Our proposed amendments will enable us to better meet this challenge and effectively navigate the current Advanced Clean Fleets (ACF) mandates and their associated ambitious compliance deadlines. Of critical concern to our community, the ACF mandates on local agencies are creating unnecessary challenges in complying while maintaining the many critical services Californians rely upon for their most essential daily needs as well as during emergencies and disasters.

The exemptions in the current regulation and draft amendments remain wholly and dangerously insufficient and we request your consideration on the two following subjects:

Emergency Exemption:

In the same manner as the vehicle categories currently identified in **part (c) of § 2013 of title 13 of the California code of regulations**, we respectfully request a categorical exclusion for vehicles that respond to, assist in and recover from disasters and emergencies, including: water utility vehicles, flood protection vehicles, sewer utility vehicles, electric utility vehicles, fire prevention vehicles, fire protection vehicles, search and rescue vehicles, and disease and vector control vehicles.

Third-party Contracts:

We are concerned the proposed amendment would significantly expand the scope of the regulation beyond vehicles owned or leased by public agencies and would create substantial compliance, legal, operational, and financial challenges for local agencies providing essential public services.

The proposed language appears to place public agencies in an untenable position. Under the amendment, a public agency may effectively be required to either:

1. Require private contractors to utilize zero-emission vehicles as a condition of providing services to the agency; or
2. Account for privately owned and operated internal combustion engine vehicles within the agency's fleet compliance obligations and offset those vehicles through additional public agency fleet conversions.

The District is concerned that neither option is practical, equitable, or consistent with the original purpose of the regulation.

First, public agencies generally do not own, lease, control, maintain, or operate contractor vehicles. Independent contractors are separate business entities that make their own fleet investment decisions, maintain their own compliance obligations, and serve multiple public and private clients. The District lacks legal authority and practical ability to direct fleet procurement decisions for many specialized contractors that provide essential services.

Second, requiring contractors to provide only zero-emission vehicles could significantly reduce competition for public contracts. Many specialized service providers currently rely upon medium- and heavy-duty vehicles for which commercially available, operationally suitable, and economically feasible zero-emission alternatives remain limited. This concern is particularly acute for services critical to water and wastewater operations, including but not limited to:

- Biosolids hauling and disposal services;
- Hazardous waste transportation and disposal;
- Chlorine and water treatment chemical delivery;
- Emergency repair and construction services;

- Heavy construction and excavation services;
- Crane and specialized equipment operations;
- Vacuum truck and sewer cleaning services; and
- Emergency response contractors mobilized during natural disasters or infrastructure failures.

If contractors are unable or unwilling to replace specialized equipment fleets solely to maintain eligibility for public agency contracts, agencies may experience reduced vendor availability, increased procurement costs, delayed project delivery, and diminished emergency response capabilities. Ultimately, these costs would be borne by ratepayers and taxpayers.

Third, requiring public agencies to account for contractor-owned vehicles as part of their own compliance obligations creates a regulatory burden disconnected from agency decision-making authority. Public agencies should not be required to offset emissions from vehicles they neither own nor control. Such a requirement would effectively compel agencies to accelerate conversion of their own fleets in order to compensate for independent business decisions made by private contractors.

Additionally, the phrase "contracts to operate on its behalf" remains undefined and ambiguous. As drafted, the language could be interpreted broadly enough to encompass virtually any contractor providing goods or services to a public agency. The District respectfully requests that CARB provide a clear and narrow definition of this phrase and expressly exclude independent contractors that own and operate vehicles under their own control and management.

Accordingly, the District respectfully requests that CARB:

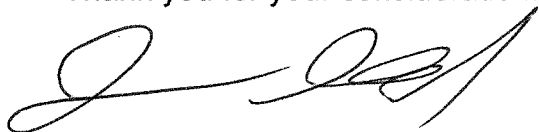
1. Remove the proposed language that includes vehicles a public agency "contracts to operate on its behalf" within the definition of a public fleet;
2. Alternatively, expressly exclude vehicles owned, leased, or operated by independent contractors from public fleet compliance calculations;
3. Clarify that public agencies are not required to account for contractor-owned vehicles when demonstrating compliance with the ACF Regulation;
4. Conduct a comprehensive economic and operational impact analysis regarding the effects of the proposal on local governments, special districts, contractors, ratepayers, and critical infrastructure providers; and
5. Provide a full public review period for any amendment that materially expands the scope of regulated vehicles or regulated entities.

Summary:

The District appreciates the opportunity to provide comments and respectfully requests that CARB reconsider two significant areas of this regulation.

- 1) We request that you amend the ACF exemptions to allow our vehicles that support emergency services to continue serving our communities when we need them most.
- 2) We request that public agencies should not be placed in a position where compliance depends upon the fleet composition of independent contractors over whom they have no ownership, operational control, or procurement authority.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read 'J. Gumpel', with a long horizontal stroke extending to the left.

James H. Gumpel, P.E.
General Manager
Vallecitos Water District