



RURAL COUNTY REPRESENTATIVES
OF CALIFORNIA

December 13, 2019

Mr. Paul Arneja
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Transmittal Via E-mail: paul.arneja@arb.ca.gov

RE: Proposed Advanced Clean Trucks (ACT) Regulation and a Draft Environmental Analysis (Draft EA)

Dear Mr. Arneja:

On behalf of the Rural County Representatives of California (RCRC), we write with great concern regarding the Proposed Advanced Clean Trucks (ACT) Regulation, specifically the near-term reporting requirements for all local government entities. RCRC is an association of thirty-seven rural California counties, and the RCRC Board of Directors is comprised of elected supervisors from those member counties.

RCRC is very concerned with the lack of outreach by the California Air Resources Board (CARB or Board) on the proposed ACT Regulation. The language of the ACT regulation and staff's Initial Statement of Reasons (ISOR) is very unclear with how it portrays large entity reporters. At the public workshop held on December 12, 2019 it became evident that the intent is for all municipalities, regardless of fleet size, be considered large entities and to be subject to the one-time reporting requirement. This is an insurmountable task for many rural local governments who already have staffing and budgetary challenges in complying with regulatory mandates in place by other agencies. Not only will it be impossible to comply as currently written, the penalties are exorbitant and will be levied without regard to good faith efforts.

We request that smaller municipal jurisdictions be exempted from the reporting requirement. CARB would be better served by focusing on the most populous, urbanized counties and should exempt rural counties. The fifteen most populated counties (over 750,000 persons), for example, represent nearly 83 percent of the state's population and have the state's worst air quality from mobile sources. Those areas should remain the focus of this rulemaking until the technologies under scrutiny become more widely implementable.

1215 K Street, Suite 1650, Sacramento, CA 95814 | www.rcrcnet.org | 916.447.4806 | Fax: 916.448.3154

Mr. Paul Arneja
December 13, 2019
Page 2

RCRC has been very active in CalRecycle's SB 1383 regulations for organics diversion from our landfills. As you may know, SB 1383 sets a statewide goal that 75 percent of all organic waste — Short-Lived Climate Pollutants or SLCP — be recycled and recovered from landfills as early as 2025. This has become an untenable, unfunded state mandate. The state has provided no funding for the infrastructure necessary to achieve their stated goals but propose to levy substantial penalties on local governments and solid waste ratepayers.

In order to accomplish organics diversions from landfills and meet the stringent procurement mandates, we must develop a market for low carbon waste-based fuels. Many of our solid waste and public works managers are utilizing these alternative fuel vehicles and would be disadvantaged by the zero-emission vehicles (ZEV) as defined in the proposed ACT regulation, and could not comply with other concurrent state mandates, such as SLCP diversions. This is just one example of an existing regulatory mandate that will make it nearly impossible for small rural jurisdictions to comply with the ACT requirements.

We would be happy to meet with you to discuss these concerns and how we can work together for better outreach in the future, particularly before any final decision is made by the Board on the ACT proposal. We would also strongly encourage you to develop a comprehensive outreach plan to local governments, particularly in rural areas of the state, prior to moving forward with the next phase of this rulemaking. Please do not hesitate to contact me at sheaton@rcrcnet.org if you would like to discuss this letter or the challenges the ACT requirements pose to rural counties.

Sincerely,

A handwritten signature in black ink, appearing to read "Staci Heaton", written in a cursive style.

STACI HEATON
Senior Regulatory Affairs Advocate