



September 8, 2021

The Honorable Gavin Newsom
Governor, State of California
State Capitol, First Floor
Sacramento, CA 95814

RE: Assembly Bill 970 (McCarty) – REQUEST FOR VETO

Dear Governor Newsom:

The Rural County Representatives of California (RCRC) respectfully urges your veto of Assembly Bill 970 (McCarty). RCRC is an association of thirty-seven rural California counties, and our board of directors is comprised from elected county supervisors from each member county.

AB 970 will require applications to install electric vehicle (EV) charging stations to be deemed complete by a local jurisdiction within five business days for one to 25 charging stations on a single site, or 10 business days to construct 25 or more, and also requires such applications to be deemed approved within 20 or 40 business days (respectively) after the application was submitted, as specified. Unfortunately, these provisions would apply to all local jurisdictions, including those that comply with an expedited streamlined permitting process.

Existing law, via Assembly Bill 1236 (Chiu, 2015), requires all cities and counties to adopt an ordinance by September 30, 2017, creating an expedited, streamlined permitting process for EV charging stations. Municipalities also have to adopt a checklist for applicants that satisfies the information required to be deemed complete, and therefore eligible for expedited review. While we regret that not all 58 counties and 482 cities have complied to date, model ordinances and guidance documents providing technical assistance to local governments were not available until recently. In July 2019, the Governor's Office of Business and Economic Development (GO-Biz) published the Electric Vehicle Charging Station Permitting Guidebook, including a compliance toolkit with best practices for EV permit streamlining. Since then, our organization has undergone extensive education and outreach to our member counties. We appreciate the engagement and partnership of GO-Biz to provide technical assistance to our counties and bring more rural areas into compliance.

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Rural/low-population cities and counties face many challenges in reviewing EV charging applications. Some of these challenges include, incomplete or poor-quality permit applications, a high volume of permit applications at any given time, lack of adequate staff capacity, and the need for infrastructure upgrades as the result of new device installation. Additionally, EV charging retrofits can be very complex, costly, and technical regardless of jurisdiction type (rural, urban, suburban). AB 970 creates a separate and unequal permitting and inspection process specifically for EV charging stations, and would apply to *all* local jurisdictions, including those that comply with AB 1236.

As a condition of the Volkswagen Settlement agreement, its subsidiary Electrify America recently attested in its 2021 first quarter Zero Emission Vehicle (ZEV) Investment report that,

“Electrify America encountered challenges with new utility service interconnection processes across the state. The quantity of locations and magnitude of power required at Electrify America’s ultrafast charging station sites requires significant effort from utilities to validate power availability, design utility service, create easements, and schedule construction crews. As of the end of Q1, the **new service utility interconnection process for Electrify America stations averaged 39 weeks.**” [emphasis added]¹

AB 970 would stress municipalities’ finite resources and do little to accelerate the installation of EV charging stations. While local governments have been issuing EV charging station permits regularly and will continue to do so, AB 970 would unfairly prioritize EV charging applications for permits over all permittees including projects related to affordable housing, health and safety, and other established or emerging industries and *still* experience significant project completion delays due to the utility interconnection process.

For these reasons, we respectfully request your veto of AB 970.

Sincerely,



MARY-ANN WARMERDAM
Senior Vice President Governmental Affairs

¹ Page 6, Electrify America 2021 Q1 Report to California Air Resources Board.