

September 16, 2024

William Charmley
Director, Assessment and Standards Division, Office of Transportation and Air Quality
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: *Docket ID No. EPA-HQ-OAR-2023-0589 “California State Motor Vehicle Pollution Control Standards; Advanced Clean Fleets Regulation; Request for Waiver of Preemption and Authorization”*

Dear Director Charmley,

The undersigned groups representing agricultural producers and agribusinesses urge you to deny a request from the California Air Resources Board (CARB) for a waiver of preemption and authorization for its Advanced Clean Fleets (ACF) regulations.

The proposed regulations require drayage truck fleets, as well as large commercial fleets that own, lease, or operate on-road medium-duty and heavy-duty vehicles to incorporate zero-emitting vehicles (ZEV) in an extremely short frame, with an originally intended enforcement date of January 2024. Additionally, the proposal requires that all new California-certified medium- and heavy-duty vehicle sales be ZEV starting in 2036. Elements of the regulations also apply to off-road engines and equipment, specifically off-road yard tractors and forklifts.

If the ACF regulations are authorized by EPA, we believe the country’s agriculture industry would be significantly hindered financially and operationally. The inevitable increases in transportation costs and introduction of operational inefficiencies for agricultural producers and ag-servicing truckers would result in higher food prices and less reliable food availability.

The proposed ACF regulations are unrealistically ambitious and do not adequately account for, or address, several realities and concerns. They include: vehicle availability, at the scale and functionality needed to support existing operational demands; supply chain challenges that intensify affordability and timeliness pressures; the lack of workable emergency response exemptions; glaring infrastructure readiness shortfalls and uncertainty, especially with the necessary energy supply; and the need for flexible low-carbon fuel alternatives, amongst others. These issues have not been resolved, making the proposed ACF rule unworkable within its own proposed timelines and targets and therefore inconsistent with section 202(a) of the Clean Air Act. A waiver at this time would inappropriately green light extremely complicated and unclear standards that have not undertaken the due diligence to address technology and compliance feasibility.

We firmly believe the proposed ACF regulations pose a significant challenge to American agriculture within and beyond California, and if implemented would threaten the affordability and reliability of our national food, feed, and energy supply chains. We strongly urge you to reject CARB’s request for a waiver of preemption and authorization to move forward with its ACF regulatory scheme.

Thank you for your consideration of our concerns.

Sincerely,

State

Almond Alliance
Association of California Wheat Growers
California Alfalfa and Forage Association
California Avocado Commission
California Bean Shippers Association
California Canning Peach Association
California Chamber of Commerce
California Cherry Growers and Industry Association
California Citrus Mutual
California Cotton Ginner & Growers Association
California Date Commission
California Farm Bureau Federation
California Fresh Fruit Association
California Grain and Feed Association
California Pear Growers Association
California Prune Board
California Rice Commission
California Seed Association
California State Beekeepers Association
California Strawberry Commission
California Sweetpotato Council
California Tomato Growers Association
California Walnut Commission
California Warehouse Association
Grower-Shipper Association of Santa Barbara and San Luis Obispo Counties
Milk Producers Council
Ventura County Agricultural Association
Western Agricultural Processors Association

National

Agriculture Transportation Coalition
Agricultural and Food Transporters Conference
Agricultural Retailers Association
American Beekeeping Federation
American Farm Bureau Federation
American Feed Industry Association
American Pistachio Growers
Consumer Brands Association
The Fertilizer Institute
National Aquaculture Association

National Association of Wheat Growers
National Corn Growers Association
National Council of Farmer Cooperatives
National Grain and Feed Association
North American Renderers Association
Pet Food Institute
U.S. Meat Export Federation
U.S. Poultry & Egg Association
Western Growers

Cc: Senate Committee on Agriculture, Nutrition and Forestry
House Committee on Agriculture
Senate Committee on Commerce, Science, and Transportation
Senate Committee on Environment and Public Works
House Committee on Transportation and Infrastructure
House Committee on Energy and Commerce
The Honorable Tom Vilsack
The Honorable Pete Buttigieg