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## **Earthjustice Comments on Investment Plan Update for CTP**

*Additional submitted attachment is included below.*



November 7, 2025

California Energy Commission  
715 P Street  
Sacramento, CA 95814

**Re: 2025-2026 Investment Plan Update for Clean Transportation Program (25-ALT-01)**

Dear Commissioner Skinner and Members of the Energy Commission,

On behalf of Earthjustice, we submit comments on the staff draft report 2025-2026 Investment Plan Update<sup>1</sup> (“Investment Plan”) for the Clean Transportation Program. Overall, we support the California Energy Commission’s continued investments in zero-emission vehicles (ZEVs) and its particular focus on electric solutions. As Commissioner Nancy Skinner and Chris Grundler from the California Air Resources Board mentioned during the Advisory Committee for the Clean Transportation Program, California’s commitment to ZEV transportation is grounded in the tangible health impacts of reliance on fossil fuels and how the current federal attacks on programs and state authority will have significant consequences on public health across the state. The expected increases in nitrogen oxide and fine particulate matter emissions will result in more hospitalizations and premature deaths for all Californians. Strategic investment of available funds is more crucial than ever to safeguard the health of those most affected by our transportation systems.

**I. We Support Continued Prioritization of Investments in Medium- and Heavy-Duty Vehicles at Ports and Warehouses.**

We support investments in medium- and heavy-duty (MDHD) ZEV infrastructure, particularly in pollution hotspots such as ports and warehouses. Diesel truck emissions primarily impact residents living near freight hubs, ports, railyards, and warehouses, disproportionately affecting disadvantaged and low-income communities of color.<sup>2</sup> In California, although only 12% of all MDHD trucks are Class 7 or Class 8 tractor-trailer trucks, these heavy-duty trucks alone are responsible for generating 35% of the state’s total NOx emissions and over 70% of

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<sup>1</sup> Tuggy, Benjamin. 2025. 2025–2026 Investment Plan Update for the Clean Transportation Program. California Energy Commission. Publication Number: CEC-600-2025-033-SD.

<sup>2</sup> I. Torres, A. Victoria & D. Klooster, “Warehouses, Pollution, and Social Disparities: An Analytical View of the Logistics Industry’s Impacts on Environmental Justice Communities across Southern California,” Earthjustice, 2021, [https://earthjustice.org/wp-content/uploads/warehouse\\_research\\_report\\_4.15.2021.pdf](https://earthjustice.org/wp-content/uploads/warehouse_research_report_4.15.2021.pdf).

statewide NOx emissions from on-road mobile sources.<sup>3</sup> Increasing truck electrification at these pollution hotspots is an effective way to deliver direct relief to disadvantaged and low-income communities across the state. We urge the CEC to continue prioritizing investments in projects near ports and warehouses in the most ozone-choked area of the country, the South Coast Air Basin.

The San Pedro Bay Ports complex is the single largest fixed source of air pollution in Southern California, “responsible for more than 100 tons per day of smog and particulate-forming nitrogen oxides—more than the daily emissions from all 6 million cars in the region.”<sup>4</sup> Furthermore, research shows that the San Pedro Bay Ports complex had the highest concentrations of diesel particulate matter across the entire air basin, with those living near the ports suffering from the highest cancer risks in the region.<sup>5</sup> According to the American Lung Association’s recent State of the Air Report, Los Angeles and Long Beach remain the most ozone-polluted region in the nation—a record held for 25 out of the 26 years of its reporting.<sup>6</sup> According to the ports’ recent Feasibility Assessment for Drayage Trucks, a full transition to zero-emissions in the region requires about 6,200 charging ports, which is 14 times the 462 heavy-duty charging ports currently available.<sup>7</sup>

Warehouses, both in the Inland Empire (IE) and the Bay Area, are significant sources of pollution due to the daily high volume of fleets transporting goods to and from them. In the past 50 years, the number of industrial warehouses in the IE has increased by more than 26 times (i.e., from 162 to 4,299 warehouses).<sup>8</sup> The logistics hub is so large that it is visible from outer space.<sup>9</sup> Currently, the Inland Empire moves over 40% of goods in the United States and has the largest concentration of warehouses on the West Coast, totaling over 1 billion square feet of warehousing.<sup>10</sup> The region has become one of the largest logistics hubs in the country due to

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<sup>3</sup> Connie Leyva, SB-372 Medium- and heavy-duty fleet purchasing assistance program: zero-emission vehicles, Pub. L. No. SB-372, Senate Bill (2021), [https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220SB372](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB372).

<sup>4</sup> “Clean Port,” South Coast Air Quality Management District, accessed August 11, 2025, <https://www.aqmd.gov/nav/about/initiatives/clean-port>.

<sup>5</sup> California Air Resources Board, “Appendix G Health Analyses.”

<sup>6</sup> “Key Findings,” American Lung Association State of the Air 2025, accessed August 11, 2025, <https://www.lung.org/research/sota/key-findings>.

<sup>7</sup> San Pedro Bay Ports, “2024 Update: Feasibility Assessment for Drayage Trucks,” September 2025. Prepared by ICF.

<sup>8</sup> Amparo Munoz, Susan Phillips, & Mary Ann Ruiz, *A Region in Crisis: The Rationale for a Public Health State of Emergency in the Inland Empire* (Center for Community Action and Environmental Justice, 2023), [https://www.ccaej.org/files/ugd/2a4f33\\_535d5a32a3734461b36664ae7756921d.pdf](https://www.ccaej.org/files/ugd/2a4f33_535d5a32a3734461b36664ae7756921d.pdf).

<sup>9</sup> Susan A. Philips, “Op-Ed: We mapped the warehouse takeover of the Inland Empire. The results are overwhelming,” Los Angeles Times, May 1, 2022, <https://www.latimes.com/opinion/story/2022-05-01/inland-empire-warehouse-growth-map-environment>.

<sup>10</sup> Marissa Brookes, Fernando Márquez Duarte & Ellen Reese, “Plug In IE: A Dialogue on Sustainable Logistics,” Inland Empire Labor and Community Center at University of California, Riverside, accessed August 11, 2025, <https://ielcc.ucr.edu/research/plug-ie-dialogue-sustainable-logistics>.

cargo arriving by truck and rail from the San Pedro Bay Ports complex. Cargo activity at the ports is expected to rise by 57% from 2021 to 2032.<sup>11</sup>

Prioritizing investments in pollution hotspots, such as ports and warehouses, is a strategic use of CEC's Clean Transportation Program funds. These investments will not only bridge infrastructure gaps for some of the state's worst emitters but also send strong market signals that California is moving forward with zero-emission MDHD fleets. We acknowledge that over the next couple of years, about \$400 million from sources outside the Clean Transportation Program will be available for MDHD infrastructure. These funds are critical and important, but far more is needed to provide the necessary infrastructure to truly address the pollution crisis imposed by diesel emissions from the freight and logistics industry. Additionally, it is crucial to evaluate the program's effectiveness in future years, given the unpredictability of federal changes to these funding sources.

We also recommend that the Investment Plan include a clear breakdown of the pending MDHD solicitations that guide the current justification for a focus on light-duty vehicles. It'll be helpful to provide clarity on the timing, source, and expected amounts for MDHD infrastructure.

## **II. Investments in Charging Infrastructure for Light-Duty Vehicles Should Prioritize Multi-Family Units in Disadvantaged Communities.**

We support investments in electric charging for light-duty vehicles and encourage the CEC to continue prioritizing charging in areas that benefit disadvantaged and low-income communities, such as multi-family units. Investments in multi-family housing are desperately needed to build a charging network robust enough to meaningfully enable disadvantaged and low-income communities to transition to zero-emission vehicles. As the CEC designs the forthcoming pilot project to create entities that support lower-income residents in transitioning to ZEVs, it is important to utilize existing programs such as Access Clean California, which aggregates incentives and assists community members with applications. We also recommend prioritizing regions with lower incomes when designing the request for proposals.

## **III. The Investment Plan Should Limit Hydrogen Funding to MDHD Vehicles.**

Hydrogen fueling stations are proving costly to operate. Increasing investment in these stations, especially for light-duty vehicles, runs counter to the apparent preference for and cost-effectiveness of battery electric vehicles. For example, the Port of Long Beach reports there are 500 battery-electric and 85 hydrogen fuel-cell trucks in the drayage truck fleet. However, all

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<sup>11</sup> Caroline Petrow-Cohen, "Ports of Los Angeles and Long Beach set new cargo records," Los Angeles Times, November 15, 2024, <https://www.latimes.com/business/story/2024-11-15/ports-of-los-angeles-and-long-beach-set-new-records>.

hydrogen trucks are no longer operating due to the high costs of refueling. These fleets must now pay nearly three times what they used to pay under Nikola's subsidies, now that the company has gone bankrupt. The Port of Long Beach had to adopt a program allocating millions of dollars to subsidize hydrogen for trucks because they are not affordable. Furthermore, clean hydrogen production in California is nearly non-existent. The CEC must consider the type of hydrogen being used when reviewing applications and include metrics that require any funded projects to rely exclusively on zero-emission green hydrogen. We urge the CEC to reallocate any unutilized hydrogen funding for MDHD vehicles to electrification uses.

We appreciate your consideration of these comments and look forward to working with the Commission on program implementation.

Sincerely,

Adrian Martinez  
Vanessa Rivas Villanueva  
**Earthjustice**