

DOCKETED

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Maurissa Brown -Greenlining CEC Medium- and Heavy-Duty Zero-Emission Vehicles and Infrastructure Pre-Solicitation Comments

Additional submitted attachment is included below.

July 15, 2024

California Energy Commission

715 P Street
Sacramento, CA 95814

Re: 19-TRAN-02 (Medium- and Heavy-Duty Zero-Emission Vehicles and Infrastructure)

The Greenlining Institute (“Greenlining”), works toward a future where communities of color can build wealth, live in healthy places filled with economic opportunity, and are ready to meet the challenges posed by climate change.

We greatly appreciate the opportunity to submit comments to the California Energy Commission (CEC) to help support and drive the deployment of MDHD ZEV infrastructure throughout the State, and we appreciate the Commission’s hard work and efforts.

Implementation of MDHD ZEV Infrastructure Blueprints 2.0

Increase eligible project costs for community engagement and outreach

It is confirmed that eligible project costs for this solicitation include “Engagement and outreach, and Electric vehicle infrastructure workforce development and training,” however, eligible reimbursable costs for project management, engagement and outreach, and electric vehicle infrastructure workforce development and training is capped at 5% of the total CEC grant funds¹. We would like to understand:

- Why is there a cap on CEC grant funds utilized for project management, engagement and outreach, and electric vehicle infrastructure workforce development and training? How did administrators determine the 5% cap?

We believe the 5% cap is too low and should be increased to at least 10% to allow for deeper engagement with community groups and leaders. From our direct engagement with the nonprofit leaders on the I-710 Investment Blueprint for Heavy-Duty Charging to Support Battery Electric Drayage along the I-710 Corridor² who provided depot site selection input and community expertise on sensitive receptors and truck traffic, we have learned that nonprofits need more built-in resources and capacity to engage community members beyond

¹ [GFO-23-603 Application Manual Addendum](#), page 20 and 21

² [An Investment Blueprint for Heavy-Duty Charging to Support Battery-Electric Drayage ALONG THE I-710 CORRIDOR](#), Los Angeles Cleantech Incubator (2023)

community engagement workshops to help members better learn about charging infrastructure and give adequate feedback on charging infrastructure siting.

Labor standards for manufacturing of electric vehicle supply equipment

In the past, environmental and labor issues have too often been pitted against each other, when the reality is that we can and we must address both by reaching our climate goals through high quality, accessible green jobs and lasting career pathways, prioritizing investments in disadvantaged and low income communities. The CEC should aim to prioritize applicants who practice the best value procurement method per the proposed bill SB 1325 (Public contracts: best value procurement: goods)³, to ensure electric vehicle supply equipment is being purchased from and installed by companies whose practices align with the labor values upheld in California. Greenlining has further comments on the Clean Transportation Plan and equitable workforce opportunities that can be found under the docket 20-ALT-01.⁴

Prioritize infrastructure funding to transit agencies

CARB's Innovative Clean Transit rule requires all public transit agencies to gradually transition to a 100 percent zero-emission bus (ZEB) fleet, and beginning in 2029, 100% of new purchases by transit agencies must be ZEBs, with a goal for full transition by 2040⁵. Some local transit agencies, especially those who operate in rural areas, are struggling to recover ridership from the impacts of COVID-19, and struggling to transition their fleets due to the limited number of electric bus manufacturers and high costs of electric buses.⁶ Therefore, CEC, in collaboration with the California Air Resources Board, and other agencies tasked with supporting the transition of transit buses, should coordinate to expedite and alleviate the application process for transit agencies to access these funds.

³[SB 1325 Public contracts: best value procurement: goods](#) (Durazo, 2024)

⁴ <https://efiling.energy.ca.gov/GetDocument.aspx?tn=257734&DocumentContentId=93633>

⁵ [Innovative Clean Transit \(ICT\) Regulation Fact Sheet](#) CARB

⁶ https://ww2.arb.ca.gov/sites/default/files/2022-08/ICT-ComprehensiveReview-Phase1_0.pdf

General Hydrogen Concerns: Implementation of MDHD ZEV Infrastructure Blueprints 2.0 and Charging and Refueling Infrastructure for Transport in CALifornia Provided Along Targeted Highway Segments (CRITICAL PATHS) 2.0

As it stands today, hydrogen is more expensive⁷, less efficient⁸, and less environmentally-friendly⁹ than battery power when used in electric vehicles, especially light-duty vehicles. According to the CEC itself, more than 95% of hydrogen is currently produced from fossil fuels¹⁰ which runs counter to state climate goals and the Clean Transportation Plan's purpose. We understand the need to follow AB 126's directive to invest at least 15% of annual funds into hydrogen charging and appreciate that it does contain guidelines prioritizing applicants with lower carbon-intensive proposed hydrogen fuel. However our position, and the position of many environmental justice organizations¹¹, is that the state's hydrogen investments should be conservatively focused on hard-to-electrify sectors and exclude light duty vehicle charging.

Furthermore, we highly recommend that the CEC adopt a strong standard that only clean hydrogen, as defined¹², be utilized in the Clean Transportation Plan in alignment with the current federal definition for clean hydrogen under the 45V tax credit guidelines. Setting hydrogen goals for California without the appropriate guardrails on hydrogen production and end use could exacerbate pollution, affordability concerns, and water access issues in priority communities.

ZEV Port Infrastructure

Clarify stackable funding

CEC administrators of the ZEV Port Infrastructure Program should be clear about what awards from the state and federal government are stackable for ZEV efforts at ports. For example,

⁷ Hemant Kumar, "[Hydrogen Powered Cars and Trucks: Is there a role for them in the electrified U.S. future?](#)", Massachusetts Institute of Technology (September 2021)

⁸ Jasper Jolly, "[Will hydrogen overtake batteries in the race for zero-emission cars?](#)", The Guardian (February 2024)

⁹ Sam Wilson, "[Hydrogen-Powered Heavy-Duty Trucks](#)", Union of Concerned Scientists (September 2023)

¹⁰ "[Hydrogen Fact Sheet](#)", California Energy Commission (June 2021)

¹¹ "[Equity Principles for Hydrogen: Environmental Justice Position on Green Hydrogen in California](#)", Asian Pacific Environmental Network (APEN), California Environmental Justice Alliance (CEJA), Center for Community Action and Environmental Justice (CCA EJ), Center on Race, Poverty & The Environment (CPRE), Communities for a Better Environment, Environmental Health Coalition, Leadership Counsel for Justice and Accountability, Pacoima Beautiful, Physicians for Social Responsibility Los Angeles (PSR-LA) (October 2023)

¹² "[EJ/Environmental Organizations Joint Letter on Clean Hydrogen Definition](#)", The Greenlining Institute, Sierra Club CA, APEN, The Climate Center, Local Clean Energy Alliance, CPRE, Pacific Environment, Natural Resources Defense Council (NRDC), CCA EJ, Mothers Out Front, PSR-LA, Just Solutions Collective (December 2023)

CARB offers the Port of Los Angeles (POLA) and Port of Long Beach (POLB) Zero Emission Truck Voucher Incentive Programs, which help facilitate a changeover to cleaner trucks serving the port.¹³ It is currently unclear if the ZEV Port Infrastructure award from CEC is stackable with the POLB and POLA; understandably POLA and POLB are for ZE trucks and the ZEV Port Infrastructure solicitation is for infrastructure, but it is generally unclear what state and federal awards are stackable with the CEC port solicitation award.

Zero-Emission Heavy-Duty Infrastructure Loan Pilot Project

Protections for loans for ZEVs and ZE infrastructure

Smaller trucking fleets face greater financial challenges in procuring zero emission heavy duty vehicles, and likely have less access to informational resources and technicians specialized in zero-emission vehicles¹⁴. Since this program has elements targeted at small business owners, we have the following questions about the Zero-Emission Heavy-Duty Infrastructure Loan Pilot Project to help think through how to increase greater protections for small business owners:

- How does this loan pilot project differ from the previous Long Beach Clean Truck Program (seven year lease to own program) during which individual truck drivers themselves were asked to make the investment in new trucks?
- What are the protections against loan default? What repayment policies or plans exist to work with participants who may default?
- Why is the loan interest rate capped at such a high amount of 20%?
- Do the CalCAP ZEHDV, ZEHDV, and ZETBIF programs include helping small business owners find affordable insurance for vehicles and/or include insurance purchase as an eligible use of the funds?

EnergIIZE Commercial Vehicles

Increase data tracking for bidirectional chargers

CALSTART maintains an EnergIIZE Impact Map to visualize the program's deployment statistics.¹⁵ However, this map does not include EnergIIZE application funding data on awards given to charger projects with bidirectional capabilities. It is important for state-funded programs to track this information in order to encourage greater market adoption and more

¹³ [Port of Los Angeles Zero-Emission Truck Voucher Incentive Program](#)

¹⁴ [No fleet left behind: Barriers and opportunities for small fleet zero-emission trucking](#), International Council on Clean Transportation(2024)

¹⁵[EnergIIZE Impact Map](#), CALSTART

EV charging infrastructure funding access. When an electric vehicle can receive energy from electric vehicle supply equipment and discharge stored energy to the local electric power system (EPS) in connection with the Area EPS, the “electrical grid,” or, as an additional capability, to a grid-disconnected protected load via the same or similarly capable backup power support electric vehicle supply equipment, this can provide personal and community resilience benefits, and system reliability benefits¹⁶. State administrators must create a system where this technology can thrive, and program implementers can start by tracking applicants receiving award monies for charging with bidirectional capabilities and visualize this data publicly.

Pre-Solicitation Planning: CEC and Other Agency Coordination to Improve Implementation

Update CARB ZEV Truck Stop website

Given the passage of Advanced Clean Trucks and Advanced Clean Fleets, CARB’s webpages are growing user traffic from those who may need to comply with these regulations. CARB has set up the “ZEV Truck Stop” as a “one-stop shop for zero-emission vehicle (ZEV) information”¹⁷. In order to increase clarity for resources offered by the CEC to support ZE infrastructure build out, the CARB website should list the current CEC solicitations under their “Infrastructure” tab (see ZEV Truck Stop link). Currently users can only click on “Learn more” to get more information on CEC Funding Resources and are redirected to the CEC website, but it would be helpful to have a list of the current solicitations by name with updated deadlines if possible right on the CARB ZEV Truck Stop website so user can get an idea of what solicitations and funding is offered by the CEC.

Coordination with the California Department of Housing and Community Development (HCD)

Assembly Bill (AB) 185 directs CARB, CTC, and HCD to meet at least twice per year to coordinate their implementation of policies that jointly affect transportation, housing, and air quality¹⁸. There are statewide and regional topics covered in these joint meetings that the CEC should be present for to inform their agency’s development of solicitation concepts, particularly information presented by the California Department of Housing and Community Development. For example, just this past April 2024 the Governor’s Office, CTC, and HCD presented on the topic of Sustainable Freight and Community Impacts. In order to direct

¹⁶ [V2X Bidirectional Charging: Policy & Regulatory Solutions for California](#), Fermata Energy (2024)

¹⁷ [ZEV Truck Stop](#), California Air Resources Board

¹⁸ [Joint Meetings: California Air Resources Board, California Transportation Commission, and California Department of Housing and Community Development](#)

greater agency coordination and gather feedback on proposed pre-solicitation concepts that would result in projects that support and drive the deployment of MDHD ZEV infrastructure throughout the State, but minimize harm in rural, low-income, and disadvantaged communities, the CEC needs greater coordination with the HCD.

Because our cities still hold the imprint of racist legacy city planning decisions, some communities are not only disproportionately exposed to transportation-related pollution, but also incur exposure to heavy truck traffic, displacement, and under investment in mobility and transit options. The placement of zero emission charging infrastructure for freight will not change these existing issues, and may exacerbate them. Planning for the development of solicitation concepts should primarily include the HCD, as well as the CARB and CTC, during which the CEC and HCD should collaboratively develop clear goals and measurable outcomes to minimize community concerns regarding charger infrastructure siting. We believe solicitation concept 1 Charging and Refueling Infrastructure for Transport in CALifornia Provided Along Targeted Highway Segments (CRITICAL PATHS) 2.0 would benefit from deeper engagement with the HCD since this concept requires charging projects to be along designated freight corridors identified in the SB 671 Clean Freight Corridor Assessment. The “Top 6” corridors are near many communities that have been identified as Senate 535 disadvantaged communities.¹⁹

Conclusion

We appreciate the opportunity to comment on the CEC’s MDHD Zero-Emission Vehicle Infrastructure Solicitation Concepts and look forward to continuing to track progress on this effort. Please do not hesitate to reach out to me (maurissa.brown@greenlining.org) with any questions or to schedule time to discuss our recommendations further.

Best regards,

Maurissa Brown
Transportation Equity Program Manager

¹⁹ [SB 671 Clean Freight Corridor Efficiency Assessment](#) (page 23)