From:	Robb Kidd
To:	ANR - DEC Lev Zev
Cc:	O"Toole, Megan; Moore, Julie
Subject:	ACC II/ACT Support Letter From Climate Community Leaders and Advocates
Date:	Friday, September 30, 2022 2:37:05 PM
Attachments:	ACC II_ACT Support Letter From Climate Community Leaders and Advocates.pdf Support letter for ACC II_ACT from Citizens and Advocates.pdf

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EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Secretary Julie Moore,

Please accept the attached letter signed by over 30 community leaders and climate advocates in support of the Advanced Clean Cars II and Advanced Clean Truck Rules.

We also are resubmitting the letter submitted in August to the Interagency Committee on Adminstrative Rules to be included in the rule-making record. It is my understanding that the letter will not automatically be included in the official record, however as it was signed by over 80 advocates and community leaders we request it be included.

Over the last few weeks, we have encouraged our partners and community leaders to attend public hearings and submit public comments.
However, as many of these leaders and organizations are busy with multiple priorities not everyone could attend or submit comments, so please count these individuals and organizations as supporting the rule adoptions.

We appreciate the considerations of the Agency of Natural Resources in adopting these important rules to transform Vermont's transportation to one that is cleaner and emits less pollution.

Sincerely,

Robb Kidd

--
Sierra Club
Vermont Conservation Program Manager
(802)505-1540
(He, Him, His)

Agency of Natural Resources Central Office
1 National Life Drive
Davis 2
Montpelier VT 05620-3901

September 30, 2022

Subject: Advanced Clean Trucks (ACT), Advanced Clean Cars (ACC) II, Low NOx Heavy-Duty Omnibus, and the Phase II Greenhouse Gas Emissions Standard rulemaking.

Dear Secretary Julie Moore,

On behalf of the undersigned businesses, health professionals, organizations, and individuals that represent tens of thousands of Vermonters, we are writing to express our strong support for the Advanced Clean Trucks (ACT), Advanced Clean Cars (ACC) II, Low NOx Heavy-Duty Omnibus, and the Phase II Greenhouse Gas Emissions Standards rules (the "Rules"). We urge that the State adopt these Rules by the end of 2022 so that increasing numbers of zero-emission vehicles will be available to Vermonters as soon as possible.

Transportation is the largest source of emissions in Vermont. The Vermont Agency of Natural Resources' approval of a robust set of vehicle regulations will set the state on track to achieve 100% new EV sales by 2035, while also greatly reducing pollutants from medium and heavy-duty vehicles. If the Vermont Agency of Natural Resources adopts a strong version of these rules, it will help transition Vermont to a future that prioritizes clean air for all while reducing dangerous and unhealthy particulate matter in environmental justice focus populations that currently bear a disproportionate share of the burden of transportation-related air pollution.

The rules will move Vermont forward:

1. The Advanced Clean Cars (ACC) II rule will set a gradually increasing sales requirement for automakers to sell a certain percentage of electric vehicles each year. If the rule is adopted this year, this requirement would start at 35 percent in 2026, and eventually reach 100% of new electric vehicle sales by 2035.
2. The ACC II rule will encourage the delivery of more affordable vehicle options while simultaneously increasing vehicle options for Vermonters.
3. The Advanced Clean Trucks (ACT) and the Heavy Duty Omnibus rules will reduce Nitrogen Oxide (NOx), a precursor to smog which can cause or exacerbate numerous respiratory and other health ailments that can contribute to disease and premature death in children and adults. This rule will require automakers to sell an increasing percentage of electric trucks and buses each year, eventually reaching 40 - 75% by 2035, and will require that NOx pollution be decreased 90 percent by 2027 compared to current standards.
4. ACT will also assist Vermont fleets in transitioning to cleaner and more affordable vehicle options. Electric vehicles have lower lifecycle costs as an EV requires less maintenance and their use of relatively inexpensive, stably-priced electricity instead of expensive,

volatile-priced fossil fuels. Businesses can amortize the initial purchase price over the lifecycle of the vehicle and therefore save money over the lifetime.

Vermont must adopt a strong version of these rules to protect the health of Vermont residents, including those in environmental justice communities, as well as our climate for generations to come. Vermont must adopt these rules while simultaneously enacting complementary policies to finance low- and moderate-income incentives, expanding charging infrastructure, advancing transit options, making Vermont safe for bikes and pedestrians, and increasing the support of local renewable energy generation. We kindly request that the Agency of Natural Resources finalizes these rules by December 1, 2022, as identified in the Climate Action Plan and required by the Global Warming Solutions Act.

Signed

Robb Kidd, Conservation Program Manager, Vermont Sierra Club
Ben Edgerly Walsh, Climate & Energy Program Director, Vermont Public Interest Research Group
Capstone Community Action Barre
Christopher Miller, Ben & Jerry's Homemade, Inc, Head of Global Activism Strategy South Burlington, VT
Dan Fingas, Rights And Democracy, Movement Politics Director Plainfield
Dan Fingas, Vermont Movement Politics Director, Rights and Democracy
David K. Mears, Audubon Vermont Executive Director Huntington
Elena Mihaly, Vice President and Director, Conservation Law Foundation Vermont
Francine Pomerantz Richmond
Hallie Picard, The Alchemist, HR Manage Stowe, VT
Jack Hanson (Executive Director of Run On Climate and Former Burlington City Councilor) Burlington
Jeff Forward, Principal, Forward Thinking Consultants, LLC Richmond
Jenny Bower, University of Vermont, Graduate Student
Johanna Miller, Energy and Climate Program Director/VECAN Coordinator
Jordan Giaconia, Public Policy Manager, Vermont Businesses for Social Responsibility
Kelly McCracken, LICSW Montpelier
Kristopher Keeton South Burlington
Lake Champlain Committee Lori Fisher, Executive Director Burlington
Laura Bailey Fayston
Lauren Hierl, Executive Director, Vermont Conservation Voters
Matthew Lawrence LeFluer. Green Mountain Self-advocates Alburgh
Michael Yantachka Charlotte
Patrick Flood Woodbury

Paul Bierman, Professor of Environmental Science Burlington
Peter Sterling, Executive Director, Renewable Energy Vermont
Rep. Jim McCullough Williston
Rep. Leslie Goldman Rockingham
Representative Becca White Hartford
ReSOURCE A Nonprofit Community Enterprise Inc Williston
Richard Butz, Vermont Interfaith Power and Light Bristol
Richmond Climate Action Committee Richmond
Robb Kidd, Conservation Program Manager, Vermont Sierra Club
Ron McGarvey, President, Vermont Interfaith Power & Light
Sam Carlson, Managing Member, Mont Vert LLC (renewable energy investments) South Burlington
Sam Swanson South Burlington
Seventh Generation, Inc Burlington
Sophia Donforth, Vermont Energy Education Program, Executive Director
SunCommon Waterbury
Vermont Climate and Health Alliance Burlington
Virginia Clarke -- Richmond

Agency of Natural Resources Central Office
1 National Life Drive
Davis 2
Montpelier VT 05620-3901

August 3, 2022

Subject: Advanced Clean Trucks (ACT), Advanced Clean Cars (ACC) II, Low NOx Heavy-Duty Omnibus, and the Phase II Greenhouse Gas Emissions Standard rulemaking delay.

Dear Secretary Julie Moore and Interagency Committee on Administrative Rules Members,

On behalf of the undersigned businesses, health professionals, organizations, and individuals that represent thousands of Vermonters, we are writing to express our strong support for the Advanced Clean Trucks (ACT), Advanced Clean Cars (ACC) II, Low NOx Heavy-Duty Omnibus, and the Phase II Greenhouse Gas Emissions Standards rules (the "Rules"). We urge that the State adopt these Rules by the end of 2022 so that increasing numbers of zero-emission vehicles will be available to Vermonters as soon as possible.

As you know, transportation pollution is the largest source of climate-disrupting and toxic air pollution in Vermont. The transportation sector accounts for 39.1% of Vermont's greenhouse gas emissions. Fossil fuel-powered cars, trucks, and buses account for the majority of these emissions. With the recent setbacks in implementing the Transportation Climate Initiative Program in the Northeast, and the lack of any other clear policy or regulatory tools to achieve certain, significant pollution reductions in the transportation sector, adopting the Rules in a timely fashion is even more critical to meeting Vermont's required emission reductions. Emissions disproportionately impact low-income populations and communities of color. Some of those impacts include higher rates of asthma, bronchitis, cancers, and premature deaths. Furthermore, Vermonters are disproportionately burdened with volatile gasoline pricing because Vermonters are more dependent on personal vehicles than many other Americans.

The ACT rule will require that all new sales of medium and heavy-duty vehicles (MHDVs) – transit and school buses, freight, utility, delivery, and fleet vehicles with a Gross Vehicle Weight Rating (their fully-loaded weight) of more than 8,500 pounds be 40 - 75% zero-emission by 2035, and the ACC II rule will require that all sales of new passenger vehicles be 100% zero-emission by 2035. These requirements will help ensure that Vermonters have less air pollution and more zero-emissions vehicles available to them while also helping Vermont achieve its climate requirements under the Global Warming Solutions Act, including net-zero emissions by 2050. The Vermont Climate Council adopted the Vermont Climate Action Plan, which included the Rules as important policies and strategies for Vermont to reach its net-zero targets.

Adopting the Rules this year will be critical in beginning to accrue all the associated climate, health, and economic benefits of a just transition away from fossil fuels. A study by the International Council on Clean Transportation shows that the ACT, NOx Omnibus and Phase II rules will improve Vermont's air quality by reducing Nitrogen Oxide (NOx) and PM 2.5 by 8,190 and 44 short tons, respectively, and reducing Carbon Dioxide equivalent (CO2e) by 3.70 million metric tons by 2050. Although there are no studies on the impacts of ACC II program in Vermont, in California, the ACC II program is anticipated to

reduce emissions in the passenger vehicle fleet by 57,090 tons of reactive organic gasses, 83,850 tons of oxides of nitrogen, and 5,330 tons of particulate matter (PM2.5) cumulatively by 2040 relative to a baseline without the proposed regulations. California also expects ACC II proposals to reduce cumulative greenhouse gas emissions by an estimated 440 million metric tons of carbon dioxide from 2026 to 2040.

The Clean Air Act requires a two-year lead time for states adopting the Rules before enforcement can officially begin. The first applicable model year for ACT begins in 2024, while the first applicable model year for ACC II begins in 2026. If these Rules are adopted in 2022, Vermont will be able to enforce the requirements for model years 2026 for both of these Rules. Delaying adoption means that Vermont will continue to miss out on the annual requirements and subsequent benefits these Rules provide, and Vermonters will miss out on access to zero-emissions vehicles they would otherwise be able to take advantage of. There is no time left for delay.

As Vermont proceeds with rule implementation we must ensure that auto manufacturers are not given opportunities to evade supplying the required levels of zero-emission vehicles, and that credits for previous sales do not count for the new targets. In some cases, an auto manufacturer may have the ability to invest in other programs designed to reduce transportation emissions if sales targets are not reached. In those circumstances, we urge investments in equity-based programs such as Mileage Smart and Replace Your Ride to be the default, however, those investments must be substantial to make up for the shortfalls in reaching the required carbon emission reductions.

By adopting the Rules, Vermont can simultaneously improve air quality, lower transportation costs, protect our children and communities, address environmental health inequities, and reduce greenhouse gas emissions. Respectfully, we urge you to adopt the ACT, NOx Omnibus, Phase II and ACC II Rules this year, and we appreciate your commitment to ensuring Vermont meets its legal and moral obligation to do its part on the climate crisis. This program will certainly be key to that.

Sincerely,

Robb Kidd, Conservation Program Manager, Vermont Sierra Club
Ben Edgerly Walsh, Climate & Energy Program Director, Vermont Public Interest Research Group
Dan Fingas, Vermont Movement Politics Director, Rights and Democracy
Dan Quinlan, Chair, Vermont Climate Health Alliance
Dave Rapaport, Social Mission Officer, Ben & Jerry's
David Mears, Executive Director, Audubon Vermont
Debra Stoleroff, Steering Committee Chair, Vermont Yankee Decommissioning Alliance
Elena Mihaly, Vice President and Director, Conservation Law Foundation Vermont
Jake Elliott, Impact Partnership Manager, SunCommon
Jeff Forward, Principal, Forward Thinking Consultants, LLC
Johanna Miller, Energy and Climate Program Director/VECAN Coordinator
Jordan Giaconia, Public Policy Manager, Vermont Businesses for Social Responsibility
Julia Scott, CEO, J.Scott Marketing
Kathy Harris, Clean Vehicles and Fuels Advocate, Climate & Clean Energy Program, Natural Resources Defense Council

Kati Gallagher, Coordinator, Transportation for Vermonters
Katie McCurdy, Founder, Pictal Health
Kenneth Allen, President VtPHA
Lauren Hierl, Executive Director, Vermont Conservation Voters
Meghan Ksiazek- Vice President, Turtle Fur
Nancy Rice, Randolph Center, VT, VT Yankee Decommissioning Alliance Treasurer
Patricio Portillo, Senior Advocate, Climate & Clean Energy Program, Natural Resources Defense Council
Paul Lesure, President, Green Mountain Solar
Peggy O'Neill-Vivanco, Coordinator, Vermont Clean Cities Coalition
Peter Sterling, Executive Director, Renewable Energy Vermont
Ron McGarvey, President, Vermont Interfaith Power & Light
Sophia Donforth, Executive Director, Vermont Energy Education Program
Sue Minter, Executive Director, Capstone Community Action
Thomas Longstreth, Executive Director, ReSOURCE A Nonprofit Community Enterprise Inc.
Vanessa Rule, 350VT
Alicia Jacobs, MD, Colchester VT
Allen L Knowles III, MD (retired) Richmond, VT
Andrea Grayson
Bella Bennett, Burlington, PhD Candidate, UVM Rubenstein School for Environment and Natural Resources
Cathy Aikman, Richmond, VT
Christine Weinberger, MD Burlington, VT
Christopher Granda, Richmond, VT
Diane Dubuque, Fairfax, VT
Donald R. McIntyre, MD
Elizabeth Parsons, RN, Burlington, VT
Eva Zaret, Marshfield, VT
Gretchen Elias, Montpelier VT
Hallie Picard
Jack Hanson, Burlington City Councilor
Jennifer Borofsky MD, Fayston VT
Jenny Bower, Burlington, VT
Jenny Evans First, Family Nurse Practitioner, Richmond, VT
Jessica Wikle, Essex Junction, VT
Representative Jim McCullough, VT State Legislator
Judy Fingergut, Burlington, Physician
Julia Cavanagh, Charlotte, resident/constituent
Julie Campoli, Burlington, VT
Justin Goggin, DVM, Jericho VT
Karen Mckenny RN, South Burlington
Kathleen Kesson, Barre VT, Professor Emerita, LIU-Brooklyn ISE
Kelly McCracken, Montpelier, Licensed Clinical Social Worker
Kristopher Lawrence Keeton, South Burlington, DDS
Laural Ruggles, Danville, VT
Representative Leslie Goldman MSN, MPH, FNP

Linda McGinnis, South Burlington, VT, Economist and climate policy expert
Lisa D Sharp Grady. Bradford, VT
Madilyn Sandy, Jericho, VT
Matthew Burke, Research Associate, UVM
Matthew Lawrence LeFluer, Advocate, community volunteer board member, Alburgh, VT
Megan Malgeri, MD
Michael Ruggiero, Winooski, Chemistry Professor at UVM
Natalee Braun, PhD Essex, VT Member 350VT
Paul Bierman, Burlington, Professor of Natural Resources, UVM
Paul Zabriskie, Middlesex, VT
Phil Hammersllough, Burlington, VT
Rebecca Jacobs, Sheldon, VT
Rebecca Jones, MD LLC Brattleboro, VT
Robert Luebbers
Sally Kerschner, Public Health Nurse, Ferrisburgh, VT
Sam Carlson, South Burlington, University of Vermont
Sascha Mayer, Mamava, Burlington
Sebbi Wu, Burlington, VT
Seth H. Frisbie, Ph.D., East Calais, VT, Professor Emeritus of Chemistry
Tyler Merritt, Richmond, VT
Dr. Virginia Clarke, Richmond VT
William April, Waterbury Ctr., VT, Concerned Citizen

cc: Governor Phil Scott, Melissa Mazza-Paquette, House Transportation Chair Diane Lanpher

From: Daniel Jordan
To: ANR - Vermont Climate Council
Subject: 2035 proposed ev mandate
Date: Thursday, September 15, 2022 5:08:37 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

If you count hybrids and phev vehicles as ev's in the law, I'm not opposed, per se, but I'm concerned with the reliability and robustness of our power grid and charging infrastructure. I think on emissions following California is not bad. But possibly delaying the implementation until after 2037 May also get more used ev's on the market. I also worry about range when it is very cold. That's why I think hybrids and other fuels will still have a place.

Also- the state should subsidize ev conversion kits of older vehicles through pairing up with manufacturers.

Dan Jordan
Enosburg Falls

From: Candy Jones
To: O"Toole, Megan
Subject: Advanced Clean Car and Truck Rules
Date: Wednesday, August 31, 2022 7:40:25 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Megan,
We know that Vermont's greatest emissions come from transportation and home heating. Here is an opportunity to adjust those numbers. We need more stringent legislation to ensure that our vehicles are transitioned to low emission vehicles.
Thank you,
Candy Jones
Rutland,VT

Sent from my iPad

From: pmorsevt@gmail.com
To: ANR - DEC Lev Zev
Cc: Brenda J Bean
Subject: Advanced Clean Car II
Date: Thursday, September 22, 2022 3:34:46 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I support Vermont adopting the latest update to the California Clean Car Rules.

I support it as a means to improve our environment and to use Vermont energy sources rather than out of state or out of the country sourced fossil fuels.

While there are aspects of the rules that I believe could be improved, I understand that adopting them as California wrote them would send the strongest message.

While I'm writing I'll take the chance to express my opinion on a better EV future. I believe that the best future would include the following aspects:
A. EV batteries that are manufactured with more commonly available materials rather than rare earth metals, as much as possible.
B. EV batteries that are inherently safe, recyclable and lower cost.
C. Many if not most EVs made with a smaller, lighter, less expensive battery (40-60kwh) that can charge quickly (10 minutes rather than 45 minutes) supported by a sufficient number of reliable DCFC stations.
D. All DCFC standardized on one charge plug.
E. All EVs available with a heat pump for colder climates.
F. When a EV manufacturer describes their vehicles as having a battery size of x kWhs then all of that total is able to be drawn down or charged up on every charge cycle without significantly degrading the battery. As an example my EV's manufacturer recommends typically operating the vehicle within 20-80% state of charge. Either derate the battery size (and the mile range marketed) or use a battery chemistry that actually allows daily operation from 100% to 0% to 100%.
G. Not every EV on sale should be equipped with a myriad of features and huge infotainment screens. Some should be simpler and less expensive.

I understand that State of Vermont regulators don't have the sway to make such things happen, but at least I am able to express my ideas.

Phil Morse
370 Dodge Farm Rd
Barre, VT 05641
802-558-7535

From: Lisa Pezzulich
To: O"Toole, Megan
Subject: Advanced Clean Cars II & Advanced Clean Trucks rules
Date: Tuesday, September 6, 2022 9:29:10 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello Megan,

I am writing as a concerned Vermont resident. I would like to see full support of the Advanced Clean Cars II & Advanced Clean Trucks rules coming up.

I think transitioning to all electric vehicles is crucial to combat climate change!

Thank you,

Lisa M. Pezzulich, Psy.D.
157 Cobble Hill Road, Shaftsbury, VT 05262
(lisapezz@gmail.com)
(802) 338-6815

From:	Natalee Braun
To:	O"Toole, Megan
Subject:	Advanced Clean Cars II & Advanced Clean Trucks rules
Date:	Thursday, September 22, 2022 4:32:29 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Count me in as a full supporter of the Advanced Clean Cars II & Advanced Clean Trucks rules. We are wildly overdue for transforming our transportation options in Vermont to reflect a strong commitment to addressing the accelerating disaster of climate change. Let's see VT provide the leadership in this area as it has done in so many other arenas.

Yours, Natalee Braun, PhD

From:	Georgia Cosenza
To:	O"Toole, Megan
Subject:	Advanced Clean Cars II & Advanced Clean Trucks rules
Date:	Friday, September 30, 2022 1:12:38 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello

I am submitting this comment on the Advanced Clean Cars II & Advanced Clean Trucks rules. I am very much in favor of promoting and encouraging clean energy as a whole including electric vehicles. However, the state needs to make sure that the infrastructure to support electric vehicles is in place FIRST. That means abundant, accessible and affordable charging stations. Vermont also needs to make sure that the infrastructure is in place to provide the additional electric needed for zero emissions. I just received an email from my electric utility (VEC) stating that they are experiencing major shortages in equipment and parts needed by them for upgrades and repairs. The state should be addressing these serious issues first. In addition, the state needs to be looking at controlling electricity costs. The cost of electric here in the NEK is far too high when compared to the test of the state and indeed the nationwide average. If you want to encourage electric vehicles. Then they must be reasonable to run. Finally, the vehicles themselves must be adequate for the conditions in which they are used . Right now I would not hesitate to own an electric vehicle if I lived in a city like Burlington, but here in the NEK with longer distances, bad roads including winter road conditions, I am less interested in an electric vehicle (at this time). While I am confident that the technologies will improve over time, I feel very strongly that the state should be addressing and resolve the issues above before making rules to force the use of electric vehicles.

Thank you for your time and attention to this matter.

Georgia Cosenza
7 Four Wheel Drive Rd.
Morgan, VT 05853
Home: (802)723-4240
(Cell: 802) 673-0532
Email: georgiacvt@gmail.com

From:	Jim Wanner
To:	O"Toole, Megan
Subject:	Advanced Clean Cars II & Advanced Clean Trucks rules
Date:	Friday, September 23, 2022 4:43:56 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Megan O'Toole,

I am writing to urge you to approve the Advanced Clean Cars II & Advanced Clean Trucks rules. I have been driving electric for over three years and it is less expensive than a gas car and a whole lot more fun to drive.

Thank you.

Jim Wanner
Burlington, VT

From: Julie Elmore
To: O"Toole, Megan
Subject: Advanced Clean Cars II & Advanced Clean Trucks
Date: Wednesday, September 28, 2022 6:45:04 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.
I urge the state to pass this critical bill.

Vermont is making an effort to deal with the horrific effects climate change has brought to our state and if we don't take huge, sweeping changes immediately to end the use of fossil fuels as much as possible we will see a state and lifestyle we won't recognize.

This bill is a critical step due to Vt not investing in mass transportation to reduce the amount of gasoline consumed in the state and the sprawl the state has continued to allow vs focusing on keeping businesses and restaurants all in a town center and housing such as large condo units and other apartment living units be built walking and biking distance from all the businesses and entertainment.

We need to end cars, trucks, buses running on gasoline.
Electric cars are going further and further, if we invest in charging stations at every gas station it would be so easy for even someone living in an apartment or condo complex to charge without having home chargers.

Please do not cow tow to the huge lobby efforts of big oil and fossil fuel companies.
The entire state of Vt has a population of a neighborhood in Brooklyn.

We need to see how small our scale is and how easily doable all the issues we have in the state can easily be solved, just like small neighborhoods do in large cities like NYC.

I trust you will bring this to the legislature and urge them to support this bill.

Julie Elmore
160 West Red Rock Rd
Colchester, Vt 05446
--
Julie Elmore
Communications and Administrator
Sudef.org
160 W Red Rock Road
Colchester, Vt. 05446
https://vimeo.com/157644100
802-238-4448

From: Will Patten
To: O"Toole, Megan
Subject: Advanced Clean Cars II & Advanced Clean Trucks
Date: Wednesday, September 28, 2022 5:06:14 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello,
I am writing in support of these new rules. I hope and expect that my state government will have the courage to seize this opportunity to staunch the tsunami called climate change. I hope you will see the arguments put forward by the fossil fuel industry as more self-serving propaganda.
I also hope that Vermont would use its taxing authority in this effort. I recommend that a tax be levied on all internal combustion engines and that the revenues from that tax be spent advancing zero-emision transportation. Tax the bad; invest in the good.
Be bold! We're running out of time.

--
Will Patten, President
Back to Basics Vermont, Inc.

From:	Russ Chapman
To:	O"Toole, Megan
Subject:	Advanced Clean Cars II & Advanced Clean Trucks
Date:	Friday, September 23, 2022 4:00:25 PM

Hi Megan,

I write to voice my total support for the proposed legislation. I currently am doing my part by owning a Tesla Model 3 and charging it at my home which is run by solar panels. While I recognize that not everyone can do what I have done it is still incumbent on the state to help in this regard by forcing the adoption of cleaner energy vehicles.

PLEASE pass this legislation!!!

Thanks you,
Russ

Russ Chapman
101 Mariner Heights
Colchester, VT 05446
c: 781.632.7727
h: 802.800.1183

From: Charles Byron
To: O"Toole, Megan
Subject: Advanced Clean Cars II & Advanced Clean Trucks
Date: Wednesday, September 28, 2022 4:33:22 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello,

I'm writing to express my strong support for the proposed Advanced Clean Cars II & Advanced Clean Trucks rules.

There may be all sorts of issues that require further adjustments and investments down the road, in order to successfully switch to zero-emission vehicles. But we desperately need to start, using the best technology and approaches we can, TODAY. Delay will only make our lives worse.

I hope Vermont will show leadership in this critical area.

Sent from my iPhone

From:	Betsy Thurston
To:	ANR - DEC Lev Zev
Subject:	air quality climate change
Date:	Monday, September 26, 2022 8:00:36 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi,

I attended the Rockingham meeting but had to leave early for a prior scheduled commitment because I learned about the meeting that day.

Vermont continues to think forward, and I'm glad for the initiatives coming our way and what we support.

My comment is as a concern for our Downtown in the planning for more EV chargers and making them readily accessible for travelers off the highway.

Bellows Falls has free chargers right now and they have been extremely successful at bringing people to our Downtown and into our shops.

Will there be any incentives for Downtowns to add more EV chargers and will some of the state money help bring those visitors 5 miles off the highway to spend money in our shops and our Downtowns?

Another concern our group discussed was maintenance of the EV chargers. It sounds like that has been a common "horror" story of EV vehicles is getting to where you need a charge (and driving out of the way to find the charger) and finding the charger out of service or broken or not working correctly.

This was a thought that came from the meeting and in conversation with others, but auto mechanics are aging out, less young people are interested in being a mechanic or at least a lower-paid mechanic. The electric auto industry might be exactly the kind of workforce development VT is looking for and a way to keep their young people happily employed, and well paid and might incentivize them to stay here.

Thank you for your time,

From:	Trevor Summerfield
To:	ANR - DEC Lev Zev
Cc:	William Barrett
Subject:	American Lung Association Comments Re: ACT, Heavy-Duty Low NOx Omnibus, Phase II GHG Standards and ACC II Programs
Date:	Wednesday, September 28, 2022 10:08:37 AM
Attachments:	Lung Association Adopt ACC2 and ACT 9-30-22.pdf

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Secretary Moore,

On behalf of the American Lung Association, please find attached comments to urge you to take three critical state clean air actions – adopt the Advanced Clean Trucks (ACT) rule, the Heavy-Duty Low NOx Omnibus, Phase II Greenhouse Gas (GHG) Standards and the Advanced Clean Cars (ACC) II programs.

If you or your team have any questions, please don't hesitate to reach out to me either by email or phone.

Respectfully,

Trevor Summerfield
Director, Advocacy | NY, VT
American Lung Association
O: 518-362-5055 | C: 518-414-1571
Lung HelpLine: 1-800-LUNGUSA
Lung.org | Trevor.Summerfield@Lung.org
Preferred Pronouns: He/Him/His

American Lung Association.

American Lung Association.
Vermont

September 30, 2022

The Honorable Julie Moore
Agency of Natural Resources Central Office
1 National Life Drive
Davis 2
Montpelier VT 05620-3901

Subject: Support Lung Health through Clean Air Rules for Cars and Trucks

Dear Secretary Moore,

On behalf of the American Lung Association, I am writing to urge you to take three critical state clean air actions – adopt the Advanced Clean Trucks (ACT) rule, the Heavy-Duty Low NOx Omnibus, Phase II Greenhouse Gas (GHG) Standards and the Advanced Clean Cars (ACC) II programs. Transportation continues to be a leading source of harmful emissions and the transition to cleaner vehicles and zero-emission vehicle (ZEV) technologies will provide the much-needed emission reductions for a healthy, livable Vermont for all.

The American Lung Association's *State of the Air 2022* report found that Vermont is home to over 63,000 adults and children living with asthma who need stronger protection against harmful ozone ("smog") and particle ("soot") pollution. Air pollution can cause negative health impacts such as asthma attacks, heart attacks, and lung and cardiovascular diseases. Breathing particle pollution can also cause lung cancer. Our report notes that lower-income residents, people of color, children, seniors and those living with lung or heart illnesses are especially vulnerable to the effects of poor air quality. We also note the increasing challenge of maintaining clean air progress as our climate changes. Because the transportation sector is a leading source of harmful air and climate pollution, we must do everything possible to reduce these sources of health risk.

Therefore, we urge you to ensure Vermont adopts the most health-protective policies to reduce transportation pollution to provide critical health benefits to our residents, especially those most vulnerable to the health impacts of air pollution today. We need to set the following standards to experience the real-world emission reductions needed to breathe cleaner air:

- Passenger Vehicles: Adopt the ACC II standards to clean up the passenger vehicle fleet on the way toward 100 percent ZEV sales to protect lung health and reduce carbon pollution. Vermont has long been a leader on clean vehicle policies and should take advantage of the opportunity to accelerate the pathway to zero-emissions to protect our health and our environment.
- Medium and Heavy-Duty Trucks: Adopt the Low NOx Omnibus, ACT and Phase II GHG standards to clean up the on-road trucking fleet, ensure real world emission controls and promote the increasing sales of zero-emission trucks over the coming decade to reduce local and regional air quality issues, health disparities and other harms of combustion trucking. A growing number of states, including Massachusetts and New York, have adopted the ACT rule - we must ensure the benefits of zero-emission trucks also come home to Vermont.

American Lung Association.
Vermont

The Lung Association's *Zeroing on Healthy Air* report found that Vermont will benefit from a widespread shift to zero-emission transportation and electricity. We found that this transition from 2020 to 2050 will result in $2.0 billion in public health benefits for the state, 183 premature deaths avoided, 2,880 asthma attacks avoided, and 15,700 in lost workdays avoided.

We urge you to approve these life-saving standards as soon as possible so that all residents can breathe healthy air. We thank you for all the work you do for Vermont. Please contact me, Trevor Summerfield, the Advocacy Director at the American Lung Association with any questions at Trevor.Summerfield@Lung.org.

Sincerely,

Trevor Summerfield
Director, Advocacy
American Lung Association

From: Dan Castrigano
To: O"Toole, Megan
Subject: Banning Sale of Fossil Fuel-Powered Cars
Date: Friday, September 23, 2022 12:20:53 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Megan,

I'm writing with a public comment regarding proposed amendments to existing rules related to low emission and electric vehicles.

I haven't done my research regarding the proposed amendments and am not able to make the session today to offer my comment in the live zoom setting. But I still wanted to send my message.

I encourage you and your team to aggressively push for stricter standards on a short timeline. I know several states have banned the sale of new fossil fuel-powered cars by 2035. Simply put, 2035 is way too late.

The climate and ecological emergency is here. And the best thing we can about it is to stop burning fossil fuels.

Scientists of the world have outlined the transformative change that must happen immediately to have a shot at limiting global heating to 1.5°C. We have to cut emissions.

I encourage you to be aggressive and bold in your decision-making.

Thank you,
Dan Castrigano

From: Sheila Coutermarsh
To: ANR - Vermont Climate Council
Subject: CA electric cars
Date: Thursday, September 15, 2022 2:55:32 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Do NOT adopt California's stance. If you look at the bottom line, electric cars are harder on the climate than gas-powered. How is the electricity generated? How long do the batteries last and what happens to them after they can no longer be charged? The risk of running out of power when stuck in a storm is higher.
Instead of forcing electric cars on people, let's make the politicians use fewer SUVs and airplnes!

Sent from Mail for Windows

From:	Jim McCullough
To:	O"Toole, Megan
Cc:	robb.kidd@sierraclub.org
Subject:	Cal. Car Rule
Date:	Thursday, September 15, 2022 8:42:34 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Thank you for your work Meghan!

I attended the BTV meeting and hoped to comment. I was called away prior to that part of the meeting but my official comment is "I fully support VT's participation".

I did participate in the breakout session and have input that was presented there.

Best,

Jim

Jim McCullough
VT State Representative; Gov. Chittenden RD. Williston
jmccullough@leg.state.vt.us

From: Mary Kinson
To: ANR - Vermont Climate Council
Subject: CALIFORNIA EMISSIONS REG.
Date: Friday, September 16, 2022 1:54:45 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Are you folks nuts...
Enough with trying to be like California.we cannot afford these emissions regulations and the economic impact on us does not even come close to any impact on air pollution these regs would have. Until China and India stop building coal fire power plants nine of this will have an impact.
Just stop this scam.

Get Outlook for Android

From:	DOUGLAS SAFFORD
To:	O"Toole, Megan
Subject:	clean car and advanced clean trucks
Date:	Thursday, September 29, 2022 7:59:54 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Megan,

I would like to show my support for the passage of advanced clean cars 11& advanced clean trucks rule- we need more zero-emission electric vehicles in Vermont.

Thanks,
Douglas Safford
2894 glover st
glover, vt. 05839

From:	VFDA INFO
To:	ANR - DEC Lev Zev
Subject:	Clean Car Comments
Date:	Monday, September 19, 2022 8:38:14 PM
Attachments:	FRED OESCHGER COMMENTS.pdf

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

On behalf of Fred Oeschger, please see attached comments.

Vermont Fuel Dealers Association
P.O. Box 1370
Montpelier, VT 05601-1370

www.vermontfuel.com
(802) 223-7750 Office
(802) 419-3313 Fax
facebook.com/vtfuel
twitter.com/vermontfuel
info@vermontfuel.com

To Whom It May Concern,

Like many others, I am concerned about and have a deep sense of responsibility for the stewardship of our environment.

I am especially concerned about the effect that the worldwide population growth is having on our environment. It seems like there has been a reluctance to integrate discussions of population growth into climate education and advocacy, even though climate change and pollution are tightly linked to population growth. Population growth can also be directly linked to declines in water quantity and quality and significant increases in waste disposal. In my opinion, conversations around climate change and the threat to our environment are too often linked exclusively to the petroleum industry.

Historically, the use of fossil fuels has played a huge part in the industrial growth and advancement of the United States and other countries around the world. This growth and advancement has raised literally millions of people from the depths of poverty and created our middle class.

I have been associated with the petroleum industry in one form or another since a very young age. Currently, I am the owner and president of Fred's Energy, Inc. and D & C Transportation, Inc., a retailer and wholesaler of petroleum products, respectively. For over sixty-five years, I have watched my industry consistently improve itself through research and efficiencies. Consistent investment and innovation has led to improvements in the refinement process, efficiencies in combustion engines and cleaner exhaust emissions. Between 1970 and 2020 alone, the combined emissions of the six common pollutants (PM2. 5 and PM10, SO2, NOx, VOCs, CO and Pb) dropped by approximately 78 percent. In short, the petroleum industry has demonstrated a dedication to a cleaner environment and an awareness of global warming. Given the opportunity, I believe the petroleum industry can continue to make improvements.

Based upon an observation of our nation's current electrical grid capacity and ability to produce electricity, I have legitimate concerns about our ability to meet increasingly unrealistic government regulations and mandates. I believe that vehicles and buildings powered exclusively by electric power will – over time – gain in both widespread use and market share. I can see a day in the future when the majority of our vehicles and homes are powered exclusively by electricity. But that day is not today, or next year or perhaps even a decade from now. The currently technology and capacity will simply not support that shift. The technological gains necessary to support a meaningful shift towards electric energy will take both years and trillions of dollars in infrastructure upgrades, research and development.

Take electric powered vehicle batteries, for example. The lithium-ion battery pack inside a Chevrolet Bolt runs the full wheelbase of the car and weighs 960 pounds. It contains hundreds of battery cells that are delicate and finicky. When taken apart for repairs, they can be dangerous, and incorrect handling can lead to noxious fumes and fires. Currently, the batteries last 3 to 5 years. The last thing anyone wants is for those batteries to become waste. But until technology improves and allows for recycling and efficiencies, that's exactly what's going to happen. That technology doesn't exist today.

As I wrote earlier, I believe a meaningful shift towards energy independence and a more widespread use of electricity to transport, heat and cool will occur. In time. That time will not be dictated by regulations or prohibitions. It will be dictated by innovation, research and efficiency. Until then, I believe it's important that we continue to encourage more innovation and efficiency in both the petroleum and electric industries. I believe it's important to take a fresh look at domestic oil production in order to lower the cost to consumers and reduce the cost of energy. Lastly, I believe that it's critical that the petroleum and electric industries work together and share resources and technology. Vilifying the petroleum industry will not hasten the advancement of the electric industry. Our goals are the same – cleaner energy, less emissions and a cleaner environment.

Fred Oeschger, President
Fred's Energy, Inc.
D & C Transportation, Inc.

From:	Peter Macfarlane
To:	O"Toole, Megan
Subject:	Clean cars & trucks
Date:	Wednesday, September 28, 2022 11:04:09 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello

I'll keep this comment brief.

The climate crisis is here and now. If we do nothing about it, it will only get worse. Carbon dioxide and hydrocarbon emissions from the extraction and combustion of fossil fuels are the primary cause of the global increase in temperature, which is responsible for climatic destabilisation. To minimise the further effects of this warming on our climate, it is essential that we cut fossil fuels out of our existence as soon as possible. Every conceivable measure should be taken to achieve this. Working towards a carbon-neutral energy supply and carbon-neutral transport system is a necessary part of a sustainable future. To do otherwise is reckless and irresponsible in the extreme, sacrificing future generations.

Peter Macfarlane
Addison, VT

From:	Richard Butz
To:	O"Toole, Megan
Subject:	Clean Cars and Clean Truck sRules
Date:	Wednesday, September 14, 2022 6:56:18 AM
Attachments:	Clean Cars & Trucks.pdf

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Good morning Ms. O'Toole, please add the attached to the testimony.

Richard Butz

Megan O'Toole
Vermont Agency of Natural Resources

9/14/2022

I'm writing in support of the Advanced Clean Car II (ACC) and Clean Trucks rules recently adopted by California and to urge Vermont to adopt them as well.

I live on state routes 116/17 in Bristol, Vermont, a busy connector between Middlebury and south and Burlington and north. Every day thousands of vehicles, many of them heavy trucks, roar past our house leaving behind them a trail of pollutants that dirty every exterior surface of the house and window sills inside.

We know that heavy duty trucks are the largest source of smog producing NOx. We also know that diesel exhaust contains more than 40 known cancer-causing organic compounds making it responsible for 70% of cancer risks related to air toxins. As a member of Vermont Interfaith Power and Light (VTIPL) I am concerned that low income and marginalized populations suffer the most because their communities are most often bordered by highways, ports and warehouse districts. For health reasons alone Vermont should embrace these rules.

Electrifying our vehicles will gradually eliminate the source of the pollutants. It will also contribute significantly to the reduction of carbon dioxide emissions from vehicles and methane emissions from the drilling and refining processes that produce the fuels. Electrifying will also lead to much cheaper transportation options on the long run

Better health outcomes and lower emissions to target Climate Change are clear reasons to support these new rules now. We don't have any time to waste, we've been doing that for far too long.

Richard Butz
40 East Street
Bristol, Vermont
butzra042@gmail.com

From: caitlin burnham
To: O"Toole, Megan
Subject: Clean Cars and Trucks act.
Date: Thursday, September 29, 2022 9:29:13 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

As a human on the planet with billions of other humans I know my single voice will do little to make big changes. However, it is my hope that we as Vermonters can at the very least bring our voices together in support of decidedly rejecting the toxic life-threatening power of the Fossil Fuels industry. I support the initiative to pass the Clean Cars and Trucks policy, we absolutely need more affordable zero emission vehicles available to Vermonters and we need to leave fossil fuels behind us. This planet is crumbling under authoritarian power of the fossil fuel industry, and I want Vermont to lead the way in saying enough is enough. Not just for us but for the other billions of small voices out there.

Thank you,
Caitlin Burnham

From:	John McCormick
To:	O"Toole, Megan
Subject:	Clean cars plan comment
Date:	Thursday, September 29, 2022 3:37:32 PM
Attachments:	Comments to ANR.doc

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I am submitting the attached comments. And many thanks to your team.

John McCormick

Comments on Agency of Natural Resources Advanced Clean Cars II Plan

Vermont's effort to launch an at-scale plan to shift Vermont drivers to EVs must be comprehensive. There can be no negative impacts for it to achieve its goal

Vermont has 400,000 registered vehicles. The U.S. has 400 million and the world has 4 billion. There is no remedy to global warming if the shift to electric vehicles is not achieved.

Vermont's approach must focus on each component needed to achieve the shift to assure it succeeds. Failure of one component could hinder public purchase of the new EVs. That will cause dealers to file for bankruptcy if they are unable to sell their increasingly large and expensive inventory. A particular concern should be given those eager buyers with a bad or no credit history. Yes, some will qualify for the purchase incentive and benefit from the tax credit; but only those who pay an adequate amount of federal will be able to write off the purchase. For those individuals, their bank loan is an up-front expense with high interest rates that makes the actual cost higher than a high income buyer.

Vermont dealers serving EV customers know the State or federal is going to lower their debt and take advantage by increasing the sticker price. The Attorney General should investigate this practice and demand the dealers use honest accounting.

Our rural State has many transit challenges, from vehicle dependence, weather, road conditions, family credit strength and its aging population. The potential buyers must have confidence the shift will be affordable and risk free. State, credit unions, utility and federal incentives are essential and must be available throughout the proposed ten year plan and beyond. Well planned, carefully deployed, monitored and maintained charging stations are key to customer comfort levels.

The Energy Action Network identified new passenger car, SUV and light truck sales in 2018 at 41,000. In 2022, there are 6,585 plug-in electric vehicles registered in Vermont, 51% (3,358) of which are all-electric vehicles powered solely by a battery. Plug-in hybrid models are the remaining 49%.

The number of EVs in the state increased by 2,225 vehicles; 51% over the past year.

According to the Vermont Vehicle and Automotive Distributors Association (VVADA), plug-in electric vehicles were 5.4% of all new light duty vehicle sales in 2021.

According to the proposed plan (and assuming new vehicle sales remain about the same), in 2026, 25% of new cars, SUVs and light trucks delivered must be EVs. That is 10,250 new EVs. By 2035, that number could exceed or approximate 41,000. This does not account for the known increase of new immigrants coming to Vermont for reasons of safety or as climate refugees. Residents of Southeast U.S. may already be thinking to relocate north. The cumulative total of new EVs, in one decade, according to the proposal could exceed 280,000.

Charging stations are the fundamental key to this plan's success.

There are now 321 locations with public charging for electric vehicles across the state. Vermont has 32 DC Fast Chargers available for EVs equipped with this technology to quickly recharge in about 30-60 minutes for longer trips. Again, the VVADA reported EVs were about 6 percent of total car sales. That begs the question of how many more charging stations (and where) will be needed to accommodate the anticipated 10,250 new EVs in 2026 or 280,000 by 2036.

Locating fast charging stations in safe areas such as 24 hour restaurants, fire and police stations, hospitals, shopping malls, fast food carry-outs, grocery and hardware stores and along interstate highways should be considered by the Agency for Transportation. Owners of business establishments can attract customers and providing that public service compensation should be considered.

According to Future Energy, a Level One, or residential chargers, cost about $600 for a dedicated 120-volt circuit. However, a home charger is not adequate for commercial enterprises, which need level-two or level-three chargers to handle the load.

A level two electric vehicle charging station costs around $2,500 for a non public facing and $5,500 for a public facing dual-port station—it can charge two cars simultaneously in eight to 10 hours.

The highest specification for a commercial EV charging station is level three, or direct current fast charge (DCFC). Level three stations can charge a vehicle in an hour with 480-volt direct current. Level three stations cost around $40,000 for a single port.

Given Vermont's 321 public charging stations and 32 DC Fast Chargers, how many chargers will be needed for ten times the number of new EVs? More immediately, if EV sales increase rapidly, Agency for Transportation will have to respond quickly to issue several RFP's requesting bids for hundreds of chargers throughout the State, including East of Montpelier. Even the camp at Lake Willoughby should have chargers. Tourists driving EVs will also compete for access to those chargers. It will be the State's responsibility to spend millions of dollars to assure public safety.

President Biden's American Jobs Plan and other infrastructure and clean energy programs call for adding a half million stations. But, this is a onetime appropriation and Congressional politics is not trending towards a shift to EVs.

Another element of the plan must take into account the effect the massive increase of EVs will have on gas stations.

Chittenden County has the most EVs registered (2,404) and highest rate of EV ownership with about 1 EV for every 70 people. Counties west of Montpelier also have high EV ownership compared to Eastern Counties. Aside from avoided gas tax for road and bridge maintenance will be gas station closures as more EVs flood those markets and lost tax base and wages. Will that create new hardships for Vermonters who cannot or will not buy an EV?

These concerns fall upon the State legislators and the annual budget. Designers of the plan must face the economic realities of this essential, absolutely necessary shift to EVs.

How many chargers are located at rental homes and apartments?

The Agency of Commerce and Community Development identifies 75,784 rental properties; about 29% of the State's housing stock. That may not be

a limiting factor for a prospective buyer, if the land owner agrees to install one or several chargers but this is a logical negative. Renters would have to utilize public chargers, if none are available on the property.

The plan must demand standardization to assure all new EVs are equipment with connectors that fit all chargers. This should be priority #1. Coordinating with vehicle and charging station manufactures can reduce the annoyance and danger to distressed drivers not able to utilize a charger because of equipment incompatibility or payment systems.

Another element is how the State will monitor charger maintenance. There is increasing evidence that chargers are being vandalized or cease operation. The State must make in-State monitoring and broadcasting of the working conditions of chargers more robust so the on-board GPS of the new EVs can warn drivers of non-functioning or utilized chargers.

All-wheel drive EVs are essential for Vermonters used to severe driving conditions in winter storms and muddy, icy gravel roads.

Finally, the ANR must coordinate with the Climate Council to raise some of these huge challenges noted above. The Council and citizens have a legislative charge to launch litigation to force the State authorities to comply with the CO2 reductions mandates. In a spirit of cooperation, these entities must consider the impact on ANR's final rule making and implementation, if a court rules an injunction or otherwise force the State to pay a non-compliance penalty.

The magnitude of this plan must be evaluated on can-do bases not a must-do basis.

An example is the realistic impracticality of the start date and percentage of replacement of IGEs. If 2026 is the baseline start date, the number of EVs being delivered each year can be correlated with the number of sales actually occurring in that year.

If sales are not materializing and inventory builds rapidly, there must be an off-ramp to give dealers time to clear the inventory.

This plan will inevitably increase the State's electric load and likely at hours when solar energy will not be available unless a huge increase in excess power is stored

in batteries. That will be an expensive and time consuming investment. Who will pay for these expensive battery stations?

The Climate Council and EAN project huge new EV purchases and heat pump installations to achieve the mandated CO2 reduction. It estimates a need for 40,000 heat pumps all operating on the coldest winter nights as the at-home chargers are operating. The combined load increase is estimated at 100 megawatts.

Where will that increased power originate?

This plan is being formed at the same time the General Assembly, Public Serve Department and the Public Utility Commission and power utilities are mandating and planning for Vermont's renewable energy sources to achieve rapid growth. This, in a State-wide challenge solar and wind developers face applying for and being granted a permit. It is certain; in-State wind towers are not going to be a part of the equation. That leaves ISO-New England and Hydro-Quebec as default providers. Their power resources will all be challenged as New England States are rapidly shifting to electrification as is Vermont. Rates will rise as will use of the natural gas fired generators delivering carbon dioxide in greater amounts than the ANR's plan anticipates reducing.

All of the above is not my opposition to the plan. Rather it begs the obvious. If it succeeds, Vermont will have constructed the transportation infrastructure our children must have to survive what awaits them. This is the time Vermonters have to invest in their children's' ability to adapt to a climate in chaos.

There are many tangents that must be addressed to assure the public and the Council it was designed taking into account all of those limitations, unrealistic timelines and State costs to build the infrastructure and implementation of State government mandates and operations.

If it is not COMPREHENSIVE, this plan won't fly.

John McCormick, Director
Louise Diamond Committee to Protect Next Generations
Bristol, VT 05443

571-331-1066

From:	Kristin Reed
To:	O"Toole, Megan
Subject:	Clean cars request for comment
Date:	Wednesday, September 28, 2022 3:31:57 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Somebody has to start this movement!!
I am already looking at hybrids and 100% electric vehicles , and just waiting for enough recharging stations and dealers who have/can get these vehicles! (Preferably at a reasonable cost.)

Thanks, Kristin

From:	Kristin Reed
To:	O"Toole, Megan
Subject:	Clean cars request for comment
Date:	Wednesday, September 28, 2022 3:31:57 PM

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Somebody has to start this movement!!
I am already looking at hybrids and 100% electric vehicles , and just waiting for enough recharging stations and dealers who have/can get these vehicles! (Preferably at a reasonable cost.)

Thanks, Kristin

From: Mary Sullivan
To: O"Toole, Megan
Subject: Clean cars rules
Date: Wednesday, September 28, 2022 4:30:59 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Megan,
Please adopt the rules to expand access to the Zero emissions vehicles. We must be doing everything we can to avert the worst of the climate catastrophe. We owe it to future generations.
Thank you.
-Mary Sullivan
84 Caroline street
Burlington, VT

From: Sue Graup
To: O"Toole, Megan
Subject: Clean Cars, clean trucks
Date: Saturday, September 24, 2022 9:28:09 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Ms. O'Toole,

I am a Vermont citizen, despairing at the slow pace of our existing systems to address the climate crisis. Since transportation is one of the largest contributors to the crisis, It is simple and straight forward to put clean cars and trucks in the hands of Vermonters. Perhaps a buy-back program would be in order to get gasoline engines off of our roads. I believe we are running out of time.

Vermont is in position to help lead the way.

Thank you for your attention.

Sincerely,

Sue Graup
PO Box 924
Wilmington, VT 05363
suegraup@gmail.com

From: Kate Williams
To: O"Toole, Megan
Subject: Clean cars
Date: Wednesday, August 31, 2022 7:25:44 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I support adoption of the ACC II rule for Vermont. Many people may not even know what a boon it is to drive an electric or plug in hybrid when gas prices are as high as they've been recently. Maintenance costs on my plug in are really low too, just over $100 per maintenance visit. So switching to electric is not only going to benefit our one and only planet home, but all of us individually! Kate

Single truths, drop by drop, can form a flood that washes away tyranny. Lui Xiaobo

From: John Bertelsen
To: O"Toole, Megan
Subject: Clean Cars
Date: Wednesday, September 28, 2022 3:42:34 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Megan, Clean cars are great, but they are a band-aid to bigger issues. So yes, we should reduce the total CO2 and other pollutant outputs of our transportation system, including the environmental cost of recharging electric vehicles.

The real problem is our land use and transportation patterns. In the US it is almost mandatory to own a car. Long commutes due to lack of town center affordable housing is a big contributor to that. The mall/shopping center model contributes to the need for a car as opposed to full service corner stores.

I could go on, but I think you get my drift.

--
John Bertelsen
Burlington
jo.bertel@gmail.com

From:	Kathleen Guinness
To:	O"Toole, Megan
Subject:	Clean emission cars
Date:	Wednesday, August 31, 2022 3:43:33 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Please work as hard as you can to pass a bill for clean or zero emission vehicles. It is crucial to the health of the planet, which is all we've got.

Thank you.

Sincerely,

Kathleen Guinness

From: Cindy Lewis
To: O"Toole, Megan
Subject: Clean energy
Date: Thursday, September 22, 2022 9:37:09 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello,

I agree with have a climate crises. Firstly what is going to happen to people who cannot afford an electric vehicle? I bought my last vehicle in 2016, I thought about electric cars, but they are so very expensive. The other problem is they don't go very far with an electric charge. Since Vermont is so rural it would take an entire charge to visit my daughter one way. The other part of this is charging stations. Mechanics who can repair & maintain

I went on the Auto train to Florida from Washington DC to visit my family. My mother is in hospice. On my way back, many people were using this type of transportation because of the cost of fuel. I think it's great and with the rail system this could be expanded to other areas of the US, with help from the Federal Government, and decrease the amount of pollution from cars, since they would travel along with you on the train.

I also happened to meet an electrical engineer who was working with electric motors for the car industry. He said they had come up with an electric engine that recharged itself, however this would not ever be made for the public as the folks in the markets would never allow this type of technology. I do know from living in the 1960s many fuel efficient motors patents were bought out by fossil fuel companies then shelved, it wasn't until the US allowed Japanese cars in the country that were fuel efficient & the fuel embargo of the 1970s when gas went sky high of 59 cents a gallon did the general public begin to buy fuel efficient cars. So in speaking with this man, I concur with him that the markets definitely wouldn't allow an electrical engine for vehicles that recharges itself, although what an amazing thing that would be.

Another part of this is the cost of electricity and how will we be making electricity?

It's great you want to do this, & with climate change it's a must to get people to do this, you have to come up with ways of :

1). How people can afford these vehicles, as taking away peoples way of transporting themselves to where they need to be is essential. AFFORDABILITY is Essential.

2). Being that we live in a rural area these electric vehicles need to hold a charge better or must be able to recharge themselves, so people can get to work, go shopping for groceries etc, they can get to the hospital or see their doctor etc. vehicles that also be used for the farm industry, shipping industries, building industry etc. They must be AFFORDABLE.

3) Utilizing electric trains, since we already have the tracks through Vermont & the US may be another way of being able to travel.

All this comes down to changing our infrastructure, which right now The Republican Party isn't willing to do, which in my opinion is rather stupid. They seem to block any type of federal legislation for anything to do with Climate Change because they are so well funded by fossil fuel industries, who don't believe in climate change along with all the people who are employed by these companies. I saw C-Span a week or so ago where the fossil fuel industry will be getting huge subsidies again.

Answering those questions would be a start. Educating the public on how this will effect them economically as well as the benefit to Mother Earth and our lives is the other. Not MAKING people do this, but ALLOWING people to say yes I want to do this.

I'd say contact President Clinton as he is a master at being able to talk to people in a way that makes them agreeable

to change. He is a master at politics and should share his techniques to younger leaders in ways to speak with the general population.

Climate change is a world problem, & while Europe is concerned enough to propose a Climate treaty, we the US wouldn't sign it. We all need to be in this together. This has to be something the general public wants. Our Country is so divided right now & making people do something they don't understand stand will only fuel the fire.

Just some thoughts here.

Sent from my iPad

From: Neal Smith
To: O"Toole, Megan
Subject: Clean energy
Date: Wednesday, September 28, 2022 6:41:32 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

It's my hope that Vermont will get more serious about homeowners and other small scale (potential) producers generating electricity, especially by solar, putting it back into the grid, and earning fair compensation. Not 10-20% more, but just equal to the rate being charged.
I believe this would really boost solar installations, hybrid and electric car sales, etc.
Cheers
Neal Smith
Fletcher

Sent from my phone

From: Janice Solek-Tefft
To: O"Toole, Megan
Subject: Clean omissions
Date: Friday, September 30, 2022 8:14:04 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Ms. Otoole,

I am writing to advocate for clean transportation in Vermont ASAP!
Our planet is on fire and “Our Brave Little State” can and should be a leader in this regard.

We have been driving a 2005 Subaru Outback with 202,000 miles. We knew we had to do our part to help our planet be sustainable. Definitely money is an issue since we are both retired and on a fixed income.

After much research and watching many You Tubes and going to EV events
my husband and I just purchased a 2023 Chevy Bolt EUV. We are so impressed by all of its amazing technology and especially its affordability. We actually had amazing service from Key Chevrolet in South Burlington thanks to Bryan, Nick and the crew.

Please implement clean transportation legislation to help all of us keep our planet intact.

Sincerely,
Janice Solek Tefft
Kenneth Tefft
Underhill, Vermont
05489

Sent from my iPhone

From:	Ellen Green
To:	O"Toole, Megan
Subject:	Clean transportation on our roads
Date:	Thursday, September 29, 2022 7:24:32 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Megan,

I am writing to ask that you work for passage of the Advanced Clean Cars II & Advanced Clean Trucks rules. As we watch huge storms and fires wreak destruction around the globe, we need to take every measure possible to mitigate climate change.

Thank you,
Ellen Green
West Rutland

From:	Lydie Bomblies
To:	O"Toole, Megan
Subject:	Clean Transportation
Date:	Thursday, September 29, 2022 2:30:12 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Thank you for the opportunity to comment on this important subject.

My husband and I strongly support the Advanced Clean Cars II & Advanced Clean Trucks rules. The target date is 2035. We would like to see it enacted much earlier than that. The sooner the better!

Also, we would like to stress that not only the number of electric vehicles available should be increased, but also their affordability. So far an ev is still a luxury item for many people. Automobile manufacturers should be forced to produce many more affordable ev's!

thank you.

Karl and Lydie Bomblies
Huntington

From: Francine Levine
To: O"Toole, Megan
Subject: Clean transportation
Date: Wednesday, September 28, 2022 3:18:41 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

It would be really helpful if the clean energy vehicles being brought into the public transportation fleet were available for trips to surrounding states where there are frequent trips for medical services, and to the airport, particularly Burlington. Rides to other states with cost sharing would also help.

From: libbylaramie
To: O"Toole, Megan
Subject: Clean transportation
Date: Wednesday, September 28, 2022 4:56:57 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I support clean transportation but have reservations with implementation. We cannot afford to take a short sided approach. We must consider the capacity of the power grid. We must not rely on hidden costs to residents of our state that strengthening the grid may cause. Where will the batteries for the cars/trucks be produced and recycled? What will happen when the batteries have reached the end of their effectiveness? Who will incur replacement costs?

Vermont has created a short sided approach to housing. We should not follow suit with transportation.

Sent from my Verizon, Samsung Galaxy smartphone

From:	JENNIFER HANDY
To:	O"Toole, Megan
Subject:	Clean Vehicle Standards Public Comment
Date:	Wednesday, September 28, 2022 8:45:07 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Megan,

Zero emission vehicles of any type do not exist & I doubt they will by your future dates.

Please keep reading.

This legislation is just trading a host of problems from fossil fuels to a host of problems with electricity.

We know the issues with fossil fuels.

Let's look at what your solution requires.
- Mining for rare earth minerals in countries that have no clean air regulations.
  Who have no intention of increasing their mining to meet all of this increased demand
-shipping all that stuff here with diesel fuel
-batteries that are the size of the vehicle, that are very heavy for our roads, wear out tires & roads more quickly & we have no good disposal worked out for them.
-a low estimate of how much electricity is generated from fossil fuels is about 70%, so you get this point, when you charge your car with electricity it's made with fossil fuels. you're not lowering a carbon foot print.

That's just from the top of my head. So yes innovation will occur in this field, but so will it in all other fields, like in fossil fuels, nuclear (which is the answer) and everything else.

Best Regards,

Jennifer Handy

From:	Mark Klinedinst
To:	O"Toole, Megan
Subject:	comment in support of the Advanced Clean Car II and Advanced Clean Truck Rules
Date:	Friday, September 9, 2022 12:48:30 PM
Attachments:	Microsoft Word - Sierra Club clean air transportation.docx.pdf

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EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Megan,

Hope all is well with you. Attached is a comment in support of the Advanced Clean Car II and Advanced Clean Truck Rules. Take care, Mark

Mark Klinedinst
MKlinedinst@mac.com
Cell: 601-307-4060

Home:
1314 Marble Island Rd
Colchester, VT 05446

Please support the Advanced Clean Car II and Advanced Clean Truck Rules

Vermont has been a leader in environmental stewardship and to keep that leadership and help grow our economy in a sustainable way we need to adopt rules like California's recent efforts to mandate only zero-emission cars and light-duty trucks for sale by 2035.

Not only would this rule save Vermonters money in reduced transportation costs, it would help us develop the electric infrastructure that would give our industries a head start in know-how for creating a sustainable future. Cleaner air would help reduce needless disease and death in our state and also we would be part of making a healthy future by lowering our carbon pollution.

Respectfully,

Mark Klinedinst, Ph.D.
Emeritus Professor of Economics
Colchester, VT

From:	Dirk Thomas
To:	O"Toole, Megan
Subject:	Comment on Advanced Clean Cars II Rule
Date:	Thursday, September 29, 2022 12:11:13 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Megan - please count me as an advocate for the passage of the Advanced Clean Cars II & Advanced Clean Trucks Rules. Their passage will help VT meet its' Climate Goals and help enable us to reach zero emissions.

Thank you for your kind attention to this matter.

Judith Grealish-Thomas
Shrewsbury VT Resident

From:	Stephanie Solt
To:	O"Toole, Megan
Subject:	comment on electric vehicles
Date:	Saturday, September 24, 2022 8:36:37 PM

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Several thoughts:
1. It's all well and good to require that all vehicles be electric, but without a sufficient number of charging stations distributed throughout the state, how can electric vehicles operate?
2. I understand that the cost of replacement batteries is prohibitive. It doesn't make sense to purchase an electric vehicle if battery replacement (and disposal) is problematic.
3. We get better mileage with our gas powered car than an electric car. And we can go further on a tank of gas than an electric vehicle one charge.
4. I also understand it takes quite a while to charge an electric vehicle while a gas fill up is minutes.

I don't think the technology is ready for widespread use.

Stephanie Solt
Burlington, Vermont

--
Stephanie Solt
trillium348@gmail.com

From:	Jackie Folsom
To:	O"Toole, Megan
Cc:	josephvtfb@gmavt.net
Subject:	comment on LEV ZEV proposed rule
Date:	Thursday, September 29, 2022 4:45:25 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Good afternoon -

Please consider this the public comment from Vermont Farm Bureau regarding the Advanced Clean Trucks proposed rule based on the public hearing via zoom which I attended on September 6, 2022.

Despite a comment which I caught at the beginning of the meeting - that agriculture had been considered when promulgating this rule - there was no discussion on agriculture during the hearing. Also, when I questioned legitimate challenges using EVs to pick up or deliver agricultural commodities, no one seemed to have an answer.

Vermont Farm Bureau is deeply concerned that no consideration has been given to the challenges facing large trucks - whether tractor trailers or smaller "thermos-type" trucks, logging trucks or sap trucks - which include use during the middle of the night when picking up milk on farms or traveling with full loads of milk from northern Vermont all the way to plants in Massachusetts during the winter. Just recently, a milk truck driver had to wait for more than 4 hours at a processing plant in Vermont due to problems with the unloading docks. He had a full load of milk that had to be refrigerated while he waited.

Several questions are raised due to these conditions:

1. How long does it take for these larger trucks to re-charge if they are all required to be EVs?
2. Are special chargers required?
3. Where are these chargers located? I have recently heard the State of Vermont receiving $21 million from the federal government to set up EV chargers at every exit on I89, I91 and I93 as well as various places along main routes. How many of these chargers will be available at any given time? Are they all able to be used by any type of EV?
4. Do refrigerated milk trucks require more electricity to not only keep the truck moving but the milk cold? Are they separate units and so require separate charging?
5. I understand this rule is based on the California statute - do you have any background information on how they are dealing with agricultural vehicles - and is that really relevant, given the warmer climate in most of California?
6. Has the State of Vermont investigated the impact on not only dairy-hauling vehicles but feed trucks, sap trucks and logging trucks?
7. Has the State of Vermont done an economic impact on the agricultural and forestry economies based on the requirements of the proposed rule?
8. How will roads and bridges be maintained and updated if the tax from diesel fuel use goes to zero? There was a comment by someone on the zoom that "they were working on it." Is there a task force for this?
9. Someone also said that they do not think electric rates will go up, because more folks will be using electricity and it will spread the cost out. I would like to see

statistics that prove this comment. Personally, our electric company is asking for a 14.9% rate increase for this year, because they have had to buy electricity off the grid due to usage and unavailability of renewal power in their portfolio - and that electricity off the grid costs more! Please share information that proves the opposite.

10. Was there any input requested from the agriculture or forestry industries (including sugarmakers?) If so, when and what was the outcome of their comments?

There was also a slide shown during the presentation that attempted to prove operating an EV was cheaper than operating a diesel truck - but the diesel truck comparison included the cost of diesel over the life of the truck. However, there was no such comparison to the cost of EV vehicles which will (according to ANR or VTRANS) be taxed to cover the value of the diesel tax for road and bridge maintenance.

The other huge problem will be availability of diesel fuel in the state. If everyone is driving EVs due to this rule (whether you believe it will be mandatory or not), will anyone still be selling sufficient diesel fuel to supply agriculture and forestry?

Also, it's my understanding that if a company purchases a diesel vehicle outside of Vermont, that DMV will not register it. How is that not mandating that everyone own and operate an electric vehicle?

At this point in time, Vermont Farm Bureau is not in support of a rule that appears to have neglected to consider impacts to the agricultural and forestry economies. Farmers and loggers do not have the ability to "share" increased costs; in fact, many go out of business just because of decisions such as this rule.

Thank you for the opportunity to comment.

Jackie Folsom, Legislative Director
Vermont Farm Bureau

From:	Michele Hill
To:	O"Toole, Megan
Subject:	Comment on Proposed Amendment to LEV and ZEV rules
Date:	Wednesday, September 28, 2022 5:04:30 PM

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I am in favor of amending Vermont's rule on LEVs and ZEVs to be consistent with California's Advanced Clean Cars II (which amends Advanced Clean Cars I, currently in effect), Advanced Clean Trucks, Low NOx (oxides of nitrogen) Heavy-Duty Omnibus, and the Phase 2 Greenhouse Gas Rule.

My husband and I have owned an EV for 2.5 years, and have been very satisfied. We look forward to the build-out of Level 2 chargers throughout the state (and, indeed, throughout the country!), as well as more financial incentives to purchase EVs. Let's make moving to EV's a no-brainer!

Thanks,
Michele Hill

From:	Martin Maitner
To:	O"Toole, Megan; ANR - DEC Lev Zev
Subject:	Comment on Vermont"s goals concerning cleaner transportation and mitigating harmful effects on the climate
Date:	Thursday, September 29, 2022 9:37:27 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello,
I am writing to express my endorsement/agreement for Vermont to follow California's lead in transitioning out the sale of gas fueled vehicles for personal transportation. I am of the opinion that (non-plugin) hybrid vehicles should NOT be considered ELECTRIC vehicles, since they are powered 100% by gas, and recharge their tiny batteries by burning gas. One could make the case that a hybrid which can be plugged in could (in theory) be an EV if the owner consistently plugs it in, and mostly only drives the extremely short range under electric only. I can point out that a Chevy Volt (plug-in hybrid) for example, runs the gas engine almost continuously when colder than 50ish degrees Fahrenheit. In Vermont's cold climate, and because of the rural nature of our state, and long distances that people tend to travel; a vehicle should really only be classified as an Electric Vehicle if it is powered solely by battery (BEV) --- Not plug-in hybrid, and especially NOT gas hybrid (non-plugin).

Again, I support the transition off of fossil fuels for transportation. I hope, for the sake of other people's children, that Vermont state leads this "charge" with bold action, and steadfast resolve.
Thank you,

Martin Maitner
(802)324-9749
Mottyski82@gmail.com

From: Linda Puzan
To: O"Toole, Megan
Subject: Comment onAdvanced clean car and truck 2035
Date: Wednesday, September 28, 2022 3:20:23 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I am in total agreement that we should be requiring zero emission electric vehicles to VT or other zero emissions vehicles asap. The world is moving in this direction and while the fossil fuel industries may look to block this, they are holding back the inevitable. Global warming is here now and we already are seeing the negative effects.

Linda Puzan

From: Linda Gray
To: O"Toole, Megan
Subject: comment: Advanced Clean Cars II and Advanced Clean Truck Rules
Date: Thursday, September 29, 2022 9:52:25 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

1) Transportation is the single largest contributor to climate pollution in Vermont.
2) There aren't enough zero-emissions vehicles in Vermont to meet demand.
3) The Vermont Climate Action Plan calls for Vermont to adopt requirements for zero-emission car and truck sales (the Advanced Clean Cars II and Advance Clean Truck rules) by the end of this year.

For all these reasons, I urge that Vermont adopt the Advanced Clean Cars II & Advanced Clean Trucks rules.

The passage of these rules is a critical step in our state's transition to a zero-emission future.

Linda Gray
175 Kerwin Hill Rd, Norwich, VT 05055
802-649-2032

From:	Brenda J Bean
To:	ANR - DEC Lev Zev
Subject:	Comments for Public Hearing, Barre, 9.21.22
Date:	Thursday, September 22, 2022 9:54:56 AM
Attachments:	Comments about Advanced Clean Cars Rules.docx

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

My husband and I attended last evening's public hearing at the Barre Aldrich Library but had to leave before we could offer my comments, which I am hereby attaching and embedding into the body of this email. Thank you for entering them into the official record. Brenda Bean

September 21, 2022

Aldrich Library
Barre Public Hearing

Dear Governor Scott and others:

I want to speak briefly to encourage the State of Vermont to adopt the Advanced Clean Cars (ACC) II rule that California has already approved for itself. I am not going to speak about the technical aspects of the rule, only about values and practicalities.

-

Regarding values: I have a grown daughter who has suffered from asthma for her whole life, especially when the air quality is poor due to distant wildfires or pollution. That is one reason I get mad whenever I see big trucks release black smoke into the air. I've been told the black smoke is caused by the use of diesel fuel and that "heavy-duty trucks are the largest source of smog-forming pollutants in the world." This has to stop! I don't want other children to suffer, and as a state, we can't afford to have our children and grandchildren sick. Switching away from diesel fuel to electric vehicles/trucks would help protect their health and the health of the earth.

-

Regarding practicalities: Vermont does not produce oil but does produce electricity, a lot of which is produced – and increasingly so - from renewable sources. Using electricity instead of oil/gas is a great way to support our own economy, like eating food grown locally. Like food, transportation is not an optional expense, yet many people cannot afford the best options. Electric cars and trucks are still too expensive for most Vermonters to buy. Subsidies and other financial supports are needed to help people switch from gas to electric cars, especially in the accelerated timeframe of these rules.

So, I hope BOTH that these rules are adopted AND that the State figures out how to help its citizens purchase electric vehicles. Thanks for listening!

Sincerely,

Brenda Bean
370 Dodge Farm Road

Berlin, VT 05641

(802) 279-4935
BrendaJBean@comcast.net

September 21, 2022

Aldrich Library

Barre Public Hearing

Dear Governor Scott and others:

I want to speak briefly to encourage the State of Vermont to adopt the Advanced Clean Cars (ACC) II rule that California has already approved for itself. I am not going to speak about the technical aspects of the rule, only about values and practicalities.

Regarding values: I have a grown daughter who has suffered from asthma for her whole life, especially when the air quality is poor due to distant wildfires or pollution. That is one reason I get mad whenever I see big trucks release black smoke into the air. I've been told the black smoke is caused by the use of diesel fuel and that "heavy-duty trucks are the largest source of smog-forming pollutants in the world." This has to stop! I don't want other children to suffer, and as a state, we can't afford to have our children and grandchildren sick. Switching away from diesel fuel to electric vehicles/trucks would help protect their health and the health of the earth.

Regarding practicalities: Vermont does not produce oil but does produce electricity, a lot of which is produced – and increasingly so - from renewable sources. Using electricity instead of oil/gas is a great way to support our own economy, like eating food grown locally. Like food, transportation is not an optional expense, yet many people cannot afford the best options. Electric cars and trucks are still too expensive for most Vermonters to buy. Subsidies and other financial supports are needed to help people switch from gas to electric cars, especially in the accelerated timeframe of these rules.

So, I hope BOTH that these rules are adopted AND that the State figures out how to help its citizens purchase electric vehicles. Thanks for listening!

Sincerely,

Brenda Bean

370 Dodge Farm Road

Berlin, VT 05641

(802) 279-4935

BrendaJBean@comcast.net

From:	sue pfaff
To:	O"Toole, Megan
Subject:	Comments on Proposed 2035 Electric Car Deadline
Date:	Wednesday, August 31, 2022 4:28:59 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Ms O'Toole,

I am not clear about all the guidelines in the Electric Car Proposal, but I do have these concerns:

1. Affordable or heavily subsidized.
2. Function well in Vermont cold weather.
3. Ease of recharging, even from owner's house that may not have a garage.
4. All vital and EXPENSIVE auto parts are carefully housed and protected from road salt ie the EXPENSIVE battery not suspended over the road.

Thank you.

Sue Pfaff
P.O.Box 70
East Dover, Vt. 05341

From:	Matt Cota
To:	ANR - DEC Lev Zev
Subject:	Comments on Proposed Low Emission Vehicle and Zero Emission Vehicle Regulations
Date:	Friday, September 30, 2022 3:50:21 PM
Attachments:	ACC ACT Comments 9.30.22.pdf

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

See attached comments on behalf of a coalition of trade associations on the Proposed Low Emission Vehicle and Zero Emission Vehicle Regulations.

Please confirm receipt.

Matt Cota
matt@vermontfuel.com

Secretary Julie Moore
Vermont Agency of Natural Resources
Department of Environmental Conservation
Davis Building - 3rd Floor
One National Life Drive
Montpelier, VT 05620-3520
anr.declevzev@vermont.gov

September 30, 2022

RE: Comments on Proposed Amendments to the Air Pollution Control Regulations, Low Emission Vehicle and Zero Emission Vehicle Regulations

Secretary Moore,

Thank you for the opportunity to comment on the "Proposed Amendments to the Air Pollution Control Regulations, Low Emission Vehicle and Zero Emission Vehicle Regulations" (the "Proposed Regulations").

The Agency of Natural Resources ("ANR") has proposed an amendment to its low emission vehicle ("LEV") and zero emission vehicle ("ZEV") rules, which incorporate by reference California's motor vehicle emission standard regulations[1] and its ZEV mandate. Specifically, ANR proposes to amend its existing rules by adopting California's Advanced Clean Cars II (which amends Advanced Clean Cars I, currently in effect), Advanced Clean Trucks, Low NOx (oxides of nitrogen) Heavy-Duty Omnibus Regulations, and California's Phase 2 Greenhouse Gas ("GHG") Rule. While this ambitious plan is a laudable effort, Vermont's air quality goals need not be met through the sacrifice of consumer choice and affordability.

INTRODUCTION

Vermont's Global Warming Solutions Act charges ANR with the challenge of providing safe, reliable energy, while reducing GHG emissions economy wide. To achieve these goals, ANR should take an "all-of-the-above" approach that fairly and objectively quantifies lifecycle carbon emissions regardless of fuel type, neither underestimating the GHG emission sources involved in EVs nor overlooking significant reductions attributable to liquid transportation fuels. Under the Proposed Regulations, Vermont runs the risk of exaggerating the carbon reductions from EVs, while underestimating the benefits of

[1] The LEV Rules set standards for emissions of criteria air pollutants and greenhouse gases from passenger cars, light-duty trucks, and medium- and heavy-duty vehicles and engines that are delivered for sale or placed in service in Vermont. The ZEV Rules set standards that ultimately require auto manufacturers to deliver more electric vehicles to Vermont.

various liquid fuels. As a result, Vermont may miss the opportunity for greater actual carbon reductions at even lower costs.

As Vermont plans its carbon reduction strategy in the transportation sector, it will need a broad and inclusive approach to ensure reliability in the fuel supply chain for transportation fuels. In its rulemaking, ANR should consider the implications that a strategy focused solely on electrification may have on community decision-making, consumer choice, and the unintended consequences that the reliance on electrification presents. Finally, social and economic justice cannot be achieved through mandates that restrict consumer choice and increase costs for all Vermonters. Preserving consumer choice and ensuring the best cost alternative while lowering GHG emissions is key to meeting the requirements in the Global Warming Solution Act.

BACKGROUND

ANR recommends an aggressive mix of policies oriented toward increasing sales of ZEVs. The ZEV regulations' focus favors battery electric vehicles ("BEVs") and proposes a complete shift to 100% light-duty ("LD") ZEV sales by 2035 through adoption of California's Advanced Clean Cars II ("ACC II") program. In the mid- and heavy-duty ("MHD") sector, ANR recommends adoption of California's Advanced Clean Trucks ("ACT"), Low NOx Heavy-Duty Omnibus Regulations, and California's Phase 2 GHG Rule.

COMMENTS

Transportation Sector Decarbonization Should Embrace All Technologies

While ZEVs may provide options to help reduce GHG emissions, reliance on those technologies alone ignores the full lifecycle GHG emissions of ZEVs and the benefits of low-carbon liquid fuels and other emerging technologies. Other technologies and fuel sources can result in equal or greater reductions in GHGs than ZEVs, while offering more consumer choice. ANR should approach GHG reductions in the transportation sector with an eye toward an affordable and equitable approach that incorporates all potential options, including liquid fuels, to ensure that Vermonters maintain economic security, safety and reliability. ZEV mandates present significant risks to the stability of the transportation sector, ranging from raw material availability to charging infrastructure accessibility to grid reliability. ZEVs are also more expensive on average than their internal combustion engine ("ICE") vehicle counterparts and unaffordable for many households. In the first calendar quarter of 2022, the average price of top-selling BEVs in the U.S. was about $20,000 more than the average price of top-selling ICE vehicles.[2]

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[2] Registration-weighted average retail price for the 20 top-selling BEVs and ICE vehicles in the U.S. S&P Global, *Tracking BEV prices – How competitively-priced are BEVs in the major global auto markets?*, May 2022.

Vermont should evaluate the merits of all fuels and vehicle technologies on a full lifecycle basis. The National Bureau of Economic Research has acknowledged that "…despite being treated by regulators as 'zero emission vehicles', EVs are not necessarily emissions free."[3] Battery production, transport, disposal and recycling generate emissions and waste impacts and present national security concerns—including resource access, supply chain vulnerability, and cybersecurity risks for charging stations.[4] The GHG emissions associated with these activities are material, and the failure to include them in ANR's impact statement and supplemental information will result in Vermont undercounting GHG emissions from EVs in the transportation sector.

The Proposed Regulations fail to consider the many advanced technology efforts that are underway to reduce GHG emissions from the transportation sector, including the advances in low-carbon fuels and technologies for on-board capture of combustion-related carbon dioxide ("CO_2") emissions for subsequent use or permanent sequestration. By embracing an all-encompassing approach to decarbonization that includes low-carbon fuels and on-board CO_2 capture, Vermont can identify more efficient and cost-effective pathways to reduce emissions and create incentives for emerging emissions reduction technologies.

Electrification Mandates in the Transportation Sector May Spur Grid Reliability Issues

Vermont should consider electrical grid reliability issues that are prevalent and on-going in California. California residents are frequently asked to reduce their electricity use during peak hours, including charging of EVs, to avoid widespread blackouts in the midst of a heat wave. With increasing reliance on solar and wind generation, California has struggled with reliability hazards due to power inverters that serve solar and wind farms not being able to "ride-through" short-term disturbances, as occurred on four separate occasions between June and August 2021.[5] For communities that lack back-up power resources, a loss of electricity in an all-EV world means a loss of personal mobility and an inability to get to and from work or school, secure food or obtain medical support.

Since Vermont is a winter peaking state, this issue is of significant concern during the coldest weeks of the year as well. Vermont has experienced a fair number of severe weather events that "have had profound impacts on infrastructure. Hurricane Irene was declared a federal emergency in nearly all counties and left well over 100,000 residents without power, while the Great Ice Storm of 1998 provided constant precipitation for several days. These kinds of events are unlikely to be isolated", and should be considered

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[3] *See* http://www.nber.org/papers/w21291

[4] *See* https://www.nationalobserver.com/2021/01/21/opinion/electric-cars-have-dirty-little-recycling-problem-their-batteries.

[5] Behr, Peter and Plautz, Jason, *Grid monitor warns of U.S. blackouts in 'sobering report'*, E&E News (May 19, 2022) and North American Electric Reliability Corporation *2022 Summary Reliability Assessment* (May 2022).

by ANR.[6] Severe weather incidents like these have contributed to Vermont's ranking in the fourth quartile amongst U.S. states for the total time and frequency of utility interruptions, and in the third quartile for the average time required to restore service.[7]

Reliance on EVs may have unintended, negative consequences, especially in relation to the electricity generating sector. Spurring such an increase in load and demand to the electricity generating sector, which intermittent renewable generation such as solar and wind cannot meet during peak demand,[8] will cause the Vermont Electric Power Company ("VELCO") to disconnect "EV load . . . for a number of hours during peak periods".[9] According to VELCO's 2021 Long-Range Transmission Plan, "it was expected that the [Vermont transmission] system would fail to meet reliability criteria in the 20-year horizon under the high load forecast" due to the acerbating electrification of heating and transportation.[10] Vermont's bulk system meets current needs, but as demand increases from electrification, including EVs and building electrification, reliability margins will continue to thin.

According to VELCO's *2021 Vermont Long-Range Transmission Plan*:

> "[D]ue to the performance characteristics of in-state generation, Vermont has relied heavily on its transmission network to import power from neighboring states. Following the shutdown of the Vermont Yankee generation plant in 2014, Vermont has become a net importer at all hours from New York, New Hampshire, Massachusetts, and Canada in order to meet the state's load requirements. Because of the disproportionate reliance on solar PV generation, high imports during peak load conditions will continue over the long term".[11]

As other states implement plans to increase their respective reliance on electrification in the home heating and transportation sectors, the net supply of electricity to the New England states will be further constrained and less reliable. According to VELCO, "[t]he demand associated with EVs is predicted to become a noticeable element of the load in

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[6] Vermont Agency of Transportation, *NEVI Plan* at 50 (August 1, 2022).

[7] SAIDI, SAIFI and CAIDI reliability metrics. U.S. EIA, *State Electricity Profiles – Vermont*, 2020.

[8] VELCO, *2021 Vermont Long-Range Transmission Plan* at 16-17 (on solar, stating "Since solar PV effects have shifted the Vermont summer demand peak to after sundown, this analysis assumed that incremental solar PV would contribute 0 MW at the summer peak hour. Similarly, since winter peaks occur after dark, solar PV also contributes 0 MW at the winter peak hour") (also stating "Vermont generators are small and the vast majority of them are not base load generators, which are expected to run at or near full capacity nearly every day for hours at a time").

[9] VELCO, *2021 Vermont Long-Range Transmission Plan* at 6, https://www.velco.com/assets/documents/2021%20VLRTP%20to%20PUC_FINAL.pdf

[10] *Id.*

[11] *Id.* at 18.

the mid- to long-term".[12] Moreover, in Vermont's National Electric Vehicle Infrastructure ("NEVI") Plan dated August 1, 2022, the Vermont Agency of Transportation specifically warns that "[u]nmanaged or unplanned for EV charging could cause utilities to incur significant costs to maintain grid reliability and create challenges for grid operators."[13]

ANR should not make the same mistake as California by relying entirely on electrification to reduce GHG emissions from transportation. Rather, the Proposed Regulations should reflect a more varied approach to decarbonization, including state market incentives for a variety of biofuels. Mandates can have unintended consequences, and ANR should embrace all potential options for reducing GHG emissions in the transportation sector.

ANR Must Provide a More Transparent and Reasoned Economic Analysis

ANR has not prepared a comprehensive costs model with respect to the Proposed Regulations. Without doing so, ANR cannot adequately consider alternatives that emphasize affordability alongside emissions reductions. ANR's analysis also fails to convey the consequences and difficulties associated with the major technology transformation required under the proposal. For example, ANR does not quantify any indirect impacts associated with the Proposed Regulations, and neglects less defined risks and potential impacts to Vermonters. Additionally, ANR has not estimated what Vermont's total costs of compliance would be under the Proposed Regulations. Neither has ANR provided any discussion quantifying impacts to Vermont's job market. Further, ANR's analysis in support of the Proposed Regulations is inconsistent and incomplete. For example, ANR's "Summary Document" states that "ACC[]II is not a requirement that consumers purchase an electric vehicle… ACC II is a requirement imposed *solely* on auto-manufacturers to deliver a certain annual percentage of ZEVs to Vermont".[14] But in ANR's "Supplemental Information", ANR states "[t]he proposed regulation *will have an impact on individual vehicle owners* in Vermont in the form of operation and ownership costs", without estimating what those costs are expected to be.[15]

Moreover, ANR merely relies on and extrapolates from California's data and analysis without adequately considering differences in scale, climate, terrain, and state economies that will have profound impacts on Vermont's adoption and experience implementing the proposed rules. State specific and regional factors are material and must be considered. In sum, due to ANR's urgency to expediently adopt the Proposed Regulations to stay on

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[12] *Id.* at 22.

[13] Vermont Agency of Transportation, *State of Vermont National Electric Vehicle Infrastructure Plan* at 53 (August 1, 2022).

[14] ANR, *Regulation Summary Document* at 3 (emphasis added).

[15] ANR, *Supplemental Information for Vermont's Low Emission Vehicle and Zero Emission Vehicle Proposed Rules* at 6 (emphasis added).

California's implementation schedule and to maintain alignment with other states that have adopted California's ZEV regulations under § 177 of the Clean Air Act ("CAA") (42 U.S.C. § 7507), ANR is rushing its consideration and the passage of the California rules without performing an independent analysis to ensure the proposed rules are properly and thoroughly vetted for application in Vermont. ANR should present a transparent, technology-neutral approach that allows for innovation that would better serve Vermont's most vulnerable communities. For example, Vermont Agency of Transportation highlights practical challenges inherent to EV adoption in its NEVI Plan, stating that "[d]ue to Vermont's mountainous terrain and cold winters, [EV] buses are not always able to reach the 100-mile range that can be achieved in optimal driving conditions. The longest route piloted so far extends 90-miles in a day, necessitating the driver to recharge midday to complete the route".[16] ANR falls short in communicating such challenges associated with singular reliance on electrified transport in its assessment of the Proposed Regulations.

Vermont stakeholders should also have an opportunity to evaluate the data, costs, and assumptions underlying such an alternatives analysis before ANR finalizes its proposed rulemaking. It is critical from the outset to design Vermont's transportation program to minimize the potential for price shocks and supply disruptions. This is of particular concern regarding the ACT regulation. As stated in comments submitted by the Vermont Truck and Bus Association, this regulation will result in a reduction in payload (and increased freight costs) due to the added weight of the battery. Range issues, as well charging locations and the amount of time needed to charge, will increase the cost of delivering goods and services in Vermont from a California compliant truck.

CONCLUSION

The proposed sale requirements that mandate a shift to EVs at the expense of ICE vehicles will significantly impact supply chains, consumer costs, electric power infrastructure, domestic energy security, and will have international consequences. ANR must carefully consider the implications if reality cannot keep pace with the ambitions of the Proposed Regulations. Other states are facing similar questions and deciding to forge their own paths rather than adopt California's program:

- Virginia prefiled legislation on September 6 to repeal its 2021 adoption of California's ZEV program, citing a preference to "put Virginians back in charge of Virginia's auto emission standards and its vehicle marketplace."[17]
- Colorado has indicated that it will not adopt ACC II, citing "While the governor shares the goal of rapidly moving towards electric vehicles, he is skeptical about

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[16] *Id.* at 59.

[17] House Speaker Todd Gilbert, *see* *https://apnews.com/article/technology-california-pollution-climate-and-environment-e661fe8026ab9ed8d5d521a14bee0858*

requiring 100% if cars sold to be electric by a certain date as technology is rapidly changing."[18]

- Minnesota, similarly, is not planning to adopt ACC II, with Governor Tim Walz offering "We are not California. Minnesota has its own plan."[19]

ANR should support and foster technological innovation in the transportation sector. Doing so could create a foundational framework that would attract more investment into the market which would help Vermont achieve its long-term climate goals. ANR should evaluate an alternative that prioritizes least cost emission reductions across the economy by relying more heavily on technology neutral approaches.

Thank you for the consideration of our comments.

Sincerely,

Associated General Contractors of Vermont
Associated Industries of Vermont
Barre Granite Association
Northeast Agribusiness & Feed Alliance
Vermont Fuel Dealers Association
Vermont Retail & Grocers Association

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[18] Colorado Energy Commission, *see* https://apnews.com/article/technology-california-clean-air-act-vehicle-emissions-standards-eebb48c13e24835f2c5b9cb56796182a.

[19] *Id.*

From:	Matthew LeFluer
To:	O"Toole, Megan
Subject:	comments on the Advanced Clean Cars II & Advanced Clean Trucks rules Standard!
Date:	Wednesday, September 28, 2022 3:20:59 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Greetings. My. Comment is. To support and have accessibility in mind within equity transparency inclusion diversity and acceptance moving forward for Vermont's phone number bowl citizens and individuals that need advancement and clean transportation across all spectrums or forms or modes of transportation The future is in our grasps Let's move forward together for a better place a healthier state for us all within the Green mountains state of Vermont we cherish love and have compassion for and determine to do the works good deeds for individuals that need clean affordability transportation options and vehicles. Statewide

From: Trens names
To: O"Toole, Megan
Subject: Comments on the new advanced clean car Ii and clean track policy adoptation by Vermont
Date: Wednesday, September 28, 2022 7:38:26 PM

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The new policy reforms as presented provide a eutopian form of deliverance from a would be situation of continuous growth of air pollutants and the related cycles of unmitigated problems resulting as evidenced from global warming crises which include the random wild forest fires from great temperatures and drying vegetation and also increase in waterlevels due melting of polar ice which has resulted in some areas, great floods.
The wind drafts from warm current have increased thereby also increasing occurrences of wind twisters. "Thousands of losses in many forms from lives, inflastrasture and food shortage have been attributed to these events "

This seemingly small step of policies that those in the multi billion cooperations of fossil fuel companies yearn to fall, is on its own small but a step among the thousands that will lay a landmark to make airpollution a thing of the past in both Vermont and surrounding areas that may adopt a similar policy towards a greener planet.

The policy however may fall short as it fails to incorporate the economic impact of the reforms on the already established inflastructures, the social standards of the gas car, the visiting vichicles from the neighborhood, the rigidity of businesses surviving on gas related opportunities from mechanics providing lubricant services to engine repair services.

The list of pitfalls maybe topped by the revenue brought in by the fossil energy cooperations and the inability for electric power to completely eliminate the need for energy while keeping reliability as a factor in consideration and winter. The social standards dictate that in a worst case scenario, a Jerrycan of power cannot be purchased but a fuel Jerrycan can be.

So to cap it all, the policy is good with advantages outweighing disadvantages which mainly come from rigidity and conservativeness, the inability to change due to profits, business standing and the rest in that line.
People should be taught to adopt during this period to 2035 cause the emissions are worsening the global climatic change crisis.
Teaching by example should be applied in defending these new reforms by clearly stating that wild fires, twisters and climatic change are as a result of global warming and the policy is a one of the few steps aimed at mitigating the problem cause due to profits from fossil fuels, loss of lives and property every year has been attributed to the crises and the sources of the problem who are the cooperations supporting fossil fuels and related companies can't be attributed to the problem.

Eng. Bukenya Jamal
Environmental engineer

Thank you very much

From:	Katherine Slye-Hernandez
To:	ANR - DEC Lev Zev
Subject:	Comments on Vermont Low Emission Vehicle and Zero Emission Vehicle Rules
Date:	Thursday, September 29, 2022 8:16:58 AM
Attachments:	Vermont Advanced Clean Cars Proposed Regulation Comment Letter.pdf

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Hello,

Attached please find comments from the Vermont Retail Lumber Dealers Association on the Advanced Clean Cars Proposed Regulation.

Thank you and have a great day,

Katherine Slye-Hernandez, PhD
Director of Legislative and Regulatory Affairs
Northeastern Retail Lumber Association
Direct Line: 518-880-6376 | nrla.org
Follow us: Facebook | LinkedIn | Twitter | Instagram
ABMA is powered by NRLA and CSA.

LBM EXPO: Dec. 7-8, 2022, Earth Expo & Convention Center, Mohegan Sun, Uncasville, CT

September 29, 2022

Secretary Julie Moore
Agency of Natural Resources

Dear Secretary Moore,

I am writing in response to the Proposed Vermont Advanced Clean Cars Regulation on behalf of the Vermont Retail Lumber Dealers Association (VRLDA). The VRLDA represents independent lumber and building material (LBM) suppliers and associated businesses in the state and is represented by the Northeastern Retail Lumber Association (NRLA), a regional LBM organization with over 1,100 members. VRLDA has 13 retail lumber members with 28 locations throughout the state of Vermont.

We support the state doing anything it can to get our state closer to zero emissions, but we have some questions and concerns about the regulation as currently written that we want to bring to your attention for consideration before the official regulation is proposed.

One concern we have is that the Agency on Natural Resources claims this regulation is only about manufacturing and cars imported into Vermont for sale. However, in the proposed regulation there is language about purchasing, which is concerning to our members who are business owners. This language about purchase is used, or alluded to, multiple times in your proposal.

1. You say: "ACCII is not a requirement that consumers purchase an electric vehicle, or that dealers sell a required volume of electric vehicles. ACCII is a requirement imposed solely on auto manufacturers to deliver a certain annual percentage of ZEVs to Vermont, **increasing to 100% ZEVs by 2035**."
    a. If by 2035, all cars for sale in VT are required to be ZEVs, how is this not a requirement that residents of VT buy an electric car? There only option at this point would be to purchase from out of state if they cannot afford the ZEVs, which could be a barrier to many if they cannot get out of state to purchase a car/truck they can afford.
    b. Do you plan to penalize Vermont residents or businesses who must then go out of state to purchase a car/truck they can afford?
2. The ACT **requires the sale** of at least 30% zero-emission trucks by 2030 (depending on vehicle classification). By model year 2035**,** zero-emission truck sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 truck sales, and 40% of truck tractor sales. Light-duty trucks (e.g., the F-150 Lightning) are covered under ACCII, discussed above.
    a. Are these goals about availability and deliverable EVs to VT or is it about **sales** of these EVs in VT? The language above says "sales," indicating this is a requirement for purchasing.
    b. How will this target be hit? Which businesses will be required to purchase such trucks to reach this goal?
3. You say: "There is no expected direct cost on small businesses, defined as businesses having 3 or fewer medium- and heavy-duty vehicles, under the ACT Regulation. **No manufacturers or fleets who are regulated under this rule** are considered to be small businesses. Small businesses who operate trucks will not be required to purchase zero-

emission trucks but may independently decide to do so. This may enable cost savings for small businesses due to electric trucks' lower cost of operation."

a. What fleets are regulated under this rule? You repeatedly say that this regulation only impacts manufacturers, but the language above indicates you are regulating fleets, which businesses have to make deliveries.

If this regulation is truly only about regulating vehicles brought into Vermont for sale, we encourage you to reconsider the language indicated above to remove references to purchasing and sales, both of which are regulating the end user/purchaser in Vermont, or to define what you mean in those instances by those terms.

Another concern our association has is the increased costs of doing business with electric vehicles. Charging times vary depending on what type of charger you have; charging a passenger pick-up truck at home without a DC fast charger can take up to 14 hours, and these trucks are much smaller than trucks used by businesses with fleets of trucks to deliver materials to construction sites and customers. In addition to the upfront increased costs to businesses to buy large and medium electric trucks, there are additional concerns about costs related to buying chargers and paying a driver for long periods of time to charge a truck during a delivery or to get back from one if the charge will not get the driver out to the delivery and back.

This is all without considering the increased cost of electricity that businesses must bear in order to charge these vehicles, the cost of which has only been increasing in recent years. All of these increased costs will only drive up the cost of goods and services in Vermont because especially small businesses, like our VRLDA members, cannot afford to absorb these costs without raising prices.

Related to these cost and price concerns, we have a few questions we would like you to consider addressing:

1. What kind of increased efficiency for charging the batteries will be required in the out years? Again, the time it takes a business to charge vehicles during a delivery is lost time and money.
2. How are regulations going to address the need for this process to be much quicker, and thus the batteries to be able to be charged faster, as the number of electric vehicles increases and there is more demand overall on the grid for such services?

There are other more broad questions we encourage the Agency to consider before publishing a final version of this rule.

1. What negative impact could this rule have on availability of trucks and cars for purchase in Vermont? What if manufacturers decide to no longer sell in VT due to this rule if they cannot keep up with the required schedule?
2. What plans do you have to expand this rule to cars and trucks used in the state, especially for state contracts? Do you plan to require businesses who contract with the state to utilize EVs for any work they do on said contract?
3. You do not sufficiently address the need to increase the electrical grid capacity given the expected increase in EVs in Vermont, especially if people install chargers at their homes.
    a. Expansion of the grid needs to be first before the increase in EVs otherwise you have an issue on your hands of people being unable to drive because they cannot charge their cars.

4. Do your calculations of costs/cost savings include the increased costs to individuals and businesses increased electric bills due to needing to charge these vehicles? It does not appear that it does, and it should since that is a real cost increase.
5. You say: "Increased use of public charging stations may also have benefits to retail businesses operating or close to charging stations. Many charging stations are located in areas with available shopping, food, or other services such as dry cleaning. Additionally, Vermont businesses that are contracted to install stations will benefit from the rapidly growing network."
    a. How long do you expect businesses to incur the cost of charging people's cars as you increase the number of EVs in the state?
    b. Do you expect that businesses will start to charge people to charge their car at the mall or at a store? And how does that new cost impact the cost/savings analysis you conducted?

VRLDA again applauds the state and your agency for seeking to find ways to make our state more environmentally friendly. However, as explained above, we do have some concerns we hope you will consider and address before finalizing and proposing this rule.

Should you have any questions about our concerns, please do not hesitate to reach out to myself or our legislative representative, William Smith at bill@smithlawvt.com or 802-485-6100.

We appreciate your consideration of our questions and concerns.

Sincerely,

Katherine Slye-Hernandez

Katherine Slye-Hernandez, PhD
Director of Legislative & Regulatory Affairs
Northeastern Retail Lumber Association
kslye-hernandez@nrla.org

From:	Chase Whiting
To:	ANR - DEC Lev Zev; Stevens, Rachel; O"Toole, Megan
Cc:	Elena Mihaly; Robb Kidd; Ben Edgerly Walsh; Miller, Johanna; Jordan Giaconia; Lauren Hierl
Subject:	Comments supporting Vermont"s proposed adoption of the Advanced Clean Cars II, Advanced Clean Trucks, Low NOx Heavy-Duty Omnibus, and Phase II Greenhouse Gas Emissions Standards rules
Date:	Friday, September 30, 2022 2:27:35 PM
Attachments:	ACC II_ACT_HDO_Phase II_Comment Letter_9.30.22.pdf

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Dear Secretary Moore, Ms. O'Toole, and Ms. Stevens,

Please find attached Comments supporting the Agency of Natural Resources' proposal to adopt the Advanced Clean Cars II, Advanced Clean Trucks, Low NOx Heavy-Duty Omnibus, and Phase II Greenhouse Gas Emissions Standards rules (together, the "Rules"). We ask that you please include these Comments in the rulemaking record. Collectively, the signatories to these Comments represent more than 30,000 Vermont members, Vermont member businesses, and Vermont activists. The signatories also represent many tens of thousands of members across New England and the country.

Thank you for your hard work in preparing the rulemaking materials and in shepherding the Rules forward.

Sincerely,

Robb Kidd
Vermont Conservation Program Manager
Sierra Club Vermont

Jordan Giaconia
Public Policy Manager
Vermont Businesses for Social Responsibility

Johanna Miller
Energy & Climate Program Director
Vermont Natural Resources Council

Lauren Hierl
Executive Director
Vermont Conservation Voters

Ben Edgerly Walsh
Climate & Energy Program Director
Vermont Public Interest Research Group

Ron McGarvey
President
Vermont Interfaith Power and Light

Chase Whiting
Staff Attorney, Clean Energy & Climate Change
Conservation Law Foundation

Andrea Marpillero-Colomina, PhD.
Sustainable Communities Program Director

GreenLatinos

Paulina Muratore
Transportation Campaign Manager
Union of Concerned Scientists

Joel Levin
Executive Director
Plug In America

Alissa Burger
Regional Policy Director
CALSTART

Patricio Portillo, Senior Advocate, Climate & Clean Energy
Kathy Harris, Clean Vehicles and Fuels Advocate
Natural Resources Defense Council

Dave Robba
Manager, State Policy
Ceres

Larissa Koehler, Director, Vehicle Electrification & Senior Attorney
Andy Su, Attorney, Clean Transportation
Environmental Defense Fund

___

Chase Whiting
Staff Attorney
Conservation Law Foundation
Pronouns: he/him

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For a thriving New England

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The Honorable Julie Moore
Agency of Natural Resources Central Office
1 National Life Drive
Davis 2
Montpelier, VT 05620-3901

Subject: *Comments in Support of the Advanced Clean Cars II, Advanced Clean Trucks, Low NOx Heavy-Duty Omnibus, and Phase II Greenhouse Gas Emissions Standards Rules*

Dear Secretary Julie Moore,

On behalf of the undersigned organizations, we write to express our strong support for the Advanced Clean Cars II (ACC II), Advanced Clean Trucks (ACT), Low NOx Heavy-Duty Omnibus (HDO), and Phase II Greenhouse Gas Emissions Standards (Phase II) rules (together, the Rules). These Rules are fundamental components of needed progress, and we urge the Agency of Natural Resources (the Agency) to adopt the Rules by December 1, 2022, to ensure Vermonters realize the cost savings, economic advantages, health benefits, and reduced climate damaging pollution made available by the Rules. We also ask the Agency to make several minor and common-sense adjustments. Under ACC II, we urge the Agency to ensure that programs qualifying for Environmental Justice (EJ) credits are quickly put in place, and that the Agency commits to immediately engaging with community members and environmental justice organizations to develop and implement eligible EJ programs. Under the ACT Rule, we ask the Agency to adjust the early action credits to ensure that the sales requirements do not lose their effectiveness, and we urge the Agency to initiate a separate rulemaking in 2023 to adopt a fleet reporting requirement.

Our organizations represent over 30,000 Vermont members, Vermont member businesses, and Vermont activists who join us in supporting bold, equitable, and essential climate action. Our organizations also represent many tens of thousands of members across New England and the country. We request that these comments be included in the formal record as expressing support from the undersigned organizations, individually and collectively.

Vermont, and indeed the entire world, is in the midst of a climate crisis brought on by excessive fossil fuel combustion. The Intergovernmental Panel on Climate Change is clear that to fend-off the worst consequences of climate change, climate damaging emissions must be rapidly reduced *now* and become *net-negative*[1] by approximately 2050.[2] This decade is humanity's final opportunity to avert the worst impacts of climate change. Vermont must help by doing its part in the global effort. Vermont has already committed to binding greenhouse gas emission reduction

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[1] The IPCC defines "net negative CO2 emissions" as being "reached when anthropogenic removals of CO2 exceed anthropogenic emissions." *See IPCC, AR6 Climate Change 2021: The Physical Science Basis*, at 15 n.23 (2021), https://www.ipcc.ch/report/ar6/wg1/#SPM.

[2] *See, e.g.*, *id.* at 15-18.

targets,[3] and has identified these Rules as key policies to help the State achieve those reductions.[4] The Agency should take all available steps to quickly implement the Rules.

We know that rapid action is vitally needed to blunt the harms already being caused by climate change, and to mitigate the extreme threats Vermonters will face if we continue to dump carbon into the atmosphere.[5] We also know that disproportionately disadvantaged communities bear the greatest burdens from climate change.[6] Transportation is the largest source of climate-disrupting pollution in Vermont, accounting for about 40% of Vermont's total greenhouse gas emissions.[7] And fossil fuel-powered cars, trucks, and buses account for the vast majority of that pollution. Indeed, the "combination of our mostly rural nature, dispersed land use patterns and heavy reliance on fossil-fueled vehicles is a significant reason why Vermonters emit more greenhouse gasses per capita than any other state in New England."[8] With the recent setbacks in implementing the Transportation Climate Initiative Program in the Northeast, and the lack of any other clear policy or regulatory tools to achieve certain and significant pollution reductions in the transportation sector, adopting the Rules in a timely fashion is critical to meeting Vermont's emissions requirements.[9]

The health impacts from vehicle pollution are also enormous, and must be addressed. In addition to contributing to increased global temperatures and intensifying climate disasters, vehicle pollution contributes to higher rates of asthma, bronchitis, cancers, and premature deaths. Historically marginalized communities disproportionately suffer from unhealthy air due to carbon monoxide, fine particulate matter, nitrogen oxide, and smog produced from transportation fossil fuels. Enacting the Rules will reduce the sources of that toxic air pollution, providing meaningful benefits to Vermonters.

Vermonters are also disproportionately burdened with volatile gasoline prices because we are more dependent on personal vehicles than many other Americans.[10] The Rules help us flip that

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[3] Vermont Global Warming Solutions Act, Vt. Laws No. 153, H.688 (2020) [hereinafter, "Act 153"], https://aoa.vermont.gov/sites/aoa/files/Boards/VCC/ACT153%20As%20Enacted.pdf.

[4] Vermont Climate Council, *Initial Vermont Climate Action Plan*, 253 (Dec. 2021) [hereinafter, "Initial Vermont CAP"].

[5] *See, e.g.*, Initial Vermont CAP.

[6] Act 153, Sec. 2(5).

[7] Vermont Agency of Natural Resources, Air Quality & Climate Division, *Vermont Greenhouse Gas Emissions Inventory and Forecast: 1990-2017*, at 11 (May 2021) [hereinafter, "Vermont GHG Inventory"], https://dec.vermont.gov/sites/dec/files/aqc/climate-change/documents/_Vermont_Greenhouse_Gas_Emissions_Inventory_Update_1990-2017_Final.pdf.

[8] Initial Vermont CAP at 68.

[9] *Id.* ("[T]transforming the state's transportation system [is] essential to meeting the emissions reduction requirements of the Global Warming Solutions Act.").

[10] *See* Art Woolf, *Vermonters love the environment. So why are we driving so much more?*, BURL. FREE PRESS (Aug. 30, 2018) ("The statistically average Vermonter drives about 2,000 more miles per year than the average American."), https://www.burlingtonfreepress.com/story/money/2018/08/30/fossil-fuel-

script. Vermonters stand to gain significant transportation savings and financial benefits[11] under the Rules. If the State delays action, however, Vermonters stand to sustain significant financial harms. The Vermont Legislature has already found that "[d]elaying necessary policy action to address the climate crisis risks significant economic damage to Vermont."[12] That legislative finding is backed up by research.[13] Such harms can be diminished by taking action now, and the Rules present a significant opportunity to do so.

Transportation transformation is needed to zero-out emissions from that sector. This suite of Rules will support that transition by making more electric cars, trucks, and buses available to Vermonters, and by slashing harmful pollution. The Rules also will help ensure that Vermont is a leader in transportation decarbonization, and help Vermonters access a global supply of new technologies that provide meaningful benefits to Vermont and its residents. Additional benefits created by the ACC II, ACT, HDO, and Phase II Rules are described below.

ADVANCED CLEAN CARS II RULE

On August 25, 2022, the California Air Resources Board (CARB) unanimously approved the ACC II program. That program starts zero-emission passenger vehicle sales requirements at 35% in model year (MY) 2026 and gradually increases that requirement to 100% by 2035. It also tightens passenger vehicle criteria pollutant tailpipe standards. It does not prevent Vermonters from owning or registering their current fossil fuel vehicles or purchasing and registering used fossil fuel vehicles either before or after 2035. The regulation applies to manufacturers.[14]

Now that California has adopted these standards, other states may also move to adopt them pursuant to the federal Clean Air Act[15] and state law. Vermont has such authority under existing State law,[16] and should use that authority to implement the ACC II Rule. If Vermont does so in 2022, Vermont will be able to enforce the ACC II requirements for MY 2026. Delaying adoption would mean that Vermonters miss out on zero-emission vehicles (ZEV) they would otherwise be able to acquire, and that Vermonters lose the many important co-benefits ACC II provides—such as improved health, air quality, climate safety, and financial savings. To ensure that Vermont achieves such benefits as soon as possible, we urge the Agency to adopt the ACC

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consumption-vermonters-driving-more-miles-their-cars/1127742002/.

[11] *See, e.g.*, Drive Electric Vermont, EV Operating Cost History, https://www.driveelectricvt.com/about-evs/cost-of-ownership.

[12] Act 153, Sec. 2(3).

[13] Hal Harvey, *et al*, *The Costs of Delay*, Energy Innovation Policy & Technology, 14 (2021), https://energyinnovation.org/wp-content/uploads/2021/01/Cost_of_Delay.pdf.

[14] *See, e.g.*, Vt. Agency of Nat'l Resources, *Vermont Low and Zero Emission Vehicle Regulations, Proposed Filing* (June 24, 2022).

[15] *See* 42 U.S.C. § 7507.

[16] *See* 10 V.S.A. §§ 567 & 558.

II Rule by December 1, 2022.[17] There is no time left for delay.

Vermont was one of the first states to adopt the California passenger vehicle standards and has been successfully implementing them since MY 2000. ACC II merely strengthens those already existent standards. The ACC II regulation starts at 35% ZEV sales in model year 2026 with an interim target of 68% sales by 2030 and a 100% target in 2035. It also provides flexibilities—such as the ability to utilize early compliance credits, environmental justice credits, and historical credits—that will help reduce the regulatory burden on manufacturers in states with lower sales than California. The current Advanced Clean Cars Program ZEV mandate levels out ZEV sales at approximately 7-8% starting in model year 2025 and maintains that requirement for subsequent years. Due to the current level of ZEV sales across the United States, and globally, it is clear that this 7-8% sales target is far below the current state of the market and does not reflect real-world sales. As of September 2022, Bloomberg's New Energy Finance projects that market forces alone will make electric vehicle sales reach 23% of U.S. passenger vehicle sales in 2025, and 52% in 2030.[18] The Rules will facilitate and accelerate that already occurring process and strengthen the current standards.

The ACT II Rule is also in line with Vermont's climate and air quality requirements and goals, is necessary, feasible, a key strategy to reduce emissions from the transportation sector, and will help accelerate the transition to the clean transportation future that is occurring across the United States and world. And with strong automaker commitments and federal laws—such as the Infrastructure Investments and Jobs Act and the Inflation Reduction Act—more charging infrastructure will be placed throughout Vermont, and electric vehicles will become more accessible and affordable.

I. *Automakers Are Already Investing in Electric Vehicles*

During the ACC II hearing at CARB, no automaker opposed the regulations. While many stated that hitting the ZEV targets could be a challenge, none said it was infeasible. Considering that automakers have already announced over $97 billion dollars of investments to support the transition towards ZEVs,[19] and almost all car companies have committed to increasing the number of ZEV models in their fleets over the next decade, the ACT II standards merely support and accelerate the industry's transition to ZEVs.

II. *Vermont Drivers Want Electric Vehicles*

Electric vehicle sales in Vermont have increased dramatically in the State since joining the original Advanced Clean Cars program in 2000. And Vermonters' interest in electric vehicles continues to increase—ZEV vehicle purchases in May 2022 were just over 6% of sales, and

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[17] 10 V.S.A. § 593(b), *as modified by* Act 153, Sec. 4.

[18] Ira Boudway, *More Than Half of US Car Sales Will Be Electric by 2030*, BLOOMBERG (Sept. 20, 2022), https://www.bloomberg.com/news/articles/2022-09-20/more-than-half-of-us-car-sales-will-be-electric-by-2030.

[19] Atlas Public Policy EV Hub, Automakers Dashboard, https://www.atlasevhub.com/materials/automakers-dashboard.

surveys have shown that 40% of Vermonters are interested in purchasing an electric vehicle.[20] Zero-emission vehicle sales in June 2022 surpassed 8.4% of new vehicle sales across the country and increased from 4.9% in June of 2021.[21]

III. *Sufficient Infrastructure Exists to Support the ACC II Rule in Vermont*

While the majority of electric vehicle drivers charge their vehicles overnight at home, there are currently 306 public locations in Vermont with a total of more than 764 electric vehicle charging stations throughout the state.[22] While the move towards 100% ZEV sales by 2035 will require more infrastructure to support those vehicles on the road, the regulation's year-over-year ramp up provides the State with ample time to ensure that there is a robust charging network available to drivers. And the state is already seeing increased funding available to support charging infrastructure in the state. For example, under the Infrastructure Investment and Jobs Act, Vermont will receive $21.2 million through 2026—the start of the ACC II program—to further expand the charging infrastructure available throughout the state.[23] Vermont also appropriated an additional $12 million in the FY23 budget to support targeted electric vehicle charging infrastructure deployment.[24] And Vermont's Department of Public Service has identified pathways to support the growing load on Vermont's grid from electric vehicle charging.[25]

IV. *The ACC II Rule Will Provide Vermonters Air Quality and Health Benefits*

Gasoline and diesel vehicles are known emitters of dangerous air pollutants, including nitrogen oxides (NOx) and particulate matter (PM). To combat pollution from the transportation sector, the American Lung Association states that adopting Advanced Clean Car regulations is an important strategy to clean up air quality, as zero-emission vehicles do not emit toxic tailpipe pollutants.[26] Cleaning up the transportation sector provides significant health benefits as well. According to the Lung Association's *State of the Air* report, more than 137 million people in the United States live in counties with unhealthy levels of ozone or particulate pollution.[27] Air

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[20] Vermont Agency of Transportation, *State of Vermont, National Electric Vehicle Infrastructure Plan*, 16 (Aug. 1, 2022), https://vtrans.vermont.gov/sites/aot/files/VERMONT_2022%20NEVI%20State%20Plan_FINAL.pdf.

[21] *See supra*, note 19.

[22] U.S. Department of Energy, Alternative Fuels Data Center, *Alternative Fueling Station Locator* (last visited Sept. 28, 2022), https://afdc.energy.gov/stations/#/analyze?region=US-VT&fuel=ELEC.

[23] Vermont National Electric Vehicle Infrastructure Plan: https://vtrans.vermont.gov/sites/aot/files/VERMONT_2022%20NEVI%20State%20Plan_FINAL.pdf.

[24] Vermont Law, No. 185, G.600(a)(3) & G.600(b)(1) (2022).

[25] *See* Vermont Department of Public Service, *Comprehensive Energy Plan*, 127 (2022), https://publicservice.vermont.gov/sites/dps/files/documents/2022VermontComprehensiveEnergyPlan_0.pdf.

[26] American Lung Association, *Comments on the Advanced Clean Cars II Workshop* (Nov. 5, 2021), ALA ACC II Workshop Comments.

[27] American Lung Association, *State of the Air: Key Findings* (2022), https://www.lung.org/research/sota/key-

pollution, including that from the transportation sector, can cause asthma attacks, lung cancer, shortness of breath, heart attacks, stroke, preterm birth, and premature death. By moving towards 100% ZEVs, which emit zero tailpipe emissions, these health concerns can be addressed. In California, the ACC II program is anticipated to cumulatively reduce toxic air pollution in the passenger vehicle fleet by 57,090 tons of reactive organic gasses, 83,850 tons of oxides of nitrogen, and 5,330 tons of fine particulate matter by 2040, relative to a baseline without implementation of the Rules.[28] As described in Section V (ACC II EV-REDI Modeling Results), immediately below, similar air quality benefits will also accrue to Vermonters.

Moreover, "the pollution associated with transportation disproportionately impacts disadvantaged communities, thus having unequal public health consequences and burdens."[29] Under Vermont law, rules like ACC II "must prioritize the allocation of investment of public resources to these communities and minimize, to the greatest extent practicable, potential regressive impacts."[30] ACC II is well aligned with existing Vermont laws and priorities.

V. *ACC II EV-REDI Modeling Results Show Additional Beneficial Outcomes*

The EV-REDI modeling tool developed by Synapse Energy Economics for Sierra Club, shows that adoption of ACC II in Vermont would likely lead to the following results and benefits by 2035:

- 58% of its light-duty vehicle stock would be EVs (up from 1% in 2021)
- It would have 0.32 million light duty EVs on the road (up from 0.01 million in 2021)
- Its light-duty vehicles would consume 93 million gallons of gasoline (down from 287.83 million gallons in 2021)
- Light-duty tailpipe CO2 emissions would be 0.77 MMT CO2 (down from 2.39 MMT CO2 in 2021)
- Light-duty vehicle NOx emissions would be 0.21 thousand MT (down from 1.19 thousand MT in 2021)
- Light-duty vehicle PM2.5 emissions would be 0.01 thousand MT (down from 0.03 thousand MT in 2021)
- Light duty-vehicle SO2 emissions would be 5 MT (down from 16 MT in 2021)

VI. *The ACC II Rule Helps Vermont do its Part to Address Climate Change*

In addition to improving air quality and health, reducing transportation emissions is a key strategy to combating climate change. The transportation sector's tailpipe emissions account for

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findings#:~:text=The%20%E2%80%9CState%20of%20the%20Air,of%20particle%20pollution%20or%20ozone.

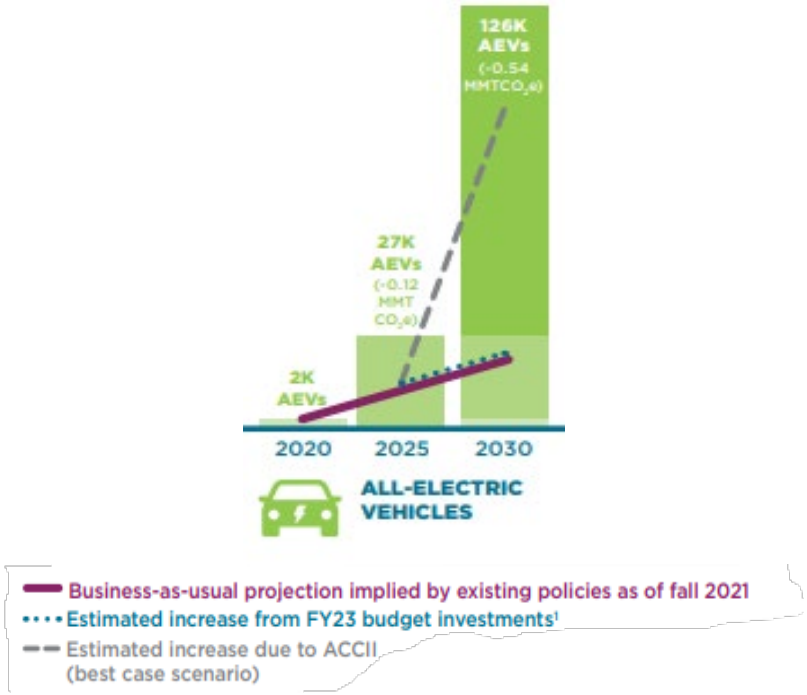
[28] International Council on Clean Transportation, *Benefits of adopting California medium- and heavy-duty vehicle regulations under Clean Air Act Section 177,* 2 (Nov. 2021), https://theicct.org/wp-content/uploads/2021/12/state-level-hdv-emissions-reg-FS-oct21.pdf.

[29] Initial Vermont CAP at 70.

[30] Act 153, Sec. 2(5) (2020).

about 40% of the state's overall greenhouse gas emissions.[31] Average temperatures in Vermont have already increased by 2 degrees Fahrenheit in the summer and 4 degrees Fahrenheit in the winter.[32] Vermont is already experiencing acute droughts, shorter winters, more tick-borne illness, and increased cyanobacteria pollution in our public waters. To avoid the worst effects of climate change, it is imperative that Vermont reduce emissions from the highest emitting sector—transportation. ACC II is the tool to do this.

Implementing ACC II could place the State on a dramatically better path towards achieving the greenhouse gas emission reduction requirements mandated by the Global Warming Solutions Act,[33] which requires ANR to adopt rules identified by the Climate Action Plan no later than December 1, 2022.[34] The pending Rules—including ACC II—were all named in the Climate Action Plan.[35]



Energy Action Network, *Annual Progress Report for Vermont*, at 8 (2022), https://www.eanvt.org/wp-content/uploads/2022/08/EAN-report-2022_web.pdf

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[31] Vermont GHG Inventory at 11.

[32] *See* Vt. Dept. of Health, Climate Change in Vermont (last visited Sept. 29, 2022), https://www.healthvermont.gov/health-environment/climate-health/climate-change.

[33] *See, e.g.*, 10 V.S.A. § 578(a). *See generally* Act 153.

[34] *See, e.g.*, 10 V.S.A. § 593(b), *as modified by* Act 153, Sec. 4.

[35] *See* Initial Vermont CAP at 253 (identifying the ACC II, ACT, HDO, and Phase II Rules as regulations that must be adopted by the Agency by December 1, 2022, pursuant to 10 V.S.A. § 593(b), and under existing rulemaking authority found in 10 V.S.A. §§ 567 & 558).

VII. *The ACC II Rule Provides Economic Benefits and Cost Savings for Vermonters*

The Vermont Climate Action Plan correctly notes that Vermont's reliance on fossil fuels is a significant drain on our economy.[36] "Vermonters collectively spend over $1 billion on fossil fuels for transportation. Approximately 70% of those dollars leave the state's economy every year. In contrast, electricity purchases keep far more dollars in Vermont. Over 50% of every dollar spent on electricity stays here. Moving to more efficient, electric vehicles will keep more of the money we collectively spend on transportation in the state's economy and in Vermonters' pockets."[37]

In Vermont, charging an electric vehicle is like paying $1.50 per gallon of gasoline.[38] And those costs are more likely to remain stable over time than volatile fossil fuel costs.[39] This is because Vermont regulates utility electricity rates,[40] and because Vermont's electricity sector is largely fossil fuel free.[41] Moreover, two of Vermont's electric utilities (Green Mountain Power and Burlington Electric Department), which together serve the bulk of Vermonters,[42] offer reduced electricity rates for electric vehicle charging,[43] making EV charging even more affordable when compared to transportation fossil fuel costs. Under Vermont law, all Vermont electric utilities must adopt electric vehicle rates by June 30, 2024, thereby expanding such benefits statewide.[44]

For rural Vermonters, the economic benefits of owning an electric vehicle will be especially significant. The Vermont Climate Action Plan notes that a typical Vermont rural driver "can save approximately $1,500 every year by switching from a conventional gasoline car to a comparable electric vehicle, which is even more significant over the life of the vehicle."[45]

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[36] Initial Vermont CAP at 68.

[37] *Id.* (citations omitted).

[38] *See* Drive Electric Vermont, EV Operating Cost History, https://www.driveelectricvt.com/about-evs/cost-of-ownership.

[39] *Id.*

[40] *See, e.g.*, Title 30 of the Vermont Statutes Annotated.

[41] *See* Vt. Dept. of Public Service, *Vt. Comprehensive Energy Plan*, 243 (2022); *see also* 30 V.S.A. §§ 8004-8005 (the Vermont Renewable Energy Standard).

[42] *See* Vt. Dept. of Public Service, Electric Utility Service Territory Map (2022), https://vtpsd.maps.arcgis.com/apps/webappviewer/index.html?id=9f9b060d475d4ed49795fdd98aa895fc.

[43] Green Mountain Power EV Charging Rates (last accessed Sept. 29, 2022), https://greenmountainpower.com/rebates-programs/electric-vehicles/ev-charging-rates/; Burlington Electric Department EV Charging Rates (last accessed Sept. 29, 2022), https://www.burlingtonelectric.com/evrate/.

[44] *See* Vermont Laws, No. 55, H.433, Sec. 33(b) (2021), https://legislature.vermont.gov/Documents/2022/Docs/ACTS/ACT055/ACT055%20As%20Enacted.pdf.

[45] *See* Initial Vermont CAP at 69, *discussing* Union of Concerned Scientists, *Rural Communities Could Benefit Most From Electric Vehicles* (Nov. 12, 2020), https://www.ucsusa.org/about/news/rural-communities-could-benefit-most-electric-vehicles.

Although the upfront costs of some (though certainly not all) electric vehicles are currently higher than comparable gas-powered vehicles, many EV owners already see cost savings over the lifetime of their vehicles. This is because operating expenses—including fuel and maintenance costs—are typically lower for electric vehicles.[46] A recent survey by Consumer Reports found that battery electric vehicle and plug-in hybrid electric vehicle owners pay around half as much to maintain and repair their vehicles compared to owners of conventional cars.[47] The same Consumer Reports study found that fuel savings alone for an electric vehicle compared to a gasoline powered vehicle can be $4,700 or more over the first seven years.[48] A U.S. Department of Energy study found that the estimated scheduled maintenance cost for a light-duty battery-electric vehicle totals about 6.1 cents per mile, while a conventional gasoline powered vehicle is around 10.1 cents per mile, which amounts to roughly 40% cost savings on maintenance on a per mile basis for electric vehicle drivers.[49]

In addition, electric vehicle owners spend 60% less, on average, by charging with electricity rather than filling up with gas. Taking the full cost of ownership into account, for all nine of the most popular electric vehicles on the market below $50,000, lifetime ownership costs were "many thousands of dollars lower than all comparable ICE [internal combustion engine] vehicles' costs, with most EVs offering savings…between $6,000 and $10,000."[50] These savings were even more pronounced for used electric vehicles, which will become increasingly available as electric vehicle adoption rates increase in Vermont. Similarly, in 2021, the Massachusetts Institute of Technology calculated the full lifetime cost of almost every new car model on the market and found that electric cars often had the lowest costs over time.[51] An analysis by Atlas Public Policy found that "total cost of owning the forthcoming electric version of the Ford F-150 (the F150 Lightning) is 17 percent lower than the gas-powered version, the cost of the electric Volkswagen ID.4, an SUV, is 15 percent less than the Honda CRV, a Tesla Model 3 costs almost 5 percent less than a similar Lexus, and the Chevy Bolt costs 6 percent less than a Toyota Corolla."

Recently, the Inflation Reduction Act was signed into law, which extended the clean vehicle tax credit by lifting the vehicle sales cap, and implemented a new tax credit for the purchase of a used EV. Consumers will now be able to obtain a $7,500 rebate at the time of purchase for a

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[46] *See* Drive Electric Vermont, Cost of Ownership, https://www.driveelectricvt.com/about-evs/cost-of-ownership.

[47] Chris Harto, Consumer Reports, *Electric Vehicle Ownership Costs: Today's Electric Vehicles Offer Big Savings for Consumers*, 9 (Oct. 2020) https://advocacy.consumerreports.org/wp-content/uploads/2020/10/EV-Ownership-Cost-Final-Report-1.pdf .

[48] *Id.*

[49] Andrew Burnam *et al*., Argonne National Lab for the U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy (EERE), Transportation Office. Vehicle Technologies Office, Comprehensive Total Cost of Ownership Quantification for Vehicles with Different Size Classes and Powertrains (Apr. 2021), https://doi.org/10.2172/1780970.

[50] *See supra*, note 47.

[51] Veronica Penney, *Electric Cars are Better for the Planet – and Often Your Budget, Too*, NEW YORK TIMES (Jan. 15, 2021), https://www.nytimes.com/interactive/2021/01/15/climate/electric-car-cost.html

new clean vehicle, and $4,000 for a used clean vehicle. And many additional financial incentives exist specifically for Vermonters. State incentives can provide up to $4,000 for a new electric vehicle, $5,000 for a used electric vehicle, and an additional $3,000 under the Replace Your Ride Program.[52] Vermont electric utilities offer additional financial incentives under Tier 3 of the state's Renewable Energy Standard, with Burlington Electric Company offering up to $2,900, Green Mountain Power offering up to $2,500, VPPSA offering up to $1,400, Stowe Electric Department offering up to $1,200, Vermont Electric Coop offering up to $750, and VSECU offering a .5% discount on electric vehicle financing rates.[53] Further financial incentives are also available for home and business charging equipment.[54] Altogether, existing federal, state, and utility incentives provide significant financial support to Vermonters purchasing new or used EVs.

VIII. *The ACC II Rule Ensures Strong Standards in Vermont, Regardless of Federal (In)Action*

During the Trump Administration, the National Program on GHG tailpipe emissions and fuel economy standards for passenger vehicles faced an unprecedented attack and rollback that Trump agency appointees called "the largest deregulatory initiative" of that administration.[55] The U.S. EPA, under the Biden Administration, reversed much of the damage to federal and state vehicle emissions programs for MY 2023 through 2026, and the National Highway Traffic Safety Administration updated fuel economy standards for MY 2024 through 2026 to reduce our nation's reliance on oil and to harmonize with EPA's program. While it is important for federal progress and collaboration to continue, foundational progress must be made at the state-level given the recent history of changing political winds at the federal-level.

The ACC II standards provide states with long-term certainty that their program will protect public health and the environment. States have the obligation and authority to ensure continued progress occurs on reducing greenhouse gasses and other toxic air pollutants. Providing long-term certainty to the industry and the public, as this proposed rule does, will be important today and in a future with potential federal inaction or backsliding.

IX. *Vermont Should Consider Additional Actions Relevant to the ACC II Rule*

The Agency should immediately begin developing and implementing programs that will be eligible for Environmental Justice (EJ) credits under the ACC II Rule. The Agency should also continue to develop and fund complementary policies and programs.

The ACC II standards include flexibility for additional EJ credits—which provides

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[52] *See* Drive Electric Vermont, Electric Vehicle Incentives, https://www.driveelectricvt.com/incentives.

[53] *Id.*

[54] *Id.*

[55] Press Release, U.S. Dept. of Transportation, *U.S. DOT & EP Put Safety and American Families First with Final Rule on Fuel Economy Standards* (March 31, 2020), https://www.nhtsa.gov/press-releases/us-dot-and-epa-put-safety-and-american-families-first-final-rule-fuel-economy.

manufacturers an incentive to voluntarily increase the number of low MSRP vehicles available, the number of EVs in community car share programs, and the number of EVs coming off lease and going to a disadvantaged community member. While these credit options are voluntary for automakers, to work towards an equitable transition to clean transportation, Vermont should ensure that programs that qualify for the EJ credits are in place. It is vital that Vermont work with environmental justice and community partners to develop and implement programs that are eligible to participate in the Environmental Justice flexibilities, while also developing complementary policies that ensure communities historically overburdened with transportation pollution realize the benefits of zero-emission transportation.

There is a short time frame for states to be able to develop these EJ programs, as automakers can start earning the credits in MY 2024. However, ensuring that all Vermonters, including historically overburdened and low-income communities with transportation pollution, have access to zero-emission vehicles is crucial. Therefore, Vermont should commit to immediately beginning work and engagement with community members and environmental justice organizations to develop and implement EJ programs that will be eligible for these programs.

Further, as there are only limited EJ provisions in the ACC II regulation, Vermont—as part of its engagement with community members and environmental justice organizations—must continue to develop and fund complementary policies and programs that will ensure the benefits of a transition to zero-emission vehicles are realized by all Vermonters, especially those who have been historically overburdened with transportation pollution, by building on the work done to stand up initiatives like MileageSmart, Replace Your Ride, and the multi-unit dwelling EVSE grant program.

ADVANCED CLEAN TRUCKS RULE

In 2020, CARB unanimously approved the ACT Rule. That rule's requirements gradually increase over time. They also vary across the different vehicle weight classes to reflect the pace at which technology is now, and will become, feasible. By MY 2035, zero-emission truck sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 truck sales, and 40% of truck tractor sales. The ACT Rule does not force Vermonters to purchase a zero-emission truck. It does not require Vermonters to sell their current fossil fuel truck. Nor does it prevent Vermonters from registering a new or used fossil fuel truck. Like the ACC II Rule, the ACT Rule regulates manufacturers.[56]

Vermont is one of 17 states[57] that committed to zeroing out medium- and heavy-duty vehicle pollution no later than 2050 by signing the Multi-State Medium- and Heavy-Duty Vehicle Memorandum of Understanding (MOU).[58] In the MOU, Governor Phil Scott and the other

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[56] *See, e.g.*, Vermont Low and Zero Emission Vehicle Regulations, Proposed Filing (June 24, 2022).

[57] NESCAUM, *NESCAUM Welcomes Nevada's Participation in the Multi-State Zero-Emission Electric Trucks Initiative* (March 31, 2022), https://www.nescaum.org/documents/nescaum-welcomes-nevada-s-participation-in-the-multi-state-zero-emission-electric-trucks-initiative/.

[58] Multi-State Medium- and Heavy-Duty Vehicle Memorandum of Understanding, https://www.energy.ca.gov/sites/default/files/2020-08/Multistate-Truck-ZEV-Governors-MOU-

signatory states identify ACT and the HDO Rules as key strategies for achieving the states' targets. As such, and as endorsed in Vermont's Climate Action Plan,[59] the Agency should adopt those rules by December 1, 2022, as required by Vermont's Global Warming Solutions Act.[60] If Vermont enacts those rules, the State could reduce climate damaging emissions by about 3.70 million metric tons by 2050,[61] which would be a significant step for Vermont in achieving its mandated emissions reductions.

Since California approved ACT, New Jersey, Oregon, Washington, New York, and Massachusetts have all adopted the rule. Other states like Connecticut, Colorado, and Maine are in the process of adopting or considering adopting this rule.

I. *The ACT Rule Reduces Toxic Air Pollution*

The ACT Rule is essential to phasing out diesel trucks and buses, which have a disproportionate impact on NOx and PM 2.5 emissions that cause significant human health injuries. Vermont has tens of thousands of medium- and heavy-duty vehicles registered in-state, most of which burn fuels that emit toxic air pollution. A recent International Council on Clean Transportation (ICCT) report found that the proposed rules could reduce Vermont's NO_x emissions by 8,190 short tons and $PM_{2.5}$ emissions by 44 short tons by 2050.[62] Such emissions reductions will help avoid deaths, hospital visits, and sick days in Vermont. Similar findings have been made on the regional level. A study in Southern New England shows that Class 2b - Class 8 vehicles make up only 6% of vehicles on the road but disproportionately contribute to 48% of NOx and 41% of PM 2.5 emissions.[63] The registered trucks in Vermont likely have a similar disproportionate impact to the trucks studied in Southern New England.

II. *The Agency Should Limit Early Action Credits to the Year Before ACT Enforcement*

We ask the Agency to modify the early action credit program and to limit it to only one year before the rule is enforced. The ACT Rule was created to provide flexibility for manufacturers to meet the sales requirements through credit trading mechanisms and early action credits. However, we strongly support limiting early crediting to only one year and to have that year be right before the ACT Rule is enforced. This would minimize the potential negative impact early crediting could have on the rule's effectiveness and, as a result, its benefits. Manufacturers could

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20200714_ADA.pdf.

[59] *See* Initial Vermont CAP at 253.

[60] *See, e.g.*, 10 V.S.A. § 593(b); Act 153, Sec. 4.

[61] International Council on Clean Transportation, *Benefits of adopting California medium- and heavy-duty vehicle regulations under Clean Air Act Section 177,* at 2 (Nov. 2021), https://theicct.org/wp-content/uploads/2021/12/state-level-hdv-emissions-reg-FS-oct21.pdf.

[62] ICCT, *Update: Benefits of adopting California medium- and heavy-duty vehicle regulations under Clean Air Act Section 177* (Dec. 2021), https://theicct.org/publication/state-level-hdv-emissions-reg-fs-dec21/.

[63] Union of Concerned Scientists, *Southern New England Clean Trucks Report* (2021), https://www.ucsusa.org/sites/default/files/2021-11/southern-ne-clean-trucks-report.pdf.

bank early credits for actions that were already planned well before ACT implementation, and those credits could offset important requirements once the rule is enforced, thus disincentivizing manufacturers from increasing production and sales volumes for zero-emission trucks in the program's early years. We thus ask the Agency to modify the early action credit program and to limit it to only one year before the rule is enforced.

III. *The Agency Should Adopt a Fleet Reporting Requirement in 2023*

The ACT rule as passed by California and other states had a fleet reporting requirement. Although the fleet requirement is not under consideration in this rulemaking, we ask the Agency to adopt a fleet requirement in a subsequent 2023 rulemaking. Fleet reporting data are critical to tracking progress of fleet transition to zero-emission trucks, and they allow Vermont to identify areas with high rates of freight traffic and, consequently, diesel pollution, which allows Vermont to target clean transportation policies to the communities that need relief most. Fleet reporting will shed light on exploitative labor practices, such as misclassifying drivers as independent contractors. Misclassification is rampant in the trucking industry in other parts of the country, particularly in the drayage segment. Those trucks are also among the oldest and dirtiest vehicles on the road, and present excellent opportunities for zero-emission technology replacements given their short-haul, idling, and stop-and-go operations. Due to misclassification in other parts of the country, many drivers also lack financial resources to upgrade their equipment to reduce diesel pollution or buy a zero-emission truck. A fleet requirement will also help electric utilities make better informed investments today to acquire load that can support the charging infrastructure necessary for medium- and heavy-duty ZEVs in a least-cost manner that enhances load and transmission planning efforts and minimizes ratepayer costs.

IV. *The ACT Rule is Technologically Feasible and Will Save Vermonters Money*

As of December 2021, there are over 145 models of zero-emission trucks of all sizes from 30 manufacturers, including 24 heavy-duty truck models,[64] and by the end of 2022 there will be over 500 models of zero-emission trucks.[65] Current range capacity of zero-emission trucks meet or exceed miles driven for most truck routes, and zero-emission trucks have similar hauling capacity to their combustion counterparts. There are 42,723 registered Class 2b - Class 3 trucks in Vermont, and these vehicles represent a majority (67%) of all trucks registered and driven in Vermont.[66] These class segments have the most readily available zero-emission trucks and should be targeted immediately for zero-emission transition. For other class segments, the ACT Rule provides different requirements and flexibilities in line with technology projections and advancements to ensure that the requirements are feasible.

The ACT requirements are actually lower than commitments made by Volvo and Daimler, which

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[64] CALSTART, *Drive to Zero's Zero-emission Technology Inventory (ZETI) Tool Version 7.0* (2022), https://globaldrivetozero.org/tools/zero-emission-technology-inventory/.

[65] EDF, *The opportunity for near-term electrification of medium- and heavy-duty vehicles* (May 2022), https://blogs.edf.org/climate411/files/2022/05/FINAL-EDF-HD-ZEV-report-5.17.22.pdf.

[66] Atlas Public Policy EV Hub, Automakers Dashboard: https://www.atlasevhub.com/materials/automakers-dashboard.

hold more than 70 percent of the total market share of class 7-8 trucks. Both of these companies have made international commitments to have all new truck sales be zero-emission by 2040,[67] while the ACT rule only extends through 2035 and requires fewer zero-emission truck sales. Navistar and Paccar make up the remaining market share of class 7-8 trucks and have made similar commitments.

Not only are manufacturers committed to producing more zero-emission trucks, companies and fleet operators across the country are buying them. There are over 140,000 pending orders for commercial zero emission trucks across the country, and more than 85 businesses and institutions have expressed their support for adoption of the rule across states, including several with operations or business interests in Vermont."[68] Green Mountain Power has committed to transitioning its entire fleet to electric vehicles: all cars by 2025, all light-duty trucks by 2028, and all heavy-duty field trucks soon thereafter.[69] Additionally, Walmart, which holds the largest class 8 truck fleet in the nation, committed in 2020 to electrifying their entire fleet by 2040.[70] And Amazon has committed to purchasing 100,000 zero-emission trucks by 2030.[71]

Zero-emission trucks will save fleets money as a result of savings from maintenance and fuel costs. Although the upfront capital costs are higher, most zero-emission truck applications will achieve cost parity with diesel trucks before 2030.[72] Another study by Roush industries found that when considering upfront purchase price alone, by 2027 electric freight trucks and buses will be less expensive than their combustion engine counterparts in all categories except shuttle buses (which are already close to price parity).[73]

V. *The ACT Rule Guarantees Vermonters Access to the Global Truck Market*

The global supply of zero-emission trucks is in high demand. That said, demand for internal combustion engine trucks predominates the market. Manufacturers as result, must make strategic

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[67] Electrive, *Major truck makers pledge to go zero-emission by 2040* (Dec. 15, 2020), https://www.electrive.com/2020/12/15/major-truck-makers-pledge-to-go-zero-emission-by-2040/.

[68] Ceres, *85+ Businesses Support State Adoption of the Advanced Clean Trucks (ACT) Rule* (Sept. 24, 2021), https://sforce.co/3LSBDks.

[69] Tiana Smith, *Green Mountain Power Walks the Walk When it Comes to EVs*, VT Digger (Sept. 27, 2022), https://vtdigger.org/2022/09/27/tiana-smith-green-mountain-power-walks-the-walk-when-it-comes-to-evs/.

[70] Greenbiz, *Walmart drives toward zero-emission goal for its entire fleet by 2040* (Sept. 23, 2020), https://www.greenbiz.com/article/walmart-drives-toward-zero-emission-goal-its-entire-fleet-2040.

[71] Amazon, About, (last visited Sept. 29, 2022), https://bit.ly/3dTm0wq.

[72] Global Drive to Zero, *New Data Tracks 26% Growth of Zero-Emission Truck and Bus Model Availability in Midst of Economic, Supply Chain Challenges* (March 9, 2022), https://globaldrivetozero.org/2022/03/09/new-data-tracks-26-growth-of-zero-emission-truck-and-bus-model-availability-globally-in-midst-of-economic-supply-chain-challenges-3-9-22/.

[73] Vishnu Nair, *et al.*, *Technical Review of: Medium and Heavy-Duty Electrification Costs for MY 2027-2030* (Feb. 2, 2022), https://bit.ly/3SNr5VN.

decisions on both how to split their manufacturing capacity, and where to allocate the ZEVs that they make.

Thankfully, the ACT rule helps shape the market in multiple positive ways that benefit Vermont. First, by setting a floor on the required market share of ZEVs, it encourages manufacturers to increase the share of ZEVs that they make, thereby lowering global GHG emissions from the trucking industry. Second, should manufacturers underestimate ZEV demand, the regulation will force manufacturers to allocate limited production and sell these trucks to Vermont. For example, on the light-duty vehicle ZEV standards, a study found that states that had adopted California's light-duty ZEV program had higher EV inventory and stock compared with states that did not have such regulations. This rule is then critical to helping Vermont achieve its environmental quality goals by ensuring that the state can purchase these vehicles.[74] Increasing the market share of ZEVs will decrease noise and criteria air pollution, while reducing state fuel expenditures, and greatly improve the quality of life of Vermont's residents, while doing the state's part in combating the climate crisis.

LOW NOX HEAVY-DUTY OMNIBUS AND PHASE II GREENHOUSE GAS EMISSIONS RULES

The HDO rule strengthens NOx and PM emission standards for new fossil fuel trucks, introduces a new NOx standard for a low-load certification cycle, extends manufacturer warranties, and improves in-use testing to better align with actual vehicle operations and global standards. The HDO rule is expected to cut NOx emissions from heavy-duty vehicles by 75% below current standards beginning in 2024, and by 90% in 2027.[75] It is also expected to reduce secondary PM2.5 formation since NOx is a precursor to secondary PM2.5 formation.[76] In addition to cleaning up NOx, the proposed HDO rule formalizes PM pollution controls, and prevents backsliding by adopting a more stringent standard that aligns with current industry certifications. The Phase II Rule sets more stringent greenhouse gas emissions standards for medium- and heavy-duty engine, vehicle, and trailer manufacturers. It requires manufacturers to improve existing technologies or develop new technologies to meet the GHG emission standards. The HDO and Phase II Rules work with the ACT Rule to meaningfully reduce climate damaging emissions in Vermont by about 3.70 million metric tons by 2050.[77]

While the ACT Rule works year-over-year to gradually increase the share of new zero-emissions truck sales, the HDO Rule curtails toxic air pollution from new diesel vehicles that will continue to be sold in the interim, and the Phase II Rule curtails greenhouse gas emissions. The ACT,

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[74] Sierra Club, *A nationwide study of the electric vehicle shopping experience* (Nov. 2019), https://www.sierraclub.org/sites/www.sierraclub.org/files/program/documents/2153%20Rev%20Up%20Report%202019_3_web.pdf.

[75] CARB, Heavy-Duty Omnibus Regulation (last visited Sept. 29, 2022), https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox.

[76] Vt. Agency of Nat'l Resources, *Vermont Low and Zero Emission Vehicle Regulations, Proposed Filing* (June 24, 2022).

[77] International Council on Clean Transportation, *Benefits of adopting California medium- and heavy-duty vehicle regulations under Clean Air Act Section 177,* 2 (Nov. 2021), https://theicct.org/wp-content/uploads/2021/12/state-level-hdv-emissions-reg-FS-oct21.pdf.

HDO, and Phase II Rules are three legs supporting the same stool: together, they will enable Vermont's long-term vision of a zero-emission medium- and heavy-duty fleet. Together, they will reduce toxic air pollution that harms human health and disproportionately impacts historically marginalized communities. And together the ACT, HDO, and Phase II Rules will meaningfully reduce Vermont's climate damaging emissions.

I. *The HDO Rule is Technically Feasible and Cost-Effective*

When developing the HDO Rule, CARB thoroughly evaluated the technical feasibility of the rule's emission standards in partnership with the Southwest Research Institute (SwRI), Manufacturers of Emission Controls Association, U.S. EPA, South Coast Air Quality Management District, and engine manufacturers. The testing convincingly demonstrated and modeled cost-effective solutions to meet both 2024 and 2027 standards.[78] Importantly, certification data shows that many manufacturers today certify well below current standards and nearly meet the 2024 requirements.[79] Moreover, several engine manufacturers have already committed to developing compliant MY 2024 engines and are actively making plans to meet the MY 2027 requirements.[80]

CARB staff has demonstrated the technical feasibility of both the 2024 and 2027 proposed NOx standards through several years of extensive development and testing in partnership with SwRI.[81] The development and testing, together with related work by manufacturers, show that the proposed 2024 standards can be met using a combination of improved engine calibration, the newest configuration of after-treatment devices, and urea injection. The 0.02 grams per brake horsepower-hour NOx standard proposed for MY 2027 and subsequent years can be achieved with further refinements to the aftertreatment, and well-established powertrain technologies, including cylinder deactivation – a technology widely used in passenger vehicles.[82] Moreover, opposed-piston engine testing reduced NOx emissions below the MY 2027 requirement in a Peterbilt tractor using conventional downstream aftertreatment equipment.[83] A cost assessment showed that opposed-piston engines "cost 11 percent less than conventional engines of the same

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[78] CARB, *Technological Feasibility of Proposed Standards,* https://ww3.arb.ca.gov/regact/2020/hdomnibuslow NOx /appi.pdf.

[79] CARB, *Public Hearing to Consider the Proposed Heavy-Duty Engine and Vehicle Omnibus Regulation and Associated Amendments, Staff Report - Initial Statement of Reasons* (June 23, 2020), https://ww3.arb.ca.gov/regact/2020/hdomnibuslownox/isor.pdf

[80] CARB, *Responses to Comments on the Environmental Analysis for THE PROPOSED HEAVY-DUTY ENGINE AND VEHICLE OMNIBUS REGULATION AND ASSOCIATED AMENDMENTS*, https://ww3.arb.ca.gov/regact/2020/hdomnibuslow NOx /res20-23attbrtc.pdf.

[81] *Id.* at ES-12

[82] *Id.* at III-12 to III-27.

[83] Achates Power, *Achates Power Opposed-Piston Heavy-Duty Diesel Engine Demonstration Performance Results – Ultralow NOx without additional hardware* (Dec. 2022), https://achatespower.com/wp-content/uploads/2020/12/Achates-Power-Opposed-Piston-Heavy-Duty-Diesel-Engine-Demonstration-Performance-Results-Ultralow-NOx-without-additional-hardware.pdf.

power and torque" with substantially less NOx and CO2 emissions.[84]

II. *The HDO Warranty and Lifetime Mileage Requirements Provide Strong Benefits*

The HDO rule also updates warranty and lifetime mileage requirements. Heavy-duty diesel engines last well beyond the current useful lifetime; an issue that extends to the warranty period, where the standard 100,000-mile warranty requirement is only a small fraction of the expected lifetime of the engine and is well behind typical manufacturer warranties and extended warranties of 250,000 and 500,000 miles.

The useful life is critical to ensure adequate testing such that emissions controls are functional for the life of the engine. The warranty period is even more important because it can minimize tampering or disrepair and can shift the cost of failures onto the manufacturer, rather than the driver. Repair costs and downtime can be a significant burden for drivers, and survey data have shown that there is a significant interest in coverage that better reflects the operational lifetime of the vehicle.[85] Nearly one-quarter of respondents in that study already opt for an extended warranty, with a substantial share of those respondents choosing warranties that exceed the current useful-life requirements of the engine. A majority of owner-operators suggested future warranty coverage should meet or exceed 500,000 miles, which is well above the current minimum. This is borne out in more recent analysis of the market, which shows that 85% of the market already opts for an extended warranty, with just about half of those users opting for warranty coverage of at least 500,000 miles.[86] The HDO Rule significantly increases both the warranty and useful life length, which increases the guaranteed mileage over which emissions controls will be active, including by reducing costs for operators to reduce levels of mal-maintenance.

The timeline set out by the HDO Rule does not present undue constraints. The NOx standards preceding the recent HDO rule, which largely mirrored the EPA standards, were some of the most technology-forcing emissions standards ever adopted—requiring the development of an entirely new catalyst, new particulate filters, and a system that had to track the amount of NOx in the tailpipe, an amount that varies greatly under different driving conditions and integration of an advanced and complex engine exhaust gas recirculation system. Those new technological elements all had to work in concert without significantly impacting fuel consumption. Despite these challenges, manufacturers were readily able to meet these standards in a timely manner. In contrast, "meeting the envisioned CARB 2024 targets would require very modest increases in technology complexity and costs."[87] Thus, compliance can reasonably be achieved on the HDO

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[84] *Id.* at 2.

[85] Kerschner, B., and D. Barker, CARB, *Survey and analysis of heavy-duty vehicle warranties in California* (Dec. 2017), https://ww3.arb.ca.gov/regact/2018/hdwarranty18/apph.pdf.

[86] CARB, *Staff Report on the Warranty Cost Study for 2022 and Subsequent Model Year Heavy-Duty Diesel Engines* (2022), https://ww2.arb.ca.gov/sites/default/files/2022-01/warranty_cost_study_final_report.pdf.

[87] International Council on Clean Transportation, *Estimated cost of diesel emissions-control technology to meet the future California low NOx standards in 2024 and 2027* (May 20, 2020), https://theicct.org/publications/cost-emissions-control-ca-standards.

Rule's timeline.

III. *It is Unlikely the Rules Will Incentivize Vermonters to Buy Dirtier Vehicles Now*

History demonstrates that pre-buying dirtier vehicles in response to, or anticipation of, earlier emissions standards did not occur. The "pre-buy in response to 2007 criteria pollutant standards [was found] to be approximately symmetric, short-lived, and small in volume relative to previous estimates" – indicating that fears of mass purchases of polluting vehicles before a new standard takes effect are unlikely to be realized.[88] The bottom line is that—rather than seeing fleets buy dirtier, ostensibly cheaper vehicles in a panic—there is no meaningful uptick in polluting purchases as a result of new standards. This makes sense. Fleets recognize the cost savings over time of cleaner vehicles and do not seem inclined to ignore those benefits, or to reap the marginally lower purchase price of more polluting vehicles in the interim.

CONCLUSION

The Agency has legal authority under 10 V.S.A. sections 567 and 558, and under section 177 of the U.S. Clean Air Act[89] to adopt the Rules, which are described in the Vermont Climate Action Plan as key ways to reduce transportation emissions and to meet the Global Warming Solutions Act's reduction requirements.[90] Under Vermont law, the Agency is required to adopt these Rules by December 1, 2022.[91] Doing so is also good policy. As discussed, the urgency of the climate crisis and the ongoing public health harms inflicted on Vermonters weigh heavily in favor of adopting the ACC II, ACT, HDO, and Phase II Rules without delay. The Agency also has the authority to make several minor and common-sense adjustments to the Rules. Under ACC II, we urge the Agency to ensure that programs qualifying for EJ credits are quickly put in place, and that the Agency commits to immediately engaging with community members and environmental justice organizations to develop and implement eligible EJ programs. Under the ACT Rule, we urge the Agency to adjust early action credits to ensure that the sales requirements do not lose their effectiveness, and we urge the Agency to initiate a separate rulemaking in 2023 to adopt a fleet reporting requirement.

We thank you and the Agency for your hard work in preparing these regulations and shepherding them forward. We also look forward to collaborating with you and discussing the important and beneficial ways these Rules benefit Vermonters.

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[88] Katherine Rittenhouse and Matthew Zaragoza-Watkins, *Strategic Response to Environmental Regulation: Evidence from U.S. Heavy-Duty Vehicle Air Pollution Regulations*, MIT CEEPR, 33 (2016).

[89] *Codified as* 42 U.S.C. § 7507.

[90] *See* 10 V.S.A. § 593(b); Act 153, Sec. 4; Initial Vermont CAP at 253.

[91] *See id*.

Sincerely,

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Vermont Conservation Program Manager
Sierra Club Vermont

Jordan Giaconia
Public Policy Manager
Vermont Businesses for Social Responsibility

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Natural Resources Defense Council

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Larissa Koehler, Director, Vehicle Electrification & Senior Attorney
Andy Su, Attorney, Clean Transportation
Environmental Defense Fund

From:	Brady Toensing
To:	ANR - DEC Lev Zev
Cc:	Stevens, Rachel
Subject:	Comments to Proposed Amendments to the Air Pollution Control Regulations, LEV and ZEV Regulations
Date:	Thursday, September 29, 2022 1:28:34 PM
Attachments:	Letter comments to ANR from R.L. Vallee re proposed air pollution amendments to rules 09.29.2022 FINAL.pdf

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* * * * * * * * * * * * * * * *

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September 29, 2022

***Via Email* (anr.declevzev@vermont.gov)**

Secretary Julie Moore
Vermont Agency of Natural Resources
Department of Environmental Conservation
1 National Life Drive, Davis 2
Montpelier, VT 05620-3901

Re: Comments to proposed Amendments to the Vermont Air Pollution Control Regulations, Low Emission Vehicle and Zero Emission Vehicle Regulations.

Dear Secretary Moore:

This firm represents R.L. Vallee, Inc., a Vermont company and significant buyer of Internal Combustion Engine (ICE) vehicles from Vermont auto and truck dealerships. These comments are submitted pursuant to 3 V.S.A. § 840 and concern the Vermont Low Emission Vehicle and Zero Emission Vehicle rules and other amendments to the Vermont Air Pollution Control regulations, which were recently proposed by the Vermont Agency of Natural Resources (ANR).

These proposed rules adopt California's Advanced Clean Cars II rules (ACC II), Advanced Clean Trucks, Low NOx Heavy-Duty Omnibus, and the Phase 2 Greenhouse Gas Rule. Under these amendments, through the use of manufacturer fleet requirements, Vermont will limit the sale of ICE vehicles in 2026 and ban entirely the delivery of any "new" ICE vehicles after 2034, which is just 12 years from now. Starting in 2035, Electric Vehicles (EVs) will effectively be the only new vehicles available for Vermonters to buy.[1]

In violation of Vermont law, ANR has stated that public comments will not impact the proposed rules or be properly considered.

The Global Warming Solutions Act (GWSA) was passed by the Vermont Legislature on September 9, 2020. That law created the Climate Council, which was tasked with creating a Climate Action Plan (CAP), which it did in December 2021.[2] The CAP directed "the ANR to adopt these regulatory amendments in order to meet Vermont's required reductions in GHG from the transportation sector" as called for in the GWSA and to mirror implementation of California's implementation of ACC II.

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[1] Vermont Agency of Natural Resources, *Proposed Draft Vermont Low Emission Vehicle and Zero Emission Vehicle Rules*, 40-106 at p.6, https://bit.ly/3dULY2H.
[2] Vermont State Comprehensive Energy Plan (CEP) 2022, https://bit.ly/3dQi8fE.

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The Federal Clean Air Act (CAA) requires states to follow federal standards. Or, if it gets a valid waiver, a state is allowed to adopt California's standards, but only if the state adopts the California standards without any changes. By choosing the California standard, Vermont does not get the chance to weigh in on the details of the plan in any way or to amend the standard to make it fit its needs. Instead, it is required to follow lock-step with California, allowing California bureaucrats to dictate the details of these rules to Vermonters, regardless of fit or the input of our elected representatives. As with California, Vermont's emission goals for Greenhouse Gases (GHG) are unreachable without destroying its economy and creating other sources of pollution, thereby harming every Vermonter. By directing ANR to adopt these rules, Vermont's Climate Council has chosen to follow California into the abyss.

The Vermont General Assembly intended that "[a]gencies maximize the involvement of the public in the development of rules."[3] Toward that end, during this rulemaking process, the law *requires* that ANR fully consider "all written and oral submissions concerning proposed rule[s]," which means that it must take those comments into account and adjust the rules accordingly.[4] ANR, however, has said that these rule changes are a *fait accompli* and that public comment will not impact the rules or its decision to implement the changes. Public comment, according to a senior ANR official, is only intended to gather input from "Vermonters about what they feel they need to participate effectively in this transition to electric vehicles."[5]

Questions for ANR:

- *What is the purpose of this public comment period?*
- *Do any public comments have the ability to cause the ANR to consider alternative solutions or to change the proposed rules in any way? If so, how?*
- *If given the opportunity, would ANR amend* California's Advanced Clean Cars II Rules *in any way to better fit Vermont's particular needs, limitations, or goals?*

Electric Vehicles (EVs) do not perform well in Vermont.

If EVs are as good as ANR claims, then why do we need to ban gasoline vehicles and spend so much money subsidizing EVs? Last year, there were 3,400 registered light-duty EVs in Vermont, which is only about one-half of one percent of its nearly 600,000 registered light-duty vehicles.[6] Studies indicate that those few households able to buy an EV are affluent, and that most back up their errand-running EVs with ICE

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[3] 3 VSA § 800 (1).
[4] 3 V.S.A. § 840(d).
[5] Kevin Gaines, *Will Vermont follow California's lead in EV revolution?,* WCAX, Aug. 26, 2022, https://bit.ly/3UOvKZx.
[6] United States Department of Energy, *Vehicle Registration Counts by State*, 2021, https://afdc.energy.gov/vehicle-registration.

vehicles.[7] Other rural, cold states have similarly low adoption rates. Alaska (1,300), North Dakota (400), South Dakota (700), and Wyoming (500) together have fewer than 3,000 registered EVs.[8]

The likely reason for these low numbers is that Vermont is not Southern California, and the reality is that EVs do not do well in the cold, which leads to their having large range reductions. Keeping the inside of an EV warm and defrosted in winter is an additional drain on an EV's range, especially when temperatures dip below 15 degrees Fahrenheit. Consumer Reports recommends, for those living in colder climates, buying a car with double the range they normally need in the summer.[9] It also advises those drivers to keep their car in a garage and plugged in right up until the car is used. Apartment dwellers and most people while at work will be unable to follow this advice.

In addition to cold weather performance issues, EVs are ill-suited for purposes common in Vermont. Many Vermonters have light duty trucks for hauling trailers or firewood, but EVs fall short of being able to meet these types of demands, which are normal usage for typical ICE vehicles.[10]

Questions for ANR:

- *What are the technical and performance limitations of EVs in cold weather climates and will those limitations negatively impact Vermonters and their ability to travel during winter and to do so comfortably?*

- *Did ANR consider EV cold weather performance problems when it decided to propose these rules?*

- *Do the performance warranties under the California standard require EVs to perform at the same level in cold weather?*

- *Will cold weather performance problems increase the cost per mile for charging and using an EV and will those performance problems increase GHG emissions from the extra electricity needed to charge these EVs?*

- *What percentage of Vermonters have a garage and how will EVs perform in Vermont during cold weather for people who do not have garages at home or work?*

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[7] David Welch, *Electric Vehicles Are Out of Reach for Most U.S. Consumers*, Bloomberg, March 18, 2022, https://bloom.bg/3BMQIiE.
[8] *Id.*
[9] Patrick Olsen, *Buying an Electric Car for a Cold Climate? Double Down on Range*, Consumer Reports, February 13, 2019, https://bit.ly/3dNbMoN.
[10] Dan Mihalascu, *Towing with Ford F-150 Lightning a "Total Disaster," Owner Finds*, InsideEvs, Sept. 26, 2022, https://bit.ly/3SAdt00.

- *"[T]he only alternative that ANR considered is not to amend Advanced Clean Cars or adopt Advanced Clean Trucks, the Low NOx HD Omnibus, or the Phase 2 Greenhouse Gas rules."*[11] *Does that mean that ANR looked at no other options for reducing these pollutants, such as additional incentives for EV adoption that would be driven by consumer choice rather than government mandate? If so, why did ANR not even consider other options?*

- *ANR claims that if it chose not to implement these rules, Vermont will be "less likely" to receive EVs from manufacturers.*[12] *What is the basis for this claim? If it is a shortage of EVs, then won't market forces drive up EV prices to even more prohibitive levels?*

- *What are the technical performance limitations for EVs used in hauling cargo, on board or by trailer, and how will those limitations effect Vermonters in their everyday use of light duty pick-up trucks?*

Vermont's electrical infrastructure is inadequate to meet the demands of the proposed rule, especially when coupled with the increased electrical demands that will be created by other proposed GHG rules.

Mandating EVs will require much more electrical power and significant improvements to the electrical grid that will take many hundreds of millions of dollars and many more years to achieve. According to Cadmus, the consulting firm hired by the Climate Council, there will be "significant growth in future demand" to meet new transportation and building electrification demands.[13] The Cadmus report says that in less than twelve years, Vermont will need to find more than 60 percent more electricity than it currently uses in order to power these new electrical demands, including approximately 3,400 GWh for transportation alone, which represents nearly 40 percent of Vermont's current total 5,500 GWh usage.[14]

Ironically, electric grid experts concerned about meeting the new demand that will come from banning fossil fuel burning vehicles are recommending fossil fuel to save the day. ISO New England is the nonprofit, independent overseer of New England's bulk electric power system and transmission lines. It recently warned of the need to create a fossil fuel reserve to ensure the grid does not collapse under the weight of increased electrical demands caused by EV and electric heat mandates.[15]

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[11] Vermont Agency of Natural Resources, *Supplemental Information for Advanced Clean Cars II*, at 16, https://bit.ly/3LTME4N.
[12] *Id.*
[13] The Cadmus Group, *Vermont Pathways Analysis Report 2.0,* November 2, 2021, at 18, https://bit.ly/3LPTsAB.
[14] *Id.*
[15] Robert Walton, *ISO New England floats 'energy reserve' to ensure grid reliability, access to LNG at Everett terminal, Utility Dive*, Aug. 31, 2022, https://bit.ly/3LTAjxJ.

In its rulemaking material, ANR devotes a mere single paragraph to these unprecedented increases in electrical demands, claiming summarily that the Vermont Electric Power Company (VELCO) is making plans for the new load requirements.[16] But VELCO is anything but confident that the electrical grid will be able to support this "unprecedented" level of growth, saying that it "*may* be able to serve or manage that load successfully provided we coordinate our planning efforts and implement the preferred solutions in a timely manner."[17] It warns that there is currently "no entity or group tasked to design and implement" the needed solutions. *Id.* at 8. One of those solutions is "load management," which means that VELCO will need "direct utility control of" EV charging and the ability to disconnect "75% of the EV load" for hours during peak periods to prevent the system from failing to meet the reliability criteria during forecasted high load scenarios.[18]

This summer, in Colorado and California, during a heat wave that threatened their grids, utilities took over the thermostats of some customers and locked some of those thermostats above 80 degrees.[19] California and the other states following its EV mandate will face impossible challenges. Even without the load of millions of new EVs, California cannot meet current electricity demands. California had rolling blackouts in 2020 soon after announcing its ICE ban. And, just a few weeks ago, California warned about more blackouts and told EV owners not to charge their cars during peak hours.[20]

Vermont's electrical grid is likewise not up to the task of meeting the demands of these unprecedented new burdens. When faced with an overloaded grid or to meet GHG emission goals, does anyone doubt that that "direct utility control" will not extend into all electricity usage, including thermostat control during cold spells?

Questions for ANR:

- *Has ANR identified the electricity generation sources for the additional electricity load growth that will be caused by these proposed rules? If so, please identify these sources by entity, location, fuel type, and anticipated supply to Vermont.*

- *Does the successful implementation of ANR's proposed rule contemplate or require that utility companies or government have the ability to curtail or prevent the charging of EVs?*

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[16] Vermont ANR Supplement, *supra* note 11, at 11.
[17] VELCO's 2021 Long Range Plan, at 5 (emphasis added), https://www.velco.com/our-work/planning/long-range-plan.
[18] *Id.* at 6.
[19] John Antczak and Eugene Garcia, *Californians asked to conserve power amid brutal heat wave*, AP News, Sept. 2, 2022, https://bit.ly/3Rl7f3d.
[20] Livia Albeck-Ripka, *Amid Heat Wave, California Asks Electric Vehicle Owners to Limit Charging*, New York Times, Sept. 1, 2022, https://nyti.ms/3RqDgqy.

- *Will utility companies or government entities have the ability and authority to control the charging of EVs or any other electrical usage in Vermont homes, such as thermostat control?*

- *Does ANR anticipate that Vermont utilities or government entities will need to employ "load management," such as preventing EV charging or controlling thermostats, to deal with increased electrical usage as a consequence of these proposed rules?*

- *Does ANR anticipate that there will be litigation brought to prevent any intra- or inter-state transmission line upgrades made necessary by these proposed rules?*

Dramatically increased demand will cause electricity prices to skyrocket.

Despite access to fossil fuel powered vehicles, Vermont is already contending with energy shortages. By banning the sale of ICE vehicles, the ANR is removing a large source of energy from the market and thereby needlessly manufacturing what will be an unprecedented energy crisis.

ANR's proposed rule states that unprecedented increased demand will "drive[] down" electricity rates.[21] Simple economics, however, dictate that the dramatically increased demands from these proposed rules will cause the cost of electricity to rise to prohibitive levels, making recent $5 a gallon gas look cheap. In early September, when California narrowly avoided rotating outages for multiple days, prices surged to as much as 85 cents per kilowatt hour. In 2020, prices reached as much as $1.31 per kWh and California imposed rotating outages.[22] Countries like Norway that have widespread usage of EVs have seen skyrocketing electricity costs. Electricity there is expected to soon reach $1 per kWh, which means it will cost about $100 to fully charge a Tesla.[23]

Questions for ANR:

- *Will ANR provide evidence that electricity prices will not rise? If not, will it concede that its electricity price predictions are pure speculation and that electricity prices could rise significantly due to increased demand as a result of these rules?*

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[21] Vermont ANR Supplement, *supra* note 11, at 14.
[22] Reuters, *Sweltering California urges conservation as power demand nears record*, Sept. 7, 2022, https://reut.rs/3y5J7L9.
[23] Peter Imanuelsohn (@PeterSweden7), TWITTER (Aug. 28, 2022, 11:35 AM), https://bit.ly/3BWxiIr; Tucker Carlson, *California's leaders know nothing about energy*, Fox News, Aug. 30, 2022, https://fxn.ws/3SKrcBt.

- *How would high electricity prices impact ANR's conclusions about the benefits and harms to Vermonters from these rules?*

- *Would any forecast of future increases in electricity prices, no matter how high, affect ANR's decision to implement these rules or its timing in any way?*

The electrical panels in most Vermont homes are incapable of hosting proper EV chargers.

Even if there is somehow enough electricity, Vermont's housing stock is much older than the country as a whole and more than half is incapable of hosting fast charging amperage.[24] Sixty percent of the houses in Vermont were built before 1980, which means those homes were built with 100-amp service or below. However, a Level-2 EV charger requires a home with 200-amp service, which means that sixty percent of Vermont homes will need their electrical service upgraded. Even if Vermonters are able to afford the minimum $5,000 cost of an upgrade like this, good luck finding an electrician. According to the Vermont Department of Labor (and anyone who has tried to build or remodel a house lately), there is already a severe shortage of electricians in the state. [25]

Assuming Vermont is able to conjure the necessary army of new electricians, it is estimated that the necessary 200-amp panel upgrades to allow car charging in Vermont homes will cost nearly $700 million.[26] And none of these expenditures will help Vermonters who live in apartments and have to park on the street. Those people will have no place to charge their vehicles, except for public charging stations if those can be found nearby and are operational.

Questions for ANR:

- *Who will pay for service and panel upgrades?*

- *How will people find enough electricians to perform all these panel upgrades?*

- *How will people who live in apartments or in housing that requires them to park on the street charge their EVs?*

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[24] Vermont Housing Finance Agency, *Vermont Housing Needs Assessment: 2020-2024*, February 2020, at 32, https://bit.ly/3UOe6oF.
[25] Vermont Department of Labor, *Vermont Declining and High Demand Occupations 2022*, at 8, https://bit.ly/3E1vyjA.
[26] Vermont Public Power Supply Authority, *Utility Infrastructure Investment Proposals*, January 14, 2022, at 7, https://bit.ly/3BWOZra.

Vermont intends to use "renewables," some of which are dirtier than fossil fuels to reach climate goals.

Any discussion of the relative CO2 contribution of energy sources must include the political sacred cow of Burlington's Joseph C. McNeil woodfired generating plant. McNeil is operated by the Burlington Electric Department, which brags that its 50-megawatts of woody-biomass electricity generation comes completely from renewable sources. But that claim is disingenuous at best, because not only is McNeil Vermont's largest producer of electricity, it is also its biggest emitter of GHG.

Compounding this pollution problem, the state also produces electricity by burning wood at the 20-megawatt Ryegate Power Station in Caledonia County, which is subsidized $5 million every year by ratepayers.[27]

ANR should not claim Vermont is helping the climate by burning biomass like trees, because it is making it worse.[28] And biomass is much worse than fossil fuel generation, especially natural gas.[29] McNeil operates at only 23 percent efficiency,[30] which is significantly less than coal (45%)[31] and gas (>50%).[32] In fact, climate expert Bill McKibben has a term for the inclusion of renewables like biomass to calculate a reduction in GHG emissions – Greenwashing. Vermont officials are well aware of the deceit of biomass. In 2014, the Vermont Public Utility Commission rejected a new biomass electricity plant proposed for North Springfield because of its low efficiency and negative environmental impacts.[33]

Biomass electricity generation not only causes increased emissions and harms air quality, but it also depletes the region's forests of carbon storage capability. Most climate experts now agree that burning trees creates a carbon debt that is not repaid for many decades, which is too late for addressing climate concerns.[34] Leaving aside the debate about the long-term carbon effects of the inefficient burning of wood to generate

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[27] Kevin McCallum, *In a Warming World, New Thinking Imperils Vermont's Wood-Fueled Energy Market*, SevenDays, Oct. 9, 2019, https://bit.ly/3fiusFS.
[28] James Reinl, *Old growth forests being stripped bare and the carbon in the wood is being released*. DailyMail.com, Sept. 15, 2022, https://bit.ly/3dMGlnn.
[29] U.S. Energy Information Administration, *How much carbon dioxide is produced per kilowatthour of U.S. electricity generation?*, WWW.EIA.GOV, https://bit.ly/3rzRwDb (last visited Sept. 28, 2022).
[30] McCallum, *supra* note 27.
[31] General Electric, *High-Efficiency, Low Emissions Coal Plants*, WWW.GE.COM, March 13, 2018, https://invent.ge/3CjecgO.
[32] International Petroleum Industry Environmental Conservation Association, *Combined cycle gas turbines*, WWW.IPIECA.ORG, April 10, 2013, https://bit.ly/3SKrWqf.
[33] McCallum, *supra* note 27.
[34] Bill McKibben, *Don't Burn Trees to Fight Climate Change – Let them Grow*, The New Yorker, Aug. 15, 2019, https://bit.ly/3RmIKmc.

electricity,[35] we are told that we are in midst of a climate emergency that cannot wait for decades for a response. Assuming that is true, the most effective and dogmatically consistent action to take is to shut the McNeil plant down.

To illustrate this point, let's take something most Vermonters are very familiar with in our rural lifestyle – the F150 truck and its newest manifestation the F150 Lightning. The gas-powered F150 produces about .94 lbs (470 grams) of CO2 per mile driven.[36] The new Lightning requires 1 Kilowatt-hour to travel 2 miles.[37] Electricity produced from an average coal plant produces about 2.23 lbs per kWh,[38] so for one mile the Lightning using coal-based electricity produces 1.12 lbs of carbon.

McNeil, however, does not burn relatively-efficient coal. Instead, it burns inefficient and wasteful wood, while destroying our woodlands. The well-respected Manomet study points out that a woody biomass facility produces 3.22 lbs of CO2 per kWh versus 2.23 lbs of CO2 from a coal fired plant.[39] That means the power produced by McNeil is 44 percent dirtier than power produced by a coal plant.

So a Lightning charged with power from McNeil produces 1.6 lbs of carbon per mile compared to just .94 lbs for a gas-powered F150. Put another way, the Lightning charged up at City Market produces over 70 percent more carbon than your Dad's Ford 150.

While the ANR may allow the greenwashing of its renewables portfolio to rack up phony GHG reductions, the law will not be so forgiving. Under 10 V.S.A. § 594, "any person" is given the power to bring suit against the State if its rules fail "to achieve the greenhouse gas emissions reductions requirements" of the GWSA. The use of McNeil and other biomass plants to claim falsely to reduce GHG in Vermont has already been publicly challenged by climate activists. Thus, the State should expect a lawsuit on this issue, especially since the law provides for payment of attorney's fees for a successful case.

Questions for ANR:

- *Why is Vermont using wood burning electrical plants to generate power (woody biomass electric generation) when it causes more GHG emissions than fossil fuels?*

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[35] Meredith Somers, *Study warns wood bioenergy supporters can't see carbon emissions for the trees*, MIT Management Sloan School, Jan. 24, 2018, https://bit.ly/3E6Xfrk.
[36] 2018 Ford F-150, Fuel Economy, WWW.FUELECONOMY.GOV, https://bit.ly/3fiaLOq.
[37] 2022 Ford F-150 Lightning, Fuel Economy, https://bit.ly/3res1qC.
[38] U.S. Energy Information Administration, *supra* note 29.
[39] Manomet Center for Conservation Sciences, *Biomass Sustainability and Carbon Policy Study*, WWW.MANOMET.ORG, June 2010, at 103 (1.46 tonnes of CO2 per MWh), https://bit.ly/3dMt91O.

- *If the McNeil and Ryegate plants are shut down due to GHG emissions, where does ANR anticipate replacing that lost electricity while also supplying the additional electricity needed for the increased demands caused by these proposed rules?*

- *Using the Ford F150 v. the Ford Lightning example, will ANR concede that an EV charged with power from the McNeil biomass plant causes more GHG emissions than an ICE vehicle driven the same distance, especially in temperatures below 20 degrees Fahrenheit?*

- *Did the ANR consider the impacts of burning wood in biomass plants on carbon sequestration, water quality, flood resiliency, recreation, and wildlife habitats? If so, what are those impacts?*

- *Did the ANR consider the impacts on carbon sequestration, water quality, and wildlife habitats of logging forests to feed biomass plants for producing electricity? If so, what are those impacts?*

- *What is the entire basis, including any scientific studies, for ANR's contention that these proposed rules will benefit public health? And, in particular, what diseases will be avoided and by whom?*

- *Did the claimed public health benefits account for pollutants from the McNeil and Ryegate plants? If so, how? If not, are these claimed benefits undermined by the pollution produced by these plants?*

- *Do the claimed cumulative avoided emissions of GHG, NOx, NOx, and PM from these proposed rules,[40] account for the pollution emitted from McNeil and Ryegate? Please explain how this pollution is or is not accounted for by these claims.*

- *Did ANR consider that these proposed rules may harm public health? If so, how and did that harm outweigh any forecasted benefit?*

- *How will the ANR defend against citizen lawsuits challenging its failure to reach GHG emission reduction requirements because its claims are based on the use of biomass electricity plants, which produce GHG gasses that exceed electricity generated with fossil fuels?*

- *Do Vermont's GHG emission calculations include GHG emissions used to generate power that is used in Vermont but produced out of state?*

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[40] Vermont ANR Supplement, *supra* note 11, at 18-19.

The production of modern batteries for EV's harms the environment and is dependent on the Chinese-Communist government to supply rare minerals.

The production of batteries for EVs requires lots of minerals, such as lithium, cobalt, and nickel. More than 50 tons of ore must be mined to get enough minerals for each battery.[41] That mining process involves massive machines that burn lots of fossil fuel to run, which will emit large amounts of GHG and other pollutants.

Making matters worse, many of these minerals are located in underdeveloped countries, making mining for these minerals both irresistible and ruinous to their people. These countries lack adequate environmental controls, have lax permitting and oversight, and have horrible human-rights records. For example, "most cobalt is dug out in Congo, where child labor is not uncommon, specifically in mining."[42]

Another problem is that the supply chain for battery minerals is dominated by China, which means that the ability to have adequate supplies of batteries for both EVs and for the power storage called for by these rules will be largely dependent on its Communist government.[43]

ANR's EV plan depends on lithium-ion battery site storage of electricity generated by solar and wind. However, recent incidents reveal that these batteries are prone to catch fire, posing both safety and environmental dangers.[44] A Tesla battery at a utility storage site in California caught fire this month, forcing a highway to be shut down and local residents to shelter in place.[45] "Lithium-ion battery fires are notoriously hard to extinguish because they burn at extremely high temperatures and produce dangerous fumes."[46] A fire last year in Australia at a Tesla battery storage site took "three days and a hazmat firefighting team to put out."[47] These safety and pollution factors should have been, but were not, considered by ANR.

Questions for ANR:

- *Did ANR consider China's market dominance over the minerals necessary to make EV batteries and the impact that dominance may have on the supply of batteries needed to implement these rules?*

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[41] Roger D. McGrath, *The Real Cost of Electric Vehicles*, Chronicles Magazine, July 1, 2022, https://bit.ly/3rifxyi.
[42] Bjorn Lomberg, Policies Pushing Electric Vehicles Show Why Few People Want One, WSJ, Sept. 9. 2022, https://on.wsj.com/3ftR2LW.
[43] Camila Domonoske, *How a handful of metals could determine the future of the electric car industry*, NPR, March 13, 2022, https://n.pr/3LVHZzE.
[44] California's Tesla Battery Fire, A reminder that solar and wind power aren't cost or risk free, Sept. 21, 2022, https://on.wsj.com/3ftwOSD.
[45] *Id.*
[46] *Id.*
[47] *Id.*

- *Did the ANR's environmental impact assessment include environmental impacts outside of Vermont, including but not limited to water quality, air quality, and GHG emissions? In particular, did ANR consider environmental impacts, including GHG emissions, on areas of the world that will be burdened with extracting rare earth minerals needed for battery production?*

- It is common in countries with the rare minerals needed for EV batteries to use child labor in mining. Did ANR include in any of its analysis or even consider that its EV mandate will exacerbate child labor problems in these underdeveloped countries?

- *Did ANR consider that rare earth minerals needed for EV batteries are difficult to mine and that the increased demand caused by mandatory adoption of EVs may cause the cost of batteries to skyrocket to prohibitive levels, making the vehicles even less affordable to most of the public and eliminating any cost benefit of EV ownership anticipated by ANR.*

- *What are the potential safety and pollution hazards associated with battery storage sites, what are the costs of those hazards, and how will Vermont prepare for responding to highly-dangerous battery storage site fires? How much will it cost for Vermont's professional and volunteer firefighters to be trained and equipped to contend with these types of fires? Why did ANR not consider or include these factors in its assessment of these rules?*

Some countries have been exempted from the 2015 Paris Climate Accord's GHG emission reduction requirements, which will undermine any efforts to reduce GHG emissions elsewhere.

India and China are two of the biggest GHG emitters on the planet with huge industrial sectors and a combined population of 2.8 billion people. China releases more than 14 gigatonnes of GHG per year,[48] and India release about 3 gigatonnes per year.[49] Together these two countries emit 17 billion metric tons of carbon dioxide annually. Both China and India, however, have been exempted, along with other "developing countries," from the 2015 Paris Climate Accord's GHG emission reduction requirements.

Vermont has a population of just 640,000 and releases only about 8.66 million metric tons of GHG per year.[50] China's and India's populations are 4,500 times larger

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[48] *Greenhouse Gas Emissions by China*, Wikipedia, Aug. 23, 2022, https://en.wikipedia.org/wiki/Greenhouse_gas_emissions_by_China.
[49] *Climate Change in India*, Wikipedia, Sept. 22, 2022, .https://en.wikipedia.org/wiki/Climate_change_in_India.
[50] *Vermont Greenhouse Gas Emissions Inventory and Forecast 1990-2017*, Vermont Dept. of Environmental Conservation, May 2021, https://bit.ly/3riP0B2.

and together they emit 2,000 times more GHG. Put another way, China and India emit as much GHG in under 5 hours as Vermont emits in an entire year.

Not only is China exempt from any GHG reduction requirements, but, in the six years since the accord was signed, China has increased its emissions by 11 percent.[51] In other words, China is deliberately going backwards and accelerating its GHG emissions, more than swallowing up any reductions made by western countries. For example, since 2015, the United States has closed down 80 gigawatts of coal-powered electricity generation.[52] In contrast, China is building and opening new coal plants at a furious pace.[53] According to the nonprofit Global Energy Monitor, China has built or will soon be building 290 gigawatts of coal-powered electricity capacity, adding back more than three times the capacity removed by the United States.[54]

There is no guarantee that the communist government of China, which gave us COVID, fills our streets with Fentanyl, and commits genocide against its own people (the Muslim Uyghurs), will ever agree to any GHG reductions. Just doing the math, reasonable Vermonters might ask what is the point of all their economic pain, disruption, and uncertainty when the claimed and real reductions in GHG emissions will fail to achieve any of the proposed rules' stated purposes.

Questions for ANR:

- *In choosing to implement these rules, did ANR consider the impact of the exemption of developing country parties from GHG emission reductions on the effectiveness of these proposed rules in preventing or mitigating the impacts Global Climate Change?*

- *Even if Vermont shut down entirely all of its GHG emissions, there would be no mitigating impact on global climate change. Is there any scientific evidence supporting the idea that Vermont's EV mandate, which relies heavily on GHG emitting power stations, will have any material impact (or any impact whatsoever) on reducing worldwide GHG emissions or any mitigating impact on Global Climate Change?*

Litigation against the EPA, may disallow the California waiver upon which these rules are based.

All this effort and expense may be for naught depending on the outcome of litigation. Pending in the United States District Court for the District of Columbia is a case challenging California's waiver on the basis of the Administrative Procedures Act and the Constitutionality of allowing one state the special ability to carve out its own

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[51] Editorial, *China's Coal Power Boom*, Wall St. J., Sept. 13, 2022, https://on.wsj.com/3Sq5GCk.
[52] *Id.*
[53] *Id.*
[54] *Id.*

exception to the Clean Air Act. *State of Ohio, et al. v. EPA, et al.*, Docket No. 22-1081 (D.C. Cir.). Even if this appellate court finds the California waiver is valid, that decision will be reviewable by the United States Supreme Court, which is receptive to arguments about constitutional structure and is increasingly skeptical of agency power. *See, e.g., West Virginia, et al. v. E.P.A.*, 142 S.Ct. 2587 (2022) (holding the EPA lacked authority to regulate emissions from existing power plants under the CAA).

Furthermore, analogous rules in other states have been challenged under applicable state administrative and constitutional law. For example, the Minnesota Automobile Dealers Association has a pending petition challenging the Minnesota Pollution Control Agency's final rules purporting to incorporate by reference the California Air Resource Board's standards. *See Minn. Auto. Dealers Ass'n v. Minn. Pollution Control Agency*, Case No. A22-0796 (Minn. Ct. App.). While an earlier challenge to the proposed rule had been dismissed as premature, petitioners have since re-filed their challenge to these rules as exceeding the statutory authority of the agency and as not authorized by the CAA. Thus, in addition to the federal petition filed by Ohio and other states in the D.C. Circuit, similar legal challenges have been made in other jurisdictions alleging serious deficiencies in these analogous rules. These courts will soon adjudicate these legal challenges on the merits, which may invalidate the basis for these proposed rules. Other states that have ceded their authority to California should expect similar lawsuits.

Questions for ANR:

- *Has ANR evaluated the legal claims made in litigation challenging the validity of the California exemption and made contingency plans to meet GHG emission requirements in case the exemption is found to be unconstitutional or invalid as arbitrary and capricious?*

- *Has ANR evaluated the vulnerability of its proposed rule to legal challenge?*

Conclusion.

Even if the exception that allows state government to force Vermonters to drive EVs is found to be legal, it is unwise policy. Vermont is not ready for EVs and will not be for some time. As Elon Musk, the genius visionary who enabled the production of modern EVs, recently remarked "[o]ne of the biggest challenges the world has ever faced is the transition to sustainable energy and a sustainable economy," which he said "will take some decades to complete." These proposed rules banning ICE vehicles show ANR is in denial of this reality, but it will be Vermont's citizens who suffer the consequences of this folly.

While we work in the coming decades to develop the technology to allow us to effectively and efficiently fuel electric vehicles with clean, renewable energy, Vermont needs to pursue an all of the above strategy by investing heavily in this technology while

still using cheap, reliable fossil fuels to alleviate poverty, propel its economy, and improve the well-being of its citizens.

Meantime, we look forward to your responses to these comments and to our specific questions.

Sincerely,

Brady C. Toensing
Counsel to R.L. Vallee, Inc.

cc: Rachel Stevens, Associate General Counsel, *via email* (Rachel.Stevens@vermont.gov)

From:	Sylvia Knight
To:	O"Toole, Megan
Subject:	Comments: Advanced Clean Cars II & Advanced Clean Trucks rules.
Date:	Friday, September 23, 2022 4:47:48 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello, Megan,

My husband and I own a 2022 Chevrolet Bolt and are enjoying it very much. We hope that more trucks will become electric. Large vehicles such as SUVs, vans and trucks still rule the road.

We need public transit buses to be powered electrically as well. Their stop & go patterns in town are perfect for electric power.

The challenge is finding enough charging locations to extend the range of travel. Please do all in your power to get VT off of petroleum for travel, or at least greatly reduced.

Thank you for your work,

Sylvia Knight
Earth Community Advocate & Researcher
Burlington, VT 05408
sknightinvt73@gmail.com
pronouns: she, her

We cannot solve our problems with the same thinking we used when we created them. Albert Einstein.

"We aren't going to have peace on Earth until we recognize the basic fact of the interrelated structure of all reality."

Martin Luther King, Jr.

From:	Rick Zimmerman
To:	ANR - DEC Lev Zev
Cc:	"Danielle Penny"; "John Mitchell"; "Kevin Kouri"; Mike Thresher; Sue VanAmburgh
Subject:	Comments: Advanced Clean Truck Rule
Date:	Thursday, September 29, 2022 9:17:49 PM
Attachments:	Comments VT Advanced Clean Truck Rules.pdf

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Please accept the attached comments on behalf of the Northeast Agribusiness and Feed Alliance and the Vermont Feed Dealers and Manufacturers Association

Rick Zimmerman
Zimmerman and Associates
194 Washington Ave. Suite 610
Albany, NY 12210
P: 518 426 0214
C: 518 727 8156

September 29, 2022

The Honorable Julie Moore, Secretary
Vermont Agency of Natural Resources
1 National Life Drive, Davis 2
Montpelier, VT 06520-3901

Via email: anr.declevzev@vermont.gov.
Cc: Deirdre.Ritzer@Vermont.gov, Air Quality and Climate Division, Mobile Sources Section

Re: Vermont proposed Advanced Clean Truck Rules

Dear Secretary Moore,

On behalf of the Northeast Agribusiness and Feed Alliance and the Vermont Feed Dealers and Manufacturers Association, we offer you the following comments regarding the proposed advanced clean truck rules that would incorporate by reference California's motor vehicle emission standard regulations and mandate. Our two trade associations represent the agribusinesses that serve Vermont's animal agriculture industry, including the dairy industry. Specifically, ANR proposes to amend existing rules by adopting California's Advanced Clean Cars II, Advanced Clean Trucks, Low NOx (oxides of nitrogen) Heavy-Duty Omnibus Regulations, and California's Phase 2 Greenhouse Gas ("GHG") Rule. This proposal promises to restrict consumer choice, and essentially force the use of heavy-duty electric vehicles onto the commercial truck industry before the technology has proven to be available, effective, economically competitive, and practically appropriate.

The dairy industry is the largest agricultural industry in Vermont, providing wholesome products to consumers throughout the country and offering good employment opportunities for Vermont residents. In addition, Dairy farms and agribusinesses provide the economy of VT with tax dollars critical for the operations of local and state municipalities. Vermont dairy farmers need daily deliveries of feed and grain to keep their animals producing and the notion of moving feed deliveries to an EV platform is currently unrealistic.

Feed trucks serving Vermont's dairy industry travel the length of the state And often reach west to New York, south into Massachusetts and Connecticut and east into New Hampshire and Maine. Vermont's feed manufacturing industry is essential to feeding dairy cattle and other essential livestock throughout New England and New York. Currently it is not uncommon for a feed delivery vehicle to travel 400 miles or more per day to pick up and deliver feed to dairy farms. Rural roads with many challenging hills require substantial horsepower from over-the-road tractors to accomplish the job. Further, engine power is required at the delivery site to operate the truck's unloading equipment.

State of the art heavy duty electric vehicle technology does not come close to performing the daily requirements of a feed truck, particularly in Vermont. Cold temperatures, hilly roads and onsite delivery demands will quickly reduce heavy duty truck performance to well below required performance rates. Further, recharging times, even if recharging infrastructure is available, would require hours per day to recharge in contrast to minutes per day for diesel refueling.

Vehicle cost is another significant factor. Current heavy-duty EV over the road tractors are running around $400,000 each. A conventional diesel engine truck sells for about $180,000. One Vermont feed business estimated that they would have to double the size of their fleet to accommodate the lower daily mileage performance and extensive recharge times. Charging takes between 8-10 hours and charging stations require expensive 3-phase power sources that cost as much as $50,000. Further, even if it was possible for a fleet of heavy duty EVs to deliver feed commodities, the significant additional cost per vehicle cannot be absorbed by feed mills and dairy farms as farmers are price takers and cannot pass along additional expenses up the food chain.

The technology for large EV vehicles to replace diesel is still in the development stage, particularly regarding battery capacity. Currently, there are serious safety concerns relating to batteries in passenger cars. A large EV truck with tons of batteries poses a more serious threat that needs to be understood before mandating them onto the highway. EV passenger vehicles are not the same as large delivery trucks especially in the agricultural businesses.

The Northeast Agribusiness and Feed Alliance and the Vermont Feed Dealers and Manufacturers Association strongly recommends that policies pertaining to zero or low emission heavy duty commercial vehicles and agricultural equipment account for the practical applicability of current technology and avoid any direct or indirect mandates that force unproven economically unfeasible technologies upon Vermont's agriculture and food system.

Respectfully submitted,

Danielle Penny Stroop, President
Northeast Agribusiness and Feed Alliance
PO Box 1662
Latham, NY 12110
518 783 1322
Danielle.penney@novusint.com

Matt Saville, President
Vermont Feed Dealers
and Manufacturers Association
802-989-1631
president@vermontfeed.org

From:	Kara Evarts
To:	O"Toole, Megan
Subject:	Comments: re Clean vehicle rules
Date:	Thursday, September 29, 2022 7:36:48 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Ms. M. O'toole,

I am a Vt resident writing to support the Advanced Clean Cars II & Advanced Clean Truck rules initiative in Vt.

Vehicle emissions are the number one pollution contributor to our state's environment. I fully support the Advanced Clean Cars Ii & Advanced Clean Trucks to combat air pollution in our state.

Best,

KC EVARTS

From:	Katherine Walker
To:	O"Toole, Megan
Subject:	Commitment to Zero Emission Vehicles
Date:	Wednesday, September 28, 2022 4:46:45 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

To Whom it May Concern,

I am firmly committed to Vermont's plan to reduce carbon emissions and hope that we stay on track by passing the Advanced Clean Cars II & Advanced Clean Trucks rules. Every state must make this effort, but in Vermont specifically, transportation is the single largest contributor to climate pollution.

We must redouble our efforts to reduce carbon emissions. Please let me know where you stand on this issue!

Thank you.

Katherine Walker
Waterbury Center, VT

Over the past weeks the Vermont Agency of Natural Resources has hosted hearings, both virtual and in-person, to hear from the public about this critical set of rules necessary to meet our state's climate goals. If you were able to make it to one of those hearings, thank you. If you could not make it to a hearing, **this is your chance to speak up**.

Transportation is the single largest contributor to climate pollution in Vermont, but Vermonters have struggled to find zero-emissions vehicles in sufficient numbers to meet demand. The passage of these rules is a critical step in our state's transition to a zero-emission future. **I hope you will take a moment to submit a comment advocating for the passage of the Advanced Clean Cars II & Advanced Clean Trucks rules.**

From: Jon Kent
To: O"Toole, Megan
Subject: Cutting emissions...
Date: Sunday, September 25, 2022 12:14:08 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

It's a shame, as a Society, that we haven't taken Global Warming seriously and are on a path to our own demise. For a long time, I've felt that fossil fuels should only be for long hauling and construction, vehicles that call for hours of consecutive use. The day-to-day commute for the majority of us should be electric. While I'm at it, why shouldn't new housing include Solar in the equation? Thank you.

Jon Kent
Shelburne

From: Brandy J Hill
To: O"Toole, Megan
Subject: Electric Cars
Date: Thursday, September 29, 2022 7:21:52 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello,

I do not believe that going all electric is the way.

There is no infrastructure for electric cars here in VT and electric cars are no good for long travel.

The materials needed to make the batteries destroys the land and environment as well.

You need to have less cars all together. Money should be used for finding an alternative way to travel.

I really don't think electric cars are the total answer.

Sent from Mail for Windows

From: Dana Barber
To: ANR - Vermont Climate Council
Subject: electric vehicle proposal
Date: Friday, August 26, 2022 8:59:44 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I like the idea of electric vehicles but , as a snowbird traveling to and from Florida, range and charging time is most important to me. Also winter reliability and heating.

Dana

Sent from Mail for Windows

From: Mike Doane
To: ANR - Vermont Climate Council
Subject: Electric vehicles
Date: Saturday, August 27, 2022 7:34:40 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I have questions about going to all electric vehicles, but not going to travel 2 hrs each way to attend your meeting.

Has anyone given serious thought about how an electric plow truck will be able to keep up with a snow storm here in Vermont that might last a couple days? Do we keep a couple extra on chargers so when one dies we can switch to another? What happens when the storm knocks out the power? Now we have to keep generators on hand to power our plow trucks?

Don't get me wrong, I think in some places electric vehicles will work well, but to mandate all vehicles must be zero emissions in a rural state like Vermont, you should consider all of the possible repercussions. It goes way beyond just plow trucks. Service trucks such as our electric grid service trucks that work for 24-48 hours straight after storms repairing damages can't stop to recharge. Over the road truckers have to stop every few hours to recharge?

This summer here in Vermont, we were asked to not use our air conditioners in our homes so our electric grid wouldn't be overloaded. Now you want to make all vehicles electric. How is it possible to do that without overloading our grid?

Sent from my iPhone

From: R U
To: ANR - DEC Lev Zev
Subject: Electric Vehicles Public Comment
Date: Friday, September 16, 2022 6:43:37 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.
I am submitting as my public comment on the **Proposed Amendments to the Air Pollution Control Regulations, Low Emission Vehicle and Zero Emission Vehicle Regulations.**

I have nothing against electric vehicles but am concerned that regulations that mandate such vehicles not be put in place without the supporting infrastructure first being in place. Or at a minimum that any new regulations include clauses that tie the implementation timing to such infrastructure also being in place.

Before I purchase an electric vehicle I want publicly available charging stations to be as readily accessible as are gas stations currently, and not just in terms of locations, but also in terms of capacity. It will be tough enough taking 30 - 60 minutes to charge a vehicle without first having to wait in line to get to an available station. There are exceedingly few charging stations out there at present, not just in Vermont, but just about everywhere. Charging at home only works if you only drive locally. I don't which is the basis for my concern. Assumptions that the supporting infrastructure is going to somehow appear call to mind the old maxim "hope is not a plan". An actionable charging station infrastructure plan needs to be at the forefront of any regulatory effort that forces a societal conversion to electric vehicles.

Thank you for any consideration that you give to my concerns.

Robert Underhill
Clarendon, VT

From: Donald Lenz
To: O"Toole, Megan
Subject: Electric vehicles
Date: Friday, September 23, 2022 4:18:13 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I support a law to to eliminate sale of new gasoline powered vehicles by 2035. This is absolutely necessary for meeting climate goals that have already been set.

From: achalnick@gmail.com
To: O"Toole, Megan
Subject: Electric Vehicles
Date: Monday, September 19, 2022 7:05:24 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I am writing to voice my strong support for adopting California's rule to transition away from fossil fuel-based transportation and require all new vehicles that are sold in Vermont to be electric, beginning 2035. The latest scientific reports warn that without immediate concerted action coral reefs will disappear, coastal cities will flood, drought will deplete the breadbaskets that today feed the world and ecosystems will fail. The Working Group II Co-Chair of the Intergovernmental Panel on Climate Change remarked:

> "Climate change is a threat to human well-being and planetary health. Any further delay in concerted anticipatory global action on adaptation and mitigation will miss a brief and rapidly closing window of opportunity to secure a livable and sustainable future for all."

We must transition away from fossil fuels to have a livable future.

Thank you,

Andrew Chalnick

From: Amy Lilly
To: O"Toole, Megan
Subject: Electric vehicles
Date: Friday, September 23, 2022 5:00:16 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi!

On behalf of VPIRG, of COURSE access to electric vehicles in Vermont needs to be expanded, by any means necessary!

Thank you.

Amy

From: sue pfaff
To: O"Toole, Megan
Subject: electric vehicles
Date: Wednesday, September 28, 2022 4:51:40 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I totally support electric vehicles AND

1. re-charging stations have to be plentiful, equitably placed, financially reasonable and ready to go.

2. rebates should not be in the form of a tax refund and must be substantial [not all people are rich enough to owe taxes].

3. electric vehicles must be practical for Vermont winter weather - function well and with any expensive parts i.e. expensive batteries - positioned away and protected from road salt or rough road damage.

Sue Pfaff
East Dover, Vermont
05341

From:	Jenifer Andrews
To:	O"Toole, Megan
Subject:	Electric vehicles
Date:	Wednesday, September 28, 2022 4:40:13 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Megan,

I am writing to support continued forward motion in the area of electric cars. One of the things that is critical is hook ups. Before anyone can purchase an electric vehicle, they need to know that hook ups are easily available throughout the state.

We support the Advance Clean Cars proposal.

Jenifer Andrews
80 Vanasse Rd
Morristown, Vt 05661

From: laura richardson
To: O"Toole, Megan
Subject: electric vehicles
Date: Saturday, September 24, 2022 9:47:20 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

pushing the use of electric vehicles as a solution to climate change is a farce! the manufacture of these batteries is petroleum based and they are toxic. we need a petroleum alternative, hemp for instance. even using veg oil instead of diesel is a better option. this idea is like using a bandage on a severed artery!

From: Tom Button
To: ANR - Vermont Climate Council
Subject: Ev cars
Date: Friday, August 26, 2022 10:52:42 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

The goverment is going out his way to make sure that peoe wont be able to work here in Vt. You wanna get rid of gas power cars, How bout the people who cant afford to buy brand new Ev cars. Can barely afford gas power cars. You wanna add all this electric to a grid that cant handle it, so that the electric bills that are already so expensive people having hard time paying them. Not every county has buses like nek where people have to travel an hour to go to work cause there is no gd paying jobs that people have to afford the food or rent around this state. There is nothing here and yet we are one of the most expensive states to live in. Is the state gonna pay to get people who dont have or can afford to get Ev cars and pay to have the charger installed in there home.

Thank you,

Thomas Button

From: Matthew Stone
To: O"Toole, Megan
Subject: EV Vt
Date: Saturday, September 24, 2022 6:58:37 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Have you been paying any attention to what is going on in Vermont. have you noticed the number of EV's, PHEV's and hybrids on our roads? Maybe your efforts should be put into charging stations and alternative fuels. I hope you do not really believe that electric is the final solution.

From: Rick McDowell
To: O"Toole, Megan
Subject: EV's
Date: Wednesday, September 28, 2022 5:36:10 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Megan

I'm writing in support of accessibility of EV's and any legislation that promotes clean energy transportation. It's long overdue

thanks
Rick

From:	Brian Just
To:	O"Toole, Megan
Subject:	Feedback on Advanced Clean Cars II & Advanced Clean Trucks
Date:	Thursday, September 29, 2022 10:29:25 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Good morning,

The Advanced Clean Cars II & Advanced Clean Trucks rules are a critical step in helping our little state create more impact. It is refreshing to hear that we could soon have expanded access to zero-emission vehicles, and I hope that Vermont resists the fossil fuel lobby and passes these.

This is especially important in a largely rural state that has so much transportation reliance. With the current infrastructure being built out, we'll be ready -- if the vehicles come. Rules like this will also help accelerate the production of affordable versions that will make these vehicles attainable (and sooner) by more Vermonters. This is critical.

Thank you for listening,
Brian Just

From: hanson70973@aol.com
To: ANR - Vermont Climate Council
Subject: Feedback on CAP recommendations
Date: Friday, August 26, 2022 10:18:28 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.
Re:WCAX report on CAP Recommendations EV mandates

No. No. No.

Not in favor of these policies. About as well thought out as a fifth grader could be expected to produce a plan like this.
Vermont is not California. California is failing.
Our grid is failing.
Ability to produce electricity with other sources of clean energy options has been nixed. Look at Germany.

This will end up hurting low and middle income residents and any subsidies and hidden taxes that will be added and buried in
our electric bills and in an EV sticker price will financially decimate these populations.

This will fail due to your lack of extremely poor planning and reckless roll out. Unfortunately, there will be a hefty price to pay from those who can least afford it..per usual.

Power grab and following the money.

Mary Hanson
White River Jct

From: brian harms
To: ANR - DEC Lev Zev
Subject: follow up from Zoom meeting today
Date: Friday, September 23, 2022 2:20:36 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

As follow up to the presentation and comments/questions from those attending I still have some concerns though generally support the approach to the transportation sector input on emissions.

1) There are many ways we pollute besides the largest VT contribution in transportation. While reducing actual emissions from the largest source is technically the right thing to do, how an initiative is executed can have a negative impact on perception. The more fortunate of Vermonters can motor around Lake Champlain in a fossil fuel powered boat, yet the poorest among us with a minimum wage of $12.33, now will be facing higher costs to reduce the very pollution the yachting crowd can continue to belch out. This affects the credibility of activism and can lead to less support in the future for other initiatives. Please do not lecture the poor on the economics of "cost per year of operation". When you are trying to figure out how to pay rent and buy groceries, the long-term financial benefits mean nothing. Pay wages on which people can thrive instead of surviving and then long-term thinking has a chance.

2) There needs to be a way to keep electric costs in check or better subsidized for the poor. If GMP and the other utilities have to buy more renewables, which they will for the overall transition to electricity, the costs for electricity will go up. Here the poorest, even without an EV, are paying more to power up the more fortunate of us to charge our fancy new EVs. This should be addressed in the initiative.

3) If the expansion and availability of charging is not keeping pace with the increase in EVs then the 100% date of 2035 should be adjusted. There should be an independent study on a continuing basis to be sure, not just that highways and large workplaces are charger ready, but the side streets of Burlington for the low wage worker in a basement apartment or the trailer on a rural road.

thanks

brian harms
Colchester, VT

From:	Linda McGinnis
To:	O"Toole, Megan
Subject:	For Secretary Moore in support of ACT and ACC-II
Date:	Wednesday, September 28, 2022 10:42:43 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Secretary Moore,

I would like to add my name to the thousands of others who are urging the State to adopt the rules for the Advanced Clean Trucks (ACT), Advanced Clean Cars (ACC) II, Low NOx Heavy-Duty Omnibus, and the Phase II Greenhouse Gas Emissions Standards rules (the "Rules"). These rules are a win-win at nearly every level for Vermonters: public health, affordability, availability of zero emissions vehicles, and meeting our climate change requirements.

As a climate economist and policy analyst for over 30 years, both internationally and here in Vermont, I can say without a doubt that this set of regulations is the single most important act that the State can do at this stage to move Vermont to a future that prioritizes clean air for everyone together with clean affordable transportation.

As a mom of three, one of whom has breathing challenges, I am deeply concerned about our State's role in reducing pollution at ALL levels. And not a day goes by when I don't feel like we could be doing more to address climate change. Not a day.

Given that transportation is the largest source of emissions in Vermont (40%!), the highest share of energy burden for those who can least afford it (thanks to high and volatile fossil fuel costs), and is the sector on which the state has done the least at a policy level to transition to cleaner options (thanks in large part to the stalling of TCI-P), it is clear that this set of rules plays a critical role in both reducing emissions pollution AND in reducing transportation costs for those who can least afford it.

I have owned an EV for 6 years, and can attest to the significant savings we have seen in our transportation expenditures over the past 6 years. I want EVERY Vermonter to have those savings. I'd much rather spend those savings on health care, education, or pizza for that matter, than on gas that is imported from out of state, and is vulnerable to global wars, both in terms of price and supply.

As the Inflation Reduction Act comes online, the demand for electric vehicles is going to soar, and we need to ensure that the supply of vehicles in Vermont can meet that demand. These rules will enable Vermont to be part of the 15+ other states (and nearly EVERY vehicle manufacturer) who will be ensuring that our citizens can help lead this effort to a clean, affordable transportation future nationwide.

Please do not let Vermont miss this opportunity. This climate economist, this mom, this Vermont citizen is asking you to do the right thing...by ALL of us.

Respectfully,

Linda McGinnis

--
Linda McGinnis
2 Whately Rd
South Burlington, VT 05403
(Mobile) 802-324-6993

From:	Charles Ferry
To:	ANR - Vermont Climate Council
Cc:	"Charles Ferry"
Subject:	From Charles Ferry FW: Portland Press-Herald - 8/29/2022: "Maine's Not Rushing to Follow California's Electric Car Mandate"
Date:	Wednesday, August 31, 2022 8:08:14 AM
Attachments:	image_6487327.JPG

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I oppose the VT Climate Action Plan. People should buy and use what they want. Your proposed requirement will be costly for Vermont residents.

Charles Ferry
263 Berlin Street,
Montpelier, VT 05602

Subject: Re: Portland Press-Herald - 8/29/2022: "Maine's Not Rushing to Follow California's Electric Car Mandate"

On Wed, Aug 31, 2022 at 6:57 AM John Dunleavy <jkdunleavy@icloud.com> wrote:

> Sounds like Maine's governor is exercising some common sense.
>
> https://www.pressherald.com/2022/08/29/maines-not-rushing-to-follow-californias-electric-car-mandate/
>
> Shared via the Google app
>
> Sent from my iPad
>
> Sent from my iPad

--
Sent from Gmail Mobile

From: Lori Wilson
To: O"Toole, Megan
Subject: Fuel emissions
Date: Wednesday, September 28, 2022 4:10:28 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I do not think zero fuel emissions is realistic. I DO think the batteries the run electric vehicles pose a grave risk to the environment in the future. Especially if some of them end up in Lake Champlain after exploding, which happened already. Pushing forward blindly is risking the same kind of disastrous consequences that followed good intentions when we sprayed DDT, or when we opened fish hatcheries. The latter is wiping out wild salmon. Clean air is a great goal, but zero emissions is saddled with serious consequences for our environment and health. I think a balance is healthier. Very low emissions - excellent mileage for example - like hybrid cars offer. Running on used cooking oil, which is a great recycle approach, and was invented by a UVM student a couple of decades ago. Studying what role plants have in recycling carbon dioxide. Think. Stop and think. Don't just run blindly after a catchy phrase like zero emissions because it sounds dreamy and is popular in among your friends. Think. Study other approaches. Pay very close attention to consequences. There will be environmental consequences. I guarantee it, if zero emissions is pursued. A multi-branched approach towards very low emissions and plant control of that low amount makes sense. I'm all for lower emissions. That would be good.

Sent from my iPhone

From: Hales, Heidi
To: Ritzer, Deirdra; O"Toole, Megan
Cc: Stevens, Rachel
Subject: FW: Website Feedback Form Submission
Date: Monday, August 29, 2022 9:05:39 AM

Hi Team,

See below for a comment on our upcoming rulemaking.

Heidi Hales, PhD | Director (she/her)
Vermont Agency of Natural Resources | Department of Environmental Conservation
Air Quality and Climate Division
1 National Life Drive, Davis 4 | Montpelier, VT 05620-3901
802-498-7338
heidi.hales@vermont.gov

-----Original Message-----
From: Marshall, Renita <Renita.Marshall@vermont.gov>
Sent: Monday, August 29, 2022 7:46 AM
To: Hales, Heidi <Heidi.Hales@vermont.gov>
Subject: FW: Website Feedback Form Submission

Could you please ask appropriate staff to just acknowledge receipt of this message to Jeffrey Swift. Thank you.

Submitted on Friday, August 26, 2022 - 7:06pm

Submitted values are:

Your Name: Jeffrey Swift
Your Email: swift.jeff1972@gmail.com
Subject: Hybrid and electric vehicles
Message: I don't understand why the state of Vermont always has to do the same thing California does. I will not own now or ever, a hybrid/ electric vehicle. A normal person who works on his own car, can't anymore. The ones that do, do so, because they can't afford dealership costs. A hybrid/electric vehicle isn't maintained or repaired the same as regular cars, so the cost is ridiculously more. And I don't care what the manufacturers say, the distance and reliability isn't there, of course they will tell us all that it is, they need to sell their products. There's a giant industry revolving around the automobile, makes a lot of sense to destroy it, and maybe that's not the intention, but that's what's going to happen, costing millions of jobs, and I'm sure, the meat market of the U.S. economy. You guys, the departments, the organizations, and especially the politicians, need to go out and talk to the real regular people, the taxpayers, the ones who pay your salaries, the ones you work for, and find out what they want. Their concerns, their arguments, because it seems to me there is a lot of us being ignored. If anyone actually reads this and thinks maybe I've possibly hit on something and brought up legitimate concerns and or believable arguments, thank you.

The results of this submission may be viewed at:
https://dec.vermont.gov/node/3446/submission/7705

From:	Susannah McCandless
To:	O"Toole, Megan
Subject:	Fwd: Six public comments on the EV rule
Date:	Wednesday, September 28, 2022 9:42:03 AM
Attachments:	EV rule comment Sheema Fahim.pdf EV rule comment Afaf Abd Allah.pdf EV rule comment Aya Altaani.pdf EV rule comment Mike Zaazhoa.pdf EV rule comment Mohamad Elkawas.pdf EV rule comment Elvira Konjuhovac.pdf

---

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Megan O'Toole,

Forwarding these important community member comments on the proposed EV rule to you to make sure they reach their necessary destination!

Best,
Susannah

Susannah R. McCandless, PhD
Special Projects Manager
Center for Whole Communities

P.O. Box 5483

Burlington, VT 05402

www.wholecommunities.org

c. 802-373-5996

o. 802-496-5690

pronouns – she, her

---------- Forwarded message ---------
From: **Susannah McCandless** <susannah@wholecommunities.org>
Date: Tue, Sep 27, 2022 at 4:08 PM
Subject: Six public comments on the EV rule
To: <anr.declevzev@vermont.gov>
Cc: <rachel.stevens@vermont.gov>, Mona Tolba <mtolba7@gmail.com>, Jennifer Byrne <jbyrne@vermontlaw.edu>, Britaney Watson <britaney@wholecommunities.org>, Ginny McGinn <ginny@wholecommunities.org>, Michael Weiss <michael@radvt.org>, Hayley Jones <hayley@slingshotaction.org>

To whom it may concern,

I am pleased to present six important individual comments on the EV rule, from members of the New

American community. The commenters are primary-language speakers of Arabic and, in one instance, Serbian. Community liaison and cultural broker Dr. Mona Tolba has been kind enough to model Title VI compliance, facilitating language access for the commenters' intended audience by providing translations of their letters into English.

We will follow this email by mailing in the original hard copies of each 3-page packet, containing the letter, handwritten additional personal comment, and the letter's translation. We wanted to make sure these comments were received timely.

Please confirm successful receipt of these attachments.

Warm regards,

Susannah R. McCandless, PhD
Special Projects Manager
Center for Whole Communities

P.O. Box 5483

Burlington, VT 05402

www.wholecommunities.org

c. 802-373-5996

o. 802-496-5690

pronouns – she, her

Rule: https://dec.vermont.gov/sites/dec/files/aqc/mobile-sources/documents/Proposed_Rule_Summary_Document.pdf

Submit comment by email to: anr.declevzev@vermont.gov

تحية طيبة

أنا أسمي عفاف عبدالله عبدالجواد وأنا مقيم في ولاية فيرمونت وعضو في مجتمع العرب الكائنين في مقاطعة الشيتيندين. أقدم هذا التعليق الرسمي على بعض القواعد الصادرة في ولاية فيرمونت والتي تحكم المركبات الكهربائية منخفضة الانبعاثات والمركبات ذو الانبعاثات الصفرية قاعدة رقم P02122.

لن تساعد برامج حوافز المركبات الكهربائية العائلات التي ليس لديها ما يكفي من المال للطعام أو السكن الآمن أو تكاليف الطاقة. لا يمكن الحصول على هذه السيارات الكهربائية من قبل المجتمعات الأمريكيين الجدد والمجتمعات ذات الدخل المنخفض بسبب ارتفاع تكاليف الشراء، ولا ينبغي اعتبارها "منفعة بيئية" لمجتمعنا. يعمل أعضاء مجتمعنا بجد لدفع الفواتير المطلوبة منة، لكننا لا نحصل على نفس الفرص التي تؤدي لبيئة نظيفة وتكاليف نقل أقل مثل بقية الأثرياء الكائنين في فيرمونت.

تدعي هذه القواعد أنها توفر فوائد اقتصادية وصحية من خلال توفير المال، وتحسين جودة الهواء، والمساعدة في تغير المناخ؛ في الواقع، ستمنح هذه القواعد الأغنياء الوصول إلى بيئة أنظف بينما التأثيرات الاقتصادية والصحية والبيئية الإيجابية لهذه القاعدة لن تصل إلى المجتمعات محدودة الدخل لسنوات عديدة، إن وجدت. سيؤدي حظر بيع السيارات الجديدة التي تعمل بالديزل والبنزين بحلول عام 2035 إلى إجبار أولئك الذين لا يستطيعون تحمل تكلفة السيارات الكهربائية على الاكتفاء بالسيارات المستعملة التي تعمل بالبنزين، مما يؤدي إلى تركيز المركبات التي تعمل بالبنزين وزيادة العادم الصادر منها فقط في المجتمعات منخفضة الدخل وزيادة أعبائنا البيئية.

من المفترض أن تكون قواعد "خيارات المراكب البيئية مبنية على العدالة والمساواة" ومصممة لمصنعي السيارات للاستثمار في مجتمعات مثل مجتمعنا من خلال جعل السيارات الكهربائية الجديدة والمستعملة أكثر سهولة ويسر، والاستثمار في برامج مشاركة السيارات المجتمعية. هذا النظام الانتمائي والقواعد المقترحة من شأنه تحويل المجتمعات الفقيرة إلى سلعة لهؤلاء المستثمرين بالإضافة الى زيادة أعبائها المالية والبيئية. برامج المركبات الكهربائية والهجينة الحالية معقدة ويكاد يكون من المستحيل بالنسبة لنا الوصول إليها. نشعر أن هذه الفوائد الجديدة لن تصل إلى مجتمعنا الفقير، ولا ينبغي تضمينها في حسابات الولاية "للمنافع البيئية". يجب استشارتنا حول الكيفية التي نريد أن يساعدنا بها هذا البرنامج قبل أن يتم تداولنا كائتمانات لمصنعي السيارات.

نحن نقدر هذه الفرصة لتقديم تعليق عام على هذه القاعدة، ومع ذلك، يجب أن تكون العملية أكثر شفافية، ويجب توفير القواعد المقترحة والأحداث العامة بلغات أخرى غير الإنجليزية، ويجب أن يكون الجمهور أكثر وعيًا بالتأثيرات المتوقعة لهذه القاعدة، وينبغي النظر في الخيارات البديلة لتوفير سيارات آمنة وبأسعار معقولة لسكان فيرمونت ذوي الدخل المحدود.

مع وافر الإحترام؛

عفاف عبدالله

I am a single mom with 4 Kids, all goes to schools. we only have one Small Car To take us to school and shopping. if you take out gas Car and electric Cars replaled it, and prices stayed high or it is going to be higher then I am worried I will not be able to survive.

Greetings

My name is Afaf Abd Allah I am a resident of Vermont and a member of the Arabic community in Chittenden County. I am submitting this formal comment to the proposed Vermont Low Emission Vehicle and Zero Emission Vehicle Rule Number 22P021.

Electric vehicle incentive programs are not going to help families who don't have enough money for food, safe housing, or energy costs. Electric vehicles are not accessible to New American and other low-income communities due to their high costs, and should not be counted as an "environmental benefit" for our community. Members of our community work hard to pay our bills, but we are not being given the same opportunities for a clean environment and lower transportation costs as wealthier Vermonters.

These EV rules claim to provide economic and health benefits by saving money, improving air quality, and helping with climate change. In reality, these rules will give the rich access to a cleaner environment while the positive economic, health, and environmental impacts of this rule will not reach our community for many years, if ever. Banning the sale of new diesel and gasoline cars by 2035 will force those who cannot afford electric vehicles to settle for used gasoline powered cars, concentrating exhaust and gasoline powered vehicles in low-income communities and increasing our environmental burdens.

The "environmental justice vehicle value options" credits proposed by this rule are supposedly designed for automakers to invest in communities like ours by making new and used electric vehicles more accessible and affordable and investing in community car share programs. Instead, this credit system and proposed rules would commodify poor communities while actually increasing our financial and environmental burdens. The existing electric and hybrid vehicle incentive programs are complicated and nearly impossible for us to access. We feel these new benefits will not reach our community, and should not be included in the state's accounting of "environmental benefits." We should be consulted on how we want this program to help us prior to our communities being traded as credits for car manufacturers.

We appreciate this opportunity to provide a public comment on this rule, however, the process should be more transparent, the proposed rules and public events should be provided in languages other than English, the public should be made more aware of the impacts of this rule, and alternative options should be considered to provide safe, affordable cars for low-income residents of Vermont.

Afaf abd allah
dorset street
South Burlington

Rule: https://dec.vermont.gov/sites/dec/files/aqc/mobile-sources/documents/Proposed_Rule_Summary_Document.pdf

Submit comment by email to: anr.declevzev@vermont.gov

تحية طيبة

أنا أسمي آيه الطحاني وأنا مقيم في ولاية فيرمونت وعضو في مجتمع العرب الكائنين في مقاطعة الشيتيندين. أقدم هذا التعليق الرسمي على بعض القواعد الصادرة في ولاية فيرمونت والتي تحكم المركبات الكهربائية منخفضة الانبعاثات والمركبات ذو الانبعاثات الصفرية قاعدة رقم P02122.

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مع وافر الإحترام؛

I work as an arabic teacher to help my husband who works low paid Job prices of food, gas, utilities are crazy high. We look into solution to reduce our bills but unfortunately the prohibitive prices of electric cars, making it unrealistic to be part of solutions.

Greetings

My name is Aya Altaani I am a resident of Vermont and a member of the Arabic community in Chittenden County. I am submitting this formal comment to the proposed Vermont Low Emission Vehicle and Zero Emission Vehicle Rule Number 22P021.

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Market street
South Burlington

Rule: https://dec.vermont.gov/sites/dec/files/aqc/mobile-sources/documents/Proposed_Rule_Summary_Document.pdf

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تدعي هذه القواعد أنها توفر فوائد اقتصادية وصحية من خلال توفير المال، وتحسين جودة الهواء، والمساعدة في تغير المناخ؛ في الواقع، ستمنح هذه القواعد الأغنياء الوصول إلى بيئة أنظف بينما التأثيرات الاقتصادية والصحية والبيئية الإيجابية لهذه القاعدة لن تصل إلى المجتمعات محدودة الدخل لسنوات عديدة، إن وجدت. سيؤدي حظر بيع السيارات الجديدة التي تعمل بالديزل والبنزين بحلول عام 2035 إلى إجبار أولئك الذين لا يستطيعون تحمل تكلفة السيارات الكهربائية على الاكتفاء بالسيارات المستعملة التي تعمل بالبنزين، مما يؤدي إلى تركيز المركبات التي تعمل بالبنزين وزيادة العادم الصادر منها فقط في المجتمعات منخفضة الدخل وزيادة أعبائنا البيئية.

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نحن نقدر هذه الفرصة لتقديم تعليق عام على هذه القاعدة، ومع ذلك، يجب أن تكون العملية أكثر شفافية، ويجب توفير القواعد المقترحة والأحداث العامة بلغات أخرى غير الإنجليزية، ويجب أن يكون الجمهور أكثر وعيًا بالتأثيرات المتوقعة لهذه القاعدة، وينبغي النظر في الخيارات البديلة لتوفير سيارات آمنة وبأسعار معقولة لسكان فيرمونت ذوي الدخل المحدود.

مع وافر الإحترام؛

Elnira K.

I am a mother with three kids, 2 boys and one girl. my two boys are at university and they needs to work to pay their tuition plus students loan. each one of them needs a car to go to school and work. they cannt afford to pay for electric car because their credit limit will not allow to get any more loans. So what can they do, if there is no options available for affordable cars.

Greetings

My name is ELVIRA KONJUHOVAC I am a resident of Vermont and a member of the Arabic community in Chittenden County. I am submitting this formal comment to the proposed Vermont Low Emission Vehicle and Zero Emission Vehicle Rule Number 22P021.

Electric vehicle incentive programs are not going to help families who don't have enough money for food, safe housing, or energy costs. Electric vehicles are not accessible to New American and other low-income communities due to their high costs, and should not be counted as an "environmental benefit" for our community. Members of our community work hard to pay our bills, but we are not being given the same opportunities for a clean environment and lower transportation costs as wealthier Vermonters.

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Elvira K.

North Ave
Burlington

Rule: https://dec.vermont.gov/sites/dec/files/aqc/mobile-sources/documents/Proposed_Rule_Summary_Document.pdf

Submit comment by email to: anr.declevzev@vermont.gov

تحية طيبة

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مع وافر الإحترام؛

م. رافق

I have a used Car and I all what I get is 860/month How Can I afford to pay for an electric Car. please find a fair and just solution to address climate change.

Thanks,

9-22-22

Greetings

My name is Mike R Zaazhoa I am a resident of Vermont and a member of the Arabic community in Chittenden County. I am submitting this formal comment to the proposed Vermont Low Emission Vehicle and Zero Emission Vehicle Rule Number 22P021.

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09/21/2022

Winooski

Rule: https://dec.vermont.gov/sites/dec/files/aqc/mobile-sources/documents/Proposed_Rule_Summary_Document.pdf

Submit comment by email to: anr.declevzev@vermont.gov

تحية طيبة

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مع وافر الإحترام؛

Mohmed ElKawas

My kids are grown up. I and my wife live in a small Condo, we own 2 Cars That run by gas. gas prices is getting very, very high and we are looking to buy hybrid or electric. but electric Cars are extremely expensive and our income Can't Cover this prig so we decided to get hybrid, but your incentive programs doesn't Cover new hybride, my Question is why???

Greetings

My name is Mohamad Elkawas. I am a resident of Vermont and a member of the Arabic community in Chittenden County. I am submitting this formal comment to the proposed Vermont Low Emission Vehicle and Zero Emission Vehicle Rule Number 22P021.

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Mohmed Elkawas

Essex Junction

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لن تساعد برامج حوافز المركبات الكهربائية العائلات التي ليس لديها ما يكفي من المال للطعام أو السكن الآمن أو تكاليف الطاقة. لا يمكن الحصول على هذه السيارات الكهربائية من قبل المجتمعات الأمريكيين الجدد والمجتمعات ذات الدخل المنخفض بسبب ارتفاع تكاليف الشراء، ولا ينبغي اعتبارها "منفعة بيئية" لمجتمعنا. يعمل أعضاء مجتمعنا بجد لدفع الفواتير المطلوبة منة، لكننا لا نحصل على نفس الفرص التي تؤدي لبيئة نظيفة وتكاليف نقل أقل مثل بقية الأثرياء الكائنين في فيرمونت.

تدعي هذه القواعد أنها توفر فوائد اقتصادية وصحية من خلال توفير المال، وتحسين جودة الهواء، والمساعدة في تغير المناخ؛ في الواقع، ستمنح هذه القواعد الأغنياء الوصول إلى بيئة أنظف بينما التأثيرات الاقتصادية والصحية والبيئية الإيجابية لهذه القاعدة لن تصل إلى المجتمعات محدودة الدخل لسنوات عديدة، إن وجدت. سيؤدي حظر بيع السيارات الجديدة التي تعمل بالديزل والبنزين بحلول عام 2035 إلى إجبار أولئك الذين لا يستطيعون تحمل تكلفة السيارات الكهربائية على الاكتفاء بالسيارات المستعملة التي تعمل بالبنزين، مما يؤدي إلى تركيز المركبات التي تعمل بالبنزين وزيادة العادم الصادر منها فقط في المجتمعات منخفضة الدخل وزيادة أعبائنا البيئية.

من المفترض أن تكون قواعد "خيارات المراكب البيئية مبنية على العدالة والمساواة" ومصممة لمصنعي السيارات للاستثمار في مجتمعات مثل مجتمعنا من خلال جعل السيارات الكهربائية الجديدة والمستعملة أكثر سهولة ويسر، والاستثمار في برامج مشاركة السيارات المجتمعية. هذا النظام الائتماني والقواعد المقترحة من شأنه تحويل المجتمعات الفقيرة إلى سلعة لهؤلاء المستثمرين بالإضافة الى زيادة أعبائها المالية والبيئية. برامج المركبات الكهربائية والهجينة الحالية معقدة ويكاد يكون من المستحيل بالنسبة لنا الوصول إليها. نشعر أن هذه الفوائد الجديدة لن تصل إلى مجتمعنا الفقير، ولا ينبغي تضمينها في حسابات الولاية "للمنافع البيئية". يجب استشارتنا حول الكيفية التي نريد أن يساعدنا بها هذا البرنامج قبل أن يتم تداولنا كائتمانات لمصنعي السيارات.

نحن نقدر هذه الفرصة لتقديم تعليق عام على هذه القاعدة، ومع ذلك، يجب أن تكون العملية أكثر شفافية، ويجب توفير القواعد المقترحة والأحداث العامة بلغات أخرى غير الإنجليزية، ويجب أن يكون الجمهور أكثر وعيًا بالتأثيرات المتوقعة لهذه القاعدة، وينبغي النظر في الخيارات البديلة لتوفير سيارات آمنة وبأسعار معقولة لسكان فيرمونت ذوي الدخل المحدود.

مع وافر الإحترام؛

Electric and hybrid cars are an expensive investment and it needs to be considered if the cost is balanced by advantage ~~in~~ gas prices.

Public should be made more aware of this rule and its consequences.

Thanks.

reetings

My name is SHEEMA FAHM I am a resident of Vermont and a member of the Arabic community in Chittenden County. I am submitting this formal comment to the proposed Vermont Low Emission Vehicle and Zero Emission Vehicle Rule Number 22P021.

Electric vehicle incentive programs are not going to help families who don't have enough money for food, safe housing, or energy costs. Electric vehicles are not accessible to New American and other low-income communities due to their high costs, and should not be counted as an "environmental benefit" for our community. Members of our community work hard to pay our bills, but we are not being given the same opportunities for a clean environment and lower transportation costs as wealthier Vermonters.

These EV rules claim to provide economic and health benefits by saving money, improving air quality, and helping with climate change. In reality, these rules will give the rich access to a cleaner environment while the positive economic, health, and environmental impacts of this rule will not reach our community for many years, if ever. Banning the sale of new diesel and gasoline cars by 2035 will force those who cannot afford electric vehicles to settle for used gasoline powered cars, concentrating exhaust and gasoline powered vehicles in low-income communities and increasing our environmental burdens.

The "environmental justice vehicle value options" credits proposed by this rule are supposedly designed for automakers to invest in communities like ours by making new and used electric vehicles more accessible and affordable and investing in community car share programs. Instead, this credit system and proposed rules would commodify poor communities while actually increasing our financial and environmental burdens. The existing electric and hybrid vehicle incentive programs are complicated and nearly impossible for us to access. We feel these new benefits will not reach our community, and should not be included in the state's accounting of "environmental benefits." We should be consulted on how we want this program to help us prior to our communities being traded as credits for car manufacturers.

We appreciate this opportunity to provide a public comment on this rule, however, the process should be more transparent, the proposed rules and public events should be provided in languages other than English, the public should be made more aware of the impacts of this rule, and alternative options should be considered to provide safe, affordable cars for low-income residents of Vermont.

Sheema Fahm

South Burlington

From: Melissa Post
To: O"Toole, Megan
Subject: in favor of the Advanced Clean Cars II and Advanced Clean Trucks rules
Date: Thursday, September 29, 2022 9:20:06 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Ms. O'Toole,

I am writing to advocate for the passage of the Advanced Clean Cars II and Advanced Clean Trucks rules.

In my mind there is ample proof that we are in the midst of a rapidly escalating Climate Emergency. I believe that we need to ramp up our accessibility to electric or other zero-emission vehicles. I believe that the target of achieving all new car sales as zero-emission vehicles by 2035 is achievable if we demand it, and feel that these rules apply the necessary pressure to reach this target.

Of course, this is a complex issue. There need to be incentives for those who are less able to afford EV's; there needs to be better public transportation, bike paths; there needs to be the grid infrastructure to support this move toward EV's. But I feel that we will not get there fast enough if we let it evolve solely through the pathways of what-we-have-always-done. We need some pressure to achieve these things. I feel that these ACC II and ACT rules will apply the appropriate pressure.

I have just invested in an electric car, understand the great mental shift that goes with giving up fossil fuels. But I feel we HAVE to do it.

Thank you,

Melissa Post
1998 Trebo Rd.
Chester, VT

From:	Tim Hoopes
To:	O"Toole, Megan
Cc:	thoopes@gmavt.net
Subject:	In support of Advanced Clean Cars II & Advanced Clean Trucks initiative
Date:	Friday, September 23, 2022 4:40:06 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello Megan,

I am writing in support of the Advanced Clean Cars II & Advanced Clean Trucks initiative. Vermont is a small state, uniquely positioned to be able to detach from the Fossil Fuel economy with the right supports. Already Cold Climate Heat Pumps have reduced the need for Fossil Fuel burning in homes and businesses all across Vermont, with more going in every day. LED light bulbs helped to cut back on the consumption of electricity. Now we need to get our Transportation system OFF of Fossil fuels. The Air & the Water of Vermont could be much cleaner, and residents of this State want that to happen enough to take action and pay for much of that progrees themselves. I use my Nissan Leaf all electric car for my commute & have more than half of my own personal electricity coming from solar panels at my house. I hope to add more soon to make it 100%. We want this initiative and we want to lead the way, set an example for the country and the world, show everybody how it's done.

Thanks,

Tim H

From:	Mike Madden
To:	O"Toole, Megan
Subject:	In Support of Zero Emission Vehicles in Vermont
Date:	Wednesday, September 28, 2022 8:51:29 PM

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Vermont is poised to adopt new rules that would expand access to the zero-emission vehicles necessary to fight climate change. The Advanced Clean Cars II & Advanced Clean Trucks rules will require automakers to deliver more zero-emission electric vehicles to Vermont, requiring all new cars auto manufacturers sell in Vermont be electric vehicles or other zero-emission vehicles by 2035.--

-Michael

From: Matthew von Behrens
To: O"Toole, Megan
Subject: Letter in support of zero emissions vehicles by 2035
Date: Thursday, September 1, 2022 1:26:14 PM

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Hi Megan -

I'm writing in support of proposed legislation that would require all vehicles sold in Vermont to be zero emissions by the year 2035. While I confess I'm not knowledgeable enough in the technical matters that would determine the feasibility of this effort and time frame, I also know that without proposed targets and proposed legislation, the technical aspects are often not explored at all with the result that no progress is made at all towards worthy goals like zero emissions. I plan to follow these developments closely as the hearings unfold and eagerly await news of how we as Vermonters can help contribute to (if not lead in!) the overall global effort to reduce emissions that contribute to global warming.

Thanks, Matthew von Behrens

From: Paul Beauregard
To: O"Toole, Megan
Subject: Low and Zero emission vehicle regulation
Date: Tuesday, September 6, 2022 8:47:41 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Megan,

I'm sorry I won't be able to make the meeting today. To say the least, I have a bit to say about this. So my voice is heard...somewhat, I'll summarize below.

1. These medium and heavy trucks you talk about aren't readily available. In fact, I haven't seen anyone mass producing them for sale. If they became for available they would be untested.
2. I can't help but notice that neither the state nor any town or municipality nor the electric companies are buying anything but diesel trucks. Perhaps you should do it first.
3. You don't have the available power. And where will that power come from at night in the middle of the winter... gas and nuclear power plants running at 40% efficiency 500 miles from here.

You don't have the equipment...you don't have the power...you will cause irreparable damage to our economy...and put peoples lives in jeopardy.

The goals can be met...but not like this.

Paul Beauregard
Onsite Septic Solutions, LLC
Onsite Propane
644-5500

From: Kathleen Guinness
To: O"Toole, Megan
Date: Thursday, September 29, 2022 8:00:01 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Transportation

We NEED advances in clean cars and trucks. Hybrid and electric are going to save the planet. Let's get more of them out there and more incentives to buy them.We cannot keep relying on fossil fuel which is polluting our state and our ecosystem.

Thank you. I know you will do what's right for us and our descendants.

Kathleen Guinness

From: Glennie Sewell
To: O"Toole, Megan
Date: Wednesday, September 28, 2022 9:07:42 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

We've run out of excuses. The shifting climate needs to be adapted to, as it is here to stay. It is our job to ease those climate changes, and work to have better transportation sources that are renewable, that are as close to net-zero fossil fuels as we can get them. Stop giving the fossil fuel companies and overwhelming hand at the table. Their heavy hand has hurth this world. They can either decide to be part of the issue, or stand down. The Legislature needs to bring that choice to a head.

Respectfully,
Glennie Fitzgerald Sewell
Prog Candidate for Legislature
Washington-4

From: george ryan
To: O"Toole, Megan
Date: Friday, September 23, 2022 8:18:20 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I'm very much in favor of the advanced clean can and truck agenda. This state deserves it.
Thank you, George Ryan

From:	Julie Haupt
To:	O"Toole, Megan
Subject:	Maximize zero emissions vehicles
Date:	Wednesday, September 28, 2022 3:44:32 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Please maximize the number of zero emissions vehicles, including trucks and public transit vehicles.

Thank you,

Tim Marr

Bennington, VT

From:	Mary Madden
To:	O"Toole, Megan
Subject:	My Chevy Bolt!
Date:	Wednesday, September 28, 2022 4:40:35 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi,
I bought a slightly-used 2022 Chevy Bolt EUV this year. I LOVE it! But I'm disappointed at the slow pace of installing charging stations (except for Teslas)! Please make this a major focus of your programs and legislation.

Thank you,
Mary Madden
350 South St, South Hero, VT 05486

From: Jack Hanson
To: O"Toole, Megan
Subject: My Public Comment on Advanced Clean Cars II and Advanced Clean Truck Rules
Date: Wednesday, September 28, 2022 1:48:58 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Megan,

Please see my public comment below. Please confirm that this has been properly submitted and received.

Thank you,
Jack Hanson
Burlington, VT

I support these new rules and I would encourage that Vermont go above and beyond these baseline standards. The climate crisis demands a faster and more aggressive response. Lives are on the line and we need to phase out fossil fuels as quickly as possible. Please accelerate the phase-out timeline and mandate that no combustion engine vehicles are sold in Vermont after 2027.

Sincerely,
Jack Hanson
Burlington, Vermont

From: Heather Johnson
To: O"Toole, Megan
Subject: My public comment
Date: Thursday, September 29, 2022 10:09:13 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

To whom it may concern,
When I think of the state of climate crisis We have begun, and when I think about what can be done, I hear myself saying "shouldn't we do everything we can...I mean shouldn't we..?"
I think "If we don't do something now, then when ?". I think ugghh, it's already so late in the game.
A "game" I have personally seen coming since the '80's. I think, at the very least I/we owe a debt to the future. I owe a debt to the future and to those who are coming . We who are here now and all of life and it's forms that have gone before us, we have all lived, been fed, nourished, sustained by the earth, water, air, and atmospheric conditions that have all had to be "right " in order for us to live.
And now after so much using and so much taking, "We" are quite honestly in a mess and at dire crossroads. There are a variety of things that can be done to help off set the extreme consequential hardships that all this energy consumption has set into motion.
So again, I ask of myself and to those making policy as well as to my fellow humans : Do we not have a responsibility right now, to do everything in our power and ability to shift into more life sustaining choices for all those who are here and for all those who are coming" ?
Isn't that our responsibility ? And if not now when we can still make a difference , then when?
Is there really any issue that is actually more important than whether or not and how well, we survive as a species? I mean, I know there are alot of concerns and important issues but isn't this one issue the "Mother" of them all ?
I am in support of a zero emission vehicle future and ask that you as policy makers pass the laws, rules , standards, incentives, grants etc.. necessary to make that happen. No more waiting, please no more waiting.
I also ask that as a state we make it our priority to create a plan backed with resources that will make this a practical reality for all Vermonters. As a low paid childcare worker for decades , I know first hand that this needs to be accessible and I urge the planning conversations to look to those means and find out from real folks what would we need in order to access and step into this change.
Thank you.
Heather Johnson

From: Joanne Esau
To: O"Toole, Megan
Subject: Neighborhood Electric Vehicles
Date: Saturday, August 27, 2022 7:56:10 AM

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I saw your name in the WCAX news today regarding electric vehicles.
I live in Quechee and during the pandemic I purchased a GEM car. Everything about having that car was wonderful EXCEPT dealing with the State of Vermont Inspection process.

I have written to the Governor a few times and sent copies to legislatures who seem to publicly support electric vehicles.. to no avail and limited response.
I'm wondering if you might have more of an interest in helping our "cause" … which is an improved system for registering Neighborhood Electric Vehicles.

I researched this topic extensively before purchasing my GEM. That alone was an education because I had to contact numerous persons at Motor Vehicles before anyone could find any one who works there who knew anything about them or the existing state regulations. Eventually they found a person who did know that GEM cars existed and did know that VT actually has regulations in place for them. That was a start at least.

Consequently I purchased the car only to find out that it still needs to be inspected yearly. My neighbor works at an inspection facility but was not able to inspect my vehicle locally because it still had to be "plugged" into the VT state system,

So to register my GEM every year I had to hire a tow truck at significant expense and have it towed to White River Jct to get an inspection sticker. Despite the fact that there is nothing to actually inspect in a GEM except the seat belts, wipers and break .. and probably a few other items.. but at any rate the inspection site said not much. I also had to shop around to find someone who would inspect it because most inspection sites said they just could not understand what they were inspecting.
Not only was the transport expensive it totally defeats the point. You hire a huge, huge town truck to pick up this little car, burn all that fuel two ways every year. Stupid really applies here.

I sold the GEM . The new owners loved it until they had to get it inspected so they just sold it to another person.
A friend just bought a road legal golf cart and drove to Montpelier to get the plates. No one in the office knew what to do.. After almost an hour an employee gave him a temp plate and promised to get back to him once he "found someone to show him how to register it"..

We live in a town that has miles of roads posted under 35 mph, which these cars are restricted to by law. We can drive to our Post Office, restaurants, golf course, fitness facilities, lakes, rivers, and ski area all on roads under 35 mph. We can park in a designated area and walk up to Rt 4 and do all of our grocery shopping at Jakes Market Quechee.. basically I can use a Neighborhood Electric Vehicle for all of my local needs. Yet the State of Vermont has put up this major road block to residents by requiring that they haul that little car to an inspection station yearly.. Many our residents are part time. They come up to VT in a huge SUV but could park that car for their entire stay and drive a clean electric cart. So many people loved my GEM and were interesting in purchasing a similar vehicle only to learn of the hassles and frustrations those of us have run into dealing with the state of Vermont.

There has to be a better way. Seriously.

On another note. I sold a big gas consuming Toyota SUV this year.. I had to sell it for mechanical reasons.. I was on 6 lists to get an electric RAVE , 3 of them out of state. Eventually I took back all of my deposits at all of these dealers and bought a used gas car. The dealers told me it would be late fall or winter before I would maybe get an electric car….so I do giggle a bit when I read about all these lofty goals we have in Vermont when really these vehicles are only for the wealthy who can buy a Tesla or a Volvo the affordable electrics are just not there for the average person.

Joanne Esau
jesau@comcast.net

From: Phil Hadley
To: O"Toole, Megan
Subject: New Advanced Clean Cars II & Advanced Clean Trucks rules
Date: Wednesday, September 28, 2022 4:26:11 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi, Megan

I understand that you are collecting comments on the new rules, so here I go.. ;-)

I am in full support of the new rules as written. We need more zero-emission vehicles on the road in VT if we are to meet VT's goals for a livable planet. A target of 2035 for these rules is far too late, however it is a step in the right direction. We will adjust our target to be more aggressive in the future as we witness more catastrophic weather events such as drought, fire, hurricanes, etc. But this is a good start. Thank you for your support on this!

Phil Hadley
Middlebury

From: Lisa Bernardin
To: O"Toole, Megan
Subject: No more Fossil Fuels!!
Date: Thursday, September 29, 2022 7:04:34 AM

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PLEASE stop building gas vehicles!! We are seeing how it is affecting our country and world.

Thank you,
Lisa Bernardin

From:	David Rosenlund
To:	ANR - Vermont Climate Council
Subject:	Not able to attend meeting
Date:	Saturday, August 27, 2022 2:01:08 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Im not able to attend the upcoming meetings. But wanted to throw my 2 cents in.

On paper electric vehicles are great. But there are some major hurdles that make them not practical for the more rural Vermonters.

First is cost. The price is too high for many Vermonters. Myself included.

Second, maintenance costs. Vermont winters are notoriously hard on batteries. The cost of replacing the batteries in EVs is astronomical! After seeing news stories about EVs repair bills. It would be cheaper to get another car.

Third, they need to be self regenerating. One can't just pull over and plug in. There isn't enough power stations. If you find one, the demand for their use will greatly increase causing lines to form.

Fourth, towing. I have a small sailboat. I have yet to see an affordable option for vehicles capable of towing a 19ft sailboat. EV or hybrid

Personally, I don't have confidence in them yet. The technology isn't there yet. EVs are great for those that live in more populated areas. But when you have to drive an hour for a doctor's appointment or shopping you're stuck waiting for a car to charge.

I'm not confident that I'd find a vehicle that will do what I need it to do, be owner maintainable and be affordable.

I'll be keeping my gas vehicle for quite a bit longer.

Dave Rosenlund

Bundìn er bàtlaus maður
(Bound is boatless man)
Viking saying

From:	Charles Hazen
To:	O"Toole, Megan
Cc:	Joe Benning; Randy Brock; bmurphy@leg.state.vt.us
Subject:	Opposed- Advanced Clean Cars II & Advanced Clean Trucks
Date:	Wednesday, August 31, 2022 4:53:28 PM
Attachments:	VPIRG- email.pdf

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Ms. Megan O'Toole,

I am opposed to the requirement that all new Vermont vehicles are electric by 2035. Mandating these requirements puts an undue burden on Vermonters with little to no understanding of the third order of effects. I suggest that a pragmatic approach is taken by allowing other states to lead the way in this effort and learning from their successes and failures.

We have seen the stress that these efforts have placed on the electrical grid across the country. Forcing this situation on our stretched Vermont grid is irresponsible at best while placing a tremendous burden on our poorest. Financially, this burden will place those with the least in an ever-tightening noose of financial decision-making and reduces freedom of choice which is antithetical to our values. While I appreciate the desire to be environmentally conscious, we must do so in a way that is human-centric in its considerations and not put idealism at the forefront and all else be damned for the greater "idealistic" good.

I look forward to hearing that you support Vermont learning from our counterpart states in their desire to charge headlong into these turbulent waters without understanding the infrastructure timelines necessary, the REAL cost implications, and the waste management solutions that will be required with the 100% electrical vehicle changeover. The timelines do not need to be mandated and Vermont can learn from other states without the undue burden that this would cause.

Ref: Attached VPIRG Email

Sincerely,

--
Charles Hazen
Fairfax, VT
(M)802.735.7062

Gmail

Charles Hazen <charles.hazen@gmail.com>

Speak up for clean cars & trucks in Vermont!

1 message

Ben, VPIRG <vpirgalert@vpirg.org> Wed, Aug 31, 2022 at 3:35 PM
Reply-To: vpirgalert@vpirg.org
To: Charles Hazen <charles.hazen@gmail.com>

VPIRG
VERMONT'S VOICE

Dear Charles,

Transportation is the single largest contributor to climate pollution in Vermont, but it has been difficult for Vermonters to find the zero-emission vehicles that are necessary to meet our state's climate goals. Fortunately, it is about to become a lot easier thanks to new rules that Vermont is poised to adopt this December.

The Advanced Clean Cars II & Advanced Clean Trucks rules will **require automakers to deliver more zero-emission electric vehicles to Vermont**, ultimately requiring **all new cars auto manufacturers sell in Vermont be electric vehicles or other zero emission vehicles by 2035.** And we'll be in good company, with more than a dozen states representing more than a third of US auto sales on track to make this move along with us.[1] This is a crucial step in pushing us towards a zero-emission future.

Unfortunately, the passage of these rules is not a sure thing. While our leaders have voiced support for vehicle electrification, powerful trucking and fossil fuel interests are lining up to oppose their adoption. **We need voices like yours to make sure that we clear this milestone** – there are several public hearings scheduled around the state in the coming weeks, and we need as many concerned Vermonters to attend as possible to offset the presence of the fossil fuel industry.

Below is a list of in-person events – register for the one closest to you, and we will follow up with all the information necessary to make your public comment as effective as possible.

Manchester: 9/7/22 6:00 pm Park House, 340 Rec Park Road

Newport: 9/8/22 6:00 pm Gateway Center, First Floor, 84 Fyfe Drive

Burlington: 9/14/22 6:00 pm Burlington Old North End (O.N.E.) Community Center 20 Allen St

Bellows Falls: 9/15/22 6:00 pm Bellows Falls Opera House, Lower Theatre, 7 Square

Barre: 9/21/22 5:00 pm Aldrich Public Library, Milne Room, 6 Washington Street

REGISTER FOR A PUBLIC HEARING!

If you are unable to attend any of these in-person hearings, you can also submit a public comment. The public comment period is open until September 30, 2022. Comments on the proposed rules may be submitted via email to: megan.otoole@vermont.gov, or by mail: Megan O'Toole, Vermont Agency of Natural Resources, 1 National Life Dr, Davis 4, Montpelier, VT 05620, and there will also be a virtual hearing option September 23rd at 12:00 PM. Please reach out with any questions by responding to this email.

Thanks for all you do,

Ben Edgerly Walsh
Climate & Energy Director, VPIRG

1 https://www.nytimes.com/2022/08/24/climate/california-gas-cars-emissions.html

Vermont Public Interest Research Group
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VPIRG
141 Main Street
Ste. 6
Montpelier, VT 05602
United States
(802) 223-5221

unsubscribe

CONTRIBUTE

From: Kimberly Hornung-Marcy
To: O"Toole, Megan
Subject: Please add good rules for green cars
Date: Wednesday, September 7, 2022 12:40:35 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Ms O'Toole:

I write in support of rules that will ask dealers to send more Electric vehicles in Vermont for sale and that all cars sold in VT be Electric by 2035.
My husband and I have been driving an electric car for almost one year now. We LOVE IT.

Do not miss stopping for gasoline.
Do not miss lots of car maintenance dates.

Do love the safety features, easy of driving, connection to vast online stuff through a large in car screen such as very large map that shows where you are going.
Do love the voice commands for a number of car functions from answering phones or texts to navigating to where we need to go.

Do love that we are not polluting and contributing further to climate change.

We have a hybrid car but mainly we drive the EV. We have to stop burning stuff if we are going to slow down climate change which is already so harsh in many parts of the world.
We have to promote green solutions to our #1 emission sector—transportation.

Sincerely,

Kim Hornung-Marcy

From:	Heather Stevenson
To:	O"Toole, Megan
Subject:	Please pass the Advanced Clean Cars II & Advanced Clean Trucks rules
Date:	Thursday, September 29, 2022 4:40:26 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Good morning,

I support the passage of the Advanced Clean Cars II and Advanced Clean Trucks rules. My family moved from Maryland to Rutland, Vermont six years ago for my father's health. Had we stayed in Maryland, he probably would have died by now thanks to the pollution of the air and his compromised breathing. Vermont has a crucial role in ensuring that we survive climate change. The economic rewards of building a greener economy will more than pay off any immediate costs.

Please pass these rules to ensure our passage to a zero-emission future.

Thank you!
Heather Juliussen-Stevenson
802-353-0998
Rutland, Vermont

From:	Bourbon, Elizabeth
To:	ANR - DEC Lev Zev
Subject:	Proposed Amendments to the Air Pollution Control Requirements, Low Emission Vehicle and Zero Emission Vehicle Regulations - Comments of Valero Marketing and Supply Company
Date:	Friday, September 30, 2022 3:56:05 PM
Attachments:	2022-09-30 VMSC Julie Moore .pdf

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Attached please find comments submitted on behalf of Valero Marketing and Supply Company regarding the abovereferenced proposed rule amendments. We greatly appreciate your consideration.

Elizabeth Bourbon
Senior Managing Counsel
Fuels Policy and Compliance Law
The Valero Companies
One Valero Way
San Antonio, TX 78249
(210) 345-4650
elizabeth.bourbon@valero.com

September 30, 2022

Secretary Julie Moore
Vermont Agency of Natural Resources
Department of Environmental Conservation
Davis Building - 3rd Floor
One National Life Drive
Montpelier, VT 05620-3520
anr.declevzev@vermont.gov

RE: Comments on Proposed Amendments to the Air Pollution Control Regulations, Low Emission Vehicle and Zero Emission Vehicle Regulations

Dear Secretary Moore:

Valero Marketing and Supply Company ("Valero") appreciates the opportunity to comment on the "Proposed Amendments to the Air Pollution Control Regulations, Low Emission Vehicle and Zero Emission Vehicle Regulations" (the "Proposed Regulations") dated on or about August 15, 2022. As a leading fuels marketer, Valero supplies heating oil and other fuels to Vermont. Valero, through affiliates and joint ventures, is the world's largest producer of renewable fuels.

The Agency of Natural Resources ("ANR") has proposed an amendment to its low emission vehicle ("LEV") and zero emission vehicle ("ZEV") rules, which incorporate by reference California's motor vehicle emission standard regulations[1] and its ZEV mandate. Specifically, ANR proposes to amend its existing rules by adopting California's Advanced Clean Cars II (which amends Advanced Clean Cars I, currently in effect), Advanced Clean Trucks, Low NOx (oxides of nitrogen) Heavy-Duty Omnibus Regulations, and California's Phase 2 Greenhouse Gas ("GHG") Rule.

Valero supports and endorses the comment letter submitted by the Vermont Fuel Dealers Association and the Northeast Agribusiness & Feed Alliance responsive to the Proposed Regulations. In addition, Valero respectfully offers the following comments for Vermont's consideration.

I. COMMENTS

A. Rather than a model, California's policies should be viewed as a well-meaning, but cautionary tale for Vermont and other states that are considering their adoption.

In its rulemaking, ANR should consider the implications that a strategy focused solely on electrification may have on community decision-making, consumer choice, and the unintended consequences that sole reliance on electrification may present, including foreign supply chain disruptions

[1] The LEV Rules set standards for emissions of criteria air pollutants and greenhouse gases from passenger cars, light-duty trucks, and medium- and heavy-duty vehicles and engines that are delivered for sale or placed in service in Vermont. The ZEV Rules set standards that ultimately require auto manufacturers to deliver more electric vehicles to Vermont.

and forced labor that sacrifices human dignity for the raw materials needed to manufacture batteries.[2] A lifecycle analysis by Arthur D. Little concluded that "…the ultimate environmental and economic reality of EVs is far more complicated than their promise...Combined with the greater financial burden [EVs] place on the consumer, the complex environmental reality of EVs will continue to present challenges for the sustainability-minded consumer."[3]

California policymaking is hardly an unqualified success story. Its climate policies – many of which ANR's Proposed Regulations seek to adopt – may have had major impacts on gasoline and energy prices, as well as jobs in certain industries that are directly related to traditional fuels and the ICE vehicle.[4] While often lauded as the measuring stick for GHG emission reduction policies, California's transportation fuel prices are now the highest in the nation, averaging approximately $5.48 per gallon of gasoline.[5] Its current cost of living is 38% higher than the average U.S. city due in significant part to the cost of gas and utilities.[6] According to a 2021 Report from the California Public Utilities Commission, "it is already cheaper to fuel a conventional internal combustion engine (ICE) vehicle than it is to charge an EV" in the San Diego Gas & Electric Co. service area.[7] The California Energy Commission projects that both commercial and residential electricity prices will continue to rise, reaching over $8/gasoline gallon equivalent (GGE) by 2026 for the residential sector and nearly $7/GGE for the commercial sector.[8] California saw a decline of 117,552 residents in 2021 and 182,083 residents in 2020, ascribed in part to the soaring cost of living.[9] As California has faced rolling blackouts and historic energy prices, Governor Newsom in his May 2022 state budget proposal, has pivoted to the use of traditional fuel infrastructure to ensure system reliability to protect against outages.[10] Vermont cannot afford to implement California's climate policies that have already proven problematic, will continue the massive decline in population, and continue to increase consumer costs. For example, in the first calendar quarter of 2022, the average retail price for the top-selling BEVs in the U.S. was more than $62,000;[11] by contrast, the medium per capita and household income in Vermont are approximately $36,000 and $63,000, respectively.[12]

Moreover, unworkable bans on in-state vehicle sales put Vermont at risk of missing out on real carbon reductions available through incentivizing low-carbon liquid fuels and by discouraging the development of emerging carbon removal technologies. As discussed above, as California has felt the real-world implications of its climate policy with rolling blackouts and sky-high energy prices, it is now implementing a broader approach to GHG reductions that includes investment in carbon capture and fossil fuel infrastructure to ensure future system reliability. ANR need not focus on an inexplicable fear of prolonged reliance on liquid fuels infrastructure. In our view, considering the very real limitations and economic impacts that will stem from the Proposed Regulations, Vermont will be unable to meet its climate goals in a feasible or cost-effective manner without a diverse set of technologies at its disposal.

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[2] *See* U.S. Department of Energy, *2022 List of Goods Produced By Child Labor or Forced Labor*, at 50-51, https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2021/2022-TVPRA-List-of-Goods-v3.pdf.

[3] *See* https://www.nationalobserver.com/2021/01/21/opinion/electric-cars-have-dirty-little-recycling-problem-their-batteries.

[4] California Legislative Analyst's Office, *Assessing California's Climate Policies – An Overview* (Dec. 21, 2018).

[5] AAA, *Today's AAA California Avg.*, https://gasprices.aaa.com/?state=CA (accessed Sept. 19, 2022).

[6] https://www.bls.gov/regions/west/california.htm; *see also* https://www.ramseysolutions.com/real-estate/cost-of-living-in-california.

[7] CPUC, Utility Costs and Affordability of the Grid of the Future: An Evaluation of Electric Costs, Rates, and Equity issues Pursuant to P.U. Code § 913.1, at 116-117 (May 2021).

[8] CEC, "Presentation - Transportation Energy Demand Forecast," 21-IEPR-03 (Dec. 14, 2021).

[9] Tim Arango, *For Second Straight Year, California Sees a Population Decline*, New York Times (May 4, 2022).

[10] https://www.ebudget.ca.gov/2022-23/pdf/Revised/BudgetSummary/ClimateChange.pdf.

[11] Registration-weighted average retail price for the 20 top-selling BEVs in the U.S. S&P Global, *Tracking BEV prices – How competitively-priced are BEVs in the major global auto markets?*, May 2022.

[12] Estimates as of July 1, 2021, representing the income over the past 12 months, in 2020 dollars. U.S. Census Bureau, *Quick Facts – Vermont*, https://www.census.gov/quickfacts/VT.

B. ANR Lacks the Legal and Legislative Authority to Adopt a Transport Electrification Mandate.

It is crucial that the policy directives guiding ANR's rulemaking actions be supported by both state and federal law in order to avoid inefficient expenditures of time and resources, or worse, misleading the public by setting expectations regarding outcomes that are not within the State's authority to mandate. CAA § 177 provides that a state may only adopt "such standards [that] are identical to the California standards for which a waiver has been granted for such model year".[13] As of the date of this letter the U.S. Environmental Protection Agency ("EPA") has not granted a waiver of preemption under the CAA for California's ACC II and ACT rules. Accordingly, ANR's adoption of these rules is premature and inconsistent with the express terms of § 177.

The measures contemplated by ANR's Proposed Regulations are extraordinary, yet there is little to no legal analysis to confirm that the novel approaches and requirements mandated under the regulations are within ANR's authority and do not offend principles of state or federal law. ANR should consider whether the measures called for in the Vermont LEV and ZEV rule conflict with or are otherwise preempted by the statutory mandates of federal legislation such as the Energy Policy and Conservation Act ("EPCA"); the federal CAA; the Energy Independence and Security Act ("EISA"), including the Renewable Fuel Standard ("RFS").

ACC II and ACT will have vast nationwide political and economic significance. The proposed sale requirements that mandate a shift to BEV and FCEV trucks at the expense of ICE vehicles will significantly impact supply chains, consumer costs, electric power infrastructure, domestic energy security, and will have international consequences. U.S. Congress has previously considered and rejected numerous bills intended to mandate electrification of LD and MHD vehicles. ANR cannot now seek to do what Congress has itself declined to enact.

Additionally, the Proposed Regulations call for measures that may violate other constitutional provisions and principles. These include, but likely are not limited to, the Dormant Commerce Clause, which prohibits state regulations that improperly discriminate against out-of-state commercial interests or that unduly burden interstate commerce, as well as the dormant foreign affairs preemption doctrine under the Supremacy Clause, which preempts state laws that intrude on the exclusive federal power to conduct foreign affairs, the Takings Clause of the Fifth Amendment, which precludes the taking of private property (or the elimination of entire industries) for public use without just compensation, and the equal sovereignty doctrine, which constraints the federal government from treating states disparately.

Because the measures called for under the LEV and ZEV rules are unprecedented in their scope and reach, ANR should pause to conduct sufficient legal review to confirm that the recommended actions are authorized under state law and that they are not preempted or precluded as a matter of federal law before establishing direction for further rulemaking.

C. Limitations of CAA § 177.

The early stages of California's ZEV program were mired by low consumer acceptance, slow technological advancement, missed goals, and backtracking. While California's goals remained aspirational, it always maintained (and several times applied) the ability to re-write the rules when the

[13] 42 U.S.C. § 7507(2).

program proved infeasible for automakers.[14, 15, 16] The limitations in § 177 of the CAA do not provide states (other than California) with the flexibilities to adjust ambitious targets to accommodate the realities of record inflation, extraordinary supply chain disruptions, global uncertainty due to the lingering pandemic and the war in Ukraine, and critical concerns about the availability, cost and foreign dependence of minerals needed for EV batteries. Rather, states may adopt and enforce standards to control emissions from new motor vehicles only if "such standards are identical to the California standards".[17]

ANR must carefully consider what the implications will be if reality cannot keep pace with its ambitions – e.g., if automakers cannot supply ZEVs in the numbers needed to meet ANR's proposed LD and MHD sales mandates, if consumers choose not to or cannot afford to purchase the ZEVs, and if the electrical grid and EV charging infrastructure cannot keep pace with the growth in EV fleet. Without the option of modifying the rules to accommodate EV realities, states adopting California's standards via § 177 risk creating for themselves a quagmire in which automakers are unable to sell and consumers unable to purchase the new vehicles.

II. CONCLUSION

Thank you for the consideration of our comments. We hope these comments assist ANR as it evaluates the Proposed Regulations. If you have any questions or would like to discuss Valero's experience and perspective, please do not hesitate to reach out.

Sincerely,

Elizabeth Bourbon
Sr. Managing Counsel

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[14] California Air Resources Board ("CARB" or "ARB"), *ARB Modified Zero-Emission Vehicle (ZEV) Regulation* (April 24, 2003) https://ww2.arb.ca.gov/news/arb-modifies-zero-emission-vehicle-zev-regulation (providing that ARB voted to modify California's ZEV rule in order to allow automakers to meet part of their ZEV requirement).

[15] CARB, *Notice of Public Hearing to Consider Proposed Amendments to the California Zero-Emission Vehicle Regulations Regarding Treatment of Majority Owned Small or Intermediate Volume Manufacturers and Infrastructure Standardization* (May 1, 2001) https://ww3.arb.ca.gov/regact/charger/notice.htm (stating that "[a]t a January 25, 2001, hearing, the Board approved major changes to the ZEV regulations that will significantly reduce the number of ZEVs required during the near term").

[16] CARB, *Proposed 2014 Amendments to the Zero Emission Vehicle Regulation* (September 2, 2014) https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2014/zev2014/zev14isor.pdf?viewType=Print&viewClass=Print (stating that "California could see about 26,000 fewer ZEVs and TZEVs delivered in the 2018 through 2025 model years than would be delivered under the existing regulation").

[17] *See* 42 U.S.C § 7507.

From:	Tom Van Heeke
To:	ANR - DEC Lev Zev
Subject:	Proposed Chapter 40: Vermont Low Emission Vehicle and Zero Emission Vehicle Rules--Rivian Automotive, LLC, Comments
Date:	Friday, September 30, 2022 9:41:46 AM
Attachments:	image001.png Rivian_Vermont_ACCIIACTCommentLetter_FINAL.pdf

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To the Agency of Natural Resources,

Rivian Automotive, LLC, is pleased to provide the attached comments in response to the proposed adoption of Chapter 40: Vermont Low Emission Vehicle and Zero Emission Vehicle Rules. Rivian thanks the agency for this opportunity to comment and strongly supports the proposed rules. We have also identified some ways in which Vermont could strengthen the proposed rules, as well as complement them with additional policy actions.

Once again, we thank the agency and staff for this opportunity to provide input and for the hard work and effort that has gone into developing this proposal. Please reach out to me with any questions about Rivian's comments. We look forward to the remainder of the rulemaking process and final adoption of the rules before the end of 2022.

Tom Van Heeke

Senior Policy Advisor, Environmental

P: 641-888-0035 **E:** tvanheeke@rivian.com

RIVIAN

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September 30, 2022

Air Quality and Climate Division
Department of Environmental Conservation
1 National Life Drive—Davis 4
Montpelier, VT 05620-3704

SUBMITTED ELECTRONICALLY TO: anr.declevzev@vermont.gov

Re: Proposed Chapter 40: Vermont Low Emission Vehicle and Zero Emission Vehicle Rules

Rivian Automotive, LLC, ("Rivian") appreciates the opportunity to comment on the proposed adoption by Vermont of the Advanced Clean Cars II ("ACCII"), Advanced Clean Trucks ("ACT"), Low NOx Heavy-Duty Omnibus ("HDO"), and Phase 2 Greenhouse Gas ("GHG") regulations, to be included in a new Chapter 40 in the Vermont Department of Environmental Conservation Regulations. Rivian strongly supports Vermont's proposed actions as part of the state's comprehensive strategy for addressing climate change and improving air quality, consistent with the bold requirements of Act 153, the Global Warming Solutions Act. Vermont continues to demonstrate impressive leadership in these areas with benefits for the state's transition to a clean technology economy, the climate, and public health. State action on certain complementary policies would only enhance Vermont's efforts.

Keep the World Adventurous Forever

Founded in 2009, Rivian is an independent U.S. company with more than 14,000 employees worldwide. It is Rivian's mission to Keep the World Adventurous Forever. Our focus is the design, development, manufacture, and distribution of all-electric adventure vehicles, specifically pickups, sport utility vehicles, and commercial vans. Key to the success of our mission, these vehicles will displace some of the most polluting passenger vehicles and trucks on the road today.

Rivian brought the first electric truck to market last year when we launched the R1T pickup from our manufacturing facility in Normal, Illinois, followed shortly thereafter by the R1S SUV and a commercial fleet electric delivery van for Amazon. All our current vehicles are considered medium duty for regulatory purposes and satisfy ZEV requirements under both the ACCII and ACT rules. The R1T and R1S provide all-electric options in segments where added utility is a necessity. The R1T has an EPA-labeled 314-mile range and 11,000lbs of towing capacity, while the R1S is a seven-passenger full-sized SUV; both are well-equipped to displace the less-capable, yet similar, conventionally powered vehicles. Rivian also offers fleet-focused charging solutions and is building a network of DC fast and Level 2 chargers across the country, including at sites on public lands.

Rivian Strongly Supports Vermont's Adoption of the Most Stringent Vehicle Emissions Regulations

Rivian's mission to Keep the World Adventurous Forever is made manifest in its commitment to the environment and addressing climate change. We strongly support programs of ambitious emissions regulation and zero-emission vehicle (ZEV) sales requirements as core to our values and vision for the

world. Implementation of the full suite of standards proposed for Chapter 40 will drive critical reductions in GHG emissions and air pollution in Vermont, while rapidly growing the state's ZEV market. ACCII will fully transition Vermont's passenger vehicle market to 100 percent ZEV new sales by 2035, while the ACT rule will require manufacturers to ensure that more than half of their Class 2b-3 sales, 75 percent of Class 4-8 sales, and 40 percent of Class 7-8 tractor new sales, are ZEVs on the same timeline. Rivian's vehicles meet the requirements of both the ACCII and ACT standards and are proof that these regulations are achievable.

Because of lead-time requirements, it is critical that Vermont act this calendar year to adopt ACCII and ensure implementation beginning in Model Year ("MY") 2026. This is important because the state's existing ZEV requirements will likely become unenforceable when California formally moves into the ACCII program effective with MY2026. At that time, ACCII will supersede California's previous ZEV requirements. Under Section 177 of the Clean Air Act, states must follow identical rules to California or revert to federal standards. Therefore, without timely action Vermont could face a year or more without clean cars regulations, jeopardizing the state's progress and the growth of its EV market. We urge Vermont to finalize the proposed rules this year.

As a vehicle manufacturer, we also want to stress the value of "early credits" under the ACT. Early credits allow EV makers to begin earning compliance credits ahead of the formal regulatory obligation and incentivize accelerated deployment of EVs in the state. Not only does this deliver critical air pollution and greenhouse gas emissions reductions sooner, with important benefits for public health and Vermont's climate goals, but it can help industry grow more quickly to large-scale production and thus move component costs down the cost curve. This is crucial for the long-term success of the industry as well as Vermont's transportation electrification efforts. As currently proposed, Vermont would allow MHD ZEV manufacturers to earn early credits beginning in MY2024. Rivian welcomes this rule provision but to maximize the benefits we strongly encourage a revision to allow early credits beginning in MY2023. MHD ZEVs are available today and Vermont should use every available tool to establish itself as a priority market for those products as early as possible.

While we strongly support adoption of the full package of vehicle emissions standards, we also believe that the scale of the climate challenge and Vermont's emissions reduction targets will require more than these regulations alone. As such, we urge Vermont policymakers to view the proposed rules as the cornerstones of a comprehensive policy approach that will maximize the impact of the state's entire decarbonization agenda. A full suite of coordinated policies and investments is needed to support both vehicle buyers and manufacturers alike to accelerate their transitions to EVs. In addition to the proposed emissions rules, Rivian strongly recommends that Vermont take additional steps including implementing a clean fuels standard (CFS) and establishing durable and effective EV purchase incentives.

To Further Accelerate Transportation Electrification in Vermont, the State Should Consider Complementary Actions to the Vehicle Emissions Rules

While not the subject of this proposal, Vermont should consider complementary actions to strengthen its

approach to reducing emissions from the transportation sector and help deliver on the goals of the regulations currently under consideration. For example, implementing a clean fuels standard (CFS) can create incentives for both EV deployment and use, as well as charging infrastructure investment. Similarly, a streamlined light-duty ("LD") and MHD rebate program would directly support the purchase of new ZEVs manufactured pursuant to ACT.

Implement a Clean Fuels Standard (CFS)

CFS policies, also known as low carbon fuels standards (LCFS), are powerful enablers of transportation electrification in support of the requirements of the ACCII and ACT regulations.

Several states already establish carbon intensity standards for transportation fuels and many more are actively considering legislation to develop their own. This is a testament to the tremendous value clean fuels policies can deliver, and not just in terms of job creation and economic activity as fuel providers innovate and invest in producing and supplying clean fuels to the market. Just as important, they reduce emissions and are responsible for tens of millions of tons of avoided GHGs and co-pollutants in the states where they are already in force, supporting climate goals as well as improving air quality and public health.[1] Because communities that border major highways and roadways are disproportionately affected by local air pollution caused by vehicles burning fossil fuels, they stand to benefit directly from the use of increasingly clean fuels on those same road networks.

CFS policies also serve to catalyze growth in the EV market. Designed correctly, CFS policies can establish incentive frameworks that encourage automakers to accelerate the development and sale of highly utilized EVs in the policy's territory while also creating new revenues via the trading of compliance credits that can be used to fund EV purchase rebates or other investments. These policies also typically reward investments in public charging infrastructure.

In the MHD sector, CFS policies create revenue streams that directly support fleet investments in electric vans, trucks, and buses. Under a CFS, when fleets charge vehicles centrally at a depot or dispatching center where they own the charger, they can capture the credits generated by the charging events. Selling those credits in turn generates revenue with direct benefits for total cost of ownership. In this way, CFS programs inherently incentivize MHD fleet-switching and the accompanying charger installation.

Establish Durable and Effective EV Purchase Incentive Programs

Simple and reliable purchase incentives are key to supporting the EV transition in both the LD and MHD sectors. We are not aware of a large-scale MHD ZEV purchase incentive program in Vermont and, unfortunately, the existing LD ZEV rebate suffers from highly restrictive eligibility criteria, including a Manufacturer's Suggested Retail Price ("MSRP") cap of $45,000.[2] Highly capable EVs like Rivian's R1T do

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[1] Oregon Department of Environmental Quality, Oregon Clean Fuels Program, available at www.oregon.gov/deq/ghgp/cfp/Pages/default.aspx; Casey Kelley and Nikita Pavlenko, The International Council on Clean Transportation, *Working Paper 2020-29: Assessing the potential for low-carbon fuel standards as a mode of electric vehicle support* (December 2020), available at theicct.org/sites/default/files/publications/LCFS-and-EVs-dec2020.pdf.

[2] https://www.driveelectricvt.com/incentives/vermont-state-incentives

come at a price premium. Our truck features a large battery pack designed to deliver the range customers expect across a variety of demanding applications such as towing and off-road driving. AT 135kWh, the battery pack is more than twice the size of those found in typical passenger car offerings such as the Chevrolet Bolt, and 35 percent larger than even SUV-style products like the Tesla Model X. This represents significant added cost. Crucially, electric pickups and SUVs compete directly with some of the most polluting passenger cars on the road today and offer disproportionate climate benefits. If a state decides to impose MSRP caps, Rivian advocates for a tiered approach and establishing a dedicated category for medium-duty vehicles like the R1T with an MSRP cap at least double that used for compact or sedan cars.

Rivian recommends that Vermont reform its LD ZEV rebate program and implement a MHD ZEV incentive. In our experience, the most effective incentives are simple to understand, available at the point of sale, and broadly accessible to all buyers and for the full cross-section of vehicles drivers want and need. Leading examples include Illinois' LD ZEV rebate and Massachusetts' MOR-EV Trucks Program targeting MHD fleets.

Conclusion

Rivian applauds Vermont's drive to reduce emissions and improve the environment by adopting the ACCII and ACT rules. Our products are proof that now is the time to adopt these regulations. Vermont should also take steps to implement important complementary policies—including implementing a clean fuels standard and ZEV rebates—to maximize the impact of the state's efforts to electrify transportation.

Please contact me with any questions. Rivian looks forward to working with you to accelerate transportation electrification in Vermont.

Sincerely,

Tom Van Heeke
Senior Policy Advisor
Rivian Automotive, LLC
tvanheeke@rivian.com | 641-888-0035

From: Constance West
To: O"Toole, Megan
Subject: Public Comment on advanced Clean Cars and Advanced Clean Trucks rule
Date: Wednesday, August 31, 2022 3:53:21 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I unfortunately cannot attend the public hearings on this important tule. I would like to submit a comment on this ruling.

I heartily support this rule to require automakers to deliver more zero-emission electric vehicles to Vermont with the ultimate requirement for all new vehicles to be zero emission by 2035.
Transportation in our rural state creates too much of our carbon emissions, we need to reduce this substantially. I have just myself transitioned to an all electric vehicle. I cannot state how easy it is. And with more and more electrics coming into the state it will only get easier and easier. We will not be doing this alone. With the large state of California moving this way, we will be able to have auto manufacturers meet this requirement easily.

In 2035 I will be 87 years old. I want to see our beautiful state lead the way to zero emissions. This is one way to help significantly.

Thank you,

Constance West
181 Equinox Pond Road
Manchester, VT 05254

From:	Julia Riell
To:	O"Toole, Megan
Subject:	Public comment on availability of zero-emissions vehicles law.
Date:	Friday, September 30, 2022 2:13:23 PM

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Please PASS the Advanced Clean Cars II & Advanced Clean Trucks rules. Transportation is the single largest contributor to climate pollution in Vermont, but Vermonters have struggled to find zero-emissions vehicles in sufficient numbers to meet demand.

We need these vehicles to begin the work - especially buses!

Thank you for your time,

--

Julia W. Riell

(c) 802-287-0852
julia.wood.riell@gmail.com

From: KCN
To: O"Toole, Megan
Subject: public comment on clean vehicles
Date: Wednesday, September 28, 2022 4:28:55 PM

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Dear Friends at the Vermont Agency of Natural Resources:

I support rules that would expand access to zero-emission vehicles in Vermont. This is important to me and to the future I want to help shape for my children and grandchildren.

Please do what you can to make these rules a reality.

Karen Campbell-Nelson

Montpelier, VT

From:	Thad Kurowski
To:	ANR - DEC Lev Zev
Subject:	Public Comment on Proposed Regulations ACT/LEV/ZEV/Etc.
Date:	Thursday, September 29, 2022 4:40:30 PM
Attachments:	image001.png image002.png image003.png image004.png 220929 Tesla VT ACT ACCII FINAL Comments.pdf

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On behalf of Tesla, please accept the attached comments in support of adopting the proposed Advanced Clean Cars II, Advanced Clean Truck, Low-NOx Heavy Duty Omnibus, and Phase 2 Greenhouse Gas Regulations.

Thank you,

Thad Kurowski | National Credit Trading & Intermountain West State Policy Lead | Public Policy and Business Development
m. +1 (303) 868-3102 | tkurowski@tesla.com

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1 Tesla Road, Austin TX 78725
www.tesla.com/contact

September 29, 2022

Submitted electronically at: anr.declevzev@vermont.gov

State of Vermont Agency of Natural Resources
Department of Environmental Conservation
Air Quality and Climate Division
1 National Life Drive – Davis 4
Montpelier, VT 05620-3704

Re: Comments on the Proposed Advanced Clean Cars II, Advanced Clean Truck, Low-NOx Heavy Duty Omnibus, and Phase 2 Greenhouse Gas Regulations

Dear Director Hales,

Pursuant to the State of Vermont Agency of Natural Resources (ANR) proposed amendments to air pollution control regulations, **Tesla respectfully submits the following comments in support of adopting Advanced Clean Cars II (ACCII), Advanced Clean Truck (ACT), Low-NOx Heavy Duty Omnibus (HDO) and Phase 2 Greenhouse Gas Regulations.**

As an active participant in the California Air Resources Board (CARB) HDO, ACT, ACCII and ZEP rulemakings, Tesla supports expansion of the regulations by the state of Vermont.[1] Tesla believes the pace of electric vehicle innovation, cost-reduction, and deployment coupled with the public health and welfare imperatives to address criteria air pollution and accelerating impacts of climate change support adoption of each of the proposed policy amendments.

Tesla's Approach to Emissions Mitigation

Tesla's mission is to accelerate the world's transition to sustainable energy. Moreover, Tesla believes the world will not be able to solve the climate change crisis without directly reducing air pollutant emissions—including carbon dioxide (CO2) and other greenhouse gases (GHGs)—from the transportation and power sectors.

To accomplish its mission, Tesla designs, develops, manufactures, and sells high-performance fully electric vehicles and energy generation and storage systems, installs, and maintains such systems, and sells solar electricity. Tesla currently produces and sells four fully electric, zero emissions light duty vehicles (ZEVs): The Model S sedan, the Model X sport utility vehicle (SUV), the Model 3 sedan, and the Model Y mid-sized SUV. In addition, Tesla has announced plans to produce the Cybertruck (pickup truck) and the Semi (Class 8 truck) in volume in 2023. As an EV-only manufacturer, EPA recognized in its *2021 Automotive Trends Report* that Tesla had by far the lowest carbon dioxide emissions (0 g/mi) and highest fuel economy (119 miles per gallon equivalent) of all large vehicle manufacturers in MY 2020.[2]

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[1] See e.g., Tesla Comments on the HDO regulation (Aug. 25, 2020) *available at* https://ww2.arb.ca.gov/applications/public-comments?p=comm&s=bccommlog&l=hdomnibus2020; Tesla Comments on the ACT regulation (Dec. 9, 2019) *available at* https://ww2.arb.ca.gov/applications/public-comments?p=comm&s=bccommlog&l=act2019; Tesla Comments on ZEP Certification regulations (Feb. 15, 2019) *available at*: https://ww2.arb.ca.gov/applications/public-comments?p=comm&s=bccommlog&l=zepcert2019

[2] EPA, The 2021 EPA Automotive Trends Report, Greenhouse Gas Emissions, Fuel Economy, and Technology Since 1975 at 13 (Nov. 2021) (preliminary MY 2021 at 125.7 miles per gallon).

Tesla is also deeply committed to ensuring the U.S. remains a leader in advanced manufacturing.[3] All Tesla vehicles sold in North America are manufactured in the U.S. In 2022, the Tesla Model Y ranked as the most American-made car, based on overall contributions to the U.S. economy, and the Model 3 ranked just below as the second most American made car on the market.[4] NHTSA similarly confirms that 100% of the vehicle, engine, and transmission assembly in each Tesla vehicle sold in the U.S. occurs in the U.S.[5] In addition, Tesla's U.S. supply chain continues to expand and spans across more than 40 states, including Alabama, Georgia, Ohio, Indiana, and Michigan.[6]

Tesla has continued a remarkable period of growth and scale based precisely on its advanced technology vehicle product offerings. In the U.S., Tesla conducts vehicle manufacturing and assembly operations at its factory in Fremont, CA, and produces electric drive trains and manufactures advanced battery packs, as well as Tesla's energy storage products, at its Gigafactory Nevada in Sparks, NV. Tesla also builds and services highly automated, high-volume manufacturing machinery at its facility in Brooklyn Park, MN, and operates a tool and die facility in Grand Rapids, MI.[7] Tesla produces solar energy and vehicle charging products, including manufacturing of its DC-fast charging equipment for heavy duty vehicles, at its Gigafactory New York in Buffalo, NY.

In the spring of 2022, Tesla began production of Model Y vehicles at its newest vehicle and advanced battery manufacturing facility in Austin, TX. The project will invest over $10B in factory development and create 20,000 new jobs.[8] Upon full completion, the Gigafactory Texas will produce Tesla's new Cybertruck and Model Y crossover, and manufacture Tesla's new, advanced 4680 lithium-ion battery cell and battery packs.[9] Globally, by 2030, Tesla aims to sell 20 million electric vehicles per year.[10]

Heavy Duty Trucking: Tesla's Full Electric Class 8 Truck – the Tesla Semi[11]

In 2017, Tesla introduced the Tesla Semi to the world, a Class 8 truck designed from the ground up to be the most efficient and safest truck on the market. The Tesla Semi represents an opportunity to have an outsized impact on reducing NOx and GHG emissions from goods movement and transportation. The Semi comes in two models, with ranges of 300 and 500 miles respectively, and will demonstrate that an all-electric truck can meet virtually any duty cycle when paired with the Semi Charging system that Tesla is developing. Tesla recently announced that deliveries of the long range Semi would begin in 2022.[12]

Combination trucks –of which the vast majority are semi-trucks –in the U.S. account for just 1.1% of the total fleet of vehicles on the road. That said, because combination trucks have high fuel consumption due to their

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[3] See generally, Tesla, Impact Report 2021 (May 6, 2022).
[4] Cars.com, Cars.com's American-Made Index Adds Tesla to Exclusive List of Multiyear Chart-Toppers, Model Y Nabs No. 1 (June 21, 2022); See also, Cars.com, Tesla Model 3 Snags No. 1 Spot on Cars.com's 2021 American-Made Index®; First All-Electric Vehicle to Top the List in Its 16-Year History (June 23, 2021);, American University, Kogod School of Business, 2021 Made in America Index (Oct. 15, 2021) (Finding in 2021, each of Tesla's vehicles - the Model S, 3, X and Y - ranked in the top 10 and Tesla was the only manufacturers to have representation from its entire portfolio in the top 10.).
[5] NHTSA, Technical Support Document: Proposed Rulemaking for Model Years 2024-2026 Light Duty Vehicle Corporate Average Fuel Economy Standards (Aug. 2021) at 96, Table 2-6.
[6] See e.g., AutoNews, Suppliers Starting to Set Stage for Tesla in Texas (Sept. 5, 2021).
[7] See Tesla, Manufacturing: Build a Sustainable Future.
[8] See, e.g., KXAN/Austin Business Journal, Musk teases huge job number at Austin-area Tesla factory (Dec. 20, 2021); Reuters, Musk says Tesla's Texas factory is $10 bln investment over time (Dec. 15, 2021).
[9] See Tesla, Tesla Battery Day Presentation (Sept. 22, 2020).
[10] Tesla, Impact Report 2020 (Aug. 10, 2021) at 2.
[11] See Tesla, Semi.
[12] *See,* Seeking Alpha, Elon Musk tweets Tesla Semi 500-range variant starts shipping this year, (Aug. 10, 2022).

weight and heavy utilization, they account for approximately 18% of all U.S. vehicle emissions. Electrifying the heavy-duty truck segment is an essential part of transitioning the world to sustainable energy.

With both the U.S. and E.U. having approved higher weight allowances for electric heavy-duty trucks, Tesla expects the payload to be at least as high as it would be for a diesel truck. In the E.U., electric semi-trucks are permitted to be 2 tons (~4,400 pounds) heavier than diesel equivalents, and in the U.S. the allowance is 0.9 tons (2,000 pounds). When fully loaded, the Tesla Semi should have over 500 miles of range, achieved through aerodynamics and highly efficient motors, and be able to reach an efficiency of less than 2 kWh/mile.[13]

Since unveiling the Tesla Semi, a significant number of fleets with substantial freight needs have placed reservations for the truck, indicating broad industry demand for heavy-duty electric vehicles.[14] These fleets will be deploying the Tesla Semi in a wide range of applications, including but not limited to, manufacturing, retail, grocery and food distribution, package delivery, dedicated trucking, rental services, intermodal, drayage, and other applications. Companies with operations throughout North America representing every major trucking sector and category of the economy have reserved the Tesla Semi, ranging from food service to logistics to retail.

The reason for this strong interest is clear – the economics of electrified heavy-duty vehicles are incredibly compelling for end-users, particularly sophisticated and economically rational operators. Tesla estimates that the time to recoup the investment in a Tesla Semi, given the operational savings it provides customers, will be faster compared to a conventional diesel truck. With the per mile operational costs being so much cheaper than diesel trucks, economic minded operators will maximize the use of their electric trucks and quickly expand the number of electric trucks in their fleets.

Furthermore, by removing diesel from the heavy-duty equation altogether, battery electric trucks like the Tesla Semi represent a superior solution relative to other approaches that seek to reduce NOx emissions by increasing the efficiency of diesel trucks or via post-combustion treatment. As one recent analysis recognized, fully addressing harmful air pollution from trucks used in urban and community areas by 2035 and eliminating pollution from all new trucks and buses by 2040, can provide tremendous public health and welfare benefits, including preventing 57,000 premature deaths by 2050, reducing NOx emission by more than 10M tons, eliminating almost 200,000 tons of PM by 2050, and avoiding 4.7B tons of GHG emissions.[15]

Tesla supports ANR proposed regulations

Tesla supports the development and adoption of strong state vehicle NOx, GHG emissions performance standards and LEV/ZEV standards for light to heavy duty vehicles. For many years, these standards have helped drive investment in electric vehicle manufacturing and technology because those performance standards incentivize manufacturing vehicles with zero tailpipe emissions and provide a mechanism by which vehicle manufacturers that deploy innovative technologies and out-perform the standards are rewarded as they can earn and sell tradeable compliance credits.[16]

To that end, the HDO, ACT, and ACCII rules provide new additions to Vermont's comprehensive air pollution mitigation strategy that ensure pollution reduction, increased deployment of emission reduction technology,

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[13] Id.

[14] See e.g., Yahoo Finance, Tesla Gets Order For 150 Semi Trucks from Canadian Company As It Prepares For 'Volume Production' (Nov. 5, 2020); The Street, Walmart Triples-Down on Tesla Semi Reservations (Sept. 29, 2020); Business Insider, Tesla has a new customer for its electric Semi — here are all the companies that have ordered the big rig (Apr. 25, 2018).

[15] Environmental Defense Fund, Clean Trucks, Clean Air, American Jobs (Mar. 4, 2021) at 1.

[16] *See, e.g.*, Virginia McConnell, Benjamin Leard & Fred Kardos, Resources for the Future, California's Evolving Zero Emission Vehicle Program: Pulling New Technology into the Market at 22-31 (Nov. 2019). (California state Zero Emissions Vehicle credit banking and trading).

and facilitation of increased investment for the portion of the motor vehicle sector that needs it most, by fostering technological innovation in ZEV manufacturing.

Indeed, the public health, climate, and economic benefits from reducing heavy-duty NOx and GHG emissions cannot be overstated. Air pollution is estimated to cause over 200,000 premature deaths in the U.S. each year; with more than half caused by transportation emissions.[17] Recent findings indicate that the U.S. health care costs from air pollution and climate change exceed $800 billion per year.[18] Air pollution impacts from pollutants like PM2.5 that are associated with the medium- and heavy-duty sector not only cause premature mortality, cardiovascular disease and respiratory disease but also can affect neurological disorders.[19] Other studies suggest that exacerbation of air pollution and heat exposure related to climate change may be significantly associated with risk to pregnancy outcomes in the U.S.[20] The International Council on Clean Transportation recently updated the Vermont-specific analysis they did looking at the benefits of adopting California's vehicle standards.[21] The study found that by adopting ACT, HDO and Phase 2 GHG rules Vermont would reduce NOx emissions by 7,820 U.S. tons, PM2.5 by 44 U.S. tons, and CO2e by 6.17MMT.

These negative effects of air pollution disproportionately harm the most vulnerable populations, including children, the elderly, and residents in low-income and disadvantaged communities.[22] Indeed, two-thirds of Americans who live near high-volume roads are people of color and the median household income in these communities is roughly 20% below the national average.[23] Emissions from heavy-duty diesel trucks are roughly the equivalent to those of 20 to 55 light-duty vehicles on the road. Repeatedly, peer reviewed, government and inter-governmental studies point toward electrification as key to addressing criteria air pollutants, improving air quality, and lowering the risk of respiratory illness.[24]

The American Lung Association (ALA) recently estimated that wide-spread transportation electrification across the United States translates into $72 billion in avoided adverse health effects. Electrification would save approximately 6,300 lives per year and avoid more than 93,000 asthma attacks, and 416,000 lost workdays annually due to significant reductions in transportation-related pollution.[25] Other studies have found dramatic localized air quality and public health benefits will result for electrifying the heavy-duty fleet.[26]

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[17] Atmospheric Environment, Air pollution and early deaths in the United States. Part I: Quantifying the impact of major sectors in 2005 (Nov. 2013); See also, PNAS, Fine-scale damage estimates of particulate matter air pollution reveal opportunities for location-specific mitigation of emissions (April 8, 2019) (Over 100,000 premature death just from PM 2.5).
[18] Medical Society Consortium, The Costs of Inaction: The Economic Burden of Fossil Fuels and Climate Change on Health in the United States (May 20, 2021).
[19] The Lancet, Long-term effects of $PM_{2.5}$ on neurological disorders in the American Medicare population: a longitudinal cohort study (Oct. 19, 2020).
[20] Bekkar, et al. JAMA Open Network, Association of Air Pollution and Heat Exposure with Preterm Birth, Low Birth Weight, and Stillbirth in the USA Systematic Review (June 18, 2020).
[21] See https://theicct.org/wp-content/uploads/2022/09/HDV-fact-sheet-VT-092122.pdf (Sept. 2022)
[22] U.N. Environmental Programme, Young and old, air pollution affects the most vulnerable (Oct. 16, 2018).
[23] Union of Concerned Scientists, Delivering Opportunity: How Electric Buses and Trucks Can Create Jobs and Improve Public Health in California, (Oct. 11,2016), at 10.
[24] See e.g., International Panel on Climate Change (IPCC), AR 6 Climate Change 2022: Impacts, Adaptation and Vulnerability (Feb. 28, 2022) at 7-120; USGCRP, National Climate Assessment 4, Volume II, Chapter 29 at Box 29.2 (In transportation, for example, switching away from petroleum to potentially lower GHG fuels, such as electricity and hydrogen, is projected to reduce local air pollution. In California, drastic GHG emissions reductions have been estimated to substantially improve air quality and reduce local particulate matter emissions associated with freight transport that disproportionately impact disadvantaged communities").
[25] American Lung Assoc., The Road to Clean Air Benefits of a Nationwide Transition to Electric Vehicles (Mar. 31, 2022) at 5-6. See also, ZETA, Medium- and Heavy Duty Electrification: Weighing the Opportunities and Barriers to Zero Emission Fleets (Jan. 26, 2022) at 8-9.
[26] See, Texas A&M, Tailpipe Emission Benefits of Medium- and Heavy-Duty Truck Electrification in Houston, TX (Apr. 14, 2021) (Finding that by electrifying 40% of the predominantly diesel-fueled MHDVs in the eight-county area, Texans could

Conclusion

For the reasons set forth above, ANR should adopt the proposed regulations, reducing criteria and greenhouse gas air pollutants, and protecting the public health and welfare of Vermont's residents.

Respectfully submitted,

Thad Kurowski
Senior Policy Advisor
Public Policy & Business Development

avoid 21 tons per day of NOx — over a quarter of the 80 tons per day emitted by greater Houston's on-road traffic. This could be achieved by electrifying a little over 60,000 MHDVs, about 1% of all the vehicles in greater Houston. By comparison, it would take 3.8 million light duty vehicles to achieve the same amount of NOx reductions. Electrification of MHDVs is the quickest way to take the biggest bite out of greater Houston's NOX emissions.)

From: Laura Cavin Bailey
To: ANR - DEC Lev Zev
Subject: Public Comment
Date: Thursday, September 29, 2022 7:26:12 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

To whom it may concern

I am in full support of clean cars II to reduce our states transportation emissions and to ensure future access to electric cars in Vermont.

We need to act and we need legislation that pushes car manufacturers to supply EVs.

Laura bailey
Fayston

--
Laura Cavin Bailey (she/her)
Architect, Certified Passive House Consultant, SEED
802.233.6723

From:	Christine Fleming
To:	O"Toole, Megan
Subject:	Public Comment: Advanced Clean Cars II & Advanced Clean Trucks rules
Date:	Friday, September 23, 2022 6:00:25 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Megan O'Toole,

I am writing to express my support for passing the Advanced Clean Cars II & Advanced Clean Trucks rules. As I'm sure you know, it is essential that we do everything we can to limit the release of greenhouse gases into the atmosphere, and reducing emissions from cars is a highly effective way to do this. Vermont is a state where traveling by car is practically a necessity. There have been times when I've tried to visit my friends across the state and wished that I could travel via bike or public transportation, but traveling across the state by bike isn't feasible and in many cases, public transportation doesn't exist.

It would be amazing to live in a world where access to an electric car is possible for every Vermonter. Not only would this help Vermont and the world by slowing the effects of climate change, it would help people who purchase electric cars by showing them personally how they can do something to help solve this enormously pressing issue. In this way, Vermont can be a model for the rest of the U.S. in combating climate change. Once again, I urge you to please pass the Advanced Clean Cars II & Advanced Clean Trucks rules.

Thank you,

Christine Fleming
University of Vermont, class of 2023
B.S. in Environmental Science

From: courtney.rae.forti@gmail.com
To: O"Toole, Megan
Subject: Public Comment: Advanced Clean Cars II & Advanced Clean Trucks rules
Date: Wednesday, September 28, 2022 10:34:31 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi there,

I am writing today as a Vermonter and mother living in Cambridge, VT. I support the state in moving forward with these rules and helping Vermonters access clean transportation in a more affordable way. As a parent, I feel extreme and constant worry about the climate crisis and the impact it is currently having which will only intensify if not addressed with radical reductions in emissions and environmental degradation. Three months after the birth of my daughter, The UN issues a "Code Red for Humanity" based on the data collected by the IPCC which spelled out in no uncertain terms that human civilization and and survival are at risk if we don't drastically and quickly change our behaviors around fossil fuels and how we treat the environment. Though vermont is small, it has the potential to influence other states and entities by leading by example and making bold moves to protect our children's future. These changes will also help Vermont families save significant money on fuel and transportation which will help boost our local economies and overall benefit our way of life.

Thank you for your consideration.

Warmly,

Courtney Forti
she/her/hers
617-833-8968

"There’s a song that wants to sing itself through us. We just got to be available. Maybe the song that is to be sung through us is the most beautiful requiem for an irreplaceable planet or maybe it’s a song of joyous rebirth as we create a new culture that doesn’t destroy its world. But in any case, there’s absolutely no excuse for our making our passionate love for our world dependent on what we think of its degree of health, whether we think it’s going to go on forever. Those are just thoughts anyway. But this moment you’re alive, so you can just dial up the magic of that at any time." - Joanna Macy

From:	Robb Kidd
To:	O"Toole, Megan
Subject:	Public Comment: Sierra Club Member petition
Date:	Friday, September 30, 2022 11:58:13 AM
Attachments:	ACC II and ACT Sierra Club Member Petition.pdf Clean Car Petitions.xlsx

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EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Megan O'Toole,

Please accept the attached petition signed by one hundred Vermonter Sierra Club members in support of the Advanced Clean Trucks, Advanced Clean Cars II, and Heavy Duty Omnibus rules.

I included the attached pdf file that includes the petition language with the signatories and their town of residence. I also include an excel sheet with the contact information for the signatories if the Agency of Natural Resouces needs to follow up with information.

The Sierra Club appreciates the considerations of the Agency of Natural Resouces in adopting these rules this year.

Sincerely,
Robb Kidd

Robb Kidd
Sierra Club
Vermont Conservation Program Manager
(802)505-1540
(He, Him, His)

Agency of Natural Resources Central Office
1 National Life Drive
Davis 2
Montpelier VT 05620-3901

September 30, 2022

Subject: Public Comment: Advanced Clean Trucks, Advanced Clean Cars II, and Heavy Duty Omnibus rules

Dear Governor Phil Scott and Vermont Agency of Natural Resources,

I am writing today to urge Vermont to adopt the strongest possible vehicle standards for the Advanced Clean Trucks, Advanced Clean Cars II, and Heavy Duty Omnibus rules. Far too many of us are experiencing the impacts of climate change which threaten the livelihood of our state and communities, and we must act now to protect our climate and health by passing these standards which will reduce climate-disrupting and toxic emissions.

States across the country are adopting vehicle standards for cars, trucks, and buses. Vermont must do the same since these rules are essential to fighting the climate crisis and protecting our communities.

Thank you for your leadership and for taking action.

Submitted by Robb Kidd, Vermont Sierra Club, Montpelier, Vermont
Electronically signed by:

Anne Jameson	Marshfield	VT
Martha Adams	Bellows Falls	VT
Susan Schulman	Hinesburg	VT
Nathan Irons	Shelburne	VT
Marc Benowitz	Weston	VT
Wayne Senville	South Burlington	VT
Penelope Tompkins	South Burlington	VT
Jerry Leblond	Rochester	VT
Jim Hand	East Dorset	VT
Madeleine Wennerstrom	Randolph	VT

Jarryd	Audette	Underhill	VT
Charles	Monette	Brattleboro	VT
Sharon	Goedkoop	Wilder	VT
Lisa	Pistilli	Middlebury	VT
Janice	McCann	Rochester	VT
Elianne	Wijler Klinefelter	Williston	VT
Amy	Payne	Burlington	VT
Cecil	Hall	Danville	VT
Donald	Lenz	Plainfield	VT
Eric	Weller	Bridgewater Corners	VT
Jeff	Gold	Danville	VT
Mary	Mcdaniel	Northfield	VT
F	Corr	Guilford	VT
Paula	Duprat	Sharon	VT
Suzanne	Murphey	Stowe	VT
Charles	Murphy	Manchester	VT
Jim	Fredericks	Greensboro	VT
Robert	Mcmullin	Moretown	VT
John	Lamperti	Norwich	VT
Colin	Sturgess	Essex Junction	VT
Phoebe	Bright Knox Cummin	Huntington	VT
Lesley	Heathcote	Brattleboro	VT
Angel	Gray	Poultney	VT
Jessica	Gibb	Jacksonville	VT
Marcia	Levin	Bennington	VT
Thomas	Deboni	Windsor	VT
Katherine	Werner	Waitsfield	VT
Courtney	Dobyns	Norwich	VT
Mark	Gannett	South Burlington	VT
Kristine	Winnicki	Chester	VT
Melinda	Meyerhoff	Thetford Center	VT
Garret	Hobart	South Royalton	VT
Wally	Elton	Middlebury	VT
Ann	Randall	Manchester Center	VT
Janice	Solektefft	Underhill	VT
Donald	Lenz	Plainfield	VT
Bonnie	Hearthstone	Vergennes	VT
Kevin	Sherry	Middlebury	VT
Peter	Grant	Bristol	VT
Phyllis	Newbeck	Jericho	VT
Steven	Dicicco	Hyde Park	VT
Ray	Gonda	South Burlington	VT
Chris	Miller	North Hero	VT
Scott	Holliman	Middletown Springs	VT

Cadence	Genereaux	White River Junction	VT
Sue	Rasmussen	Whiting	VT
Linda	Gray	Norwich	VT
Calllie	Willis	Warren	VT
Beth	Hartmann	Charlotte	VT
Daniel	Green	East Montpelier	VT
Dave	Goodlin	Morrisville	VT
Erik	Mueller-Harder	Cabot	VT
Wendy	Manganiello	Norwich	VT
Charlotte	Bill	Enosburg Falls	VT
Lori	Keene	Shelburne	VT
Lindzey	Beal	Wolcott	VT
Carl	Bucholt	MANCHESTER CENTER	VT
Hugh	Mccaslin	Burlington	VT
Kate	Goetz	West Burke	VT
Marla	Simpson	Randolph	VT
Barbara	Bloom	South Hero	VT
Anne	Dolivo	Manchester Center	VT
Vivian	Ross	Middlebury	VT
Susan	Scandinaro	Bennington	VT
Randi	Hacker	Montpelier	VT
Marilyn	Birkett	Windsor	VT
Sue and	John Morris	Marshfield	VT
Tom	Cate	Montpelier	VT
Debora	Tramposh	Brattleboro	VT
Don &	Mary Faulkner	Montpelier	VT
Tom	Brassard	South Burlington	VT
Deborah	Hawkins	Shoreham	VT
Kevin	Thorley	Williston	VT
Michelle	Kaufman	Rutland	VT
Matthew	LeFluer	Alburgh	VT
Richard	Butz	Bristol	VT
Gail	Butz	Bristol	VT
Scott	Weathers	Stowe	VT
Barbara	Huibregtse	DANVILLE	VT
Nathaniel	Shoaff	Montpelier	VT
Marilyn	McEnery	Danville	VT
Martin	Maitner	South Burlington	VT
Don	Smith	Saint Johnsbury	VT
Linda	Cooper	Burlington	VT
Lois	Helland	Burlington	VT
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Richard Butz	butzra042@gmail.com	Richard	Butz
Gail Butz	butzra042@gmail.com	Gail	Butz
Scott Weathers	scott.weathers@mail.harvard.edu	Scott	Weathers

Barbara Huibregtse	bh54189@gmail.com	barbara	Huibregtse
Nathaniel Shoaff	nathaniel.shoaff@gmail.com	Nathaniel	Shoaff
Marilyn McEnery	marilynmcenery48@gmail.com	Marilyn	McEnery
Martin Maitner	mottyski82@gmail.com	Martin	Maitner
Don Smith	dreamers2it@hotmail.com	Don	Smith
Linda Cooper	flatlanderalso@gmail.com	Linda	Cooper
Lois Helland	hellanla@uwec.edu	Lois	Helland
Karl Kemnitzer	kkemvt@gmail.com	Karl	Kemnitzer
Lori Keene	loricrossroads4@gmail.com	Lori	Keene
Joan Hoffmann	hoffmann.joan@gmail.com	joan	hoffmann
		Robb	Kidd

Address1	City	State	Postal Code	Result Code	Personal Message	Phone
	Marshfield	VT	05658	Petition		(802) 454-1692
	Bellows Falls	VT	05101	Petition		(310) 625-0308
	Hinesburg	VT	05461	Petition		(802) 482-2784
	Shelburne	VT	05482	Petition		(240) 395-0520
	Weston	VT	05161	Petition		(802) 824-4090
	South Burlington	VT	05403	Petition		(802) 338-7282
	South Burlington	VT	05403	Petition		(305) 861-7181
	Rochester	VT	05767	Petition		(802) 767-4639
	East Dorset	VT	05253	Petition		(802) 349-7811
	Randolph	VT	05060	Petition		(802) 728-4908
	Underhill	VT	05489	Petition		(802) 864-4146
	Brattleboro	VT	05301	Petition		(802) 258-0960
	Wilder	VT	05088	Petition		(802) 295-9908
	Middlebury	VT	05753	Petition		(802) 989-7440
	Rochester	VT	05767	Petition		(802) 767-3667
	Williston	VT	05495	Petition		(443) 832-9617
	Burlington	VT	05408	Petition		(510) 837-7927
	Danville	VT	05828	Petition		(802) 274-2613
	Plainfield	VT	05667	Petition		(802) 454-1905
	Bridgewater Corners	VT	05035	Petition		(802) 282-6969
	Danville	VT	05828	Petition		(802) 684-9728

Northfield	VT	05663	Petition	(802) 485-4807
Guilford	VT	05301	Petition	(802) 234-3456
Sharon	VT	05065	Petition	(802) 763-2347
Stowe	VT	05672	Petition	(802) 253-6765
Manchester	VT	05254	Petition	(802) 345-0737
Greensboro	VT	05841	Petition	(802) 238-5293
Moretown	VT	05660	Petition	(802) 496-9281
Norwich	VT	05055	Petition	(603) 284-7120
Essex Junction	VT	05452	Petition	(802) 879-0364
Huntington	VT	05462	Petition	(802) 434-6620
Brattleboro	VT	05301	Petition	(802) 257-0951
Poultney	VT	05764	Petition	
Jacksonville	VT	05342	Petition	(802) 368-2890
Bennington	VT	05201	Petition	(415) 302-1822
Windsor	VT	05089	Petition	(802) 674-4585
Waitsfield	VT	05673	Petition	(802) 496-3271
Norwich	VT	05055	Petition	(802) 649-3926
South Burlington	VT	05403	Petition	(802) 862-2190
Chester	VT	05143	Petition	(802) 875-3115
Thetford Center	VT	05075	Petition	(802) 359-3887
South Royalton	VT	05068	Petition	(802) 766-8763
Middlebury	VT	05753	Petition	(802) 388-8268

Manchester Center	VT	05255	Petition	(802) 430-2495
Underhill	VT	05489	Petition	(802) 899-4113
Plainfield	VT	05667	Petition	
Vergennes	VT	05491	Petition	(802) 877-6594
Middlebury	VT	05753	Petition	(631) 838-6061
Bristol	VT	05443	Petition	(802) 453-2278
Jericho	VT	05465	Petition	(802) 899-2908
Hyde Park	VT	05655	Petition	(802) 888-9893
South Burlington	VT	05403	Petition	(802) 264-4886
North Hero	VT	05474	Petition	(802) 372-6035
Middletown Springs	VT	05757	Petition	(802) 235-2329
White River Junction	VT	05001	Petition	(802) 281-6070
Whiting	VT	05778	Petition	
Norwich	VT	05055	Petition	(802) 649-2032
Warren	VT	05674	Petition	(802) 496-4119
Charlotte	VT	05445	Petition	(802) 425-3598
East Montpelier	VT	05651	Petition	(802) 585-2651
Morrisville	VT	05661	Petition	(802) 760-9163
Cabot	VT	05647	Petition	(802) 793-5617
Norwich	VT	05055	Petition	(802) 683-8251
Enosburg Falls	VT	05450	Petition	(802) 933-2004
Shelburne	VT	05482	Petition	
Wolcott	VT	05680	Petition	(802) 770-0201

MANCHESTER CENTER	VT	05255	Petition	(802) 362-4619
Burlington	VT	05408	Petition	(802) 864-7990
West Burke	VT	05871	Petition	(802) 553-2057
Randolph	VT	05060	Petition	(802) 728-6447
South Hero	VT	05486	Petition	(802) 864-7269
Manchester Center	VT	05255	Petition	(802) 768-8144
Middlebury	VT	05753	Petition	(802) 398-1420
Bennington	VT	05201	Petition	(207) 409-8055
Montpelier	VT	05601	Petition	(785) 979-2961
Windsor	VT	05089	Petition	(802) 674-5161
Marshfield	VT	05658	Petition	(732) 334-8433
Montpelier	VT	05602	Petition	(802) 477-2232
Brattleboro	VT	05301	Petition	(802) 302-9132
Montpelier	VT	05602	Petition	(802) 522-2204
South Burlington	VT	05403	Petition	(802) 373-9286
Shoreham	VT	05770	Petition	(802) 922-3525
Williston	VT	05495	Petition	(617) 596-8203
Rutland	VT	05701	Petition	
Alburgh	VT	05440	Petition	(802) 796-4696
Bristol	VT	05443	Petition	(802) 453-6052
Bristol	VT	05443	Petition	(802) 453-6052
Stowe	VT	05672	Petition	(919) 638-5476

DANVILLE	VT	05828	Petition	(508) 768-5629
Montpelier	VT	05602	Petition	(415) 200-9778
Danville	VT	05828	Petition	(802) 274-9980
South Burlington	VT	05403	Petition	(802) 324-9749
Saint Johnsbury	VT	05819	Petition	(802) 274-8537
Burlington	VT	05401	Petition	(802) 922-7554
Burlington	VT	05401	Petition	(802) 399-7259
Hartland	VT	05048	Petition	(802) 436-3061
Shelburne	VT	05482	Petition	(802) 399-4036
So Royalton	VT	05068	Petition	(802) 282-3991
Montpelier	VT 05602			

From:	Peter James
To:	ANR - DEC Lev Zev
Subject:	Public Comments on proposal to ban sale of new internal combustion vehicles in 2035 in Vermont
Date:	Friday, September 30, 2022 8:39:08 AM

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Folks,

I learned about this from a Vermont Public article yesterday: https://www.vermontpublic.org/local-news/2022-09-29/vermont-is-weighing-new-rules-to-require-car-truck-manufacturers-to-supply-more-electric-vehicles-to-the-state My comments are based on that article; I have not read these proposed rules in detail.

I will be brief.

I hope global warming gets fixed; I hope electric vehicles are successful and by 2035, we are all able to cheaply buy long-range EVs that charge quickly. I also hope the electric grid will be ready for large numbers of people charging their electric vehicles in 2035 and before. I don't want nasty storms like Hurricane Ian or Tropical Storm Irene in 2011 to harm us, so again, I do want global warming to be dealt with.

That said, I am opposed to banning the sale of new internal combustion engine vehicles in Vermont in 2035 because it limits people's options. Even if people say, "Oh, Vermonters mostly buy used vehicles, it won't affect us", it still limits people's options. If what I hope happens does happen, EVs will be so great that such a rule is not needed. If what I hope happens doesn't happen, and the Vermont electric grid can't support hundreds of thousands of electric vehicles, or vehicle manufacturers are not able to get a working supply chain for the lithium and the other materials needed for electric car batteries by 2035, this regulation will just cause large numbers of people to leave Vermont (or more realistically, California will be forced to cancel this regulation).

I just wanted to let you know my opinion on this proposed set of rules.

- Peter James, 42 Sunnyside Drive, Barre, VT 05641

From: Charles Hazen
To: O"Toole, Megan
Cc: Joe Benning; Randy Brock; bmurphy@leg.state.vt.us
Subject: Re: Opposed- Advanced Clean Cars II & Advanced Clean Trucks
Date: Friday, September 23, 2022 9:53:58 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.
Mr. Joe Benning, Mr. Randy Brock, and Ms. Barbara Murphy,

I ask that you stand up to the environmental fundamentalists driving Vermont's economy into the dirt. I believe the current legislation concerning GWSA and EV mandates will adversely affect Vermont citizens.

Please spend a few minutes looking into this EV video.
https://www.youtube.com/watch?v=sytWLB4-W-M

Respectfully,
Charles Hazen

On Tue, Sep 20, 2022 at 11:09 AM Charles Hazen <charles.hazen@gmail.com> wrote:

> Megan at al,
>
> I have attached another article demonstrating what happens with a non-resilient power grid that is singularly focused on EVs
> https://www.bloomberg.com/news/articles/2022-09-18/germany-s-bosch-warns-ev-industry-over-battery-cell-reliance?leadSource=uverify%20wall
>
> For the senator and house members on this email thread, the job of legislating protections for Vermonters falls on you and not the burecrats. The mandatory 2035 EVs and the insane emissions standards goals seem intentional to cripple our state. As I look around at VPIRG and those affiliated with that organization, past and present, it is easy to see who has benefited financially from these climate related legislations. When did Vermont lead by following California and the EU into the abyss?
> Stop the insanity. Practice pragmatism. Diversity of energy builds resilience. Help Vermonters, not the special interest groups.
>
> Respectfully,
> Charles Hazen
>
> On Thu, Sep 8, 2022, 22:45 Charles Hazen <charles.hazen@gmail.com> wrote:
>
>> Megan et al,
>>
>> The Vermont Congress passed the Global Warming Solutions Act in 2020 which is on track to fail and subsequently open Vermonters to lawsuits. Completely unnecessary legislation based again on ideology.
>> Ref: https://vtdigger.org/2022/09/07/vermont-is-not-on-track-to-meet-2030-emissions-reductions-requirements-report-confirms/
>>
>> While it seems this legislation, the original subject of my email, is aimed at assisting

making these supercillios goals, I again contest that these goals are unnecessary for our small state. Vermont continues to legislate headlong off a cliff with the other lemmings. These plans will lead tio blackouts and human suffering in our state.

A diverse energy plan builds resilience. Forcing Vermonters into 100% electric vehicles is simply another step that is not necessary. I believe the next step will be to drive Vermonters to 100% electric heat, which is untenable. This plan is reducing resilience as well as driving up costs in an unrealistic timeline with no understanding of impact.

Be pragmatic and look at the California canary in the coal mine. The bird is suffocating even though many will not admit it.

Stop the extreme measures. Repeal the GWSA before the state opens itself, and taxpayers, to undue llitigation.

In confidence,
Charles Hazen

On Tue, Sep 6, 2022, 07:33 Charles Hazen <charles.hazen@gmail.com> wrote:

> Megan,
> As a follow-up, where California goes, Vermont should not follow. The 2035 mandate is unnecessary and will cause more harm than good despite best intentions.
> https://www.breitbart.com/economy/2022/09/05/california-declares-energy-emergency-alert-turns-to-natural-gas-backup/
>
> Sincerely,
> Chariots Haze
>
> On Wed, Aug 31, 2022, 16:53 Charles Hazen <charles.hazen@gmail.com> wrote:
>
>> Ms. Megan O'Toole,
>>
>> I am opposed to the requirement that all new Vermont vehicles are electric by 2035. Mandating these requirements puts an undue burden on Vermonters with little to no understanding of the third order of effects. I suggest that a pragmatic approach is taken by allowing other states to lead the way in this effort and learning from their successes and failures.
>>
>> We have seen the stress that these efforts have placed on the electrical grid across the country. Forcing this situation on our stretched Vermont grid is irresponsible at best while placing a tremendous burden on our poorest. Financially, this burden will place those with the least in an ever-tightening noose of financial decision-making and reduces freedom of choice which is antithetical to our values. While I appreciate the desire to be environmentally conscious, we must do so in a way that is human-centric in its considerations and not put idealism at the forefront and all else be damned for the greater "idealistic" good.
>>
>> I look forward to hearing that you support Vermont learning from our counterpart states in their desire to charge headlong into these turbulent waters without understanding the infrastructure timelines necessary, the REAL cost implications, and

> the waste management solutions that will be required with the 100% electrical vehicle changeover. The timelines do not need to be mandated and Vermont can learn from other states without the undue burden that this would cause.
>
> Ref: Attached VPIRG Email
>
> Sincerely,
>
> --
> Charles Hazen
> Fairfax, VT
> (M)802.735.7062

--
Charles Hazen
(M)802.735.7062

From: L. Burke Ivey
To: ANR - DEC Lev Zev
Subject: Regarding Proposed EV Rule
Date: Friday, September 30, 2022 2:51:12 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

To whom it may concern:

My name is Lacey Burke. I am a resident of Willowbrook in Bennington, Vermont, a neighborhood in which most residents' rent is subsidized. After discussing it with my neighbors in a community meeting on September 25, 2022, I write today to express several concerns about the proposed electric vehicle rule developed in California being adopted here in Vermont.

We are concerned about the proposed "environmental justice value credits" for EV manufacturers. We like the idea of increasing access to car share programs. It appears to us, though, that claiming and trading supposed benefits to communities like ours will let manufacturers avoid having to make their products actually accessible to lower-income Vermonters like us, our families and neighbors.

Our neighborhood is surrounded and isolated by high-speed roads that we and our children have to walk along to get groceries and to school sometimes. So we appreciate the attempt to reduce pollution of air and soils from gas and diesel exhaust. But not everybody can afford the ridiculous amount of money for an EV. In fact, none of us can afford to access any of the current incentives Vermont has offered for EVs so far. Many of us cannot afford a vehicle at all! And, we don't think this new rule does nearly enough to help low-income Vermonters afford electric cars.

If we were able to purchase just one vehicle for our family, it would need to be dependable, and able to drive long distances: to get decent medical care, and to work in a rural area on roads that are dangerous in winter. Some of us aren't convinced that an electric vehicle could do all those things. Also, there's no place to charge an electric vehicle around here, and we don't want to be stranded–it's not like our household could afford a second car to come pick us up! We're also worried about the high upkeep costs of EV's, especially the cost to replace the battery.

We wonder whether Vermont has investigated whether the state can support the infrastructure needed to adopt a rule that seems to be causing problems in California. Some of us are also concerned that the environmental impacts of EVs, including disposal of used batteries, and mining for lithium, have not been well-addressed.

Furthermore, if lower-income Vermonters can only afford to access used gasoline-powered vehicles after 2035, those will certainly become increasingly unreliable over time! This will increase the

burden on communities like ours: this is going to affect our kids. It will mean more air pollution in this crowded neighborhood where some of our kids already have asthma, more isolation for those who can't afford cars, and more negative consequences for those of us left driving unreliable vehicles. For instance, when our old cars fail and we can't make it to work, childcare, medical or other required appointments, state agencies are more likely to intervene in our lives, at a high cost to all of us.

Please go back to the drawing board and do better. Instead of supporting another program that concentrates environmental benefits among richer Vermonters in richer neighborhoods and towns, please create rules that make EV's and other high-quality transportation truly accessible to all Vermonters.

Sincerely,
Lacey Burke
Bennington, Vermont

From:	Sally Jenks Roth
To:	O"Toole, Megan
Subject:	Submitting Public Comment
Date:	Friday, September 23, 2022 4:05:52 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Ms. O'Toole,

We must adopt new rules that would expand access to the zero-emission vehicles necessary to fight climate change.

Automakers must deliver more zero-emission electric vehicles to Vermont, and require all new cars auto manufacturers sell in Vermont be electric vehicles or other zero-emission vehicles by 2035.

Thank you!

Sally Jenks Roth

Bristol, VT

From:	Jane Stromberg
To:	O"Toole, Megan
Subject:	Support a clean VT environment please!
Date:	Monday, September 26, 2022 11:19:40 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello Megan,

Thank you for all that you do. I am reaching out to express my support for net-zero car emissions in VT. It truly has never been more important to act on the transportation sector as that is where a massive chunk of our emissions come from. I know that Vermont has so much potential to lead the charge and be the change this country and world desperately needs. I urge 100% support for this effort. I appreciate your time.

Sincerely,
Jane Stromberg

From:	Paul Carnahan
To:	O"Toole, Megan; ANR - DEC Lev Zev
Subject:	Support for Advanced Clean Cars II & Advanced Clean Trucks Rules
Date:	Thursday, September 29, 2022 10:47:29 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello ANR,

This message is to express my support for the State of Vermont's proposed Advanced Clean Cars II & Advanced Clean Trucks rules. I think it will benefit the state and the nation for Vermont to require automakers to require all new cars auto manufacturers sell in Vermont be electric vehicles or other zero-emission vehicles by 2035.

I was disappointed to learn at your Barre public meeting that hybrids are counted as ZEVs in these regulations. I think that including these carbon-emitting vehicles will make it more difficult for the state to reach its climate action goals. This is a weak link in the proposed rules because it depends on personal behavior. People tend to follow the path of least resistance, which means burning gasoline in hybrid vehicles when it is convenient! Because hybrid vehicles have very little range, owners will be burning gasoline on long trips, which means a lot of carbon will be released into the atmosphere. Even after the state builds out its charging infrastructure, it is highly unlikely that owners of hybrids are going to stop every 50 miles when driving from Brattleboro to Burlington, for example. They are going to travel their first 25 miles on electric power (range of the popular 2022 Toyota Prius Prime) and then burn gasoline for the remainder of the trip. If they are disciplined they will recharge their vehicle in Burlington and the same pattern will be repeated. So for a 300-mile round trip, the vehicle will burn gasoline for 250 miles, or 83% of the trip! These hybrid vehicles should not be considered "Near Zero Emissions Vehicles (NZEV)" as stated in the proposed regulations because they will not help us achieve our climate change goals.

Despite this huge gap, I still support this proposed rule because we have to start somewhere and I understand the realities of following California's lead.

Paul Carnahan
14 Sabin Street
Montpelier, VT 05602

From:	Gretchen Elias
To:	O"Toole, Megan
Subject:	support for Clean Car Rules
Date:	Friday, September 30, 2022 8:12:21 AM
Attachments:	Elias letter of support for Clean Car Rules.pdf

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Ms. O'Toole,

Please find attached a letter of support for the Clean Car Rules.

Best,

Gretchen Elias
9 N Park Drive
Montpelier VT 05602
802.223.6360 / 802.505.0980

Agency of Natural Resources Central Office
1 National Life Drive
Davis 2
Montpelier VT 05620-3901

Subject: Advanced Clean Trucks (ACT), Advanced Clean Cars (ACC) II, Low NOx Heavy-Duty Omnibus, and the Phase II Greenhouse Gas Emissions Standard rulemaking.

Dear Secretary Julie Moore,

As a lifelong Nordic skier, a Vermont resident, and a climate activist, I am imploring the Agency of Natural Resources to adopt the Advanced Clean Trucks (ACT), Advanced Clean Cars (ACC) II, Low NOx Heavy-Duty Omnibus, and the Phase II Greenhouse Gas Emissions Standards rules (the "Rules").

Transportation is the largest source of emissions in Vermont. I have worked so hard at the local level to promote public transit and encourage people to change their individual behaviors and mindset regarding. Through this advocacy, I have come to realize that structural changes are needed to bend the curve. Even in a state like ours, with many committed climate activists at the community level, individual decisions to take the bus, ride bikes, or buy an EV are not enough. We need systemic change.

Please adopt these Rules by the end of 2022. In my view, these rules are essential for meeting our Global Warming Solutions Act goals and for making the needed systemic changes to the transportation sector in Vermont so that we can truly be on a climate resilient path.

Sincerely,

Gretchen Elias
9 N Park Drive
Montpelier VT 05602
802.505.0980

From: Caitlin Gildrien
To: O"Toole, Megan
Subject: support for Clean transportation
Date: Friday, September 30, 2022 11:27:56 PM

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Hello Ms O'Toole,
I'm writing with my support for the Advanced Clean Cars II & Advanced Clean Trucks rules. I have been looking for a new electric car for the past few weeks and the process has been frustrating. Vermont needs more zero-emission vehicles now, and the world needs us to step up and push for this change to reduce our share of climate pollution.

Thank you,
Caitlin Gildrien
Leicester, VT

From:	Bernard Paquette
To:	O"Toole, Megan
Cc:	Maeve KIm
Subject:	Support for rules requiring autos sold in VT to be electric or zero emission by 2035.
Date:	Wednesday, September 28, 2022 4:42:30 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello,

I support the new rules that would expand access to the zero-emission vehicles necessary to fight climate change. Specifically, the Advanced Clean Cars II & Advanced Clean Trucks rules that would require automakers to deliver more zero-emission electric vehicles to Vermont, requiring all new cars auto manufacturers sell in Vermont be electric vehicles or other zero-emission vehicles by 2035.

Bernard Paquette
320 Browns Trace
Jericho, Vermont
05465

From:	Stephanie Nyzio
To:	O"Toole, Megan
Subject:	support of Advanced Clean Cars II....
Date:	Friday, September 23, 2022 6:09:33 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Ms. O'Toole,

I support the passage of the Advanced Clean Cars II & Advanced Clean Truck rules. I am a resident of Bethel, formerly Brattleboro, VT.

If we don't make rules around cutting our greenhouse gas emissions, it won't happen. People need rules because most folks will not do it if it's optional. People do not like change, take the plastic bag ban for example but now we have it and we will never go back!

Respectfully,
Stephanie Nyzio
1002 Gilead Brook Rd.
Bethel, VT 05032

From: SL
To: O"Toole, Megan
Subject: Support zero emission vehicles in Vermont.
Date: Wednesday, September 28, 2022 3:49:53 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I currently own a plug in hybrid car. When I run the vehicle on electricity only, I really like the feeling of helping to keep our beautiful state a little cleaner.

We Vermonters need to do what we can to reduce emissions and this can most effectively be done by transitioning to low or no emission vehicles and by building new clean energy sources. I urge my neighbors and our political leaders to support policies which will encourage the use of zero emission vehicles and the power infrastructure that supports them.

Steven LaVigne
1707 Lake Rd
Milton, Vermont

From:	Cathy Hoyt
To:	O"Toole, Megan
Subject:	The Advanced Clean Cars II & Advanced Clean Trucks rules comments
Date:	Wednesday, September 28, 2022 5:58:06 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I'm opposed to this wasteful ill considered plan. The infrastructure currently in place is insufficient to support so many ev's. And since diesel is currently the engine that runs the economy, it is foolish, wasteful, and harmful to Vermonters to go forward at the pace you're suggesting. Not all of us have enough blankets to stay warm without heating oil, nor do thousand of hard working Vermonters have the finances to replace perfectly good ice vehicles with ev's.

Cathy Hoyt

From: hiker@gmavt.net
To: O"Toole, Megan
Subject: The Advanced Clean Cars II & Advanced Clean Trucks rules
Date: Tuesday, September 27, 2022 12:38:42 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I attended the presentation in Barre and now I am informed. I support these rules. We need more vehicles available to VT, both passenger and truck. We need the tighter rules for cleaner emissions. We can't stop the dirty air from the west but we don't have to enhance it by adding our own tailpipe exhaust. I am glad that it expands the type of zero emission technology to beyond just EV. We all need the improvements this new effort will bring.

William April
310 Mountain View Dr.
Waterbury Center VT

From: jon crystal
To: O"Toole, Megan
Subject: The Advanced Clean Cars II & Advanced Clean Trucks rules
Date: Friday, September 2, 2022 4:28:07 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Ms. O'Toole:

I am writing to share my views on the above proposed legislation. While I fully endorse the underlying impetus and concern, I fear there needs to be more flexibility in the implementation.

I have owned hybrid cars for years, and recently purchased a PHEV. I look forward to being able to buy an EV when the technology and infrastructure support it....which I doubt will happen by 2035. I recently bought a highly efficient PHEV because it is the perfect bridge vehicle to this new world, but the proposed legislation will ban them.

I recall in the mid-1990's at a UVM trustee meeting one highly regarded trustee lauding the advent of the internet and the possibility of online classes. He predicted there would no longer be a need for a physical campus within 5 years. Clearly events didn't unfold as he foresaw.

I think similarly that there needs to be some flexibility in the implementation of this legislation.It needs to keep moving us in the right direction, buit needs also to be responsive to a reality that is different from what it envisions.

Thanks for hearing me out.

Jon Crystal

From: Carole O"Connell
To: O"Toole, Megan
Subject: The Advanced Clean Cars II & Advanced Clean Trucks rules
Date: Saturday, September 24, 2022 5:29:04 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I urge you to support these rules that will make electric vehicles more available to Vermonters. However, as a senior on a fixed income, I must add that the price of these vehicles is too high for me. If you want people to give up their current gas-guzzlers, electric vehicles must be affordable for Vermonters and their businesses.

From: ANNE CARVEY
To: O"Toole, Megan
Subject: The Advanced Clean Cars II and Advanced Clean Truck rules
Date: Friday, September 23, 2022 4:11:58 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Ms. O'Toole:

I'm writing this message to share my strong support for passage of these rules. It is well known by all but those who simply ignore or deny the climate scientists that we humans, including we Vermonters, only have a very limited window of opportunity to prevent irreversibly catastrophic degrees on climate change. These rules amount to a significant, tangible step that our State government can and should take in the direction of mitigating a degree of worsening climatic degradation.

I realize as well that those corporate interests who represent the fossil fuel industries can be expected to exert enormous pressure on our State's government to forestall or completely block passage of these rules. Their influence is, of course, enormous, and their material and lobbying influences are and will be in full play on this question.

But unlike most public issues, the crux of this matter is, over the long run, linked directly to the survival of our species. Even those who represent the fossil fuel interests are and will remain as threatened as the rest of us should we not take what actions we can to first mitigate, and then, hopefully, over time, reverse the trends toward climatic catastrophe.

While these rules by themselves represent but one small but important step in the direction of sustainability and ultimately, species survival, they will bring measurable improvement to Vermont's public health by reducing our carbon footprint.

Thank you for your consideration of my and I'm certain, many other Vermonters' support of these rules.

Eldon W. Carvey
Williston, Vermont

From: Chief Gonyeau
To: ANR - Vermont Climate Council
Subject: Transition to all electric vehicle
Date: Saturday, August 27, 2022 2:33:23 PM

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Hi
I have to work night of public meeting so hoping this comment is considered.
I live in an off grid home and have for over fifteen years. I heat with wood and conserve 60 acres of forest land. I do not have the charging ability to maintain and all electric vehicle. Why would you make it more difficult for someone like me to buy a efficient gas vehicle!!
Because I'm off grid I have never received any financial assistance from the state. If something like this goes through there needs to be assistance for those of us in this situation. We will need increased solar panels and battery storage abilities. I understand the concept but I think this needs to be thought through fully with many people already off grid and many others looking to be.
Thanks,
Chris Gonyeau

From:	Taylor Dobbs
To:	O"Toole, Megan
Subject:	Transportation Policy
Date:	Wednesday, September 28, 2022 3:17:58 PM

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I'm an arborist and I drive a one-ton truck (GMC 3500) for work. It gets 10 mpg, worse when towing. Despite this, I support an additional per-gallon tax on fossil fuel products if that will help fund infrastructure and incentives for EVs.

Any policy that hastens Vermont's switch to EVs in both business and personal vehicles is a sound policy in my mind.

--

-Taylor Dobbs
he/him
802.881.9837

From: Robert Hyams
To: O"Toole, Megan
Subject: transportation
Date: Wednesday, September 28, 2022 7:54:47 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Megan:
The irony is palpable that we are going to save the planet by buying more cars and trucks. Probably not the right forum, but how about legitimate bike lanes in Chittenden County? Build it, and they will ride (maybe.) For the price of one battery powered truck, how many e-bikes could be purchased?

Thanks for your work.

Robert Hyams

From:	Paulina Muratore
To:	ANR - DEC Lev Zev
Subject:	UCS Comment in Support of VT Adopting ACT, HDO, Phase II, ACCII
Date:	Friday, September 30, 2022 4:02:07 PM
Attachments:	UCS Comment in Support of Vermont Adopting ACT, HDO, Phase II, ACCII.pdf

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Dear all:

Thank you for taking comment on these crucial clean car and truck regulations. Attached to this email you will find a comment letter from the Union of Concerned Scientists as well as a supportive letter from 35 Vermont-based scientists. We look forward to seeing these rules come to fruition.

Please let me know if you have any questions.

Best,
Paulina

Paulina Muratore
Transportation Campaign Manager & Policy Advocate
Union of Concerned Scientists
617-301-8038 | @UCSPaulina

www.ucsusa.org | Join our action network or expert network | Support our work.
Join the conversation on the UCS blog and All Things Nuclear or follow us on Facebook, Twitter, and Instagram

The Honorable Julie Moore
Agency of Natural Resources Central Office
1 National Life Drive
Davis 2
Montpelier VT 05620-3901

Subject: Advanced Clean Trucks (ACT), Advanced Clean Cars (ACC) II, Low NOx Heavy-Duty Omnibus (HDO), and the Phase II Greenhouse Gas Emissions Standard rulemaking

Dear Secretary Julie Moore,

On behalf of The Union of Concerned Scientists (UCS) and our hundreds of activists and Science Network members in Vermont, we thank you for the opportunity to comment on the Agency of Natural Resources's proposed adoption of the following rules: Advanced Clean Trucks (ACT), Advanced Clean Cares II, Low NOx Heavy-Duty Omnibus, and Phase II Greenhouse Gas Emissions Standard.

Vermont has a significant opportunity to cement its technological, economic, and environmental leadership by adopting this suite of innovative rules. Together, they will turbocharge the transition away from polluting cars as well as medium and heavy-duty vehicles (MHDV) towards cleaner, more efficient, and economically beneficial electric vehicles. The cars and commercial trucks of the future are available and ready for work today – we urge the agency to adopt these rules to accelerate Vermont's transition to the clean economy of the future. Furthermore, it's crucial that Vermont adopt these rules this calendar year to avoid missing compliance years and delaying the rules' substantial benefits.

Cutting transportation emissions is necessary for the climate and public health

As you likely know, transportation is the largest source of global warming emissions in Vermont, and this tailpipe pollution is also a major contributor to health-damaging local air pollution.[1] Vermont has recently demonstrated its climate progress through the 2020 Global Warming Solutions Act as well as through the work of the Vermont Climate Council. This suite of rules represents a timely and important way to start making concrete steps toward addressing the largest source of emissions in the state, putting Vermont on a path to meet its interim emission reduction goals.

In the Summer of 2020, Vermont joined 10 Northeast and Mid-Atlantic jurisdictions and later Quebec in signing a zero-emission MHDV Memorandum of Understanding (MOU) committing the state to at least 30 percent electric truck sales by 2030 and 100 percent by 2050.[2] This MOU also states that jurisdictions should create an action plan with concrete steps to help them meet these goals. The first key steps suggested in the recently published action plan are regulatory vehicle sales and purchase requirements including the ACT, HDO, and the Advanced Clean Fleets regulations.[3] Adopting the

---

[1] Vermont Agency of Natural Resources, *Vermont Greenhouse Gas Emissions Inventory and Forecast: 1990 – 2017*, May 2021. https://dec.vermont.gov/sites/dec/files/aqc/climate-change/documents/_Vermont_Greenhouse_Gas_Emissions_Inventory_Update_1990-2017_Final.pdf

[2] Northeast States for Coordinated Air Use Management (NESCAUM), *Multi-State Medium- and Heavy-Duty Zero Emission Vehicle MOU* (July 14, 2020), https://www.nescaum.org/documents/multistate-truck-zev-mou-media-release-20200714.pdf/; NESCAUM, *NESCAUM Welcomes the Province of Quebec to the Multi-State MHD Zero-Emission Vehicle Initiative* (September 22, 2021), https://www.nescaum.org/documents/quebec-statement_9-22-2021.pdf/

[3] NESCAUM, *Multi-State Medium- and Heavy-Duty Zero-Emission Vehicle Action Plan,* July 2022. https://www.nescaum.org/documents/multi-state-medium-and-heavy-duty-zero-emission-vehicle-action-plan/ at 28.

ACT and HDO rules would put Vermont on a clear path to meet the goals of the MOU and is a concrete step towards reducing both climate and toxic air pollution.

Trucks and buses disproportionately contribute to air pollution and global warming emissions from the transportation sector. Despite making up 10 percent of on-road vehicles in the state, heavy-duty vehicles contribute 32 percent of nitrous oxides (NOx), 33 percent of direct PM2.5, and 14 percent of greenhouse gas emissions from on-road sources in Vermont. Battery electric trucks have zero tailpipe emissions and when charged on the Northeast electric grid, have around 66-87 percent lower lifecycle global warming emissions compared to diesel trucks, depending on the vehicle application (e.g., long-haul semi-truck vs. local delivery truck).[4]

According to analysis by the International Council on Clean Transportation (ICCT), adopting the ACT, HDO, and Phase II standards in Vermont would result in cumulative reductions of 7,820 tons of NOx, 44 tons of PM2.5, and 6.17 MMT of greenhouse gas emissions from 2020-2050 compared to a reference case.[5] This would avoid premature deaths and hospital visits as well as thousands of cases of respiratory illnesses.

Cleaner and electric trucks are ready, available, and economically beneficial

The sales milestones in the ACT rule are technologically feasible and economically sound. The zero-emission MHDV market has undergone significant growth in the last two years, with both fleets committing to electrification as well as vehicle manufacturers producing prototype vehicles and pilot fleets, announcing commercial launch dates, and taking commercial orders for electrified models. In the United States, there are more than 200 models of electric trucks and buses from over 40 manufacturers that are available today or with production announced before this rule goes into effect, covering every truck class and most duty cycles.[6] [7]

Virtually all market segments could be fully mature by 2025, with rapid technological advancements being made for even the most demanding duty cycles.[8] The ACT rule in Vermont would be a market accelerator for these technologies that are rapidly developing, desperately needed, and would increase the availability of zero-emission vehicles to fleets and operators.

While some electric trucks may have higher initial costs than their diesel counterparts today, electric truck owners and operators see drastically reduced fuel and maintenance costs. Furthermore, the initial cost gap between the two is shrinking each year and, in some applications, electric trucks have a lower total cost of ownership today. A recent UCS review of several studies on electric truck ownership found that in nearly every case, battery electric trucks, including long-haul semi-trucks, are cheaper

---

[4] Jimmy O'Dea, *Ready for Work: Now Is the Time for Heavy-Duty Electric Vehicles*, Union of Concerned Scientists, December 2019. https://www.ucsusa.org/sites/default/files/2019-12/ReadyforWorkFullReport.pdf

[5] ICCT, *Benefits of adopting California's Advanced Clean Truck Program, Heavy-Duty Vehicle Omnibus Standards, Phase II Greenhouse Gas standards and a 100% sales requirement in Vermont,* September 2022. https://theicct.org/wp-content/uploads/2022/09/HDV-fact-sheet-VT-092122.pdf

[6] Ready for Work at 9.

[7] CALSTART (2022): Drive to Zero's Zero-emission Technology Inventory (ZETI) Tool Version 7.0. Available online at https://globaldrivetozero.org/tools/zero-emission-technology-inventory/

[8] M.J. Bradley & Associates., *Medium- and Heavy-Duty Vehicles: Market Structure, Environmental Impact, and EV Readiness*, July 2021. https://www.mjbradley.com/sites/default/files/EDFMHDVEVFeasibilityReport22jul21.pdf

than diesel vehicles on a total-cost-of-ownership basis for vehicles purchased within the next 10 years.[9][10]

If the Agency adopts the ACT rule, it will further the cost parity between electric and diesel trucks and place Vermont among a growing group of states leading the transition toward cleaner and more efficient commercial vehicles. We also encourage the Agency to adopt the fleet reporting requirement to pair with the ACT. The data collected through that process will be crucial in tracking progress and identifying areas of freight traffic. We recommend that Vermont consider fleets of 5 or more vehicles to capture the most accurate fleet information.

By pairing the ACT with the Low NOx Omnibus and Phase II Greenhouse Gas rules, Vermont will ensure additional clean air and climate benefits. For the remaining combustion engine vehicles on the roads, it is crucial to take advantage of enhanced pollution control mechanisms to reduce harmful emissions. NOx and PM emissions from tailpipes have well documented negative health impacts. Diesel exhaust contains a cocktail of toxic air pollutants that have led it to be deemed a Group 1 carcinogen by the World Health Organization.[11] This includes NOx which irritates the heart and lungs and worsens the effects of asthma, especially in children and the elderly. NOx then further reacts in the atmosphere to form PM2.5 and ground-level ozone (soot and smog). PM2.5 is responsible for 63 percent of environmentally caused deaths in the US, and has been linked to premature death, increased hospital admissions for heart and lung diseases, bronchitis, and worsening of asthma and chronic obstructive pulmonary disease (COPD).[12]

Cleaner cars with ACCII

Vermont is also ready for a more aggressive electric vehicle timeline. The ACCII will require zero-emission vehicle sales to be 100 percent of all car sales by 2035 and reduce pollution from gas vehicles that are sold in the interim.

Battery-electric cars do not release tailpipe emissions. Driving an electric vehicle (EV) in Vermont produces 1.2 metric tons of emissions per year compared with 4.9 metric tons from the average new gasoline-powered car.[13] Overall, driving on electricity in Vermont produces global warming emissions equivalent to a gasoline-powered vehicle that gets 102 miles per gallon. These numbers will only continue to get better as our electric grid further decarbonizes.

Vermonters also stand to gain financially from making the switch to an EV. In 2018, drivers in our state saved more than $500 each by switching from paying for gasoline to charging electric powered vehicles—and this number does not include additional savings from reduced maintenance costs.[14] EV owners can expect to save an average of $2,100 in maintenance costs over the life of an EV compared with a similar gasoline car.

---

[9] California Air Resources Board, *Total Cost of Ownership Discussion Document: Advanced Clean Fleets Regulation Appendix G*, September 2022. https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2022/acf22/appg.pdf

[10] Hunter, Chad, M. Penev, E. Reznicek, J. Lustbader, A. Birky, and C. Zhang, National Renewable Energy Laboratory, *Spatial and Temporal Analysis of the Total Cost of Ownership for Class 8 Tractors and Class 4 Parcel Delivery Trucks*, September 2021. https://www.nrel.gov/docs/fy21osti/71796.pdf

[11] World Health Organization. *IARC: Diesel Engine Exhaust Carcinogenic. June 2012*. https://www.iarc.who.int/wp-content/uploads/2018/07/pr213_E.pdf

[12] California Air Resources Board. *Inhalable Particulate Matter and Health (PM2.5 and PM10).* 2022. https://ww2.arb.ca.gov/resources/inhalable-particulate-matter-and-health

[13] Union of Concerned Scientists. *Electric Vehicle Benefits for Vermont: Four Facts You Need to Know.* November 2019. https://www.ucsusa.org/sites/default/files/2019-11/State-Benefits-of-EVs-VT.pdf

[14] *Id.*

Conclusion

Vermont is at a crucial point where it can take the lead on climate and air pollution and join the several other Northeast states (New Jersey, New York, Massachusetts, Connecticut) that have adopted, or are on the cusp of adopting, several of these rules. Every year without these further regulations comes with additional dirty diesel trucks and polluting cars going on the road to start their long lifetimes, so it is imperative that the Agency adopt this rule without delay.

We're also attaching to this submission a letter from 35 Vermont based scientists who are members of our Science Network in support of adopting this suite of rules (see Exhibit A).

Thank you for your work on these vital regulations and expanding clean cars and trucks in Vermont. Please do not hesitate to contact us if you have any questions.

Sincerely,

Sam Wilson
Senior Vehicles Analyst
Union of Concerned Scientists
Oakland, California
swilson@ucsusa.org

Paulina Muratore
Northeast States Campaign Manager
Union of Concerned Scientists
Cambridge, Massachusetts
pmuratore@ucsusa.org

Kevin X. Shen
Northeast Transportation Policy Analyst/Advocate
Union of Concerned Scientists
Washington, DC
kshen@ucsusa.org

Exhibit A

Public Comment on Vermont's Low and Zero Emission Vehicle Regulations
Advanced Clean Cars II, Advanced Clean Trucks, Low NOx Omnibus, and Phase II Greenhouse Gas Rule

To: Vermont Agency of Natural Resources

We, the undersigned 35 Vermont-based scientists, researchers, health professionals, economists, engineers, and planners respectfully submit this testimony in strong support of Vermont adopting the following regulations to address transportation pollution: Advanced Clean Cars II, Advanced Clean Trucks, Low NOx Omnibus, and Phase II Greenhouse Gas Rules.

As you know, the transportation sector in Vermont is responsible for more climate damaging emissions than any other sector. To meet our aggressive climate goals, as well as to clean our local air and strengthen local economies, we must rapidly move away from combustion powered vehicles of all kinds.

Not only are cars and trucks a climate issue for Vermont, but they are also a public health issue. Diesel pollution in particular is responsible for dangerous levels of nitrogen oxide and fine particulate matter that increases the risk of severe respiratory illnesses and other health problems. Studies continue to link long-term exposure to fine particulate matter with an increased risk of death from the COVID-19 pandemic.

The good news is that zero-emission cars and trucks are already becoming readily available in a wide variety of models and sizes that work well in cold weather and across a variety of terrains. But we need manufacturers to start producing more such vehicles that can be sold at competitive prices in our state, as well as regulations that can ensure this transition happens as soon as possible.

Battery-electric cars and trucks also do not release tailpipe emissions. Driving an EV in Vermont produces 1.2 metric tons of emissions per year compared with 4.9 metric tons from the average new gasoline-powered car. Overall, driving on electricity in Vermont produces global warming emissions equivalent to a gasoline-powered vehicle that gets 102 miles per gallon. These numbers will only continue to get better as our electric grid further decarbonizes.

Vermonters also stand to gain financially from making the switch to an electric vehicle. In 2018, drivers in our state saved over $500 each by switching from paying for gasoline to charging electric powered vehicles – and this number does not include additional savings from reduced maintenance costs. EV owners can expect to save an average of $2,100 in maintenance costs over the life of an EV compared with a similar gasoline car.

The regulations you are considering are key steps in the right direction. By supporting this, you will demonstrate your commitment to cleaner air and a healthier future. Now is the time for Vermont to continue its climate and clean air leadership.

We encourage you to formally adopt all these crucial transportation regulations.

Signed,

Molly Anderson, Ph.D.
Ecology, Sustainable Food Systems
Middlebury, Vermont

Alan Betts, Ph.D.
Earth Sciences, Climate Science
Pittsford Vermont

Peter Borden, M.A./M.S.
Economics, Public Administration
Fair Haven, Vermont

Samuel Carlson, M.A./M.S.
Environmental Science, Life Cycle Carbon Accounting for Solar Projects in Vermont
South Burlington, Vermont

Virginia Clarke, D.V.M.
Medicine/Medical Research, Veterinary Medicine
Richmond, Vermont

Karina Dailey, M.A./M.S.
Ecology, Watershed Science
Jericho, Vermont

David Deane, M.A./M.S.
Engineering, Hydrology
Springfield, Vermont

Wallace Elton, Ph.D.
Earth Sciences, Climatology
Middlebury, Vermont

Clarice Evans, M.A./M.S.
Social Sciences, Psychology
South Burlington, Vermont

Laura Farrell, Ph.D.
Biology, Wildlife and Landscape Ecology
Richmond, Vermont

Doug Frugé, M.A./M.S.
Biology, Fisheries & Wildlife
Whitingham, Vermont

Holly Gorton, Ph.D.
Plant Biology
Jericho, Vermont

David Hill, Ph.D.
Energy Management and Policy Planning
Charlotte, Vermont

Richard Hopkins, M.D.
Public Health, Health Effects of Greenhouse Gases
Middlebury, Vermont

Monika Ivancic, Ph.D.
Physical Science, NMR Spectroscopy
Burlington, Vermont

Richard Jackson, M.D.
Medicine/Medical Research, Surgery
Shelburne, Vermont

Janet Kahn, Ph.D.
Social Sciences, Medical Sociology
Burlington, Vermont

John Lamperti, Ph.D.
Mathematics, Probability and Statistics
Norwich, Vermont

Alice Leeds, M.A./M.S.
Multidisciplinary Education
President's Award for Excellence in Math and Science Teaching
Bristol,Vermont

Dani Lloyd, M.P.H.
Public Health Research, Substance Use, Opioid Overdose Prevention, Communicable Disease
Hyde Park, Vermont

Elaine McCrate, Ph.D.
Economics, Gender Studies
Underhill, Vermont

Linda McGinnis, M.A./M.S.
Economics, Climate and Energy Policy
South Burlington, Vermont

Prashanth Mundkur, Ph.D.
Engineering, Computer Engineering
Winooski, Vermont

Cynthia Needham, Ph.D.
Microbiology, Molecular Biology
Johnson, Vermont

Christopher Neme, MPP
Economics, Statistics and Policy
Shelburne, Vermont

Pam Pearson, M.P.H.
Environmental Science, Climate & Air Quality
Pawle, Vermont

Alan Podber, MSW
Social Work
Brattleboro, Vermont

Lance Polya, Ph.D.
Environmental Science, Environmental
Systems
Jericho, Vermont

DonaldRoss, Ph.D.
Environmental Science, Soils
Burlington, Vermont

Elissa Schuett, M.A./M.S.
Ecology, Forest Science
Shelburne, Vermont

Mark Spritzer, Ph.D.
Biology, Neuroendocrinology
Middlebury, Vermont

Christopher von Alt, M.A./M.S.
Engineering, Ocean Engineering
Maidstone, Vermont

William Williams, Ph.D.
Biology, Ecology
Jericho, Vermont

Martin Wolf, M.A./M.S.
Chemistry, Sustainability
Burlington, Vermont

Richard Wolfson, Ph.D.
Solar Physics; Climate Change
Middlebury, Vermont

From:	Jordan Giaconia
To:	O"Toole, Megan
Subject:	VBSR Support Letter RE: ACCII/ACT
Date:	Friday, September 30, 2022 12:44:29 PM
Attachments:	VBSR ACCII_ACT Support Letter.pdf

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Megan,

I hope all is well and happy Friday! Please see attached for VBSR's letter of support for the Advanced Clean Trucks and Advanced Clean Cars II as well as the Low NOx Heavy-Duty Omnibus, and the Phase II Greenhouse Gas Emissions Standards rules.

As always, thanks for all you do and have a great weekend!

Sincerely,

Jordan

Jordan Giaconia
Public Policy Manager
Pronouns: *He/His*
Vermont Businesses for Social Responsibility
860-304-2251(mobile)
www.vbsr.org

Jordan Giaconia
Public Policy Manager
Vermont Businesses for Social Responsibility
JordanG@vbsr.org
(860) 304-2251

September 29, 2022

Agency of Natural Resources Central Office
1 National Life Drive
Davis 2
Montpelier VT 05620-3901

Subject: Advanced Clean Trucks (ACT), Advanced Clean Cars (ACC) II, Low NOx Heavy-Duty Omnibus, and the Phase II Greenhouse Gas Emissions Standard rulemaking.

Dear Secretary Moore,

On behalf of Vermont Businesses for Social Responsibility and the roughly 650 employers we represent across the state, I am writing to express VBSR's strong support for the Advanced Clean Trucks and Advanced Clean Cars II as well as the Low NOx Heavy-Duty Omnibus, and the Phase II Greenhouse Gas Emissions Standards rules. We view these measures as essential to both meeting Vermont's climate commitments and stewarding the Vermont economy.

Transportation is key to Vermont's economic growth and our overall way of life, but it is also far and away our biggest source of climate pollution—accounting for roughly 40% of the state's total greenhouse gas emissions. This can be attributed to a number of factors—

- 94% of transportation in Vermont is powered by fossil fuels with 71% coming from light duty vehicles and another 11% from on- road diesel use from heavy duty vehicles.
- Vermonters drive considerably more than our neighboring states with an average Vehicle Miles Traveled per capita of 11,772 mile as of 2020—higher than any other state in the region, higher than the national average, and higher than the per capita VMT in every rural comparison state with the exception of North Dakota.
- Vermont's sparse development patterns mean that Vermonters must travel longer distances between to get to work, attend school, and shop for goods and services locations. It also makes public transit and active transit significantly more challenging in our more rural communities.

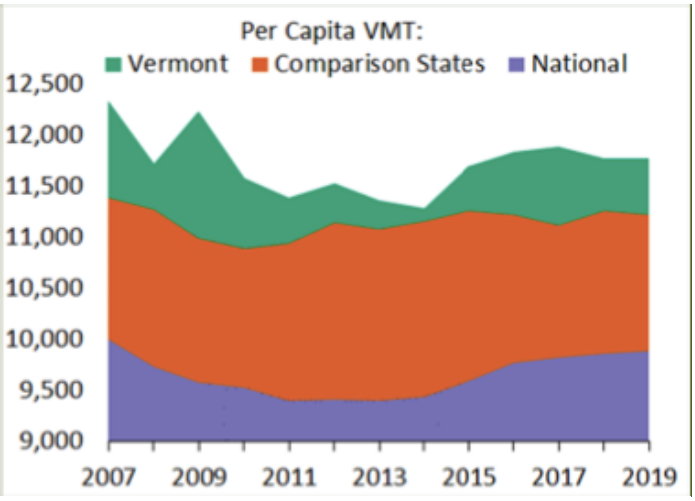
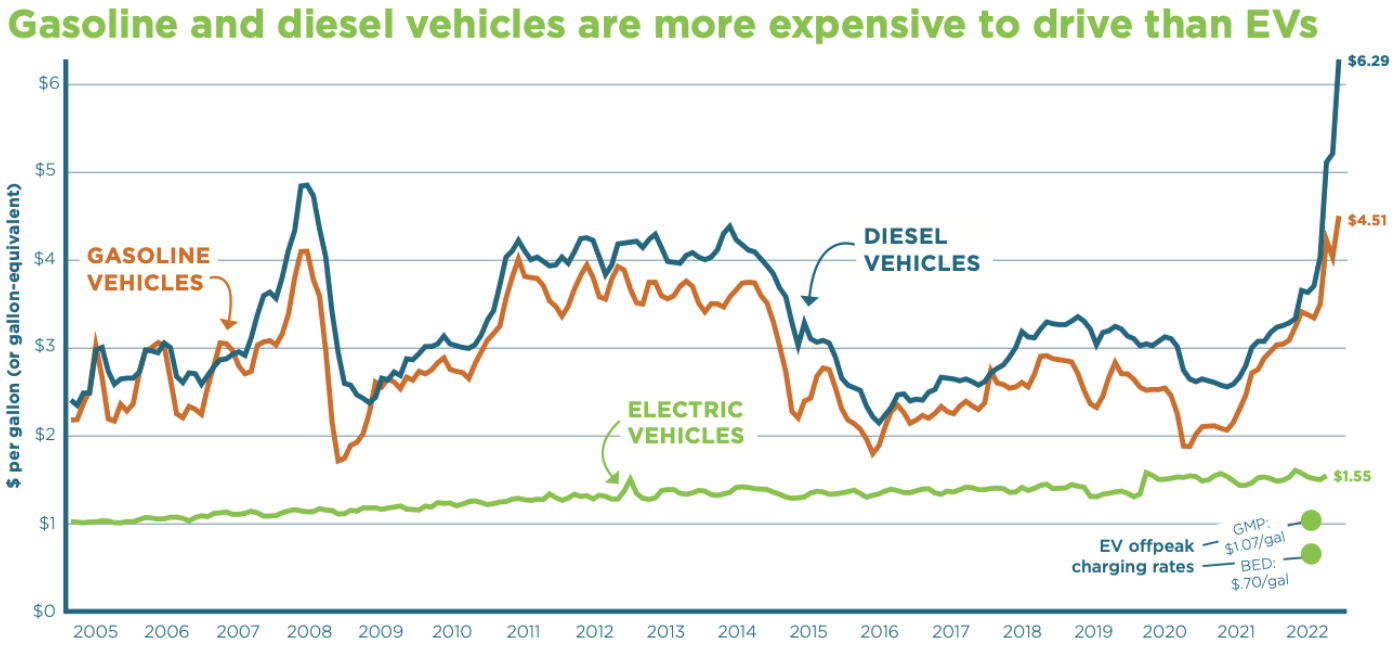


Figure 1 VTrans Vermont Transportation Energy Profile 2021

To effectively shift away from fossil fueled transportation at a pace and scale commensurate with our emissions reductions requirements adopted via the Global Warming Solutions Act, the Energy Action Network's recent Pathways Report indicates that we need to move a significant number of Vermonters to replace their internal combustion engine (ICE) vehicles with more efficient all-electric vehicles (AEVs). More specifically, we need to boost the total number of AEVs on the road from the 3582 registered in May of 2022 to

27,000 by 2025, and 126,000 by 2030. While this a marked increase, EVs would still make up a comparatively small portion of Vermont's overall vehicle fleet of roughly 580,000 vehicles as of 2021.

Decarbonizing Vermont's transportation sector is not only an environmental imperative but an economic one as well. In 2020 alone, Vermonters spent more than $700 million on fossil fuels for transportation. Of that total, 72% left the state's economy. Conversely, 70% of electricity spending stayed here in Vermont. Electricity is also considerably less price volatile. In the early days of the COVID-19 pandemic, crude oil was than $20 per barrel and rose sharply to $100 per barrel with the Russian invasion of Ukraine in March 2022. As a state that imports 100% of the fossil fuels we consume, Vermont has virtually no control over the price of fossil fuels, but we can challenge that paradigm by promoting the timely adoption of EVs. This would undoubtedly boost household buying power, keep more dollars flowing in our local economies, and foster a more equitable transportation system overall.



Sources: Gas and Electric — Drive Electric VT (via EIA); Diesel — Vermont Agency of Transportation (VTrans). Diesel and gas prices as of May 2022; electricity price as of March 2022.

Lower- and middle-income Vermonters, especially those in our rural communities, face disproportionately higher transportation-related energy burdens (the share of their income they spend on energy) than their more wealthy neighbors. Driving an electric vehicle instead of a gasoline powered one can help to alleviate this burden and save rural Vermonters up to $1500 per year on operational and maintenance costs alone. VBSR recognizes that there are some upfront cost barriers when it comes to EV adoption, however the electrification of our vehicle market is already underway. As of spring of 2022, 15 models in Vermont had a base cost less than $40,000, and 5 had a base cost under $30,000 — and that's before accounting for the significant incentives that can take an additional $10,000 or more off the price. As manufacturers move to produce more EVs, prices are expected to come down and with the adoption of the ACCII/ACT Rules we can also expect to see an influx of EVs into the used vehicle market as well.

For businesses looking to electrify their fleets, there are a host state and federal incentives, rebates, and grants available to help bridge the affordability gap. Additionally, the state's recently adopted EVSE charging grant program includes millions in funding for workplace chargers which we expect many VBSR members to take full advantage of.

Title	Text
Clean School Bus	The U.S. Environmental Protection Agency's (EPA) Clean School Bus program provides funding to eligible applicants for the replacement of existing school buses with clean, alternative fuel school buses or zero-emission school buses. EPA may award up to 100% of the cost of the replacement bus, charging equipment, or fueling infrastructure. Alternative fuels include electricity, natural gas, hydrogen, or propane. Eligible applicants are school districts, state and local government programs, federally recognized Indian tribes, non-profit organizations, and eligible contractors. EPA will prioritize funding for high-need local education agencies; low income, rural and tribal schools; and, applications that cost share through public-private partnerships, grants from other entities, or school bonds. For more information, including funding availability, timeline, and application materials, see the EPA [Clean School Bus](https://www.epa.gov/cleanschoolbus) website. (Reference [Public Law 117-58](https://www.congress.gov/public-laws/117th-congress) and [42 U.S. Code 16091](https://www.govinfo.gov/))

Electric Vehicle (EV) and Fuel Cell Electric Vehicle (FCEV) Tax Credit	Beginning January 1, 2023, the Clean Vehicle Credit provisions remove manufacturer sales caps, expand the scope of eligible vehicles to include both EVs and FCEVs, require a traction battery that has at least seven kilowatt-hours (kWh), and establish criteria for a vehicle to be considered eligible that involve sourcing requirements for critical mineral extraction, processing, and recycling and battery component manufacturing and assembly. Vehicles that meet critical mineral requirements are eligible for \$3,750 tax credit, and vehicles that meet battery component requirements are eligible for a \$3,750 tax credit. Vehicles meeting both the critical mineral and the battery component requirements are eligible for a total tax credit of up to \$7,500. Further guidance on these provisions is forthcoming. For more information, including additional eligibility requirements, see the [IRS Plug-In Electric Drive Vehicle Credit](https://www.irs.gov/businesses/plug-in-electric-vehicle-credit-irc-30-and-irc-30d) website. (Reference [U.S. Code 30D](http://www.gpo.gov/fdsys/) and [Public Law 117-169](https://www.congress.gov/public-laws/117th-congress))
Bus and Bus Facilities Grants	The U.S. Department of Transportation's Federal Transit Administration (FTA) administers the Grants for Buses and Bus Facilities Competitive Program. Eligible applicants include state, local, and tribal governments, fixed-route bus operators, and private nonprofit organizations engaged in public transportation. Funds may be used to replace, rehabilitate, and purchase buses, vans, and related equipment, and to construct associated bus facilities. The Bus and Bus Facilities Program is a competitive grant program. For more information, including funding availability and timelines, see the FTA [Bus and Bus Facilities](https://www.transit.dot.gov/bus-program) website. (Reference [Public Laws,ÄØ117-58,,ÄØ113-159,,ÄØand 114-94](https://www.congress.gov/public-laws/117th-

	congress) and [49,ÄØU.S. Code,ÄØ5312 and,ÄØ5339](https://www.govinfo.gov/))
Electric Vehicle (EV) Charging and Clean Transportation Grants	The U.S. Department of Energy (DOE) provides grants for transportation decarbonization research projects. Priority will be given to projects that include: - Cost-effective deployment of EV charging for those without access to home charging; - Innovative solutions to improve mobility options for underserved communities; - Community engagement to accelerate clean transportation options in underserved communities; - Research and development to reduce EV battery size and cost,increase EV battery range, and decrease EB battery emissions; - Electrification of off-road and non-road vehicles, including agricultural, construction, rail, marine, and aviation; - Materials technologies to improve EV efficiency and affordability; - Use of the alternative fuels in commercial off-road vehicle technologies, including natural gas, hydrogen, and renewable propane; - Planning and development of medium- and heavy-duty EV charging and hydrogen fueling corridors and advanced engine and fuel technologies to improve fuel economy and reduce greenhouse gas emissions Applicants must demonstrate how proposed projects will benefit underserved communities that lack access to clean transportation options.

	(Reference [Public Law 109-58](https://www.congress.gov/public-laws/109th-congress) and [42 U.S. Code 16191](https://www.govinfo.gov/))

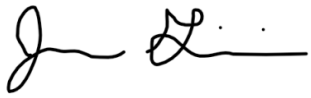
Commercial Electric Vehicle (EV) and Fuel Cell Electric Vehicle (FCEV) Tax Credit	Beginning January 1, 2023, a tax credit will be available to businesses for the purchase of new EVs and FCEVs. Vehicles with a gross vehicle weight rating (GVWR) below 14,000 pounds (lbs.) must have a battery capacity of at least seven kilowatt-hours (kWh) and vehicles with a GVWR above 14,000 lbs. must have a battery capacity of at least 15 kWh. The tax credit amount is equal to the lesser of the following amounts: - 15% of the vehicle purchase price for plug-in hybrid electric vehicles - 30% of the vehicle purchase price for EVs and FCEVs - The incremental cost of the vehicle compared to an equivalent internal combustion engine vehicle Maximum tax credits may not exceed \$7,500 for vehicles under 14,000 lbs. and \$40,000 for vehicles above 14,000 lbs. Businesses may not combine this tax credit with the [Clean Vehicle Tax Credit](https://afdc.energy.gov/laws/409). (Reference [Public Law 117-169](https://www.congress.gov/public-laws/117th-congress))
Multi-Unit Dwelling Electric Vehicle (EV) Charging Station Grant	Funding is available to expand access to EV charging stations at multi-unit dwellings. Eligible applicants include governments, businesses, non-profits, homeowner associations, electric utilities, and EV charging equipment providers. Funding may be used for planning, permitting, purchase, installation, and other onetime costs associated with installing EV charging stations. Additional terms and conditions apply. For more information, see the [Vermont Multi-Unit Dwelling EV Charging Grant](https://accd.vermont.gov/multiunit_dwelling) website.

***Exported from US Department of Energy, Alternative Fuels Data Center, https://afdc.energy.gov/laws*

In addition to the aforementioned programs, a handful of Vermont utilities also provide incentives for workplace charging stations. Green Mountain Power offers a charger, installation, software, project management, and maintenance for roughly $35-$50 per month; the Vermont Public Power Supply Authority provides a $500 rebate for workplace and public chargers; the Burlington Electric Department offers a business incentive of 20% of installation costs up to $1,000 per station; and the Vermont Electric Co-op provides a $500 bill credit per connection up to $2,000 for member businesses and public entities.

In summation, the return on investment of EV adoption is undeniably strong, there are resources available to overcome the initial cost barriers that we should continue to build on, and just as importantly, these rules are the only meaningful policies available to reduce our transportation emissions while growing our economy. For these reasons and so many more, VBSR strongly supports the adoption of he Advanced Clean Trucks and Advanced Clean Cars II as well as the Low NOx Heavy-Duty Omnibus, and the Phase II Greenhouse Gas Emissions Standards rules. As always, thank you for all that you do to reduce our transportation emissions and create a more just, thriving, and equitable Vermont economy. We are happy to offer additional comments and field questions as needed.

Sincerely,



Jordan Giaconia
Public Policy Manager

From: Nilah Cote
To: O"Toole, Megan
Subject: Vermont electric vehicles
Date: Friday, September 23, 2022 6:01:23 PM

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My husband and I would love to purchase an electric vehicle but the availability of these cars is very slim in Vermont at the present time.

We support this legislation. It is one way we feel we could support climate change

John and NIlah Cote

From: Alan Labounty
To: ANR - DEC Lev Zev
Subject: Vermont Low and Zero Emission Vehicle Regulation
Date: Friday, September 30, 2022 2:38:03 PM

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Hello,

I have concerns on the viability of the regulation. Have there been any discussion on if we do end up going 100% electric is Vermont for one going to invest a substantial amount of money into the electrical grid to support the substantial influx of amperage draw from charging vehicles so we don't end up like California where the residents were told to not charge their vehicles at certain times during the year? two is Vermont going to take over the grid so that Vermonters have their choice on which electrical supplier they can go with so they can get a competitive KW/H rate? Is Vermont going to put in some sort of law that requires electric companies to only charge a certain margin over there cost to produce it? Has any conversation been had about the production rate of electrical vehicles? Has any conversation been had at the amount of CO is produced in unregulated countries to mine the rare earth minerals needed to produce the batteries? Have there been discussions on how or lack thereof the batteries will be recycled? Is Vermont going to pass a right to repair law so companies like Tesla cannot keep owners from working on their own cars which in my opinion is absolutely necessary for this regulation? Has the State of Vermont discussed putting in a Nuclear power plant which is the absolute most efficient way to create electricity much more so than wind or solar while not littering our landscape with panels that some of which will have probably failed and need replacing by the time this regulation hit 2035? Also side note why hasn't the State of Vermont forced Burlington to close its wood burning power plant which produces the most CO in the state if it is serious about Vermont's climate? These are just a few items that came to mind. Also so you don't think I am against EV's I have had a reservation for a Tesla Cybertruck for the last three years so I am not opposed but I have concerns about moving on this regulation this quick without knowing if any of the issues I have thought of have been discussed. Thank you

Alan LaBounty
Estimator
328 Main St.
Derby, VT 05829

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From:	Robert
To:	O"Toole, Megan
Cc:	Anne Donahue; kgoslant@leg.state.vt.us
Subject:	Vermont Low Emission Vehicle and Zero Emission Vehicle Rules
Date:	Wednesday, September 28, 2022 1:17:29 PM

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Comments filed in regards to the "Vermont Low Emission Vehicle and Zero Emission Vehicle Rules" (these rules)

Filed by email to Megan O'Toole, Contact person at the Agency of Natural Resources (ANR), from Robert Howe, Berlin VT, email address jwa2340@gmail.com... with copies to Rep. Donahue and Rep. Goslant

(It appears that the employees of ANR have put a lot of research, study and commitment into these rules. These comments are in no way meant to be derogatory to the employees of ANR. I have just had a short time to review this proposal before the deadline, as I only learned about these rules recently when looking at online information regarding the trees changing color. I will likely never understand the credits, etc. that are discussed for manufacturers, but there was a lot of information to review.)

My comments include: **These rules should not be adopted at this time.** This opposition is more in regards to the timing of these rules than the content. **The rules should not be adopted until:**

- **until...** The Vermont Comprehensive Energy Plan and the VELCO Long-Range Transmission Plan demonstrate that the electrical infrastructure in Vermont will be adequate to handle the electrical vehicles being added to the system. The supplemental information provided with these rules indicate that the system is only adequate until 2031, just as new gasoline powered vehicles are being totally phased out and the electrical demand would increase even more. What new generating facilities and power sources will be needed for the additional electrical power?
- **until...** At least one half of the Northeast States for

Coordinated Air Use Management (NESCAUM), that Vermont is a member of, have adopted the so-called California Rules that are included in these rules. That will allow Vermont to learn from the information and results gathered by those states so that Vermont can make a more informed decision and not make the same mistakes.

- **until...** The federal government has taken the opportunity to update the federal rules that are the same or similar to these rules proposed by ANR. The federal motor vehicle standards will still apply to motor vehicles sold in Vermont, as well as the rest of the country.
- **until...** California has demonstrated that their rules are workable with their electrical infrastructure.

These rules include a lot of regulatory and scientific terms. But taking a more rational look at the question of the timing of this rule... *would a Vermont farmer build a new barn on the opposite side of the river from his farm before they have a bridge to get there?*

Other comments and questions on these rules.

- A lot of the benefits anticipated and included in these rules are health benefits for Vermonters and people who visit here. A very good goal, but does ANR have the authority to adopt rules regarding the health of Vermonters? Should the Health Department jointly adopt these rules? Did the Health Department provide the data regarding improvements in the health of Vermonters included in these rules? Does the Health Department support these rules as proposed?
- The cost benefit data does not appear to consider some important factors. It included a number for the cost of gasoline at the peak rate in June. What would the cost benefit be when gasoline is priced at $3.00 or $3.50 a gallon. The cost benefit did include an estimate ($680) for additional electrical wiring, but did not include the cost for a home charger. Is that an important cost to consider? Will most ZEV be charged at home? What inflationary costs were included for the cost of vehicle batteries because of the regulatory demand? Several news stories have focused on a purchase of

a used electrical vehicle and that the replacement battery costs more than the vehicle. Will it be cost effective to purchase a used electric vehicle? Is there really a savings when purchasing a ZEV, if all factors, including the higher initial costs are considered?

- Is the cost benefit data and emissions data based on vehicles sold/registered in Vermont or does it include passenger vehicles and trucks traveling through Vermont?
- I did not notice any information regarding the use of ZEV in winter in Vermont. Early information on hydrogen fuel cell vehicles (FCEV) indicated that they were not suited to Vermont winters. Has that changed? Is the range for ZEV shorter in cold weather? Would that impact the cost benefit data? Can ZEV vehicles be towed/recovered in the winter? What is the effect of salt and brine on ZEV and the battery system? Do ZEV have lower clearances when driving in snow? Do ZEV have clearance for tire chains?
- What happened to plug-in hybrid vehicles(PHEV)? Can they be sold in Vermont? Are they good for credit for the manufacturer? How is the performance of a PHEV compared to a ZEV in a Vermont winter? Will they be phased out in favor of ZEV?
- How can these rules indicate... *"Vermonters ... will be indirectly impacted by the overall shift to vehicle electrification over time"*? Every Vermonter will be impacted by these rules over time!

Too many unanswered questions and there is a need to wait for more information.

I would urge that ANR and the Joint Committee on Legislative Rules postpone the adoption of these rules.

From: Matthew LeFluer
To: O"Toole, Megan
Subject: Vermont. Transportation. Suggestions!
Date: Friday, September 23, 2022 4:55:26 PM

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Accessibility components transportation and manufacture systems to help individuals with disabilities get to car they need to fit their lifestyles.

From: Karl Kemnitzer
To: O"Toole, Megan
Subject: VT Clean Cars and Trucks rule needs to be adopted
Date: Monday, September 19, 2022 8:16:39 PM

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Dear Ms O'Toole,

I strongly urge Vermont leaders to adopt California's Advanced Clean Cars II, Advanced Clean Trucks (ACT) rule, and Heavy Duty Omnibus (HDO) rules. It is well past time that we took better care of our state.

Thank you,
Karl Kemnitzer
58 Densmore Hill Road
Hartland, VT 05048

From:	William Smith
To:	ANR - DEC Lev Zev; Ritzer, Deirdra
Cc:	Roland Bellavance; Robert J. Sculley; Diane Lanpher; Cota, Matt; Richard, Wobby; Kevin Kouri; Flynn, Joe
Subject:	VTBA comments on ANR rulemaking regarding EV medium and heavy duty trucks
Date:	Thursday, September 29, 2022 11:15:13 AM
Attachments:	ANR Rule comments VT Truck & Bus Association.pdf

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Attached please find comments on behalf of the Vermont Truck & Bus Association to the ANR rules as proposed.

Regards,

William S. Smith, Esq.

William S. Smith, Esq.

Law Office of William S. Smith
32 Depot Square
PO Box 456
Northfield, VT 05663
(802)485-6100
Bill@SmithLawVT.com

VERMONT TRUCK & BUS ASSOCIATION, INC.

September 29, 2022

Agency of Natural Resources
Secretary Julie Moore
1 National Life Drive, Davis 2
Montpelier, VT 05620-3901

Via email to: ANR.DECLEVZEV@VERMONT.GOV
CC to: Deirdre.Ritzer@vermont.gov, Air Quality and Climate Division, Mobile Sources Section

RE: Vermont proposed Advanced Clean Truck rules

Dear Secretary Moore:

I am writing on behalf of the VTBA to express our reservations and concerns about the proposed Advanced Clean Trucks rules. I understand that other associations and business owners will also be commenting with regard to the legality of using California rules and the questionable authority California has to implement them based on the Clean Air Act, and I echo those concerns.

We know that the rules are directed at manufacturers, and that medium and heavy duty truck availability is of great concern, regardless of how they are powered. The overall number of available new trucks at Vermont dealerships is already severely restricted. Our comments below are focused on the cost to a Vermont business to purchase an electric truck, when one becomes available. Trucking companies have to replace their trucks every 5 years or so, with typical mileage being 80,000/yr for local haulers, and 100,000/yr for long haul.

First, I understand the effort. We all want cleaner air and less hydrocarbons being emitted. However, in order to purchase an electric medium or heavy duty truck or bus, there are substantial real world impacts on Vermont trucking and bus companies that cannot be ignored. They break down into three essential areas: Cost of vehicle, cost of infrastructure to the business, and lack of adequacy of electric trucks to meet the hauling needs of customers. I will be focusing on the truck side of this equation, in the interest of space, but I do know that bus company impacts will be similar in regard to up front costs and infrastructure requirements.

1. Cost of vehicle.
   To use Class 8 tractor units as an example, a Freightliner electric tractor will cost in excess of $415,000 to purchase. This is in contrast to a diesel tractor costing $155,000. The timeline to deliver the electric truck is two years, versus the diesel truck at roughly 8 to 12 months. This is 2.5 times the cost, 2 times the delay. Can any business sustain an added cost, up front, of over a quarter million dollars? This also does not address the availability of <u>any</u> new heavy trucks for sale in VT. My members are being told that Freightliner will have 15 class 8 power units for sale in VT next year; International may have zero.

2. Cost of infrastructure to the business.
   a. Cost of charging station
      Estimates I have received indicate the cost to purchase and install a charging station is about $200

per kilowatt hour (kWh) of engine power. A typical class 8 truck will have 400kWh, with a resulting cost of $80,000 to install each charging station.

b. Cost of replacement battery after service life

The current estimated service life of passenger car batteries is 100,000 to 200,000 miles. I have read nothing to indicate a larger battery will have a longer life, so using 200,000 miles between battery replacements, we have the following: since it costs $132/kWh per battery (2022 figure) to buy one---that is over $52,000 per battery. That is a $26,000 per year cost for each truck.

I have been told by advocates for EV that truck and bus companies can solve some logistical problems by owning multiple battery packs for each truck. In addition to the cost of extra batteries, there is the cost for the space to store them, and the equipment to safely move them.
While it is easy to tell someone else to spend money to solve a problem, this does not answer the impact on a business of requiring them to spend hundreds of thousands of dollars up front in order to use a mandated product.

c. Cost to ensure electric power at the business location is sufficient

It is simply unknown if the grid itself, or the current electrical system to a particular business, is sufficient to supply the kind of charging capacity which will be needed at businesses. What is certain is that there will be a cost for any upgrades into a business, and that cost will primarily be borne by the business.

Fuel cost savings versus costs of acquisition and operations: The total VT tax on diesel fuel just went up 4 cents to 36 cents/gallon, and Federal tax is 24 cents/gallon. With an 80,000 mile/yr at 6mpg, that is $4800/yr is state tax revenue lost, and $3200/yr in federal tax revenue lost, per truck.

3. Hauling issues

a. Reduction in payload due to weight of battery

The weight of a class 8 electric power unit adds 4,000 to 8,000 pounds to the tractor unit versus a diesel unit. This additional weight both must be addressed for maintenance on running gear, and reduction in net payload of 10 to 20% weight. That reduces profitability of the truck to its owner.

b. Charging times on-site and on-road

In long haul operations, where are the charging stations en route and how long will it take to charge a truck? Will the time spent at a charging station be counted against the hours of service of the driver? If a rapid charging station capability is developed---some are being studied now--- they will require megawatts of power to move the charging times down to the 60 to 90 minute range. That will require higher capacity electric grid connections, which will cost even more to safely construct. And the cost of all that power will also higher.

c. Real world range issues

Manufacturers are post real world ranges of about half of quoted ranges. 250 mile ranges are optimistic, at best, and will be severely degraded by cold temperatures and hilly roads---both of which our state has in abundance. What is a trucker to do, when range ends and no charging locations are available? What are our customers to do, when that load is delayed 90 minutes, or 8 hours? Has this even been considered? Will a charging location have enough capacity (electrical and station) to meet the needs of

Trucks that need charging? I am sure we can all agree that this is not as simple as the passenger car EV charging issue.

The numbers, in the end: The truck owner will save $50,000-60,000/yr in fuel costs at $3.71/gallon today, but this is offset: by the likely new tax per mile needed to replace fuel tax revenues; by the added cost of $50,000/yr over its service life of 5 years for the truck itself; $26,000/yr for battery replacement after 200,000 miles; the added upfront cost of the charging stations and their power supply, both on-site at business locations and over the road; and the added costs to train and hire mechanics with expertise in electric vehicle power trains---if we can even get them.

VTBA members question the mandate of these rules and whether other agencies were truly aware of their impacts on everything from fuel taxes that pay for road maintenance; to the impact on our electric grid; to the hundreds of thousands of dollars of up front costs that will be borne by Vermont businesses. We urge you to at least ensure that VT businesses will continue to have the ability to use proven diesel technology until such time as electric medium and heavy duty trucks and buses are truly economically viable.

Sincerely,

William S. Smith, Esq., for Vermont Truck & Bus Association, Inc.

Approved as to content by:

Roland Bellavance, President, Vermont Truck & Bus Association, Inc.

Bellavance Trucking Co.
PO Box 398
Barre, VT 05641
Phone: (802)479-9311
Fax: (802)479-9777
rolandb@bellavancetrucking.com

cc: Chairman Richard Mazza, Senate Transportation Committee
Chairwoman Diane Lanpher, House Transportation Committee

From: Diane Alberts
To: O"Toole, Megan
Subject: What about the "Guy" factor?
Date: Wednesday, September 28, 2022 3:50:27 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Somehow, if we hope to switch the vast majority of Americans, Vermonters included, over to EVs, we'll have to effect one of two attitude changes. 1) "My convenience and financial outlay for energy is all that is important to me" and 2) my vehicle is just as (if not more) important to my self-image as my dwelling. I think the first is starting to change a bit, amid lots of griping and blaming of the president, thanks to high gas prices; but what can you do about the guys and their love affair with gas-powered - everything!, but especially their primary vehicles? I live on what I've often called "Pick-up hill," as the smallest vehicle you're likely to see on any given day is an SUV. (Well, there is one guy whose guy thing translated into a snazzy sports car, but he's an exception.) The bigger, the shinier and louder the pick-up the better. Work vehicles? Nah. Guy vehicles. Most of them look like they've never spent a night outside of a garage or done anything more like work than to haul the family trash to the dump. Try to tell these "guys" that they need to drive an electric vehicle that doesn't even make any noise!

Throw in the love affair many have for car racing. Who's going to tell them that the races have to go unless all the vehicles are electric? Think of the recreational events here in Vermont that rely on gas-powered vehicles doing stupid, gas-wasting things like driving through created mud baths. The pride those guys take in driving around town in a jacked-up pick-up splattered with mud? The only time they're allowed to get dirty.

I recall the establishment of OPEC in the early 70s. We had a neighbor, a welder, who did use his truck for his job - but also for all his transportation. What with the heavy welding equipment in the back, he was probably getting about 5mpg. His solution to the sheiks jacking up the price of gasoline to an outrageous $1/gallon? "We need to drop the hot one on them." That's right: nuke the Middle East so he could continue to use his work vehicle to drive everywhere. (He could easily afford a second, economical vehicle, but chose not to.) His thinking was so short-sighted that it didn't occur to him all the negative effects on the planet of "the hot one," including destroying the mechanisms for drilling, storing, refining, and transporting that Middle Eastern oil. This is the kind of mentality that we're up against when it comes to persuading Vermonters to buy EVs.

Diane Alberts
Rutland, VT

From: Curt McCormack
To: O"Toole, Megan
Subject: Written From the Ethan Allen Express Amtrak Train
Date: Thursday, September 29, 2022 3:50:42 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Megan,

Please accept the following comments regarding the Advanced Clean Car II and the Advanced Clean Trucks proposed rule(s) presently under consideration by the Agency of Natural Resources. While I support the adoption of this rule wholeheartedly, I have little doubt that they are not strong enough
.
Perhaps more feasible than California, Vermont can set the pace for a future that we will not be ashamed to leave for future generations. But as you know perhaps better than I, there is no time to waste. Indeed, we have wasted too much time already.
The Clean Air Act, a law you and I both "love" and respect, has been the only serious catalyst we have had to fight climate change from transportation. We must take full advantage of this law along with the California program, of which we are a part, to provide the leadership so sorely needed at this critical time.

Over the years CAFE standards have resulted not only in our saving billions of gallons of gasoline and diesel fuel but the bringing about of slightly smaller vehicles in both the passenger car class and light duty trucks. Tragically, the trend has reversed as a result of larger vehicles (nearly 80% of new vehicle sales) and more powerful engines. This is making our roads less safe for those precious few, who still drive small vehicles. And, of course, like all of the light duty truck (including SUVs) loopholes, is sabotaging the effect of CAFE.
We can lead the way to a RAPID transformation from over-sized SUVs and enormous pick-up trucks to smaller vehicles both gasoline and EVs. Why wait for EVs to take over when we can require smaller gasoline vehicles immediately? Let's do better than simply going from gas guzzlers to electricity guzzlers.

Please move as quickly as you can and as aggressively as you can. The future depends on SOMEONE stepping forward like no one has as of yet.

With the greatest respect,
--
Rep. Curt McCormack
curt.mccormack@gmail.com
802-318-2585

From: Kali Brgant
To: O"Toole, Megan
Subject: Yes to electric cars
Date: Friday, September 23, 2022 9:39:58 PM

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Yes to this bill! No to fossil fuel lobbyists! --
Kali Brgant Wisdom Within You, LLC WisdomWithinYou.com 802-

From:	Peggy West
To:	O"Toole, Megan
Subject:	Zero emissions transport
Date:	Wednesday, September 28, 2022 8:28:08 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Good evening,
I am writing to express my support for advancing clean transportation advances for Vermonters. In early 2020 I purchased an EV and I have been grateful ever since. Our planet is in peril and we need to address every source of carbon emissions. Transportation is a very important sector in that regard.

Please know that Vermonters like me care deeply about a sustainable future that is within reach of all.

Thank you for reading!
Peggy West
South Londonderry, VT

From: Debora Tramposh
To: O"Toole, Megan
Subject: zero emissions
Date: Wednesday, September 28, 2022 3:33:20 PM

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I support expanding access to zero-emission vehicles as quickly as possible. We must stop relying on fossil fuels, and get out from under the control of those who are trying to maintain our dependence.

thank you,
Debora Tramposh

From: Debora Tramposh
To: O"Toole, Megan
Subject: zero emissions
Date: Wednesday, September 28, 2022 3:33:20 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I support expanding access to zero-emission vehicles as quickly as possible. We must stop relying on fossil fuels, and get out from under the control of those who are trying to maintain our dependence.

thank you,
Debora Tramposh

From: Judy
To: O"Toole, Megan
Subject: Zero-Emission Vehicles
Date: Saturday, September 24, 2022 4:37:41 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I strongly urge the requirement that all new automobiles sold by auto manufacturers in Vermont be zero-emission by the year 2035. Climate change is becoming more evident with passing time and gasoline-powered automobiles and trucks are a large part of it. I firmly back the passage of the Advanced Clean Cars II and the Advanced Clean Trucks rules.

Judith Kniffin
Bennington, VT