

June 21, 2024

**California Energy Commission**

715 P Street  
Sacramento, CA 95814

*Submitted electronically*

**Re: Docket 24-ALT-01 (2024-2025 Investment Plan Update for the Clean Transportation Program)**

The Greenlining Institute (“Greenlining”), works toward a future where communities of color can build wealth, live in healthy places filled with economic opportunity, and are ready to meet the challenges posed by climate change. As a new member of the Clean Transportation Plan Advisory Committee, I greatly appreciate the opportunity to submit comments to the California Energy Commission (CEC) to guide the development of the 2024-2025 investment plan.

**Need for Continued Targeted Equity Investments**

We appreciate CEC’s acknowledgment that, while helpful as a proxy at scale, location is often used as an oversimplified determiner of disadvantaged communities and that CEC intends to explore new metrics to target investments to improve equitable outcomes. To meaningfully address equity in transportation electrification efforts, CEC should not only reach, but continue to surpass a 50% investment in disadvantaged communities and ensure implementation of the equity metrics in AB 126<sup>1</sup>. Benefits should serve people, not places<sup>2</sup>— in order to further the Clean Transportation Plan’s equity goals, the CEC must ensure that its investments can actually be accessed by and directly benefit low income and disadvantaged communities.

To that end, below is Greenlining’s guiding principles on delivering equitable outcomes to disadvantaged communities:

- **Explicitly define equity and identify communities that ZIP aims to benefit.** It is a tenant of equity to be as explicit and specific as possible when identifying target communities. By using disaggregated data whenever available, we can best understand exactly who most needs charging infrastructure investments and accompanying benefits and target investments accordingly. For example, if we can determine that Black renters in a given census tract are in greater need of EV charging, referring to that population as “low income communities of color”

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<sup>1</sup> See Section 7 (Adding Section 44272.1 (a-c) to the Health and Safety Code) in [AB 126 \(Reyes, 2023\)](#)

<sup>2</sup> “[Achieving Electrification Equitably: Principles for Building EV Charging Infrastructure for Everyone](#)”, The Greenlining Institute (2022)

is not useful and only serves to agglomerate various populations and their idiosyncratic needs into a monolith.

- **Deliver direct and meaningful benefits to communities.** Making investments alone is not enough to ensure direct outcomes and benefits that meet specific communities' needs. In order to identify these specific needs and avoid unintended externalities, it is critical to implement an equitable process to reach out to and solicit input from community stakeholders. Key components of an equitable stakeholder approach include building relationships with community-based organizations, establishing an adequately long timeline that allows for advance notification for participation and multiple iterations of collecting and incorporating feedback, and fairly compensating community members for their participation. Additional recommendations for implementing an equitable community mobility needs assessment can be found in Greenlining's 2024 report<sup>3</sup>.

- **Target funding to frontline communities.** To achieve equity, it is crucial to prioritize those with the largest resource gaps and most impacted by poverty and pollution. Frontline communities are low income people of color that experience "first and worst" consequences of climate related damage with minimal resources and massive vulnerability. It is for these reasons that funding should be targeted and prioritized to reach these populations who consistently bear the brunt of our society's externalities and have been neglected for generations.

- **Promote objectives that generate multiple benefits.** Where possible, it is best to always promote objectives and agendas that create various benefits, to maximize benefits and tackle the multi-pronged and deeply rooted barriers that exist in disadvantaged communities. See *Clean Mobility Equity: A Playbook – Lessons from California's Clean Transportation Equity Programs*<sup>4</sup> to learn more.

- **Integrate climate adaptation and climate mitigation efforts.** As our environment faces compounding consequences from climate change, our solution-oriented policies should integrate both climate adaptation and climate mitigation efforts. Mitigation aims to tackle the causes of climate change and minimize possible impacts, whereas adaptation strives to reduce the negative consequences and take advantage of changes that arise as a result. With this in mind, it is ideal to design environmental policies that consolidate both approaches to accelerate our solutions.

- **Include displacement avoidance language.** Economic changes in our communities have driven gentrification and displacement. Places that were once home to low income communities of color for generations are now riddled with real estate speculation, land value appreciation and insurmountable costs of living that have led to displacement, suburbanization

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<sup>3</sup> Yesenia Perez, "[Roadmap to Equitable Community Transportation: Best Practices for Conducting Mobility needs Assessments](#)", The Greenlining Institute (April 2024)

<sup>4</sup> Hana Creger, "[Clean Mobility Equity: A Playbook – Lessons from California's Clean Transportation Programs - The Greenlining Institute](#)", The Greenlining Institute (March 2021)

of poverty, and extreme commuting. Given the power that policy has to sway behavior, it is paramount that language in CEC efforts and EV charging deployment goals are intentional in their description of place and include strategic planning to avoid displacement as an externality.

### **At-Home Charging**

At-home charging is often the most convenient option for drivers to refuel EVs, but those that rent and live in multi-family housing face greater challenges accessing conventional home charging<sup>5</sup>. Multiple home charging incentives currently exist: The California Air Resources Board (CARB), as part of their Clean Cars 4 All and Drive Clean Assistance Program, provides funding for the purchase and installation of charging infrastructure. Additionally, various utilities, through SB 350 applications and holdback funds, have developed incentive programs to deploy charging in single-family housing. CEC should maximize Clean Transportation Plan investments by coordinating with CARB and utilities to target support on deployment gaps, and prioritize a majority of funding for multi-family charging, especially in affordable housing and for renters.

### **Interoperability**

As uplifted by Comite Civico during the advisory committee meeting and in my previously submitted comments<sup>6</sup>, interoperability continues to be a challenge for drivers of older EVs and creates a more negative perception of EVs. It is important to address interoperability issues in order to encourage EV uptake in low income and disadvantaged communities and improve the driver experience.

### **Agency and Investments Coordination**

In order to maximize investments, we ask that CEC continue to coordinate with CARB in deploying funds. In the past, CEC has developed joint solicitations with CARB and we ask that they continue to build and expand on this effort. CEC and CARB should consider ways to streamline applications to help those seeking vehicle incentives access charging infrastructure funding to help expedite the process. Additionally, there has been work done at the local level through AB 617 Community Emission Reduction Plans. The CEC should coordinate with CARB to deploy funding in these communities, as they have identified and prioritized zero-emission technology deployment in their communities.

### **Data Access and Reporting**

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<sup>5</sup> “[Assembly Bill 2127 Second Electric Vehicle Charging Infrastructure Assessment: Assessing Charging Needs to Support Zero-Emission Vehicles in 2030 and 2035, Revised Staff Report](#)”, California Energy Commission (January 2024)

<sup>6</sup> Marissa Wu, “[Greenlining Comments on EV Charging Reliability Second Draft](#)”, The Greenlining Institute (April 2024)

We appreciate CEC's commitment to collect and report charging data. However, there are still gaps when it comes to collecting equity-centered data that go beyond the geographic location of chargers. For example, on the CEC's Electric Vehicle Chargers in California dashboard<sup>7</sup>, there is no data on equity metrics to determine how chargers are being deployed in low income and disadvantaged communities. CEC should add an additional SB 535/AB 1550 filter that helps identify whether investments are in DACs and low income households. This should be a simple fix as OEHHA has the maps needed to overlay it with the CEC data. We ask that CEC also continue to work with partners and community-based organizations to identify additional equity metrics that can help measure the equity impacts of investments.

### **Concerns about Hydrogen Investments**

In alignment with comments from other advisory committee members, I have strong concerns about investments into hydrogen charging without strict environmental and equity guardrails.

As it stands today, hydrogen is more expensive<sup>8</sup>, less efficient<sup>9</sup>, and less environmentally-friendly<sup>10</sup> than battery power when used in electric vehicles, especially light-duty vehicles. According to the CEC itself, more than 95% of hydrogen is currently produced from fossil fuels<sup>11</sup> which runs counter to state climate goals and the Clean Transportation Plan's purpose. We understand the need to follow AB 126's directive to invest at least 15% of annual funds into hydrogen charging and appreciate that it does contain guidelines prioritizing applicants with lower carbon-intensive proposed hydrogen fuel. However our position, and the position of many environmental justice organizations<sup>12</sup>, is that the state's hydrogen investments should be conservatively focused on hard-to-electrify sectors and exclude light duty vehicle charging.

Furthermore, we highly recommend that the CEC adopt a strong standard that only clean hydrogen, as defined<sup>13</sup>, be utilized in the Clean Transportation Plan in alignment with the current federal definition for clean hydrogen under the 45V tax credit guidelines. Setting hydrogen goals

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<sup>7</sup> [Electric Vehicle Chargers in California](#), California Energy Commission

<sup>8</sup> Hemant Kumar, "[Hydrogen Powered Cars and Trucks: Is there a role for them in the electrified U.S. future?](#)", Massachusetts Institute of Technology (September 2021)

<sup>9</sup> Jasper Jolly, "[Will hydrogen overtake batteries in the race for zero-emission cars?](#)", The Guardian (February 2024)

<sup>10</sup> Sam Wilson, "[Hydrogen-Powered Heavy-Duty Trucks](#)", Union of Concerned Scientists (September 2023)

<sup>11</sup> "[Hydrogen Fact Sheet](#)", California Energy Commission (June 2021)

<sup>12</sup> "[Equity Principles for Hydrogen: Environmental Justice Position on Green Hydrogen in California](#)", Asian Pacific Environmental Network (APEN), California Environmental Justice Alliance (CEJA), Center for Community Action and Environmental Justice (CCA EJ), Center on Race, Poverty & The Environment (CPRE), Communities for a Better Environment, Environmental Health Coalition, Leadership Counsel for Justice and Accountability, Pacoima Beautiful, Physicians for Social Responsibility Los Angeles (PSR-LA) (October 2023)

<sup>13</sup> "[EJ/Environmental Organizations Joint Letter on Clean Hydrogen Definition](#)", The Greenlining Institute, Sierra Club CA, APEN, The Climate Center, Local Clean Energy Alliance, CPRE, Pacific Environment, Natural Resources Defense Council (NRDC), CCA EJ, Mothers Out Front, PSR-LA, Just Solutions Collective (December 2023)

for California without the appropriate guardrails on hydrogen production and end use could exacerbate pollution, affordability concerns, and water access issues in priority communities.

Accordingly, the CEC should reallocate monies from undersubscribed hydrogen grant solicitations as well as unexpired funding from the canceled Shell agreement into expanding and improving electric battery charging across the state, rather than redirecting into further hydrogen investments.

#### **Need for Coordination, Community Input, and Data Transparency on Workforce Development**

We support the proposed interagency collaboration with the CWDB and want to emphasize the importance of coordinating with labor unions in the process of determining how to best use the \$3M allocated towards workforce development in the draft investment plan. In alignment with previous Greenlining comments<sup>14</sup>, we recommend that the CEC develops an equitable process to seek intentional and fairly compensated input from community based, labor, and workforce development organizations in developing the Workforce Training and Development Strategy. Furthermore, I uplift IBEW's recommendation to avoid duplicating efforts by, as much as possible, utilizing existing licensed union workers and union apprenticeship and career pathway resources to recruit, skill, and connect workers to high road zero-emissions careers. We also suggest that these workforce development efforts prioritize building economic opportunities in disadvantaged and low income communities.

As part of the high-road principles incorporated into solicitations and incentives, we recommend that the CEC requires grant applicants to report the number of new jobs created, as well as the sector/industry/trade, training and certification requirements, apprenticeship inclusion, and union representation, if applicable. This information is critical in order to be able to track statewide progress on transitioning the workforce to green jobs to meet climate goals, and to furthermore ensure that the green economy we are building towards consists of good quality jobs. Once labor standards and workforce development requirements are incorporated into solicitations, the CEC should also make technical assistance available to small businesses and minority, women, and disadvantaged business enterprises (MWDBEs), to ensure that these groups can accessibly participate and meet any reporting and implementation requirements that they would otherwise not have capacity and/or expertise to complete<sup>15</sup>. The CEC should also consider partnering with labor unions to connect small businesses and MWDBEs to the aforementioned existing union career pathway resources. By doing so, we can achieve more inclusive, diverse, and equitable participation in funding opportunities.

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<sup>14</sup> Sneha Ayyagari and Fatima Abdul-Khabir, "[The Greenlining Institute Comments - on the CEC RFI on IRA Contractor Training Program](#)", The Greenlining Institute (August 2023)

<sup>15</sup> See note 8

I appreciate the opportunity to comment on the CEC's proposed investment plan and look forward to continuing to track progress on this effort. Please do not hesitate to reach out to me ([marissa.wu@greenlining.org](mailto:marissa.wu@greenlining.org)) with any questions or to schedule time to discuss our recommendations further.

Best regards,

Marissa Wu

**Transportation Equity Program Manager**