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**COUNTY OF MENDOCINO
BOARD OF SUPERVISORS**

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October 8, 2013

Mary Nichols, Chair
California Air Resources Board
P.O. Box 2815
Sacramento, CA 95812

Subject: Air Resources Board Regulation to Reduce Emissions from On-Road In-Use Heavy-Duty Diesel Fueled Vehicles

Dear Chair Nichols,

The Mendocino County Air Quality Management District Board of Directors is extremely concerned about the impact of the Air Resources Board's regulation to reduce emissions of diesel particulate matter, oxides of nitrogen, and other criteria pollutants from in-use diesel fueled vehicles on all businesses utilizing trucks within the County of Mendocino.

The On-Road Diesel Regulation was originally adopted by the Air Resources Board in December of 2008 and, after numerous updates, became effective in December, 2011. The Regulation requires that most fleets of heavy-duty trucks within Mendocino County demonstrate compliance with the retrofit and engine emissions requirements beginning in January 2014.

In an effort to ease the financial burden that this regulation puts on truck owners, your Board has authorized incentive funding for truck upgrades in the form of Proposition 1B funds and Carl Moyer Program grants. Unfortunately, the Mendocino County Air Quality Management District is specifically excluded from Prop 1B funds by law and the short implementation time of the Regulation makes funding in the form of grants from the Carl Moyer Program not cost-effective.

The newly approved state TIMBER Program, which provides incentive funding for log trucks, will be of limited use only to larger fleet operators with dedicated log trucks. Since logging activity is seasonal and subject to restricted or no activity during winter rains, small fleets and single vehicle operators within the District must adapt their vehicles to other transportation needs to make a living year-round. This precludes small fleets, needing these incentives the most, from participating in the TIMBER program.

The financial hardships placed upon our local trucking industry is anticipated to worsen as fleets from the transportation corridors that utilized Prop 1B funds, or large fleets based outside of California, compete in Mendocino County. The significant number of small operator dump trucks, mixers, water trucks, and other construction and service trucks that are unable to comply with the state regulations with or without grant funding will be unable to compete.

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Mendocino County Air Quality Management District is a small, rural District with limited resources. The District receives the minimum Carl Moyer grant allotment of \$180,000 per year. This amount has not been sufficient to address all of the on-road heavy duty trucks, even if the entire amount had been dedicated exclusively to on-road diesel projects.

Mendocino County remains in compliance with all federal Ambient Air Quality Standards and is nearly in compliance with the more stringent state Ambient Air Quality Standards. The benefit to the citizens of Mendocino County from the tremendous expense and hardship to individuals, small businesses and the local economy through implementation of this Regulation would be minimal.

With consideration for rural districts in mind, the Mendocino County Air Quality Management District Board is requesting that the Air Resources Board consider the following amendments to this Regulation:

1. Advise your Board to take action to delay the compliance date for small fleets from January 1, 2014, until January 1, 2023, at a minimum. This action is a critical step for rural California, and could possibly benefit the economy of the entire state. Delaying the implementation date would allow used vehicles with 2010 engines to begin entering the market by 2015 or 2016, allowing a cost-effective option for small owner/operators to begin achieving compliance.
2. Re-open the agricultural vehicle provisions approval period and allow for an increase in the maximum number of trucks that can be approved.
3. Re-visit the Low Mileage Construction Truck provision approval period and increase the allowable mileage to 20,000 annual miles for trucks in this category.
4. Increase the low-use vehicle threshold from 1,000 miles and 100 hours. Increasing the allowable mileage to 20,000 miles per year in Attainment/NOx exempt areas will have minimal impacts and allow low-use vehicle owners a reasonable opportunity to make a living.

All areas of California have seen reductions in air pollution over the past three years. This improvement has occurred while coinciding with a period of increased economic activity nation-wide. By delaying implementation of these rules, at least in areas not subject to emission reductions prescribed by the State Implementation Plans, rural areas will be provided a chance for economic growth. Small fleets are common in rural California and owners cannot afford to purchase particulate filters or new trucks to replace, what in some cases, are vehicles that are only 5 or 6 years old.

The Mendocino County Air Quality Management District Board has worked productively with the Air Resources Board in the past. We ask that you consider the devastating economic impacts to our District that will result from the current implementation schedule of the Truck and Bus rule.

Thank you for your consideration.

Sincerely,



Dan Hamburg, Chair
Mendocino County Air Quality Management District Board

cc:

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