

RESOLUTION NO. 08-234

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS REQUESTING A DELAY IN THE IMPLEMENTATION OF ALL NEW AIR RESOURCES BOARD REGULATIONS, INCLUDING THE IN-USE HEAVY DUTY ON-ROAD TRUCK AIR TOXIC CONTROL MEASURE, AND REGULATIONS RELATING TO AB 32

WHEREAS, the State of California economy is severely depressed and the Governor has recently announced a \$28 billion dollar revenue shortfall for the current and upcoming fiscal years; and

WHEREAS, there is a need to stimulate the state economy and prevent further local job losses and the Governor has called for a Special Session of the legislature to address the economy and budget shortfalls; and

WHEREAS, local business leaders have expressed concerns regarding the damage to the local economy to multiple businesses, and reduced leased fire fighting equipment availability caused by these proposed regulations; and

WHEREAS, the Mendocino County Board of Supervisors recognizes that the State of California Air Resources Board is proposing adoption of an Air Toxic Control Measure to reduce emissions from Heavy Duty On-Road Diesel Trucks; and

WHEREAS, Mendocino County businesses have already been significantly economically impacted by the Stationary Diesel Engine, Diesel Agricultural Pump, Portable Diesel Engine and In-Use Off-Road Diesel Equipment Air Toxic Control Measures recently adopted by the Air Resources Board; and

WHEREAS, No economic impact analysis of the proposed Air Toxic Control Measure's impact specifically on rural communities has been conducted; and

WHEREAS, a statewide analysis of the proposed Air Toxic Control Measure's economic impact in California will overlook the serious economic impact in rural communities; and

WHEREAS, the proposed Air Toxic Control Measure does not take into account the unique operational demands and equipment usage of agricultural and timber operations in rural communities; and

WHEREAS, Diesel Particulate is a significant health risk in densely populated areas, the risks are greatly reduced in rural communities with lower traffic volumes and population densities; and

WHEREAS, Mendocino County received an "A" rating in the American Lung Association's 2008 "State of the Air Report"; and

WHEREAS, a significant number of businesses in Mendocino County operate Heavy Duty On-Road Diesel Trucks; and

WHEREAS, Heavy Duty Diesel Trucking provides one of the few well paying year-round employment opportunities available to residents of Mendocino County; and

WHEREAS, Mendocino County residents are solely dependent on Heavy Duty On-Road Diesel Trucks for the delivery of goods; and

WHEREAS, the proposed Air Toxic Control Measure will result in international and out-of-state Heavy Duty Diesel Trucking Companies receiving a competitive advantage over local California businesses; and

WHEREAS, Mendocino County does not have any "new" Heavy Duty Diesel Truck dealerships to benefit economically from new truck sales resulting in a net transfer of money out of the local economy; and

WHEREAS, Mendocino County has been significantly impacted by the closure of several large employers; and

WHEREAS, Mendocino County has been significantly economically impacted by high fuel costs, recent wildfires, the decline in the timber industry, closure of the salmon fisheries, and the ongoing national economic crisis; and

WHEREAS, Mendocino County currently has an unemployment rate of 6.7 percent; and

WHEREAS, The Mendocino County median household income is 27% less than California as a whole; and

WHEREAS, The economy of Mendocino County and most other rural California counties is based on agriculture, forestry, and fisheries. These industries compete in a world market and cannot pass on the additional costs of needless and over burdensome regulations to consumers; and

WHEREAS, With the current state and national economic situation, companies in rural California will find it difficult to borrow money to update equipment engines. 60% of trucks in rural California are 1994 model year and older and banks will not loan money on equipment over ten years old; and

WHEREAS, It is estimated that 39% of truck owners in Mendocino County will downsize as a result of the proposed CARB regulations and 47% will simply go out of business.

NOW, THEREFORE BE IT RESOLVED, the Mendocino County Board of Supervisors opposes the implementation of any new ARB regulations, including the In-Use Heavy Duty On-Road Truck Air Toxic Control Measure until such time as the economic impact on rural communities has been fully addressed and mitigated; and

NOW, THEREFORE BE IT RESOLVED, the County Board of Supervisors will be seeking statewide support from other Counties and elected officials regarding this issue; and

BE IT FURTHER RESOLVED, the Mendocino County Board of Supervisors is requesting urgent, immediate action by Assemblymember Patty Berg and Senator Patricia Wiggins and Assemblymember elect Wes Chesbro to sponsor legislation to override all new ARB regulations due to their severe financial impact to the State economy and the Districts they represent; and

BE IT FURTHER RESOLVED, that the request for legislation is immediate and remains so during the Special Session of the California Legislature and the Regular Session of the California Legislature, and that State Senator Wiggins, Assemblymember Berg, and Assemblyman-Elect Chesbro respond in writing to this request, to the Mendocino County Board of Supervisors by November 21, 2008.

The foregoing Resolution was introduced by Supervisor Delbar, seconded by Supervisor Colfax, and carried this 18th day of November 2008, by the following vote:

AYES: Supervisors Delbar, Pinches, Smith, Colfax, and Wattenburger
NOES: None
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: KRISTI FURMAN
Clerk of the Board

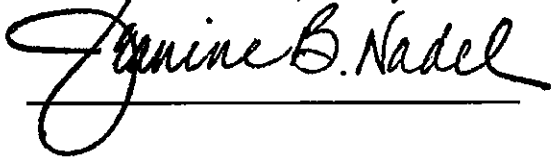


JIM R. WATTENBURGER, Chair
Mendocino County Board of Supervisors



I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

APPROVED AS TO FORM:
JEANINE B. NADEL, County Counsel



BY: KRISTI FURMAN
Clerk of the Board