

Albert Batteate

CALIFORNIA CATTLEMEN'S ASSOCIATION

1221 H STREET • SACRAMENTO, CALIFORNIA • 95814-1910

09-10-8

SERVING THE CATTLE
INDUSTRY SINCE 1917



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www.calcattlemen.org

December 8, 2009

Ms. Mary Nichols
Chair, California Air Resources Board
California Environmental Protection Agency
1001 I Street
Sacramento, CA 95814

Dear Chairman Nichols;

The California Cattlemen's Association (CCA) appreciates the opportunity to submit comments in accordance with item 09-10-8: *Public Meeting to Update the Board on the Truck and Bus Regulation and the In-Use Off-Road Diesel-Fueled Fleet Regulation* held in conjunction with December board meeting. CCA represents beef cattle producers working in all sectors of the \$1.85 billion industry from pasture to harvest.

First and foremost, CCA appreciates the hard work and collaboration put forth by your staff to work with the agricultural community to craft a sensible compliance program for farmers and ranchers. These agricultural provisions are extremely important to ensure that farmers and ranchers can comply with the retrofit and replacement requirements of the rule in an economically sustainable manner.

Unfortunately, some farmers and ranchers will not be able to participate in the agricultural program due to the use of the vehicle or because they exceed the established mileage thresholds. Some farmers and ranchers also own and operate cab-over trucks and will be unable to comply with the rule simply because no manufacturer has indicated they will produce a cab-over vehicle with an engine or a retrofit device that is compliant with the NOx and PM requirements of the rule.

Cab-over trucks are used for specific and unique purposes in the beef industry and cannot be replaced by a conventional semi or other vehicle. These trucks, matched with specific trailers, ensure that an operator does not exceed state and federal mandated truck-trailer length requirements. In addition, the configuration of a cab-over truck allows the truck and trailer to operate in a confined space on the farm and remote areas in the Sierra Nevada's and other mountainous regions in California where livestock grazing is prominent.



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FEEDER COUNCIL VICE CHAIR
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Ensuring that ranchers can continue to use cab-over trucks to move cattle from farms and ranches in the coastal regions and Central Valley to the mountains for summer grazing is essential to maintaining California's distinctive rotational grazing system.

Manufacturers stopped producing cab-over trucks in 2004 and have indicated they will not make a compliant truck or engine that can be used to repower older cab-over bodies. A standard 2010 model year engine cannot be used to repower a cab-over truck due to the special configuration of the cab-over body. Additionally, no filter device currently exists to retrofit a 2004 engine in order to achieve both NOx and PM standards of a 2010 model year engine.

While we greatly appreciate the additional time allotted under the agricultural program, special provisions for cab-over vehicles and the unique vehicle program, truck owners still have no pathway to comply with 2010 model year engine NOx and PM standards and operate these vehicles after January 1, 2023.

We respectfully request your assistance in rectifying this manner to ensure cab-over trucks will be available for use by farmers and ranchers beyond January 1, 2023. We look forward to continuing to work with you and your staff to find solutions that improve air quality while maintaining an economically viable beef and agricultural industry.

Sincerely,

A handwritten signature in cursive script that reads "Justin Oldfield".

Justin Oldfield
Director of Regulatory Affairs

A.R.B. Staff

I would like to introduce my self, my name is Albert Batteate. I own and Operate Batteate Livestock Transportation.

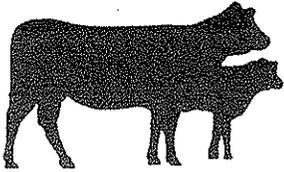
My uncle started the business in the thirties, when cattle came into Hayward Ca. by rail. They drove the cattle from the rail head to my grandfathers slaughter house horse back until he got sued by a local resident for damages to there yard from the cattle walking threw the rail head was on Jackson st. and the kill plant was on Upper B st probable about 7 miles. After the law suit they bought a truck and then another I believe they had 30 trucks or so in there hay day. In the early days truck & trailer combos were the only rigs that would work because the roads were made for cars and they could maneuver around the sharp turns and could also make it up the steep dirt roads that lead to the ranches where to cattle were .

In the later years some livestock haulers tried double trailer combos with 2 axel trucks they were already feeling the shortage of livestock to haul and thought they could haul other types of commodities witch they could but the 2 axel trucks did not work well getting in to the ranches they unable to clime the dirt roads and were stuck more than not.

Them the modern semi combos came into the pitcher they could clime the dirt inclines and could haul other commodes but they are so long that they can not negotiate the turns. The problem we have today is we are still hauling cattle out of mountain allotments that haven't changed since the beginning and doubles or semis cant get in these ranches so truck Trailer combos are still in high demand in the spring and fall to move cattle to feed. These combos are almost all cab over trucks because there is a length law of 65 feet bumper to taillight they can no go over.

Here is my dilemma they do not make a cab over truck to replace the ones I have. Even if they did I could not afford to by one and operate it the the 16 weeks per year that they work

Batteate Livestock
Albert Batteate



Contra Costa/Alameda County Cattlemen's Association

TELEPHONE: (925) 606-5325
FAX: (925) 449-1677
638 ENOS WAY
LIVERMORE, CA 94551

November 11, 2009

To Whom It May Concern:

It has been brought to our attention that our transportation needs will soon be restricted under new regulation by the State of California. The Contra Costa / Alameda County Cattlemen's Association strongly objects to the regulations enacted recently. It is a requirement that the Cattlemen of our counties have access to reliable transportation for our cattle operations. The new restrictions imposed upon the truckers and transportation brokers will substantially inhibit the available trucks used in our business. We will be unable to transport our cattle to market and will inhibit the movement of cattle from area to area.

The requirements that will be imposed will financially hurt the cattle industry and trucking industry, as well. Many transportation operations in the State of California will be unable to continue due to the new regulations. It becomes financially impossible to continue this career and it will be impossible to obtain trucks in the state.

Please reconsider your newly adopted regulations imposed on the trucking industry. Should you have any questions, please do not hesitate to contact the Association at 925.606.5325. Your reconsideration of this issue is greatly appreciated.

Sincerely,

A handwritten signature in black ink that reads "Joe Paulo". The signature is written in a cursive, flowing style.

Joe Paulo
President

Stanley Ranch
4400 North Livermore Avenue
Livermore, CA 94551
925-455-1776

IN THE RANCHING BUSINESS FOR OVER 150 YEARS

November 11, 2009

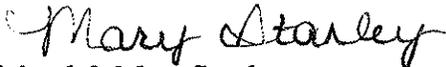
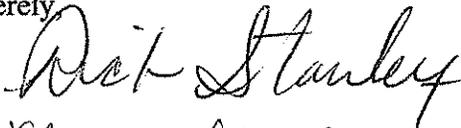
To Whom It May Concern:

It has been brought to our attention that our transportation needs will soon be restricted under new regulation by the State of California. We, as cattle ranchers, strongly object to the regulations enacted recently. We will be unable to adequately conduct business in our county, as well as in the state, should these regulations continue. We will be unable to transport our cattle to market and will inhibit the movement of cattle from area to area.

The cattle industry and trucking industry will be restricted by miles in cattle movement, as well as have negative financial implications on their business. Many transportation operations in the State of California will be unable to continue due to these new regulations. It becomes financially impossible to continue this career and it will be impossible to obtain trucks for transport in the state. We already have a difficult time obtaining needed transportation.

Please reconsider your newly adopted regulations imposed on the trucking industry. Should you have any questions, please do not hesitate to contact us at 925.455.1776. Your reconsideration of this issue is greatly appreciated.

Sincerely,



Richard & Mary Stanley
Cattle Operations

October 6, 2009

California Department of Transportation;

Please consider the exemption of livestock haulers from the strict emissions control standards that will be required for all diesel trucks.

We transport many of our beef cattle from our winter grazing areas in the Bay Area to our summer grazing areas in the Sacramento Valley each spring and we return the livestock in the fall. Cattle trucks are very specialized and usually cannot transport general freight. Many of our ranches are in remote location with very steep roads which require truck and trailers that have adequate traction to climb these steep and slippery roads. Due to these steep conditions as well as tight turns many semis and doubles cannot be used on our ranches.

Since most truck and trailer combinations that transport our cattle need to be a cab-over truck to accommodate the double-deck livestock body, and the new emissions controls will eliminate most of these cab-over trucks, the availability of truck and trailer combinations will be very limited. This will have a serious impact on the livestock industry.

Please consider our request to provide a special exemption to our livestock haulers.

Sincerely,

Jim and Virginia Coelho

Coelho Ranches
1344 Tolteca Ct.
Fremont, CA 94539

510-657-2444

Marion J. Sanguinetti Cattle Co., LP

Po Box 1837

Jamestown, CA 95327

To Whom it May Concern:

12/5/2009

We have a family Cow/Calf operation in the foothills of the Sierra Nevada Mountains. This is the location of our winter pasture. In the summer we graze the cattle in the Stanislaus National Forest Emigrant Wilderness which ranges in elevation from 5000 to 11,570 feet above sea level. The area in which we ship our cattle to and from consists of steep grades, single lane, rough winding roads, with many hairpin turns. These types of roads that we must use are only accessible for a truck and trailer combination. We are absolutely not able to utilize a semi truck due to the tight hairpin turns, as well as set of two axle doubles due to the road steepness and lack of road traction.

A truck and trailer combination meets the standards that we need and is unquestionably our only option to continue moving our family cattle operation from winter to summer pasture. Without the option of utilizing a truck and trailer combination, it would without a doubt jeopardize our long time family cattle operation.

In closing, we would greatly appreciate that you take into consideration exempting the truck and trailer combination operators from the California Emission Requirements, for the preservation and development of California agriculture.

Sincerely,



Jesse Riedel

December 7, 2009

California Department of Transportation

The purpose of this letter is to ask that you please consider exempting livestock haulers from the strict emission control standards that will soon be required for all diesel trucks.

We rely on these trucks each year to transport our beef cattle in the late Spring to their Summer grazing allotments, and then again in Fall to transport them back to their Winter grazing allotments. Our grazing allotments are located almost exclusively in remote mountainous locations, reached by very narrow, steep access roads with very tight turns. In many cases, only truck and trailer combinations are able to access these ranches – thus, their availability is critical to our livelihood.

Because the new emissions controls will eliminate most cab-over trucks, which are necessary for the configuration of most truck and trailer combinations, availability of these critical tools will be significantly reduced, with serious implications to the beef industry.

Your consideration of a special exemption for livestock haulers would be greatly appreciated by those of us who depend on them to conduct our business.

Sincerely,

Alfred and Laurel Mendoza
Mendoza Ranch
PO Box 95
Livermore, CA 94551

