

March 23, 2010

Chair Mary Nichols and Board Members
California Air Resources Board (CARB)
1001 I Street
Sacramento, CA 95814

Re: Proposition 1B Goods Movement Emissions Reduction Program Proposed Update to the Guidelines for Implementation

Dear Chair Nichols and Board Members:

We write to express both our general support and a few specific issues of concern with the CARB Staff Report for the Updated Guidelines on the Proposition 1B Goods Movement Emissions Reduction Program Proposed (GMERP).

In 2008, CARB adopted the initial guidelines for the GMERP with a recognition that the pollution from the freight transportation system is impacting the health of residents along the trade corridors – namely from the diesel trucks, trains, ships, cargo-handling equipment and other sources used to move goods. Studies have shown the relationship between exposure to pollution from these sources and premature death, cancer, respiratory and cardiac diseases, asthma and other ailments. Furthermore, many of these sources also contribute to global warming pollution and our petroleum dependency.

We urge CARB and local agencies awarding funds to ensure that we are maximizing awards to achieve early and extra emissions reductions that help us meet our criteria air pollution, diesel-risk reduction, greenhouse gas and petroleum reduction goals.

We support the general changes to the category funding targets proposed by CARB staff. We appreciate the need to front-load the truck funds to support cost-effective early compliance with CARB's Statewide Diesel and Drayage Truck Rules. Residents across state will benefit from reductions in localized diesel risk and regional air pollution – whether they live in Riverside, Merced or Oakland. With regards to drayage (port) trucks, we support maintaining incentive funding to be used to acquire 2010-compliant engines so that the actual engine being used is certified to meet 2010 standards at the tailpipe without the use of emissions credits. While California has demonstrated much progress in reducing pollution from port truck operations, we must not neglect the further reductions we can achieve that will help bring much needed relief to local residents who live in some of the state's most polluted neighborhoods.

We support the changes to the guidelines which provide truck owners the opportunity to combine program grants and a state-subsidized loan or loan guarantee, particularly because government loan programs can help truck owners who may be struggling to access capital. On the contrary, we are concerned with potential abuses in leasing programs, where the lessee may not have a true path to truck ownership (e.g., the truck may be leased to more than one driver), or where the grant-related cost savings may not be passed on to the lessee in the form of a discounted lease. We urge CARB to do all it can to prevent these predatory abuses and to bring harsh enforcement to those who violate these standards. We urge the board to direct staff to spell out the oversight, audit and enforcement provisions for these violations.

Proposition 1B funds are taxpayer funds and should be used to maximize benefits in California. We acknowledge there are California trucks which might operate a portion of their time outside our state borders. Therefore, we support the proposal to allow local agencies to offer an option for 90 percent California operation at a reduced funding level for truck owners with the additional requirements of utilizing a monitoring device, maintaining a monthly service contract, and transmitting additional reports.

However, we do not support the use of monthly and seasonal registration in lieu of the requirement for two-year registration in California. Trucks that have not been registered for a minimum of two years should not be eligible for California tax-payer funding. These trucks are likely already eligible for special compliance provisions identified in the Statewide Truck and Bus Rule. With the high demand for funding throughout the state, trucks that do not meet the minimal requirements of having been registered in California for two years should be prohibited from Prop 1B funding, unless and until, the state has met the demand from trucks that have been registered accordingly.

We thank you for the opportunity to comment. We especially want to acknowledge our appreciation of the CARB staff's willingness to meet with us to answer our questions and respond to our concerns.

Sincerely,

Nidia Bautista
Coalition for Clean Air (CCA)

Kevin Hamilton
Medical Advocates for Healthy Air (MAHA)

Bonnie Holmes-Gen
American Lung Association

Jon Zerolnick
Los Angeles Alliance for a New Economy

Diane Bailey
NRDC (Natural Resources Defense Counsel)

Ryan Wiggins
Communities for Clean Ports