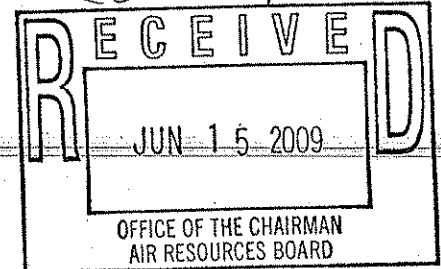


# California Legislature

STATE CAPITOL  
SACRAMENTO, CALIFORNIA



June 11, 2009

Mary Nichols, Chairman  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

BARC  
R. 036264  
Assigned 14940

**RE: Implementation of Off-Road Diesel Equipment Regulation Pursuant to ABX2 8**

Dear Chairman Nichols,

As you know, the Air Resources Board (ARB) has been charged with implementing the provisions of ABX2 8 related to the ARB's off-road diesel equipment regulation and will soon be considering proposed revisions to the rule. The off-road diesel rule is a critical public health measure that will save over 4,000 lives when the rule is fully implemented in addition to helping California meet federal clean air standards. As ARB develops regulatory changes to credit emission reductions from construction equipment during the economic downturn pursuant to this legislation, ARB must ensure that critical public health benefits and emission reductions needed for compliance with federal Clean Air Act requirements in 2014 and beyond are maintained.

While ABX2 8 requires ARB to recognize the emission reductions occurring as a result of the economic downturn through retirement and reduced activity, the legislation does not alter ARB's obligations to reduce public health risk from diesel pollution or achieve federal Clean Air Act deadlines. Therefore, ARB must do everything possible to preserve emission reduction benefits in the off-road rule, especially for the period of 2013 and beyond when the new credits for retirement and reduced activity expire. If ARB finds that implementation of the provisions of ABX2 8 compromise expected emission reductions from off-road equipment beyond 2013, we urge that ARB make further adjustments to the off-road rule to fully mitigate these losses or identify and quickly adopt other measures to ensure that all expected emission reduction benefits are achieved.

Reducing diesel emissions from off-road equipment and other diesel emission sources is critical to protecting Californians from increased risks of cancer, heart and lung disease, asthma and premature death. In addition, ARB's regulations to limit diesel pollution are an integral component to meeting federal clean air standards as soon as 2014 in the San

Joaquin Valley and the Los Angeles basin. While emission reductions resulting from a slowing economy should be recognized, future health protections and the state's ability to meet clean air standards must not be compromised as ARB implements AB2X 8.

Sincerely,

Mary Scherer, AD14

Mary Bayashi

Wally Clark

Norman Eno

Tom Tonkese

Gregory

Alan J. Butts

Jerry Hill

Sadie B.

V. Monte Lim

Nmayer

Bonnie Swenthal

NJB

Paul Song

Joan Buchanan

John H.

Alvin

Harriet

Lori Saldana

Greg Bonner

Mike

Abel Jimenez

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David Higgins

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William Andrew Carter

*This correspondence contains the following signatures (in order):*

Assemblymember Nancy Skinner  
13<sup>th</sup> Assembly District

Assemblymember Wesly Chesbro  
1<sup>st</sup> Assembly District

Assemblymember John Perez  
46<sup>th</sup> Assembly District

~~Assemblymember Tom Torlakson~~  
11<sup>th</sup> Assembly District

Assemblymember Warren T. Furutani  
55<sup>th</sup> Assembly District

Assemblymember Sandré Swanson  
16<sup>th</sup> Assembly District

Assemblymember Norma Torres  
61<sup>st</sup> Assembly District

Assemblymember Marty Block  
78<sup>th</sup> Assembly District

Assemblymember Joan Buchanan  
15<sup>th</sup> Assembly District

Assemblymember Alberto Torrico  
20<sup>th</sup> Assembly District

Assemblymember Lori Saldaña  
24<sup>th</sup> Assembly District

Assemblymember Bill Monning  
27<sup>th</sup> Assembly District

Assemblymember Mike Eng  
49<sup>th</sup> Assembly District

Assemblymember Wilmer Amina Carter  
62<sup>nd</sup> Assembly District

Assemblywoman Mary Hayashi  
18<sup>th</sup> Assembly District

Assemblymember Noreen Evans  
7<sup>th</sup> Assembly District

Assemblymember Mariko Yamada  
8<sup>th</sup> Assembly District

~~Assemblymember Joe Coto~~  
23<sup>rd</sup> Assembly District

Assemblymember Jerry Hill  
19<sup>th</sup> Assembly District

Assemblymember V. Manuel Pérez  
80<sup>th</sup> Assembly District

Assemblymember Bonnie Lowenthal  
54<sup>th</sup> Assembly District

Assemblymember Paul Fong  
22<sup>nd</sup> Assembly District

Assemblymember Felipe Fuentes  
39<sup>th</sup> Assembly District

Assemblymember Curren Price  
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