

# COUNTY OF NEVADA

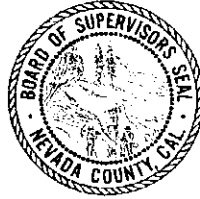
## STATE OF CALIFORNIA

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April 19, 2007

Ms. Kim Heroy-Rogalski  
California Air Resources Board  
P.O. Box 2815  
Sacramento, CA 95812-2815

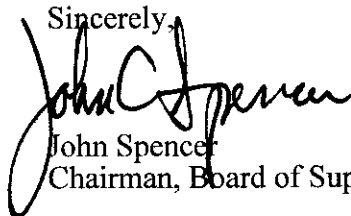
SUBJECT: Comments on Diesel Off-road Equipment Regulation Concepts

Dear Ms. Heroy-Rogalski:

At its regular meeting on December 12, 2006, the Board of Supervisors approved the attached letter for submittal to your Board as comments on the proposed Diesel Off-road Equipment Regulation concepts.

We understand that all comments submitted to CARB concerning the above draft rule must be submitted during your 45 day public notice period, between April 5<sup>th</sup> and May 23<sup>rd</sup>, 2007. Therefore, we are re-submitting these comments for your consideration.

Sincerely,

  
John Spencer  
Chairman, Board of Supervisors

cc: Senator Sam Aanestad  
Senator Dave Cox  
Assembly Member Rick Keene  
Catherine Witherspoon, Executive Officer, ARB  
Tom Cackette, Chief Deputy Executive Officer, ARB  
Robert Cross, Division Chief, Mobile Source Division, ARB  
Annette Hebert, Chief, Heavy-Duty Diesel In-Use Strategies Branch, ARB  
Gretchen Bennitt, Northern Sierra Air Quality Management District  
Mary Pitto, Regional Council of Rural Counties  
Karen Keene, California State Association of Counties  
Contractors Association of Truckee-Tahoe  
Nevada County Contractors Association  
Nevada County Economic Resource Council

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December 12, 2006

Ms. Kim Heroy-Rogalski  
California Air Resources Board  
P.O. Box 2815  
Sacramento, CA 95812-2815

SUBJECT: Comments on Diesel Off-road Equipment Regulation Concepts

Dear Ms. Heroy-Rogalski:

The Nevada County Board of Supervisors appreciates the cooperative effort taken by the Air Resources Board's (ARB) and the Regional Council of Rural Counties (RCRC) in the informal process for the Proposed Control Measure for On-Road Heavy-Duty Diesel Vehicles Owned or Operated by Public Agencies and Utilities. Thanks to your efforts, a number of mechanisms incorporated into the vehicle requirements will go a long way toward helping Nevada County comply while minimizing the impacts to our budget and to public services. We are optimistic that similar mechanisms will be incorporated into the off-road vehicle requirements for Public Agencies.

However, we remain concerned about the impacts of the off-road equipment rule as it will apply to businesses in the private sector, such as construction, mining, airport ground support, and industrial equipment. Construction makes up 15% of Nevada County's economy, and most of the businesses employ only a handful of full time employees. The Northern Sierra Air Quality Management District estimates the cost to upgrade equipment could range from \$7,000- \$15,000 for new vehicles or \$45,000 to \$90,000 for pre-1988 vehicles. Very few of these small businesses could afford to spend that kind of money. The Board of Supervisors requests that the ARB incorporate measures in the off-road equipment rule to offset severe financial impacts to the private sector. For example:

- Provide exemptions for emergency or safety-related activities such as mastication and fuels clearing operations, tree removal, and similar services.
- Provide language that, on a case-by-case basis, a business could apply to ARB for an extension based upon limited financial resources and other local circumstances.
- Allow fines and penalties to be applied to the cost of upgrading out-of-compliance equipment.


- Provide a timely and cost-effective process for reviewing non-compliance vehicles on a case-by-case basis.

The Board of Supervisors is urging local businesses to review the proposed regulation and submit comments to the ARB regarding anticipated impacts and desired solutions. We request the ARB expand its outreach to rural communities, and work cooperatively with our Board and local businesses to ensure that the financial impact of the regulations is minimized.

The Nevada County Board of Supervisors requests ARB to carefully consider the cost effectiveness of the proposed emission control requirements in rural counties independently from the statewide average, compared to the benefits received. We are very receptive to a reasonable approach to improving air quality, which will benefit our citizens and visitors to Nevada County.

We would be happy to join the business community to work with you and your staff in the coming weeks to discuss alternatives. Please call me at (530) 265-1480 if you have any questions or comments.

Sincerely,



Nathan H. Beason  
Chairman, Board of Supervisors

cc: Senator Sam Aanestad  
Senator Dave Cox  
Assembly Member Rick Keene  
Catherine Witherspoon, Executive Officer, ARB  
Tom Cackette, Chief Deputy Executive Officer, ARB  
Robert Cross, Division Chief, Mobile Source Division, ARB  
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