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# California State Senate

SENATOR  
**DAVE COGDILL**  
FOURTEENTH SENATE DISTRICT  
SENATE MINORITY WHIP



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JOINT LEGISLATIVE AUDIT  
COMMITTEE

May 22, 2007

07-5-6  
May 25, 2007

Dr. Robert Sawyer, Chairman  
California Air Resources Board  
PO Box 2815  
Sacramento CA 95812

Re: Proposed Regulations for In-Use Off-Road Diesel Vehicles

Dear Dr. Sawyer:

I have been contacted by several of my constituents who are worried about the very real possibility that they will be negatively impacted by the off-road diesel equipment regulations currently being considered by your Board (ARB). While I support efforts to reduce emissions from heavy-duty diesel engines, I have serious concern about the economic impact to businesses in the rural counties that I represent. Therefore, I strongly urge the ARB to make appropriate adjustments to the proposed regulations to address these concerns.

An important component of the proposed rule is the ARB's treatment of "Captive Area Attainment Fleets" and their exclusion from the fleet average NOx requirements. Those fleets in small, rural counties located downwind from larger, more urbanized counties are not exempt from the NOx requirement, even though these downwind rural counties are classified as non-attainment solely as a result of transport from larger, urban counties.

I urge you to extend the concept of the Captive Area Attainment Fleets to these rural counties that are classified as ozone non-attainment due to transported emissions. As stated in the May 3, 2007 letter to you from the California Air Pollution Control Officers Association (CAPCOA), "We also believe some additional consideration is needed in some of the rural areas of the state ..."

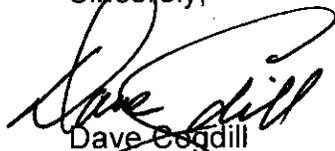
In addition, I give my support to the following proposed amendment by one of my constituents, Blue Mountain Minerals in Tuolumne County. The products manufactured by Blue Mountain Minerals are used by many important businesses located throughout California, including farmers, power plants, and manufacturers of glass and roofing shingles. The practical result of the amendment would be to extend the time these fleets need to reach compliance by several years—up to 5 years, allowing them the necessary time to meet both the economic challenges of the rule and to have time to secure the new compliant equipment—that will not be available for over 8 additional years.

Proposed Amendment (in bold):

(C) Small Fleet – A fleet with total maximum power of less than or equal to 1,500 hp that is owned by a small business or less than or equal to 1,500 hp that is owned by a local municipality, or a local municipality fleet in a low population county irrespective of total maximum power, **and fleets with total maximum power less than or equal to 9,000 hp that are operated entirely within a single, low population, Captive Attainment Area county.**

Thank you for considering these changes in the regulations. I look forward to your favorable consideration of these issues.

Sincerely,



Dave Cogdill  
Senator, 14th District

DEC: rlw

Cc: CIAQC