

ALPINE, AMADOR, BUTTE, CALAVERAS, COLUSA DEL
NORTE, EL DORADO, GLENN, IMPERIAL, INYO, LAKE,
LASSEN, MADERA, MARIPOSA, MENDOCINO, MERCED



09-1-4
Mary Pitto
MODOC, MONO, NAPA, NEVADA, PLACER, PLUMAS,
SAN BENITO, SAN LUIS OBISPO, SHASTA, SIERRA,
SISKIYOU, SUTTER, TEHAMA, TRINITY, TUOLUMNE

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January 22, 2009

Chair Mary Nichols and Members of the Board
California Air Resources Board
PO Box 2815
Sacramento, CA 95812-2815

RE: Proposed Amendments to the In-Use Off-Road Diesel Vehicle Regulation

Dear Chair Nichols and Board Members:

On behalf of our thirty-one member counties, the Regional Council of Rural Counties (RCRC) appreciates the opportunity to address the proposed amendments to the In-Use Off-Road Diesel Vehicle Regulation (Off-Road Rule). We appreciate ARB staff's efforts to understand and address the issues that have arisen during the implementation of the Off-Road Rule and would like to express our support of the proposed amendments.

However, many fleet owners will still have financial distress complying with the proposed regulation, especially in rural areas. We ask the Board again consider extending the "Captive Attainment Area Fleet" to those rural counties that are classified as nonattainment for the National Ambient Air Quality Standards (NAAQS) for ozone and particulate matter (PM) 2.5 strictly due to transport.

The regulation currently exempts fleets located in ozone and PM 2.5 attainment areas from the NOx requirements, if the vehicles are used in only attainment areas. Private fleets in a number of our rural counties will benefit from this provision. Meeting NOx reductions is a considerable financial impact to fleets, which will have a disproportionate negative economic impact in our rural counties. RCRC would ask ARB to reconsider that those counties in nonattainment strictly due to intrastate transport of air pollution also be exempt, (i.e., western Nevada, Amador, Calaveras, Tuolumne, Mariposa). Compliance with the NOx requirements of the proposed regulations in those counties would not significantly reduce the emissions and would never bring those counties into attainment. However, emission reductions from the contributing upwind districts will lead to the downwind area attainment.

Again, RCRC would like to express our gratitude to you and all the ARB staff for your continued outreach efforts and willingness to understand the rural county constraints. You may call me at (916) 447-4806 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Mary Pitto". The signature is written in black ink and is positioned above the printed name.

Mary Pitto
Regulatory Program Director

cc: Air Resources Board Members
RCRC Board Members
James Goldstene, ARB Executive Officer
Erik White, Chief, Heavy-Duty Diesel In-Use Strategies Branch