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Assembly
 California Legislature

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January 25, 2006

1/25/06
 CC: CEW
 Rob Oglesby
 Patty Swartz
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Dr. Robert F. Sawyer, Chair
 California Air Resources Board
 1001 I Street
 Sacramento, CA 95814

XC: Board Members 06-1-6
 Chairman CEW 1/27/05
 TJ MHS
 KT Legal (AM/MT) SSD

Dear Dr. Sawyer,

In a letter addressed to your predecessor last July, I expressed my deep concern regarding CARB's Memorandum of Understanding with California's major railroad corporations. I understand that since that time your staff has held two "public consultation meetings and that the Board met last October to discuss the prudence of this MOU. Notwithstanding extensive expert testimony and critical comments from the public, local officials and members of the Legislature, nothing has been done to correct its deficiencies.

The concerns I raised in July have been reinforced by the more recently documented shortcomings of this MOU: it simply lowers the threshold of enforcement of clean air laws as they may apply to railroad corporations and, though its "release clause" the MOU cripples the ability of local governments to address critical local environmental health issues.

I urge you to rescind the operation of this MOU. At the very minimum, CARB must eliminate the release clause.

Sincerely,

Jackie Goldberg
 Jackie Goldberg,
 Assemblymember 45th District

Cc: Ms. Susan Kennedy
 Dr. Alan Lloyd
 Ms. Catherine Witherspoon

