C011-33 M6

# MONTEREY BAY

**Unified Air Pollution Control District**
*serving Monterey, San Benito, and Santa Cruz counties*

Interim Air Pollution Control Officer
Ed Kendig

*24580 Silver Cloud Court • Monterey, California 93940 • 831/647-9411 • FAX 831/647-8501*

**DISTRICT BOARD MEMBERS**

CHAIR:
Reb Monaco
San Benito County

VICE CHAIR:
Simon Salinas
Monterey County

---

Lou Calcagno
Monterey County

Tony Campos
Santa Cruz County

Dennis Donohue
City of Salinas

Doug Emerson
San Benito County Cities

Gary Wilmot
Monterey Peninsula Cities

Ellen Pirie
Santa Cruz County

Ila Mettee-McCutchon
Monterey County

Sam Storey
Santa Cruz County Cities

George Worthy
South Monterey County Cities

November 6, 2008

Mary Nichols, Chair
CALIFORNIA AIR RESOURCES BOARD
Post Office Box 2815
Sacramento, California 95817

James Goldstene, Executive Officer
CALIFORONIA AIR RESOURCES BOARD

Monica Vejar, Clerk of the Board
CALIFORNIA AIR RESOURCES Board

Please find enclosed a resolution adopted by the MBUAPCD Board of Directors, relating to the ARB's proposed regulation to reduce in-use, on-road diesel trucks and buses. The Board wishes to express its recommendations concerning this proposal and to have its Resolution entered into the record of your proceedings in this matter.

If you'd like to discuss the Resolution or what the Board's intention is, please call our Interim APCO, Ed Kendig, at (831) 647-9411, Extension 210.

Sincerely,

Linda Mounday
Assistant to the APCO/Clerk
Of the Boards

Enc: Resolution 08-23

ORIGINAL: Board Clerk
Copies: Executive Officer
Chair

RECEIVED
NOV 10 2008
OFFICE OF THE CHAIRMAN
AIR RESOURCES BOARD

**MONTEREY BAY**
**Unified Air Pollution Control District**
*serving Monterey, San Benito, and Santa Cruz counties*

Interim Air Pollution Control Officer
Ed Kendig

*24580 Silver Cloud Court • Monterey, California 93940 • 831/647-9411 • FAX 831/647-8501*

**DISTRICT BOARD MEMBERS**

CHAIR:
Reb Monaco
San Benito County

VICE CHAIR:
Simon Salinas
Monterey County

---

Lou Calcagno
Monterey County

Tony Campos
Santa Cruz County

Dennis Donohue
City of Salinas

Doug Emerson
San Benito County Cities

Gary Wilmot
Monterey Peninsula Cities

Ellen Pirie
Santa Cruz County

Ila Mettee-McCutchon
Monterey County

Sam Storey
Santa Cruz County Cities

George Worthy
South Monterey County Cities

# RESOLUTION 08-23

## BEFORE THE AIR POLLUTION CONTROL BOARD OF THE MONTEREY BAY UNIFIED AIR POLLUTION CONTROL DISTRICT

**October 15, 2008**

**WHEREAS,** the California Air Resources Board is proposing to adopt a regulation to reduce emissions from in-use, on-road diesel trucks and buses; and

**WHEREAS,** this regulation employs the regulatory strategy of requiring expeditious retrofit of backend control technology rather than attrition replacement with new low emission engines, as has always been done in the automobile industry; and

**WHEREAS,** this regulatory approach does have the capability to achieve large emission reductions in a shorter time than would a pure attrition strategy, such an approach as it is proposed is too vigorous in its application to small and short distance operators, whose potential emission reductions are such a very small part of the total pool of emissions sought to be reduced; and

**WHEREAS,** an unreasonably rigorous regulatory enactment that requires financial commitment that is especially difficult or even disabling for small operators, can engender low rates of compliance with the attendant alienation of the regulated sector and the enforcement agencies, which reduces the effectiveness of the regulation; and

**WHEREAS,** the great bulk of the emission reductions planned for the proposed regulation can still be achieved with a moderation in the pace of implementation required of small and short distance operators.

//////////////

//////////////

//////////////

## NOW, THEREFORE, BE IT RESOLVED:

The MBUAPCD Board urges the California Air Resources Board to develop revisions to its proposed On-Road Diesel control measure that will moderate the implementation schedules for small and short distance operators of affected diesel equipment. This recommendation is made with a sense of urgency born of the fear that the regulation as proposed will reduce compliance rates and cause irreparable harm to operators whose emissions are a very small part of the pool of emissions the regulation seeks to reduce.

On motion of Director CALCAGNO, seconded by Director SALINAS, the foregoing Resolution 08-23 is hereby adopted this 15th day of October, 2008 by the following vote:

**AYES:** Directors Monaco, Calcagno, Campos, Villegas, Emerson, Mettee-McCutchon, Pirie, Salinas, Storey, Worthy

**NOES:** None
**ABSENT:** Directors Donohue, Wilmot

I CERTIFY THIS IS A TRUE AND CORRECT RESOLUTION AS DULY ADOPTED BY THE AIR POLLUTION CONTROL DISTRICT BOARD ON Oct 15, 2008
BY: Linda Mounday
CLERK OF THE BOARD

EXECUTIVE OFFICER/APCO