

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** Supervisor Roy Wilson

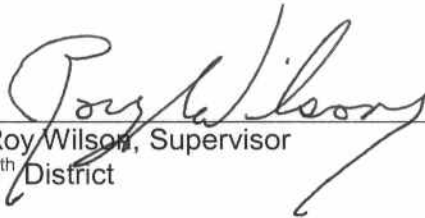
**SUBMITTAL DATE:** April 6, 2004

**SUBJECT:** Support for Senate Bill 1397 – Locomotive Emissions Reduction and Mitigation

**RECOMMENDED MOTION:** Adopt attached Resolution 2004-175, supporting SB 1397 – Locomotive Emissions Reduction and Mitigation

**BACKGROUND:** Continual increases in emissions from mobile sources, including trains, are preventing this region from achieving clean air standards by the legally mandated federal deadline of 2010. Funding through this legislation will help implement control strategies to mitigate emissions from locomotives and establish other mitigation programs. As you know, the South Coast Air Basin is the only "extreme" non-attainment area designated in the country, with the worst air pollution.

To continue to foster a strong business environment in our County, we cannot ask businesses to continually tighten their operations to further control emissions. I believe the time is right to look to sources in this region that are not currently contributing their fair share of emission reductions – those sources include locomotive operations, which are one of the single largest unregulated source of air pollution in the South Coast Air Basin. It is critical that this emission source be controlled.

  
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Roy Wilson, Supervisor  
4<sup>th</sup> District

- Consent
- Policy
- Consent
- Policy

Department Recommendation:  
Per Executive Office:

Prev. Agn. ref.

Dist. All

AGENDA NO.

SDOP 1065-1 V#10: 10  
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1 **RIVERSIDE COUNTY BOARD OF SUPERVISORS**

2 **RESOLUTION NO. 2004-175**

3 **A RESOLUTION OF THE COUNTY OF RIVERSIDE EXPRESSING SUPPORT FOR**  
4 **SENATE BILL 1397 (ESCUZIA), WHICH WOULD ENACT THE LOCOMOTIVES**  
5 **EMISSIONS REDUCTION AND MITIGATION PROGRAM**

6 WHEREAS, the South Coast Air Basin is the only "extreme nonattainment" air  
7 basin in the United States and to achieve attainment of federal and state public health  
8 standards requires extraordinary effort by federal, state and local regulatory authorities  
9 working in concert; and,

10 WHEREAS, federal and state health-based ambient air quality standards for ozone  
11 and PM10 are exceeded regularly and by a wide margin in the South Coast Air Basin;  
12 and,

13 WHEREAS, the federal Environmental Protection Agency has recently adopted  
14 more stringent 8-hour ozone and PM2.5 standards that will require even greater emission  
15 reductions in the South Coast Air Basin; and,

16 WHEREAS, air pollution emissions from locomotives in the South Coast Air Basin  
17 contribute significantly to exceedances of federal and state ozone and PM10 standards,  
18 as well as to emissions of diesel exhaust, a toxic air contaminant; and,

19 WHEREAS, in order to attain state and federal standards for ozone and PM2.5, it  
20 is necessary that emissions from locomotives be controlled or otherwise mitigated; and,

21 WHEREAS, the federal Environmental Protection Agency has authority to adopt  
22 regulations limiting emissions from locomotives, but state and local regulatory authority  
23 to control emission from locomotives is restricted by federal law. In order to attain state  
24 and federal ambient air quality standards, it is necessary that emissions from locomotives  
25 be controlled or mitigated by the federal government or, if necessary, by state or local  
governments using authorities available to them; and,

WHEREAS, in 1998, the California Air Resources Board entered into a  
Memorandum of Understanding with the Burlington Northern and Santa Fe Railroad  
Company, and the Union Pacific Railroad Company, under which the railroads agreed to  
utilize locomotives in the South Coast Air Basin that would meet certain emissions  
limitations; and,

WHEREAS, in 2003, the South Coast Air Quality Management District adopted the  
most recent revision to its Air Quality Management Plan. The 2003 Plan includes  
stringent emissions standards for factories, power plants, on-road and off-road mobile  
sources and other sources that are within the regulatory jurisdiction of the South Coast  
District and the California Air Resources Board – including some sources, which, like  
locomotives, are powered by diesel engines. The percentage of emission reductions that  
will be achieved by significant sources subject to state and local authority is substantially

1 greater than the percentage of emissions reductions that will be achieved by locomotives  
2 under existing federal regulations and the 1998 MOU; and,

3 WHEREAS, the 2003 South Coast District Plan proposes a significant amount of  
4 emissions reductions through means that are yet to be specifically determined; and,

5 WHEREAS, unless and until the federal Environmental Protection Agency adopts  
6 regulations requiring locomotives in the South Coast Air Basin to achieve all feasible  
7 emission reductions as necessary to achieve federal clean air standards, the South Coast  
8 Air Quality Management District should be authorized to adopt a locomotive mitigation  
9 fee for locomotive emissions that is proportionate to the health and environmental harms  
10 resulting from those emissions; and,

11 WHEREAS, it is therefore necessary that legislation authorize the South Coast Air  
12 Quality Management District to implement a locomotive emission reduction and mitigation  
13 program,

14 **NOW THEREFORE, BE IT RESOLVED THAT: THE COUNTY OF RIVERSIDE HEREBY  
15 DECLARES AND RESOLVES THAT SENATE BILL 1397**

- 16 • Is necessary to protect the health and welfare of our residents from cancer  
17 causing toxic air pollutants, especially children and seniors,
- 18 • Is essential to reduce diesel emissions from locomotives in Southern  
19 California to meet the 2010 deadline for clean air established by the federal  
20 government,
- 21 • Is critical in ensuring the burden for emission reductions in the region is not  
22 unfairly placed on local businesses, and that significant future reductions  
23 are achieved from locomotives.
- 24 • Ensures funding for mitigation measures to reduce emissions from trains,  
25 associated sources and for programs to address accompanying health  
effects from diesel emissions.

**FURTHER RESOLVED, RIVERSIDE COUNTY URGES CALIFORNIA LEGISLATORS  
TO ENACT SB 1397 AS PROPOSED AND URGES THE GOVERNOR TO SIGN IT INTO  
STATE LAW WITHOUT DELAY.**

ADOPTED THIS 6<sup>th</sup> DAY OF APRIL, 2004.