

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



**FROM:** Supervisor Wilson

**SUBMITTAL DATE:** March 30, 2005

**SUBJECT:** Lack of adequate emission reductions from mobile sources

**RECOMMENDED MOTION:** The Board of Supervisors approve attached Resolution No. 2005-194, supporting state Assembly and Senate bills which will implement control strategies to mitigate emissions from locomotives.

**BACKGROUND:** The South Coast Air Basin is one of two "extreme" non-attainment areas for ozone in the country, and additional emission reductions will be required for the region to meet the new federal clean air standards between 2010 and 2021. Lack of emission reductions from mobile sources, including trains, are preventing the region from achieving these federal clean air standards.

To continue to foster a strong business environment in our county, we cannot ask businesses to tighten their operations to further control emissions, while turning a blind eye toward those entities which are not doing their fair share.

Locomotive operations are one of the single largest sources of air pollution in the South Coast Air Basin. It's critical that this emission source be mitigated.

Supervisor Roy Wilson

A handwritten signature in cursive script, appearing to read "Roy Wilson", is written over a horizontal line.

**COUNTY OF RIVERSIDE  
STATE OF CALIFORNIA**

**RESOLUTION NO. 2005-194**

**EXPRESSING THE BOARD OF SUPERVISORS' SUPPORT FOR ASSEMBLY BILL 1222 (JONES); ASSEMBLY BILL 888 (DE LA TORRE); AND SENATE BILL 459 (ROMERO);**

**WHICH WOULD ENACT LOCOMOTIVE AND RAIL YARD EMISSIONS  
REDUCTION AND MITIGATION PROGRAMS; A REMOTE SENSING PROGRAM;  
AND CALL UPON U.S. EPA TO FURTHER LIMIT LOCOMOTIVE EMISSIONS**

**WHEREAS**, the South Coast Air Basin is one of two "extreme nonattainment" air basins for ozone in the United States and to achieve attainment of federal and state public health standards requires extraordinary effort by federal, state and local regulatory authorities working in concert; and

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

**WHEREAS**, the federal Environmental Protection Agency has recently adopted more stringent 8-hour ozone and PM 2.5 standards that will require even greater emission reductions in the South Coast Air Basin; and

**WHEREAS**, emissions from locomotives and rail yard equipment in the South Coast Air Basin contribute significantly to exceedances of federal and state ozone and PM 10 standards, as well as to emissions of diesel exhaust, a toxic air contaminant; and

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

**WHEREAS**, the federal Environmental Protection Agency has authority to adopt regulations limiting emissions from locomotives and rail yard equipment, but state and local regulatory authority to control emission from these sources is restricted by federal law. In order to attain state and federal ambient air quality standards, it is necessary that emissions from locomotives and rail yard equipment 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 sources powered by diesel engines similar to locomotives and rail yard equipment. The percentage of emission reductions that will be achieved by significant sources subject to state and local authority is substantially greater than the percentage of emissions reductions that will be achieved by locomotives under existing federal regulations and the 1998 MOU; and

**WHEREAS**, the 2003 South Coast District Plan proposes a significant amount of emissions reductions through means that are yet to be specifically determined. To the extent that emissions from locomotives and rail yard equipment are not controlled, additional emissions reductions from sources subject to state and local regulatory jurisdiction, which have already been stringently regulated, will be required; and

**WHEREAS**, one means of mitigating emissions from locomotives is by funding programs to reduce equivalent emissions from other sources that contribute to ozone, PM10, PM2.5, or toxic air pollution. For example, the lack of grade separations between rail lines and surface streets in the South Coast Air Basin contributes to emissions from idling vehicles and is an indirect emissions impact of increasing rail traffic in the Alameda Corridor and Alameda Corridor-East. Funds obtained through a locomotive emissions mitigation program could be utilized to establish additional grade separations, as well as other control strategies; and

**WHEREAS**, unless and until the federal Environmental Protection Agency adopts regulations requiring locomotives in the South Coast Air Basin to achieve all feasible emission reductions as necessary to achieve federal clean air standards, the South Coast Air Quality Management District should be authorized to adopt a locomotive mitigation fee for locomotive emissions that is proportionate to the health and environmental harms resulting from those emissions, provided such mitigation fee does not result in a shift or increase in emissions to other parts of the Basin; and

**WHEREAS**, it is therefore necessary that legislation authorize the South Coast Air Quality Management District to implement a locomotive emission reduction and mitigation program; and a retrofit requirement for rail yard equipment; and

**WHEREAS**, it is therefore necessary that legislation authorize the California Air Resources Board to implement a statewide remote sensing program to detect high polluting locomotives operating in the state;

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DOES HEREBY DECLARE AND RESOLVE THAT ASSEMBLY BILLS: 1222 & 888; & SENATE BILL 459;**

are necessary to protect the health and welfare of our residents from cancer causing toxic air pollutants, especially children and seniors,  
are essential to reduce diesel emissions from locomotives in Southern California to meet deadlines between 2010 and 2021 for clean air established by federal government,  
are critical in ensuring the burden for emission reductions in the region is not unfairly placed on local businesses, and that significant future reductions are achieved from currently under-regulated locomotives and rail yard equipment,  
ensure funding to mitigate locomotive air pollution by creating additional grade separations between rail lines and local surface streets to reduce emissions from idling trains, and for programs to address accompanying health effects from diesel emissions,  
ensure that emissions from rail yard equipment impacting local communities will be controlled,  
ensure that high polluting locomotives in the state will be identified and that appropriate repairs will be requested,

**FURTHER RESOLVED, THE BOARD OF SUPERVISORS HEREBY URGES CALIFORNIA LEGISLATORS TO ENACT AB 1222; AB 888; AND SB 459; AS PROPOSED AND URGES THE GOVERNOR TO SIGN THEM INTO STATE LAW WITHOUT DELAY.**

**APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_ 2005.

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CHAIRMAN OF THE BOARD OF SUPERVISORS

ATTEST:

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CLERK TO THE BOARD OF SUPERVISORS