



SOUTH BAY CITIES
COUNCIL OF GOVERNMENTS

5033 Rockvalley Road
Rancho Palos Verdes, CA 90275
(310) 377-8987
sbccog@southbaycities.org
www.southbaycities.org

March 24, 2005

Honorable Senator Alan Lowenthal, Chair
Senate Environmental Quality Committee
State Capitol, Room 3048
Sacramento, CA 95814

RE: SUPPORT FOR AB 888, AB 1222 and SB 459

Dear Senator Lowenthal:

The South Bay Cities Council of Governments has taken a position of support on the following three bills: AB 888, AB 1222, and SB 459.

Lack of adequate emission reductions from mobile sources, including trains, are preventing this region from achieving clean air standards by the legally mandated federal deadline. These bills will help implement control strategies to mitigate emissions from locomotives and establish other mitigation programs. As you know, the South Coast Air Basin is one of two “extreme” non-attainment areas for ozone in the country with the worst air pollution. And additional emission reductions will be required for the region to meet the new federal clean air standards between 2010 and 2021. We must use every available strategy to meet those standards.

To continue to foster a strong economy in our region, we cannot rely only on businesses to tighten their operations to further control emissions. We believe the time is right to look to sources in this region that are not currently contributing their fair share of emission reductions—such as locomotive operations, which 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. Health studies have linked particulate pollution to lung cancer and the health and welfare of people who live and work in the vicinity of rail traffic is seriously impacted.

Therefore, the SBCCOG strongly supports AB 888, AB 1222 and SB 459.

Sincerely,

Susan Seamans,
Chair, SBCCOG
Councilwoman, Rolling Hills Estates

LOCAL GOVERNMENTS IN ACTION

Carson El Segundo Gardena Hawthorne Hermosa Beach Inglewood Lawndale Lomita Los Angeles Manhattan Beach
Palos Verdes Estates Rancho Palos Verdes Redondo Beach Rolling Hills Rolling Hills Estates Torrance

*****SAMPLE*****

Local Government Letter of Support

AB 888 (De La Torre), AB 1222 (Jones), SB 459 (Romero)
Locomotive and Rail Yard Emissions Reduction & Mitigation Bills

Dr. Barry R. Wallerstein
Executive Officer
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, California 91765

Dear Dr. Wallerstein:

On behalf of the City of _____, we support the following three bills, AB 888, AB 1222, and SB 459.

Lack of adequate emission reductions from mobile sources, including trains, are preventing this region from achieving clean air standards by the legally mandated federal deadline. These bills will help implement control strategies to mitigate emissions from locomotives and establish other mitigation programs. As you know, the South Coast Air Basin is one of two “extreme” non-attainment areas for ozone in the country with the worst air pollution. And additional emission reductions will be required for the region to meet the new federal clean air standards between 2010 and 2021.

To continue to foster a strong business environment in our city, we cannot ask businesses to continually tighten their operations to further control emissions. We believe the time is right to look to sources in this region that are not currently contributing their fair share of emission reductions— such as locomotive operations, which are one of the single largest source of air pollution in the South Coast Air Basin. It’s critical that this emission source be mitigated. Health studies have linked particulate pollution to lung cancer and the health and welfare of people who live and work in the vicinity of rail traffic is seriously impacted.

This year the legislature faces difficult decisions that will affect constituents. The City of _____ supports these bills which will reduce health impacts and bring health-based clean air standards to our residents.

Sincerely,

{Insert Name} Mayor
{Insert City}

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF _____
EXPRESSING THE CITY COUNCIL'S 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 CITY COUNCIL OF _____ 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 CITY COUNCIL 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.

MAYOR

ATTEST:

CITY CLERK