

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Board of Supervisors

BOARD AGENDA # *A-6

Urgent

Routine

AGENDA DATE January 29, 2008

CEO Concurs with Recommendation YES NO

4/5 Vote Required YES NO

(Information Attached)

SUBJECT:

Approval of a Resolution Urging the California State Air Resources Board to Increase the San Joaquin Valley Air Pollution Control District's Share of Allocation of Proposition 1B Goods Movement Air Quality Mitigation Funds

STAFF RECOMMENDATIONS:

Adopt a resolution urging the California State Air Resources Board to increase the San Joaquin Valley Air Pollution Control District's share of Proposition 1B goods movement air quality mitigation funds above the levels proposed by the Air Resources staff.

FISCAL IMPACT:

The fiscal impact associated with this item is unknown at this time. Once the air quality mitigation funds have been allocated by the State Air Resources Board the staff will evaluate the fiscal impact to Stanislaus County.

BOARD ACTION AS FOLLOWS:

No. 2008-058

On motion of Supervisor Grover, Seconded by Supervisor O'Brien
and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, DeMartini, and Chairman Mayfield

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

SUBJECT: Approval of a Resolution Urging the California State Air Resources Board to Increase the San Joaquin Valley Air Pollution Control District's Share of Allocation of Proposition 1B Goods Movement Air Quality Mitigation Funds
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DISCUSSION:

In November of 2006, California voters approved Proposition 1B authorizing \$1 billion in bond funding to reduce air pollution associated with the movement of freight along California's trade corridors. Subsequent legislation established standards and procedures for the expenditure of these funds. The State Air Resources Board (ARB) was designated as the administering agency responsible for programming the bond funds in partnership with local agencies such as the air districts.

In 2007, the San Joaquin Valley Air Pollution Control District successfully advocated that heavy-duty truck emissions down stream and separate from the ports be given equal weight as port emissions in assessing goods movement impact on air quality, and that most severely impacted regions be given priority in the expenditure of bond funds. The State 2007-08 budget includes the first installment of \$250 million. On January 3, 2008, ARB staff published their proposed implementation guidelines, including allocations by region and by source category. These recommendations will be considered by the ARB Board at their February meeting.

The San Joaquin Valley Air Pollution Control District is designated as an extreme non-attainment area for the health-based 8-hour federal ozone standard and a non-attainment area for the PM2.5 standard. Since the heavy-duty diesel trucks used for goods movement are, by far, the Valley's largest single source of smog-forming oxides of nitrogen (NOx), representing over 50% of the mobile source emissions, and over 40% of total NOx emissions. The District staff is recommending that at least 37% of the Proposition 1B air quality mitigation funding be given to the San Joaquin Valley Air Pollution Control District. At the January 17, 2008 Air District Governing Board meeting, the Board approved a resolution urging the Air Resources Board to increase the share of Proposition 1B goods movement air quality mitigation funds above the levels proposed by the ARB staff.

The San Joaquin Valley Air Pollution Control District Governing Board is requesting that the counties within the Air District adopt similar resolutions urging the California State Air Resources Board to increase the San Joaquin Valley Air Pollution Control District's share of Proposition 1B goods movement air quality mitigation funds above the levels proposed by the Air Resources staff.

POLICY ISSUE:

This issue addresses the Board of Supervisors' goal of a health community.

STAFFING IMPACTS:

There are no staffing impacts associated with this item.

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

Date: January 29, 2008

No. 2008-058

On motion of Supervisor Grover and approved by the following vote,
Seconded by Supervisor O'Brien

Ayes: Supervisors: O'Brien, Grover, Monteith, DeMartini, and Chairman Mayfield

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

Item # *A-6

THE FOLLOWING RESOLUTION WAS ADOPTED:

IN RE: THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT'S SHARE OF ALLOCATION OF PROPOSTION 1B GOODS MOVEMENT AIR QUALITY MITIGATION FUNDS

WHEREAS, the San Joaquin Valley Unified Air Pollution Control District (District) is a duly constituted unified district, as provided in California Health and Safety Code (CH&SC) Sections 40150 to 40161; and

WHEREAS, in November of 2006, California voters approved Proposition 1B authorizing \$1 billion in bond funding to reduce air pollution and health risk along California's priority trade corridors; and

WHEREAS, in the January 3, 2008 Air Resources Board staff report on the Proposition 1B Emissions Reduction Incentive Program, Air Resources Board staff proposed to allocate only 25% of the Proposition 1B air quality mitigation funding to the entire Central Valley trade corridor, which includes both the San Joaquin Valley Air Pollution Control District and the Sacramento Metropolitan Air Quality Management District; and

WHEREAS, in the above-mentioned proposal for allocating the Proposition 1B funding, Air Resources Board staff relies on goods movement emission inventory figures that have not been officially sanctioned, lack technical justification, and are not consistent with numbers used in State Implementation Plans; and

WHEREAS, in the above-mentioned proposal for allocating the Proposition 1B funding, Air Resources Board staff ignores the San Joaquin Valley's need for expedited attainment of the federal 8-hour ozone standard by 2017, even though State Officials, including Air Resources Board members and Governor Schwarzenegger, have expressed their commitment to attaining the federal 8-hour ozone standard in the Valley by 2017; and

WHEREAS, in the above-mentioned proposal for allocating the Proposition 1B funding, Air Resources Board staff relies on population figures without considering per capita population exposure to air pollution; and

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk
Stanislaus County Board of Supervisors,
State of California



WHEREAS, the District's *2007 Ozone Plan* identifies substantial new emission reductions that are needed to attain the health-based ambient air quality standards for 8-hr ozone and also for particulate matter less than 2.5 microns in diameter (PM2.5) implemented by the United States Environmental Protection Agency (EPA); and

WHEREAS, the District's *2007 Ozone Plan* shows that regulatory programs alone will not provide the emission reductions needed to meet federal Clean Air Act requirements for the federal 8-hr ozone and PM2.5 standards; and

WHEREAS, heavy-duty diesel trucks used for goods movement in the San Joaquin Valley are by far the Valley's largest single source of smog-forming oxides of nitrogen; and

WHEREAS, emissions from heavy-duty trucks are under the primary regulatory jurisdiction of the state and federal governments, not the District; and

WHEREAS, the San Joaquin Valley north-south trade corridor comprised of Highway 99 and Highway 5 carries more heavy-duty truck traffic than any other goods movement corridor in the state, 45.9 percent of the total vehicle miles traveled (VMT) for the four major goods movement corridors; and

WHEREAS, the San Joaquin Valley, due to its topography and meteorology, faces a greater challenge in improving air quality than any other area of California; and

WHEREAS, a higher level of goods movement air quality mitigation funding than proposed by Air Resources Board staff would help serve the needs of the Valley's diverse low-income population by reducing exposure to air pollution from goods movement; and

WHEREAS, the District has an outstanding track record of effectively using incentive funding to achieve meaningful emissions reductions;

NOW, THEREFORE, BE IT RESOLVED that the Stanislaus County Board of Supervisors urges the Air Resources Board to: use officially sanctioned heavy-duty truck emissions inventories in calculating goods movement air quality mitigation funding allocations; consider the San Joaquin Valley's need for expedited attainment of the federal 8-hour ozone standard by 2017 in developing goods movement funding allocations; consider the San Joaquin Valley population's exposure to air pollution, and not just the population numbers, in the formula for establishing goods movement funding allocations; and, reaffirm their commitment to eliminating violations of health-based air quality standards in the San Joaquin Valley by allocating at least 37% of the total Proposition 1B goods movement air quality mitigation funding to the Central Valley.



BOARD OF SUPERVISORS

William O'Brien
District One

1010 10TH Street, Suite 6500, Modesto, CA 95354
Phone: 209.525.4440 Fax: 209.525.4410

January 18, 2008

Thomas Mayfield
Chairman, Stanislaus County Board of Supervisors
1010 10th Street Ste. 6500
Modesto, CA 95354

Dear Chairman Mayfield,

As a member of the San Joaquin Valley Air Pollution Control District Board of Directors and Supervisor of District One in Stanislaus County, I am concerned about the Staff Proposal of the Air Resources Board that will directly impact our battle to improve air quality in the Central Valley.

The Air Resources Board staff recently reported the proposed allocation of Prop. 1B funding for the "Goods Movement Emission Reduction Plan." Although the Central Valley is well-known for having the worst air quality in the nation, the Air Resources Board plans to distribute the funding disproportionately to Southern California. The Central Valley is impacted by 45% of the goods movement from diesel truck emissions in the four corridors eligible for Prop. 1B funding, yet may receive only 25% of Prop. 1B funds. The Air Resources Board previously emphasized the importance of clean air in the San Joaquin Valley by establishing a task force to attain better air quality in the Valley more quickly, yet now they stop short of their commitment by proposing such meager allocation.

Each community can help the Central Valley receive its fair share of funding by submitting a resolution of support to the Air Resources Board as well as my office. It is essential to submit the resolution quickly, before the Air Resources Board votes to set this in stone. I have attached a sample resolution for your convenience. Proposals should be sent to:

Mary Nichols
Air Resources Board
California Air Resources Board
1001 "I" Street
P.O. Box 2815
Sacramento, CA 95812

William O'Brien
Supervisor, District One
1010 10th Street Ste. 6500
Modesto, CA 95354

Let's work together to ensure that the underserved Valley receives the resources it needs from the Air Resources Board to combat this very real and critical issue that we face.

Sincerely,

William O'Brien
Supervisor, District One
Board of Directors, San Joaquin Valley Air Pollution Control District



California State Legislature
Assemblymember Aghazarian

State Capitol, Room 4167
Sacramento, CA 95814
Phone: 916-319-2026
FAX: 916-319-2126



DATE: 2/13/08

TO: Christine Ferraro Tallman

PHONE: _____

FAX: 209-525-4420

FROM: Gail DeHant

PHONE: (916) 319-2729

Number of Pages (including cover sheet): 7

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Comments: In response to the proposed
GMERT prop B funding allocation
by the ARB ... please see the
following

CALIFORNIA LEGISLATURE

STATE CAPITOL
SACRAMENTO, CALIFORNIA
95814

January 21, 2008

Mary Nichols, Chair
Air Resources Board
California Air Resources Board
1001 "I" Street
P.O. Box 2815
Sacramento, CA 95812

Re: Proposition 1B

Dear Ms. Nichols:

We were recently advised of a preliminary report which included the allocation of the Proposition 1B funding for the "Goods Movement Emission Reduction Program". While we understand that this is merely a "draft," we are deeply concerned over the proposed 25% allocation to an area that is impacted by 45% of the goods movement-related diesel truck emissions generated in the four corridors identified as being eligible for Prop. 1B funding. We feel it is prudent to allocate the most funds in areas with the biggest challenges, and where emissions from diesel trucks and locomotives do the most damage. We believe that an objective, needs-based analysis justifies that at least 37% of the Proposition 1B Air Quality funding should be allocated to the Central Valley. The increased allocation to the Valley is based upon the following factors:

- Inclusion of the required emissions reductions to bring the Valley into attainment of the 8-hour ozone standard by 2017 in the "SIP Needs" factor.
- Utilization of the official emissions inventory for "Goods movement emission" factor.
- Utilizing a per capita pollution exposure weighting in the "Population" factor.

As you are aware, the San Joaquin Valley faces significant air quality challenges. Over the past year, the Air Resources Board (ARB), the San Joaquin Valley Air District Board, and the Governor have all expressed a desire to accelerate the attainment of clean air standards in the San Joaquin Valley. The ARB established a task force to seek opportunities to achieve additional emissions reductions to bring the San Joaquin Valley

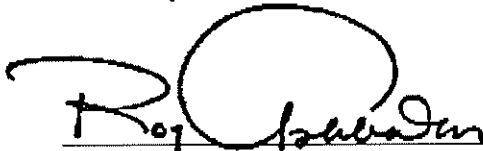
BOARD OF SUPERVISORS
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into attainment sooner than can be reached through the identified regulatory strategies. However, the current ARB proposal of 25% seems to be out of synch with these goals and would not allow sufficient funding for this accelerated attainment.

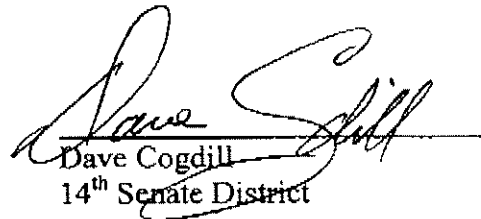
Sadly, competing for state dollars is not a new concept for the San Joaquin Valley on many fronts. We have consistently been strong advocates for our underserved Valley and we can not emphasize enough that the problems which exist in the Central Valley are every bit as important as those in Southern California and deserve a greater share of the allocation than proposed.

We appreciate the opportunity to voice our concerns on behalf of the people of Central California.

Sincerely,



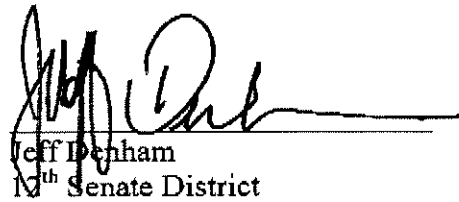
Roy Ashburn
18th Senate District



Dave Cogdill
14th Senate District



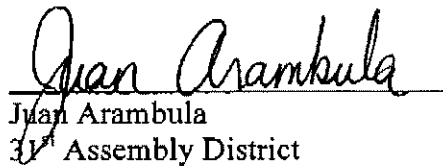
Dave Cox
1st Senate District



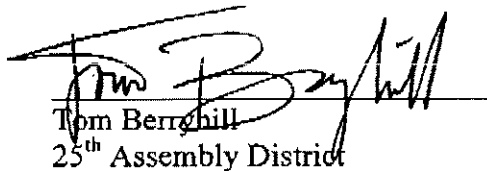
Jeff Denham
10th Senate District



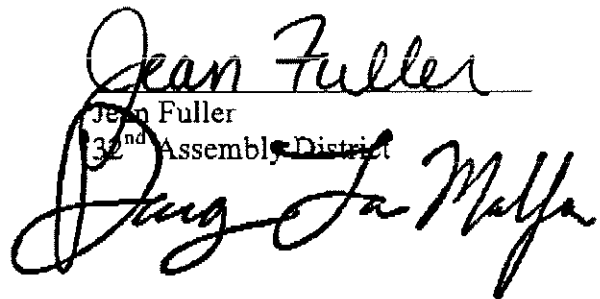
Greg Aghazarian
26th Assembly District



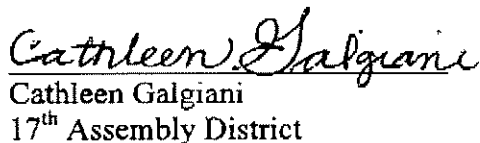
Juan Arambula
31st Assembly District



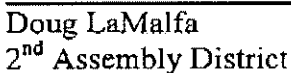
Tom Berrhill
25th Assembly District




Jean Fuller
32nd Assembly District




Cathleen Galgiani
17th Assembly District



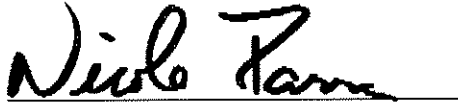
Doug LaMalfa
2nd Assembly District




Bill Maze
34th Assembly District



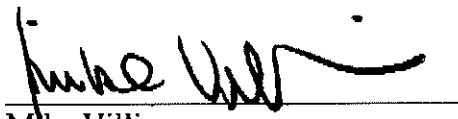
Alan Nakanishi
10th Assembly District



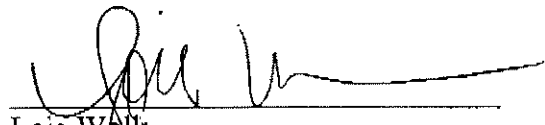
Nicole Parra
30th Assembly District



Ted Gaines
4th Assembly District



Mike Villines
29th Assembly District



Lois Wolk
8th Assembly District