

SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT

For the agenda of: May 22, 2003

**To: Board of Directors
Sacramento Metropolitan Air Quality Management District**

**From: Norm Covell
Air Pollution Control Officer**

Subject: Episodic Strategy Ordinances

Recommendation Staff recommends that your Board adopt a resolution in support of the attached model ordinance language; and that your Board send a letter similar to the attached draft letter to encourage local government agencies in the Sacramento Federal Ozone Non-Attainment Region to adopt these ordinances. These ordinances cover:

- Idling restrictions;
- Proactive “green” contracting by government agencies; and
- Aggressive low-emission government fleet programs.

Ordinance Assignment In October 7, 2002, Rex Bloomfield, Chair of the Placer County Air Pollution Control District and the Placer County Board of Supervisors, convened the Sacramento Ozone Summit (SOS). His motivation came from the extended period of very poor air quality between August 11 – 16, 2002. His stated intention for bringing together elected officials and agency heads from around the region was to develop strategies that could be implemented very quickly to prevent similar poor air quality days this summer.

A wide variety of strategies and regional issues were discussed at this event but only one action item was developed. This action item was direction to the staff of the region’s air districts to develop model ordinance language as noted above that could be adopted by the various local government agencies and implemented immediately.

Working Group The Sacramento Metropolitan Air Quality Management District (SMAQMD) Mobile Source Division staff took the lead in:

- Organizing a working group to address the ordinance development effort;
- Drafting the model ordinance language; and
- Managing the comment process from affected parties.

The model ordinance working group consisted of representatives from:

- SMAQMD
- Yolo/Solano AQMD
- Placer County APCD
- City of Woodland Public Works Department
- Placer Hills School District
- Teichert Aggregates

Model Ordinance Concepts Language has been developed by the Working Group for three model ordinances which are:

- Idling restrictions;
- Proactive “green” contracting by government agencies; and
- Aggressive low-emission government fleet programs.

Idling Control Ordinance

- Targets
 - On-road
 - All diesel vehicles (no matter what weight class)
 - All heavy-duty vehicles (over 14,000# Gross Vehicle Weight)
 - Off-road
 - All diesel equipment (no matter what horsepower)
 - All equipment with engines over 50 horsepower
 - Transport Refrigeration Units (TRU)
- Requirements
 - Restricts idling to 5 minutes or less
 - Restricts TRU operation to loading, unloading or 30 minutes before or after
 - Vehicle/Equipment owners are required to train drivers/operators and keep records
 - Private property owners are required to notify drivers/operators
- Exemptions
 - Idling for health & safety, maintenance and emergency situations
 - Traffic conditions (traffic signals, at the direction of a peace officer)

Proactive “Green” Contracting Ordinance

- Target
 - Local Government Agencies
- Requirements
 - Preference given by awarding points to contractors for:
 - Verified low-emission on-road heavy-duty fleets
 - Verified low-emission off-road heavy-duty fleets
 - Light-duty fleets that are 50% ULEV or better
 - Documented employee commute mode shift of 20% or >
- Issues
 - Public Works bids using State criteria requiring lowest bid cannot use preference points
 - Alternative implementation strategies added:
 - Requiring the use of a low-emission fleet in the bid specification
 - Providing a bonus for use of a low-emission fleet
 - Prohibiting work on Spare the Air Days unless using a low-emission fleet
- Measurement of employee mode-shift
- Staff effort to verify low-emission fleet status

Low-Emission Fleet Ordinance

- Targets
 - Local Government Agencies
- Requirements
 - Purchase ULEV or cleaner light- and medium-duty vehicles
 - Reduce average emissions of NOX and PM
 - On-road fleets 8% - 20% (except newest vehicles)
 - Off-road fleets 20% (except for newer equipment)
 - Annual reporting of progress to governing board
- Issues
 - Commitment to reduce emissions from a fleet may be expensive
 - Staff effort to verify low-emission fleet status

Your Board’s Action

At your April 24, 2003, Board meeting, your Board heard a presentation on the model ordinances by Tim Taylor, the Manager of the Mobile Source Division. Following that presentation, your Board requested that the following actions be taken:

- That Transport Refrigeration Units (TRU) be included in the Idling Control Ordinance;
- That the Ordinances be presented to the Cleaner Air Partnership; and

- That the Ordinances be placed on the agenda of the May Board meeting for action to support these model ordinance concepts and to recommend that the local government agencies within the region adopt them.

The following actions have been taken following your Board's direction at the April 24,2003, Board meeting:

- TRU requirements have been included in the Idling Control Ordinance;
- The model ordinance language was provided to the Cleaner Air Partnership. The Chairman of the Cleaner Air Partnership chose to circulate the Ordinances for comment by Partnership members; and
- This staff report and resolution create the opportunity for your Board to adopt a resolution supporting the ordinances and creating a letter to be sent to the local government agencies in the SFNA recommending that they adopt them.

Respectfully submitted,

Norm Covell
Air Pollution Control Officer

Attachments

RESOLUTION NO. _____

**RESOLUTION ENDORSING THE MODEL ORDINANCE LANGUAGE ADDRESSING IDLING,
GOVERNMENT AGENCY CONTRACTING AND GOVERNMENT AGENCY FLEETS**

WHEREAS, the Sacramento Metropolitan Air Quality Management District is designated Severe Non-Attainment by the federal government for ozone; and

WHEREAS, Oxides of Nitrogen (NOx) emissions are a major precursor to ozone formation in the Sacramento Federal Ozone Non-Attainment Area (SFNA); and

WHEREAS, Diesel Particulate Matter (PM) has been declared a Toxic Air Contaminant by the California Air Resources Board; and

WHEREAS, diesel engines powering on-road vehicles, off-road equipment and Transport Refrigeration Units are major sources of both NOx and PM in the SFNA; and

WHEREAS, elected officials and agency heads from all around the SFNA met on October 7, 2002, at the Sacramento Ozone Summit (SOS) to discuss practical ways that air quality in our region could be improved in the near term; and

WHEREAS, the SOS requested that staff of the Air Districts of the SFNA develop model ordinance language that could be adopted by the local government agencies of the SFNA to control emissions from idling, to use the government contracting process to encourage lower-emission private company fleets, and to require lower emission government fleets; and

WHEREAS, staff of the Sacramento Metropolitan Air Quality Management District worked with the staff of the Yolo/Solano Air Quality Management District and staff of the Placer County Air Pollution Control District, along with representatives from the City of Woodland Public Works, Placer Hills School District and Teichert Construction to develop model ordinance language; and

WHEREAS, the draft model language has been reviewed and commented upon by a variety of public agencies and private companies and fleets; and

WHEREAS, this Board reviewed and commented on the model ordinances at its April 24, 2003 Board meeting, and staff revised the model ordinances in response to the Board's comments.

NOW, THEREFORE, BE IT RESOLVED that the Sacramento Metropolitan Air Quality Management District Board of Directors supports these model ordinances; and

BE IT FURTHER RESOLVED AND ORDERED, that the Air Pollution Control Officer is hereby directed to develop a letter essentially similar to the sample letter attached for signature by the Chair of this Board to be sent to the Chairs of the Boards of Supervisors and City Councils of all the cities and counties in the SFNA stating that this Board declares support for the model ordinances and also encouraging the cities and counties to adopt the ordinances.

ON A MOTION by Director _____, seconded by Director _____, the forgoing resolution was passed and adopted by the Board of Directors of the Sacramento Metropolitan Air Quality Management District this 22nd day of May 2003, by the following vote to wit:

AYES: **Directors**

NOES: Directors

ABSENT: Directors

ABSTAIN: Directors

Chair of the Board of Directors
Sacramento Metropolitan Air Quality
Management District

(SEAL)

ATTEST _____
Clerk of the Board of Directors