

Senate Committee on the Environment and Natural Resources

City of Portland Testimony on SB 1008

Introduction

Thank you Chair Dembrow and members of Senate Committee on the Environment and Natural Resources for the opportunity to testify today.

My name is Kyle Diesner and I am here on behalf of the City of Portland to testify in support of legislation to reduce pollution from diesel combustion.

I am the lead policy analyst on climate and energy issues at the Portland Bureau of Planning and Sustainability. Over the past decade I have led a variety of efforts to reduce air pollution from diesel engines.

As you've heard, the health impacts of diesel emissions are real and the Portland metro area has disproportionately high exposure to diesel emissions – Improving local air quality is a priority issue for the City of Portland.

Portland's history with this issue

North Portland has the highest level of diesel PM in the state. Of particular concern for Portland is off-road construction equipment because 37 percent of diesel air pollution in Portland comes from the construction sector.

The City of Portland began to explore opportunities to reduce emissions from diesel engines in 2006. As part of this initiative, we obtained \$2.3 million in grant funding from the US Environmental Protection Agency and Oregon Department of Environmental Quality. The funding was used to retrofit the City's entire diesel

fleet, including on and off road equipment, with emissions control devices and idle reduction technology.

In addition, at that time we piloted a clean diesel contracting policy, which included retrofitting private contractor fleets on a voluntary basis. The City of Portland, together with our partners at Multnomah County and other regional jurisdictions, remain committed to taking action to reduce diesel air pollution – but we need the State’s help.

Why state action is important

We have learned a lot over the past decade of trying to make progress on this issue – what works, what does not, and where the barriers are. While the environmental and public health benefits of investments in emission control devices are real, it was difficult for Portland to make the case that a single contractor or a single local jurisdiction should bear all of those costs on a given project. It is very clear to us (and the other local jurisdictions we work with) that statewide action is the #1 thing needed to achieve meaningful reductions in diesel pollution.

There are several reasons we are here to express our support for this bill. This bill will stop Oregon from being a dumping ground for dirty equipment. This bill will help to level the playing field across jurisdictions by standardizing expectations and contracting criteria. This bill will also help make these investments pencil out for contractors and the public because on a larger scale we are all actively working together to reduce emissions, not just those who take early action.

In addition, at the local level we have limited ability to ensure that retrofits we fund with taxpayer dollars remain in use locally. Statewide action will help ensure that retrofitted equipment stays in Oregon to benefit Oregonians.

We also strongly support the repeal of the State preemption of local regulation of commercial vehicle idling. In dense urban areas, local governments need the authority to address idling to protect the health of our residents.

Lastly, statewide action enables opportunities to effectively address disproportionate impacts on small and minority contracting firms. This is a concern of ours and we appreciate this committee's effort to address this in statute by reserving a portion of Clean Diesel Engine funds to be available to small fleets and creating a pathway for simplified access to financial assistance. We believe this is a critical piece to any clean diesel bill.

Changes we'd like to see

We would like to recommend a couple changes to the bill. First, the City of Portland is opposed to diverting Congestion Mitigation and Air Quality Improvement funding to the Clean Diesel Engine Fund. CMAQ funds are critical for projects that reduce air pollution and provide congestion relief, which reduces emissions from idling. Some of the most critical and effective CMAQ projects may, or may not, reduce diesel emissions. We believe that any funding available through the Clean Diesel Engine Fund should be directly linked to primary sources of diesel pollution. To this end, in addition to allowing clean diesel projects to compete against other projects for CMAQ dollars, the City of Portland supports a "polluter pays" approach. Potential funding sources for retrofits include (1) a 1%

for clean diesel on all federal and state funded construction dollars or (2) a surcharge on non-road diesel engine registration renewals.

The second change the City of Portland would like to see is the creation of a statewide Clean Diesel Sticker Program – administered by DEQ - which would create a way for public sector construction managers and the public to easily ascertain if a piece of equipment meets the State’s clean diesel standards.

Conclusion

In conclusion, the science is clear – now is the time for action. Today, Portland has the highest concentration of diesel pollution in the state. Portland has taken steps to address diesel, but it is critical the State takes a lead now.

Although we’d like to see changes to the bill’s provisions that divert CMAQ funding and we suggest the addition of a statewide clean diesel sticker program, Portland fully supports this impressive bill. We have lagged behind California on this issue for too long. Oregon is a leader on countless environmental issues and it is time we step up to the challenge on air quality.

Thank you for opportunity to provide testimony