



Ms. Liana M. Randolph, Chair
California Air Resources Board
Clerk's Office
1001I Street
Sacramento, CA 95814 (via electronic only)

June 16, 2025

RE: Notice of Public Hearing to Consider Proposed Repeal of the In-Use Locomotive Regulation

Dear Chair, Randolph and Members of the Board,

I am writing on behalf of the members of the Rail Passenger Association of California and Nevada (RailPAC) living, working, and traveling throughout California. RailPAC is 501(c)(3) all-volunteer statewide organization of railroad professionals and advocates that has campaigned for the improvement of regional and intercity passenger rail service since 1978. RailPAC members also advocate for increased use of rail freight both to reduce carbon emissions as well as maintain a solid foundation for intercity and regional passenger rail service.

While RailPAC strongly supports the electrification of rail service, RailPAC finds it must recommend the Repeal of the In-Use Locomotive Regulation. RailPAC recommends this action because of the arbitrary, inflexible and ultimately counterproductive implementation of the proposed rule by CARB. While research and incentives have been undertaken for the highway mode, little has been done for the rail mode. In fact, CARB seems to view the rail mode (both freight and passenger) strictly as a pollution source and not as a tool that can be used to directly reduce VMT (a state goal) and associated carbon emissions by operating additional passenger and freight trains.

Of equal concern is the perception of California's focus on hydrogen power as the solution to achieving zero emission rail operations despite the growing issues of fuel cost, fuel source, hydrogen leaks and life cycle costs of hydrogen fuel cells.

RailPAC further recommends that CARB pivot to an alternative strategy, one that is more flexible, more incremental in nature but achievable, to reach the goal of zero emission rail operations. One key in this pivot is to recognize, incentivize and build upon the energy efficiency of the rail mode. With internal combustion automobiles and long-haul diesel trucks now likely to remain in service for decades, this is an even more relevant strategy. A rider or ton of freight that is shifted from the highway mode to a train powered by a Tier 4 diesel powered with renewable fuel, results in an 80% reduction in GHG gases.

Moving forward, CARB must adjust its approach to the decarbonization of the rail mode recognizing that any railroad investments must "pencil out" to be widely adopted. In undertaking this reassessment CARB needs to include the findings of the multi-agency "An Action Plan for Rail Energy and Emissions Innovation," December 2024 as well as addressing errors and faulty assumptions in previous CARB sponsored studies published in 2016. These are outlined in a paper titled "RailPAC Analysis of California Air Resources Board (CARB) Reports and Policies on Rail Transportation" (sent to CARB April 2024). In addition, railroad operating patterns and not state boundaries should dictate the territory of any electrification implementation phase.

The recommended rail mode transition strategy would reduce carbon emissions while addressing institutional issues that prevent widespread adoption of the global gold standard for electrification of the rail mode.

Suggested transition components are:

Foundational Phase:

- Credits to incentivize rail carriers to shift to a renewable fueled tier 4 locomotive fleet.
- Coordinate with Caltrans and the California Transportation Commission to implement rail line capacity investments that enable additional passenger train frequencies and expanded freight service targeting profitable but lower yielding freight traffic (i.e., port container shuttles).
- Regulatory Reform: CARB should recommend to the legislature changes, both in terms of environmental studies as well as local and state permitting, to facilitate a streamlined planning process on an expedited timeline. The overweighting of local concerns vs. regional benefits in the planning process should be addressed as part of the legislative changes. The overall regional benefits of the operation of additional rail service yielding large reductions in GHG emissions need to be properly weighted in the planning process.
- Regulatory Reform: CARB should recommend to the legislature that AB 2503 (CEQA exemption for electrification on rail rights-of-way) be made permanent and apply to freight rail rights-of-way. In addition, any project meeting the requirements of AB 2503 should qualify for a categorical exemption from NEPA requirements.
- In partnership with Caltrans, identify the managerial, structural, and institutional factors raising the cost of Overhead Catenary System (OCS) electrification compared to international experience. Recommendations for legislative, governance and managerial changes to streamline and lower the cost of OCS electrification should be developed. Caltrain electrification should not be the only data point for the cost of OCS electrification
- CARB and Caltrans should sponsor a series of tests, assessments, and best practices to evaluate and develop mitigation around freight railroad concerns regarding OCS electrification.
- Continue the grant program to replace tier 0 and older locomotives on industrial and short-line railroads with Zero Emissions locomotives. Expand program to yard locomotives at key locations.

Expansion Phase:

- Move forward with initiatives to place into service hybrid diesel/battery locomotives (rebuilt tier 3 locomotives) as well as integrated hybrid power consists (renewable fueled tier 4 diesel locomotive paired with a battery locomotive). Both initiatives would yield even higher GHG reductions than renewable fueled tier 4 locomotives alone.
- Install discrete sections of catenary (discontinuous catenary) to evaluate its feasibility as a range extender for hybrid locomotives and power consists. It would also assess the feasibility of this strategy as an incremental step toward full electrification.
- Utilizing CAHSR and Brightline OCS as a foundation and in partnership with Caltrans, undertake incremental projects to maintain the managerial, contractor and supply chain base to continue OCS electrification projects.
- Finance, not technology, is the major barrier to OCS electrification. CARB should collaborate with key stakeholders to develop financial packages to derisk electrification and avoid near-term negative impacts (i.e., during construction) on the freight railroad balance sheets.

RailPAC thanks you for the opportunity to provide comments to the Board.

Sincerely,

Steve Roberts

Steve Roberts, President Rail Passenger Association of California and Nevada