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May 15, 2007

Kathleen Quetin  
c/o Clerk of the Board  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

RE: Off-Road Diesel Regulation  
CARB Meeting – May 25, 2007

Dear Ms. Quetin:

As you know, on May 25, 2007, the California Air Resources Board will meet to discuss passage of the Off-Road Diesel Regulation. For the last two years I have actively worked with local organizations, unions, CIAQC and state legislators to voice from the construction field the negative impact that the aforementioned regulation will have on my business and those of my colleagues, and therefore as a result, my clients, my employees and the various local organizations that I support. Despite my efforts and the efforts of many private citizens and local business men and women like me, it would appear that passage of this regulation is moving forward. The effects of this regulation as currently written will be catastrophic to my business at a time when increased competition from private sector companies moving into public works has already caused me to downsize space and employees. The regulation as written will severely hurt many construction businesses when we are already struggling to keep our companies moving forward and our employees employed.

I am committed to changes in our industry to help protect the environment and the personal safety of residents and tourists, but I am also committed to keeping my employees employed and to reducing costs to my customers where possible. Construction equipment is very expensive and only after working it for many years do you start to see a break-even point, let alone a profit margin. The timeframe set out by this regulation will make it virtually impossible to recover costs before having to replace an existing piece of equipment with a new one.

I appreciate the time you have given to me and only ask that the board consider the impact this will have on our industry.

Sincerely,

David Elsberry  
President

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