



"WE SPECIALIZE IN SATISFIED CUSTOMERS"

December 10, 2008

Clerk of the Board
Air Resources Board
1001 "I" Street
Sacramento, CA 95814

Re: ARB Proposed On-Road Diesel Regulation

To Whom It May Concern:

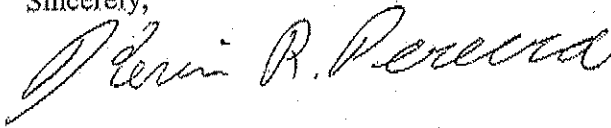
Established in 1972, Hat Creek Construction & Materials, Inc. continues its success by offering significant diversity including: road & bridge construction, commercial & home building, underground utilities, equipment rental and trucking. We also manufacture and supply asphalt concrete, ready-mix concrete, crushed aggregate, rip rap, cinder, sand products and landscape materials.

The On-Road Diesel Regulation currently proposed by ARB would require us to either replace or retrofit every diesel truck in our fleet. This proposed regulation comes on the heels of ARB's Off-Road Diesel Regulation which we are struggling to comply with. The cumulative effect of these ARB regulations, along with laws from other regulatory agencies, severely impacts our ability to remain diversified and be successful.

Hat Creek Construction & Materials Inc, along with similar companies across the state, have been hard hit by the recent economic downturn and cannot absorb the huge financial impact regulations such as these impose. Replacement of an entire fleet of trucks is a devastating blow to any company, large or small. Combine that with the requirement to replace or retrofit a fleet of off-road heavy equipment *and* an economic downturn and many companies will not be able to stay afloat.

While we understand the need to reduce PM & NOx emissions, we would like to see provisions in place to cover the economic impact of such regulations. I know that the DTCC has submitted an alternative proposal which includes these types of provisions. We are hopeful that a regulation can be developed that will improve air quality while considering the imminent economic impact on California's business community and, in turn, general population.

Sincerely,

A handwritten signature in cursive script, reading "Kevin R. Pereira". The signature is written in dark ink and is positioned above the printed name and title.

Kevin Pereira
Aggregates Manager