



GOVERNOR ARNOLD SCHWARZENEGGER

March 27, 2009

The Honorable Darrell Steinberg
President pro Tempore
California State Senate
State Capitol
Room 205
Sacramento, California 95814

The Honorable Karen Bass
Speaker
California State Assembly
State Capitol
Room 219
Sacramento, California 95814

The Honorable Dennis Hollingsworth
Republican Leader
California State Senate
State Capitol
Room 305
Sacramento, California 95814

The Honorable Michael Villines
Republican Leader
California State Assembly
State Capitol
Room 3104
Sacramento, California 95814

Dear Senator Steinberg, Speaker Bass, Senator Hollingsworth and Mr. Villines,

During troubling economic times like these, it is vital that government do everything it can to keep the doors of business open and keep people in their jobs. Today I took two actions to this end.

First, I signed the federal economic stimulus bills you sent me to ensure that California can receive and efficiently disburse billions of dollars in economic stimulus funding for our state. I commend all of you for working together to quickly get these bills to my desk.

Second, I asked the Air Resources Board (ARB) to delay the effective date of the mandate for installation of the EVR Phase II Vapor Recovery Systems and In-Station Diagnostics systems.

Improving the quality of California's air is of the utmost importance to me. But I recognize that our state also faces very real economic challenges right now. In this time of crisis, when thousands of Californians are out of work and every dollar counts for families across the state, we must take care not to be the source of further burdens.

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ARB estimates that at least 3,000 station owners throughout the state will not be able to comply with the current April 1, 2009, deadline for these regulations. Current law allows these stations to be shut down and fined significantly for not meeting the requirements of the regulation. Because of air quality improvements required by federal and state law, the Air Resources Board might only be able to delay the effective date of these regulations for so long. Significant delays in the effective date put in jeopardy our state's ability to meet air quality mandates and punish station owners who have already complied with the law.

We must move forward in a way that recognizes the significant economic challenges we currently face. To that end, I urge you to place an urgency bill on my desk by April 30, 2009, that provides financial assistance for station owners who cannot secure adequate financing for this upgrade and enacts an "enforcement holiday" of one year in which station owners shall not be shut down or fined if they have not installed these systems, so long as they have shown a good faith effort to comply.

I am not writing to argue against the value or soundness of the Board's rule, but I am writing to suggest that enforcement flexibility is an absolute necessity to ensure against the job and financial losses that could come from stations being shut down or fined for noncompliance. I look forward to working with you to resolve this matter quickly and fairly in these troubling economic times.

Sincerely,



Arnold Schwarzenegger

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