



August 23, 2021

The Honorable Marc Berman  
Member, California State Assembly  
State Capitol, Room 3123  
Sacramento, CA 95814

The Honorable Lorena Gonzalez  
Member, California State Assembly  
State Capitol, Room 2114  
Sacramento, CA 95814

**RE: Assembly Bill 1346 – OPPOSE UNLESS AMENDED  
As Amended March 25, 2021**

Dear Assembly Members Berman and Gonzalez:

On behalf of the Rural County Representatives of California (RCRC), I am writing to regretfully express our position of “Oppose Unless Amended” for your Assembly Bill 1346, which would accelerate the adoption of regulations by the California Air Resources Board (CARB) to prohibit engine exhaust and evaporative emissions from new small off-road engines (SORE). RCRC is an association of thirty-seven rural California counties, and our Board of Directors is comprised of one elected county supervisor from each member county.

RCRC member counties comprise the vast majority of the state’s forested lands and high-fire hazard severity zones. As such, our communities have borne the majority of destruction caused by high severity wildfires and experienced most of the state’s Public Safety Power Shut-off (PSPS) events. In a May 20, 2021 letter to the California Public Utilities Commission, Pacific Gas & Electric Company (PG&E) detailed the threefold increase of de-energization events in rural counties as a result of broadened decision-making criteria based on the risk of trees or limbs that could fall on distribution lines in high-fire threat communities.

Unreliable electricity in rural areas would complicate the use of zero-emission SORE equipment, including chainsaws, and may impede residential and commercial efforts to create and maintain fuel breaks and defensible space in forested communities. Furthermore, during PSPS events, rural residents, including the elderly and medically vulnerable, rely on back-up power through portable generators to keep mobile phones powered to receive emergency notifications, keep medication refrigerated, and/or keep breathing apparatuses charged for use during overnight hours when community resource centers are closed. Without available and affordable portable back-up generators, PSPS

1215 K Street, Suite 1650, Sacramento, CA 95814 | [www.rcrcnet.org](http://www.rcrcnet.org) | 916.447.4806 | Fax: 916.448.3154

The Honorable Marc Berman  
The Honorable Lorena Gonzalez  
Assembly Bill 1346  
August 23, 2021  
Page 2

events add more pressure on local emergency responders that are increasingly spread too thin.

Additionally, AB 1346 would give CARB only six months to adopt a set of complex regulations to set emission standards on SORE equipment. By contrast, the regular rulemaking process under the Administrative Procedures Act provides more robust public noticing and public participation measures by allowing state agencies one year to complete a formal rulemaking. Should CARB pursue emergency rulemaking to satisfy the July 1, 2022 deadline pursuant to the bill, stakeholders would have five calendar days to provide written comments with no guarantees of a response.

We appreciate the willingness of your staff to meet with us and consider our concerns. However, for the reasons stated above, we respectfully must oppose AB 1346 unless amended to exempt portable generators from the provisions of the bill and provide adequate public participation during the formal CARB rulemaking process. Please do not hesitate to contact me if you have questions or would like to discuss further at (916) 447-4806 or [lkammerich@rcrcnet.org](mailto:lkammerich@rcrcnet.org).

Sincerely,



LEIGH KAMMERICH  
Regulatory Affairs Advocate

cc: Members of the Senate Appropriations Committee  
Consultant, Senate Appropriations Committee  
The Honorable Rebecca Bauer-Kahan, Member of the State Assembly  
The Honorable Wendy Carrillo, Member of the State Assembly  
The Honorable Jesse Gabriel, Member of the State Assembly  
The Honorable Cristina Garcia, Member of the State Assembly  
The Honorable Eduardo Garcia, Member of the State Assembly  
The Honorable Evan Low, Member of the State Assembly  
The Honorable Kevin Mullin, Member of the State Assembly  
The Honorable Eloise Gómez Reyes, Member of the State Assembly  
The Honorable Robert Rivas, Member of the State Assembly  
The Honorable Phil Ting, Member of the State Assembly  
The Honorable Laura Friedman, Member of the State Assembly  
Consultant, Senate Republican Caucus