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We urge the following:  
in connection with the Emergency Energy Act,  
or follow-on legislation.

- \* Exemption from EPA Transportation Plan controls of parking, parking surcharges, parking maintenance, and cut-offs on parking facility construction.
- \* Approval of the 10%-per-year proposal for reducing air pollution in California.
- \* Immediate and specific suspension of the upcoming EPA "indirect source" regulations.

California Business Properties Association comprises the developers, builders, financiers, real estate agents, retail merchants, and professional service corporations

based in California but operating nationwide

engaged in creating redevelopment projects, public and private buildings and shopping centers.



#### ERNEST W. HAHN, INC.

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## EMERGENCY ENERGY LEGISLATION & "INDIRECT SOURCE" EXEMPTION

The energy shortage, and administration of allocations of those shortages

- will probably restrict the availability of motor vehicle gasoline,
  - through price rises,
  - rationing,
  - allocation to dealers,
  - shortage or exhaustion,
- will force the reduction of some motor vehicle operation and consequent air pollution,
- will act as a dampening and restrictive effect, to a greater or lesser extent, on
  - certain retail businesses,
  - significant portions of the construction industry,
  - investment by the financial community in some segments of the economy,
  - employment.

The proposed and forthcoming "indirect source" controls of the EPA are concerned with secondary sources of pollution which are not generally regarded as air polluters in and of themselves but merely attract automobiles and their pollutants.

Since a modest reduction in auto driving is now anticipated,

Since we do not want to artificially restrain economic activity and construction beyond that which will occur through energy shortages.

Since the majority of States have not yet responded to EPA with approvable "indirect source" implementation plans,

Since the EPA has not as yet established or implemented a workable system for administration or enforcement of "indirect source" regulations,

Since the state-of-the-art in science and technology has not as yet revealed an accurate and unquestioned method of modeling the diffusion of air pollution from an "indirect source" and

Since the imminent promulgation of "indirect source" regulation is a result of a calendar date-oriented court order rather than the reasoned result of practicality, possibility, and need at this time,

We propose the following amendment:

Suspend, set-aside, and/or postpone all EPA "indirect source" implementation plans and regulatory activity for a period of at least one year.

Remove or cancel all cut-off dates, "grandfather clause" provisions, or bench-mark dates which would impose an artificial moratorium on construction or economic decisions with regard to the initiation, continuance, or operation of "indirect sources."