

[Stockton Record, Guest Commentary, Sunday, Sept. 27, 2015](#)

Guest View: Federal Clean Air Act needs amendments

By Bob Elliott, San Joaquin County Supervisor

The Federal Clean Air Act, signed into law by President Richard Nixon in 1970 and last amended by Congress in 1990 under President George H.W. Bush, has served the nation well. Over the past 25 years, however, important lessons have been learned from implementing the law, and it is clear now that a number of well-intentioned provisions in the act are leading to unintended consequences.

The antiquated provisions of the Clean Air Act now are leading to confusion, and lack of updated congressional directive has rendered courts and non-elected government bureaucrats as policymakers. We urge the Congress and the president to take bipartisan action to modernize the act. Failure to correct the structural deficiencies in the act will lead to economic devastation for San Joaquin Valley residents and businesses without commensurate benefit in improving the region's air quality.

We support and want to retain the core elements in the act that serve to protect public health through the establishment and pursuit of science-based ambient air quality standards. Over the years, residents and businesses have made significant investments and sacrifices in an effort to reduce air pollution and improve public health throughout the San Joaquin Valley. With an investment of more than \$40 billion, air pollution from San Joaquin Valley businesses has been reduced by more than 80 percent. The pollution released by industrial facilities, agricultural operations, cars and trucks is at a historical low, for levels of all pollutants. San Joaquin Valley residents' exposure to high smog levels has been reduced by more than 90 percent.

The new standards established under the act approach the background pollution concentrations in many regions throughout the nation, including the San Joaquin Valley. As currently written, the act does not provide for consideration of technological achievability and economic feasibility in establishing deadlines for attaining the associated federal mandates.

When enacting the last amendment to the act more than 25 years ago, Congress did not contemplate the reality that we face today, where after reducing pollution levels by more than 80 percent still will leave a large gap in meeting the standards that cannot be satisfied under the formula-based deadlines prescribed in the act. This sets up regions such as the San Joaquin Valley for failure and leads to costly sanctions and severe economic hardship.

The 2015 Federal Clean Air Act Modernization Proposal presented to Congress by the San Joaquin Valley Air Pollution Control District will preserve the federal government's ability to routinely re-evaluate and set health protective air quality goals based on sound science while avoiding current duplicative requirements and confusion.

The proposed changes also would require strategies that lead to the most expeditious air quality improvement while considering technological and economic feasibility. In addition, regions, such as the San Joaquin Valley, would be able to focus efforts on meeting new air quality goals in the most expeditious fashion through deployment of scarce resources in a manner that provides the utmost benefit to public health.

The changes proposed by the district will provide necessary economic and regulatory certainty while retaining public health safeguards. As logical as it may seem, enacting change given the current political climate in Washington will not be easy. We ask all San Joaquin Valley residents, businesses and policymakers to join us in our efforts to bring about these commonsense changes to the act.

— *Bob Elliott is a San Joaquin County Supervisor, serving the 5th District.*