CALIFORNIA RICE COMMISSION

November 14, 2006

Dr. Robert F. Sawyer, Chairman
c/o Clerk of the Board
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Subject: Proposed In-Use Stationary Agricultural Engine Regulation

Dear Dr. Sawyer:

We are writing to provide comments on the proposed in-use stationary diesel agricultural engine regulation. These comments are submitted on behalf of the 2,500 California rice growers that produce premium quality rice on approximately 500,000 acres. About 95 percent of these acres are located in the Sacramento Valley.

The California Rice Commission (CRC) appreciated the opportunity to work with your staff during the development of this regulation. We would like to recognize staff's willingness to travel to the agricultural areas of the Sacramento Valley to discuss this regulatory proposal with growers. During these workshops, CRC indicated strong reservations about the benefits of requiring expensive air toxic control measures in such rural settings of California where the state's population is small and highly dispersed. While we appreciate staff's efforts to develop a limited remote engine exemption option, we would like to see further improvements to the proposed regulation. Our remaining concerns are as follows:

- Registration versus Permitting – Your hearing notice summarized the impacts of SB 700 that authorizes the permitting of certain farming operations, depending of their size and location. In many rice-producing areas, the vast majority of farms are too small to warrant permitting. We believe that this diesel engine regulation should not go beyond SB 700 requirements to require permitting. The regulation should expressly restrict districts to the use of a basic registration process and require only the minimum information necessary to identify these engines.
- Coordination with the Carl Moyer Program – CRC is concerned that the operation of the Moyer Program in rural air districts will not adequately fund enough engine replacements. We understand that the Moyer Program funding is limited to $200,000 in these districts. With new engines costing upwards of $25,000 per engine, this funding will prove to be deficient in

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meeting the demand resulting from the Board's approval of this regulation. To address this concern, the Board should consider increasing funding for rural districts and eliminating the three-year compliance window for agricultural engines replaced with Moyer funds.

- Remotely-Located Agricultural Engine Exemption – CRC is concerned that the proposed exemption language does not fully recognize the rural farming landscape. We believe the use of the term "any receptor location" in the definition will make this exemption unreasonably restrictive. The Air Resources Board should replace the term "any receptor location" with the term "residential area" in describing the remotely-located engine exemption. The proposed regulation defines "residential area" as three or more permanent residences. This is a more suitable standard for the application of this exemption in the rural farming landscape.

We appreciate your consideration of our comments. Please feel free to contact me at (916) 387-2264 if you have any questions.

Sincerely,

Paul Buttner
Manager, Environmental Affairs

c: Catherine Witherspoon, Executive Officer, ARB
Robert Fletcher, Chief, Stationary Source Division, ARB