



August 23, 2018

Dave Edwards  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814  
**Submitted via email to [ctr-report@arb.ca.gov](mailto:ctr-report@arb.ca.gov)**

RE: Criteria Pollutant and Air Toxics Reporting Draft Regulations

Dear Mr. Edwards,

California Citrus Mutual (CCM) is writing to express our strong opposition to the proposed regulations for the reporting of criteria air pollutants and toxic air contaminants which will support the Community Air Protection Program, established as directed in Assembly Bill (AB) 617. CCM is a citrus producer's trade association whose 3,000 grower members comprise 75% of California's 268,500 acre, \$3.3 billion citrus industry. The mission of CCM is to represent citrus producers on matters that affect their economic livelihood and provide them with necessary information to enhance their ability to profit from their work. This includes state and federal regulatory, policy and legislative matters, marketing, trade, education and many other important areas intended to assist a citrus grower in his citrus operation and business. As such, the proposed regulations for the reporting of criteria air pollutants and toxic air contaminant has gone beyond the scope and purpose of AB 617. This letter outlines the areas of concern with the proposed regulations and respectfully requests the California Air Resources Board (CARB) to make changes to the draft proposal that reflect these concerns.

One of the primary areas of opposition is the issue of pesticide use being included under AB 617's programs. CCM feels that this is a vast over reach (and duplicative in the use of resources) by CARB. CARB's authority over pesticide use is solely limited to those that are classified as toxic air contaminants. Our growers and packing houses are required to report their pesticide use to County Agricultural Commissioners including classification as a toxic air contaminant. Creating a separate reporting mechanism is not only unnecessary but a waste of collective resources.

CCM also opposes section 93407 of the draft regulations which detail the enforcement process CARB will follow for facilities that violate the regulations. This draft language is concerning given that it appears to allow CARB to take enforcement action against a facility and then allow a local air district to take additional enforcement action against the same facility. Again, this appears to be an overreach by CARB and a waste of resources. We request that enforcement be taken by local air districts and clarity be added to the regulation to specifically prevent enforcement and penalties taken at both the state and local levels.

Lastly, section 93404 of the draft regulations lays out specific requirements for how emissions are to be reported to the air district in which facilities are located. CCM is concerned with the "one-size-fits-all" reporting standards. The requirements included are meant for a typical

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refinery or power plant type facilities. Farms and agricultural processors are not at all similar to a refinery or power plant. We request that the reporting standards be allocated according to industry. Likewise, reports should match the emissions estimates provided to air districts as part of their permits. This prevents unnecessary duplication of reporting (and prevents resources from being wasted) and allows reporting to better match the facility type. It also reduces potential costs on facilities required to report.

In a new study commissioned by the Citrus Research Board, new regulations are expected to cost California citrus growers an average of \$701 per acre per year, or \$203 million annually statewide. Professor Bruce Babcock of University of California, Riverside, who authored the study found that compliance with environmental regulations not associated with groundwater sustainability is estimated to increase costs by \$17.7 million, or \$67 per acre of citrus. Regulations that increase the cost of producing citrus in California have the potential of reducing the competitiveness of the California citrus industry relative to other crops that are grown in California and relative to citrus grown in other states and in other countries. The potential loss in competitiveness will be realized for regulations that apply only to California citrus or that disproportionately impact California citrus. The costs associated with environmental regulation decrease the competitiveness of California citrus relative to crops grown in other states and countries.

We would like to thank you for the opportunity to provide comments. If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Joel Nelsen". The signature is fluid and cursive, with a long, sweeping underline that extends to the left.

Joel Nelsen, President