



Serving Sutter and Yuba Counties

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Christopher D. Brown, AICP
Air Pollution Control Officer

December 16, 2014

Clerk of the Board
Air Resources Board
1001 I Street
Sacramento, CA 95812

Re: AMENDMENTS TO THE CALIFORNIA CAP ON GREENHOUSE GAS EMISSIONS
AND MARKET-BASED COMPLIANCE MECHANISMS

To Chairman Nichols and the Members of the Air Resources Board:

The Feather River Air Quality Management District (FRAQMD) would like to submit comments on the newly proposed Compliance Offset Protocol Rice Cultivation Projects (Protocol). The FRAQMD includes both Yuba and Sutter Counties, which are two of the major rice growing counties in California.

The FRAQMD supports the Protocol overall and the opportunity it presents for local rice growers to achieve greenhouse gas reductions. The FRAQMD wants to ensure that this Protocol will not negatively impact our local progress towards meeting the State and Federal ambient air quality standards. The FRAQMD is requesting such impacts be discussed in the official record as part of the Staff Report. The FRAQMD has three specific comments related to the Environmental Analysis prepared in Appendix B: Staff Report and Compliance Offset Protocol Rice Cultivation Projects.

The first comment is regarding the impact of the protocol to the rice straw burning program. Page 32 section ii contains a brief discussion of the Connelly-Areias-Chandler Rice Straw Burning Reduction Act of 1991 and the Conditional Rice Straw Burn Permit Program. These regulations are the framework for the rice straw burning program. However at no place here or elsewhere in the document is there any discussion of the impact of the proposed action on the rice straw burning program. Given that the purpose of the rice straw burning program is to reduce public exposure to particulate matter (PM), the CEQA equivalent document should identify and discuss any impacts, or lack of impacts, on the rice straw burning program from the proposed action.

The second comment is also on page 32 section ii. The use of language in this section is less than ideal – “County air pollution control officers” is not legally defined position in State law. Air Pollution Control Officers (H&S code 40750 et sec.) are assigned to Air

Districts not Counties – there are 35 Air Districts and 58 Counties, therefore many Air Pollution Control Officers hold regulatory authority over multiple Counties.

The final comment is on dust generation. The Staff Report on page 37 postulates a change from aerial seeding to “dry seeding activities,” but does not identify or discuss any fugitive dust emissions that might result from these activities. It is reasonable to assume that dry seeding activities will be done using off road equipment driving over a dry field. This will generate dust in the fields while working and could break the surface crust of the soil creating additional dust during high wind events. Fugitive dust emissions from agricultural operations can be a significant source of PM emissions, although the increase resulting from the change from aerial to dry seeding may not result in a significant increase in PM emissions. This impact should be identified and discussed in the Environmental Analysis.

The FRAQMD appreciates the opportunity to comment on the proposed Compliance Offset Protocol for Rice Cultivation Projects. If you have any questions please contact me or Sondra Spaethe, Air Quality Planner, at (530) 634-7659 ext. 210.

Sincerely,



Christopher D. Brown, AICP
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