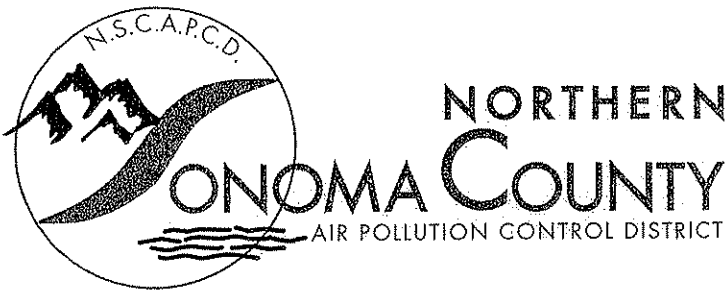


Barbara Lee

10-11-3



150 Matheson Street, Healdsburg, CA 95448 • PH: (707) 433-5911 • FX: (707) 433-4823

December 10, 2010

Mary Nichols, Chair
California Air Resources Board
1001 "I" Street
Sacramento, CA 95814

RE: NOx-Exemption Areas: Diesel Regulations for On-Road and Off-Road Vehicles

Dear Chairman Nichols:

In March of 2010, the ARB designated the Northern Sonoma County Air Pollution Control District (NSCAPCD, or District) as attainment for all federal and state ambient air quality standards. With this recognition of our clean air, we request are writing to respectfully request that ARB also extend the exemption from NOx control requirements in your regulations for in-use (retrofit) on-road and off-road diesel vehicles (CCR title 13, article 4.5, chapter 1, section 2025; and CCR title 13, article 4.8, chapter 9, sections 2449, 2449.1, 2449.2, 2449.3)

In CCR Section 2025 (d) (55), the on-road diesel rule defines a NOx-exempt area as the following counties: "Alpine, Colusa, Del Norte, Glenn, Humboldt, Lake, Lassen, Mendocino, Modoc, Monterey, Plumas, San Benito, San Luis Obispo, Santa Barbara, Santa Cruz, Shasta, Sierra, Siskiyou, Trinity, Tehama, and Yuba." Section 2449 (c) (6) of the off-road diesel rule defines a Captive Attainment Area Fleet [which the rule exempts from fleet NOx performance requirements in Section 2449.1 (a)], as a fleet operating exclusively in the same counties above-mentioned.

Recognizing that the District comprises only a portion of a County, we recommend that the list be amended to include "the portion of Sonoma County that lies within the boundaries of the North Coast Air Basin" consistent with the description of the District in your formal designation on March 25, 2010.

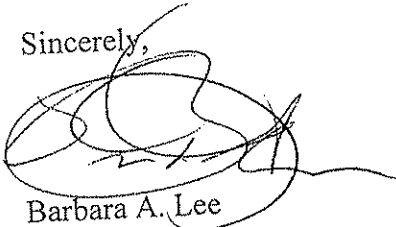
As one of only two air districts that attain all of the federal and state ambient standards, and with typical maximum 1-hr ozone levels of 0.06 ppm, the NSCAPCD is certainly one of the cleanest air quality regions of the state. As such, it should be granted the same exemption as other clean air areas. NOx-exempt status would provide expanded compliance options for owners of Captive Attainment Area Fleets. While many of the fleets in the NSCAPCD would not qualify for this provision, the District anticipates that some fleets would. The District has worked hard to provide incentive funding in advance of the compliance dates in ARB's diesel regulations. Based on our understanding of the fleets in the District, and the very low levels of ozone that we are recording, we believe NOx-exempt status would not have any impact on our ability to maintain our clean air designation.

In these difficult economic times, we believe it is incumbent on government to take all reasonable steps minimize the hardship that may result from compliance obligations. By including the NSCAPCD in the list of NOx-exempt areas, ARB would be exercising good government.

Given that the NSCAPCD is one of the cleanest air districts in the state, and providing NOx-exempt status to the District will not affect that status, and recognizing the difficult economic times faced by the regulated community, we think respectfully ask the ARB to designate NSCAPCD as NOx-exempt in these regulations.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Barbara A. Lee", is written over a circular stamp or seal.

Barbara A. Lee
Air Pollution Control Officer