



Air Pollution Control District
San Luis Obispo County

March 27, 2013

Mary Nichols, Chairperson
California Air Resources Board
1001 I Street
Sacramento, CA 95812

SUBJECT: Proposed Regulation for In-use Mobile Agricultural Equipment

Dear Chairperson Nichols:

On behalf of our citizens and agricultural community, the Board of Directors for the San Luis Obispo County Air Pollution Control District appreciates the opportunity to comment on the proposed In-use Mobile Agricultural Equipment regulation currently under development by the California Air Resources Board (ARB). The proposed regulation is the result of a commitment in the 2007 State Implementation Plan (SIP) to achieve additional reductions of nitrogen oxides and particulate matter emissions in the San Joaquin Valley through regulation of mobile agricultural equipment.

It is clear this SIP commitment does not require a statewide control measure, and San Luis Obispo County has not identified emission reductions from mobile Ag equipment as necessary to achieve attainment here. Only the remote eastern portion of our county is nonattainment for the federal ozone standard, and that is primarily due to pollutant transport from the San Joaquin Valley and other areas outside the county. Thus, we ask ARB to consider the impacts of the proposed regulation on agricultural businesses in areas where such measures have not been found necessary to meet federal air quality standards. We believe it appropriate that the proposed regulation apply only to the San Joaquin Valley, and that San Luis Obispo County be exempt from any in-use replacement requirements for existing Ag mobile sources.

Furthermore, the proposed regulation would not be a cost effective method of reducing emissions in our area. Most of the mobile Ag equipment in our county operates only a few hundred hours per year, which is not enough for their replacement to meet the State's cost effectiveness threshold for Carl Moyer grant funds (\$17,000/ton). Thus, most local Ag businesses would not qualify for any incentive funding to aid compliance with the rule, and would bear the significant financial burden of replacing low-use equipment for limited air quality benefits.

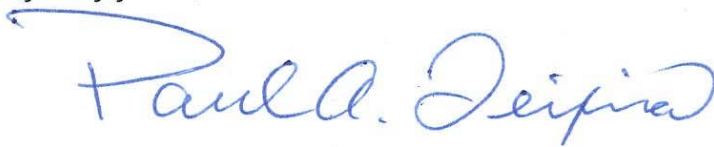
Equipment here that does operate frequently and emits at high levels can qualify for incentive funding under Carl Moyer and other grant programs. Thus, to ensure older, high emission equipment replaced in non-exempt areas does not migrate here, we do support a provision in the regulation requiring high use mobile Ag equipment voluntarily replaced in exempt areas to meet current emission standards.

If ARB does move forward with a regulation that applies statewide, we believe they should consider setting a usage threshold that exempts the type of low-use mobile equipment used in the majority of the Ag operations in our county. Auxiliary Ag engines that primarily operate on mobile equipment or while being towed by mobile equipment (hay bailers, tow behind spray rigs, etc.), should be treated similarly and be excluded from the Stationary and Portable Diesel Engine Air Toxic Control Measures (ATCMs). Emissions from these units occur while moving, either on tractors or while being towed, and thus do not pose the same health risks as engines operated for lengthy periods at the same location.

Many agricultural operations in our county have already been required to replace water pumps and other stationary engines to comply with the ATCMs and reduce health risks from diesel PM. The proposed regulation would place an additional and significant financial burden on these local businesses for limited air quality benefit. Thus, we respectfully request that San Luis Obispo County be exempt from any in-use replacement requirements for existing Ag mobile sources.

If you or your staff has any questions or need additional information regarding this request, please contact the Air Pollution Control Officer, Larry Allen, at 805-781-5912 or at lallen_apcd@co.slo.ca.us.

Very truly yours,



Paul Teixeira, Chairman
San Luis Obispo County Air Pollution Control Board

cc: James Goldstene, ARB Executive Officer