



# PUBLIC HEARING NOTICE

June 16, 2006

TO: INTERESTED PARTIES  
FROM: EXECUTIVE OFFICER / APCO  
SUBJECT: **PROPOSED AMENDMENTS TO DISTRICT REGULATIONS REGARDING AGRICULTURAL SOURCES OF AIR POLLUTION: REGULATION 1: GENERAL PROVISIONS AND DEFINITIONS; REGULATION 2: PERMITS, RULE 1: GENERAL REQUIREMENTS; and NEW REGULATION 2, RULE 10: LARGE CONFINED ANIMAL FACILITIES**

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On **Wednesday, July 19, 2006**, the Board of Directors of the Bay Area Air Quality Management District will conduct a public hearing to consider adoption of proposed amendments to **Regulation 1: General Provisions and Definitions; Regulation 2: Permits, Rule 1: General Requirements;** proposed **Regulation 2, Rule 10: Large Confined Animal Facilities**, and approve the filing of a Notice of Exemption pursuant to the California Environmental Quality Act. The hearing will be held in the 7<sup>th</sup> floor Board Room of the District Office, 939 Ellis Street, San Francisco. **The Board meeting will commence at 9:45 a.m.**

## BACKGROUND

Since 1972, the Bay Area Air Quality Management District has been issuing permits for various stationary sources of air pollution. California law and District regulations have historically exempted *agricultural sources* from the need to obtain air quality permits, or comply with most other air quality regulations. In September of 2003, Senate Bill 700 (Flores) was signed into law, removing the state's permit exemption and requiring air districts to adopt regulations for certain agricultural operations. The proposed changes to Regulation 1, Regulation 2, Rule 1 and the creation of Regulation 2, Rule 10 are necessary to meet the regulatory requirements of SB 700.

The proposed amendments would:

- Define an agricultural source as a source of air pollution used in the production of crops, or the raising of animals located on contiguous property under common ownership or control. Included as agricultural sources are confined animal facilities, stationary and portable engines, heaters and boilers, and any other sources of air pollution regulated by the District.

- Require a permit to operate for agricultural sources with actual emissions of any regulated air pollutant (excluding fugitive dust) greater than 50 tons per year.
- Create a new Regulation 2, Rule 10 for Large Confined Animal Facilities, which would require the implementation of mitigation measures to reduce air pollutant emissions. A large confined animal facility, as defined by the California Air Resources Board, is a facility that maintains on any one day: 1,000 or more milk-producing dairy cows; 3,500 or more beef cattle; 7,500 or more calves, heifers, or other cattle; 100,000 or more turkeys; 650,000 or more chickens other than laying hens; 650,000 or more laying hens; 3,000 or more swine; 15,000 or more sheep, lambs, or goats; 2,500 or more horses; 650,000 or more ducks; or 30,000 or more rabbits or other animals.

**Due to the nature and scale of the agricultural industry in the Bay Area, it is the District's belief that few, if any, agricultural facilities will be affected by these proposed regulations.**

The District has determined that the proposed Regulation 2, Rule 10 and the amendments to Regulation 1 and Regulation 2, Rule 1 are exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.) in accordance with State CEQA Guidelines section 15061(b)(3). The amendments are administrative in nature and do not in themselves affect air emissions from any sources or operations subject to the rule. It can therefore be seen with certainty that there is no possibility that these proposed amendments will have a significant environmental impact. The District intends to file a Notice of Exemption in accordance with State CEQA Guidelines section 15062.

This notice, proposed amendments to District Regulation 1; Regulation 2, Rule 1, and the proposed new Regulation 2, Rule 10, and a Fact Sheet are available on the District's web site at <http://www.baaqmd.gov/pln/ruledev/workshops.htm>. Copies are also available by calling the Engineering Division at (415) 749-4990. Any questions regarding the District's proposal, or the scheduled workshops should be directed to Joe Slamovich at (415) 749-4681, or sent electronically to [jislamovich@baaqmd.gov](mailto:jislamovich@baaqmd.gov). Comments on the proposed amendments will be received during the period from Monday, June 19, 2006 until 5:00 p.m. on Monday, July 10, 2006.

**PUBLIC TRANSPORTATION TO THE BAY AREA AQMD**  
**MUNI -- #47 AND 49 NORTH AND SOUTH ON VAN NESS AVENUE**  
**#38 EAST AND WEST ON GEARY BOULEVARD/O'FARRELL STREET**  
**BART -- CIVIC CENTER STATION 8<sup>TH</sup> AND MARKET STREETS**

Attendees are encouraged to ride public transit, rideshare, bicycle, walk or use other non-motorized modes to and from the District.