



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

California Environmental Quality Act

NOTICE OF COMPLETION OF DRAFT ENVIRONMENTAL IMPACT REPORT FOR ADOPTION OF DISTRICT REGULATION 11: HAZARDOUS POLLUTANTS, RULE 17: LIMITED USE STATIONARY COMPRESSION IGNITION (DIESEL) ENGINES IN AGRICULTURAL USE

Interested Agencies, Organizations and Individuals:

Subject: Notice is hereby given pursuant to California Public Resources Code § 21091, 21092, 21092.2, and 21092.3; and CEQA Guidelines Section 15085 and 15087 that the Bay Area Air Quality Management District (Bay Area AQMD or District), as lead agency, has prepared a Draft Environmental Impact Report (EIR) in connection with the project described in this notice.

Project Title: Bay Area AQMD proposed Regulation 11: Hazardous Pollutants, Rule 17: Limited Use Stationary Compression Ignition (Diesel) Engines in Agricultural Use.

Project Location: The rule will apply within the Bay Area AQMD, which includes all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties, and the southern portions of Solano and Sonoma counties.

Project Description: The District is proposing to adopt a new rule, Regulation 11: Hazardous Pollutants, Rule 17: Limited Use Stationary Compression Ignition (Diesel) Engines in Agricultural Use. Regulation 11, Rule 17 would provide flexibility to affected parties in meeting the requirements of the California Air Resources Board (CARB) Airborne Toxic Control Measure (ATCM) for agricultural diesel engines established in 2006. This proposed new rule is concerned primarily with low-use diesel driven water pumps used to protect agricultural crops from frost on cold winter nights. The ATCM required existing stationary agricultural diesel engines greater than 15 years old and greater than 100 HP (most engines) to meet emission standards by 12/31/2010, and those diesel engines from 50 – 100 HP to meet emissions standards by 12/31/2011. The ATCM exempts agricultural wind machines and agricultural emergency generators. However, the ATCM does not provide any other exemptions for low-use agricultural diesel engines. The proposed rule provides an alternate compliance plan that will allow existing Tier 0 and Tier 1 engines that are used less than 100 hours per year averaged over three years and are either located no less than 1000 feet from a residential area, school or health facility or conduct a successful Health Risk Screening Analysis to be used through December 31, 2020. The alternate compliance plan allows Tier 2 engines that meet these criteria to operate through December 31, 2025. Additional provisions provide for additional use during extreme frost seasons, exempt engines used less than 20 hours per year and establish the criteria for utilizing the alternate compliance plan.

Probable Environmental Impacts: Adoption of this new rule will provide compliance flexibility to affected users, and reduce emissions of ozone precursor chemicals and toxic chemicals over the long term. During the interim period from 2012 through 2020 when replacement of agricultural diesel engines is deferred, foregone emission reductions of nitrogen oxides (NOx) were found to be potentially significant. Mitigation measures have been put into place by funding NOx emission reduction projects through the District's grant program to reduce these NOx emissions to less than significant. During the interim period, toxic diesel particulate emissions were found to be less than significant for cancer risk, and for cumulative risk as measured by ground level concentrations of diesel particulate matter less than 2.5 microns in size. After the interim period, Rule 11-17 reduces both ozone precursor emissions and toxic emissions significantly, and will benefit public health and the environment. In addition, the Draft EIR was developed to fully consider a potential increase in greenhouse gas emissions from the replacement of existing population of agricultural diesel engines with future technology, extremely low emission Tier 4 engines. The Draft EIR concludes that any potential increases in greenhouse gases from replacement with Tier 4 engines are less than significant. The Draft EIR concludes that the project will not cause any unmitigated significant adverse environmental impacts.

Public Hearing: A public hearing to consider adoption of proposed Regulation 11, Rule 17 and to consider certification of the Environmental Impact Report is scheduled for May 18, 2011 in the 7th floor Board room at District headquarters, 939 Ellis Street, San Francisco, California. Board meetings commence at 9:45 am. A copy of the draft rule, staff report, and socioeconomic analysis will be available at the District headquarters or on the District's website at <http://www.baaqmd.gov/Divisions/Planning-and-Research/Rule-Development/Current-Regulatory-Public-Hearings.aspx> no later than April 18, 2011.

DRAFT EIR AND SUPPORTING DOCUMENTATION ARE AVAILABLE AT:

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, CA 94109

Or by Calling:
415-749-4664

Or at the District's Website: <http://www.baaqmd.gov/Divisions/Planning-and-Research/Rule-Development/Current-Regulatory-Public-Hearings.aspx>

PUBLIC REVIEW AND COMMENT PERIOD: Comments relating to the environmental analysis should be addressed to Mr. Guy Gimlen, Bay Area Air Quality Management District, 939 Ellis Street, San Francisco CA, 94109. Comments may also be sent via fax to 415-928-0338 or by e-mail to ggimlen@baaqmd.gov. Comments will be received during the period from Friday, March 18, 2011 until 5:00 pm on **Monday, May 2, 2011**.

Date: March 18, 2011