

CALIFORNIA AIR RESOURCES BOARD

NOTICE OF PUBLIC MEETING TO HEAR A REPORT ON THE SAN JOAQUIN VALLEY SMOKE MANAGEMENT PROGRAM AND CONSIDERATION OF MODIFICATIONS TO AGRICULTURAL BURNING REQUIREMENTS

The Air Resources Board (ARB or Board) will conduct a public meeting at the time and place noted below to hear a report on the San Joaquin Valley Smoke Management Program and consider concurrence with the modifications to agricultural burning prohibitions proposed by the San Joaquin Valley Air Pollution Control District (District).

DATE: May 27, 2010

TIME: 9:00 a.m.

PLACE: County Administration Center
1600 Pacific Highway
Board Chambers, Room 310
San Diego, California 92101

This item will be considered at a one-day meeting of the Board, which will commence at 9:00 a.m., May 27, 2010. Please consult the agenda for the meeting, which will be available at least ten (10) days before May 27, 2010, to determine the schedule on which this item will be considered.

BACKGROUND

To meet the requirements of ARB's Smoke Management Guidelines, the District developed a comprehensive Smoke Management Program (Program) to minimize the impacts of agricultural burning on ambient air quality in the San Joaquin Valley. The Program establishes 103 zones in the Valley based on topographical, geological, and meteorological conditions. Through predicted meteorological conditions, the Program sets burning allocations in each zone to amounts that would not cause a public nuisance, impact smoke sensitive areas, or create or contribute to an exceedance of federal 8-hour ozone or 24-hour PM_{2.5} and PM₁₀ standards. Due to the structure of the program, on any given day, burning may be allowed in many zones, however the total amount of acreage allowed in each zone is quite small to prevent air quality impacts. As a result of this program, emissions from agricultural burning have decreased by over sixty percent since 2002.

In 2003, Senate Bill 705 (Florez, Chapter 481, Statutes of 2003) was enacted requiring the District to further limit agricultural burning through a prescribed phase-out schedule. However, the bill also recognized that economic and technological impediments may exist that preclude the complete phase-out of all burning. Subject to ARB concurrence, the District may allow for continued burning of specific crops if the District determines all

the following conditions apply:

- There is no economically feasible alternative means of eliminating the waste;
- There is no long-term federal or state funding commitment for the continued operation of biomass facilities in the San Joaquin Valley or development of alternatives to burning; and
- The continued issuance of permits will not cause, or substantially contribute to, a violation of an applicable federal air quality standard (standard).

The District is now adopting the final phase of the SB 705 prohibitions in two steps. On April 15, 2010, the District amended their open burning rule to incorporate all SB 705 provisions. On May 20, 2010, the District will consider the ***Proposed Staff Report Recommendations of Agricultural Burning*** (Report), documenting the assessment of the economic feasibility of alternative modes of disposal for the materials with a June 1, 2010 burn prohibition date. These include crop activities such as surface harvested prunings, orchard removals, vineyard removals, and rice stubble.

PROPOSED ACTION

ARB staff has reviewed the ***Proposed Staff Report Recommendations of Agricultural Burning*** dated April 20, 2010 and finds that the grounds for postponing agricultural burn prohibitions for the crops identified in the report meet the conditions required by State law. Contingent upon adoption of the Report by the District Board without significant changes, ARB staff proposes concurrence with the District's determination. The District will revisit these postponements within five years.

AVAILABILITY OF DOCUMENTS

ARB staff has prepared a written Staff Report. Copies of the Staff Report may be obtained from ARB's Public Information Office, 1001 "I" Street, First Floor, Environmental Services Center, Sacramento, California 95814, (916) 322-2990. This notice and the Staff Report will be available from ARB's website at: <http://www.arb.ca.gov/smp/district/district.htm>

SUBMITTAL OF COMMENTS

Interested members of the public may also present comments orally or in writing at the meeting, and written comments may be submitted by postal mail or by electronic mail before the meeting. To be considered by the Board, written comment submissions not physically submitted at the meeting must be received **no later than 12:00 noon, May 26, 2010**, and addressed to the following:

Postal mail: Clerk of the Board, Air Resources Board
1001 I Street, Sacramento, California 95814

Electronic submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php>

Please note that under the California Public Records Act (Government Code section 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request. Additionally, this information may become available via Google, Yahoo, and any other search engines.

The Board requests, but does not require 20 copies of any written submission. Also, ARB requests that written and e-mail statements be filed at least 10 days prior to the meeting so that ARB staff and Board members have time to fully consider each comment. Further inquiries regarding this matter should be directed to Ms. Sylvia Zulawnick, Manager of the Particulate Matter Analysis Section, Planning and Technical Support Division at (916) 324-7163, or Dr. Patricia Velasco, Staff Air Pollution Specialist, Planning and Technical Support Division at (916) 323-7560.

To request a special accommodation or language needs for any of the following:

- An interpreter to be available at the hearing.
- Have documents available in an alternate format (i.e. Braille, Large print) or another language.
- A disability-related reasonable accommodation.

Please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 as soon as possible, but no later than 10 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Para solicitar alguna comodidad especial o necesidad de otro idioma para alguna de las siguientes:

- Un intérprete que esté disponible en la audiencia
- Tener documentos disponibles en un formato alternativo (por decir, sistema Braille, o en impresión grande) u otro idioma.

- Una acomodación razonable relacionados con una incapacidad.

Por favor llame a la oficina del Secretario del Consejo de Recursos Atmosféricos al (916) 322-5594 o envíe un fax al (916) 322-3928 no menos de diez (10) días laborales antes del día programado para la audiencia. Para el Servicio Telefónico de California para Personas con Problemas Auditivos, ó de teléfonos TDD pueden marcar al 711.

CALIFORNIA AIR RESOURCES BOARD

/s/

James N. Goldstene
Executive Officer

Date: May 6, 2010

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.arb.ca.gov.