

State of California
AIR RESOURCES BOARD

Resolution 99-2a

February 25, 1999

Agenda Item No.: 99-2-2

WHEREAS, the Legislature in Health and Safety Code section 39602 has designated the State Air Resources Board (ARB or Board) as the air pollution control agency for all purposes set forth in federal law;

WHEREAS, the ARB is responsible for the preparation of the state implementation plan (SIP) for attaining and maintaining the national ambient air quality standards (NAAQS) as required by the federal Clean Air Act (the "Act"; 42 U.S.C. section 7401 et seq.), and to this end is directed by Health and Safety Code section 39602 to coordinate the activities of all local and regional air pollution control and air quality management districts ("districts") necessary to comply with the Act;

WHEREAS, section 39602 also provides that the SIP shall include only those provisions necessary to meet the requirements of the Act;

WHEREAS, section 41650 of the Health and Safety Code requires the ARB to approve the nonattainment plan approved by a district as part of the SIP unless the Board finds, after a public hearing, that the plan does not meet the requirements of the Act;

WHEREAS, the districts have primary responsibility for the control of air pollution from nonvehicular sources and for adopting control measures, rules, and regulations to attain the NAAQS within their boundaries pursuant to sections 39002, 40000, 40001, 40460, 40462, and 41650 of the Health and Safety Code;

WHEREAS, the ARB has primary responsibility for the control of air pollution from vehicular sources, including motor vehicle fuels, as specified in sections 39002, 39500, and Part 5 (commencing with section 43000) of the Health and Safety Code, and for ensuring that the districts meet their responsibilities under the Act pursuant to sections 39002, 39500, 39602, 40469, and 41650 of the Health and Safety Code;

WHEREAS, pursuant to section 181(a) of the Act, Santa Barbara County was originally classified by the United States Environmental Protection Agency (U.S. EPA) as a 'moderate' ozone nonattainment area with an attainment date of November 15, 1996;

WHEREAS, Santa Barbara County did not violate the federal one-hour ozone standard during the years of 1991 - 1993 and developed a redesignation request and maintenance plan;

WHEREAS, on November 2, 1994, the District Governing Board adopted Santa Barbara County's 1994 Clean Air Plan, which contained: (1) revisions to the District's 1993 Rate-of-Progress plan; (2) an attainment demonstration; and (3) a redesignation request and maintenance plan;

WHEREAS, on November 14, 1994, the ARB adopted and submitted to the U.S. EPA the 1994 Clean Air Plan as a SIP revision;

WHEREAS, exceedances of the federal one-hour ozone standard occurred in 1994 preventing Santa Barbara County from being eligible for redesignation to attainment status;

WHEREAS, in a June 7, 1995, letter U.S. EPA suspended action on the request for redesignation and the maintenance plan,

WHEREAS, on November 6, 1996, the demonstration of attainment of the federal one-hour ozone standard was withdrawn by ARB;

WHEREAS, section 181(b)(2) of the Act provides that, if the U.S. EPA determines that an ozone nonattainment area has not attained the standard by the applicable date, then the nonattainment area shall be reclassified by operation of law to the next higher classification for the area;

WHEREAS, on December 10, 1997, the U.S. EPA determined that Santa Barbara County had not attained the NAAQS for ozone by the November 15, 1996, attainment deadline, and Santa Barbara County was therefore reclassified from a 'moderate' to 'serious' ozone nonattainment area under the Act;

WHEREAS, section 182(c)(2)(A) of the Act requires 'serious' nonattainment areas to demonstrate attainment of the ozone NAAQS by November 15, 1999;

WHEREAS, section 182(c)(2)(B) of the Act requires 'serious' nonattainment areas to demonstrate at least a three percent per year average reduction in emissions of volatile organic compounds after 1996, or to demonstrate that a reduction by a lesser amount reflects all measures that can feasibly be implemented in the area ("post-1996 rate-of-progress demonstration");

WHEREAS, section 182(c)(1) of the Act requires 'serious' nonattainment areas to implement an enhanced monitoring program, which is known as the Photochemical Assessment Monitoring Station (PAMS) program;

WHEREAS, section 176(c) of the Act requires the establishment of conformity emissions budgets for nonattainment areas;

WHEREAS, on December 17, 1998, the District's Governing Board adopted its 1998 Clean Air Plan (1998 Plan) as a revision to the 1994 Clean Air Plan and the California SIP; the 1998 Plan addresses the requirements for a 'serious' nonattainment area, and contains the following:

- 1) revisions to the District's element of the 1994 ozone SIP, including the ozone control strategy;
- 2) an attainment demonstration;
- 3) a post-1996 rate-of-progress demonstration; and
- 4) a conformity emission budget for Santa Barbara County;

WHEREAS, federal law set forth in section 110(l) of the Act and title 40, Code of Federal Regulations (CFR), section 51.102 requires that one or more public hearings, preceded by at least 30 days notice and opportunity for public review, must be conducted prior to the adoption and submittal to the U.S. EPA of any SIP revision;

WHEREAS, the 1998 Plan was available for public review and comment for at least 30 days, and a noticed public hearing was conducted in Santa Barbara County prior to adoption of the 1998 Plan by the District Governing Board, as required by the Act and U.S. EPA regulations;

WHEREAS, the California Environmental Quality Act (CEQA) requires that no project which may have significant adverse environmental impacts may be adopted as originally proposed if feasible alternatives or mitigation measures are available to reduce or eliminate such impacts, unless specific overriding considerations are identified which outweigh the potential adverse consequences of any unmitigated impacts;

WHEREAS, the Santa Barbara District prepared an Initial Study/Mitigated Negative Declaration (Negative Declaration) for the 1998 Clean Air Plan which concluded that no new significant adverse environmental effects will result from implementation of the 1998 Plan;

WHEREAS, the 1998 Plan was submitted to the ARB as a SIP revision on January 6, 1999, along with proof of public notice publication and environmental documents, in accordance with state and federal law;

WHEREAS, ARB has reviewed and considered the 1998 Plan as amended along with the Negative Declaration prepared for the Plan, as well as the significant issues raised and oral and written comments presented by interested persons and Board staff;

WHEREAS, the Board finds that the Negative Declaration prepared for the 1998 Plan meets the requirements of CEQA, and environmental documentation for individual measures identified in the Plan will be prepared as necessary as each measure is considered for adoption; and

WHEREAS, in consultation with the State, the Santa Barbara County Air Pollution Control District has already taken steps to implement the PAMS program and has indicated that it will establish and maintain the required program as needed to address the PAMS requirements.

NOW, THEREFORE BE IT RESOLVED that the Board hereby adopts and submits to the U.S. EPA for its approval and incorporation into the SIP for Santa Barbara the State's commitment to conduct and maintain a PAMS program as part of the State and Local Air Monitoring Stations network pursuant to 40 CFR Part 58.

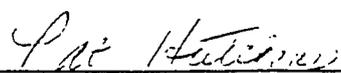
BE IT FURTHER RESOLVED, that the Board hereby approves the 1998 Plan adopted by the District and submitted in final form to the ARB as a revision to the SIP, which contains the following:

Revisions to the District's element of the 1994 ozone SIP, including the ozone control strategy, attainment demonstration, post-1996 rate-of-progress demonstration, and a conformity emission budget for Santa Barbara County.

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to submit the 1998 Plan, together with the appropriate supporting documentation, to the U.S. EPA for approval as a SIP revision, and to work with the U.S. EPA to resolve any issues regarding plan completeness and approvability that may arise.

BE IT FURTHER RESOLVED, that the Board certifies pursuant to 40 CFR section 51.102 that the 1998 Plan was adopted after notice and public hearing as required by 40 CFR section 51.102.

I hereby certify that the above is a true and correct copy of Resolution 99-2a, as adopted by the Air Resources Board.



Pat Hutchens, Clerk of the Board