

State of California
AIR RESOURCES BOARD

**Response to Significant Environmental Issues and
Statement of Overriding Considerations**

Item: Public Hearing to Consider the Adoption of Revision to the Designation of Areas in California as Attainment, Nonattainment, or Unclassified for State Ambient Air Quality Standards.

Agenda Item No.: 90-18-3

Public Hearing Date: November 8, 1990

Issuing Authority: Air Resources Board

Comment: No comments were received identifying any significant environmental issues pertaining to this item. The staff report identified no adverse environmental effects.

Response: N/A

Certified:

Judith M. Lounsbury
Judith M. Lounsbury
Board Secretary

Date:

5/19/91

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RESOURCES AGENCY OF CALIFORNIA

State of California
AIR RESOURCES BOARD

Resolution 90-65

November 8, 1990

Agenda Item No.: 90-18-3

WHEREAS, sections 39600 and 39601 of the Health and Safety Code authorize the Air Resources Board (the "Board") to adopt standards, rules and regulations and to do such acts as may be necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, the Legislature enacted the California Clean Air Act of 1988 (the "Act"; Stats. 1988, ch. 1568) declaring that it is necessary that the state ambient air quality standards be attained by the earliest practicable date to protect the public health, particularly the health of children, older people, and those with respiratory diseases;

WHEREAS, in order to attain these standards, the Act mandates a comprehensive program of emission reduction measures and planning requirements for the state and the local air pollution control districts ("districts") in areas where the standards are not attained;

WHEREAS, the Act directs the Board in section 39608(a) of the Health and Safety Code, in consultation with the districts, to identify and classify, on or before September 30, 1989, each air basin as attainment, nonattainment, or unclassified on a pollutant-by-pollutant basis pursuant to criteria established by the Board under section 39607(e) of the Health and Safety Code;

WHEREAS, the Act in section 39608(c) of the Health and Safety Code also requires the Board to review the designations annually and update them as new information becomes available;

WHEREAS, pursuant to section 39607(e) the Board adopted sections 70300-70306, Title 17, California Code of Regulations, establishing criteria for the designations, and subsequently approved amendments to those criteria;

WHEREAS, on June 9, 1989, the Board approved the initial area designations which are contained in sections 60200-60209, Title 17, California Code of Regulations;

WHEREAS, in consultation with the districts and in consideration of comments received from public agencies, industry representatives, and interested persons, staff has prepared proposed revisions to the area designations for a number of specific areas of the state for ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, hydrogen sulfide, and visibility reducing particles;

WHEREAS, the proposed revisions of the area designations are based on the amended criteria contained in sections 70300-70306, Title 17, California Code of Regulations;

WHEREAS, the California Environmental Quality Act and Board regulations require that no project which may have significant adverse environmental impacts be adopted as originally proposed if feasible alternatives or mitigation measures are available to reduce or eliminate such impacts;

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of Chapter 3.5 (commencing with section 11340), Part 1, Division 3, Title 2 of the Government Code and the Board has considered the testimony presented by interested persons and the staff; and

WHEREAS, the Board finds that:

The proposed revisions to the area designations comply with requirements of section 39608 of the Health and Safety Code;

The proposed revisions to the area designations listed in sections 60200-60209 of Title 17 of the California Code of Regulations are consistent with the designation criteria as amended by the Board in sections 70300-70306 of Title 17 of the California Code of Regulations;

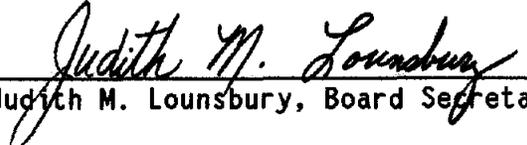
This regulatory action will not have a significant economic impact on any public agency, small business, or private persons or business other than small business; and

This regulatory action will not have a significant adverse impact on the environment. In fact, it should ultimately result in environmental benefits because it is part of multi-step program designed to achieve and maintain the state ambient air quality standards.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves amendments to sections 60200-60209, Title 17, California Code of Regulations, as set forth in Attachment A hereto.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer to adopt amendments to sections 60200 through 60209 of Title 17 of the California Code of Regulations, after making them available to the public for a period of 15 days, provided that the Executive Officer shall consider such written comments as may be submitted during this period, shall make modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if he determines that it is warranted.

I hereby certify that the above is a true and correct copy of Resolution 90-65, as adopted by the Air Resources Board.


Judith M. Lounsbury, Board Secretary