RESOLUTION NO. 021-2009

OF THE BOARD OF DIRECTORS OF THE EL DORADO COUNTY AIR QUALITY MANAGEMENT DISTRICT

RESOLUTION ADOPTING THE SACRAMENTO REGIONAL 8-HOUR OZONE ATTAINMENT AND REASONABLE FURTHER PROGRESS PLAN

WHEREAS, the U.S. Environmental Protection Agency (USEPA) promulgated the 1997 National Ambient Air Quality Standard ("NAAQS") for ozone with an 8-hour averaging time of 0.08 parts per million and determined that the 8-hour ozone standard is necessary in order to protect public health (Federal Register, Vol. 62, No. 138, pages 2-37 (July 18, 1997); and

WHEREAS, the Sacramento Federal Nonattainment Area ("SFNA"), includes part of the El Dorado Air Quality Management District ("EDCAQMD") as well as the Sacramento Metropolitan Air Quality Management District, and parts of the Placer County Air Pollution Control District, the Yolo-Solano Air Quality Management District, and the Feather River Air Quality Management District (Federal Register, Vol. 69, No. 84, pages 23858-23951 (April 30, 2004)); and

WHEREAS, the SFNA exceeds the primary NAAQS for 8-hour ozone, and was designated nonattainment for ozone with a classification of "Serious" and an attainment deadline of June 15, 2013 (Federal Register, Vol. 69, No. 84, pages 23858-24000 (April 30, 2004)); and

WHEREAS, the USEPA published its Final Rule to Implement the 8-Hour Ozone National Ambient Air Quality Standard, which requires nonattainment areas classified "Serious and above" to demonstrate Reasonable Further Progress (RFP) toward attainment of the 1997 8-hour ozone standard (Federal Register, Vol. 70, No. 228, pages 71611-71705 (November 29, 2005) and 42 USC §7511a (c)(2)(B)); and

WHEREAS, the air districts determined that the SFNA could not meet the 2013 attainment deadline for "Serious" nonattainment areas; and

WHEREAS, on February 14, 2008, the California Air Resources Board (CARB), on behalf of the SFNA Districts, requested that the USEPA reclassify the SFNA from a "Serious" to a "Severe" ozone nonattainment classification with an extended attainment deadline of June 15, 2019 (42 USC §7511 (b)(3)); and

WHEREAS, the SFNA air districts have prepared the proposed Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan (Plan) to satisfy the attainment and remaining reasonable further progress demonstration requirements associated with a "Severe" classification (42 USC §7502 (c) and §7511a); and

WHEREAS, the proposed Plan shows that ambient ozone air quality is improving in the SFNA; and

WHEREAS, the proposed Plan demonstrates that existing control strategies and approved control measure commitments will provide the future volatile organic compounds (VOC) and nitrogen oxides (NOx) emission reductions necessary to meet the federal Clean Air Act requirements for reasonable further progress for the 2011, 2014, 2017, and 2018 milestone years (42 USC §7511a (c)(2)(B)); and

WHEREAS, photochemical modeling conducted by CARB predicts lower future ozone levels, but concludes that additional emission reductions are needed to attain the federal 8-hour ozone standard by the mandated deadline (42 USC §7511a (c)(2)(A)); and

WHEREAS, the proposed Plan documents and recommends adoption and implementation of new state, regional, and local reasonably available control measures necessary to attain the ozone standard as expeditiously as practicable and no later than 2018 (42 USC §7502 (c)(1) and §7511 (a)(1)); and

WHEREAS, the proposed Plan includes commitments to achieve 3 tons per day of VOC and 3 tons per day of NOx reductions from new regional and local control measures and includes a specific commitment to achieve emission reductions from the Regional Mobile On-road Incentive Program for 0.1 ton per day of VOC and 0.7 ton per day of NOx in 2011; 0.1 ton per day of VOC and 0.8 ton per day of NOx in 2014; 0.9 ton per day of NOx in 2017 and 2018; and

WHEREAS, the proposed Plan sets new 2011, 2014, 2017, and 2018 Motor Vehicle Emission Budgets for transportation conformity purposes and updates future airport emissions for general conformity purposes consistent with attainment and reasonable further progress requirements (42 USC §7506); and

WHEREAS, in connection with the foregoing, the EDCAQMD and the other air districts of the SFNA, as responsible agencies, have consulted with the Sacramento Metropolitan Air Quality Management District, as lead agency, to prepare a Draft Environmental Impact Report ("DEIR"), dated September 2008, State Clearinghouse No. 2006102136, to analyze potential environmental impacts arising from the proposed Plan; and

WHEREAS, the Sacramento Metropolitan Air Quality Management District duly published notice of the availability of the DEIR and Draft Plan and held a noticed public workshop on September 25, 2008 to receive public comment on those documents; and

WHEREAS, Comments and Responses to the DEIR have been prepared as Appendix C thereto, and together with the revised DEIR comprise a Final Environmental Impact Report (FEIR), completed in full compliance with all procedural and substantive provisions of the California Environmental Quality Act; and

WHEREAS, on January 5, 2009 and January 7, 2009, the EDCAQMD published a notice of the availability of the Plan and FEIR and invited public comment on those documents; and

WHEREAS, on January 22, 2009 the Board of Directors of the Sacramento Metropolitan Air Quality Management District duly certified the FEIR as having been prepared in full compliance with the provisions of CEQA; and

WHEREAS, the FEIR concluded that the Plan would have no significant adverse environmental impacts, so no mitigation measures are required; and

WHEREAS, on February 10, 2009 the Board of Directors of the EDCAQMD held a duly noticed public hearing in order to hear and consider public comment on the Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan; and

WHEREAS, the Board of Directors of the EDCAQMD has read and considered the environmental effects of the proposed Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan as identified and analyzed in the FEIR, and hereby incorporates by reference each of FEIR findings relative to the potential environmental impacts arising from adoption of the Plan.

NOW, THEREFORE, BE IT RESOLVED effective February 10, 2009, the Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan, be, and hereby is, adopted, including the 2002, 2011, 2014, 2017, and 2018 emissions inventory, 2018 photochemical modeling results, 2018 attainment demonstration the Reasonable Further Progress Demonstration, motor vehicle emission budgets and airport emission inventory for milestone years 2011, 2014, 2017, and 2018.

BE IT FURTHER RESOLVED that the Board of Directors of the EDCAQMD commits to adopt and implement new control measures that satisfy federal Reasonably Available Control Measure requirements and achieve, collectively with measures adopted by the other SFNA air districts, total emission reductions of 3 tons per day VOC and 3 tons per day NOx in the SFNA.

BE IT FINALLY RESOLVED that the Board of Directors of the EDCAQMD directs staff to forward the Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan and all necessary supporting documents to the California Air Resources Board for submittal to the U.S. Environmental Protection Agency as a revision to the California State Implementation Plan.

PASSED AND ADOPTED by the Air Quality Management District Board of Directors of the County of El Dorado at a regular meeting

of said Board, held on the 10th day of February, 20 09,

by the following vote of said Board:

Ayes: Sweeney, Knight, Nutting, Briggs

Noes: none

Absent: Santiago

ATTEST
Suzanne Allen de Sanchez
Clerk of the Board of Supervisors

By _____
Deputy Clerk

Vice Chairperson, AQMD Board of Directors
Norma Santiago

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE 2-12-09

ATTEST: SUZANNE ALLEN DE SANCHEZ, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By _____
Deputy Clerk