

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER G-125-335

Transmittal of Sacramento Regional Nonattainment Area  
8-Hour Ozone Rate-of-Progress Plan

WHEREAS, section 39602 of the California Health and Safety Code designates the Air Resources Board (ARB or Board) as the State air pollution control agency for all purposes set forth in federal law and as the State agency responsible for the preparation of any State Implementation Plan (SIP) required by the Clean Air Act (Act);

WHEREAS, the Board is authorized by the California Health and Safety Code sections 39600, 39602, and 41650-41652 to adopt SIP revisions proposed by local or regional air quality agencies if the requirements of the Act are met;

WHEREAS, the U.S. Environmental Protection Agency (U.S. EPA) has promulgated an eight-hour national ambient air quality standard for ozone (8-hour ozone standard);

WHEREAS, on April 30, 2004, U.S. EPA published a final notice in the Federal Register designating the Sacramento Metro Area (SMA) nonattainment for the federal 8-hour ozone standard with a classification of Serious, effective June 15, 2004;

WHEREAS, the SMA includes the Sacramento Metropolitan Air Quality Management District, Yolo-Solano Air Quality Management District, and parts of the El Dorado County Air Quality Management District, Feather River Air Quality Management District, and Placer County Air Pollution Control District;

WHEREAS, on November 29, 2005, the U.S. EPA promulgated its *Phase II Final Rule to Implement the 8-hour National Ambient Air Quality Standard* (Phase II Rule) which includes requirements for Serious nonattainment areas to demonstrate reasonable further progress (RFP) toward attainment of the new 8-hour ozone standard;

WHEREAS, consistent with section 182(c)(2)(B) of the Act, the Phase II Rule specifies that Serious nonattainment areas must submit a RFP SIP revision providing for an average of a three percent per year reduction in emissions from 2002 to 2008;

WHEREAS, the Phase II Rule allows RFP requirements to be met by using nitrogen oxide (NO<sub>x</sub>) emission reductions in addition to volatile organic compound (VOC) emission reductions if the area has an approved 1990 to 1996 1-hour ozone 15 percent VOC rate of progress (ROP) plan;

WHEREAS, on December 29, 1994, as part of the 1994 1-hour ozone SIP, ARB submitted to U.S. EPA the 1990 to 1996 15 percent VOC ROP Plan for the SMA;

WHEREAS, on January 8, 1997, U.S. EPA approved the SMA emission inventories, control measures, modeling, and demonstrations of post-1996 ROP and attainment demonstrations, and indicated they would take action on the SMA 1990 to 1996 15 percent VOC ROP Plan in a separate rulemaking;

WHEREAS, U.S. EPA has never approved the SMA 1990 to 1996 15 percent VOC ROP Plan;

WHEREAS, the *Sacramento Regional Nonattainment Area 8-Hour Ozone Rate-of-Progress Plan* (Early Progress Plan) contains an updated 1-hour ozone 15 percent VOC ROP demonstration for 1990 to 1996 from already adopted measures without NO<sub>x</sub> substitution;

WHEREAS, the Early Progress Plan sets forth reasonable further progress calculations from 1990 through 1996 indicating annual reductions in VOC of 15 percent which are based solely on reductions from rules which have already been adopted;

WHEREAS, the Early Progress Plan also sets forth reasonable further progress calculations from 2002 through 2008 indicating combined annual reductions in VOC and NO<sub>x</sub> of three (3) percent per year, calculated in accordance with U.S. EPA guidelines;

WHEREAS, the Early Progress Plan includes an updated emissions inventory and sets new motor vehicle emission budgets for 2008 for transportation conformity purposes;

WHEREAS, on January 26, 2006, the Sacramento Metropolitan Air Quality Management District adopted the Early Progress Plan to fulfill the requirements of the Act;

WHEREAS, on February 6, 2006, the Feather River Air Quality Management District adopted the Early Progress Plan to fulfill the requirements of the Act;

WHEREAS, on February 7, 2006, the El Dorado County Air Quality Management District adopted the Early Progress Plan to fulfill the requirements of the Act;

WHEREAS, on February 8, 2006, the Yolo-Solano Air Quality Management District adopted the Early Progress Plan to fulfill the requirements of the Act;

WHEREAS, on February 9, 2006, the Placer County Air Pollution Control District adopted the Early Progress Plan to fulfill the requirements of the Act;

WHEREAS, federal law set forth in section 110(l) of the Act and Title 40, Code of Federal Regulations, section 51.102 require 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 U.S. EPA of any SIP revision;

WHEREAS, the Early Progress Plan was available for public review and comment for at least 30 days as required by U.S. EPA regulations and public hearings were conducted prior to the air districts' adoption of the Early Progress Plan;

WHEREAS, the Sacramento Metropolitan Air Quality Management District, as the lead air district, has submitted the adopted Early Progress Plan to ARB for inclusion in the California SIP, along with proofs of publication and environmental documents, in accordance with State and federal law;

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, pursuant to CEQA, the Sacramento Metropolitan Air Quality Management District, as the lead air district, prepared an Environmental Impact Report (EIR) for the Early Progress Plan, in consultation with the other SMA air districts;

WHEREAS, the Sacramento Metropolitan Air Quality Management District approved and certified the Early Progress Plan EIR on January 26, 2006, after a public review and comment period as required by CEQA;

WHEREAS, the Feather River Air Quality Management District approved and certified the Early Progress Plan EIR on February 6, 2006, after a public review and comment period as required by CEQA;

WHEREAS, the El Dorado County Air Quality Management District approved and certified the Early Progress Plan EIR on February 7, 2006, after a public review and comment period as required by CEQA;

WHEREAS, the Yolo-Solano Air Quality Management District approved and certified the Early Progress Plan EIR on February 8, 2006, after a public review and comment period as required by CEQA;

WHEREAS, the Placer County Air Pollution Control District approved and certified the Early Progress Plan EIR on February 9, 2006, after a public review and comment period as required by CEQA;

WHEREAS, ARB finds that the Early Progress Plan EIR meets the requirements of CEQA;

WHEREAS, sections 39515 and 39516 of the California Health and Safety Code delegate to the ARB Executive Officer the authority to act for the Board in this matter;

NOW, THEREFORE, IT IS ORDERED, that the Executive Officer hereby adopts as a SIP revision the Early Progress Plan which includes updated emission inventories, a 2002 to 2008 RFP Plan, a 1990 to 1996 15 Percent VOC ROP Plan, and updated motor vehicle emissions budgets.

BE IT FURTHER ORDERED, that ARB hereby submits to U.S. EPA the Early Progress Plan, and requests that U.S. EPA approve it as a revision to the California SIP.

BE IT FURTHER ORDERED, that as part of the plan submittal to U.S. EPA, ARB requests expedited adequacy findings for the transportation conformity emission budgets.

BE IT FURTHER ORDERED that ARB certifies pursuant to 40 C.F.R. section 51.102 that the Early Progress Plan being submitted as a SIP revision was adopted after notice and public hearing.

Executed at Sacramento, California this 24th day of February 2006.

  
for Catherine Witherspoon  
Executive Officer