

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER G-125-315

Adoption and Submittal of Amendments to the 2003 State Implementation Plan  
for Particulate Matter in the San Joaquin Valley

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 of the Health and Safety Code 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, sections 39515 and 39516 of the Health and Safety Code provide that any duty may be delegated to the Board's Executive Officer as the Board deems appropriate;

WHEREAS, the San Joaquin Valley Air Basin is designated as a nonattainment area with a classification of "serious" for the inhalable particulate matter (PM10) 24-hour and annual NAAQS;

WHEREAS, following a public hearing on June 19, 2003, the San Joaquin Valley Unified Air Pollution Control District (District) adopted the 2003 San Joaquin Valley PM10 Plan (2003 PM10 Plan) to fulfill the applicable requirements of the Act for serious PM10 nonattainment areas;

WHEREAS, on June 26, 2003, the Board held a public hearing to consider approval of both the 2003 PM10 Plan and proposed State commitments for new statewide control measures and emission reductions;

WHEREAS, following the public hearing, the Board adopted Resolution 03-15, directing the ARB Executive Officer to adopt the 2003 PM10 Plan after taking final action on State commitments;

WHEREAS, Resolution 03-15 directs the Executive Officer to work with U.S. Environmental Protection Agency (U.S. EPA) to resolve any issues regarding plan completeness and approvability that arise;

WHEREAS, Resolution 03-15 authorizes the Executive Officer to submit to U.S. EPA any technical corrections, clarifications, or additions that the local agencies may subsequently provide to secure U.S. EPA approval, provided such changes do not reduce the effectiveness of the control strategy in the 2003 PM10 Plan adopted by the Board;

WHEREAS, on August 19, 2003, the Executive Officer executed Executive Order G-125-305 adopting the 2003 PM10 Plan as a SIP revision;

WHEREAS, ARB submitted the 2003 PM10 Plan to U.S. EPA as a SIP revision on August 19, 2003;

WHEREAS, U.S. EPA found the 2003 PM10 Plan complete on August 22, 2003;

WHEREAS, in October 2003, U.S. EPA requested that the District amend the 2003 PM10 Plan to address several issues in order to assist U.S. EPA in approving the 2003 PM10 Plan;

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

WHEREAS, following a public hearing on December 18, 2003, the District adopted amendments to the 2003 PM10 Plan to address the issues specified by U.S. EPA in October 2003 and to update the status of rulemaking efforts;

WHEREAS, the District submitted the 2003 PM10 Plan Amendments to the ARB as a proposed SIP revision on December 19, 2003, along with proof of public notice 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, the District prepared an Initial Study/Negative Declaration (Negative Declaration) for the 2003 PM10 Plan Amendments which determined that no unmitigated significant adverse environmental impacts will result from the implementation of the 2003 PM10 Plan Amendments; and


WHEREAS, the 2003 PM10 Plan Amendments and Negative Declaration were available for public review and comment for at least 30 days, and a noticed public hearing was conducted in Fresno and video-conferenced to Bakersfield and Modesto prior to consideration of the 2003 PM10 Plan Amendments and Negative Declaration as required by the Act and U.S. EPA regulations.

NOW, THEREFORE, IT IS ORDERED that the Executive Officer hereby adopts the amendments to the 2003 PM10 Plan Amendments as a SIP revision, including:

1. A revised control measure chapter (replacing in total Chapter 4 of the 2003 PM10 Plan),
2. A revised emission reduction credit (ERC) description (replacing in total the ERC section in Chapter 3 entitled *Pre-Baseline Emission Reduction Credits*),
3. Additional best available control measures analysis (supplementing Appendix G of the 2003 PM10 Plan), and
4. Additional information on the transportation conformity budget substitution mechanism (supplementing the section in Chapter 3 entitled *Motor Vehicle Emission Budget for Conformity*);

BE IT FURTHER ORDERED that the ARB hereby submits to the U.S. EPA the 2003 PM10 Plan Amendments for the San Joaquin Valley, and requests that U.S. EPA approve the 2003 PM10 Plan as amended as a revision to the California SIP;

Executed at Sacramento, California this <sup>30th</sup> day December 2003.

  
Catherine Witherspoon  
Executive Officer