

State of California  
AIR RESOURCES BOARD

Executive Order G-125-321

WHEREAS, the California 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, 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 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 local air 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, 40002, 40701, 40702, and 41650 of the Health and Safety Code;

WHEREAS, ARB is authorized by Health and Safety Code section 39600 to do such acts as may be necessary for the proper execution of its powers and duties;

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 Ventura County Air Pollution Control District (District) is the local air district with jurisdiction over Ventura County pursuant to section 40002 of the Health and Safety Code;

WHEREAS, Ventura County is designated as a nonattainment area with a classification of "severe-15" for the one-hour ozone NAAQS;

WHEREAS, the Act requires Ventura County to attain the one-hour ozone NAAQS by November 15, 2005;

WHEREAS, the Act requires the ozone SIP for Ventura County to include air quality and emissions data, a control strategy, a modeled attainment demonstration, rate of progress milestones, conformity emission budgets, and contingency measures;

WHEREAS, the District adopted the Ventura County 1994 Air Quality Management Plan (AQMP) on November 8, 1994 to satisfy the Act's requirements;

WHEREAS, ARB submitted the Plan to U.S. Environmental Protection Agency (U.S. EPA) as a proposed revision to the California SIP on November 15, 1994;

WHEREAS, the District adopted revisions to the Ventura County 1995 AQMP on December 19, 1995;

WHEREAS, ARB submitted the elements of the 1995 AQMP that updated the rule adoption and implementation schedules and estimates of emission reductions for some of the adopted local control measures to U.S. EPA on July 12, 1996 with a request that U.S. EPA approve these modifications to the submitted 1994 SIP;

WHEREAS, U.S. EPA approved the Ventura 1994 ozone SIP as amended by the July 1996 submittal on January 8, 1997 (62 Federal Register 1150) with respect to the Act's requirements for emission inventories, control measures, modeling, and demonstrations of 15 Percent Rate of Progress (ROP) and post-1996 ROP, and attainment;

WHEREAS, the District adopted a 1997 revision to the AQMP on October 21, 1997 to update the adoption and implementation dates for eight local measures in the approved SIP;

WHEREAS, ARB adopted and submitted this update to U.S. EPA as a SIP revision on November 5, 1997;

WHEREAS, on April 21, 1998, U.S. EPA approved the 1997 Ventura SIP revision;

WHEREAS, Ventura County recorded ozone levels meeting the federal one-hour standard in the 2000-2002 period and the 2001-2003 period;

WHEREAS, on April 13, 2004, the District adopted the 2004 AQMP to revise its approved ozone SIP by updating the motor vehicle emission inventories and corresponding transportation conformity emissions budgets for on-road vehicles;

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 2004 Ventura AQMP was available for public review and comment for at least 30 days, and an announced public hearing was conducted in Ventura County on April 13, 2004 prior to its consideration by the District Board, as required by the Act and U.S. EPA regulations;

WHEREAS, the revised transportation conformity emission budgets for 2005 reflect adopted vehicle emission control regulations not included in the existing SIP and budgets;

WHEREAS, the updated on-road vehicle emissions in the 2004 AQMP are intended to replace estimates contained in the attainment and progress demonstrations of the approved Ventura SIP;

WHEREAS, the 2004 AQMP demonstrates that the existing motor vehicle control program will continue to reduce emissions below the levels that contributed to ozone attainment from 2000-2003;

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 approved a Final Environmental Impact Report (EIR) in 1991 as part of the 1991 AQMP;

WHEREAS, as part of the 2004 SIP revision, the District prepared Addendum Number 4 to the 1991 Plan EIR, which describes, analyzes, and evaluates whether the 2004 SIP revision would have an impact on the environment;

WHEREAS, the District determined that the 2004 AQMP does not raise important new issues about significant effects on the environment, and therefore that no supplemental EIR is necessary;

WHEREAS, the District approved and certified the EIR, consisting of the 1991 AQMP EIR and Addenda 1 through 4 to the 1991 AQMP EIR, on April 13, 2004, after a public review and comment period as required by CEQA;

WHEREAS, ARB has reviewed and considered the 2004 AQMP along with the EIR, and finds that the 2004 AQMP is consistent with the requirements of the Act and CEQA;

WHEREAS, the 2004 Plan was submitted to ARB as a SIP revision on April 13, 2004, along with proof of public notice publication and environmental documents in accordance with State and federal law;

NOW, THEREFORE, IT IS ORDERED that the Executive Officer hereby adopts the 2004 Ventura AQMP, including the updated motor vehicle emissions budget, as a SIP revision.

BE IT FURTHER ORDERED that ARB hereby submits to U.S. EPA the 2004 Ventura AQMP, 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 2004 Ventura AQMP being submitted as a SIP revision was adopted after notice and public hearing as required by 40 C.F.R. section 51.102.

Executed at Sacramento, California this 21<sup>st</sup> day of April 2004.

CALIFORNIA AIR RESOURCES BOARD

*/s/ LMT for CEW*

Catherine Witherspoon  
Executive Officer