

## **SACRAMENTO VALLEY BASINWIDE AIR POLLUTION CONTROL COUNCIL**

The Sacramento Valley Basinwide Air Pollution Control Council (BCC) was formed in 1972, by law, to coordinate air programs and achieve and maintain air quality standards.

Health and Safety Code, Division 26 Air Resources, Part 3 Air Pollution Control Districts, Chapter 9 Basinwide Air Pollution Control Councils, § 40900. Existence of councils

There is continued in existence and shall be, in each air basin which is comprised of all or part of two or more districts, a basinwide air pollution control council.

The council shall consist of an elected official of, and designated by, the district board of each district which is included, in whole or in part, within the air basin. Any officer or employee of a district within the air basin may act in an advisory capacity for and on behalf of the basinwide air pollution control council.

Added Stats 1975 ch 957 § 12; Amended Stats 1976 ch 1063 § 32.3, effective September 21, 1976; Stats 1981 ch 172 § 1, effective July 13, 1981.

Amendments:

1976 Amendment: 1981 Amendment: §§ 41000-41499. [Sections repealed 1977.]

Health and Safety Code, Division 26 Air Resources, Part 3 Air Pollution Control Districts Chapter 1 General Provisions, § 40000. Legislative finding and declaration

The Legislature finds and declares that local and regional authorities have the primary responsibility for control of air pollution from all sources, other than emissions from motor vehicles. The control of emissions from motor vehicles, except as otherwise provided in this division, shall be the responsibility of the state board.

The Legislature authorized three different types of air pollution control districts based upon the number of counties that are included in the governing board and how the districts are formed.

### § 40100. County district board

Except as provided in Section 40100.5, a county board of supervisors shall be ex officio the county district board of the county.

### § 40100.5. County district governing boards; Composition

- (a) The membership of the governing board of each county district shall include (1) one or more members who are mayors, city council members, or both, and (2) one or more members who are county supervisors.
- (b) The number of those members and their composition shall be determined jointly by the county and the cities within the district, and shall be approved by the county, and by a majority of the cities which contain a majority of the population in the incorporated area of the district.

§ 40150. Merger of county districts authorize

Two or more contiguous counties, all or part of which are county districts, may merge those county districts into one unified district pursuant to this chapter.

§ 40300. Hearings; Petition

The boards of supervisors of two or more counties within an air basin may hold a public hearing to determine whether the counties under their jurisdiction should become part of a regional district.

Originally, most air pollution control districts were single county districts that were also members of basinwide air pollution control councils. Due to geographical, political and air quality issues many control councils were ineffective and thus unified or regional air districts were formed, some under pressure from the Legislature.

The number of air districts in California decreased with the creation of consolidated county districts. However, the number of air basins increased with ARB recognizing geographic areas with local air sheds that did not share air masses with other regions.





In California the multi-county air districts are: North Coast, Northern Sierra, Feather River, Yolo-Solano, Bay Area, Monterey Bay, San Joaquin, Great Basin, Mojave Desert and South Coast.



Multi-county air agencies have a single governing board and their regions normally do not have basinwide air pollution control councils.

Since 1972, county air districts in the Sacramento Valley have worked together to protect and improve air quality. Monthly air pollution control officer meetings were held. Air quality regulations and plans were drafted in consultation and cooperation. In the fall of 1986 the Sacramento Valley Air Basin Air Pollution Control Council signed a Joint Powers Agreement that stated the following:

**WHEREAS**, Butte, Colusa, Glenn, Placer, Sacramento, Shasta, Sutter, Tehama, Yolo-Solano, and Yuba Air Pollution Control Districts are desirous of entering into an agreement as described in Section 40701 of the California Health and Safety Code, further described, in section 90120 of Title 17 (Part 111, Chapter 1, Subchapter 3) of the California Administrative Code, for the establishment of a coordinated basinwide air pollution control program for the Sacramento Valleywide Air Basin; and

**WHEREAS**, the above-named districts have adopted the minimum requirements contained in the Basin Plan; and

**WHEREAS**, the governing boards of all parties to this agreement have determined that the sharing of equipment and personnel between districts is in the best public interest; and

**WHEREAS**, the establishment of this sharing agreement will better utilize personnel and equipment in the Sacramento Valley Air Basin

The Council then drafted the Bylaws of the Sacramento Valley Basinwide Air Pollution Control Council that are as follows:

1. Promote unity and efficiency among Districts and act as a forum for sharing knowledge and information.
2. Promote uniformity in methods of practice and enforcement of air pollution laws and regulations and encourage the establishment of applicable operational standards and regulations.
3. Serve as a clearinghouse and forum for the endorsement of proposed air pollution rules relating to attainment plans for Districts in the Sacramento Valley Air Basin. Because the Sacramento Valley Air Basin includes districts that may or may not be in the same attainment area for various air quality standards, the Technical Advisory Committee (TAC) to the BCC will identify the rules and plans most suitable for presentation to the BCC. The BCC may separately request to hear presentations on any rules or plans affecting any portion of the Sacramento Valley Air Basin.
4. Benefit the citizens of the Sacramento Valley Air Basin by disseminating information to the public concerning health effects of air pollution.
5. Develop and maintain close communications and a publicly responsible cooperative relationship with the California Air Resources Board and the Environmental Protection Agency for the purpose of advising them on the impact of proposed regulations and programs on the citizens of the Sacramento Valley Air Basin and on districts. To this end, any proposed requirements or mandates presented to any district by these agencies should be evaluated and considered by the TAC for presentation to the BCC.

6. Participate in the development and promotion of legislation beneficial to the Sacramento Valley Air Basin, and oppose legislation that is not beneficial, by direct contact with the State Legislature, Congress, and legislative staffs.

7. Promote statewide communication between Air Basin Control Councils and district boards in the interest of better coordination and cooperation and in support of mutual concerns.

The Sacramento Valley Basinwide Air Pollution Control Council is authorized pursuant to California Health and Safety Code Section (HSC) 40900, and consists of an elected official of, and designated by, the air pollution control district governing board of each district within the Sacramento Valley Air Basin (SVAB). There are nine (9) council members currently sitting on the BCC.

The purpose of the BCC is to carry out the following activities pursuant to State law and the California Code of Regulations (reference HSC 41865 and 41866; California Code of Regulations 80100 et. seq.).

1. Prepare a Smoke Management Program plan and conduct an effective program
2. Administer the Rice Straw Burning Reduction Act of 1991
3. Adopt a Conditional Rice Straw Burning Permit Program for the Air Basin
4. Assist districts in the Sacramento Valley Air Basin in coordinating all air pollution control activities to ensure that the entire Basin is, or will be, in compliance with the requirements of State and Federal air quality laws.

The BCC established a Technical Advisory Committee comprised of the Air Pollution Control Officers of each air district in the Basin. The TAC meets monthly, at locations throughout the Valley, to review air quality issues, programs and develop proposed rules and non-attainment plans.

The Technical Advisory Committee created a committee of air district staff in the Basin called the Sacramento Valley Air Quality Engineering and Enforcement Professionals. This committee meets every other month to conduct work assigned by the TAC including reviewing the Ozone Non-attainment Plan, air pollution rules and permitting and enforcement practices.

Chairmanship of these committees rotates every six months to provide equitable responsibility and control. All districts provide staff support for committees and projects.

Over the years the Sacramento Valley Basin Control Council has directed the air quality efforts in the Basin to maintain coordinated air programs and achieve improvements in air quality levels.

In 1981 the Basin Control Council developed a totally new approach to managing agricultural burning. The two-year test program was so successful that the California Air Resources Board adopted it into State regulations. The Basin program formed the basis of some of the ARB statewide Smoke Management Program requirements.

The Partners for Clean Air presented an award to the Sacramento Valley Basin Control Council in 1994 for its assistance in the summer smog season campaign. Council staff had worked to acquire funds to support the Spare the Air Program.

Sacramento Valley districts share a portable source testing analyzer, provide assistance with technical questions, arrange tours of industrial facilities and work cooperatively to improve program knowledge and air quality conditions to protect public health.