

FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT

RESOLUTION NO.2008-01

WHEREAS, as a serious ozone nonattainment area, the Sacramento Federal Nonattainment Area (SFNA) was required to prepare and submit to EPA by June 15, 2007 a reasonable further progress (RFP) plan demonstrating that emissions in the SFNA will decline by the required level of three percent per year through 2011 and an attainment demonstration plan (SIP) showing attainment of the federal 8-hour ozone ambient air quality standards by June 15, 2013; and

WHEREAS, the SFNA comprises most of El Dorado County, most of Placer County, all of Sacramento and Yolo Counties, south part of Sutter County, and eastern Solano County; and

WHEREAS, the District could not complete the RFP and SIP plan by June 15, 2007 due to unavoidable delays in the local transportation plan process at the Sacramento Area Council of Governments (SACOG) and in the development of mobile source control strategies at the Air Resources Board (ARB); and

WHEREAS, local SFNA air districts, and SACOG, after consultation with other regional partners, delayed submitting the required plans to align the 8-hour ozone plan with Blueprint and SACOG's 2035 Metropolitan Transportation Plan (MTP) and facilitating the transportation planning process; and

WHEREAS the draft SACOG MTP was approved in October 2007 and the associated vehicle activity data provided to ARB in December 2007; and

WHEREAS, nearly 66% of volatile organic compounds (VOCs) and 90% of oxides of nitrogen (NOx) in the SFNA are emitted by mobile sources; and

WHEREAS, emissions from mobile sources in the SFNA are primarily controlled by the State of California Air Resources Board and the U.S. Environmental Protection Agency; and

WHEREAS, the SFNA needs additional emission reductions from mobile sources under the control of the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (ARB), in addition to emissions reductions from sources under

the District's control, to demonstrate attainment of the federal 8-hour ozone ambient air quality standards; and

WHEREAS, the ARB approved the state mobile source control strategies in September 2007; and

WHEREAS, many of these emissions reductions will not occur until after 2012, thereby preventing the SFNA from meeting its June 15, 2013 attainment deadline under its current nonattainment classification of serious;

WHEREAS, areas may voluntarily request a higher classification pursuant to the Clean Air Act, 42 USC 7511(b)(3); and

WHEREAS, receipt of a higher classification designation will extend the period for attainment to 2019; and

WHEREAS, important local measures for reducing mobile source and other emissions on a voluntary basis by citizens, businesses, local governments, and concerned organizations are helping the region improve air quality; and

WHEREAS, the District along with the other air districts that comprise the Sacramento Federal Nonattainment Area are working as expeditiously as practical to prepare the 8-hour plan, conduct public workshops, and complete the environmental impact assessment; and

WHEREAS, the District anticipates submitting the 8-hour Attainment Plan and Final Environment Impact Report Board to the Air Resources Board to meet the severe area requirements in 42 USC 7511a(d) for approval by August 2008; and not later than December 2008;

WHEREAS, the Sacramento Federal Nonattainment Area (SFNA) under its current nonattainment classification of serious is facing federal sanctions and implementation of a Federal Implementation Plan by 2010 because the required plans were not submitted by the June 15, 2007 deadline; and

WHEREAS, the SFNA may be able to avoid triggering the time period for imposition of federal sanctions by submitting our anticipated request to reclassify the area as a severe 8-hour ozone nonattainment area before February 14, 2008 and our reasonable further progress plan by April 30, 2008, and by continuing to move expeditiously toward submission of the severe

SIP in August, 2008 and toward attainment of the federal standard; and

WHEREAS, the Clean Air Act requirements associated with severe ozone classifications have already been implemented under the SFNA 1-hour ozone classification of severe, and these requirements will continue to remain in effect regardless of the reclassification request; and

WHEREAS, staff recommends requesting reclassification because all information available indicates that the reclassification to severe nonattainment for the federal 8-hour ozone ambient air quality standards is unavoidable and the Area will inevitably have to request a reclassification; and

WHEREAS, staff anticipates submitting a reasonable further progress demonstration for 2011 required by Clean Air Act, 42USC7502(c)(2), 7511a(b)(1), and 7511a(c)(2)(b) to the Air Resources Board for approval in April 2008; and

WHEREAS, this Board concurs with the recommendations of its staff;

NOW, THEREFORE, be it resolved that the Board of Directors requests the EPA reclassify the SFNA from serious to severe nonattainment for the federal 8-hour ozone ambient air quality standards, and

BE IT FURTHER RESOLVED that the Board of Directors directs the Executive Director/Air Pollution Control Officer to transmit this reclassification request to EPA through ARB by forwarding a copy of this Resolution before January 28, 2008 and the resolutions from the air districts which comprise the Sacramento Federal Nonattainment Area as they become available, and

BE IT FURTHER RESOLVED that the Governing Board of the District requests that ARB transmit this package to EPA in a timely manner, but no later than February 14, 2008.

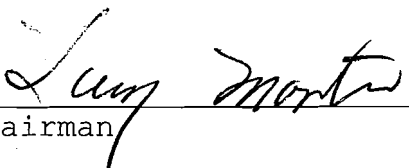
PASSED AND ADOPTED by the Board of Directors of the Feather River Air Quality Management District at a regular meeting on February 4, 2008 by the following vote:

AYES: Directors Griego, Schrader, Montna, Munger, Silva, Fortino, Selvidge, Pendergraph, and Ramirez

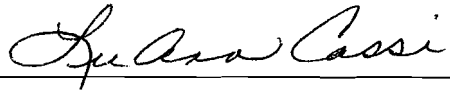
NOES: None

ABSENT: None


ABSTAIN: None


Chairman

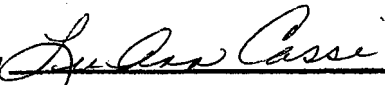
ATTEST:
CLERK OF THE DISTRICT BOARD



APPROVED FOR LEGAL FORM


William Vanesek, District
Legal Counsel

The foregoing instrument is a Correct Copy of the original on file in this office
ATTEST
Clerk of the Feather River Air Quality Mgmt. District

By 

Date: 02/06/08