

FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT

IN RE:)
)
) RESOLUTION NO. 2006-XX
RESOLUTION ADOPTING FINAL)
ENVIRONMENTAL IMPACT)
REPORT, AND SACRAMENTO)
REGIONAL NONATTAINMENT)
AREA 8-HOUR OZONE)
RATE-OF-PROGRESS PLAN)

WHEREAS, the U.S. Environmental Protection Agency (“USEPA”) has promulgated a new National Ambient Air Quality Standard (“NAAQS”) for ozone with an 8-hour averaging time of 0.08 parts per million, has revoked the 1-hour primary standard, and has determined that the 8-hour standard is necessary in order to protect public health (Federal Register, Vol. 62, No. 138, pages 2-37 (July 18, 1997)); and

WHEREAS, the Sacramento Metropolitan Area (“SMA”), includes part of the Feather River Air Quality Management District (“FRAQMD”), as well as the Sacramento Metropolitan Air Quality Management District, the Yolo-Solano Air Quality Management District, and parts of the Placer County Air Pollution Control District and the El Dorado County Air Quality Management District (“SMA Districts”) (Federal Register, Vol. 69, No. 84, pages 23858-23951 (April 30, 2004)); and

WHEREAS, the SMA exceeds the primary NAAQS for 8-hour ozone, and has been designated a nonattainment area for ozone with a classification of “Serious” (Federal Register, Vol. 69, No. 84, pages 23858-23951); and

WHEREAS, the USEPA recently published its Final Rule for the implementation of the 8-hour Ozone National Ambient Air Quality Standard, which requires nonattainment areas classified “Serious” to demonstrate reasonable further progress toward attainment of the new 8-hour standard (Federal Register, Vol. 70, No. 228, pages 71611-71705 (November 29, 2005)); and

WHEREAS, the SMA Districts have prepared the proposed Sacramento Regional Nonattainment Area 8-Hour Ozone Rate-of-Progress Plan (“8-Hour ROP”) to satisfy this reasonable further progress requirement; and

WHEREAS, the proposed 8-Hour ROP demonstrates that existing control strategies and approved control measure commitments will provide the future emission reductions necessary to meet the federal Clean Air Act requirements for reasonable further progress for the period 2002-2008; and

WHEREAS, photochemical modeling has concluded that the most feasible ozone attainment strategy must include reductions of both volatile organic compounds and nitrogen oxide emissions, and that nitrogen oxide reductions will be more beneficial in reducing peak ozone in downwind areas; and

WHEREAS, the substitution of nitrogen oxide emission reductions in place of volatile organic compound emission reductions to meet reasonable further progress requirements is consistent with Federal Clean Air Act Section 182(c)(2)(C), and with previous and current analyses of ozone attainment

strategies in the SMA; and

WHEREAS, the proposed 8-Hour ROP includes an updated emissions inventory, and sets new Motor Vehicle Emission Budgets for federal transportation conformity purposes; and

WHEREAS the proposed 8-Hour ROP includes an updated 15 percent volatile organic compound emission reduction demonstration for 1990 - 1996; and

WHEREAS, in connection with the foregoing, the Sacramento Metropolitan Air Quality Maintenance District, as lead agency, in consultation with El Dorado Air Quality Management District, Feather River Air Quality Management District, Placer County Air Pollution Control District and Yolo-Solano Air Quality Management District, as responsible agencies, duly prepared a Draft Environmental Impact Report (“DEIR”), dated September, 2005, State Clearinghouse No. 2004042112, to consider potential environmental impacts arising from the proposed 8-Hour ROP; and

WHEREAS, the Sacramento Metropolitan Air Quality Management District duly published notice of the availability of the DEIR, and held a duly noticed public workshop on October 24, 2005 to receive public comment on the DEIR and the propose 8-Hour ROP; and

WHEREAS, Comments and Responses to the DEIR, including the list of persons, organizations and public agencies commenting on the DEIR, have been prepared as Appendix D thereto, and together with the DEIR comprise a Final Environmental Impact Report, completed in full compliance with all procedural and substantive provisions of the California Environmental Quality Act; and

WHEREAS, on January 26, 2006 the Sacramento Metropolitan Air Quality Management District held a duly noticed public hearing to consider the adequacy of the Final Environmental Impact Report, prior to its consideration of the 8-Hour ROP; and

WHEREAS, on January 26, 2006 the Sacramento Metropolitan Air Quality Management District duly certified the Final Environmental Impact Report as having been prepared in full compliance with the provisions of the California Environmental Quality Act; and

WHEREAS, on February 6, 2006 the Board of Directors of the Feather River Air Quality Management District held a duly noticed public hearing in order to hear and to consider public comment on the 8-Hour ROP; and

WHEREAS, the Board of Directors of the Feather River Air Quality Management District has read and considered the environmental effects of the proposed 8-Hour ROP as identified and analyzed in the Final Environmental Impact Report, and hereby incorporates by reference each of its findings relative to the potential environmental impacts arising from adoption of the 8-Hour ROP; and

WHEREAS, based on the analysis and findings of the Final Environmental Report, and on the testimony and documentary evidence received at its regular meeting of February 6, 2006, the Board of Directors of the Feather River Air Quality Management District finds that it is not necessary to make any of the findings required under California Code of Regulations, Title 14, Section 15091.

NOW, THEREFORE, BE IT RESOLVED, effective February 6, 2006, the Sacramento Regional Nonattainment Area 8-Hour Ozone Rate-Of-Progress Plan, be, and hereby is, adopted,

including its 2002 Baseline Inventory, its update to the Motor Vehicle Emissions Budgets, and its 15 percent volatile organic compound emissions reduction demonstration.

BE IT FURTHER RESOLVED that the Board of Directors of the Feather River Air Quality Management District directs its staff to forward the Sacramento Regional Nonattainment Area 8-Hour Ozone Rate-of-Progress Plan, and all necessary supporting documents, to the California Air Resources Board for submittal to the U.S. Environmental Protection Agency as and for a revision to the State Implementation Plan.

PASSED AND ADOPTED by the Feather River Air Quality Management District at its regular meeting of February 6, 2006, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairman

ATTEST:
CLERK OF THE DISTRICT BOARD

APPROVED FOR LEGAL FORM

James E. Lewis, District Legal Counsel