

SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT

AQMD Resolution No. \_\_\_\_\_

**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 the Sacramento Metropolitan Air Quality Management District ("District") as well as the Yolo-Solano Air Quality Management District, and parts of the Placer County Air Pollution Control District, the El Dorado County Air Quality Management District, and the Feather River Air Quality Management District (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 nonattainment 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 the 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 compound and nitrogen oxide emissions and that nitrogen oxide reductions would be more beneficial than VOC reductions 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 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 Management 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 published notice of the availability of the DEIR and held a noticed public workshop on October 24, 2005 to receive public comment on the DEIR and the proposed 8-Hour ROP; and

**WHEREAS** minor revisions to the ROP and DEIR were made to amplify and clarify the analysis contained in those documents and to add new information to the EIR regarding the final mitigation measures; and

**WHEREAS** the information added to the EIR did not identify a new significant impact related to the project or mitigation measures or increase in the severity of a previously identified impact, nor did it identify a feasible project alternative not analyzed in the draft EIR.

**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 revised 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** the Board of Directors of the Sacramento Metropolitan Air Quality Management District held a noticed public hearing and considered public comment on the proposed 8-Hour ROP at its January 26, 2006 meeting; and

**WHEREAS** the Board of Directors of the District certifies that the Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act, that the Board of Directors of the District has reviewed and considered the information contained in the Final Environmental Impact Report and that the Final Environmental Impact Report reflects their independent judgment.

**WHEREAS** the Board of Directors of the Sacramento Metropolitan Air Quality Management District finds that Final Environmental Impact Report identifies potentially significant impacts on air quality in 2027 as compared to the No Project Alternative in Sacramento County, Placer County, Yolo County; and

**WHEREAS** the Board of Directors of the Sacramento Metropolitan Air Quality Management District has required the implementation of mitigation measures that lessen the significant environmental effects identified in the Final Environmental Impact Report. Those mitigations consist of the implementation of the Vehicle and Engine Technology Market Based Incentive Program by SMAQMD and mitigate the potentially significant adverse air quality impacts to insignificant levels; and

**WHEREAS** the Board of Directors of the Sacramento Metropolitan Air Quality Management District finds that there are no additional feasible mitigation measures or project alternatives other than those already included in the Final EIR; and

**WHEREAS** \$19.2 million in funding has been secured for the Vehicle and Engine Technology Market Based Incentive Program; and

**WHEREAS** the District has prepared a Mitigation Monitoring Program, which requires the District staff to prepare and submit to the Board an annual report on implementation of the Vehicle and Engine Technology Market Based Incentive Program until the measure is fully implemented.

**WHEREAS** staff of the Sacramento Metropolitan Air Quality Management District, at 777 12<sup>th</sup> Street, Sacramento maintain the record of the proceedings upon which this decision is based.

**NOW, THEREFORE, BE IT RESOLVED** that Board of Directors finds that changes or alteration in the project have been required that avoid or substantially lessen the significant environmental effects identified in the final EIR, because the Vehicle and Engine Technology Market Based Incentive Program to be implemented by the District provides adequate emission reductions to reduce the project emissions to less than significant levels;

**BE IT FURTHER RESOLVED** that the Board of Directors approves the Mitigation Monitoring Program attached as Attachment 6 to the January 26, 2006 Board letter for the ROP and EIR; and

**BE IT FURTHER RESOLVED** that the Board of Directors of the Sacramento Metropolitan Air Quality Management District certifies that the Final Environmental Impact Report prepared for the proposed Sacramento Regional Nonattainment Area 8-Hour Ozone Rate-of-Progress Plan is adequate; and

**BE IT FURTHER RESOLVED** that the Board of Directors of the Sacramento Metropolitan Air Quality Management District approves the proposed Sacramento Regional Nonattainment Area 8-Hour Ozone Rate-of-Progress Plan, approves the 2002 Baseline Inventory contained in the proposed Sacramento Regional Nonattainment Area 8-Hour Ozone Rate-of-Progress Plan, approves the proposed update to the Motor Vehicle Emissions Budgets that the Sacramento Area Council of Governments must use for federal transportation conformity purposes, and approves the 15 percent volatile organic compound emissions reduction demonstration for 1990-1996.

**BE IT FURTHER RESOLVED** that the Board of Directors of the Sacramento Metropolitan Air Quality Management District directs 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 a revision to the State Implementation Plan.

**BE IT FINALLY RESOLVED** that the Board of Directors of the Sacramento Metropolitan Air Quality Management District adopts the Vehicle and Engine Technology Market Based Incentive Program to mitigate significant adverse air quality impacts and directs staff to report back to the Board of Directors annually on the progress of the mitigation measures until the measures are fully implemented.

ON A MOTION by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, the foregoing Resolution was passed and adopted by the Board of Directors of the Sacramento Metropolitan Air Quality Management District, State of California, this \_\_\_\_\_, of \_\_\_\_\_, 2006

by the following vote, to wit:

AYES: Directors,

NOES: Directors,

ABSENT: Directors,

Chairperson of the Board of Directors of the  
Sacramento Metropolitan Air Quality Management District

ATTEST:

Clerk of the Board  
Sacramento Metropolitan Air Quality  
Management District  
State of California

By: