

RESOLUTION NO. 2024 – XXXX

Adopted by the Sacramento Metropolitan Air Quality Management District
Board of Directors

RULE 101 – General Provisions and Definitions

BACKGROUND:

- A. The Board of Directors (Board) of the Sacramento Metropolitan Air Quality Management District (District) is authorized by Sections 40001, 40702, and 41010 of the California Health and Safety Code (HSC) to adopt, amend or repeal rules and regulations [HSC Section 40727(b)(2)].
- B. The SMAQMD is within an area designated nonattainment for the 2008 and 2015 8-hr ozone National Ambient Air Quality Standards.
- C. The Board has determined that a need exists to amend Rule 101 to fulfill requirements of nonattainment new source review pursuant to 40 CFR 51.165 and incorporate eleven compounds exempted by EPA to the District's list of exempt compounds [HSC Section 40727(b)(1)].
- D. The Board has determined that the meaning of Rule 101 can be easily understood by the persons affected by it [HSC Section 40727(b)(3)].
- E. The Board has determined that Rule 101 is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations [HSC Section 40727(b)(4)].
- F. The Board has determined that Rule 101 does not duplicate any existing state or federal regulations [HSC Section 40727(b)(5)].
- G. The Board has determined that Rule 101 implements the requirements of CAA Sections 172(c)(5), 173, and 182(a)(2)(C) [HSC Section 40727(b)(6)].
- H. The Board has considered a written analysis for Rule 101 in Staff's Statement of Reasons [HSC Section 40727.2].
- I. The Board has maintained records of the rulemaking proceedings [HSC Section 40728].
- J. The Board held a duly noticed public hearing on August 22, 2024, and considered public comments on Rule 101 [HSC Sections 40725 and 40726 and 40 CFR 51.102].
- K. The Board has considered the socioeconomic impacts of Rule 101 in Staff's Statement of Reasons [HSC Section 40728.5].
- L. The Board evaluated Rule 101 to determine whether it is exempt from the California Environmental Quality Act (CEQA) as an action by a regulatory agency for protection of the environment (Class 8 Categorical Exemption, §15308 State CEQA Guidelines) and as an action in which it can be seen with certainty that there is no possibility that the activity may have a significant adverse effect on the environment (§15061(b)(3), State CEQA Guidelines).

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE BOARD OF DIRECTORS RESOLVES AS FOLLOWS:

- Section 1. The amendment of Rule 101 is exempt from CEQA.
- Section 2. Approves and amends Rule 101 – GENERAL PROVISIONS AND DEFINITIONS, shown in the attached Exhibit A.
- Section 3. Rule 101 (set forth in Exhibit A) is effective as of August 22, 2024.
- Section 4. Directs Staff to forward Rule 101 and all necessary supporting documents to the California Air Resources Board for submittal to U.S. EPA as a revision to the California State Implementation Plan.
- Section 5. Exhibit A is attached to and incorporated into this Resolution.

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 on August 22, 2024, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

ATTEST:

Clerk, Board of Directors
Sacramento Metropolitan Air Quality Management District