

RESOLUTION NO. AQM _____

**REVISION TO THE SACRAMENTO REGIONAL 8-HOUR OZONE ATTAINMENT AND
REASONABLE FURTHER PROGRESS PLAN: REMOVAL OF CONTROL MEASURE
IS-2 – OPERATIONAL INDIRECT SOURCE RULE**

**THE BOARD OF DIRECTORS
OF THE SACRAMENTO METROPOLITAN AIR QUALITY
MANAGEMENT DISTRICT**

WHEREAS, the United States Environmental Protection Agency (EPA) promulgated the 1997 National Ambient Air Quality Standard (NAAQS) for ozone of 0.08 parts per million with an 8-hour averaging time and determined that the standard is necessary to protect human health (Federal Register, Vol. 62, No. 138, pages 2-37 (July 18, 1997)); and

WHEREAS, in January and February of 2009, the Boards of Directors of the districts of the Sacramento Federal Nonattainment Area adopted the Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan (2009 Plan), which satisfies the Clean Air Act's attainment and reasonable further progress demonstration requirements associated with the 1997 ozone NAAQS (42 USC §7502(c) and §7511a); and

WHEREAS, the 2009 Plan includes control measure IS-2, OPERATIONAL INDIRECT SOURCE RULE to reduce operational emissions from new land use development; and

WHEREAS, the 2009 Plan does not rely on achieving any emissions reductions from control measure IS-2 to meet Clean Air Act requirements for attainment or progress; and

WHEREAS, new information developed during Staff's analysis of the 2009 Plan commitments indicates that the implementation of other statutes and regulations may provide reductions in operational emissions similar to those envisioned for control measure IS-2; and

WHEREAS, the U.S. Environmental Protection Agency took action on a San Joaquin Valley Unified Air Pollution Control District rule similar to control measure IS-2 disapproving credit of emission reductions from the rule for attainment or progress demonstration purposes, and Staff's analysis of that action indicates that implementation of control measure IS-2 would impose a regulatory burden without any certainty that emission benefits could be credited toward the 2009 Plan; and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that the uncertainties in the effects of other statutes and regulations and the creditability of emission reductions from control measure IS-2 at this time justifies removing this control measure from the 2009 Plan; and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that the Plan revision to remove control measure IS-2 will not change the attainment demonstration or interfere with attainment (42 USC §7502(c)(1) and §7511a(c)(2)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that the Plan revision will not interfere with reasonable further progress (42 USC §7511a(c)(2)(B) and (C)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that the Plan revision does not change the conclusion that the 2009 Plan includes all reasonably available control measures (42 USC §7502(c)(1)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that the Plan revision does not change the 2009 Plan Clean Air Act contingency measures (42 USC §7502(c)(9) and §7511a(c)(9)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District held a noticed public hearing on October 27, 2011 and considered public comment on the proposed Plan revision (42 USC §7410(l)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has maintained records of the revision proceedings; and

WHEREAS, this action is exempt from CEQA by California Code of Regulations Title 14, Chapter 3, Section 15162(a)(1) – Subsequent Environmental Impact Reports and Negative Declarations, because the project does not require any changes to the Final Environmental Impact Report for the 2009 Sacramento Regional Non-Attainment Area 8-Hour Ozone Attainment and Reasonable Further Progress Plan (March 26, 2009).

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Sacramento Metropolitan Air Quality Management District determines the revision to the Plan is exempt from CEQA; and

BE IT FUTHER RESOLVED that the Board of Directors of the Sacramento Metropolitan Air Quality Management District approves and adopts the proposed revision to the 2009 Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan to remove control measure IS-2, OPERATIONAL INDIRECT SOURCE RULE; and

BE IT ORDERED that the Board of Directors of the Sacramento Metropolitan Air Quality Management District directs Staff to forward the adopted revision and all necessary supporting documents to the California Air Resources Board for its approval and subsequent submittal to U.S. EPA for final approval as a revision to the State Implementation Plan.

Board Resolution

Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan

Removal of Control Measure IS-2

October 27, 2011, Page 3

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 27th day of October, 2011, by the following vote, to wit:

AYES: Directors

NOES: Directors

ABSENT: Directors

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

(SEAL)

ATTEST: _____
Clerk of the Board
Sacramento Metropolitan Air Quality Management District