



RESOLUTION NO. 157-2023

**OF THE BOARD OF DIRECTORS OF THE EL DORADO
COUNTY AIR QUALITY MANAGEMENT DISTRICT**

**RESOLUTION ADOPTING THE SACRAMENTO REGIONAL 8-HOUR OZONE
ATTAINMENT AND REASONABLE FURTHER PROGRESS PLAN**

WHEREAS, the U.S. Environmental Protection Agency (USEPA) promulgated the 2015 National Ambient Air Quality Standard ("NAAQS") for ozone with an 8-hour averaging time of 70 parts per billion and determined that attaining the 8-hour ozone standard is necessary in order to protect public health (Federal Register, Vol. 80, No. 206, October 26, ([80 FR 65292](#))); and

WHEREAS, the Sacramento Federal Nonattainment Area ("SFNA") includes Sacramento and Yolo counties, the western portion of El Dorado and Placer counties, the southern portion of Sutter County, and the northeastern portion of Solano County (Federal Register, Vol. 77, No. 98, pages 30104-30105 (May 21, 2012)); and

WHEREAS, on June 4, 2018, USEPA classified the SFNA as a Moderate nonattainment area based on the SFNA design value using air quality data from 2013 – 2015 (83 FR 25776); and

WHEREAS, on May 26, 2020, the SFNA air districts requested a voluntary reclassification for Moderate to Serious nonattainment because ambient air quality data and modeling did not indicate attainment would be achieved by the Moderate nonattainment area deadline of August 2024; and

WHEREAS, in May of 2022, the SFNA air districts requested a voluntary reclassification from Serious to Severe-15 because more recent ambient air quality data and modeling conducted by the California Air Resources Board (CARB) did not indicate attainment would be achieved by the Serious attainment date of August 2027. The request was forwarded by CARB and is pending action by the USEPA. If the reclassification to Severe-15 request is approved, the attainment deadline will be August 2033; and

WHEREAS, the USEPA's Final Rule to Implement the 8-Hour Ozone NAAQS, which requires nonattainment areas classified "Serious and above" to demonstrate Reasonable Further Progress ("RFP") toward attainment of the 2015 8-hour ozone standard by conducting a Reasonably Available Control Measures ("RACM") analysis, compiling emissions inventories, establishing new motor vehicle emissions budgets, and complying with the timeline for State Implementation Plan ("SIP") submissions (Federal Register, Vol. 83, No. 234, December 6, 2018, ([83 FR 62998](#))); and

WHEREAS, the SFNA air districts have prepared the Sacramento Regional 2015 NAAQS 8-Hour Ozone Attainment and Reasonable Further Progress Plan ("Plan") to satisfy the reasonable further progress demonstration requirements associated with the "Severe-15" classification (42 USC§ 7502 (c) and§ 7511a); and

WHEREAS, the Plan uses a 2017 base year and provides emissions inventory forecasts for Volatile Organic Carbon and Oxides of Nitrogen (VOC and NOx, ozone precursor pollutants) for 2023, 2026, 2029, and 2032. These forecasts predict a significant decline in emissions; and

WHEREAS, the Clean Air Act requires a demonstration that the region will meet the NAAQS as expeditiously as practicable. Based on photochemical modeling conducted by the CARB, the SFNA is expected to attain by the end of 2032; and

WHEREAS, the photochemical modeling conducted by CARB forecasts that existing local air quality control programs with the new statewide control measures are sufficient to demonstrate attainment by the end of 2032. Accordingly, no new local or regional control measures are needed to attain the standard by the attainment year; and

WHEREAS, the RACM analysis showed that estimated emission reductions from potential stationary source control measures imposed by air districts would be insufficient to advance the attainment date; and

WHEREAS, the Clean Air Act prohibits federal agencies in ozone nonattainment areas from engaging in, approving, permitting, or providing financial support for activities that do not conform to the area's Plan and requires transportation conformity to ensure transportation activities do not impede the area's ability to attain the NAAQS (USC§ 176); and

WHEREAS, transportation planning in the SFNA is the responsibility of the Sacramento Area Council of Government (SACOG) and the Bay Area Metropolitan Transportation Commission (MTC for Solano portion). To comply with the Clean Air Act conformity requirement, SACOG and MTC must demonstrate that vehicle emissions from projected regional transportation plans, programs and projects will be less than the projected Motor Vehicle Emissions Budgets ("MVEBs") set forth in this plan for the 2023, 2026 and 2029 milestone years and 2032 attainment year (42 USC § 5706); and

WHEREAS, the MVEB, included as part of this Plan, will be submitted to USEPA for approval; USEPA will conduct an adequacy review to determine if the MVEBs are adequate for conformity purposes; and

WHEREAS, the region is expected to meet the minimum emission reduction targets of 3% per year for milestone years 2023, 2026, and 2029 and attainment by 2032; and

WHEREAS, contingency measures to achieve additional emission reductions are required should the SNA fail to achieve attainment. The El Dorado County Air Quality Management District commits to propose to the El Dorado County Board of Supervisors amendments to the architectural coating rule to include contingency measure provisions and will evaluate additional potential options for additional contingency measures after USEPA finalizes the contingency measures guidance. The State of California is developing an enhanced smog check contingency measure that may be enacted in nonattainment areas; and

WHEREAS, the California Environmental Quality Act (CEQA) requires that no project that may have significant adverse environmental impacts be adopted as originally proposed if feasible alternatives or mitigation measures are available to reduce or eliminate such impacts; and

WHEREAS, the SFNA Air Districts determined that the Ozone Plan is exempt from CEQA under 14 California Code of Regulations section 15061(b)(3) (the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment) and under 14 California Code of Regulations section 15308 (actions taken by a regulatory agency to assure the maintenance, restoration, enhancement, or protection of the environment) and the Plan will not result in any potentially significant adverse effects on the environment; and

WHEREAS, staff published a notice of public hearing for the Plan on September 13, 2023, and on September 15, 2023, inviting public comment and providing a 30-day period to submit written comments on the Plan; and

WHEREAS, staff of the El Dorado County Air Quality Management District, at 330 Fair Lane, Placerville, CA 95667 maintains the record of the proceedings upon which this decision is based; and

WHEREAS, the Board of Directors held a public hearing on October 17, 2023, and considered public comment on the proposed Plan in accordance with Federal Clean Air Act (42 USC § 7410(1)) and 40 CFR 51.102; and

NOW, THEREFORE, BE IT RESOLVED the Board of Directors of the El Dorado County Air Quality Management District adopts the Sacramento Regional 2015 NAAQS 8-Hour Ozone Attainment and Reasonable Further Progress Plan, including 2023, 2026, 2029, and 2032 emissions inventories, photochemical modeling results, 2032 attainment demonstration, the reasonable further progress demonstrations for 2023, 2026, and 2029, and the motor vehicle emissions budgets for milestone years 2023, 2026, and 2029 and attainment year 2032.

BE IT FURTHER RESOLVED that the Plan meets Federal Clean Air Act Section 110 requirements for state implementation plans (SIPs), and Sections 172, 176, 181, and 182 and 40 CFR Part 51 Subpart CC planning requirements for nonattainment areas.

BE IT FURTHER RESOLVED that adoption of the Plan is exempt from California Environmental Quality Act under 14 California Code of Regulations §§ 15061(b)(3) and 15308.

BE IT FURTHER RESOLVED that the Board of Directors authorizes the Air Pollution Control Officer to make minor editorial and formatting changes to the Plan prior to submittal to CARB.

BE IT FINALLY RESOLVED that the Board of Directors directs staff to forward the Sacramento Regional 2015 8-Hour Ozone Attainment and Reasonable Further Progress Plan and all necessary supporting documents to CARB for submittal to USEPA as a revision to the California State Implementation Plan to satisfy the requirements of Clean Air Act Sections 172, 176, 181, and 182.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the ____ day of _____, 20__, by the following vote of said

Board:

Attest:
Kim Dawson
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By:

Deputy Clerk

Chair, Board of Supervisors