



RESOLUTION NO. _____

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

**RESOLUTION REQUESTING TO RECLASSIFY THE SACRAMENTO FEDERAL OZONE
NONATTAINMENT AREAS AS SEVERE FOR THE NATIONAL 8-HOUR OZONE AMBIENT
AIR QUALITY STANDARDS**

WHEREAS, the El Dorado County Air Quality Management District (AQMD) is a duly constituted County Air Pollution Control District as provided in California Health and Safety Code sections 40002 and 40100 et seq.; and

WHEREAS, the Federal Environmental Protection Agency has established the Sacramento Federal Nonattainment Area (SFNA) which is comprised of the west slope of El Dorado County, most of Placer County, all of Sacramento and Yolo Counties, the south part of Sutter County, and eastern Solano County; and

WHEREAS, the SFNA under its current nonattainment classification of "serious" was required to prepare and submit to EPA by June 15, 2007 a Reasonable Further Progress (RFP) plan demonstrating that emissions in the SFNA will decline by the required level of three percent per year through 2011 and an attainment demonstration plan (SIP) showing attainment of the federal 8-hour ozone ambient air quality standards by June 15, 2013; and

WHEREAS, the RFP and SIP could not be completed due to unavoidable delays in the local transportation plan process at the Sacramento Area Council of Governments (SACOG) and in development of mobile source strategies at the California Air Resources Board (CARB); and

WHEREAS, the local SFNA air districts, and SACOG, after consultation with other regional partners delayed submitting the required plans to align the 8-hour ozone plan with Blueprint and SACOG's 2035 Metropolitan Transportation Plan (MTP) and facilitating the transportation planning process; and

WHEREAS the draft SACOG MTP was approved in October 2007 and the associated vehicle activity data provided to ARB in December 2007; and

WHEREAS, nearly 66% of volatile organic compounds (VOCs) and 90% of oxides of nitrogen (NOx) precursors for ozone in the SFNA are emitted by mobile sources; and

WHEREAS, emissions from mobile sources in the SFNA are primarily controlled by the CARB and the U.S. Environmental Protection Agency (EPA); and

WHEREAS, the SFNA needs additional emission reductions from mobile sources under the control of the U.S. EPA and the CARB, in addition to emissions reductions from sources under the AQMD's control, to demonstrate attainment of the federal 8-hour ozone ambient air quality standards; and

WHEREAS, CARB approved the state mobile source control strategies in September 2007; and

WHEREAS, many of these emissions reductions will not occur until after 2012, thereby preventing the SFNA from meeting its June 15, 2013 attainment deadline under its current nonattainment classification of "serious"; and

WHEREAS, Federal nonattainment areas may voluntarily request a higher classification pursuant to the Clean Air Act, 42 USC 7511(b)(3); and

WHEREAS, as a severe area the SFNA must attain as expeditiously as practical but no later than June 15, 2019; and

WHEREAS, important local measures for reducing mobile source and other emissions on a voluntary basis by citizens, businesses, local governments, and concerned organizations are helping the region improve air quality; and

WHEREAS, the AQMD along with the other air districts that comprise the SFNA are working as expeditiously as practical to prepare the 8-hour plan, conduct public workshops, and complete the Environmental Impact Report (EIR); and

WHEREAS, the AQMD anticipates submitting the 8-hour Attainment Plan and Final EIR to CARB to meet the severe nonattainment area requirements in 42 USC 7511a(d) for approval not later than December 2008; and

WHEREAS, the SFNA under its current nonattainment classification of serious is facing the potential of federal sanctions and implementation of a Federal Implementation Plan by 2010 because the required plans were not submitted by the June 15, 2007 deadline; and

WHEREAS, the SFNA may be able to avoid the potential of the imposition of federal sanctions by submitting a request to reclassify the area as a severe 8-hour ozone nonattainment area before February 14, 2008 and our Reasonable Further Progress Plan by April 30, 2008; and

WHEREAS, the Clean Air Act requirements associated with severe ozone classification have already been implemented under SFNA 1-hour ozone classification as severe, and these requirements will continue to remain in effect regardless of the reclassification request; and

WHEREAS, staff recommends requesting reclassification from a serious nonattainment area to a severe nonattainment area because all information available indicates that the reclassification to severe nonattainment area under the federal 8-hour ozone ambient air quality standards is unavoidable and the SFNA will inevitably have to request a reclassification; and

WHEREAS, staff anticipates submitting a Reasonable Further Progress Plan for 2011 as required by Clean Air Act, 42USC7502(c)(2), 7511a(b)(1), and 7511a(c)(2)(b) to the Air Resources Board for approval in April 2008; and

WHEREAS, this Board concurs with the recommendations of its staff;

NOW, THEREFORE, be it resolved that the Governing Board requests the EPA to reclassify the SFNA from serious to severe nonattainment area for the federal 8-hour ozone ambient air quality standards, and

BE IT FURTHER RESOLVED that the Governing Board directs the Air Pollution Control Officer to transmit this reclassification request to EPA through CARB by forwarding a copy of this Resolution before February 14, 2008, along with the resolutions from other air districts which comprise the SFNA: and

BE IT FURTHER RESOLVED that the Governing Board of the AQMD requests that CARB transmit this package to EPA in a timely manner, but no later than February 15, 2008.

PASSED AND ADOPTED by the Air Quality Management District Board of Directors of the County of El Dorado at a regular meeting of said Board, held on the _____ day of _____, 20_____, by the following vote of said Board:

Ayes:

Noes:

Absent:

ATTEST

Cindy Keck

Clerk of the Board of Supervisors

By _____
Deputy Clerk

Chairperson, AQMD Board of Directors

I CERTIFY THAT:

THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE _____

ATTEST : CINDY KECK, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By _____
Deputy Clerk