



RESOLUTION NO.
OF THE BOARD OF DIRECTORS OF THE EL DORADO COUNTY
AIR QUALITY MANAGEMENT DISTRICT

**RESOLUTION AMENDING EL DORADO COUNTY
AIR QUALITY MANAGEMENT DISTRICT RULE 1000 EMISSION STATEMENT
& RULE 1000.1 EMISSION STATEMENT WAIVER**

WHEREAS, California Health and Safety (“CA H&S”) Code Section 40001 authorizes El Dorado County Air Quality Management District (EDCAQMD) to adopt and enforce Rules and Regulations to achieve and maintain ambient air quality standards within the District; and

WHEREAS, CA H&S Code Section 40702 requires a district to adopt rules and regulations and do such acts as may be necessary or proper to execute the powers and duties granted; and

WHEREAS, CA H&S Code Section 40727 provides that before adopting, amending, or repealing a rule or regulation, a district board shall make findings of necessity, authority, clarity, consistency, nonduplication, and reference, based upon information developed pursuant to section 40727.2, information in the rulemaking record maintained pursuant to section 40728, and relevant information presented at the public hearing required by section 40725; and

WHEREAS, CA H&S Code Section 40727.2 requires the EDCAQMD to prepare a written analysis of existing federal air pollution control requirements applicable to the same source type being regulated whenever it adopts, or amends a rule, and EDCAQMD’s comparative analysis of the proposed amended Rules 1000 and Rule 1000.1 are included in the staff report; and

WHEREAS, the purpose of amending Rule 1000 - Emission Statement and Rule 1000.1 - Emission Statement Waiver is to comply with the Federal Clean Air Act (CAA), Section 182(a)(3)(B), Emissions Statements; and

NOW, THEREFORE, BE IT RESOLVED that the EDCAQMD Board of Directors hereby finds, authorizes, directs, and declares as follows:

1. The Board of Directors has considered the staff report prepared in this matter, attached hereto and incorporated herein by reference.
2. The Board of Directors makes the following findings pursuant to CA H&S Code Section 40727:
 - a. Necessity: Information in the District's rulemaking record maintained pursuant to CA H&S Code Section 40727 demonstrates a need for amending Rules 1000 and 1000.1;
 - b. Authority: EDCAQMD has the authority to adopt, amend, or repeal rules and regulations pursuant to CA H&S Code Sections 40000, 40001, 40701, 40702, 40716;
 - c. Clarity: The proposed amended Rules 1000 and 1000.1 are written so that the meaning can be easily understood by the persons directly affected by it;
 - d. Consistency: The proposed amended Rules 1000 and 1000.1 are in harmony with and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations;
 - e. Nonduplication: The proposed amended Rules 1000 and 1000.1 do not impose the same requirements as any existing state or federal regulations; and
 - f. Reference: By adopting the proposed amended Rule 1000 and Rule 1000.1, the District meets the requirements of CA H&S Code Section 40702 and the Federal CAA of 1990 .
3. The Board of Directors finds that the EDCAQMD has complied with the procedural requirements set forth in Chapters 6 and 6.5 of Part 3 of Division 26 of the Health and Safety Code.
4. The Board of Directors finds that the proposed amendments to Rules 1000 and 1000.1 are exempt pursuant to CEQA Guideline 15308 as an action taken by a regulatory agency as authorized by state law to assure the maintenance, restoration, or enhancement of the environment where the regulatory process involves procedures for protection of the environment.
5. The Board of Directors hereby adopts the amended Rule 1000 Emission Statement and Rule 1000.1 Emission Statement Waiver Provisions, as set forth in Exhibit 1 (Attachment A of the Staff Report), attached hereto and incorporated herein by reference. The amendments are effective on 8/25/2020.

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

Chairman, Board of Supervisors