State of California
AIR RESOURCES BOARD

Resolution 07-50

November 15, 2007

Agenda Item No.: 07-11-5

WHEREAS, the Legislature in Health and Safety Code section 39602 has designated the State Air Resources Board (ARB or Board) as the air pollution control agency for all purposes set forth in federal law;

WHEREAS, the ARB is responsible for the preparation of the State Implementation Plan (SIP) for attaining and maintaining the national ambient air quality standards (NAAQS) as required by the federal Clean Air Act (the Act; 42 U.S.C. section 7401 et seq.), and to this end is directed by Health and Safety Code section 39602 to coordinate the activities of all local and regional air pollution control and air quality management districts (districts) necessary to comply with the Act;

WHEREAS, section 39602 of the Health and Safety Code also provides that the SIP shall include only those provisions necessary to meet the requirements of the Act;

WHEREAS, the ARB is authorized by section 39600 of the Health and Safety Code to do such acts as may be necessary for the proper execution of its powers and duties;

WHEREAS, sections 39515 and 39516 of the Health and Safety Code provide that any duty may be delegated to the Board's Executive Officer as the Board deems appropriate;

WHEREAS, the South Coast Air Basin includes Orange County and portions of the counties of Los Angeles, San Bernardino, and Riverside, as described in title 17, California Code of Regulations, section 60104;

WHEREAS, the South Coast Air Quality Management District (District) is the local air district with jurisdiction over the South Coast Air Basin and the Riverside County portion of the Salton Sea Air Basin (Coachella Valley), pursuant to sections 40410 and 40413 of the Health and Safety Code;

WHEREAS, the Southern California Association of Governments (SCAG) is the regional transportation agency for the South Coast Air Basin and Coachella Valley and has responsibility for preparing transportation control measures and strategies for the purpose of reducing motor vehicle emissions pursuant to sections 40460(b) and 40465 of the Health and Safety Code;

WHEREAS, the Act requires that the SIPs for nonattainment areas include transportation conformity emission budgets to ensure that federally supported highway and transit activities are consistent with the SIP;

WHEREAS, U.S. EPA has designated the South Coast Air Basin as nonattainment for the PM2.5 and 8-hour ozone NAAQS, and the Coachella Valley as nonattainment for the 8-hour ozone NAAQS;

WHEREAS, on June 1, 2007, the District adopted the 2007 Air Quality Management Plan (2007 AQMP) for PM2.5 and ozone in the South Coast Air Basin, and ozone in the Coachella Valley, to fulfill the planning requirements of the Act;

WHEREAS, the attainment demonstrations in the 2007 AQMP relied in part on mobile source measures recommended by the District for adoption by ARB;

WHEREAS, the 2007 AQMP includes transportation conformity emission budgets for the South Coast Air Basin and the Coachella Valley;

WHEREAS, ARB adopted a State Strategy for California's 2007 SIP at its public meeting on September 27, 2007;

WHEREAS, on September 27, 2007, ARB also adopted Resolution 07-41 approving the 2007 AQMP, and directed the Executive Officer to submit the AQMP as a revision to the California SIP;

WHEREAS, the control strategies in the SIP revision for the South Coast Air Basin and Coachella Valley as approved in Resolution 07-41 consist of existing control measures, new commitments for emission reductions new local control measures as identified in the 2007 AQMP, and emission reductions identified in the State Strategy as adopted on September 27, 2007;

WHEREAS, the assumed mobile source control strategy used to develop conformity budgets in the 2007 AQMP differs from the State Strategy for California's 2007 SIP as adopted on September 27, 2007;

WHEREAS, the transportation conformity emission budgets included in the adopted 2007 AQMP must be revised to reflect the final control strategy, and must be made available for public review, approved by an appropriate body, and submitted to U.S. EPA as a SIP revision;

WHEREAS, federal law set forth in section 110(l) of the Act and Title 40, Code of Federal Regulations (CFR), section 51.102, requires that one or more public hearings, preceded by at least 30 days notice and opportunity for public review, must be conducted prior to the adoption and submittal to the U.S. EPA of any SIP revision;

WHEREAS, as required by federal law, the revised transportation conformity budgets for the South Coast Air Basin and the Coachella Valley have been made available for public review at least 30 days prior to the hearing;

NOW, THEREFORE, BE IT RESOLVED, the Board hereby approves the revised transportation conformity budgets for the South Coast Air Basin and the Coachella Valley as revisions to the California SIP;

BE IT FURTHER RESOLVED, that the Board hereby directs the Executive Officer to forward the revised transportation conformity budgets to the U.S. EPA for inclusion in the SIP, to be effective, for purposes of federal law, upon a finding of adequacy or approval by U.S. EPA;

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to work with the District and U.S. EPA and take appropriate action to resolve any approvability issues that may arise regarding this SIP submission;

BE IT FURTHER RESOLVED that the Board hereby certifies pursuant to 40 CFR section 51.102 that the revised transportation conformity budgets for the South Coast Air Basin and the Coachella Valley were adopted after notice and public hearing as required by 40 CFR section 51.102.

I hereby certify that the above is a true and correct copy of Resolution 07-50, as adopted by the Air Resources Board.

Lori Andreoni

Lori Andreoni, Clerk of the Board