



GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 SHORT STREET, BISHOP, CALIFORNIA 93514-3537

TEL: 760-872-8211 FAX: 760-872-6109

Board Order #031113-03

November 13, 2003

I HEREBY CERTIFY that at a meeting of the Great Basin Unified Air Pollution Control District Governing Board in the Inyo County Board of Supervisors chambers in Independence, California on November 13, 2003 an order was duly made and entered as follows:

Adoption of Resolution 2003-05

Resolution of the Governing Board of the Great Basin Unified Air Pollution Control District Adopting the 2003 Revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order, Adopting a Mitigation Monitoring and Reporting Plan, and Making Findings of Fact

A motion was made by Supervisor Mary Pipersky, seconded by Supervisor Joann Ronci adopting Resolution 2003-05 "Resolution of the Governing Board of the Great Basin Unified Air Pollution Control District Adopting the 2003 Revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order (Order Number 031113-01), Adopting a Mitigation Monitoring and Reporting Plan, and Making Findings of Fact," including the findings for Health and Safety Code 42316(a) and directing the Air Pollution Control Officer to forward the 2003 SIP and Order and Resolutions 2003-04 and 2003-05 to the California Air Resources Board. The motion carried 5/0 and so ordered.

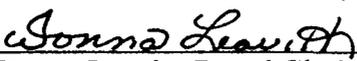
Ayes: Supervisors: Michael Dorame, Joann Ronci, Chris Gansberg, Jr., Mary Pipersky, and Linda Arcularius

Noes: Ø

Abstain: Ø

Absent: Town Council Member Tony Barrett and Supervisor Herman Zellmer

Attest:


Donna Leavitt, Board Clerk

RESOLUTION NO. 2003-05

**RESOLUTION OF THE GOVERNING BOARD OF THE
GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT
ADOPTING THE 2003 REVISION TO THE OWENS VALLEY PM₁₀ PLANNING AREA
DEMONSTRATION OF ATTAINMENT STATE IMPLEMENTATION PLAN AND
INCORPORATED BOARD ORDER, ADOPTING A
MITIGATION MONITORING AND REPORTING PLAN, AND
MAKING FINDINGS OF FACT**

WHEREAS, in Resolution 2003-04, which is incorporated by reference herein, the Governing Board of the Great Basin Unified Air Pollution Control District (Governing Board) certified that the *2003 Final Environmental Impact Report (FEIR)* prepared for the *2003 Revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order* (collectively, 2003 SIP) has been completed in compliance with the California Environmental Quality Act (CEQA); that the Governing Board has reviewed and considered the information and analysis contained in the FEIR; and that the FEIR reflects the independent judgment and analysis of the Great Basin Unified Air Pollution Control District (District); and

WHEREAS, prior to the Governing Board's action certifying the FEIR, the District and its consultants analyzed the environmental impacts of the proposed revisions contained in the 2003 SIP; and

WHEREAS, the proposed 2003 SIP was circulated for public and governmental agency comment; and;

WHEREAS, the FEIR identified certain significant effects on the environment that, absent the adoption of mitigation measures, would be caused by the City of Los Angeles' compliance with the 2003 SIP; and

WHEREAS, the District is required, pursuant to the California Environmental Quality Act (Public Resources Code §21000 *et seq.*), to adopt all feasible mitigation measures or feasible project alternatives that can substantially lessen or avoid any significant impacts on the environment associated with a project to be approved, such as the 2003 SIP; and

WHEREAS, the Findings of Fact adopted as Exhibit A to this Resolution demonstrate that all of the significant impacts on the environment associated with the 2003 SIP Revision can be avoided through the adoption of feasible mitigation measures; and

WHEREAS, the Governing Board has determined, for reasons set forth in Exhibit A hereto and described in the FEIR, that the 2003 SIP is superior to all feasible project alternatives, that feasible project alternatives would not reduce any potentially significant and unavoidable impact of the 2003

SIP to less-than-significant levels; and that the No Project Alternative, which would avoid these impacts, would fail to achieve most of the objectives and benefits of the 2003 SIP; and

WHEREAS, the Governing Board is required by Public Resources Code §21081.6(a), to adopt a mitigation monitoring and reporting program to ensure that the mitigation measures adopted by the District are actually carried out; and

WHEREAS, the final Mitigation Monitoring and Reporting Program for the 2003 SIP has been prepared, and is adopted as Exhibit B to this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Great Basin Unified Air Pollution Control District as follows:

1. Through this Resolution, the Governing Board hereby reaffirms each of its findings and resolutions made in Resolution 2003-04 which is incorporated herein by reference and approves and adopts the *2003 Revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order* (collectively, 2003 SIP), which approval and adoption are effective immediately;

2. The Governing Board hereby adopts and issues Great Basin Unified Air Pollution Control District Order No. 031113-01 set forth in Chapter 8 of the *2003 Revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order* (collectively, 2003 SIP), which adoption and issuance are effective immediately;

3. The Clerk of the Governing Board is hereby authorized to compile and publish the complete *2003 Revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order* (collectively, 2003 SIP) adopted on November 13, 2003 and shall certify on behalf of the District that said compilation is the authoritative version of the *Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order (Final SIP)*. The Clerk of the Governing Board is further authorized to submit and distribute the Final SIP and any additional information necessary for its adoption by the State of California and its approval by the U.S. Environmental Protection Agency.

4. Through this Resolution, which incorporates by reference and adopts the Mitigation Monitoring and Reporting Program included as Exhibit B to this Resolution, the Governing Board has satisfied its obligations pursuant to Public Resources Code §21081.6(a);

5. By adopting this Resolution, including the exhibits attached hereto, the Governing Board has satisfied its obligations pursuant to Public Resources Code §21081 and California Code of Regulations, Title 14, §15091, in that the Governing Board has made one or more of the following findings with respect to the significant or potentially significant effects of the 2003 SIP: (a) Changes or alterations have been required in, or incorporated into the 2003 SIP which mitigate or avoid many of the significant environmental effects thereof as identified in the FEIR; (b) Some changes or alterations are within the responsibility and jurisdiction of another public

agency and such changes have been, or can and should be, adopted by that other agency;
(c) Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the environmental impact report. Based upon these findings and the information contained in the record, the Governing Board concludes that the adoption of the *2003 Revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order* will not cause to occur any significant adverse effect on the physical environment.

APPROVED AND ADOPTED by the Governing Board of the Great Basin Unified Air Pollution Control District this 13th day of November, 2003, by the following vote:

AYES: Supervisors: Michael Dorame, Joann Ronci, Chris Gansberg, Jr.,
Linda Arcularius and Mary Pipersky

~~NOES:~~ 0
~~NOTES:~~

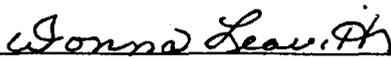
ABSTAIN: 0

~~ABSENT:~~ Town Council Member Tony Barrett and Supervisor Herman Zellmer



Michael Dorame, Chair of the Governing Board

ATTEST:



Donna Leavitt
Clerk of the Governing Board

Attachments: Exhibit A - Findings of Fact
Exhibit B - Mitigation Monitoring and Reporting Program