

RESOLUTION NO. 98-05

**RESOLUTION OF THE GOVERNING BOARD OF
THE GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT
ADOPTING THE 1998 REVISION TO THE OWENS VALLEY PM₁₀
PLANNING AREA DEMONSTRATION OF ATTAINMENT STATE
IMPLEMENTATION PLAN AND INCORPORATED BOARD ORDER, AND
ADOPTING A MITIGATION MONITORING AND REPORTING PLAN, AND
MAKING FINDINGS OF FACT.**

WHEREAS, in Resolution 98-04, which is incorporated by reference herein, the Governing Board of the Great Basin Unified Air Pollution Control District ("Governing District") certified that Addendum No. 1 (the "Addendum") to the Final Environmental Impact Report ("FEIR") prepared for the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order (collectively, "Attainment Demonstration SIP") has been completed in compliance with California Environmental Quality Act ("CEQA"); that the Governing Board has reviewed and considered the information and analysis contained in the Addendum with the information and analysis contained in the FEIR; and that the Addendum reflects the independent judgment of the Great Basin Unified Air Pollution Control District (the "District");

WHEREAS, prior to the Governing Board's action certifying the Addendum, the District and its consultants analyzed the environmental impacts of the proposed 1998 Revision to the Attainment Demonstration SIP (the "1998 SIP Revision"); and

WHEREAS, the proposed 1998 SIP Revision was circulated for public and governmental agency comment; and

WHEREAS, the FEIR and the Addendum 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 Attainment Demonstration SIP;

WHEREAS, the District is required, pursuant to the California Environmental Quality Act ("CEQA") (Pub. 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 Attainment Demonstration SIP;

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 1998 SIP Revision can be avoided through the adoption of feasible mitigation measures;

WHEREAS, the Governing Board has determined, for reasons set forth in Exhibit A hereto and described in the FEIR and the Addendum, that the 1998 SIP Revision is superior to all feasible project alternatives, that feasible project alternatives would not reduce any potentially significant and unavoidable impact of the Attainment Demonstration 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 Attainment Demonstration SIP;

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

WHEREAS, the final Mitigation Monitoring and Reporting Program for the 1998 SIP Revision 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 98-04 which is incorporated herein by reference and approves and adopts the 1998 Revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order, which approval and adoption are effective immediately;
2. The Governing Board hereby adopts and issues Great Basin Unified Air Pollution Control District Order No. 981116-01 set forth in Chapter 8 of the 1998 Revision to the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order, which adoption and issuance are effective immediately;
3. The Clerk of the Governing Board is hereby authorized to combine and compile the 1998 SIP Revision with the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order adopted July 2, 1997 in order to produce and certify on behalf of the District the "Revised Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order", which compilation upon the Clerk's certification, shall constitute the authoritative version of the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan and Incorporated Board Order adopted July 2, 1997, as revised by the 1998 SIP Revision;
5. 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 section 21081.6, subdivision (a);

6. By adopting this Resolution, including the exhibits attached hereto, the Governing Board has satisfied its obligations pursuant to Public Resources Code section 21081 and California Code of Regulations, title 14, section 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 Attainment Demonstration SIP: (a) Changes or alterations have been required in, or incorporated into the Attainment Demonstration 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 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.

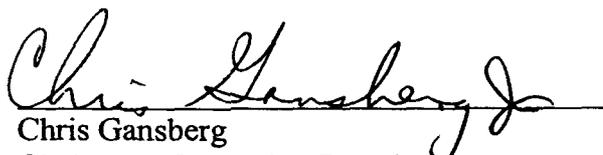
APPROVED AND ADOPTED by the Governing Board of the Great Basin Unified Air Pollution Control District this 16th day of November, 1998, by the following vote:

AYES: Chairman Chris Gansberg, Jr., Supervisors: Linda Arcularius, Andrea Lawrence, Herman Zellmer, Michael Dorame and Joann Ronci

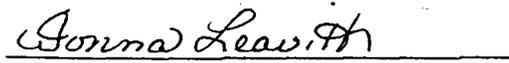
NOES: 0

ABSTAIN: 0

ABSENT: 0


Chris Gansberg
Chairman, Governing Board

ATTEST:


Donna Leavitt,
Clerk of the Governing Board

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