Appendix A

District Submittal Letter and Governing Board Resolution

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San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING™

December 26, 2012

Mr. James Goldstene
Executive Officer
California Air Resources Board
1001 "I" Street
P.O. Box 2815
Sacramento, CA 95812

Dear Mr. James Goldstene:

Enclosed is the State Implementation Plan (SIP) Package for the San Joaquin Valley Unified Air Pollution Control District (District) *2012 PM2.5 Plan*. The District Governing Board adopted the *2012 PM2.5 Plan* at a public hearing held on December 20, 2012. We request that the California Air Resources Board (ARB) transmit this plan and the appropriate documentation to the United States Environmental Protection Agency (EPA) as a SIP revision.

Included in this SIP Package are the following attachments:
1. ARB SIP Completeness Checklist
2. The *2012 PM2.5 Plan* with Appendices
3. Evidence of Public Hearing
4. Governing Board Resolution Adopting the *2012 PM2.5 Plan*
5. Governing Board Memo
6. CEQA Initial Study and Negative Declaration

If you have any questions regarding this plan, please contact Jessica Fierro by e-mail at Jessica.Fierro@valleyair.org or at (559) 230-5800. The District thanks you and your staff for your assistance.

Sincerely,

Samir Sheikh
Director of Strategies and Incentives

Attachments

cc: S. Vanderspek

BEFORE THE GOVERNING BOARD OF THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

IN THE MATTER OF: ADOPTING THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT *2012 PM2.5 PLAN*	RESOLUTION: 2012-12-19

WHEREAS, the San Joaquin Valley Unified Air Pollution Control District (District) is a duly constituted unified district, as provided in California Health and Safety Code sections 40150 to 40161; and

WHEREAS, pursuant to Section 107(d) of the federal Clean Air Act (CAA) as amended in 1990, the United States Environmental Protection Agency (EPA) has designated the San Joaquin Valley Air Basin (Valley) as nonattainment for the PM2.5 national ambient air quality standards (NAAQS) as set in 2006 in Volume 74, Number 218 of the *Federal Register* (pages 58688-781, effective December 14, 2009); and

WHEREAS, as given in Section 172(b) of the Clean Air Act (CAA), attainment plans must be submitted to EPA no later than three years after the effective date of the nonattainment designation; therefore, EPA requires the State of California to submit a plan by December 2012 that satisfies the requirements of Section 172 of the CAA, including a demonstration of attainment of the 2006 PM2.5 NAAQS in the Valley; and

WHEREAS, the initial attainment date for PM2.5 areas is no later than five years after the date of designation, or 2014, but the EPA Administrator may revise the date, as appropriate, for a period of up to ten years from the date of designation based on the availability and feasibility of control measures (40 CFR 51.1004 (a)); and

WHEREAS, the District Governing Board is committed to achieving the 2006 PM2.5 NAAQS, and the state PM2.5 standard, as expeditiously as possible; and

WHEREAS, the District Governing Board adopted Guiding Principles in February 2012 to provide an overall strategic direction for District staff in developing the *2012 PM2.5 Plan (Plan)*; and

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WHEREAS, the District developed the Plan through an extensive public process that included numerous meetings with the public, including public workshops in April, June, and October 2012, and the District responded to written and verbal comments that were received during associated comment periods; and

WHEREAS, the District uses extensive research and sound science as the foundation for the Plan; and

WHEREAS, photochemical and receptor modeling conducted by the District and the California Air Resources Board (ARB) show that emission reductions from the plan strategy are sufficient to demonstrate attainment by 2019, but not sooner; and

WHEREAS, the District conducted a comprehensive analysis of the emissions sources in the Valley and potential control measures to reduce emissions as expeditiously as practicable, given the feasibility of control technologies; and

WHEREAS, the Plan will bring the Valley into attainment by 2019, with a majority of Valley seeing attainment before 2019, and will achieve significant health benefits; and

WHEREAS, EPA's mass-based NAAQS do not fully address all public health factors, and the District prioritizes control strategies providing the greatest public health benefits under the District's Risk-Based Strategy; and

WHEREAS, the Plan will contribute to attainment of all EPA PM2.5 NAAQS; and

WHEREAS, the District, ARB, and the Valley's eight Metropolitan Planning Organizations (MPOs) prepared the Plan to demonstrate attainment of the 2006 PM2.5 NAAQS by 2019 and contain all elements required under the federal CAA; and

WHEREAS, the Plan includes sub-area mobile source emissions budgets for 2014, 2017, and 2019 that must be met by each of the eight MPOs, respectively, in the Valley for transportation conformity; and

WHEREAS, the dynamic nature of transportation planning in the Valley may trigger the need for technical refinements to the sub-area emissions budgets after the District Governing Board adoption of the Plan; and

WHEREAS, new and amended regulations to be adopted through implementation of

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the Plan would be subsequently developed through public processes, which will include due consideration of technological feasibility, cost-effectiveness, socioeconomic impact, and environmental impact; and

WHEREAS, individual control measures may be revised from what is proposed in the Plan, and the District is committed to achieving equivalent emission reductions from the overall control strategy in the same time frames as proposed in the Plan; and

WHEREAS, the technical PM2.5 modeling work supporting the Plan could not have been accomplished without the leadership, funding, and work products provided through the San Joaquin Valley-wide Air Pollution Study Agency; and

WHEREAS, the California Regional Particulate Air Quality Study (CRPAQS) will continue to produce results that help provide an improved understanding of PM in the Valley, including relationships among meteorology, atmospheric chemistry, and PM precursor emissions; and

WHEREAS, a public hearing for the adoption of the Plan was duly noticed and held on December 20, 2012, in accordance with law; and

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

NOW, THEREFORE, be it resolved as follows:

1. The District Governing Board adopts the Proposed *2012 PM2.5 Plan*, thereby fulfilling air quality planning requirements under the federal CAA for the 2006 PM2.5 NAAQS. Said Plan is attached hereto and incorporated herein.

2. The District Governing Board requests EPA to set 2019 as the attainment date for the PM2.5 NAAQS, adopted in 2006.

3. Adoption of said Plan is necessary to comply with the federal CAA and will promote the health and welfare of the residents of the Valley.

4. The District has completed an Initial Study for said Plan that indicates the project will not result in any significant adverse effects to the environment, and a Proposed Negative Declaration has been prepared and properly noticed pursuant to the *California Environmental Quality Act (CEQA) Guidelines*. The District Governing

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Board has duly considered said Initial Study and proposed Negative Declaration. Accordingly, the District Governing Board approves and adopts a Negative Declaration for said Plan pursuant to CEQA requirements. In accordance with the provisions of Sections 15075 of the *CEQA Guidelines*, the Executive Director/Air Pollution Control Officer is hereby directed to file a Notice of Determination with the County Clerks of each county in the District.

5. The District Governing Board hereby finds, based on the evidence and information presented at the hearing upon which its decision is based, that all notices required to be given by law have been duly given, and that the District Governing Board has allowed public testimony in accordance with law.

6. District staff is directed to work with stakeholders and EPA to ensure that rules developed as a result of adoption of the Plan address technical and economic feasibility issues identified during plan development along with those that arise during the rule development process so that the rules are both fair and approvable by EPA.

7. The District Governing Board commits to adopt and implement the rules and measures in the Plan by the dates specified in Chapter 5 to achieve the emissions reductions shown in Chapter 5, and to submit these rules and measures to ARB within 30 days of adoption for transmittal to EPA as a revision to the State Implementation Plan (SIP). If the total emission reductions from the adopted rules are less than those committed to in the Plan, the District Governing Board commits to adopt, submit, and implement substitute rules and measures that will achieve equivalent reductions in emissions of direct PM2.5 or PM2.5 precursors in the same adoption and implementation timeframes or in the timeframes needed to meet CAA milestones.

7a. Reducing emissions from residential wood burning devices is prioritized under the District's Risk-Based Strategy.

7b. District staff is directed to amend Rule 4901 (Wood Burning Fireplaces and Wood Burning Heaters) ahead of the 2016 plan commitment, by winter

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2014. This early adoption is a local commitment, not a federally enforceable plan commitment.

7c. The 2014 amendments to Rule 4901 should allow for use of EPA-certified wood burning devices at certain curtailment levels. This will encourage residents to upgrade to these devices, helping to reduce emissions and improve public health even on days when wood burning is allowed.

8. Any technical refinements that are needed for the sub-area emissions budgets will be duly noticed and presented in the State strategy that is scheduled for hearing by ARB in January 2013.

9. The District Governing Board commits to provide adequate resources to carry out the provisions of the Plan.

10. The Executive Director/Air Pollution Control Officer is hereby directed to forward a copy of this Resolution, the Plan, and appropriate Appendices to the ARB for inclusion in the SIP.

11. The District Governing Board requests that ARB authorize its Executive Officer to include the District's *2012 PM2.5 Plan*, as adopted by the District's Governing Board, in the California SIP for submittal to EPA.

12. The District Governing Board requests that EPA approve the District's *2012 PM2.5 Plan*, including the rulemaking calendar and demonstrations of attainment, Reasonably Available Control Technology/Reasonably Available Control Measures (RACT/RACM), Reasonable Further Progress (RFP), contingency measures, and interpollutant trading ratios for New Source Review (NSR). The District Governing Board requests that EPA grant a conditional approval to any plan elements for which EPA cannot, for whatever reason, grant full approval at this time.

13. District staff is hereby authorized to make any minor typographical and technical changes in the Plan that are necessary to correct minor errors, clarify wording, or to satisfy ARB and EPA technical requirements, provided that there are no changes in the conclusions or control requirements in the Plan.

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14. **THE FOREGOING** was passed and adopted by the following vote of the Governing Board of the San Joaquin Valley Unified Air Pollution Control District this 20th day of December 2012, to wit:

AYES: Barba, Barwick, Bomprezzi, Case, Dominici, Hanson, Ornellas, Sherriffs, Walsh, Worthley, Vierra, Watson, O'Brien

NOES: None

ABSENT: Baines, Forman

SAN JOAQUIN VALLEY UNIFIED
AIR POLLUTION CONTROL DISTRICT

By _____
William O'Brien, Chair
Governing Board

ATTEST:
Deputy Clerk of the Governing Board

By _____
Michelle Franco

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