

State of California  
AIR RESOURCES BOARD

Resolution 92-58

August 13, 1992

Agenda Item No.: 92-12-2

WHEREAS, the Legislature has declared in section 39001 of the Health and Safety Code that the public interest shall be safeguarded by an intensive and coordinated state, regional, and local effort to protect and enhance the ambient air quality of the state;

WHEREAS, section 39606 of the Health and Safety Code requires the Air Resources Board (the "Board") to adopt ambient air quality standards, and sections 39003 and 41500 direct the Board to coordinate efforts throughout the state to attain and maintain these standards;

WHEREAS, the Legislature enacted the California Clean Air Act of 1988 (the "Act"; Stats. 1988, ch. 1568) and declared that it is necessary that the state ambient air quality standards be attained by the earliest practicable date to protect the public health, particularly the health of children, older people, and those with respiratory diseases;

WHEREAS, in order to attain these standards, the Act in Health and Safety Code sections 40910 et seq. mandates a comprehensive program of emission reduction measures and planning requirements for the state and local air pollution control districts ("districts") in areas where the standards are not attained for ozone, carbon monoxide, sulfur dioxide, and nitrogen dioxide;

WHEREAS, sections 40911 and 40913 of the Health and Safety Code require that each district must adopt a plan which is designed to achieve and maintain the state standards by the earliest practicable date;

WHEREAS, section 40914 of the Health and Safety Code requires that each district plan be designed to achieve a reduction in district-wide emissions of 5 percent or more per year for each nonattainment pollutant or its precursors (averaged every consecutive three year period beginning in 1988) unless the district is unable to achieve this goal despite the inclusion of every feasible measure in the plan and an expeditious adoption schedule;

WHEREAS, the Board is required to review and then approve, approve conditionally, or revise district attainment plans pursuant to sections 41500, 41503, and 41503.5 of the Health and Safety Code, and is responsible for ensuring district compliance with the Act;

WHEREAS, section 40924(a) of the Health and Safety Code requires that each year following the Board's approval of a district's attainment plan the districts shall prepare and submit a report to the Board summarizing its progress in meeting the schedules for developing, adopting, and implementing the control measures contained in the plan;

WHEREAS, section 40918(b) states that a district's air pollution is to be designated as "moderate" if the Board finds and determines that the district can attain and maintain the applicable state standard by not later than December 31, 1994;

WHEREAS, section 40919(b) states that a district's air pollution is to be designated as "serious" if the Board finds and determines that the district is unable to attain and maintain the applicable state standard until after December 31, 1994, but can attain and maintain the standard by not later than December 31, 1997;

WHEREAS, section 40920(b) states a district's air pollution is to be designated as "severe" if the Board finds and determines that the district is unable to attain and maintain the applicable state standard until after December 31, 1997 or is unable to identify an attainment date;

WHEREAS, the Santa Barbara County Air Pollution Control District (the "District") has classified itself as severe non-attainment for ozone;

WHEREAS, section 40920(a) of the Health and Safety Code requires each district classified as a severe non-attainment area to include the following components in its attainment plan to the extent necessary to meet the requirements of the Act;

- (1) application of the best available retrofit control technology (BARCT) to existing stationary sources;
- (2) provisions to develop area source and indirect source control programs;
- (3) provisions to develop and maintain an emissions inventory system;
- (4) provisions for public education programs to promote actions to reduce emissions from transportation and areawide sources;
- (5) a permitting program designed to achieve no net increase in emissions of nonattainment pollutants or their precursors from all permitted new or modified stationary sources;
- (6) transportation control measures to substantially reduce the rate of increase in passenger vehicle trips and miles traveled per trip;
- (7) reasonably available transportation control measures;

- (8) transportation control measures to achieve an average during weekday commute hours of 1.5 or more persons per passenger vehicle by 1999, and no net increase in vehicle emissions after 1997;
- (9) measures to achieve the use of a significant number of low-emission motor vehicles by operators of motor vehicle fleets;
- (10) measures sufficient to reduce overall population exposure to ambient pollutant levels in excess of the standard by at least 25 percent by December 31, 1994, 40 percent by December 31, 1997, and 50 percent by December 31, 2000;

WHEREAS, the Santa Barbara County portion of the South Central Coast Air Basin has been identified as contributing to exceedances of the state ozone standard in the downwind area of the South Coast Air Basin, and therefore, transport mitigation measures are required as specified in Title 17, California Code of Regulations, section 70600;

WHEREAS, sections 40913(b) and 40922(a) of the Health and Safety Code require each plan to include an assessment of the cost-effectiveness of available and proposed control measures, to contain a list which ranks the control measures from the least cost-effective to the most cost-effective, and to be based on a determination by the district board that the plan is a cost-effective strategy to achieve attainment of the state standards by the earliest practicable date;

WHEREAS, section 41503(b) of the Health and Safety Code requires that control measures for regional pollutants such as ozone shall be uniform throughout the affected air basins to the maximum extent feasible, unless specified demonstrations are made by the district;

WHEREAS, section 40915 of the Health and Safety Code requires that each district plan contain contingency measures to be implemented upon a finding by the Board that the district is failing to achieve interim goals or maintain adequate progress toward attainment;

WHEREAS, the California Environmental Quality Act (CEQA) requires that no project which may have significant adverse environmental impacts may be adopted as originally proposed if feasible alternatives or mitigation measures are available to reduce or eliminate such impacts, unless specific overriding considerations are identified which substantially outweigh the potential adverse consequences of any unmitigated impacts;

WHEREAS, the Santa Barbara 1991 Air Quality Attainment Plan (the "Plan") was adopted by the District Board on December 17, 1991, in Resolution No. 91-741, and was officially transmitted by the District to the Air Resources Board on December 17, 1991;

WHEREAS, a public hearing has been conducted in accordance with sections 41502 and 41503.4 of the Health and Safety Code;

WHEREAS, the Board has reviewed and considered the Plan and the environmental impact report (EIR) submitted by the District, as well as the significant issues raised and oral and written comments presented by interested persons and Board staff;

WHEREAS, the Plan includes the following major components:

1. a detailed emission inventory, which projects trends based on growth in population, employment, industrial/commercial activity, travel, and energy use;
2. commitments to adopt measures requiring the retrofiting of 14 stationary source categories with control equipment between 1991 and the year 1994;
3. a commitment to adopt Best Available Retrofit Control Technology at the time of rulemaking;
4. a commitment to develop and adopt rules for 15 area source categories between 1991 and 1994;
5. a commitment to develop 1 indirect source control measure between 1991 and the year 1994;
6. a commitment to develop 1 transportation control measure to be adopted between 1991 and the year 1994;
7. a cost-effectiveness ranking for transportation, indirect source control, stationary and area source control measures;

WHEREAS, the findings set forth in this Resolution are supplemented by and based on the more detailed analysis set forth in the Board Staff Report for the Plan, which is incorporated by reference herein;

WHEREAS, based upon the Plan, the EIR, the information presented by the Board staff, and the written and oral public testimony received prior to and at the hearing, the Board finds as follows:

1. The State health-based ambient air quality standard for ozone is exceeded in the Santa Barbara County Air Pollution Control District;
2. The Board concurs with the District's inability to project an attainment date for ozone due to the unavailability of a reliable Urban Airshed Model;
3. The District is not in compliance with the "no net increase" requirement for new and modified permitted stationary sources;

4. The District's proposal to adopt 25 stationary and area source rules between 1991 and 1994 is a significant increase of regulatory activity and represents an expeditious adoption schedule;
5. The combination of state and local measures in the Plan falls short of the 5 percent per year reductions for ozone and its precursors, and the Plan instead indicates an annual reduction of hydrocarbons of from 4.1 to 0.9 percent and of oxides of nitrogen (NOx) of from 3.0 to 1.2 percent from the year 1987 through 2000;
6. The District has included all feasible transportation, stationary and area source measures in the Plan;
7. Although the District is unable to specify an attainment date for ozone, the Plan satisfies the requirements of section 41503(d) of the Health and Safety Code because it contains every feasible control strategy or measure to ensure that progress toward attainment is maintained;
8. Although the Plan achieves emission reductions of less than 5 percent per year, the Plan satisfies the requirements of Health and Safety Code sections 40914(b) and 41503.1 because it provides for the expeditious adoption of all feasible control measures given the circumstances which prevail in the District;
9. Although the Plan contains all reasonably available transportation control measures, additional factual detail in the form of a workplan and schedule for trip reduction measures for non-commute sources, and other details as specified in the Staff Report, are needed before the transportation control measures can be unconditionally approved;
10. The District is not in compliance with the "no net increase" transport mitigation requirement, but the District Plan provides assurances that the BARCT transport mitigation requirement will be satisfied by January 1, 1994;
11. The Board concurs with the District's decision to defer the population exposure assessment until a photochemical model is developed;
12. The Plan includes uniform control measures for the South Central Coast Air Basin to the extent that the uniformity requirement is most applicable to Ventura and Santa Barbara Counties, which are both classified as severe and which have similar geographical and population distribution characteristics;
13. The District has an acceptable public education campaign about air quality issues;

14. The District's accelerated adoption and measure evaluation contingency procedure meets the Act's requirements, as required by Health and Safety Code section 40915;
15. The Plan does not currently demonstrate compliance with the requirement that the regional growth of vehicle miles traveled and trips show a significant decline, and additional analysis is required to confirm the current forecasts and to conclude that the Plan's measures are sufficient;
16. The Plan does not currently satisfy the requirement of a 1.5 person average vehicle occupancy by the year 1999 because additional time is needed to develop baseline data and an analytical framework;
17. The Board concurs with the District's methodology and its estimates that there will be no net increase in vehicle emissions after 1997;
18. The Final EIR prepared and certified by the District Board for the Plan meets the requirements of CEQA, and that environmental documentation for individual measures should be prepared as necessary as each measure is considered for adoption;
19. The Board is a responsible agency for the purposes of CEQA and the adoption of the Plan by the Board will result in some adverse environmental impacts which cannot be mitigated to insignificant levels, that the alternatives and mitigation measures set forth in the EIR have been adequately addressed for purposes of this planning activity, and that the District's findings and supporting statements of fact for each significant effect, as set forth in the District's Resolution No. 91-741, dated December 17, 1991, are hereby incorporated by reference herein as the findings which this Board is required to make pursuant to Public Resources Code section 21081;

NOW, THEREFORE, BE IT RESOLVED, that the Board approves those portions of the Santa Barbara 1991 Air Quality Attainment Plan which, as identified in the Staff Report, meet the requirements of the Act;

BE IT FURTHER RESOLVED, that the Board directs the District to take such actions as identified in the Staff Report for those plan provisions where further actions are needed to comply with the act;

BE IT FURTHER RESOLVED, that the Board determines that the District is not in compliance with the no net increase requirements for new and modified permitted stationary sources, and directs the District to adopt a no net increase rule no later than February 13, 1993, which mitigates all future emission increases and those occurring between July 1, 1991 and the rule implementation date;

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to work with the district to develop workable fleet rules;

BE IT FURTHER RESOLVED, that the Board directs the District to submit a workplan and schedule to address an evaluation of trip reduction measures for non-commute sources, and to submit other details as specified in the Staff Report, by May 13, 1993;

BE IT FURTHER RESOLVED, that the Board directs the District to clarify the current level of financial and policy commitment to each transportation control measure by the responsible implementing agency, and to submit a workplan and schedule to obtain the outstanding commitments by February 13, 1993;

BE IT FURTHER RESOLVED, that the Board defers action on the Plan's approach to achieve a reduced rate of growth in trips and trip length to allow the District additional time to obtain the necessary data to be submitted to the Board by August 13, 1993;

BE IT FURTHER RESOLVED, that the Board defers action on the Plan's approach to achieve a 1.5 average vehicle occupancy by the year 1999, and directs the District to develop better information on baseline travel conditions, establish a monitoring network, and to develop an analytical framework for assessing District AV0 levels and to submit this information to the Board by August 13, 1993;

BE IT FURTHER RESOLVED, that the Board approves the lesser rates of annual emission reductions expressed in the District's plan as the maximum achievable rate of progress under the specific circumstances which prevail in the Santa Barbara County Air Pollution Control District;

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to work with the District to develop a population exposure model;

BE IT FURTHER RESOLVED, that the Board determines that the District is not in compliance with the no net increase transport mitigation requirement, and directs the District to adopt a no net increase rule by February 13, 1993, which mitigates all future emission increases and those occurring between July 1, 1991 and the rule implementation date;

BE IT FURTHER RESOLVED, that the Board directs the District to evaluate, with the Ventura District, the degree to which uniformity of transportation and indirect source control measures is appropriate and necessary and to evaluate the effectiveness of delegated measures in achieving uniformity;

BE IT FURTHER RESOLVED, that the Board approves the District's compliance with the California Environmental Quality Act and the mitigation monitoring efforts to be undertaken by the District pursuant to section 21081.6 of the Public Resources Code, and directs the District to include a report on the progress of these efforts in the first annual progress report to be submitted to the Board one year from the date of this resolution.

State of California  
AIR RESOURCES BOARD

Resolution 92-59

August 13, 1992

Agenda Item No.: 92-12-2

WHEREAS, the Legislature has declared in section 39001 of the Health and Safety Code that the public interest shall be safeguarded by an intensive and coordinated state, regional, and local effort to protect and enhance the ambient air quality of the state;

WHEREAS, section 39606 of the Health and Safety Code requires the Air Resources Board (the "Board") to adopt ambient air quality standards, and sections 39003 and 41500 direct the Board to coordinate efforts throughout the state to attain and maintain these standards;

WHEREAS, the Legislature enacted the California Clean Air Act of 1988 (the "Act"; Stats. 1988, ch. 1568) and declared that it is necessary that the state ambient air quality standards be attained by the earliest practicable date to protect the public health, particularly the health of children, older people, and those with respiratory diseases;

WHEREAS, in order to attain these standards, the Act in Health and Safety Code sections 40910 et seq. mandates a comprehensive program of emission reduction measures and planning requirements for the state and local air pollution control districts ("districts") in areas where the standards are not attained for ozone, carbon monoxide, sulfur dioxide, and nitrogen dioxide;

WHEREAS, sections 40911 and 40913 of the Health and Safety Code require that each district must adopt a plan which is designed to achieve and maintain the state standards by the earliest practicable date;

WHEREAS, section 40914 of the Health and Safety Code requires that each district plan be designed to achieve a reduction in district-wide emissions of 5 percent or more per year for each nonattainment pollutant or its precursors (averaged every consecutive three year period beginning in 1988) unless the district is unable to achieve this goal despite the inclusion of every feasible measure in the plan and an expeditious adoption schedule;

WHEREAS, the Board is required to review and then approve, approve conditionally, or revise district attainment plans pursuant to sections 41500, 41503, and 41503.5 of the Health and Safety Code, and is responsible for ensuring district compliance with the Act;



WHEREAS, section 40924(a) of the Health and Safety Code requires that each year following the Board's approval of a district's attainment plan the districts shall prepare and submit a report to the Board summarizing its progress in meeting the schedules for developing, adopting, and implementing the control measures contained in the plan;

WHEREAS, section 40918(b) states that a district's air pollution is to be designated as "moderate" if the Board finds and determines that the district can attain and maintain the applicable state standard by not later than December 31, 1994;

WHEREAS, section 40919(b) states that a district's air pollution is to be designated as "serious" if the Board finds and determines that the district is unable to attain and maintain the applicable state standard until after December 31, 1994, but can attain and maintain the standard by not later than December 31, 1997;

WHEREAS, section 40920(b) states a district's air pollution is to be designated as "severe" if the Board finds and determines that the district is unable to attain and maintain the applicable state standard until after December 31, 1997 or is unable to identify an attainment date;

WHEREAS, the San Luis Obispo County Air Pollution Control District (the "District") has classified itself as serious non-attainment for ozone;

WHEREAS, section 40919(a) of the Health and Safety Code requires each district classified as a serious non-attainment area to include the following components in its attainment plan to the extent necessary to meet the requirements of the Act;

- (1) application of the best available retrofit control technology (BARCT) to existing stationary sources;
- (2) provisions to develop area source and indirect source control programs;
- (3) provisions to develop and maintain an emissions inventory system;
- (4) provisions for public education programs to promote actions to reduce emissions from transportation and areawide sources;
- (5) a permitting program designed to achieve no net increase in emissions of nonattainment pollutants or their precursors from all permitted new or modified stationary sources;
- (6) transportation control measures to substantially reduce the rate of increase in passenger vehicle trips and miles traveled per trip;
- (7) reasonably available transportation control measures;

WHEREAS, sections 40913(b) and 40922(a) of the Health and Safety Code require each plan to include an assessment of the cost-effectiveness of available and proposed control measures, to contain a list which ranks the control measures from the least cost-effective to the most cost-effective, and to be based on a determination by the district board that the plan is a cost-effective strategy to achieve attainment of the state standards by the earliest practicable date;

WHEREAS, section 41503(b) of the Health and Safety Code requires that control measures for regional pollutants such as ozone shall be uniform throughout the affected air basins to the maximum extent feasible, unless specified demonstrations are made by the district;

WHEREAS, section 40915 of the Health and Safety Code requires that each district plan contain contingency measures to be implemented upon a finding by the Board that the district is failing to achieve interim goals or maintain adequate progress toward attainment;

WHEREAS, the California Environmental Quality Act (CEQA) requires that no project which may have significant adverse environmental impacts may be adopted as originally proposed if feasible alternatives or mitigation measures are available to reduce or eliminate such impacts, unless specific overriding considerations are identified which substantially outweigh the potential adverse consequences of any unmitigated impacts;

WHEREAS, the San Luis Obispo 1991 Clean Air Plan (the "Plan") was adopted by the District Board on January 21, 1992, in Resolution No. 92-59, and was officially transmitted by the District to the Air Resources Board on February 18, 1992;

WHEREAS, a public hearing has been conducted in accordance with sections 41502 and 41503.4 of the Health and Safety Code;

WHEREAS, the Board has reviewed and considered the Plan and the environmental impact report (EIR) submitted by the District, as well as the significant issues raised and oral and written comments presented by interested persons and Board staff;

WHEREAS, the Plan includes the following major components:

1. a detailed emission inventory, which projects trends based on growth in population, employment, industrial/commercial activity, travel, and energy use;
2. commitments to adopt measures requiring the retrofitting of 16 stationary source categories with control equipment between 1991 and the year 1994;
3. a commitment to adopt Best Available Retrofit Control Technology at the time of rulemaking;

4. a commitment to develop and adopt rules for 16 area source categories between 1991 and 1994;
5. a commitment to develop 5 indirect source control measures between 1991 and the year 1994;
6. a commitment to develop 8 transportation control measures to be adopted between 1991 and the year 1994;
7. a cost-effectiveness ranking for transportation, indirect source control, stationary and area source control measures;

WHEREAS, the findings set forth in this Resolution are supplemented by and based on the more detailed analysis set forth in the Board Staff Report for the Plan, which is incorporated by reference herein;

WHEREAS, based upon the Plan, the EIR, the information presented by the Board staff, and the written and oral public testimony received prior to and at the hearing, the Board finds as follows:

1. The State health-based ambient air quality standard for ozone is exceeded in the San Luis Obispo County Air Pollution Control District;
2. The Board concurs with the District's 1997 attainment demonstration and the classification of "serious" for the San Luis Obispo District;
3. The District is in compliance with the "no net increase" permitting program;
4. The District's proposal to adopt 30 stationary and area source rules between 1991 and 1994 is a significant increase of regulatory activity and represents an expeditious adoption schedule;
5. The Plan contains all reasonably available transportation control measures; however, additional factual detail as specified in the Staff Report is needed before the transportation control measures can be unconditionally approved;
6. The combination of state and local measures in the Plan falls short of the 5 percent per year reductions for ozone and its precursors, and the Plan instead indicates an annual reduction of hydrocarbons of from 3.9 to 1.2 percent and of oxides of nitrogen (NOx) of from 7.0 to 1.7 percent from the year 1987 through 2000;
7. The Plan demonstrates compliance with the requirement that the regional growth of vehicle miles travelled and trips show a significant decline;

8. The District has included all feasible transportation, stationary and area source measures in the Plan;
9. Although the Plan achieves emission reductions of less than 5 percent per year, the Plan satisfies the requirements of Health and Safety Code sections 40914(b) and 41503.1 because it provides for the expeditious adoption of all feasible control measures given the circumstances which prevail in the District;
10. Given the geographical and population distribution characteristics within the South Central Coast Air Basin, and the difference in air quality severity, it is not appropriate to require control measures in San Luis Obispo County to be uniform with control measures in Santa Barbara and Ventura Counties;
11. The District has an acceptable public education campaign about air quality issues;
12. The District's accelerated adoption and measure evaluation contingency procedure meets the Act's requirements, as required by Health and Safety Code section 40915;
13. The Final EIR prepared and certified by the District Board for the Plan meets the requirements of CEQA, and that environmental documentation for individual measures should be prepared as necessary as each measure is considered for adoption;
14. The Board is a responsible agency for the purposes of CEQA and the adoption of the Plan by the Board will result in some adverse environmental impacts which cannot be mitigated to insignificant levels; the alternatives and mitigation measures set forth in the EIR have been adequately addressed for purposes of this planning activity, and the District's findings and supporting statements of fact for each significant effect, as set forth in the District's Resolution No. 92-59, dated January 21, 1992, are hereby incorporated by reference herein as the findings which this Board is required to make pursuant to Public Resources Code section 21081;

NOW, THEREFORE, BE IT RESOLVED, that the Board approves the San Luis Obispo 1991 Clean Air Plan submitted by the District as complying with the requirements of the Act, with the conditions and clarification set forth below;

BE IT FURTHER RESOLVED, that the Board directs the District to submit a workplan and schedule for obtaining outstanding financial and policy commitments from the responsible implementing agencies and other details as specified in the Staff Report by October 13, 1992;

BE IT FURTHER RESOLVED, that the Board approves the lesser rates of annual emission reductions expressed in the District's plan as the maximum achievable rate of progress under the specific circumstances which prevail in the San Luis Obispo County Air Pollution Control District;

BE IT FURTHER RESOLVED, that the Board approves the District's compliance with the California Environmental Quality Act and the mitigation monitoring efforts to be undertaken by the District pursuant to section 21081.6 of the Public Resources Code, and directs the District to include a report on the progress of these efforts in the first annual progress report to be submitted to the Board one year from the date of this resolution.

I hereby certify that the above is a true and correct copy of Resolution 92-59, as adopted by the Air Resources Board.

*Pat Hutchens*  
Pat Hutchens, Board Secretary

State of California  
AIR RESOURCES BOARD

Resolution 92-60

August 13, 1992

Agenda Item No.: 92-12-2

WHEREAS, the Legislature has declared in section 39001 of the Health and Safety Code that the public interest shall be safeguarded by an intensive and coordinated state, regional, and local effort to protect and enhance the ambient air quality of the state;

WHEREAS, section 39606 of the Health and Safety Code requires the Air Resources Board (the "Board") to adopt ambient air quality standards, and sections 39003 and 41500 direct the Board to coordinate efforts throughout the state to attain and maintain these standards;

WHEREAS, the Legislature enacted the California Clean Air Act of 1988 (the "Act"; Stats. 1988, ch. 1568) and declared that it is necessary that the state ambient air quality standards be attained by the earliest practicable date to protect the public health, particularly the health of children, older people, and those with respiratory diseases;

WHEREAS, in order to attain these standards, the Act in Health and Safety Code sections 40910 et seq. mandates a comprehensive program of emission reduction measures and planning requirements for the state and local air pollution control districts ("districts") in areas where the standards are not attained for ozone, carbon monoxide, sulfur dioxide, and nitrogen dioxide;

WHEREAS, sections 40911 and 40913 of the Health and Safety Code require that each district must adopt a plan which is designed to achieve and maintain the state standards by the earliest practicable date;

WHEREAS, section 40914 of the Health and Safety Code requires that each district plan be designed to achieve a reduction in district-wide emissions of 5 percent or more per year for each nonattainment pollutant or its precursors (averaged every consecutive three year period beginning in 1988) unless the district is unable to achieve this goal despite the inclusion of every feasible measure in the plan and an expeditious adoption schedule;

WHEREAS, the Board is required to review and then approve, approve conditionally, or revise district attainment plans pursuant to sections 41500, 41503, and 41503.5 of the Health and Safety Code, and is responsible for ensuring district compliance with the Act;

WHEREAS, section 40924(a) of the Health and Safety Code requires that each year following the Board's approval of a district's attainment plan the districts shall prepare and submit a report to the Board summarizing its progress in meeting the schedules for developing, adopting, and implementing the control measures contained in the plan;

WHEREAS, section 40918(b) states that a district's air pollution is to be designated as "moderate" if the Board finds and determines that the district can attain and maintain the applicable state standard by not later than December 31, 1994;

WHEREAS, section 40919(b) states that a district's air pollution is to be designated as "serious" if the Board finds and determines that the district is unable to attain and maintain the applicable state standard until after December 31, 1994, but can attain and maintain the standard by not later than December 31, 1997;

WHEREAS, section 40920(b) states a district's air pollution is to be designated as "severe" if the Board finds and determines that the district is unable to attain and maintain the applicable state standard until after December 31, 1997 or is unable to identify an attainment date;

WHEREAS, the Ventura County Air Pollution Control District (the "District") has classified itself as severe non-attainment for ozone;

WHEREAS, section 40920(a) of the Health and Safety Code requires each district classified as a severe non-attainment area to include the following components in its attainment plan to the extent necessary to meet the requirements of the Act;

- (1) application of the best available retrofit control technology (BARCT) to existing stationary sources;
- (2) provisions to develop area source and indirect source control programs;
- (3) provisions to develop and maintain an emissions inventory system;
- (4) provisions for public education programs to promote actions to reduce emissions from transportation and areawide sources;
- (5) a permitting program designed to achieve no net increase in emissions of nonattainment pollutants or their precursors from all permitted new or modified stationary sources;
- (6) transportation control measures to substantially reduce the rate of increase in passenger vehicle trips and miles traveled per trip;
- (7) reasonably available transportation control measures;

- (8) transportation control measures to achieve an average during weekday commute hours of 1.5 or more persons per passenger vehicle by 1999, and no net increase in vehicle emissions after 1997;
- (9) measures to achieve the use of a significant number of low-emission motor vehicles by operators of motor vehicle fleets;
- (10) measures sufficient to reduce overall population exposure to ambient pollutant levels in excess of the standard by at least 25 percent by December 31, 1994, 40 percent by December 31, 1997, and 50 percent by December 31, 2000;

WHEREAS, the Ventura County portion of the South Central Coast Air Basin has been identified as contributing to exceedances of the state ozone standard in the downwind area of the South Coast Air Basin, and therefore, transport mitigation measures are required as specified in Title 17, California Code of Regulations, section 70600;

WHEREAS, sections 40913(b) and 40922(a) of the Health and Safety Code require each plan to include an assessment of the cost-effectiveness of available and proposed control measures, to contain a list which ranks the control measures from the least cost-effective to the most cost-effective, and to be based on a determination by the district board that the plan is a cost-effective strategy to achieve attainment of the state standards by the earliest practicable date;

WHEREAS, section 41503(b) of the Health and Safety Code requires that control measures for regional pollutants such as ozone shall be uniform throughout the affected air basins to the maximum extent feasible, unless specified demonstrations are made by the district;

WHEREAS, section 40915 of the Health and Safety Code requires that each district plan contain contingency measures to be implemented upon a finding by the Board that the district is failing to achieve interim goals or maintain adequate progress toward attainment;

WHEREAS, the California Environmental Quality Act (CEQA) requires that no project which may have significant adverse environmental impacts may be adopted as originally proposed if feasible alternatives or mitigation measures are available to reduce or eliminate such impacts, unless specific overriding considerations are identified which substantially outweigh the potential adverse consequences of any unmitigated impacts;

WHEREAS, the Ventura 1991 Air Quality Management Plan (the "Plan") was adopted by the District Board on October 8, 1991, and was officially transmitted by the District to the Air Resources Board on January 9, 1992;

WHEREAS, a public hearing has been conducted in accordance with sections 41502 and 41503.4 of the Health and Safety Code;



WHEREAS, the Board has reviewed and considered the Plan and the environmental impact report (EIR) submitted by the District, as well as the significant issues raised and oral and written comments presented by interested persons and Board staff;

WHEREAS, the Plan includes the following major components:

1. a detailed emission inventory, which projects trends based on growth in population, employment, industrial/commercial activity, travel, and energy use;
2. commitments to adopt measures requiring the retrofiting of 18 stationary source categories with control equipment between 1991 and the year 1994;
3. a commitment to develop and adopt rules for 16 area source categories between 1991 and 1994;
4. a commitment to develop 3 indirect source control measures between 1991 and the year 1994;
5. a commitment to develop 13 transportation control measures to be adopted between 1991 and the year 1994;
6. a cost-effectiveness ranking for transportation, indirect source control, stationary and area source control measures;

WHEREAS, the findings set forth in this Resolution are supplemented by and based on the more detailed analysis set forth in the Board Staff Report for the Plan, which is incorporated by reference herein;

WHEREAS, based upon the Plan, the EIR, the information presented by the Board staff, and the written and oral public testimony received prior to and at the hearing, the Board finds as follows:

1. The State health-based ambient air quality standard for ozone is exceeded in the Ventura County Air Pollution Control District;
2. The Board concurs with the District's inability to project an attainment date for ozone due to the unavailability of a reliable Urban Airshed Model;
3. The District is in compliance with the "no net increase" requirement for new and modified permitted stationary sources;
4. The District's proposal to adopt 27 stationary and area source rules between 1991 and 1994 is a significant increase of regulatory activity and represents an expeditious adoption schedule;

5. The combination of state and local measures in the Plan falls short of the 5 percent per year reductions for ozone and its precursors, and the Plan instead indicates an annual reduction of hydrocarbons of from 3.0 to 1.0 percent and of oxides of nitrogen (NOx) of from 4.5 to 1.3 percent from the year 1987 through 2000;
6. The District has included all feasible transportation, stationary and area source measures in the Plan;
7. Although the District is unable to specify an attainment date for ozone, the Plan satisfies the requirements of section 41503(d) of the Health and Safety Code because it contains every feasible control strategy or measure to ensure that progress toward attainment is maintained;
8. Although the Plan achieves emission reductions of less than 5 percent per year, the Plan satisfies the requirements of Health and Safety Code sections 40914(b) and 41503.1 because it provides for the expeditious adoption of all feasible control measures given the circumstances which prevail in the District;
9. Although the Plan contains all reasonably available transportation control measures, additional factual details in the form of a workplan and schedule for trip reduction measures for non-commute sources, and other details as specified in the Staff Report, are needed before the transportation control measures can be unconditionally approved;
10. The District is in compliance with the "no net increase" permitting transportation mitigation requirement, and the Plan provides assurances that the BARCT transport mitigation requirement will be satisfied by January 1, 1994;
11. The Board concurs with the District's decision to defer the population exposure assessment until a photochemical model is developed;
12. The Plan includes uniform control measures for the South Central Coast Air Basin to the extent that the uniformity requirement is most applicable to Ventura and Santa Barbara Counties, which are both classified as severe, and which have similar geographical and population distribution characteristics;
13. The District has initiated an acceptable public education campaign about air quality issues including an elementary and middle school air quality curriculum;
14. The District's accelerated adoption and measure evaluation contingency procedure meets the Act's requirements, as required by Health and Safety Code section 40915;

15. The Plan does not currently demonstrate compliance with the requirement that the regional growth of vehicle miles travelled and trips show a significant decline, and additional analysis is required to confirm the current forecasts and to conclude that the Plan's measures are sufficient;
16. The Plan does not currently satisfy the requirement of a 1.5 person average vehicle occupancy by the year 1999 because additional time is needed to develop baseline data and an analytical framework;
17. The Board concurs with the District's methodology and its estimates that there will be no net increase in vehicle emissions after 1997;
18. The Final EIR prepared and certified by the District Board for the Plan meets the requirements of CEQA, and environmental documentation for individual measures should be prepared as necessary as each measure is considered for adoption;
19. The Board is a responsible agency for the purposes of CEQA and the adoption of the Plan by the Board will result in some adverse environmental impacts which cannot be mitigated to insignificant levels; the alternatives and mitigation measures set forth in the EIR have been adequately addressed for purposes of this planning activity, and the District's findings and supporting statements of fact for each significant effect, as set forth in the District's "Resolution Adopting a Statement of Overriding Considerations for the Potential Adverse Environmental Impacts Associated with Adoption of the 1991 Air Quality Management Plan" dated October 8, 1991, are hereby incorporated by reference herein as the findings which this Board is required to make pursuant to Public Resources Code section 21081;

NOW, THEREFORE, BE IT RESOLVED, that the Board approves those portions of the Ventura 1991 Air Quality Management Plan, which, as identified in the Staff Report, meet the requirements of the Act;

BE IT FURTHER RESOLVED, that the Board directs the District to take such actions as identified in the Staff Report, for those Plan provisions where further actions are needed to comply with the Act;

BE IT FURTHER RESOLVED, that the Board directs the district to proceed with BARCT determinations, making its best independent judgement, where necessary, as to the degree of control that represents BARCT;

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to work with the district to develop workable fleet rules;

BE IT FURTHER RESOLVED, that the Board directs the District to submit a workplan and schedule to address an evaluation of trip reduction measures for non-commute sources, and to submit other details as specified in the Staff Report, by February 13, 1993;

BE IT FURTHER RESOLVED, that the Board directs the District to clarify the current level of financial and policy commitment to each transportation control measure by the responsible implementing agency, and to submit a workplan and schedule to obtain the outstanding commitments by November 13, 1992;

BE IT FURTHER RESOLVED, that the Board defers action on the Plan's approach to achieve a reduced rate of growth in trips and trip length to allow the District additional time to obtain the necessary data to be submitted to the Board by May 13, 1993;

BE IT FURTHER RESOLVED, that the Board defers action on the Plan's approach to achieve a 1.5 average vehicle occupancy by the year 1999, and directs the District to develop better information on baseline travel conditions, establish a monitoring network, and to develop an analytical framework for assessing District AV0 levels and to submit this information to the Board by May 13, 1993.

BE IT FURTHER RESOLVED, that the Board approves the lesser rates of annual emission reductions expressed in the District's plan as the maximum achievable rate of progress under the specific circumstances which prevail in the Ventura County Air Pollution Control District;

BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to work with the District to develop a population exposure model;

BE IT FURTHER RESOLVED, that the Board directs the District to evaluate, with the Santa Barbara District, the degree to which uniformity of transportation and indirect source control measures is appropriate and necessary and to evaluate the effectiveness of delegated measures in achieving uniformity;

BE IT FURTHER RESOLVED, that the Board approves the District's compliance with the California Environmental Quality Act and the mitigation monitoring efforts to be undertaken by the District pursuant to section 21081.6 of the Public Resources Code, and directs the District to include a report on the progress of these efforts in the first annual progress report to be submitted to the Board one year from the date of this resolution.