

**PROPOSED**

State of California  
AIR RESOURCES BOARD

**WEST MOJAVE DESERT VMT OFFSET  
DEMONSTRATION**

**Resolution 20-27**

**October 22, 2020**

Agenda Item No.: 20-11-3

WHEREAS, sections 39600 and 39601 of the Health and Safety Code authorize the California Air Resources Board (CARB or Board) to adopt standards, rules and regulations and to do such acts as may be necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, CARB is responsible for preparing 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 the Health and Safety Code section 39602 to coordinate the activities of all local and regional air pollution control and air quality management districts (districts) as 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, CARB has responsibility pursuant to sections 39002, 39500, 39602, and 41650 of the Health and Safety Code for ensuring that the districts meet their responsibilities under the Act;

WHEREAS, CARB 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 power, duty, purpose, function, or jurisdiction of the Board may be delegated to the CARB Executive Officer as the Board deems appropriate;

WHEREAS, in 2015, the United States Environmental Protection Agency (U.S. EPA) strengthened the 8-hour ozone NAAQS from 75 to 70 parts per billion (ppb);

WHEREAS, section 182(d)(1)(a) of the Act requires SIPs to submit enforceable transportation control strategies and transportation control measures to offset any growth in emissions from growth in Vehicle Miles Traveled (VMT) or number of vehicle trips (VMT Emissions Offset Demonstration) within two years of designations for Severe or Extreme designated ozone nonattainment areas;

WHEREAS, the West Mojave Desert, which includes the western portions of Los Angeles and San Bernardino Counties, was designated as Severe for the 70 ppb 8-hour ozone NAAQS;

WHEREAS, based upon the August 3, 2018, designation date for the nonattainment areas, the VMT Emissions Offset Demonstrations was due to U.S. EPA by August 3, 2020;

WHEREAS, consistent with the Act, CARB, in consultation with Southern California Association of Governments, the respective metropolitan planning organization, and the local air districts, has developed the VMT Emissions Offset Demonstration for 70 ppb 8-hour ozone standard for West Mojave Desert;

WHEREAS, the VMT Emissions Offset Demonstration contains the most up-to-date information for the West Mojave Desert 8-hour ozone nonattainment area;

WHEREAS, federal law set forth in section 110 (a) (1) of the Act and Title 40, CFR, section 51.102, requires that one or more public hearings, preceded by at least a 30 day 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, CARB made the proposed West Mojave Desert VMT Offset Demonstration available for public review at least 30 days prior to the Board hearing;

WHEREAS, the West Mojave Desert VMT Offset Demonstration was released to the public on September 18, 2020, and made available on CARB's website at <https://ww2.arb.ca.gov/resources/documents/2017-baseline-inventory-and-vehicle-miles-traveled-offset-demonstration-2015-70>;

WHEREAS, CARB's regulatory program that involves the adoption, approval, amendment, or repeal of standards, rules, regulations, or plans has been certified by the Secretary for Natural Resources under Public Resources Code section 21080.5 of the California Environmental Quality Act (CEQA; California Code of Regulations, title 14, section 15251(d)), and CARB conducts its CEQA review according to this certified program (California Code of Regulations, title 17, sections 60000-60008); WHEREAS, CARB staff has determined that the proposed West Mojave Desert VMT Offset Demonstration is exempt from CEQA under California Code of Regulations, title 14, section 15061(b)(3) ("common sense" exemption) because the VMT Offset Demonstration is a quantification exercise that will result in no potential

for changes in the real world environment, therefore there is no possibility that the proposed activity may result in a significant adverse impact on the environment; and

WHEREAS, the Board finds that:

The West Mojave Desert VMT Offset Demonstration meets all applicable requirements established by the Act in that it includes the calculations for reactive organic gas emissions, adopted transportation control strategies and transportation control measures; and

CARB has reviewed and considered the proposed West Mojave Desert VMT Offset Demonstration and finds that it meets the requirements of the Act;

The proposed West Mojave Desert VMT Offset Demonstration is exempt from CEQA under California Code of Regulations, title 14, section 15061(b)(3) because substantial evidence in the record shows with certainty that there is no possibility that the proposal may result in a significant adverse impact on the environment; and

The proposal is consistent with CARB's environmental justice policies and do not disproportionately impact people of any race, culture, or income.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the West Mojave Desert VMT Offset Demonstration as set forth in the Proposed West Mojave Desert VMT Offset Demonstration, released to the public on September 18, 2020.

BE IT FURTHER RESOLVED that the Board hereby directs the Executive Officer to submit the West Mojave Desert VMT Offset Demonstration to U.S. EPA for inclusion in the California SIP, to be effective, for purposes of federal law, upon approval by U.S. EPA.

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

BE IT FURTHER RESOLVED that the Board authorizes the Executive Officer to include in the SIP submittal any technical corrections, clarifications, or additions that may be necessary to secure U.S. EPA approval.

BE IT FURTHER RESOLVED that the Board certifies under Title 40 C.F.R. section 51.102 that the West Mojave Desert VMT Offset Demonstration was adopted after notice and public hearing as required by Title 40 C.F.R. section 51.102.