

State of California  
AIR RESOURCES BOARD

Resolution 79-37  
May 9, 1979

A. WHEREAS, Section 39602 of the Health and Safety Code designates the Air Resources Board (ARB or Board) as the air pollution control agency for all purposes set forth in federal law and designates the ARB as the state agency responsible for the preparation of the State Implementation Plan (SIP) required by the Clean Air Act (CAA);

B. WHEREAS, the CAA as amended in 1977 mandates the revision of the SIP in designated nonattainment areas of the state in order to assure the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS) by specified deadlines;

C. WHEREAS, the California and Nevada portions of the Lake Tahoe Basin were designated nonattainment for carbon monoxide and oxidant under Section 107(b) of the CAA;

D. WHEREAS, the ARB, pursuant to authority delegated to it by the Governor, certified on June 7, 1978 that it retains the lead agency responsibility for the preparation of the 1979 carbon monoxide and oxidant nonattainment plan for the California portion of the Lake Tahoe Basin;

E. WHEREAS, the ARB as lead agency for the California portion of the basin and Tahoe Regional Planning Agency (TRPA) as lead agency for the Nevada portion of the basin, committed themselves to a coordinated program for the development of a bi-state plan with the active participation of agencies possessing resources and expertise in the air quality and transportation fields;

F. WHEREAS, the vehicle for this coordinated effort to develop a bi-state plan is the Tahoe Air Program Ad Hoc Committee (Ad Hoc Committee) formed jointly by the ARB and the Nevada Department of Environmental Protection (NDEP) in 1976 and consisting of members from the agencies indicated in E;

G. WHEREAS, the Lake Tahoe Basin Nonattainment Plan (NAP) was prepared by the Ad Hoc Committee;

H. WHEREAS, the Lake Tahoe Basin NAP received review and comment by interested organizations and the public and was subsequently reviewed and approved or adopted, in part or whole, by the Ad Hoc Committee, City of South Lake Tahoe, El Dorado County APCD, California Tahoe Regional Planning Agency, and the Tahoe Regional Planning Agency;

I. WHEREAS, the Clean Air Act and SIP regulations promulgated by the Environmental Protection Agency (EPA) require that revisions to the SIP be adopted after a public hearing for which a 30-day notice to the public has been provided;

J. WHEREAS, a public hearing upon 30 days notice and other administrative proceedings has been held in accordance with the CAA and the provisions of the Administrative Procedures Act (California Government Code, Title 2, Division 3, Part 1, Chapter 4.5);

K. WHEREAS, the Executive Officer has denied the Placer County Board of Supervisor's request to amend the designation of the Lake Tahoe portion of Placer County from nonattainment to attainment for ozone and carbon monoxide;

L. WHEREAS, the ARB recognizes the unique national significance of the Lake Tahoe Basin and the need to preserve and enhance the Basin's environmental quality, and has established a special 30 mile visibility standard applicable in the Basin;

M. WHEREAS, because at higher elevations humans are susceptible to adverse health impacts at lower concentrations of ambient carbon monoxide, the ARB has established an 8-hour carbon monoxide ambient air quality standard of 6 ppm for the Lake Tahoe Air Basin which is more stringent than for the remainder of the state;

N. WHEREAS, the State of Nevada has established state ambient air quality standards for carbon monoxide, oxidant and visibility which are identical to California's standards for the Tahoe Basin;

O. WHEREAS, while there are no recorded violations of the new national .12 ppm ozone standard in the Lake Tahoe Basin, Tahoe's national significance requires special consideration and the Executive Officer has directed that an air quality simulation analysis of current ozone projections be performed before considering redesignation to attainment for ozone;

P. WHEREAS, the ARB recognizes that certain activities in the Nevada portion of the Lake Tahoe Basin impact air quality problems in the California portion of the Basin and that Nevada must cooperate with California to assure basinwide attainment of air quality standards;

Q. WHEREAS, the NAP process has functioned satisfactorily with the ARB serving as lead agency in working with the Ad Hoc Committee;

## AREA AND LEAD AGENCY DESIGNATIONS

1. NOW, THEREFORE BE IT RESOLVED, that the Board concurs with the Executive Officer that the Lake Tahoe portion of Placer County shall not be redesignated from nonattainment to attainment for carbon monoxide, and pending further analysis, shall retain its nonattainment designation for ozone;

2. BE IT FURTHER RESOLVED, that the Board reaffirms that retention of the ARB as lead agency, working with local and regional governments and the Ad Hoc Committee, is the best short term solution for the nonattainment planning process. The Board will reconsider the designation of TRPA as lead agency if and when the bi-state compact is revised to assure that TRPA will be more responsive to environmental concerns;

## AIR QUALITY ANALYSIS

3. BE IT FURTHER RESOLVED, that the Board finds that further analysis of basinwide oxidant formation is necessary and directs staff to perform further basinwide photochemical simulation modeling in order to analyze the oxidant formation mechanism and the impact of control measures;

## CONTINUING PLANNING AND IMPLEMENTATION PROGRAM

4. BE IT FURTHER RESOLVED, that the Board finds that additional effort is needed to comply with the CAA requirements for demonstrating attainment and maintenance of the carbon monoxide standard and that control measures relegated to further study be studied and scheduled for implementation according to the schedule for "further analysis or reanalysis" included as Appendix E of the NAP as amended by Board action reflected in this resolution;

5. BE IT FURTHER RESOLVED, that the Board directs staff to continue to coordinate and work with other governmental entities in California and Nevada to develop and implement appropriate basinwide control strategies for attainment of air quality standards;

## REQUEST FOR EXTENSION

6. BE IT FURTHER RESOLVED, that the Board finds that the Lake Tahoe Plan does not demonstrate attainment of the national standard for carbon monoxide by December 31, 1982 despite the implementation of all reasonably available control measures;

7. BE IT FURTHER RESOLVED, that the Board finds that to meet the Clean Air Act requirements for receiving an extension for attaining the national carbon monoxide standard, the Lake Tahoe Basin must commit to an Inspection and Maintenance Program. The Board finds that the

inclusion of Inspection and Maintenance (T-1) demonstrates initial local commitment to an adequate Inspection and Maintenance Program, and the Board supports legislative authorization of such a program for the Lake Tahoe area;

8. BE IT FURTHER RESOLVED, that the Board finds that the commitment to the further study of mobile source controls, stationary source controls, and transportation measures, as well as other requirements of the continuing planning process, demonstrates adequately compliance with Section 172(b)(1)(C) of the Clean Air Act which requires the identification of other measures necessary to provide for attainment of the national standard for carbon monoxide not later than December 31, 1987;

9. BE IT FURTHER RESOLVED, that the Board finds that an extension of the attainment date for the carbon monoxide national standard until no later than December 31, 1987 is justified;

#### POPULATION GROWTH AND CONSISTENCY

10. BE IT FURTHER RESOLVED, that the Board finds that to meet the Clean Air Act requirements for consistency of the SIP and other planning programs, all jurisdictions in the Basin need to commit to develop a well-defined process and schedules to bring regional plan/population forecasts into consistency as part of the continuing planning and implementation program. Appropriate agencies should commit to and schedule for the completion of this task in the work program for the NAP update;

11. BE IT FURTHER RESOLVED, that the Board directs the Executive Officer to work in cooperation with appropriate agencies to develop mechanisms consistent with Sections 176(c) and 316(b) of the Clean Air Act for determining that federally assisted projects and federal permit activities which result in increases in emissions are consistent with reasonable further progress toward attainment and maintenance of NAAQS. Until such mechanisms are adopted, the ARB shall make such determinations on a project-by-project basis and transmit them with an appropriate recommendation to the relevant local, state, and federal agencies. The Board further finds that future federally funded projects which enable population growth beyond that projected to occur in the Tahoe plan should be required to provide for additional mitigation measures necessary to maintain RFP and/or the NAAQS depending upon the condition at the time;

#### ADOPTION

12. BE IT FURTHER RESOLVED, that the Board adopts the Lake Tahoe Plan as amended by its action at its May 9, 1979 public hearing on this matter. As such, the Board specifically adopts the following measures: T-1, T-4, T-5, T-6, T-7, T-9, T-10, T-11, T-12, T-14, T-15,

T-17, T-18, T-20, T-21, T-22, T-23, T-25, T-26, T-27, L-1, L-3, L-4, S-1, S-2, and S-10. These measures are necessary to meet the requirements of Part D of the Clean Air Act. The Board further resolves that those measures adopted by the Board which constitute a total basinwide public transportation system, specifically T-5, T-10, T-12, T-14, T-15, T-17, T-18, T-20, T-21, T-25, T-26, and T-27 are deemed essential to the attainment and maintenance of National Ambient Air Quality Standards for CO. The Board further resolves that implementation of some of those measures, specifically T-5, T-15, T-17, T-18, T-26, and T-27, will be replaced by any set of equally effective measures which may be adopted by TRPA or adopted pursuant to changes in the bi-state compact currently being considered by the California and Nevada State Legislatures. The Board further resolves that in the event the bi-state compact is not adequately revised, and a legally enforceable commitment to adopt and require basinwide implementation of equally effective alternative measures timely received, the implementation of the measures constituting a public transportation system in the California portion of the basin are to be initiated as expeditiously as practicable but no later than January 1, 1981. The Board approves the plan as amended above and directs the Executive Officer to submit the plan to EPA for approval, together with all acceptable technical support documentation as may be useful in showing compliance with the requirements of Part D;

13. BE IT FURTHER RESOLVED, that pursuant to Section 127 of the Clean Air Act, the ARB commits to implement an intensive public information program, utilizing the mass media, to advise the public of the special health hazards associated with levels of CO in excess of ambient standards at high altitudes and to encourage the public to participate in regulatory efforts to improve air quality at Lake Tahoe and requests the State of Nevada to do the same. The Board further requests the EPA to fund this program pursuant to provisions of Clean Air Act Section 127(b);

14. BE IT FURTHER RESOLVED, that the Board authorizes the Executive Officer to amend the SIP submission in accordance with the supplement to the staff report and other direction provided by the Board during the public hearing;

15. BE IT FURTHER RESOLVED, that the Board requires the appropriate responsible local and regional implementing agencies to adopt by September 1, 1979 in regulatory format (e.g., ordinances, rules, or regulations) those measures which are adopted as part of this plan but which are not presently in such format.

I certify that the above is a true and correct copy of Resolution 79-37 as passed by the Air Resources Board.

  
Joan Gilpin, Board Secretary

State of California  
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Lake Tahoe Basin Nonattainment Plan Staff Report.

Public  
Hearing Date: May 9, 1979

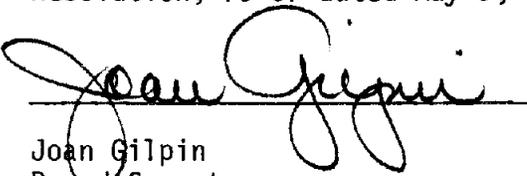
Response Date: May 9, 1979

Issuing  
Authority: Air Resources Board

Comment: Representatives of the California Tahoe Regional Planning Agency and the League to Save Lake Tahoe commented that the staff proposed nonattainment plan as developed by the Lake Tahoe Ad Hoc Committee did not contain sufficient transportation control measures to attain and maintain the ambient air quality standard.

Response: The Board responded by adopting an extensive array of transportation control measures which are identified in item number 12 of the Board's Resolution, 79-37 dated May 9, 1979.

CERTIFIED:

  
Joan Gilpin  
Board Secretary

DATE: June 15, 1979

Resolution No.: 79-37

# Memorandum

To : Huey E. Johnson  
Secretary  
Resources Agency

Date : June 20, 1979

Subject: Filing of Notice of  
Decision for the  
Air Resources Board  
Resolution #79-37

From : Joan Gilpin  
Board Secretary

Pursuant to Title 17, Section 60007(b) and in compliance with Air Resources Board certification under Section 21080.5 of the Public Resources Code, the Air Resources Board hereby forwards for posting the attached notice of decision and response to environmental comments raised during the comment period.

Attachment