

State of California
AIR RESOURCES BOARD

Resolution 92-63

August 27, 1992

Agenda Item No.: 92-14-2

WHEREAS, since 1972 there existed in the San Joaquin Valley Air Basin a county air pollution control district for each of the eight counties of Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare;

WHEREAS, each of the county air pollution control districts was governed by the respective county Board of Supervisors acting as the air pollution control board;

WHEREAS, the San Joaquin Valley Basinwide Control Council, comprised of one supervisor from each county, was created in 1971 to coordinate air pollution control efforts in the San Joaquin Valley;

WHEREAS, in 1988 the Air Resources Board ("ARB" or "Board") held a public meeting on growth and air quality impacts in the San Joaquin Valley and concluded that stronger valleywide coordination was needed;

WHEREAS, in January 1990, the San Joaquin Valley Basinwide Control Council became the Unified San Joaquin Valley Air Basin Authority by execution of a joint powers agreement;

WHEREAS, on March 20, 1991, the eight counties in the San Joaquin Valley Air Basin officially unified by executing an agreement pursuant to section 40150 et seq. of the Health and Safety Code, thereby creating the San Joaquin Valley Unified Air Pollution Control District ("District");

WHEREAS, in October 1991, Senate Bill 124 (McCorquodale, Stats. 1991, chapter 1201) was enacted, creating a San Joaquin Valley Unified Air Quality Management District as of July 1, 1992, unless, prior to that date, the counties of Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare, had formed a regional or unified air pollution control district meeting specified criteria beyond those set forth in the Health and Safety Code;

WHEREAS, Senate Bill 124 requires the ARB to determine whether the criteria set forth therein for a unified district have been met;

WHEREAS, the Board has held a noticed public hearing in accordance with section 41502 of the Health and Safety Code, and has considered the staff report, the statutory criteria, the testimony provided by the District, and the public comments received;

WHEREAS, consistent with the requirements set forth in Senate Bill 124, the Board makes the following findings:

1. The San Joaquin Valley Unified Air Pollution Control District is a single integrated air pollution control agency able to implement programs on a valleywide basis;
2. District staff report through a single management structure to the Air Pollution Control Officer (APCO) appointed on December 19, 1991;
3. The March 1991 formation agreement gave the District the authority to develop and adopt regulations which are binding on all counties within the agency;
4. The May 19, 1992, amendment to the formation agreement places direct responsibility for issuing, enforcing, renewing, and administering all permits with the District by specifying that the District is responsible for all future permitting, and for all existing permits issued by the individual county air pollution control districts prior to May 19, 1992;
5. The merger of the governing boards of the eight county air pollution control districts in March 1991 gave the District full authority over the development, review, revision, and adoption of air pollution control plans;
6. The District created a 24-member Citizen's Advisory Committee in March 1991, comprised of three members from each county;
7. On May 21, 1992, the District board adopted a fee schedule which applies uniformly to emission sources throughout the San Joaquin Valley;
8. On June 18, 1992, the District Board adopted the first annual budget reflecting consolidated District operations, which allocates resources on a programmatic basis;
9. On June 18, 1992, the District board appointed members to a single, valleywide hearing board;
10. On November 7, 1991, the District adopted a plan for attaining the federal standard for PM10 (particulate matter less than ten microns in diameter, i.e. breathable particles) as required by the Federal Clean Air Act;
11. On January 30, 1992, the District adopted a valleywide plan for attaining the state ozone and carbon monoxide standards, as required by the California Clean Air Act.

NOW, THEREFORE, BE IT RESOLVED, that the Board finds the San Joaquin Valley Unified Air Pollution Control District has met the criteria for a unified district as specified by Senate Bill 124;

BE IT FURTHER RESOLVED, that the Board commends the District for its considerable efforts to successfully unify and develop an integrated valleywide air quality management organization.

I hereby certify that the above is a true and correct copy of Resolution 92-63, as adopted by the Air Resources Board.

Pat Hutchens
Pat Hutchens, Board Secretary