State of California
AIR RESOURCES BOARD

Resolution 00-42

November 16, 2000

Agenda Item No.: 00-11-6

WHEREAS, Health and Safety Code (H&SC) sections 39600 and 39601 authorize the Air Resources Board (Board or ARB) 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, the Legislature enacted the California Clean Air Act of 1988 (the Act; Stats. 1988, ch. 1568) declaring that it is necessary that the State ambient air quality standards (the State 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 the State standards, the Act mandates a comprehensive program of emission reduction measures and planning requirements for the State and the local air pollution control and air quality management districts (the districts) in areas where the State standards are not attained;

WHEREAS, the Act in H&SC section 39607(e) requires the Board to establish and periodically review criteria for designating an air basin as nonattainment or attainment for any State standard set forth in the California Code of Regulations (CCR), title 17, section 70200 (ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, suspended particulate matter or PM_{10}, sulfates, lead, hydrogen sulfide, and visibility reducing particles);

WHEREAS, on June 8, 1989, the Board adopted and on June 15, 1990, May 15, 1992, December 10, 1992, November 18, 1993, November 16, 1995, and September 24, 1998, the Board amended the CCR, title 17, sections 70300 through 70306, and Appendices 1 through 4, establishing designation criteria consistent with the requirements of the Act;

WHEREAS, the Act in H&SC section 39608(a) requires the Board, in consultation with the districts, to identify and classify each air basin in California as nonattainment, attainment, or unclassified on a pollutant-by-pollutant basis pursuant to the designation criteria established by the Board under H&SC section 39607(e);

WHEREAS, the Act in H&SC section 39608(c) also requires the Board to review the area designations annually and update them as new information becomes available;

WHEREAS, H&SC section 40925.5(a), as amended by AB 3048, Stats. 1996, ch. 777, mandates districts with a nonattainment designation for the State ozone standard to be designated "nonattainment-transitional" by operation of law if, during a single calendar year, the State standard is not exceeded more than three times at any monitoring location within the district;

WHEREAS, CCR, title 17, section 70303.5(b) states that areas that qualified as nonattainment-transitional for ozone for the previous calendar year under H&SC section 40925.5(a), but data for the current year have more than three exceedance days at any one monitoring location, is to be designated as nonattainment;

WHEREAS, on June 9, 1989, the Board approved the initial area designations contained in the CCR, title 17, sections 60200 through 60209, and has updated the area designations during each subsequent year;

WHEREAS, in consultation with the districts and considering comments received from public agencies, industry representatives, and interested persons, the ARB staff proposed amendments to the Table of Area Designations for Ozone to provide a different designation for Butte, Glenn, and Mono Counties, in section 60201, title 17, CCR, as set forth in Attachment A;

WHEREAS, the ARB staff has provided opportunities for public comment and considered such comments before proposing to the Board amendments to the area designations;

WHEREAS, the California Environmental Quality Act and Board regulations require that no project which may have significant adverse environmental impacts be adopted as originally proposed if feasible alternatives or mitigation measures are available to reduce or eliminate such impacts;

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of chapter 3.5 (commencing with section 11340), part 1, division 3, title 2 of the Government Code, and the Board has considered the testimony presented by interested persons and the Board staff; and

WHEREAS, the Board finds that:

1. The proposed amendments to the tables of area designations comply with the requirements of Health and Safety Code section 39608;

2. The proposed amendments to the tables of area designations set forth in the CCR, title 17, section 60201, are consistent with the designation criteria contained in the CCR, title 17, sections 70300 through 70306 and Appendices 1 through 4;

3. This regulatory action will not have a significant adverse impact on the environment; in fact, it should ultimately result in environmental benefits because it is part of a multiple step program designed to achieve and maintain the State standards; and

4. There is no alternative considered by the Board which would be more effective in carrying out the purpose of the proposed action or would be as effective and less burdensome to public agencies, small businesses, or private persons or businesses other than small businesses than the proposed action.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts the amendments to the California Code of Regulations, title 17, section 60201, as set forth in Attachment A.

I hereby certify that the above is a true and correct copy of Resolution 00-42, as adopted by the Air Resources Board.

Marie Kavan

Marie Kavan, Clerk of the Board

Rec'd By
Office of the Secretary
APR 2 6 2001
Resources Agency of California

ATTACHMENT A

TEXT OF THE PROPOSED AMENDMENTS TO THE AREA DESIGNATIONS

CALIFORNIA CODE OF REGULATIONS, TITLE 17, SECTION 60201

(Additions are shown as *underline italics* and deletions as ~~strikeout~~)

60201. Table of Area Designations for Ozone

Area	Designation
North Coast Air Basin	
Sonoma County	Nonattainment
Remainder of Basin	Attainment
San Francisco Bay Area Air Basin	Nonattainment
North Central Coast Air Basin	Nonattainment
South Central Coast Air Basin	Nonattainment
South Coast Air Basin	Nonattainment
San Diego Air Basin	Nonattainment
Northeast Plateau Air Basin	Attainment
Sacramento Valley Air Basin	
~~Butte County~~	~~Nonattainment-Transitional~~
Colusa County	Nonattainment-Transitional
~~Glenn County~~	~~Nonattainment-Transitional~~
Remainder of Basin	Nonattainment
San Joaquin Valley Air Basin	Nonattainment
Great Basin Valleys Air Basin	
Alpine County	Unclassified
Inyo County	Unclassified
Mono County	~~Nonattainment-Transitional~~ *Nonattainment*
Mojave Desert Air Basin	Nonattainment
Salton Sea Air Basin	Nonattainment

60201. Table of Area Designations for Ozone (continued)

Area	Designation
Mountain Counties Air Basin	
Amador, Calaveras, El Dorado, Nevada, Placer, Mariposa, and Tuolumne Counties	Nonattainment
Plumas and Sierra Counties	Unclassified
Lake County Air Basin	Attainment
Lake Tahoe Air Basin	Attainment

NOTE: Authority cited: sections 39600, 39601, and 39608, Health and Safety Code. Reference: sections 39608 and 40925.5, Health and Safety Code.