State of California
AIR RESOURCES BOARD

REGIONAL HAZE PLAN MID-COURSE REVIEW

Resolution 14-15

May 22, 2014

Agenda Item No.: 14-4-2

WHEREAS, sections 39600 and 39601 of the Health and Safety Code authorize the Air Resources Board (ARB 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, the Legislature in Health and Safety Code section 39602 has designated ARB as the air pollution control agency for all purposes set forth in federal law;

WHEREAS, ARB has responsibility for ensuring that local and regional air pollution control and air quality management districts (districts) meet their responsibilities under the federal Clean Air Act (Act) (42 U.S.C. section 7401 et seq.) pursuant to sections 39002, 39500, 39602, 40406, and 41650 of the Health and Safety Code;

WHEREAS, sections 39515 and 39516 of the Health and Safety Code provide that any duty may be delegated to the Board's Executive Officer as the Board deems appropriate;

WHEREAS, in 1977, Congress amended the Act to establish a national visibility goal at 156 mandatory Class 1 Areas where visibility is an important value and impairment was a result of manmade air pollution;

WHEREAS, 29 mandatory Class 1 Areas are located in California;

WHEREAS, on July 1, 1999, the United States Environmental Protection Agency (U.S. EPA) finalized the Regional Haze Rule (RH Rule) (40 CFR 51.308 et seq.) which established requirements states must consider in reducing visibility impairment and meeting the goal of natural visibility at all mandatory Class 1 Areas by 2064;

WHEREAS, ARB is responsible for the preparation of the State Implementation Plan (SIP) for making reasonable progress towards meeting the national goal of improving visibility in mandatory federal Class I Areas as required by the Act, and to this end is directed by Health and Safety Code section 39602 to coordinate the activities of all air districts necessary to comply with the Act;

WHEREAS, on January 22, 2009, the Board adopted the California Regional Haze Plan (RH Plan) setting Reasonable Progress Goals for 2018 (2018 RPGs) for the 29 Class 1 Areas in California;

WHEREAS, on June 14, 2011, U.S. EPA approved the RH Plan;

WHEREAS, the RH Rule requires states to submit to U.S. EPA a periodic report describing progress towards the state's RPGs, five years after submitting the initial RH Plan, and each SIP revision;

WHEREAS, ARB staff prepared the California Regional Haze Plan 2014 Progress Report (RH Progress Report) to meet the periodic report requirement in the RH Rule;

WHEREAS, pursuant to the RH Rule, the RH Progress Report describes:

1) The status of implementation of measures in the RH Plan;
2) A summary of the emission reductions achieved through implementation of the measures included in the RH Plan;
3) An assessment of the visibility conditions and progress at the 17 visibility monitors assigned to the Class 1 Areas in California;
4) An analysis of changes in the inventory from stationary, mobile, and area sources from the baseline period (2000-2004) for five-year periods through 2020;
5) An assessment of any significant emissions changes that have impeded progress in visibility improvement;
6) An assessment of the sufficiency of the RH Plan for enabling achievement of RPGs in other affected states; and
7) A determination that the current Interagency Monitoring of Protected Visual Environments monitoring network was appropriate and will continue to be used as the monitoring strategy;

WHEREAS, pursuant to the RH Rule, the RH Progress Report demonstrates that no change to ARB's adopted control strategy, existing monitoring strategy, or the 2018 RPGs in the RH Plan is necessary;

WHEREAS, pursuant to the RH Rule, each state must provide the Federal Land Managers (FLMs) an opportunity for consultation in person and at least 60 days prior to any public hearing on a regional haze plan or plan revision;

WHEREAS, on April 10, 2013, at an in-person meeting of the Air and Land Managers, ARB staff briefed the FLMs representing California's Class 1 Areas on the status of visibility improvements, and the requirements of the RH Progress Report, and sought their input in concert with the consultation process described in the RH Plan;

WHEREAS, on January 28, 2014, ARB provided a copy of the RH Progress Report to the FLMs for their 60-day review and on March 11, 2014, held a conference call to discuss the draft RH Progress Report;

WHEREAS, the ARB staff received written comments from the FLMs as part of the 60-day review;

WHEREAS, the RH Progress Report includes the FLM comments and written responses, along with a description of the continued consultation with the FLMs;

WHEREAS, on April 21, 2014, ARB staff released the RH Progress Report for public review;

WHEREAS, the RH Progress Report does not contain any proposed control strategies, but reports only on the status of implementation of already-adopted measures, and determines that no further revisions to the RH Plan are needed at this time to achieve the 2018 RPGs; and

WHEREAS, on May 22, 2014, ARB held a public hearing on the RH Progress Report.

NOW, THEREFORE, BE IT RESOLVED, the Board finds that:

1) The RH Progress Report demonstrates that the RH Plan control strategy is adequate to ensure that the 2018 RPGs are met in Class 1 Areas in California;
2) The RH Progress Report meets the requirements of the Act and the RH Rule; and,
3) Further revision of the RH Plan is not needed at this time.

BE IT FURTHER RESOLVED the Board hereby approves the RH Progress Report.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer to forward the RH Progress Report as approved, to U.S. EPA for purposes of federal law.

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

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

BE IT FURTHER RESOLVED that the Board hereby certifies pursuant to 40 CFR section 51.102 that the RH Progress Report was adopted after notice and public hearing as required by 40 CFR section 51.102.

I hereby certify that the above is a true and correct copy of Resolution 14-15 as adopted by the Air Resources Board.

Tracy Jensen

Tracy Jensen, Clerk of the Board