State of California
AIR RESOURCES BOARD

Minor Updates to 1997 8-Hour Ozone Standard SIPs: Coachella Valley and Western Mojave Desert Ozone Nonattainment Areas

Resolution 14-29

October 24, 2014

Agenda Item: 14-8-7

WHEREAS, the Legislature in Health and Safety Code section 39602 has designated the State Air Resources Board (ARB or Board) as the air pollution control agency for all purposes set forth in federal law;

WHEREAS, ARB is responsible for preparing the State Implementation Plan (SIP) for attaining and maintaining the national ambient air quality standards (standards or 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 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, ARB has responsibility for ensuring that the districts meet their responsibilities under the Act pursuant to sections 39002, 39500, 39602, and 41650 of the Health and Safety Code;

WHEREAS, ARB 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 ARB Executive Officer as the Board deems appropriate;

WHEREAS, the districts have primary responsibility for controlling air pollution from non-vehicular sources and for adopting control measures, rules, and regulations to attain the standards within their boundaries pursuant to sections 39002, 40000, 40001, 40701, 40702, and 41650 of the Health and Safety Code;

WHEREAS, in July 1997, United States Environmental Protection Agency (U.S. EPA) promulgated an 8-hour ozone standard of 0.08 parts per million (ppm);

WHEREAS, on April 30, 2004, U.S. EPA designated the Coachella Valley as nonattainment for the 8-hour ozone standard with a serious classification and an attainment deadline of June 15, 2013;

WHEREAS, the Coachella Valley includes the portion of Riverside County within the Salton Sea Air Basin portion of the South Coast Air Quality Management District (SCAQMD);

WHEREAS, on June 1, 2007, SCAQMD adopted the 2007 Air Quality Management Plan addressing 8-hour ozone in the Coachella Valley (2007 Coachella Valley Plan) that included a control strategy based on State, local, and federal measures; a request to be reclassified from serious to severe-15; an attainment demonstration; a reasonable further progress (RFP) demonstration; transportation conformity emission budgets; a vehicle miles traveled (VMT) offset demonstration; and contingency measures;.

WHEREAS, on September 27, 2007, ARB approved the 2007 Coachella Valley Plan as a SIP revision and submitted it to U.S. EPA;

WHEREAS, on May 5, 2010, U.S. EPA reclassified Coachella Valley from serious to severe-15 with an attainment deadline of June 15, 2019;

WHEREAS, on April 30, 2004, U.S. EPA designated the Western Mojave Desert as nonattainment for the 8-hour ozone standard, with a moderate classification and an attainment deadline of June 15, 2010;

WHEREAS, the Western Mojave Desert includes the northeast portion of Los Angeles County within the Mojave Desert Air Basin known as Antelope Valley, and the adjacent southwest portion of San Bernardino County within the Mojave Desert Air Basin;

WHEREAS, the Antelope Valley Air Quality Management District (AVAQMD) has jurisdiction over the Los Angeles County portion of the Western Mojave Desert, and the Mojave Desert Air Quality Management District (MDAQMD) has jurisdiction over the San Bernardino County portion of the Western Mojave Desert;

WHEREAS, the 1997 8-hour ozone SIP for the Western Mojave Desert (2008 Mojave Desert Plan) included updated air quality and emissions data; a control strategy based on State, local, and federal measures; a request to be reclassified from moderate to severe-17; an attainment demonstration; an RFP demonstration; transportation conformity emission budgets; a VMT offset demonstration; and contingency measures;

WHEREAS, on June 26, 2008, ARB approved the 2008 Mojave Desert Plan as a SIP revision and submitted it to U.S. EPA;

WHEREAS, the Board authorized the Executive Officer to submitt any technical corrections, clarifications, or additions that may be necessary to secure U.S. EPA approval for both the 2007 Coachella Valley Plan and the 2008 Mojave Desert Plan;

WHEREAS, U.S. EPA determined that the Act did not allow the State to request reclassification to severe-17 for Western Mojave Desert;

WHEREAS, on March 14, 2012, ARB requested that U.S. EPA reclassify the Western Mojave Desert from moderate to severe-15 rather than severe-17;

WHEREAS, on June 7, 2012, U.S. EPA reclassified the Western Mojave Desert from moderate to severe-15 with an attainment deadline of June 15, 2019;

WHEREAS, both the 2007 Coachella Valley Plan and the 2008 Mojave Desert Plan included RFP demonstrations relying on emission reductions from sources outside the nonattainment areas in accordance with U.S. EPA guidance at the time;

WHEREAS, U.S. EPA has since revised the RFP guidance to only allow emission reductions from within the nonattainment area;

WHEREAS, ARB, the SCAQMD, the AVAQMD and the MDAQMD have enacted and implemented emission control measures to fulfill commitments identified in the 2007 Coachella Valley Plan and the 2008 Mojave Desert Plan;

WHEREAS, ARB has updated the current emission inventory and future inventory forecasts for the Coachella Valley and the Western Mojave Desert to reflect recently adopted rules, new economic forecasts, updated source information, and other technical changes;

WHEREAS, consistent with section 172(c)(3) of the Act, the updated emission inventories and forecasts include comprehensive and accurate emissions data for precursors of ozone: oxides of nitrogen and volatile organic compounds;

WHEREAS, using the updated emission inventories and forecasts, ARB has revised the 2007 Coachella Valley Plan (2014 Coachella Valley Update), and the 2008 Mojave Desert Plan (2014 Mojave Desert Update);

WHEREAS, the RFP demonstrations in the 2014 Coachella Valley Update and the 2014 Mojave Desert Update have been updated to reflect the new guidance and emission inventories, and demonstrate that the required milestones are met through adopted measures along with additional emission reductions needed to meet the RFP contingency requirement;

WHEREAS, consistent with section 182(c)(2)(A) of the Act, the 2014 Coachella Valley Update and the 2014 Mojave Desert Update demonstrate attainment of the

0.08 ppm 8-hour ozone standard by their June 15, 2019 severe-15 attainment deadline;

WHEREAS, consistent with section 176 of the Act, the 2014 Coachella Valley Update and the 2014 Mojave Desert Update establish transportation conformity emission budgets, developed in consultation between the local districts and the Southern California Association of Governments, that conform to the attainment emission levels;

WHEREAS, section 182(d)(1)(a) of the Act requires SIPs submitted for severe and extreme ozone nonattainment areas to identify and adopt transportation control strategies and transportation control measures to offset any growth in emissions from vehicle miles traveled or the number of vehicle trips in the area (VMT offset demonstration);

WHEREAS, consistent with the Act, the 2014 Coachella Valley Update and the 2014 Mojave Desert Update include VMT emissions offset demonstrations for 8-hour ozone;

WHEREAS, that portion of the ARB's regulatory program that involves the adoption, approval, amendment, or repeal of standards, rules, regulations, or plans has been certified by the Secretary of Resources Agency pursuant to Public Resources Code section 21080.5 of the California Environmental Quality Act (CEQA Guidelines section 15251(d)), and ARB conducts its CEQA review pursuant to this certified program (California Code of Regulations, title 17, sections 60001-60007);

WHEREAS, ARB staff reviewed the 2014 Coachella Valley Update and the 2014 Mojave Desert Update and concluded they are exempt from the requirements of CEQA pursuant to CEQA Guidelines section 15061, subdivision (b)(3) because there is no possibility that the proposed SIP revisions may result in a significant adverse impact on the environment since they are limited to an expanded emissions inventory and other minor clarifications requested by U.S. EPA, and it does not contain any new proposals for emission control measures or other actions that could result in adverse impacts to the environment;

WHEREAS, federal law set forth in section 110(l) of the Act and Title 40, Code of Federal Regulations (CFR), section 51.102, requires that one or more public hearings, preceded by at least 30 days notice and opportunity for public review, must be conducted prior to adopting and submitting any SIP revision to U.S. EPA;

WHEREAS, ARB made the 2014 Coachella Valley Update and the 2014 Mojave Desert Update available for public review at least 30 days before a public hearing; and

WHEREAS, the Board finds that the 2014 Coachella Valley Update and the 2014 Mojave Desert Update meet the applicable planning requirements established by the Act, and include the required emission inventories, attainment

demonstrations, RFP demonstrations, transportation conformity emission budgets, and VMT offset demonstrations.

NOW, THEREFORE, BE IT RESOLVED the Board hereby approves the 2014 Coachella Valley Update and the 2014 Mojave Desert Update as amendments to the SIP, excluding those portions not required to be submitted to U.S. EPA under federal law, and directs the Executive Officer to forward the 2014 Coachella Valley Update and the 2014 Mojave Desert Update as approved to U.S. EPA for inclusion in the 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 local districts and U.S. EPA and 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 hereby certifies pursuant to 40 CFR section 51.102 that the 2014 Coachella Valley Update and the 2014 Mojave Desert Update were 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 14-29 as adopted by the Air Resources Board.

Tracy Jensen

Tracy Jensen, Clerk of the Board