

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER S-11-016
Approval of Revisions to the 8-hour Ozone
State Implementation Plans for the
South Coast Air Quality Management District and the
San Joaquin Valley Air Pollution Control District

WHEREAS, the Legislature in Health and Safety Code section 39602 has designated the 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 the preparation of the State Implementation Plan (SIP) for attaining and maintaining the national ambient air quality standards (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) 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, sections 39515 and 39516 of the Health and Safety Code delegate to the Executive Officer the authority to act for the Board in this matter;

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 day notice and opportunity for public review, must be conducted prior to the adoption and submittal to U.S. EPA of any SIP revision;

WHEREAS, on June 20, 2011, ARB staff circulated for public review a *Proposed 8-hour Ozone State Implementation Plan (SIP) Revisions and Technical Revisions to the PM2.5 State Implementation Plan Transportation Conformity Budgets for the South Coast and San Joaquin Valley Air Basins* (Attachment 1);

WHEREAS, the proposed SIP Revision:

1. Updates the reasonable further progress (RFP) tables and associated reductions for contingency purposes to reflect the impact of the recession and recent changes to the in-use heavy-duty truck and off-road equipment regulations and other adopted local and State rules;

2. Updates ARB's rulemaking calendar for agricultural equipment to be brought to the Board for consideration in 2013;
3. Updates the transportation conformity budgets applicable to the ozone and PM2.5 standards for the South Coast and San Joaquin Valley, consistent with emission levels in the revised reasonable further progress tables; and
4. Identifies actions for implementing advanced technology measures;

WHEREAS, at a duly noticed public hearing on July 21, 2011, the Board approved Resolution 11-22 (Attachment 2 to this Executive Order), in which the Board initiated steps toward the final adoption of the proposed SIP revisions;

WHEREAS, the California Environmental Quality Act (CEQA) requires that no project which may have significant adverse environmental impacts may be adopted as originally proposed if feasible alternatives or mitigation measures are available to reduce or eliminate such impacts, unless specific overriding considerations are identified which outweigh the potential adverse consequences of any unmitigated impacts;

WHEREAS, the Board directed the Executive Officer to evaluate any comments received during the public comment period that raise significant environmental issues (if any), and prepare and approve written responses as required by CEQA and ARB regulations under its certified regulatory program (title 17, CCR, section 60007);

WHEREAS, no written and oral comments were received during the comment period for the proposed SIP revision that raised environmental issues;

WHEREAS, the Board directed the Executive Officer to finalize approval of the proposed *8-Hour Ozone State Implementation Plan Revisions and Technical Revisions to the PM2.5 State Implementation Plan Transportation Conformity Budgets for the South Coast and San Joaquin Valley Air Basins* and submit the proposed SIP revisions to U.S. EPA as a revision to California's 8-hour ozone state implementation plans for the South Coast and San Joaquin Valley Air Basins;

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 11-22 are incorporated by reference herein.

IT IS FURTHER ORDERED that the proposed *8-Hour Ozone State Implementation Plan Revisions and Technical Revisions to the PM2.5 State Implementation Plan Transportation Conformity Budgets for the South Coast and San Joaquin Valley Air Basins*, as set forth in Attachment 1 hereto, is hereby adopted.

IT IS FURTHER ORDERED that the proposed *8-Hour Ozone State Implementation Plan Revisions and Technical Revisions to the PM2.5 State Implementation Plan*

Transportation Conformity Budgets for the South Coast and San Joaquin Valley Air Basins shall be submitted to U.S. EPA for inclusion in the SIP to be effective, for purposes of federal law, upon approval by U.S. EPA.

Executed this 29th day of July, 2011, at Sacramento, California.


James N. Goldstene
Executive Officer

Attachments