

**A RESOLUTION OF THE VENTURA COUNTY AIR POLLUTION CONTROL BOARD
ADOPTING AND APPROVING THE VENTURA COUNTY 2007 AIR QUALITY
MANAGEMENT PLAN AND CORRESPONDING NEGATIVE DECLARATION**

WHEREAS, the Ventura County Air Pollution Control Board is committed to achieving healthful air quality in Ventura County by the earliest practicable date; and

WHEREAS, the Ventura County Air Pollution Control Board is committed to complying with all applicable requirements of the federal Clean Air Act and California Clean Air Act; and

WHEREAS, on April 15, 2004, the United States Environmental Protection Agency (EPA) classified Ventura County as a moderate nonattainment area for the federal 8-hour ambient air quality standard for ozone ; and

WHEREAS, on February 14, 2008, the California Air Resources Board (ARB) requested that the U.S. EPA reclassify Ventura County from a moderate federal 8-hour ozone nonattainment area to a serious federal 8-hour ozone nonattainment area pursuant to the federal Clean Air Act (42 U.S.C. Section 7511(b)(3)); and

WHEREAS, the Ventura County Air Pollution Control District (District) has prepared the *Ventura County 2007 Air Quality Management Plan* (2007 AQMP) to satisfy all applicable provisions of the federal Clean Air Act (42 U.S.C. Sections 7502 and 7511a) with respect to the federal 8-hour ambient air quality standard for ozone and of the California Clean Air Act (Sections 40924(b), 40924(c) and 40925(a) of the California Health and Safety Code) with respect to the state 1-hour ambient air quality standard for ozone; and

WHEREAS, the 2007 AQMP was prepared to meet the federal Clean Air Act planning requirements for serious federal 8-hour ozone nonattainment areas; and

WHEREAS, the Ventura County Air Pollution Control Board finds and determines that the 2007 AQMP is a "project" pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.); and

WHEREAS, pursuant to CEQA, the District has prepared an Initial Study and Negative Declaration, which reflects the independent judgment of the District, and found that the 2007 AQMP would not result in any significant adverse effects to the environment; and

WHEREAS, on March 7, 2007, and again on March 25, 2008, the District published a notice of public review and public hearing for the 2007 AQMP and Negative Declaration; and

WHEREAS, the District provided 66 days of public review for the 2007 AQMP and Negative Declaration; and

WHEREAS, on March 15, 2007, the District held a public workshop to discuss and take public comments and questions on the 2007 AQMP and Negative Declaration; and

WHEREAS, on May 13, 2008, the Ventura County Air Pollution Control Board held a public hearing to accept public testimony on the 2007 AQMP and Negative Declaration; and

WHEREAS, the Ventura County Air Pollution Control Board has considered the information and testimony on the 2007 AQMP and Negative Declaration presented at the May 13, 2008 public hearing, and written comments and District responses to those comments; and

WHEREAS, the Ventura County Air Pollution Control Board has reviewed and considered the Negative Declaration, including the findings contained therein, for the 2007 AQMP; and

WHEREAS, 42 U.S.C. Section 7511a(c)(2)(A) requires states with ozone nonattainment areas designated as serious to submit plans based on U.S. EPA-approved photochemical modeling by June 15, 2007 that demonstrate attainment of the federal ozone standard by June 15, 2013; and

WHEREAS, 42 U.S.C. Section 7511a(a)(1) requires states with ozone nonattainment areas designated as marginal or greater to submit a comprehensive baseline emission inventory using 2002 as the emissions inventory base year as specified in the November 18, 2002 U.S. EPA memorandum, *2002 Base Year Emission Inventory SIP Planning: 8-Hour Ozone, PM2.5 and Regional Haze Programs*; and

WHEREAS, 42 U.S.C. Section 7511a(c)(2)(B) requires states with ozone nonattainment areas designated as serious to submit plans that provide for at least a three percent reduction in volatile organic compound emissions over each consecutive three-year period from 2002 to 2012; and

WHEREAS, the 2007 AQMP includes a transportation conformity budget based on the latest planning assumptions in accordance with federal law and regulations; and

WHEREAS, the 2007 AQMP includes a photochemical modeling attainment demonstration, a demonstration of how emissions will be reduced in compliance with the federal Clean Air Act's reasonable further progress requirements, and fully adopted rules that account for a "substantial portion" of the emission reductions needed within Ventura County to demonstrate attainment of the federal ozone standard, and therefore complies with the U.S. EPA's September 1, 1994 Final November 1994 Submittal Policy; and

WHEREAS, 42 U.S.C. Sections 7502(c)(9) and 7511a(c)(9) require that nonattainment area plans include contingency measures to ensure continued progress towards and attaining the federal 8-hour ozone standard; and

WHEREAS, the control strategy in the 2007 AQMP provides for expeditious progress toward the federal 8-hour ozone; and

WHEREAS, the 2007 AQMP includes every feasible measure and an expeditious adoption schedule in accordance with Health & Safety Code Section 40914(b)(2); and

WHEREAS, significant emission reductions must be achieved from sources under state and federal jurisdiction for Ventura County to attain the federal and state ozone standards; and

WHEREAS, the District and the ARB will require additional time to complete regulatory development for those measures that are not yet adopted in final regulatory form; and

WHEREAS, California Health and Safety Code Sections 40924(b) and 40924(c) require the District to conduct an assessment of its air quality control program outlined in the 1991 Air Quality Management Plan every three years, beginning in 1994; and

WHEREAS, California Health and Safety Code Section 40925(a) requires the District to revise its 1991 AQMP at least once every three years, starting in 1994, to correct any deficiencies and to incorporate new data or forecasts.

NOW, THEREFORE BE IT RESOLVED, the Ventura County Air Pollution Control Board approves, adopts and authorizes the Chair to sign the Negative Declaration for the 2007 AQMP, including the findings contained therein; and

BE IT FURTHER RESOLVED, the Ventura County Air Pollution Board adopts the 2007 AQMP, including all appendices to the 2007 AQMP and recommended corrections and changes to the 2007 AQMP; and

BE IT FURTHER RESOLVED, the Ventura County Air Pollution Control Board finds that the attainment demonstration modeling prepared for Ventura County by ARB and summarized in Chapter 6 of the 2007 AQMP fulfills the requirements of 42 U.S.C. Section 7511a(c)(2)(A); and

BE IT FURTHER RESOLVED, the Ventura County Air Pollution Control Board finds that the emission control strategy presented in Chapters 3 of the 2007 AQMP, and the reasonable further progress calculations presented in Chapter 8 of the 2007 AQMP fulfills the requirements of 42 U.S.C. Sections 7511a(b)(1) and (c)(2)(B); and

BE IT FURTHER RESOLVED, the Ventura County Air Pollution Control Board finds that the contingency measures presented in Chapter 7 of the 2007 AQMP fulfills the requirements of 42 U.S.C. Sections 7502(c)(9) and 7511a(c)(9); and

BE IT FURTHER RESOLVED, the Ventura County Air Pollution Control Board hereby submits the 2002 baseline emission inventory, required under 42 U.S.C. Section 7511a(a)(1) to the ARB for transmittal to the U.S. EPA; and

BE IT FURTHER RESOLVED, the Ventura County Air Pollution Control Board finds that the 2007 AQMP fulfills all the federal Clean Air Act planning requirements for areas designated as serious federal 8-hour ozone nonattainment areas; and

BE IT FURTHER RESOLVED, the Ventura County Air Pollution Control Board finds that information presented in the 2007 AQMP fulfills the triennial progress report requirements of Health and Safety Code Sections 40924(b) and 40924(c); and

BE IT FURTHER RESOLVED, the Ventura County Air Pollution Control Board finds that information presented in the 2007 AQMP fulfills the triennial plan revision requirements of Health and Safety Code Section 40925(a); and

BE IT FURTHER RESOLVED, the Ventura County Air Pollution Control Board finds that information presented in the 2007 AQMP fulfills the overall plan revision requirements of Health and Safety Code Sections 40912 through 40922; and

BE IT FURTHER RESOLVED, that the Ventura County Air Pollution Control Board certifies that the 2007 AQMP represents a cost-effective strategy to achieve attainment of the state standards by the earliest practicable date; and

BE IT FURTHER RESOLVED, the Ventura County Air Pollution Control Board directs staff to forward this Resolution, the 2007 AQMP and all appendices to the AQMP, to the ARB for transmittal to the U.S. EPA; and

BE IT FURTHER RESOLVED, the Ventura County Air Pollution Control Board requests that U.S. EPA approve the 2007 AQMP as allowed under the Environmental Protection Agency's September 1, 1994 Final November 1994 Submittal Policy; and

FINALLY, BE IT RESOLVED, that the Ventura County Air Pollution Control Board requests that the ARB approve and include in the State Implementation Plan for Ventura County the emission reductions from the source categories within the jurisdiction of the State of California or the United States necessary to demonstrate attainment of the federal ozone standard by June 15, 2013 and comply with the applicable reasonable further progress targets under 42 U.S.C. Sections 7511a(b)(1) and (c)(2)(B) of the federal Clean Air Act.

APPROVED AND ADOPTED this 13th day of May 2008.

AYES: Board Member Brian Brennan, Steve Bennett, Peter C. Fay, Thomas Holden
Paul Miller, Mike Morgan, Linda Parks, Jonathan Sharky and Kathy Long

NOES:

Absent: Board member John Flynn

ABSTAIN:

VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT


Kathy I. Long, Chair
Ventura County Air Pollution Control Board

ATTEST:
Clerk of the Ventura County Air Pollution Control Board

By 
Deputy Clerk