

California Air Resources Board

Notice of Public Meeting to Consider Proposed San Joaquin Valley 70 parts per billion Ozone State Implementation Plan

The California Air Resources Board (CARB or Board) will conduct a public meeting at the date and time noted below to consider adopting the San Joaquin Valley 2022 State Implementation Plan (SIP) for the 70 parts per billion (ppb) 8-hour ozone standard (San Joaquin Valley 70 ppb Ozone SIP) along with the aggregate emission reduction commitment in the accompanying CARB Staff Report. If adopted, CARB will submit the San Joaquin Valley 70 ppb Ozone SIP and aggregate commitment in the CARB Staff Report to the U.S. Environmental Protection Agency (U.S. EPA) for inclusion in the California SIP.

Date: January 26, 2023

Time: 9:00 A.M.

In-Person Location:

Mary D. Nichols Campus, Southern California Headquarters
California Air Resources Board | Haagen-Smit Auditorium
4001 Iowa Avenue, Riverside, California 92507

Remote Option:

Zoom

This public meeting may continue at 8:30 a.m., on January 27, 2023. Please consult the public agenda, which will be posted ten days before the January 26, 2023, Board Meeting, for important details, including the day on which this item will be considered and how the public can participate via Zoom if they choose to be remote.

Background

The federal Clean Air Act (Act) establishes planning requirements for areas that exceed the health-based National Ambient Air Quality Standards (standards). States with areas that exceed the standards must develop and implement a SIP that demonstrates attainment of the standard by a specified date, and meets other requirements of the Act.

In 2015, U.S. EPA strengthened the 8-hour ozone standard from 75 ppb to a more health-protective level of 70 ppb (70 ppb ozone standard). Effective August 3, 2018, U.S. EPA designated the San Joaquin Valley Air Basin as an Extreme nonattainment area for the 70 ppb ozone standard. Under the Act and applicable guidance, the San Joaquin Valley Air Pollution Control District (District) must develop a SIP that addresses relevant planning requirements and demonstrates attainment of the 70 ppb ozone standard by 2037. The District and CARB developed the San Joaquin Valley 70 ppb Ozone SIP to address SIP requirements, and the District Governing Board adopted it on December 15, 2022. The San Joaquin Valley 70 ppb Ozone SIP demonstrates attainment of the 70 ppb ozone standard in the San Joaquin Valley by 2037.

To support attainment of the 70 ppb ozone standard across the State, CARB staff developed the 2022 State SIP Strategy. The 2022 State SIP Strategy describes the control measures for State-regulated sources that CARB will pursue in order to reduce emissions to the levels needed for attainment in the San Joaquin Valley and other areas in California. The measures in the 2022 State SIP Strategy will also reduce emissions in the many low-income and underserved communities across the State that continue to experience disproportionately high levels of air pollution, and will support other CARB planning efforts. CARB approved the 2022 State SIP Strategy and the commitments to pursue the measures included therein on September 22, 2022.

The San Joaquin Valley 70 ppb Ozone SIP incorporates emissions reductions from the measures in the 2022 State SIP Strategy to demonstrate attainment of the 70 ppb ozone standard in the San Joaquin Valley. While not included in the attainment demonstration, the District did include commitments for SIP-strengthening measures. The CARB Staff Report quantifies the State's proposed commitment to achieve aggregate emissions reductions from State measures in the 2022 State SIP Strategy necessary for attainment of the 70 ppb ozone standard in the San Joaquin Valley by 2037.

Together, the San Joaquin Valley 70 ppb Ozone SIP and aggregate emission reduction commitment for the San Joaquin Valley in the CARB Staff Report address certain requirements of the Act for the San Joaquin Valley ozone nonattainment area for the 70 ppb ozone standard. These requirements include emission inventories, attainment demonstrations, reasonable further progress (RFP) demonstrations and associated motor vehicle emissions budgets, and contingency measures. Additional requirements as applicable under the 70 ppb ozone standard have already been addressed through separate submittals.

As detailed in the CARB Staff Report, CARB staff has reviewed the San Joaquin Valley 70 ppb Ozone SIP and has concluded that, along with the aggregate emission reduction commitment for the San Joaquin Valley in the CARB Staff Report, it meets the requirements of the Act for the 70 ppb ozone standard.

Proposed Action

CARB Staff recommends the Board adopt the State aggregate commitment to achieve specified emissions reductions by 2037 and the San Joaquin Valley 70 ppb Ozone SIP, and direct staff to submit them, supported by the CARB Staff Report, to U.S. EPA as a revision to the California SIP. CARB staff will present a written report at the meeting. Copies of the report may be obtained from CARB's website at <https://ww2.arb.ca.gov/resources/documents/2022-san-joaquin-valley-70-ppb-ozone-sip>, December 16, 2022. Please contact Chris Hopkins, Regulations Coordinator, at chris.hopkins@arb.ca.gov or (279) 208-7347 if you need physical copies of the documents.

Interested members of the public may present comments orally or in writing during the meeting and may provide comments by postal mail or by electronic submittal before the meeting. To be considered by the Board, written comments not submitted during the meeting, must be received **no later than January 17, 2023**, and addressed to the following:

Postal mail: Clerks' Office, California Air Resources Board
1001 I Street, Sacramento, California 95814

Electronic submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php>

Please note that under the California Public Records Act (Government Code section 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request.

Further inquiries regarding this matter should be directed to Laura Carr, Air Pollution Specialist, Central Valley Air Quality Planning Section, at (916) 282-6251 or Ali Adams, Manager, Central Valley Air Quality Planning Section, at (279) 208-7154.

Environmental Analysis

The District prepared a Notice of Exemption (NOE) to comply with the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) for the San Joaquin Valley 70 ppb Ozone SIP, determining that the Ozone SIP is exempt from CEQA under the common sense exemption (California Code of Regulations, title 14, section 15061(b)(3)) and the Class 8 exemption, actions for the protection of the environment (California Code of Regulations, title 14, section 15308). Further, when the 2022 State SIP Strategy was proposed, CARB prepared an environmental analysis (EA) under its certified regulatory program (California Code of Regulations, title 17, sections 60000 through 60008) to comply with the requirements of CEQA (Public Resources Code section 21080.5). The EA, included as Appendix B to the Proposed 2022 State SIP Strategy entitled *Final Environmental Analysis for the proposed 2022 State Strategy for the State Implementation Plan*, dated September 16, 2022, determined the 2022 State SIP Strategy could result in the following short-term and long-term impacts: beneficial impacts to air quality (long-term operational-related) and greenhouse gases; less-than-significant impacts to energy demand, mineral resources, population and housing, public services, recreational services and wildfire; and potentially significant and unavoidable adverse impacts to aesthetics, agriculture and forest resources, air quality (short-term construction-related), biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, noise, transportation/traffic, tribal cultural resources, and utilities and service systems. The CARB Staff Report for the San Joaquin Valley 70 ppb Ozone SIP includes CARB's commitment for quantified emissions reductions from measures already analyzed in the Final EA for the 2022 State SIP Strategy. There is no possibility that CARB's quantification of these emissions reductions resulting from measures already committed to pursue may result in a significant adverse impact on the environment, nor any substantial evidence indicating this proposal could adversely affect air quality or any other environmental resource area.

CARB staff has determined that no subsequent or supplemental environmental analysis is required for the proposed San Joaquin Valley 70 ppb Ozone SIP and associated CARB Staff Report. The NOE for the San Joaquin Valley 70 ppb Ozone SIP and Final EA for the 2022 State SIP Strategy fully address the implementation of the 2022 Plan and CARB Staff Report, and no additional environmental analysis is required. CARB does not propose to modify any of these previous commitments. There are no changes in circumstances or new information that would otherwise warrant any subsequent or supplemental environmental review. CARB has determined that the proposed projects do not involve any changes that result in any new significant adverse environmental impacts or a substantial increase in the severity of the significant adverse impacts previously disclosed in the Final EA for the 2022 State SIP Strategy. The basis for reaching this conclusion is provided in Chapter VII of the CARB Staff Report.

Furthermore, while in an abundance of caution CARB has prepared an addendum-equivalent analysis, CARB notes that this SIP action also does not constitute a CEQA “project” in the first instance. As to the District-proposed measures, CARB lacks jurisdiction to modify or remove these measures for any purpose other than compliance with the Clean Air Act requirements. Therefore, CARB’s review of those components is effectively ministerial. (See *San Diego Navy Broadway Complex Coalition v. City of San Diego* (2010) 185 Cal.App.4th 924, 934.) As to the CARB-proposed measures, CARB has already committed to pursuing these measures as part of the State SIP Strategy, which have already been analyzed under CEQA. CARB’s action here does not modify those previous commitments made at the time CARB approved the State SIP Strategy; rather, it amounts to quantifying the anticipated reductions from those commitments, and reaffirming CARB’s commitment to those reductions.

Special Accommodation Request

Consistent with California Government Code section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format or another language; and
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerks’ Office at cotb@arb.ca.gov or (916) 322-5594 as soon as possible, but no later than ten business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia;
- Documentos disponibles en un formato alternativo u otro idioma; y
- Una acomodación razonable relacionados con una incapacidad.

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al cotb@arb.ca.gov o (916) 322-5594 lo más pronto posible, pero no menos de 10 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

California Air Resources Board



Executive Officer

Date: December 16, 2022

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see [CARB’s website](http://www.arb.ca.gov) (www.arb.ca.gov).