

**ATTACHMENT A
RESOLUTION NO. 12-19**

A Resolution of the South Coast Air Quality Management District (AQMD or District) Governing Board Certifying the Final Program Environmental Impact Report for the 2012 Air Quality Management Plan (AQMP), adopting the Draft Final 2012 AQMP, to be referred to after adoption as the Final 2012 AQMP, and to be submitted into the California State Implementation Plan.

WHEREAS, the U.S. Environmental Protection Agency (U.S. EPA) promulgated a 24-hour fine particulate matter (PM_{2.5}) national ambient air quality standard (NAAQS or standard) in 2006, and 8-hour ozone NAAQS in 1997, followed up by implementation rules which set forth the classification and planning requirements for State Implementation Plans (SIP); and

WHEREAS, the South Coast Air Basin was classified as nonattainment for the 2006 24-hour PM_{2.5} standard on December 14, 2009, with an attainment date by December 14, 2014; and

WHEREAS, the U.S. EPA revoked the 1-hour ozone standard effective June 15, 2005, but on September 19, 2012 issued a proposed call for a California SIP revision for the South Coast to demonstrate attainment of the 1-hour ozone standard; and

WHEREAS, the 1997 8-hour ozone standard became effective on June 15, 2004, with an attainment date for the South Coast of **June 15**, 2024; and

*amended
12-7-12
sm*

WHEREAS, the South Coast Air Basin was classified as “extreme” nonattainment for 8-hour ozone for the 1997 standard with attainment dates by 2024; and

WHEREAS, EPA approved the South Coast SIP for 8-hour ozone on March 1, 2012; and

WHEREAS, the federal Clean Air Act requires SIPs for regions not in attainment with the NAAQS be submitted no later than three years after the nonattainment area was designated, whereby, a SIP for the South Coast Air Basin must be submitted for 24-hour PM_{2.5} by December 14, 2012; and

WHEREAS, the South Coast Air Quality Management District has jurisdiction over the South Coast Air Basin and the desert portion of Riverside County known as the Coachella Valley; and

WHEREAS, 40 Code of Federal Regulations (CFR) Part 93 requires that transportation emission budgets for certain criteria pollutants be specified in the SIP, and

WHEREAS, 40 CFR Part 93.118(e)(4)(iv) requires a demonstration that transportation emission budgets submitted to U.S. EPA are “consistent with applicable requirements for reasonable further progress, attainment, or” maintenance (whichever is relevant to the given implementation plan submission); and

WHEREAS, the South Coast Air Quality Management District is committed to comply with the requirements of the federal Clean Air Act; and

WHEREAS, the Lewis-Presley Air Quality Management Act requires the District’s Governing Board adopt an AQMP to achieve and maintain all state and federal air quality standards; to contain deadlines for compliance with federal primary ambient air quality standards; and to achieve the state standards and federal secondary air quality standards by the application of all reasonably available control measures, by the earliest date achievable (Health and Safety Code Section 40462) and the California Clean Air Act requires the District to endeavor to achieve and maintain state ambient air quality standards for ozone, carbon monoxide, sulfur dioxide, and nitrogen dioxide by the earliest practicable date (Health and Safety Code Section 40910); and

WHEREAS, the California Clean Air Act requires a nonattainment area to evaluate and, if necessary, update its AQMP under Health & Safety Code §40910 triennially to incorporate the most recent available technical information; and

WHEREAS, the South Coast Air Quality Management District Governing Board is committed to comply with the requirements of the California Clean Air Act; and

WHEREAS, the South Coast Air Quality Management District is unable to specify an attainment date for state ambient air quality standards for 8-hour ozone, PM2.5, and PM10, however, the 2012 AQMP, in conjunction with earlier AQMPs contains every feasible control strategy and measure to ensure progress toward attainment and the AQMP will be reviewed and revised to ensure that progress toward all standards is maintained; and

WHEREAS, the 2012 AQMP must meet all applicable requirements of state law and the federal Clean Air Act; and

WHEREAS, the South Coast Air Quality Management District Governing Board is committed to achieving healthful air in the South Coast Air Basin and all other parts of the District at the earliest possible date; and

WHEREAS, the 2012 AQMP is the result of 17 months of staff work, public review and debate, and has been revised in response to public comments; and

WHEREAS, the 2012 AQMP incorporates updated emissions inventories, ambient measurements, new meteorological episodes, improved air quality modeling analyses, and updated control strategies by the District, and the Southern California Association of Governments (SCAG) and will be forwarded to the California Air Resources Board (CARB) for any necessary additions and submission to EPA; and

WHEREAS, as part of the preparation of an AQMP, in conjunction or coordination with public health agencies such as CARB and the Office of Environmental Health Hazard Assessment (OEHHA), a report has been prepared and peer-reviewed by the Advisory Council on the health impacts of particulate matter air pollution in the South Coast Air Basin pursuant to California Health and Safety Code § 40471, which has been included as part of Appendix I (Health Effects) of the 2012 AQMP together with any required appendices; and

WHEREAS, the 2012 AQMP establishes transportation conformity budgets for the 24-hour PM_{2.5} standard based on the latest planning assumptions; and

WHEREAS, the AQMP satisfies all the attainment deadlines for federal ambient air quality standards for 24-hour PM_{2.5} and 1-hour ozone NAAQS; and

WHEREAS, the 2012 AQMP satisfies the planning requirements set forth in the federal and California Clean Air Acts; and

WHEREAS, the 2012 AQMP includes the 24-hour PM_{2.5} attainment demonstration plan, reasonably available control measure (RACM) and reasonably available control technology (RACT) determinations, and transportation conformity budgets for the South Coast Air Basin; and

WHEREAS, the 2012 AQMP updates the U.S. EPA approved 8-hour ozone control plan with new measures designed to reduce reliance on the federal Clean Air Act (CAA) Section 182(e)(5) long-term measures for NO_x and VOC reductions; and

WHEREAS, in order to reduce reliance on the CAA Section 182(e)(5) long-term measures, the SCAQMD will need emission reductions from sources outside of its primary regulatory authority and from sources that may lack, in some cases, the financial wherewithal to implement technology with reduced air pollutant emissions; and

WHEREAS, a majority of the measures identified to reduce reliance on the CAA Section 182(e)(5) long-term measures rely on continued and sustained funding to incentivize the deployment of the cleanest on-road vehicles and off-road equipment; and

WHEREAS, the 2012 AQMP includes a new demonstration of 1-hour ozone attainment (Appendix VII) and vehicle miles travelled (VMT) emissions offsets (Appendix VIII), as per recent proposed U.S. EPA requirements; and

WHEREAS, the South Coast Air Quality Management District Governing Board finds and determines with certainty that the 2012 AQMP is considered a “project” pursuant to CEQA; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) a Notice of Preparation (NOP) of a Draft Program Environmental Impact Report (PEIR) and Initial Study for the 2012 AQMP was prepared and released for a 30-day public comment period, preliminarily setting forth the potential adverse environmental impacts of adopting and implementing the 2012 AQMP; and

WHEREAS, pursuant to CEQA a Draft PEIR on the 2012 AQMP (State Clearinghouse Number 2012061093), including the NOP and Initial Study and responses to comments on the NOP and Initial Study, was prepared and released for a 45-day public comment period, setting forth the potential adverse environmental impacts of adopting and implementing the 2012 AQMP; and

WHEREAS, the Draft PEIR on the 2012 AQMP included an evaluation of project-specific and cumulative direct and indirect impacts from the proposed project and four project alternatives; and

WHEREAS, the AQMD staff reviewed the 2012 AQMP and determined that it may have the potential to generate significant adverse environmental impacts; and

WHEREAS, the Draft PEIR on the 2012 AQMP has been revised based on comments received and modifications to the draft 2012 AQMP and all comments received were responded to, such that it is now a Final PEIR on the 2012 AQMP; and

WHEREAS, the Governing Board finds and determines, taking into consideration the factors in §(d)(4)(D) of the Governing Board Procedures, that the modifications that have been made to 2012 AQMP, since the Draft PEIR on the 2012 AQMP was made available for public review would not constitute significant new information within the meaning of the CEQA Guidelines; and

WHEREAS, none of the modifications to the 2012 AQMP alter any of the conclusions reached in the Draft PEIR on the 2012 AQMP, nor provide new information of substantial importance that would require recirculation of the Draft PEIR on the 2012 AQMP pursuant to CEQA Guidelines §15088.5; and

WHEREAS, it is necessary that the adequacy of the Final PEIR on the 2012 AQMP be determined by the AQMD Governing Board prior to its certification; and

WHEREAS, it is necessary that the adequacy of responses to all comments received on the Draft PEIR on the 2012 AQMP be determined prior to its certification; and

WHEREAS, it is necessary that the AQMD prepare Findings and a Statement of Overriding Considerations pursuant to CEQA Guidelines §§15091 and 15093, respectively, regarding adverse environmental impacts that cannot be mitigated to insignificance; and,

WHEREAS, Findings and a Statement of Overriding Considerations have been prepared and are included in Attachment 2 to this Resolution, which is attached and incorporated herein by reference; and

WHEREAS, the provisions of Public Resources Code §21081.6 – Mitigation Monitoring and Reporting - require the preparation and adoption of implementation plans for monitoring and reporting measures to mitigate adverse environmental impacts identified in environmental documents; and

WHEREAS, staff has prepared such a plan which sets forth the adverse environmental impacts, mitigation measures, methods, and procedures for monitoring and reporting mitigation measures, and agencies responsible for monitoring mitigation measure, which is included as Attachment 2 to the Resolution and incorporated herein by reference; and

WHEREAS, the South Coast Air Quality Management District Governing Board voting on this Resolution has reviewed and considered the Final Program Environmental Impact Report on the 2012 AQMP, including responses to comments on the Draft Program Environmental Impact Report on the 2012 AQMP, the Statement of Findings, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Plan; and

WHEREAS, the Draft Socioeconomic Report on the 2012 AQMP was prepared and released for public review and comment; and

WHEREAS, the Draft Socioeconomic Report for the 2012 AQMP is revised based on comments received and modifications to the Draft 2012 AQMP such that it is now a Draft Final Socioeconomic Report for the 2012 AQMP; and

WHEREAS, the 2012 AQMP includes every feasible measure and an expeditious adoption schedule; and

WHEREAS, the CARB and the U.S. EPA have the responsibility to control emissions from motor vehicles, motor vehicle fuels, and non-road engines and consumer products which are primarily under their jurisdiction representing over 80 percent of ozone precursor emissions in 2023; and

WHEREAS, significant emission reductions must be achieved from sources under state and federal jurisdiction for the South Coast Air Basin to attain the federal air quality standards; and

WHEREAS, the formal deadline for submission of the 24-hour PM2.5 attainment plan is December 14, 2012, and the formal deadline for submission of the 1-hour ozone SIP revision is expected to be late 2013 or early 2014, but since the emissions inventory and control strategy for ozone has already been developed for the 2012 AQMP, and attaining the 1-hour ozone standard can rely on the same strategy for the 8-hour ozone standard, an attainment demonstration for the 1-hour ozone standard is included as an Appendix to the 2012 AQMP; and

WHEREAS, the 1-hour ozone attainment demonstration (Appendix VII) uses the same base year (2008) and future year inventories as presented in Appendix III of the 2012 AQMP and satisfies the pre-base year offset requirement by including pre-base year emissions in the growth projections, consistent with 40 CFR § 51.165(a)(3)(i)(C)(1), as described on page III-2-54 of Appendix III of the 2012 AQMP.

WHEREAS the South Coast Air Quality Management District Governing Board hereby requests that CARB commit to submitting contingency measures as required by Section 182(e)(5) as necessary to meet the requirements for demonstrating attainment of the 1-hr ozone standard; and

WHEREAS, the South Coast Air Quality Management District Governing Board directs staff to move expeditiously to adopt and implement feasible new control measures to achieve long-term reductions while meeting all applicable public notice and other regulatory development requirements; and

WHEREAS, the South Coast Air Quality Management District has held six public workshops on the Draft 2012 AQMP, one public workshop on the Draft Socioeconomic Report, four public hearings throughout the four-county region in September on the Revised Draft 2012 AQMP, 14 AQMP Advisory Group meetings, 11 Scientific, Technical, and Modeling, Peer Review Advisory Group meetings, four public hearings in November throughout the four-county region on the Draft Final 2012 AQMP, and one adoption hearing pursuant to section 40466 of the Health and Safety Code; and

WHEREAS, pursuant to section 40471(b) of the Health and Safety Code, as part of the six public workshops on the Draft 2012 AQMP, four public hearings on the Revised Draft 2012 AQMP, the four public hearings on the Draft Final 2012 AQMP, and adoption hearing, public testimony and input were taken on Appendix I (Health Effects); and

WHEREAS, the record of the public hearing proceedings is located at South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California 91765, and the custodian of the record is the Clerk of the Board; and

WHEREAS, an extensive outreach program took place that included over 75 meetings with local stakeholders, key government agencies, focus groups, topical workshops, and over 65 presentations on the 2012 AQMP provided; and

WHEREAS, the record of the CEQA proceedings is located at South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California 91765, and the custodian of the record is the Assistant Deputy Executive Officer, Planning, Rule Development, and Area Sources.

NOW, THEREFORE BE IT RESOLVED, that the South Coast Air Quality Management District Governing Board does hereby certify that the Final PEIR for the 2012 AQMP including the responses to comments has been completed in compliance with the requirements of CEQA and finds that the Final PEIR on the 2012 AQMP, including responses to comments, was presented to the AQMD Governing Board, whose members reviewed, considered and approved the information therein prior to acting on the 2012 AQMP; and finds that the Final PEIR for the 2012 AQMP reflects the AQMD's independent judgment and analysis; and

BE IT FURTHER RESOLVED, that the District will develop, adopt, submit, and implement the short-term PM_{2.5} control measures as identified in Table 4-2 and the 8-hour ozone measures in Table 4-4 of Chapter 4 in the 2012 AQMP (Main Document) as expeditiously as possible in order to meet or exceed

the commitments identified in Tables 4-10 and 4-11 of the 2012 AQMP (Main Document), and to substitute any other measures as necessary to make up any emission reduction shortfall.

BE IT FURTHER RESOLVED, the District commits to update AQMP emissions inventories, baseline assumptions and control measures as needed to ensure that the best available data is utilized and attainment needs are met.

BE IT FURTHER RESOLVED, the District commits to conduct a review of its socioeconomic analysis methods during 2013, convene a panel of experts, and update assessment methods and approaches, as appropriate.

BE IT FURTHER RESOLVED, the District commits to continue working with the ports on the implementation of control measure IND-01 (Backstop Measure for Indirect Sources of Emissions from Ports and Port-Related Sources).

BE IT FURTHER RESOLVED, that the Executive Officer is hereby directed to enhance outreach and education efforts related to the “Check before you Burn” residential wood burning curtailment program, and to expand the current incentive programs for gas log buydown and to include potentially wood stove replacements working closely with U.S. EPA and other stakeholders.

*amended
12-7-12
SM*

BE IT FURTHER RESOLVED, that the South Coast Air Quality Management District Governing Board does hereby direct staff to work in conjunction with CARB to provide annual reports to U.S. EPA describing progress towards meeting Section 182(e)(5) emission reduction commitments.

BE IT FURTHER RESOLVED, that the South Coast Air Quality Management District Governing Board, pursuant to the requirements of Title 14 California Code of Regulations, does hereby adopt the Statement of Findings pursuant to §15091, and adopts the Statement of Overriding Considerations pursuant to §15093, included in Attachment 2 and incorporated by reference; and

BE IT FURTHER RESOLVED, that the South Coast Air Quality Management District Governing Board, does hereby adopt the Mitigation Monitoring and Reporting Plan, as required by Public Resources Code, Section 21081.6, attached hereto and incorporated by reference; and

BE IT FURTHER RESOLVED, that the South Coast Air Quality Management District Governing Board finds that the mobile source control measures contained in Appendix IV-B are technically feasible and cost-effective and requests that CARB consider them in any future incentives programs or rulemaking.

BE IT FURTHER RESOLVED, that the South Coast Air Quality Management District Governing Board does hereby direct staff to work with state agencies and state legislators, federal agencies and U.S. Congressional and Senate members to identify funding sources and secure funding for the expedited replacement of older existing vehicles and off-road equipment to help reduce the reliance on the CAA Section 182(e)(5) long-term measures.

BE IT FURTHER RESOLVED, that the South Coast Air Quality Management District Governing Board finds that transportation emission budgets are “consistent with applicable requirements for reasonable further progress, attainment, or maintenance (whichever is relevant to the given implementation plan submission)” pursuant to 40 CFR 93.118(e)(4)(iv).

BE IT FURTHER RESOLVED, that the Executive Officer is hereby directed to finalize the 2012 AQMP including the main document, appendices, and related documents as adopted at the December 7, 2012 public hearing.

BE IT FURTHER RESOLVED, that the South Coast Air Quality Management District Governing Board, whose members reviewed, considered and approved the information contained in the documents listed herein, adopts the 2012 AQMP dated December 7, 2012 consisting of the document entitled 2012 AQMP as amended by the final changes set forth by the AQMD Governing Board and the associated documents listed in Attachment 1 to this Resolution, the Draft Final Socioeconomic Report for the 2012 AQMP; the Final Program EIR for the 2012 AQMP, and the Statements of Findings and Overriding Considerations and Mitigation Monitoring Plan (Attachment 2 to this Resolution).

BE IT FURTHER RESOLVED, the Executive Officer is hereby directed to work with CARB and the U.S. EPA to ensure expeditious approval of this 2012 AQMP for PM2.5 and 1-hour ozone attainment.

BE IT FURTHER RESOLVED, that the South Coast Air Quality Management District Governing Board, requests that the 2012 AQMP serve as the SIP revision submittal for the 24-hour PM2.5 attainment demonstration plan including the RACM/RACT determinations for the PM2.5 standard for the South Coast Air Basin, and the PM2.5 Transportation Conformity Budgets for the South Coast Air Basin.

BE IT FURTHER RESOLVED, that the South Coast Air Quality Management District Governing Board, requests that the 2012 AQMP (Appendix VII) serve as the SIP revision submittal for the 1-hour ozone NAAQS attainment demonstration.

BE IT FURTHER RESOLVED, that the South Coast Air Quality Management District Governing Board, requests that the 2012 AQMP (Appendix VIII) serve as the SIP revision submittal for a revised VMT emissions offset demonstration as required under Section 182(d)(1)(A) for both the 1-hour ozone and 8-hour ozone SIPs for the South Coast Air Basin.

BE IT FURTHER RESOLVED, that the South Coast Air Quality Management District Governing Board, requests that the 2012 AQMP serve as an update to the approved 2007 8-hour ozone SIP for the South Coast Air Basin with specific control measures designed to further implement the 8-hour ozone SIP and reduce reliance on Section 182(e)(5) long term measures.

BE IT FURTHER RESOLVED, that the 2012 AQMP does not serve as a revision to the previously approved 8-hour ozone SIP with respect to emissions inventories, attainment demonstration, RFP, and transportation emissions budgets or any other required SIP elements.

BE IT FURTHER RESOLVED, that the Executive Officer is hereby directed to forward a copy of this Resolution, the 2012 AQMP and its appendices as amended by the final changes, to CARB, and to request that these documents be forwarded to the U.S. EPA for approval as part of the California State Implementation Plan. In addition, the Executive Officer is directed to forward a copy of this Resolution, comments on the 2012 AQMP and responses to comments, public notices, and any other information requested by the U.S. EPA for informational purposes.

Attachments


AYES: Benoit, Burke, Cacciotti, Gonzales, Loveridge, Lyou, Mitchell, Nelson, Parker, Pulido, and Yates.

NOES: None.

ABSTAIN: None.

ABSENT: Antonovich and Perry.

Dated: 12-7-2012


Clerk of the District Board

ATTACHMENT 1

The Final 2012 Air Quality Management Plan submitted for the South Coast Air Quality Management District Governing Board's consideration consists of the documents entitled:

- Draft Final 2012 AQMP (Attachment B) including the following appendices:
 - Appendix I - Health Effects
 - Appendix II - Current Air Quality
 - Appendix III - Base and Future Year Emission Inventory
 - Appendix IV (A) - District's Stationary Source Control Measures
 - Appendix IV (B) - Proposed 8-Hour Ozone Measures
 - Appendix IV (C) - Regional Transportation Strategies & Control Measures
 - Appendix V - Modeling & Attainment Demonstrations
 - Appendix VI - Reasonably Available Control Measures (RACM) Demonstration
 - Appendix VII - 1-Hour Ozone Attainment Demonstration
 - Appendix VIII - VMT Offset Requirement Demonstration
- Comments on the 2012 Air Quality Management Plan, and Responses to Comments (November 2012) – (Attachment C)
- Final Program Environmental Impact Report for the 2012 Air Quality Management Plan (Attachment D)
 - Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Plan (Attachment 2 to the Resolution)
- Draft Final Socioeconomic Report for the 2012 Air Quality Management Plan (Attachment E)
- Changes to Control Measures IND-01, CMB-01, CTS-01 and CTS-04 (Attachment F)