

State of California
AIR RESOURCES BOARD

**UPDATES TO THE TRANSPORTATION CONFORMITY EMISSION BUDGETS FOR
THE SAN JOAQUIN VALLEY**

Resolution 14-40

November 20, 2014

Agenda Item No.: 14-9-3

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, the 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, the 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, the 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 duty may be delegated to the Board's Executive Officer as the Board deems appropriate;

WHEREAS, the San Joaquin Valley Air Basin includes Fresno, Kings, Madera, Merced, San Joaquin, Stanislaus, Tulare, and western Kern Counties;

WHEREAS, the eight metropolitan planning organizations in the San Joaquin Valley are the regional transportation planning agencies in each of the eight counties, and have responsibility for preparing transportation control measures and strategies for the purpose of reducing motor vehicle emissions;

WHEREAS, the Act requires that the SIPs for nonattainment areas include transportation conformity emission budgets to ensure that federally supported highway and transit activities are consistent with the SIP;

WHEREAS, in October 2006, the United States Environmental Protection Agency (U.S. EPA) promulgated 24-hour and annual national ambient air quality standards (NAAQS) for fine particulate matter (PM_{2.5}) of 35 µg/m³ and 15 µg/m³, respectively;

WHEREAS, effective December 14, 2009 U.S. EPA designated the San Joaquin Valley Air Basin as nonattainment for the PM_{2.5} NAAQS;

WHEREAS, U.S. EPA SIP implementation regulations and guidance require that PM_{2.5} SIPs include air quality and emissions data, a control strategy, a modeled attainment demonstration, rate of progress (RFP) milestones, conformity emission budgets, reasonably available control measure/ reasonably available technology (RACM/RACT) demonstration and contingency measures;

WHEREAS, in December 2012 the San Joaquin Valley Air Pollution Control District (District) adopted the 2012 PM_{2.5} Plan to fulfill the planning requirements of the Act, regulation, and guidance;

WHEREAS, the transportation conformity emissions budgets contained in the 2012 PM_{2.5} Plan include the benefits of incentive programs and the District employee trip reduction rule;

WHEREAS, the RFP demonstration contained in the 2012 PM_{2.5} Plan does not include those reductions from incentive programs and the District employee trip reduction rule because they are not needed to demonstrate progress;

WHEREAS, to establish consistency between the transportation conformity emission budgets and the RFP demonstration in the 2012 PM_{2.5} Plan, and at the request of U.S. EPA staff, ARB staff have updated the transportation conformity budgets to remove the benefits of incentive programs and the District employee trip reduction rule, and are attached to this resolution in Attachment A;

WHEREAS, federal law set forth in section 110(I) 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 the adoption and submittal to the U.S. EPA of any SIP revision; and

WHEREAS, notice was provided on October 20, 2014, 31 days before this hearing.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Updates to the Transportation Conformity Budgets for the San Joaquin Valley as revisions to the California SIP.

BE IT FURTHER RESOLVED that the Board hereby directs the Executive Officer to forward the Updates to the Transportation Conformity Budgets for the San Joaquin

Valley as approved to U.S. EPA for inclusion in the SIP to be effective, for purposes of federal law, upon a finding of adequacy or approval by U.S. EPA.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer to work with 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 Updates to the Transportation Conformity Budgets for the San Joaquin Valley 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 14-40 as adopted by the Air Resources Board.

/s/

Tracy Jensen, Clerk of the Board

Resolution 14-40

November 20, 2014

Identification of Attachment to the Board Resolution

Attachment A: Updates to the Transportation Conformity Budgets for the San Joaquin Valley 2012 PM2.5 Plan dated October 20, 2014.