

CALIFORNIA AIR RESOURCES BOARD

NOTICE OF PUBLIC MEETING TO CONSIDER THE PROGRESS REPORT ON SAN JOAQUIN VALLEY EMISSIONS REDUCTIONS FOR THE 0.08 PPM 8-HOUR OZONE STANDARD

The California Air Resources Board (CARB or Board) will conduct a public meeting at the time and place noted below to consider the approval of the Progress Report on San Joaquin Valley (Valley) Emissions Reductions for the 0.08 parts per million (ppm) 8-hour Ozone Standard (Report). If approved, CARB will submit the Report and associated supporting documents to the United States Environmental Protection Agency (U.S. EPA) as a revision to the California State Implementation Plan (SIP) as required by the federal Clean Air Act, demonstrating CARB has met its commitments to reduce emissions of air pollutants in order to attain and maintain the National Ambient Air Quality Standards (NAAQS or standards) promulgated by U.S. EPA under the Clean Air Act.

DATE: November 21, 2019

TIME: 9:00 a.m.

LOCATION: California Environmental Protection Agency
California Air Resources Board
Byron Sher Auditorium
1001 I Street
Sacramento, California 95814

This item will be considered at a meeting of the Board, which will commence at 9:00 a.m., November 21, 2019, and may continue at 8:30 a.m., on November 22, 2019. This item is scheduled to be heard on the Board's Consent Calendar, unless removed for discussion by the Board upon the request of a Board member or if someone in the audience submits a request-to-speak card on this item. Please consult the agenda for the meeting, which will be available at least ten days before November 21, 2019, to determine when this item will be considered.

Background

In 2007, CARB adopted the 2007 Ozone Plan for the 8-hour ozone standard of 0.08 ppm. The Valley is an Extreme nonattainment area for this standard. The 2007 Ozone Plan identified the overall emissions reductions needed to meet the standard by 2023 and laid out the control strategy necessary to achieve those reductions. U.S. EPA approved the 2007 Ozone Plan in 2012. To demonstrate attainment and meet the target of 160 tons per day (tpd) of oxides of nitrogen (NO_x) remaining in 2023, the 2007 Ozone Plan relied on 82 tpd of NO_x emissions reductions coming from control measures undefined at the time, as permitted under the Clean Air Act. CARB and the San Joaquin Valley Air Pollution Control District have since adopted all measures needed to achieve those NO_x reductions. This Report demonstrates that

the Valley is on track to meet the attainment target of 160 tpd NOx and attain the 0.08 ppm 8-hour ozone standard in 2023 with adopted rules and programs currently being implemented.

This Report fulfills the commitment CARB made in 2011 to revisit the 2007 Ozone Plan air quality modeling to reflect emission inventory improvements and any other new information. The updated modeling results confirm that the 2023 NOx attainment emission target of 160 tpd of NOx in the 2007 Ozone Plan is appropriate.

The Report and associated supporting documents will be submitted to U.S. EPA as a revision to the California SIP.

Proposed Action

CARB staff will present a written staff report at the meeting. After October 18, 2019, copies of the report may be obtained from CARB's Public Information Office, 1001 I Street, First Floor, Environmental Services Center, Sacramento, California, 95814, or from CARB's website at

<https://ww3.arb.ca.gov/planning/sip/2007sip/sjv8hr/sjvozone.htm>.

Associated supporting documents will also be available at this website.

Interested members of the public may present comments orally or in writing at 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 physically submitted at the meeting, must be received **no later than November 18, 2019**, and addressed to the following:

Postal mail: Clerk of the Board, 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.

CARB requests that written statements on this item be filed at least ten days prior to the meeting so that CARB staff and Board members have additional time to consider each comment. Further inquiries regarding this matter should be directed to Webster Tasat, Manager, Central Valley Air Quality Planning Section, at (916) 323-4950 or (designated back-up contact) Laura Carr, Air Pollution Specialist, Central Valley Air Quality Planning Section, at (916) 324-5931.

ENVIRONMENTAL ANALYSIS

CARB has determined that the proposed San Joaquin Valley 8-hour ozone SIP update is not a project subject to, or is otherwise exempt from, the requirements of the California Environmental Quality Act (CEQA). CARB's certified regulatory program, which applies to the adoption, approval, amendment, or repeal of standards, rules, regulations, or plans for the protection and enhancement of the State's ambient air quality, has been certified under CEQA by the California Secretary for Natural Resources. (Public Resources Code section 21080.5; 14 California Code of Regulations (CCR) section 15251(d)).

Public agencies with certified regulatory programs are exempt from certain CEQA requirements, including but not limited to, preparing environmental impact reports, negative declarations, and initial studies. For activities that constitute project approvals, as those terms are used in CEQA, CARB, as a lead agency, prepares a substitute environmental document (referred to as an "Environmental Analysis" or "EA") as part of the Staff Report prepared for a proposed action to comply with CEQA (17 CCR sections 60000-60008).

CARB, as the lead agency under CEQA for this update, has reviewed the San Joaquin Valley 8-hour ozone SIP update and concluded it is not a project under CEQA. CARB's approval simply acknowledges and reaffirms requirements, already binding and enforceable, to identify necessary control measures to achieve emissions reductions and to revisit air quality photochemical modeling to reflect emission inventory improvements. CARB's reaffirmation of those requirements and explaining how it has met those requirements through the submittal of this report to the U.S. EPA does not repeal or revise these requirements and thus would not cause a substantial change to the environment requiring additional environmental review. (See *Sherwin-Williams Co. v SCAQMD* (2001) 86 Cal.App.4th 1258, 1286.)

Even if the San Joaquin Valley 8-hour ozone update were a project, it would be exempt from CEQA. CEQA Guidelines state

the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

(14 CCR section 15601(b)(3).) The San Joaquin Valley 8-hour ozone update reaffirms the modeling CARB had done previously and shows CARB has fulfilled its requirements to identify needed control measures and to revisit certain inventory modeling to reflect any emission inventory improvements. Therefore, it can be seen with certainty that there is no possibility that the update report may result in significant adverse impact on the environment.

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 meeting;
- 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 Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 as soon as possible, but no later than ten business days before the scheduled Board meeting. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

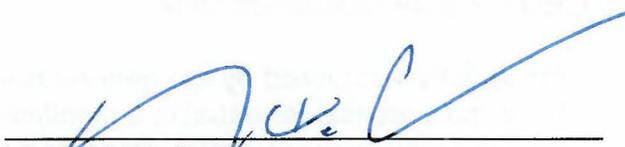
Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia;
- Documentos disponibles en un formato alterno 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 (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de diez 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



Richard W. Corey
Executive Officer

Date: *October 18, 2019*

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 our website at www.arb.ca.gov.