

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER S-07-003

Revised Pesticide Element of the 1994 Ozone SIP
for the Ventura County Nonattainment Area

WHEREAS, the California Environmental Quality Act (CEQA) requires that no project which may have significant adverse environmental impacts may be adopted as originally proposed if feasible alternatives or mitigation measures are available to reduce or eliminate such impacts, unless specific overriding considerations are identified which outweigh the potential adverse consequences of any unmitigated impacts;

WHEREAS, Air Resources Board (the Board or ARB) regulations provide that prior to taking final action on any proposal for which significant environmental issues have been raised, the decision maker shall approve a written response to each such issue;

WHEREAS, on September 27, 2007, ARB conducted a public hearing to consider approval of a proposed revision to the current State Implementation Plan (SIP) commitment for pesticide emission reductions in the Ventura County Nonattainment Area; the proposed SIP revision is set forth in Attachment 1 to this Executive Order;

WHEREAS, following the public hearing on September 27, 2007, the Board adopted Resolution 07-42 (Attachment 1 to this Executive Order), in which the Board initiated steps toward the final adoption of the proposed SIP revision;

WHEREAS, Resolution 07-42 also directed the Executive Officer to prepare and approve written responses to all significant environmental issues that have been raised, and then to either: (1) return the proposed SIP revision to the Board for further consideration if he determines that this is warranted, or (2) take final action to approve the SIP revision with such modifications as may be appropriate in light of the issues raised, including appropriate modifications to insure that all feasible mitigation measures or feasible alternatives that would substantially reduce any significant adverse environmental impacts have been incorporated into the final action;

WHEREAS, written and oral comments raising environmental issues were received during the comment period for the proposed SIP revision;

WHEREAS ARB's responses to comments on the environmental issues associated with the proposed SIP revision are set forth in Attachment 2 to this Executive Order, and these responses have been approved by the Executive Officer as provided in section 60007, Title 17, CCR;

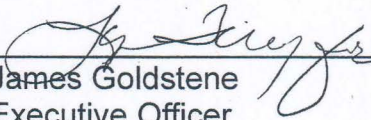
NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 07-42 are incorporated by reference herein, including the findings pursuant to the California Environmental Quality Act that are set forth on pages 4 and 5 of Resolution 07-42.

IT IS FURTHER ORDERED, that based on public testimony and information submitted at the September 27, 2007, hearing, ARB further finds that in Ventura County it is difficult to make a profit by growing low-value crops that do require fumigation, and that if the proposed SIP revision is not adopted it is likely that some agricultural land that cannot be fumigated will be converted to nonagricultural uses (such as suburban development) rather than switched over to non-fumigated crops; this potential loss of agricultural land provides an additional basis for the Statement of Overriding Considerations contained on page 5 of Resolution 07-42.

IT IS FURTHER ORDERED that the proposed SIP revision, as set forth in Attachment 3 hereto, is hereby adopted.

IT IS FURTHER ORDERED that the SIP revision shall be submitted to U.S. EPA for inclusion in the SIP to be effective, for purposes of federal law, upon approval by U.S. EPA.

Executed this 30th day of November, 2007, at Sacramento, California.


James Goldstene
Executive Officer

Attachments