

NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT RESOLUTION # 2023-04

In the Matter of: proposed adoption by the Northern Sierra Air Quality Management District (NSAQMD) of a State Implementation Plan for the 2015 Primary Federal 8-Hour Ozone Standard in partial fulfillment of requirements under the federal Clean Air Act (CAA) relating to the Western Nevada County Federal Ozone Non-attainment Area:

Whereas, the United States Environmental Protection Agency (USEPA) promulgated the 2015 Ambient Air Quality Standards (NAAQS) for ozone on June 4, 2018 (86 FR 59648) with an 8-hour averaging time of 70 parts per billion (ppb); and

Whereas, in 2018, the Western Nevada County portion of the District was designated nonattainment and classified “moderate” for the 2015 8-hour NAAQS of 0.070 ppm but on October 28, 2021, the area was reclassified to serious nonattainment and was effective November 29, 2021; and

Whereas, the CAA and the Code of Federal Regulations contain specific requirements for Serious ozone non-attainment areas that must be included in a State Implementation Plan (SIP) submission to USEPA; and

Whereas, the USEPA promulgated a final rule to implement the 2015 Ozone National Ambient Air Quality Standards (83 FR 62998-63036, December 6, 2018) which includes requirements pertaining to Attainment Demonstrations, Reasonable Further Progress (RFP) toward attainment, Reasonable Available Control Technology (RACT), Reasonable Available Control Measures (RACM), emissions inventories, New Source Review (NSR), emissions statements, and timing of SIP submissions; and

Whereas, the NSAQMD has worked with the USEPA and the California Air Resources Board to develop a SIP meeting all federal Serious Non-attainment requirements; and

Whereas, the NSAQMD was able to declare a revision for the RACT SIP for Western Nevada County 8-hour Ozone Nonattainment Area under the 2015 Ozone RACT SIP that was adopted on January 25, 2021. NSAQMD Western Nevada County Ozone Non-attainment Area Control Technique Guidelines (CTG) listed as negative declarations in the subject RACT SIP Revision was fully approved by the USEPA on August 3, 2022 (87 FR 47354-47359); and

Whereas, Section 15308 of the CEQA Guidelines provide that actions taken by regulatory agencies as authorized by state law to assure the maintenance, restoration, or enhancement of the environment where the regulatory process involves procedures for protection of the environment, are categorically exempt from CEQA review (Class 8 Categorical Exemption); and

Whereas, the NSAQMD Board of Directors held a public hearing February 27, 2023, on the

accompanying SIP Revision following a 30-day public review period, and considered all the public comments on the proposed Plan in accordance with federal Clean Air Act (42 USC Section 7410(1)) and 40 CFR 51.102; and

Now, therefore, be it resolved and ordered by the Northern Sierra Air Quality Management District Board of Directors that the Western Nevada County Ozone Attainment Plan (SIP) for the 2015 Primary Federal Ozone Standard of 0.070 parts per million (ppm), is hereby adopted.

On a motion by Supervisor _____, and seconded by Supervisor _____, the foregoing resolution was approved and adopted by the Board of Directors of the Northern Sierra Air Quality Management District at a regular meeting held on February 27, 2023, by the following roll call vote:

Ayes:

Noes:

Absent:

Abstaining:

Approve: _____
Chair of Northern Sierra Air Quality Management Board

Attest: _____
Dawn Lunsford, Clerk of the Board