BEFORE THE GOVERNING BOARD OF THE
SAN JOAQUIN VALLEY UNIFIED
AIR POLLUTION CONTROL DISTRICT

IN THE MATTER OF:
ADOPTING THE SAN JOAQUIN VALLEY
UNIFIED AIR POLLUTION CONTROL
DISTRICT 2006 PM10 PLAN

RESOLUTION NO. 06-02-09

WHEREAS, the San Joaquin Valley Unified Air Pollution Control District (District) is a
duly constituted unified district, as provided in California Health and Safety Code
(CH&SC) Sections 40150 to 40161; and

WHEREAS, the San Joaquin Valley Air Basin (SJVAB) is classified by the United
States Environmental Protection Agency (EPA) as a serious nonattainment area for
particulate matter less than 10 microns in diameter (PM10); and

WHEREAS, the District adopted the 2003 PM10 Plan (Plan) on June 19, 2003 and
adopted Amendments to the 2003 PM10 Plan on December 18, 2003; and

WHEREAS, the EPA approved the 2003 PM10 Plan as amended on May 26, 2004,
effective June 26, 2004 (69 FR 30006-30036); and

WHEREAS, the District adopted the 2005 Amendments to the 2003 PM10 Plan on
May 19, 2005 to align the control measure implementation strategy with the current
rulemaking efforts, to demonstrate that emission reductions achieved to date were
adequate to meet plan commitments, and to align the 2003 PM10 Plan contingency
measures discussion with federal requirements; and

WHEREAS, the District and the California Air Resources Board (ARB) are required
to prepare and submit a 2006 PM10 Plan to EPA by March 31, 2006 (69 FR 30035);
and

WHEREAS, public workshops for the 2006 PM10 Plan were held on August 30,
2005 and October 21, 2005; the District summarized and developed written
responses to written and verbal comments from both workshops as a Response to
Comments document provided as an attachment to the 2006 PM10 Plan; and

Resolution for the 2006 PM10 Plan
WHEREAS, the 2006 PM10 Plan does not add control measures not already included in the 2003 PM10 Plan or those required by the Senate Bill 700 series legislation passed by the legislature and signed into law in September 2003; and

WHEREAS, a public hearing for the adoption of 2006 PM10 Plan was duly noticed and held on February 16, 2006.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The District Governing Board adopts the 2006 PM10 Plan. Said Plan is attached hereto and incorporated herein as Exhibit “A.”

2. The 2006 PM10 Plan has been prepared consistent with the requirements of the federal Clean Air Act and corresponding EPA guidance.

3. The District has completed an Initial Study for said 2006 PM10 Plan that indicates the project will not result in any significant adverse effects to the environment, and a Proposed Negative Declaration has been prepared and properly noticed pursuant to the California Environmental Quality Act Guidelines (CEQA). The District Governing Board has duly considered said Initial Study and proposed Negative Declaration. Accordingly, the District Governing Board:

   (a) Certifies that the Initial Study and Negative Declaration reflect the independent judgment of the District;

   (b) Finds that the above-described project will have a de minimis impact on fish and wildlife resources; and

   (c) Approves and adopts a Negative Declaration for said Plan pursuant to CEQA requirements. In accordance with the provisions of Sections 15075 of the California Environmental Quality Act Guidelines, the Executive Director/Air Pollution Control Officer is hereby directed to file a Notice of Determination with the County Clerks of each of the counties in the District.

4. The District Governing Board hereby finds, based on the evidence and information presented at the hearing upon which its decision is based, that all notices required to be given by law have been duly given and that the District Governing Board hereby adopts this Resolution as a finding that the project described in the Initial Study shall not result in any significant adverse effects to the environment, and that the proposed project shall not have a de minimis impact on fish and wildlife resources.
Board has allowed public testimony.

5. Adoption of said 2006 PM10 Plan is necessary to comply with the federal Clean Air Act and will promote the health and welfare of the residents of the San Joaquin Valley Air Basin. Rules to be developed under the 2006 PM10 Plan will be in accordance with the District's rule development procedure with due consideration of technological feasibility, cost effectiveness, socioeconomic impact, and environmental impact.

6. Specific rule language will be developed during the rule development process that will provide additional opportunity to address stakeholder concerns.

7. If the total emission reductions from the adopted rules are less than those committed to in the Plan, the District Governing Board commits to adopt, submit, and implement substitute measures that will achieve equivalent reductions in emissions to meet milestone planning requirements.

8. District staff is directed to consult with ARB and EPA as soon as any emissions reduction shortfall is identified to determine the cause of the shortfall and identify any needed corrective actions.

9. District staff is directed to report to the District Governing Board on any shortfall and, if corrective actions are needed, propose any necessary control strategy modifications for District Governing Board consideration.

10. The District Governing Board commits to adopt and implement rules and measures in the 2006 PM10 Plan within the time period specified in the Plan. The District will submit these rules and measures to the ARB within one month of adoption or soon thereafter for transmittal to EPA as a revision to the State Implementation Plan.

11. The Executive Director/Air Pollution Control Officer is hereby directed to forward a copy of this Resolution and the 2006 PM10 Plan to the ARB.

12. The District Governing Board requests that the ARB Executive Officer include the 2006 PM10 Plan, as adopted by the District Governing Board, in the California
State Implementation Plan for submittal to the EPA.

13. District staff is hereby authorized to make any minor typographical and technical changes in the 2006 PM10 Plan that are necessary to correct minor errors, clarify wording, or to satisfy ARB and EPA technical requirements, provided that there are no changes in the conclusions or control requirements in the 2006 PM10 Plan.

THE FOREGOING was passed and adopted by the following vote of the Governing Board of the San Joaquin Valley Unified Air Pollution Control District this 16th day of February 2006, to wit:


NOES: None.

ABSENT: Armentrout.

SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

By [Signature]
Mike Maggard, Chair
Governing Board

ATTEST:

Clerk to the Governing Board

By [Signature]
Sissy Smith

Resolution for the 2006 PM10 Plan