

RESOLUTION NO. 22-34

A Resolution of the South Coast Air Quality Management District (South Coast AQMD) Governing Board determining that the South Coast AQMD's Reclassification of Coachella Valley for the 2008 8-Hour Ozone Standard and the related SIP elements required to update the Motor Vehicle Emissions Budgets is exempt from the requirements of the California Environmental Quality Act (CEQA).

A Resolution of the South Coast AQMD approving the Request to Reclassify Coachella Valley for the 2008 8-Hour Ozone Standard and the related SIP elements required to update Motor Vehicle Emissions Budgets and directing staff to forward South Coast AQMD's Request to Reclassify Coachella Valley for the 2008 8-Hour Ozone Standard and the related SIP elements required to update the Motor Vehicle Emissions Budgets to the California Air Resources Board (CARB) for approval and submission to the United States Environmental Protection Agency (U.S. EPA) for inclusion in the State Implementation Plan (SIP).

WHEREAS, the South Coast AQMD Governing Board finds and determines that the Reclassification of Coachella Valley for the 2008 8-Hour Ozone Standard and the Updated Motor Vehicle Emissions Budgets is considered a "project" pursuant to CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines after conducting a review of the proposed project in accordance with CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA, and CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA, that the proposed project is exempt from CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that since the Coachella Valley is already in "extreme" nonattainment for the 1997 8-hour ozone National Ambient Air Quality Standard (NAAQS or standard), and the South Coast AQMD is also planning to request reclassification to "extreme" for the 2015 8-hour ozone standard, no adverse impacts are expected from the change in classification from "severe-15" to "extreme" nonattainment for the 2008 8-hour ozone standard. Thus, it can be seen with certainty that there is no possibility that the proposed project may have any significant adverse effects on the environment, and is therefore, exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that the proposed project is also categorically exempt from CEQA pursuant to CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, because the proposed project is intended to further protect or enhance the environment; and

WHEREAS, the South Coast AQMD Governing Board has determined that there is no substantial evidence indicating that any of the exceptions to the categorical exemption as set forth in CEQA Guidelines Section 15300.2 – Exceptions, apply to the proposed project; and

WHEREAS, the South Coast AQMD staff has prepared a Notice of Exemption for the proposed project, that is completed in compliance with CEQA Guidelines Section 15062 – Notice of Exemption; and

WHEREAS, the proposed project and supporting documentation, including but not limited to, the Notice of Exemption, were presented to the South Coast AQMD Governing Board and the South Coast AQMD Governing Board has reviewed and considered this information, and has taken and considered staff testimony and public comment prior to approving the project; and

WHEREAS, the Coachella Valley, defined as the desert portion of Riverside County in the Salton Sea Air Basin, is designated as a “severe-15” nonattainment area for the 2008 8-hour ozone NAAQS with an attainment date of July 20, 2027; and

WHEREAS, the South Coast AQMD will submit a voluntary request to the U.S. EPA to reclassify Coachella Valley from “severe-15” nonattainment to “extreme” nonattainment for the 2008 8-hour ozone NAAQS, pursuant to Clean Air Act (CAA) Section 181(b)(3) – Classifications and Attainment Date; and

WHEREAS, the Request to Reclassify Coachella Valley for the 2008 8-Hour Ozone Standard and the Updated Motor Vehicle Emissions Budgets was developed to address statutory requirements related to transportation conformity and portions of CAA Section 182(e) SIP requirements for “extreme” nonattainment areas; and

WHEREAS, the Coachella Valley is under a transportation conformity lockdown due to a methodology update to the on-road mobile source emissions model used for regional transportation planning which results in calculated emissions exceeding those in the approved Motor Vehicle Emissions Budgets; and

WHEREAS, under a transportation conformity lockdown, only projects in the current conforming Regional Transportation Plan/Federal Transportation Improvement Program (RTP/FTIP) and exempt projects can move forward; no new transportation projects can proceed. According to the Southern California Association of Governments, \$26 billion worth of transportation projects are impacted by the lockdown; and

WHEREAS, reclassifying Coachella Valley’s nonattainment status from the current “severe-15” to “extreme” will provide an opportunity to update the Motor Vehicle Emissions Budgets and resolve the transportation conformity lockdown; and

WHEREAS, upon U.S. EPA's granting the reclassification request, an "extreme" area SIP is required to address other "extreme" nonattainment area planning requirements set forth in CAA Section 182(e) and the attainment strategy to meet the new attainment deadline, which is as expeditiously as practicable, but no later than July 20, 2032; and

WHEREAS, the "extreme" area SIP is not due until U.S. EPA sets a deadline to submit the Plan via its rule and public process, selected SIP elements required to resolve the transportation conformity lockdown are included in this report. They are the baseline emissions inventory, Reasonable Further Progress demonstration, and the updated Motor Vehicle Emissions Budgets using the latest on-road mobile source emissions model approved by U.S. EPA; and

WHEREAS, the draft staff report for the Request to Reclassify Coachella Valley for the 2008 8-Hour Ozone Standard and the Updated Motor Vehicle Emissions Budgets was released on September 16, 2022 with a comment period from September 16, 2022 to October 18, 2022; and

WHEREAS, a public consultation meeting was held on September 23, 2022 to solicit information, comments, and suggestions from the public, affected businesses and stakeholders; and

WHEREAS, the draft final staff report for the Request to Reclassify Coachella Valley for the 2008 8-Hour Ozone Standard and the Updated Motor Vehicle Emissions Budgets was released on November 1, 2022; and

WHEREAS, South Coast AQMD will develop remaining SIP elements according to the timeline to be specified by U.S. EPA to satisfy applicable "extreme" area requirements under the CAA; and

WHEREAS, the South Coast AQMD Governing Board has determined that no Socioeconomic Impact Assessment is required under Health and Safety Code Section 40440.8 or 40728.5, because these sections apply only to rules, and further that no socioeconomic impact will result from the reclassification of Coachella Valley for the 2008 8-hour ozone NAAQS; and

WHEREAS, the public hearing has been properly noticed in accordance with all provisions regarding notice of revisions to the State Implementation Plan in Code of Federal Regulations Title 40, Part 51, Section 51.102; and

WHEREAS, the South Coast AQMD Governing Board has held a public hearing in accordance with all provisions of law; and

WHEREAS, the South Coast AQMD specifies the Planning and Rules Manager of the Request to Reclassify Coachella Valley for the 2008 8-Hour Ozone Standard and the Updated Motor Vehicle Emissions Budgets as the custodian of the documents or other materials which constitute the record of proceedings upon which the

adoption of the Request to Reclassify Coachella Valley for the 2008 8-Hour Ozone Standard and the Updated Motor Vehicle Emissions Budgets is based, which are located at the South Coast AQMD, 21865 Copley Drive, Diamond Bar, California; and

NOW, THEREFORE BE IT RESOLVED, that the South Coast AQMD Governing Board does hereby determine, pursuant to the authority granted by law, that the Reclassification of Coachella Valley for the 2008 8-Hour Ozone Standard and the related SIP elements required to update the Motor Vehicle Emissions Budgets is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption and CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for the Protection of the Environment. No exceptions to the application of the categorical exemption set forth in CEQA Guidelines Section 15300.2 – Exceptions, apply to the proposed project. This information was presented to the South Coast AQMD Governing Board, whose members exercised their independent judgment and reviewed, considered, and approved the information therein prior to acting on the Request to Reclassify Coachella Valley for the 2008 8-Hour Ozone Standard and the Updated Motor Vehicle Emissions Budgets; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board does hereby approve, pursuant to the authority granted by law, the Request to Reclassify Coachella Valley for the 2008 8-Hour Ozone Standard and related SIP elements required to update the Motor Vehicle Emissions Budgets, which are baseline emissions inventory, Reasonable Further Progress demonstration and updated Motor Vehicle Emissions Budgets, as set forth in the attached, and incorporated herein by this reference; and

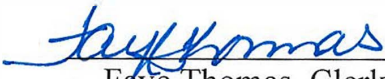
BE IT FURTHER RESOLVED, that the Executive Officer is hereby directed to forward a copy of this Resolution and the Request to Reclassify Coachella Valley for the 2008 8-Hour Ozone Standard and the Updated Motor Vehicle Emissions Budgets to CARB for approval and subsequent submittal to the U.S. EPA for inclusion in the SIP.

AYES: Benoit, Cacciotti, Delgado, Do, Kracov, Kuehl, McCallon,
Padilla-Campos, Perez, Rodriguez, and Rutherford

NOES: None

ABSENT: Raman and Richardson

DATE: November 4, 2022


Faye Thomas, Clerk of the Boards