

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 NATURAL EVENTS ACTION
PLAN

RESOLUTION NO. 06-02-10

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, on September 3, 2004, air monitoring data collected in Corcoran, California indicated an exceedance of the 24-hour National Ambient Air Quality Standard (NAAQS) for particulate matter less than 10 microns in diameter (PM10) that was caused by a natural event of high winds; and

WHEREAS, in accordance with the 1996 United States Environmental Protection Agency (EPA) memorandum, *Areas Affected by PM10 Natural Events*, the District prepared documentation of the September 3, 2004 Corcoran event, as well as a request to have the air monitoring data flagged as having been caused by a natural event, and submitted these items to EPA; and

WHEREAS, the EPA Natural Events Policy provides that EPA will: (1) exercise its discretion under section 107 (d)(3) of the federal Clean Air Act not to redesignate areas as nonattainment if the State develops and implements a plan to respond to the health impacts of natural events; and, (2) redesignate nonattainment areas as attainment by applying Appendix K to 40 CFR, part 50, on a case-by-case basis, to discount data in circumstances where an area would attain but for exceedances that result from uncontrollable natural events; and

1 **WHEREAS**, the EPA concurred with the District request of data flagging for the
2 September 3, 2004 Corcoran event; and

3 **WHEREAS**, EPA concurrence with the data flagging request and federal guidance
4 requires the District to prepare a *Natural Events Action Plan (NEAP)* and submit the
5 *NEAP* to EPA by March 3, 2006; and

6 **WHEREAS**, the *NEAP* is to include forecasting and public outreach to protect public
7 health in the event of PM10 exceedances caused by natural events; and

8 **WHEREAS**, a public workshop was held on the *NEAP* on November 10, 2005; the
9 District summarized and developed written responses to written and verbal comments
10 from the workshop as a Response to Comments document provided as an
11 attachment to the *NEAP*; and

12 **WHEREAS**, a public hearing for the adoption of *NEAP* was duly noticed and held on
13 February 16, 2006.

14 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

15 1. The District Governing Board adopts the *Natural Events Action Plan*. Said
16 *NEAP* is attached hereto and incorporated herein as Exhibit "A."

17 2. The *NEAP* has been prepared consistent with the requirements of EPA
18 guidance.

19 3. The Governing Board finds that, because said *NEAP* will have no possible
20 significant adverse effect on the environment, the proposed actions are exempt from
21 the provisions of the California Environmental Quality Act of 1970 (CEQA) under the
22 provisions of Section 15061 (b)(3) of the State CEQA Guidelines. The Executive
23 Director/Air Pollution Control Officer is directed to file a Notice of Exemption with the
24 County Clerks of each of the counties in the District.

25 4. The District Governing Board hereby finds, based on the evidence and
26 information presented at the hearing upon which its decision is based, that all notices
27 required to be given by law have been duly given, and that the District Governing
28 Board has allowed public testimony.

1 5. Adoption of said *NEAP* is necessary to comply with federal guidance and will
2 promote the health and welfare of the residents of the San Joaquin Valley Air Basin.

3 6. The Executive Director/Air Pollution Control Officer is hereby directed to
4 forward a copy of this Resolution and the *NEAP* to the California Air Resources Board
5 (ARB).

6 7. The District Governing Board requests that the ARB Executive Officer transmit
7 the *NEAP*, as adopted by the District Governing Board, to the EPA.

8 8. District staff is hereby authorized to make any minor typographical and technical
9 changes in the *NEAP* that are necessary to correct minor errors, clarify wording, or to
10 satisfy ARB and EPA technical requirements.

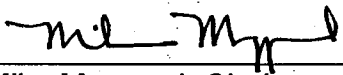
11 **THE FOREGOING** was passed and adopted by the following vote of the
12 Governing Board of the San Joaquin Valley Unified Air Pollution Control District this
13 16th day of February 2006, to wit:

14 **AYES:** Mayfield, Prince, Nelson, Sieglock, Patrick, Dominici,
15 Anderson, Barba, Worthley and Maggard.

16 **NOES:** None.


17 **ABSENT:** Armentrout.

18 SAN JOAQUIN VALLEY UNIFIED
19 AIR POLLUTION CONTROL DISTRICT

20
21 By 
22 Mike Maggard, Chair
Governing Board

23 ATTEST:

24 Clerk to the Governing Board

25 By 

26 Sissy Smith
27
28