

Agenda Date: December 16, 2004
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Continued Item: No

Board Agenda Item

TO: Air Pollution Control District Board

FROM: Terry Dressler, Air Pollution Control Officer

CONTACT: Tom Murphy (961-8857), Ron Tan (961-8812)

SUBJECT: Adoption of the 2004 Clean Air Plan and Certification of the Associated Final Supplemental Environmental Impact Report

RECOMMENDATION:

- A. Hold a public hearing to receive public testimony on the 2004 Clean Air Plan and its associated Supplemental Environmental Impact Report.
- B. Approve the resolution included as Attachment 1. This resolution contains the following action items:
 - B.1 Certification of the Supplemental Environmental Impact Report for the 2004 Clean Air Plan (Attachment 2).
 - B.2 Adoption of the Mitigation Monitoring Plan (Attachment 2).
 - B.3 Adoption of the California Environmental Quality Act Findings (Attachment 3).
 - B.4 Adoption of the 2004 Clean Air Plan as submitted to your Board on October 21, 2004, and modified as set forth in Attachments 4, 5 and 6.
 - B.5 Direction to staff to continue actions to influence the United States Environmental Protection Agency to take action to reduce the air quality impacts of emissions from marine shipping.
 - B.6 The APCD Board encourages local governments to plan and design communities to minimize motor vehicle miles traveled and trips.

- B.7 Direction to staff to work with the Community Advisory Council to evaluate tools to quantify emissions from indirect sources and return to the Board with recommended options to mitigate emissions from such sources.
- B.8 Authorization of the Chair to sign the attached letter (Attachment 8) transmitting the 2004 Clean Air Plan to the California Air Resources Board.

DISCUSSION:

At the October 21, 2004 Board hearing, staff presented the Draft 2004 Clean Air Plan and the associated Supplemental Environmental Impact Report. As discussed at the hearing, our air quality has improved to the point that the United States Environmental Protection Agency has declared us an attainment area for the federal 1-hour ozone standard. This milestone is clear evidence that Santa Barbara County residents are breathing cleaner air. However, we do not yet comply with the state 1-hour ozone standard, which is more protective of public health. Therefore this 2004 Clean Air Plan (2004 Plan) focuses solely on the state 1-hour ozone standard and the associated planning requirements mandated by the California Clean Air Act.

This Clean Air Plan is the blueprint for air quality improvement in Santa Barbara County. Its goals are to explain the complex interactions between emissions and air quality, and to design the most cost-effective emission control strategy for our area. Continuing progress toward clean air is a challenge that demands participation by the entire community. This 2004 Plan represents a partnership among the Air Pollution Control District, the Santa Barbara County Association of Governments, the California Air Resources Board, the United States Environmental Protection Agency, local businesses and the community at large to reduce pollution from all sources.

Draft 2004 Clean Air Plan

On August 25, 2004, a Draft 2004 Clean Air Plan was released for a 30-day public comment period. A public notice was published in the Santa Barbara News Press, the Santa Maria Times, the Lompoc Record, and the Santa Barbara Independent. As part of the release, more than 100 copies of the Draft 2004 Clean Air Plan and Supplemental Environmental Impact Report were distributed to interested parties, organizations, local governments, the California Air Resources Board, and the United States Environmental Protection Agency. The documents were also available on the APCD website at www.sbcapcd.org. The public comment period closed on September 24, 2004.

A public workshop was held to receive comments on the Draft Plan on September 15th in Buellton. Both APCD and SBCAG staff attended the workshop. Public comments and questions from the workshops, and all written comments received by the close of the public comment period, along with all APCD and SBCAG staff responses, are included in Chapter 8 – Public Participation (Attachment 6). At its November 10, 2004 meeting, the Community Advisory

Council (CAC) made a recommendation to move Rules 333 and 342 from “Proposed Emission Control Measures” to “Emission Control Measures for Further Study,” and to forward the 2004 Clean Air Plan to the Board for approval with the addition of a “Statement of Concern” written by members Marc Chytilo and Kevin Wright. This statement addresses the significance of Transportation Control Measures (TCMs) and Chapter 7; it is provided in Attachment 9.

Summary of Major Revisions

In response to the public comment process, and the direction provided by your Board in October, staff have made several amendments to the Draft 2004 Clean Air Plan. Attachment 4 provides strikeout/underline documentation of all the changes made to the draft Plan. Additionally, a significantly revised Chapter 7 is included as Attachment 5.

The APCD specifically sought input from the CAC on each element of the 2004 Plan as it was being developed over the past year. Starting in January of 2004, APCD staff presented specific portions of the 2004 Plan to the CAC for review and comment. The CAC also provided recommendations regarding policy and other key issues that altered the direction, and ultimately enhanced the plan’s contents. The highlights of these CAC meetings and recommendations are in Chapter 8 (Attachment 6).

Both the City of Goleta and your Board expressed concerns with Chapter 7, Land Use Strategies, including the concern that the strategies discussed were too specific, and might not necessarily reduce air pollution from motor vehicles if implemented. Additionally, your Board felt that this chapter represented an unwarranted intrusion by the APCD into planning issues, which are the sole purview of local land use planning agencies. In response, staff have substantially modified Chapter 7 — deleting specific implementation strategies, and emphasizing that the ideas and concepts presented are not meant to be prescriptive.

The California Air Resources Board requested that the APCD move three emission control measures from the “Emission Control Measures for Further Study” category to the list of “Proposed Emission Control Measures”. After additional analysis by staff, two of these “Further Study” measures regulating boilers, steam generators and processes heaters and internal combustion engines were reclassified as “Proposed Emission Control Measures ” and presented to the CAC at their November 10, 2004 meeting. As discussed above, the CAC made a recommendation to move Rules 333 and 342 from “Proposed Emission Control Measures” to “Emission Control Measures for Further Study.” We have discussed this recommendation with staff at the California Air Resources Board, and they have indicated that it will not jeopardize the approval of the 2004 Clean Air Plan.

Compliance with the California Environmental Quality Act

To comply with the California Environmental Quality Act (CEQA), the APCD prepared a Supplemental Environmental Impact Report (APCD-2004-SEIR-01, SCH No. 91031045) for the

2004 Clean Air Plan. The public review period for the Draft SEIR began August 25, 2004 and closed October 11, 2004. Three comment letters were received on the Draft SEIR. Responses to these letters were provided in the Final SEIR which is included as Attachment 2.

Conclusion:

Your Board's action on the 2004 Clean Air Plan will continue our efforts to meet the state 1-hour ozone standard. The 2004 "ozone season" is concluding with only two days on which the state one-hour ozone standard and the federal eight-hour ozone standard were exceeded – our cleanest year on record. This air-quality milestone reflects the successful efforts of a partnership including APCD, the Santa Barbara County Association of Governments, the Community Advisory Council, the California Air Resources Board, the United States Environmental Protection Agency, local businesses, and the community-at-large all working to reduce pollution from multiple sources: cars, trucks, industry, consumer products, and many more. We believe this partnership will be key to continued progress in improving air quality, and providing for attainment of all applicable state and federal ambient air quality standards.

ATTACHMENTS:

1. APCD Board Resolution for the 2004 Clean Air Plan.
2. Final Supplemental Environmental Impact Report for the 2004 Clean Air Plan.
3. California Environmental Quality Act Findings.
4. Strike out–underline changes to the Draft 2004 Clean Air Plan.
5. Chapter 7 (Land Use Strategies) of the 2004 Clean Air Plan.
6. Chapter 8 (Public Participation) of the 2004 Clean Air Plan
7. Response to written comments received after the close of the public comment period.
8. Transmittal Letter for the 2004 Clean Air Plan.
9. Community Advisory Council Statement of Concern.

ATTACHMENT 1

APCD Board Resolution for the 2004 Clean Air Plan

ATTACHMENT 2

Final Supplemental Environmental Impact Report for the 2004 Clean Air Plan

ATTACHMENT 3

California Environmental Quality Act Findings

ATTACHMENT 4

Strike out-underline changes to the Draft 2004 Clean Air Plan

ATTACHMENT 5

Chapter 7 (Land Use Strategies) of the 2004 Clean Air Plan

ATTACHMENT 6

Chapter 8 (Public Participation) of the 2004 Clean Air Plan

ATTACHMENT 7

Response to written comments received after the close of the public comment period

ATTACHMENT 8

Transmittal Letter for the 2004 Clean Air Plan

ATTACHMENT 9

Community Advisory Council Statement of Concern