



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Opposing the Bay Area 2001 Ozone Attainment Plan Due to Lack of Mitigation of Bay Area Air Pollution Blown to the Central Valley by Prevailing Winds

MEETING DATE: October 3, 2001

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt a resolution opposing the Bay Area 2001 Ozone Attainment Plan due to lack of mitigation of Bay Area air pollution blown to the Central Valley by prevailing winds.

BACKGROUND INFORMATION: The Bay Area 2001 Ozone Attainment Plan does not address and mitigate the impact of pollutant transport on the San Joaquin Valley and other downwind districts. The Bay Area Plan needs to mitigate its pollution transport impacts on downwind districts through control measures, such as the Smog Check II Program, which is in effect in the San Joaquin Valley. The San Joaquin Valley Air Basin must attain the one-hour ozone standard by 2005. Failure to attain the standard will have serious consequences related to the economic well-being of industry in the San Joaquin Valley, and more importantly, could affect the health of many of our citizens.

The attached letter from the San Joaquin Valley Air Pollution Control District contains additional information of this issue.

FUNDING: None required.

Richard C. Prima, Jr.
Public Works Director

Prepared by Carlos Tobar, Transportation Manager

RCP/CT/lm

attachment

cc: City Attorney

APPROVED: _____

H. Dixon Flynn -- City Manager



San Joaquin Valley
Air Pollution Control District

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AUG 20 2001

City Clerk
City of Lodi

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David L. Crow
Executive Director/
Air Pollution Control Officer

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FAX (661) 326-6985

www.valleyair.org

August 17, 2001

Dear Sir or Madam:

The San Joaquin Valley Unified Air Pollution Control District recently sought your support in asking the California Air Resources Board (ARB) to not approve the *Bay Area 2001 Ozone Attainment Plan* at its hearing on July 26, 2001. The Valley Air District made this request because the Bay Area Plan failed to address and mitigate the impact of pollutant transport on the San Joaquin Valley and other downwind districts. Many cities, counties, and Transportation Planning Agencies in the Valley responded to our request. We appreciate your support on this issue. Because of extensive public comment from agencies such as yours and from concerned Valley and Bay Area citizens regarding the inadequacy of the public process, lack of Smog Check II, and the adequacy of pollution reducing measures, the ARB voted to continue the hearing. The plan is now scheduled to be heard by the ARB in October. We are again asking for your support in ensuring that the Bay Area Plan includes appropriate measures to mitigate its transport impacts on the San Joaquin Valley and other downwind districts.

The urgent need for the Bay Area Plan to mitigate its transport impacts on downwind districts through control measures such as the SMOG Check II program was explained in our July 24 letter to the ARB, a copy of which is attached. As noted in the letter, the San Joaquin Valley Air Basin must attain the one-hour ozone standard by 2005. Failure to attain the standard will have serious consequences related to the economic well being of industry in the San Joaquin Valley, and more importantly, could affect the health of many of our citizens. It is crucial to our attainment efforts that all sources that contribute to our air pollution problems, also contribute to its solution and that the contributions occur in a timely manner.

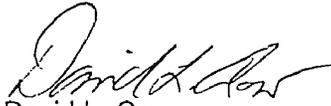
We do not yet know what changes, if any, may be made to the Bay Area Plan. At minimum, to mitigate downwind impacts, the Bay Area Plan should include the SMOG Check II program. To let the ARB know that there is wide support on this issue, we are asking that each city, county and transportation planning agency in the Valley adopt a resolution requesting that the ARB not approve the Bay Area Plan

Request for Supporting Resolutions on Bay Area 2001 Ozone Attainment Plan
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unless it includes such measures. To assist you, a sample resolution is attached. If you would like an electronic copy of this letter, please go to the District's website at www.valleyair.org and click on the Recent News tab. Resolutions should be sent to Dr. Alan C. Lloyd, Ph.D., Chairman, California Air Resources Board, 1001 "I" Street, P.O. Box 2815, Sacramento, CA, 95812. Resolutions sent to the ARB should be received no later than October 9, 2001.

If you would like further information regarding the impact of transport of pollutants on the San Joaquin Valley, or information related to the development of the District's control measure strategy for attainment of the one-hour ozone standard by 2005, please call David Jones at (555) 230-5812. Thank you for your assistance with this matter.

Sincerely,



David L. Crow
APCO/Executive Director

Attachments

Cc: SJVUAPCD Governing Board
SJVUAPCD Citizen's Advisory Committee
San Joaquin Valley State Legislative Delegation
San Joaquin Valley Federal Legislative Delegation

RESOLUTION NO. 2001-234

A RESOLUTION OF THE LODI CITY COUNCIL OPPOSING THE
BAY AREA 2001 OZONE ATTAINMENT PLAN DUE TO LACK
OF MITIGATION MEASURES ADDRESSING BAY AREA
AIR POLLUTION

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WHEREAS, the San Joaquin Valley Air Basin (SJVAB) is designated as serious nonattainment for the one-hour ozone standard by the US Environmental Protection Agency (EPA); and

WHEREAS, the EPA has proposed that the SJVAB be reclassified to severe nonattainment for the one-hour federal ozone standard, with attainment for the standard required by November 15, 2005; and

WHEREAS, the preliminary modeling conducted for the SJVAB's 2005 attainment demonstration indicates that large emission reductions will be required; and

WHEREAS, emission reductions from all possible sources and from all regions that contribute ozone precursors to the SJVAB will be needed by 2003 if the SJVAB is to reach attainment by 2005; and

WHEREAS, the ARB, in its *Assessment of the Impacts of Transported Pollutants on Ozone Concentrations in California, March 2001*, identified the Bay Area as an overwhelming and significant contributor to state ozone exceedances in the north portion of the San Joaquin Valley Air Basin; and

WHEREAS, recent photochemical modeling conducted by San Joaquin Valley Unified Air Pollution Control District showed significant contribution by Bay Area pollutants to the ozone levels in the Modesto-Turlock and Merced areas, areas where the SJVAB has consistently had federal exceedances of the one-hour standard, and a smaller, but still significant contribution to the exceedances in the Fresno area; and

WHEREAS, in several guidance documents issued by the US Environmental Protection Agency since 1993 it has been clearly stated that the State must consider imposition of control measures within the state implementation plan (SIP) submitted for the transporting air basin, if those control measures are needed to avoid significant impacts in downwind areas either intrastate or interstate; and

WHEREAS, as a transporting air basin plan, the *Bay Area 2001 Ozone Attainment Plan* should contain control measures that would mitigate significant impacts on downwind areas, including the San Joaquin Valley, and such measures, including SMOG Check II, are available; and

WHEREAS, the ARB staff's review of the Bay Area Plan recognizes that if the Bay Area were to adopt SMOG Check II without the "test only" requirement as allowed by current law, "These reductions could benefit overall air quality in the Bay Area and in all downwind regions."

NOW, THEREFORE, be it resolved as follows:

1. The Bay Area is a significant contributor to air pollution in the San Joaquin Valley.
2. By State and Federal Law, the California Air Resources Board is required to consider imposition of control measures within the state implementation plan (SIP) submitted for the transporting air basin, if those control measures are needed to avoid significant impacts in downwind areas either intrastate or interstate.
3. Control measures, including SMOG Check II, are available that would reduce the impact of transported pollutants from the Bay Area into the San Joaquin Valley.
4. As the responsible party for the SIP, the California Air Resources Board should not approve the *Bay Area 2001 Ozone Attainment Plan* unless said plan includes mitigation measures for the transport of pollutants into the San Joaquin Valley and other downwind areas.

Dated: October 3, 2001

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I hereby certify that Resolution No. 2001-234 was passed and adopted by the Lodi City Council in a regular meeting held October 3, 2001 by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Howard, Pennino and Mayor Nakanishi

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Land

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk