

FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT
MEMORANDUM
04/03/2023

TO: FRAQMD BOARD OF DIRECTORS

FROM: Christopher D. Brown, AICP, APCO

SUBJECT: Public Hearing to (1) Adopt Resolution #2023-03 adopting the Yuba City-Marysville PM_{2.5} Second Maintenance Plan; and (2) find the adoption of the Plan categorically exempt in conformance with the California Environmental Quality Act (CEQA) Guidelines Section 15308 Class 8 – Actions by regulatory agencies for the protection of the environment; and authorize the Chairman to execute related documents.

RECOMMENDATION:

Adopt Resolution #2023-03 adopting the Yuba City – Marysville PM_{2.5} Second Maintenance Plan and find the adoption of the Plan categorically exempt in conformance with the CEQA Guidelines Section 15308.

BACKGROUND:

The Yuba City-Marysville area was designated nonattainment for the fine particle standard by the United States Environmental Protection Agency (USEPA or EPA) effective on December 14, 2009. Since the designation, the District and the State of California have implemented numerous measures to reduce emissions of directly emitted fine particulate matter (PM_{2.5}), as well as the precursors oxides of nitrogen (NO_x), sulfur oxides (SO_x), volatile organic compounds (VOCs) and ammonia.

One of these measures was an incentive program offered by the District to replace older woodstoves with US EPA certified devices and to retrofit fireplaces with certified inserts. Residential wood combustion is the largest source of wintertime directly emitted PM_{2.5}. A woodstove changeout program was offered in 2009 through 2011 with District funds. Between 2018 and 2022 the District received California Climate Investments funding to offer another changeout program. The program has reduced an estimated 6.4 tons of PM_{2.5} per year¹.

The District also adopted revisions to Rule 3.17 Wood Burning Devices that required all newly installed wood burning devices to meet EPA standards. The revisions also

¹ Estimate based on US EPA calculations of certified device emissions

allowed the APCO to voluntarily ask residents to forgo wood burning on days where the standard was forecasted to be exceeded.

The State of California adopted regulations that reduce emissions of directly emitted PM_{2.5} and precursor emissions. Table 17 on page 41 of the Plan lists the State Strategy for PM_{2.5} Reductions.

The EPA determined that the Yuba City-Marysville area met the 2006 PM_{2.5} standard based on 2009-2011 monitoring data². The District prepared a Redesignation Request and Maintenance Plan as required by the Clean Air Act at the April 2013 Board Meeting and the Yuba City-Marysville area was redesignated to attainment effective January 8, 2015. The first maintenance plan demonstrated attainment of the standard for ten years, from 2014 through 2024.

The CAA section 174A(b) requires an area reclassified as attainment to submit a second maintenance plan eight years after redesignation to demonstrate maintenance of the standard for a second 10-year period. The Second Maintenance Plan shows the Yuba City – Marysville will continue to meet the standard through 2035.

DISCUSSION:

The Second Maintenance Plan is available on the District's website:

https://www.fraqmd.org/files/639f735d7/Second+Maintenance+Plan+YCMrsvl+PM2_5.pdf

The Second Maintenance Plan demonstrates the Yuba City – Marysville Planning Area continues to meet the standard from 2024 through 2035. The maintenance of the 35 µg/m³ standard is demonstrated even after conservative assumptions are applied. These assumptions include the use of all pre-base year emission reduction credits (ERCs) of NO_x and PM₁₀ in the 2035 emission inventory, applying PM₁₀ ERCs in full to the PM_{2.5} inventory, and using a 2022 design value affected by wildfire smoke exceptional events.

The Plan requires limiting SO_x ERCs to 0.010 tons per year. The District has 0.210 tons per day (76.7 tons per year) of pre-baseline SO_x ERCs available for stationary sources requiring offsets of SO_x. There is no offset threshold for SO_x emissions and the District has no major sources of SO_x emissions therefore it is unlikely that SO_x ERCs over 0.010 tons per day (3.65 tons per year) would be used. In the previous 15 years the District permits have required no SO_x ERCs. The largest potential to emit for SO_x in the District is a electricity producing unit with 31.5 tons/year, well below the 100 tons/year threshold for Title V.

² Federal Register Vol. 78 page 2211 Determination of Attainment for the Yuba City-Marysville Nonattainment Area for the 2006 Fine Particle Standard; California; Determination Regarding Applicability of Clean Air Act Requirements.

The Plan was released for public review on March 3, 2023. As of March 24, the District has received no public comments. Public comments may also be presented during the public hearing.

The Plan is categorically exempt from the California Environmental Quality Act (CEQA) under Class 8: Actions by regulatory agencies for the protection of the environment.

FISCAL IMPACT:

There is no direct fiscal impact to the District by adopting the Redesignation Request and Maintenance Plan.

ATTACHMENTS:

A: Resolution #2023-03

Attachment A: Resolution #2023-03

RESOLUTION #2023-03 OF THE BOARD OF DIRECTORS ADOPTING THE YUBA CITY – MARYSVILLE PM2.5 SECOND MAINTENANCE PLAN

WHEREAS, the United States Environmental Protection Agency (USEPA) promulgated the National Ambient Air Quality Standard (NAAQS) for fine particulate matter (PM_{2.5}) with an 24-hour averaging time of 24 ug/m³ and determined that the PM_{2.5} NAAQS is necessary in order to protect public health (Federal Register, Volume 71 page 61144, October 17, 2006); and

WHEREAS, the Yuba City-Marysville Planning Area exceeded the 24-hour PM_{2.5} NAAQS in 2006 and was designated nonattainment for PM_{2.5} (Federal Register, Volume 74 page 58688, November 13, 2009); and

WHEREAS, the USEPA determined that the Yuba City-Marysville Planning Area had attained the PM_{2.5} NAAQS based on 2009-2011 monitoring data (Federal Register, Volume 78 page 2211, January 10, 2013); and

WHEREAS, the Feather River Air Quality Management District adopted the “PM_{2.5} Redesignation Request and Maintenance Plan ” (Plan) to satisfy the planning requirements associated with a PM_{2.5} nonattainment classification and redesignation request (42 USC §7407(d)(3), §7410(a), §7502, and §7505a); and

WHEREAS, the Plan was approved by USEPA and the area was redesigned to attainment effective January 8, 2015 (79 FR 72981); and

WHEREAS, the Clean Air Act requires (42 USC §7505b) that eight years after redesignation to attainment the area must submit a plan showing maintenance of the standard for a second ten-year period; and

WHEREAS, the Plan shows that ambient PM_{2.5} air quality in the Yuba City-Marysville Planning Area continues to meet the standard; and

WHEREAS, the Plan establishes the 2020 base year and emissions inventory forecasts for 2024, 2026, and 2035 for PM_{2.5}, nitrogen oxides (NO_x), reactive organic gases, ammonia, and sulfur oxides (SO_x) and indicates significant declines in overall emissions; and

WHEREAS, the Plan demonstrates that existing control strategies will provide for the maintenance of the standard through 2035; and

WHEREAS, the Plan demonstrates maintenance of the standard through 2035 even in the unlikely event that all banked emission reduction credits of NO_x and PM₁₀ are used by stationary sources; and

WHEREAS, the quantity of pre-base year SO_x emission reduction credits banked in 2020 exceeds the projected growth of SO_x through 2035; and

WHEREAS, the proposed Plan sets 2026 and 2035 Motor Vehicle Emission Budgets (MVEB) for PM_{2.5} and NO_x for transportation conformity purposes (42 USC §7506); and

WHEREAS, the consultation on the motor vehicle emission budgets was conducted through the Sacramento Area Council of Government's Regional Planning Partnership; and

WHEREAS, the California Environmental Quality Act (CEQA) under Sections 15308 and 15061(b)(3) of the State CEQA Guidelines exempts actions by regulatory agencies if it can be seen with certainty that there is no possibility that the actions may have a significant adverse effect on the environment; and

WHEREAS, the Feather River Air Quality Management District published a notice of the availability of the Plan on March 4, 2023, to invite public comment on the Plan; and

WHEREAS, the Board of Directors of the Feather River Air Quality Management District held a public hearing and considered public comment on the proposed Plan at its April 3, 2023, meeting; and

WHEREAS, staff of the Feather River Air Quality Management District, at 541 Washington Avenue, Yuba City, CA, will maintain the record of the proceedings upon which this decision is based.

NOW, THEREFORE, BE IT RESOLVED that the Yuba City - Marysville PM_{2.5} Second Maintenance Plan is exempt from CEQA; and

BE IT FURTHER RESOLVED by the Board of Directors of the FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT approves the PM_{2.5} Second Maintenance Plan, including the 2020, 2024, 2026 and 2035 emissions inventory, historical PM_{2.5} air quality data, maintenance demonstration, and motor vehicle emission budgets for 2026 and 2035; and

BE IT FURTHER RESOLVED the District will restrict the pre-base year emission reduction credits of SO_x to less than 0.010 tons per day through its permitting process and will not issue permits requiring pre-base year SO_x emission reduction credits that exceed 0.010 tons per day; and

BE IT FURTHER RESOLVED the District will track usage of pre-base year emission reduction credits and report the usage and remaining balance to USEPA as part of the annual report to USEPA, which will make this commitment enforceable by USEPA; and

BE IT FURTHER RESOLVED the District will revise the Second Maintenance Plan and demonstrate continued ability to attain the standard if pre-base year SO_x emission reduction credits are expected to be needed in excess of 0.010 tons per day; and

BE IT FURTHER RESOLVED that the Board of Directors of the FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT directs staff to forward the PM_{2.5} Second Maintenance Plan and all necessary supporting documents to the California Air Resources Board for submittal to the USEPA as a revision to the California State Implementation Plan.

PASSED AND ADOPTED by the Feather River Air Quality Management District at a meeting on April 3, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairman

ATTEST
CLERK OF THE DISTRICT BOARD

APPROVED FOR LEGAL FORM

Nick Deal, District Legal Advisor