

**ATTACHMENT A  
RESOLUTION NO. 13-1**

**A Resolution of the South Coast Air Quality Management District (AQMD or District) Governing Board to Adopt Control Measure IND-01 (Backstop Measure for Indirect Sources of Emissions from Ports and Port-Related Facilities) as revised for submittal into the California State Implementation Plan (SIP).**

**A Program Environmental Impact Report (EIR) for the 2012 Air Quality Management Plan (AQMP), which includes IND-01, was previously prepared and certified by the AQMD Governing Board as being completed in compliance with the California Environmental Quality Act (CEQA) on December 7, 2012; therefore no further action on the Program EIR is required.**

WHEREAS, the Final 2012 AQMP, which included IND-01, was adopted by the AQMD Governing Board on December 7, 2012, with a motion to continue the hearing on the approval of Control Measure IND-01(Backstop Measure for Indirect Sources of Emissions from Ports and Port-Related Facilities) to the Governing Board's February 1, 2013 public meeting; and

WHEREAS, staff met with affected sources to address concerns raised and met with the Marine Port Committee on January 18, 2013, per Board directive, to discuss the intent and need for IND-01; and

WHEREAS, the South Coast Air Quality Management District is committed to comply with the requirements of the federal Clean Air Act; and

WHEREAS, the South Coast Air Quality Management District Governing Board is committed to comply with the requirements of the California Clean Air Act; and

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WHEREAS, the South Coast Air Quality Management District Governing Board is committed to achieving healthful air in the South Coast Air Basin and all other parts of the District at the earliest possible date; and

WHEREAS, the Draft Final Socioeconomic Report on the 2012 AQMP, which included IND-01, was adopted by the Governing Board at the December 7, 2012 Public Hearing; and

WHEREAS, significant emission reductions, including those reductions achieved by the Ports and projected in the inventory, must be achieved

from sources under state and federal jurisdiction for the South Coast Air Basin to attain the federal air quality standards; and

WHEREAS, the record of the public hearing proceedings, including CEQA proceedings, is located at South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California 91765, and the custodian of the record is the Clerk of the Board; and

BE IT FURTHER RESOLVED, the District commits to continue working with the ports on the implementation of control measure IND-01 (Backstop Measure for Indirect Sources of Emissions from Ports and Port-Related Sources) as shown in Attachment 1.

BE IT FURTHER RESOLVED, the Governing Board finds and determines, taking into consideration the factors in §(d)(4)(D) of the Governing Board Procedures, that the modifications that have been made to IND-01, since the Final PEIR was certified by the Governing Board at the December 7, 2012 Public Hearing would not constitute significant new information within the meaning of the CEQA Guidelines; and

BE IT FURTHER RESOLVED, none of the modifications to the IND-01 alter any of the conclusions reached in the Final PEIR on the 2012 AQMP, nor provide new information of substantial importance that would require preparation of a subsequent CEQA document; and

BE IT FURTHER RESOLVED, that the South Coast Air Quality Management District Governing Board, pursuant to the requirements of Title 14 California Code of Regulations previously adopted Findings pursuant to §15091 and adopted the Statement of Overriding Considerations pursuant to §15093 at the December 7, 2012 Public Hearing; and

BE IT FURTHER RESOLVED, that the South Coast Air Quality Management District Governing Board previously adopted the Mitigation Monitoring and Reporting Plan, as required by Public Resources Code, at the December 7, 2012 Public Hearing; and

BE IT FURTHER RESOLVED, that the South Coast Air Quality Management District Governing Board, whose members reviewed, considered and approved the information contained in the document listed herein, adopts IND-01 or an alternative approach as amended by the final changes set forth by the AQMD Governing Board and the associated document listed in Attachment 1 to this Resolution.

BE IT FURTHER RESOLVED, that the South Coast Air Quality Management District Governing Board, requests that IND-01 be submitted into the SIP.

BE IT FURTHER RESOLVED, that the Executive Officer is hereby directed to forward a copy of this Resolution and IND-01 as amended by the final changes, to CARB, and to request that these documents be forwarded to the U.S. EPA for approval as part of the California State Implementation Plan. In addition, the Executive Officer is directed to forward any other information requested by the U.S. EPA for informational purposes.


AYES: Burke, Cacciotti, Gonzales, Loveridge, Lyou, Parker, Pulido, and Yates.

NOES: Antonovich, Benoit, and Nelson.

ABSTAIN: None.

ABSENT: Mitchell and Perry.

Dated: 2-1-2013

  
Clerk of the District Board