

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



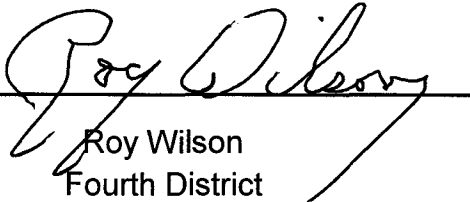
**FROM:** Supervisor Roy Wilson

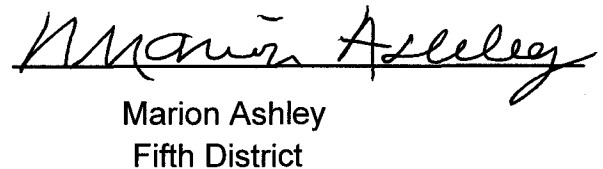
**SUBMITTAL DATE:**  
May 12, 2009

**SUBJECT:** Resolution 2009-181, Supporting SB 696

**RECOMMENDED MOTION:** That the Board of Supervisors support Resolution 2009-181, Senate Bill 696, to resolve AQMD permit moratorium which is blocking development of critical projects.

**BACKGROUND:** Under state and federal law, facilities that are new or are to be modified must provide emission reduction credits (ERCs) or offsets obtained from AQMD's internal bank. A recent state Superior Court decision is forcing AQMD to suspend operations of its internal bank of credits. This would force any new or modified projects to seek ERCs on the open market, a cost-prohibitive process which blocks development of the County of Riverside's Public Safety Enterprise Communication (PSEC) project and installation of emergency generators at two desert sheriff's stations. These projects are crucial public safety enhancements, therefore Board approval of the attached resolution, supporting SB 696 and the elimination of the AQMD permit moratorium is necessary.

  
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Roy Wilson  
Fourth District

  
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Marion Ashley  
Fifth District

RESOLUTION NO. 2009-181

A RESOLUTION OF THE RIVERSIDE COUNTY BOARD OF SUPERVISORS TO SUPPORT SB 696 BY SENATOR ROD WRIGHT AND SPONSORED BY THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (AQMD) TO RESOLVE THE AIR QUALITY PERMIT MORATORIUM CAUSED BY A STATE COURT CEQA DECISION.

WHEREAS, the South Coast Air Quality Management District (AQMD), is the agency responsible for attainment of state and federal clean air standards in Riverside County and South Coast Air Basin within prescribed timeframes; and

WHEREAS, under state and federal law, facilities that wish to modernize, start, or modify their operations with a potential emissions increase of 1 pound per day or more, must provide emission reduction credits (ERCs) purchased on the open market, or offsets obtained from AQMD's internal bank; and

WHEREAS, due to a recent State Superior Court CEQA decision, the AQMD has been forced to suspend operations of its internal bank of credits and cease processing permit applications subject to Rule 1309.1 Priority Reserve and Rule 1304 Exemptions; and

WHEREAS, over 1200 permit applications are on hold, including 2 emergency generators for sheriff's stations in the Coachella Valley and a \$140 million "Public Safety Enterprise Communication" project which directly impacts the safety of law enforcement personnel in remote areas of vast Riverside County; and

WHEREAS, this court action also impacts thousands of permits for which the AQMD cannot ensure the long-term validity for permits that were issued on or after September 8, 2006; and

WHEREAS, without legal remedy, the only remaining option for local government and business is to purchase ERC's in the open market which are extremely limited, expensive and potentially unaffordable; and

WHEREAS, SB 696 will allow for the resumption of AQMD's internal credit bank and the issuance of needed permits, pursuant to Rule 1304 and Rule 1309.1, which are necessary for local government and business operations;

NOW, THEREFORE, BE IT RESOLVED, that the Riverside County Board of Supervisors hereby declares and resolves its support for SB 696 authored by Senator Rod Wright to remove the stranglehold on the economy and on public safety projects, and to permit facility modernizations and other emission reduction projects to move forward.

Approved and Adopted on the 12th day of May, 2009.