BOARD OF SUPERVISORS - COUNTY OF MARIPOSA

RESOLUTION NO. 74-76

WHEREAS, the State of California Air Resources Board on June 15, 1974, approved the creation of the Mountain Counties Air Basin effective July 1, 1974; and

WHEREAS, the Mountain Counties Air Basin consists of the following County Air Pollution Control Districts: Plumas, Sierra, Nevada, Placer, El Dorado, Amador, Calaveras, Tuolumne and Mariposa; and

WHEREAS, all of the aforesaid Air Pollution Control Districts have submitted coordinated subvention applications to the Air Resources Board for fiscal year 1974-1975; and

WHEREAS, an Agreement relating to coordinated air pollution control subvention has been passed and adopted by the Air Pollution Control Coordinating Council on the 18th day of July, 1974, pursuant to California Administrative Code, Subsection 30120(b) of the Subvention Regulation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Mariposa, State of California, hereby approves said Mountain Counties Air Basin Air Pollution Control Coordinating Council Agreement dated July 18, 1974.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mariposa this 23rd day of July, 1974, by the following vote:

AYES: Davis, Hurlbert, Long, Moffitt, Richardson

NOES: None

ABSENT: None

NOT VOTING: None

Attest:

ELLEN P. RITTER, County Clerk

Chairman of the Board
MOUNTAIN COUNTIES AIR BASIN

AIR POLLUTION CONTROL COORDINATING COUNCIL

AGREEMENT

I. This Agreement made and entered into this 18th day of July, 1974
by and between the following County Air Pollution Control Districts: Plumas,
Sierra, Nevada, Placer, El Dorado, Amador, Calaveras, Tuolumne, and Mariposa,
for the 1974-1975 fiscal year.

II. This Agreement shall be applicable for the 1974-1975 fiscal year,
provided, however, any Air Pollution Control District shall have the right to
terminate and cancel this Agreement upon ninety (90) days notice before the end
of the fiscal year, in writing, to the Coordinating Council.

III. A. The Coordinating Council shall consist of nine (9) members who
are elected officials of and designated by the Board of Directors of each Air
Pollution Control District.

B. There shall be an alternate, who is also an elected official
of, and designated by, the Board of Directors of each Air Pollution Control
District. This alternate shall have the same rights and privileges as a regular
member of the Coordinating Council when the regular member is not in attendance
at a council meeting.

C. Each Air Pollution Control District shall be entitled to one vote.

IV. It is the intention of the Coordinating Council that the Implementation
Plan of the Mountain Counties Air Basin shall be the minimum standards adopted
by each district within the basin. However, the Coordinating Council may, with
the approval of the Executive Officer of the Air Resources Board of the State
of California, establish zones within the air basin that take into account
topography, geography, population density and air quality. These zones may
have rules which are more or less stringent than those rules adopted for the
remainder of the Basin.

V. The Coordinating Council shall meet at least quarterly and may review
and recommend to the respective Air Pollution Control District Boards on such
matters as enforcement policies, engineering, air monitoring or on other
matters which may affect air quality within the air basin. A copy of the
Coordinating Council minutes shall be submitted to the Executive Officer of
the Air Resources Board. A quorum must be present to transact official business.
Five (5) qualified Coordinating Council members constitute a quorum.

VI. In the event the Air Pollution Control Districts who are parties
hereto are not in agreement as to matters pertaining to enforcement, engineer-
ing, air monitoring, or any other dispute which might arise, the Coordinating
Council agrees that the matter shall be subject to binding arbitration through
the following processes:

A. The Air Pollution Control Districts involved in the dispute
shall meet and attempt to resolve the dispute.

B. When disputes cannot be resolved between various Air Pollution
Control Districts, the Chairman of the Coordinating Council shall appoint a
committee consisting of three Coordinating Council members who are not directly
involved in the dispute, to hear, resolve or recommend corrective action.

C. If the committee cannot resolve any dispute then the committee
shall recommend methods of resolving the dispute to the Coordinating Council.
A majority of the Coordinating Council membership may vote to resolve the
dispute.

D. If no decision has been reached by the above methods the dispute
shall be heard by a neutral arbitrator appointed by the Presiding Superior
Court Judge of the most populace county not involved in the dispute, and the
decision of such arbitrator shall be binding on the districts involved and the
Coordinating Council. Cost of such arbitration shall be borne proportioned
per capita by the districts involved.

VII. The Air Pollution Control Districts in the Basin desire to increase
the effectiveness of air pollution control by the sharing of air pollution
personnel and equipment in a manner which would result in the most effective
use of the basinwide resources as follows:

A. Administration - All districts in the Basin are presently pro-
viding for their own administration operations. Should a district request
administrative assistance, the other districts within the Basin agree to
furnish such assistance.

B. Enforcement - All districts presently have established their own enforcement procedures and have provided manpower to enforce the district's rules and regulations. Should a district require assistance with some enforcement problem then the other districts within the Basin agree to furnish the same.

C. Engineering - The Basin presently has two qualified engineers, one employed by the Placer County Air Pollution Control District and the other by Sierra County Air Pollution Control District. However, the Basin districts are not equipped presently to source test stationary sources, so this service must be furnished from outside the Basin, by a district that has equipment, by State Air Resources Board or by other means.

D. Air Monitoring - There has been very little monitoring within our Basin to date. Some districts have Hi-Volume samplers for particulate sampling and their own capabilities to analyze the data; others are allowing the State Air Resources Board to compile such data. Under this Agreement the Basin districts agree to assist each other on a limited basis. Should a district request yearly assistance or service from another district, then a written agreement shall be established between said districts and a copy submitted to the Coordinating Council.