

## Assembly Bill No. 421

### CHAPTER 113

An act to amend Section 41200 of, and to add Section 39606.1 to, the Health and Safety Code, relating to air pollution.

[Approved by Governor July 17, 1995. Filed with  
Secretary of State July 18, 1995.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 421, Olberg. Air pollution: air basins.

Existing law requires the State Air Resources Board to divide the state into air basins for purposes of the air pollution control laws. Existing law contains findings and declarations that the Mojave Desert region is a geographical and meteorological area wholly contained within the Southeast Desert Air Basin. Existing state board regulations designate the Southeast Desert Air Basin as containing all of Imperial County and specified portions of Riverside, San Bernardino, Los Angeles, and Kern Counties. Existing law establishes the Mojave Desert Air Quality Management District consisting of that portion of the County of San Bernardino which is not in the South Coast Air Quality Management District, and authorizes the inclusion in the Mojave Desert district of any other contiguous territory, as specified.

This bill would require the state board to adopt regulations by January 1, 1997, to designate an air basin known as the Mojave Desert Air Basin and to determine its territory, to include specified portions of the current Southeast Desert Air Basin. The bill would revise the above-described findings and declarations accordingly.

*The people of the State of California do enact as follows:*

SECTION 1. Section 39606.1 is added to the Health and Safety Code, to read:

39606.1. (a) On or before January 1, 1997, the state board shall adopt regulations to designate, and determine the boundaries of, an air basin known as the Mojave Desert Air Basin. The air basin shall have a territory that is based upon similar meteorological and geographical conditions and consideration for political boundary lines. The air basin shall consist of at least all of the following:

(1) The desert portions of Los Angeles County that, immediately prior to the date of the adoption of the regulations, were within the Southeast Desert Air Basin.



(2) The desert portions of Kern County that, immediately prior to the date of the adoption of the regulations, were within the Southeast Desert Air Basin.

(3) Any portion of the Mojave Desert Air Quality Management District that, immediately prior to the date of the adoption of the regulations, was within the Southeast Desert Air Basin.

(4) Any other area contiguous to the areas indicated in paragraphs (1) to (3), inclusive, that the state board determines by a preponderance of the evidence is appropriate for inclusion.

(b) Areas that, immediately prior to the date of the adoption of the regulations, were within the Southeast Desert Air Basin and are not included in the Mojave Desert Air Basin shall remain in the Southeast Desert Air Basin, subject to Section 39606.

SEC. 2. Section 41200 of the Health and Safety Code is amended to read:

41200. The Legislature finds and declares as follows:

(a) The Mojave Desert region has serious air pollution problems caused by the transport of air pollution from upwind districts and by the operation of growing numbers of motor vehicles and numerous stationary sources, and atmospheric and meteorological conditions which are conducive to the formation of a variety of air pollutants.

(b) To effectively control air pollution within the region pursuant to the requirements of state and federal law, it is necessary to establish an institutional structure which reflects the demographic and political makeup of the region.

(c) To successfully achieve required improvements in air quality and the protection of existing levels of air quality within the region, there is a need for greater coordination between air quality management decisions and the land use and transportation decisions of local governments in the region.

(d) To successfully develop and implement a comprehensive program for the attainment and maintenance of state and federal ambient air quality standards, local governments in the region must be delegated additional authority and responsibility from the state, particularly with respect to reducing motor vehicle emissions and expanding the use of cleaner burning alternative fuels.

