

***A RESOLUTION OF THE IMPERIAL COUNTY AIR POLLUTON CONTROL DISTRICT BOARD OF DIRECTORS APPROVING A TEMPORARY REDUCTION OF RULE 310 – OPERATIONAL DEVELOPMENT FEES FOR RESIDENTIAL AND COMMERCIAL DEVELOPMENT PROJECTS***

**RESOLUTION NO. 2009-006**

**WHEREAS**, on November 6, 2007, the Imperial County Air Pollution Control Board of Directors adopted Rule 310, Operational Development Fee.

**WHEREAS**, the purpose of Rule 310 is to provide the Imperial County Air Pollution Control District with a sound method for mitigating the emissions produced from the operation of new commercial and residential development projects throughout the County of Imperial and incorporated cities.

**WHEREAS**, Imperial County is in non-attainment for ozone and PM10 and is in the process of developing State Implementation Plans (SIPs) for both pollutants. New substantial emission reductions are needed to progress toward attainment of the health- based ambient air quality standards for these pollutants; and

**WHEREAS**, Rule 310 assists Imperial County Air Pollution Control District in efforts to attain the State and federal ambient air quality standards for PM10 and ozone; and

**WHEREAS**, due to the recent serious economical downturn in Imperial County and the State of California, the growth in the housing and commercial development markets have decreased substantially causing adverse impacts to the local economy and lessening the need for some of the mitigation measures to be implemented immediately; and

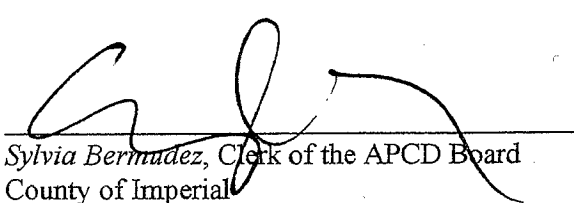
**WHEREAS**, the Imperial County Air Pollution Control District finds a temporary one (1) year reduction of Rule 310-Operational Development Fees in an amount not to exceed fifty (50 %) percent from any applicable fee would allow the Imperial County Air Pollution Control District to still maintain a program to ensure that acceptable levels for emission reductions are met and mitigations enforced while addressing the unfortunate economic crisis that is facing Imperial County.

**NOW THEREFORE BE IT RESOLVED**, that the Imperial County Air Pollution Control Board of Directors supports and approves a one (1) year temporary reduction of Rule 310 - Operational Development Fee in an amount not to exceed fifty (50%) percent for the applicable fee. This temporary fee reduction automatically terminates one (1) year from the date of adoption of this resolution, unless the Imperial County Air Pollution Control District Board takes the affirmative step to reevaluate and extend the reduction of these fees.

**PASSED AND ADOPTED**, by the Imperial County Air Pollution Control Board of Directors, State of California this 3<sup>RD</sup> day of FEBRUARY, 2009.



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Wally Leimgruber, Chairman  
Imperial County Air Pollution Control District



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Sylvia Bermudez, Clerk of the APCD Board  
County of Imperial