

**RESOLUTION NO. AQM \_\_\_\_\_**

**Rule 250 – SACRAMENTO CARBON EXCHANGE PROGRAM**

**THE BOARD OF DIRECTORS  
OF THE SACRAMENTO METROPOLITAN AIR QUALITY  
MANAGEMENT DISTRICT**

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District is authorized to adopt, amend or repeal Rule 250 – SACRAMENTO CARBON EXCHANGE PROGRAM by Sections 40000, 40702, and 40709 of the California Health and Safety Code (Health and Safety Code Section 40727(b)(2)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District approved a resolution on May 28, 2009, directing the Air Pollution Control Officer to develop a carbon credit banking program; and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that a need exists to adopt Rule 250 to provide a local mechanism to certify greenhouse gas (GHG) emission reduction credits and to ensure that GHG emission reductions generated locally are real, additional, quantifiable, verifiable, permanent, and enforceable (Health and Safety Code Section 40727(b)(1)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that the meaning of Rule 250 can be easily understood by the persons affected by it (Health and Safety Code Section 40727(b)(3)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that the rule is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations (Health and Safety Code Section 40727(b)(4)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that the rule does not impose the same requirements as any existing state or federal rule or regulation that applies to affected sources within the District (Health and Safety Code Section 40727(b)(5)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that Rule 250 implements Health and Safety Code sections 40709, 40710, and 40711 (emission reduction offset banking, certificates, and transfers) (Health and Safety Code section 40727(b)(6)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has considered a written analysis prepared by staff (Health and Safety Code Section 40727.2); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has maintained records of the rulemaking proceedings (Health and Safety Code Section 40728); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District held a duly noticed public hearing on March 25, 2010 and considered public comments on proposed Rule 250 (Health and Safety Code Sections 40725 and 40726); and

WHEREAS, a socioeconomic impact analysis is not required for a rule that does not establish emission limits, interfere with the District's attainment plan, or result in any significant increase in emissions (Health and Safety Code Section 40728.5); and

WHEREAS, the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the State CEQA Guidelines exempts actions that can be seen with certainty that there is no possibility that such actions may have a significant adverse effect on the environment.

NOW, THEREFORE, BE IT RESOLVED THAT the adoption of Rule 250 is exempt from the California Environmental Quality Act (CEQA); and

BE IT FURTHER RESOLVED THAT the Board of Directors of the Sacramento Metropolitan Air Quality Management District approves and adopts Rule 250 – SACRAMENTO CARBON EXCHANGE PROGRAM; and

BE IT ORDERED that Rule 250 be effective as of March 25, 2010.

ON A MOTION by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, the foregoing Resolution was passed and adopted by the Board of Directors of the Sacramento Metropolitan Air Quality Management District, State of California, this 25<sup>th</sup> day of March, 2010, by the following vote, to wit:

AYES: Directors

NOES: Directors

ABSENT: Directors

\_\_\_\_\_  
Chairperson of the Board  
Sacramento Metropolitan Air Quality Management District  
State of California

(SEAL)

ATTEST: \_\_\_\_\_  
Clerk of the Board  
Sacramento Metropolitan Air Quality Management District