



**RESOLUTION 2018-04  
CONCERNING IMPLEMENTATION OF THE NATIONAL AMBIENT  
AIR QUALITY STANDARDS FOR OZONE**

**Whereas**, the Western States Land Commissioners Association ("WSLCA") and its member states manage over 515 million acres of trust lands, minerals, and waterways that are interspersed with federal lands; and

**Whereas**, members of WSLCA have state constitutional mandates to manage millions of acres of lands and waterways for economic development, public education, conservation, recreation, and other public purposes provided by state law, which will be significantly and adversely impacted by the implementation of the 70 ppb standard; and

**Whereas**, the Western States Land Commissioners Association ("WSLCA") affirms its commitment to clean air quality and responsible development and use of America's natural resources; and

**Whereas**, the Environmental Protection Agency (EPA) is currently implementing the primary and secondary national ambient air quality standard (NAAQS) for ozone (O<sub>3</sub>) of 70 ppb; and

**Whereas**, the EPA has issued its non-attainment Rules for most of the United States pursuant to the new O<sub>3</sub> standard of 70 ppb requiring States and communities to craft regulatory compliance strategies to improve air quality; and

**Whereas**, responsible oil, gas, mining and other developments sited on state lands are often located in rural America and the EPA's ozone standard has significantly expanded the number of nonattainment areas nationwide and brings many rural areas into non-attainment without an effective means to achieve compliance; and

**Whereas,** EPA's own modeling analysis suggests a majority of O<sub>3</sub> exceedances are caused by anthropogenic emissions or naturally occurring conditions such as high-altitude conditions, topographic and meteorological conditions, foreign trade winds and wildfire - conditions that cannot be controlled by regulation; and

**Whereas,** studies show the return on investment in ozone emissions reduction is diminishing and that further steps to meet the stricter standard will have significant and increasingly higher costs without any scientifically proven evidence to support measurable increase in human health protection.

**BE IT THEREFORE RESOLVED AS FOLLOWS:**

1. The WSLCA urges the EPA to maximize its authorities in implementing the current O<sub>3</sub> standard of 70 ppb to fully consider the impacts of anthropogenic emissions as well as naturally occurring conditions such as high-altitude conditions, topographic and meteorological conditions, foreign trade winds and wildfire and other conditions that cannot be controlled by regulation; and
2. The WSLCA recommends that any attainment strategies for ozone consider whether investment in technologies necessary to achieve the standard is realistic, attainable and economically viable, particularly in rural areas of the nation where a preponderance of oil, gas, and mining developments occur and provide a critical economic engine for communities as well as funding hundreds of millions of dollars annually to support state education and institutions; and
3. The WSLCA urges the EPA to acknowledge the economic consequences and scientific uncertainties of implementing the 70 ppb ozone standard and work with States and communities to implement only those regulatory mechanisms that will improve air quality and not simply hinder natural resource development.

Adopted this 11th day of July, 2018.

  
Harry Birdwell, President  
WSLCA

  
Bridget Hill, Secretary  
WSLCA