

1 **UNITED STATES DISTRICT COURT**
 2 **NORTHERN DISTRICT OF CALIFORNIA**

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 4 **ASSOCIATION OF IRRITATED RESIDENTS,**

CASE NO. 18-cv-01604-YGR

5 Plaintiff,

JUDGMENT

6 vs.

7 **UNITED STATES ENVIRONMENTAL**
 8 **PROTECTION AGENCY, ET AL.,**

9 Defendants.

10 Judgment is hereby entered in favor of Plaintiff Association of Irrigated Residents (“AIR”) consistent with the Court’s Order Granting in Part Motions for Summary Judgment; Denying Motion to Stay (Dkt. No. 41).

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 12 The Court **DECLARES** that Defendants U.S. Environmental Protection Agency, *et al.* (collectively “EPA”) have failed to perform a non-discretionary duty imposed by 42 U.S.C. § 7410(k)(2) by failing to act on the San Joaquin Valley Unified Air Pollution Control District’s 2016 Plan for the 2008 8-Hour Ozone Standard (“2016 Ozone Plan”) by December 19, 2017.

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 16 The Court **ORDERS** EPA to approve or disapprove, in whole or in part, the 2016 Ozone Plan, in accordance with 42 U.S.C. § 7410(k), no later than December 19, 2018, except for the four baseline year-dependent components of the 2016 Ozone Plan.

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 19 The Court **ORDERS** EPA to approve or disapprove, in whole or in part, the four baseline year-dependent components of the 2016 Ozone Plan, in accordance with 42 U.S.C. § 7410(k), no later than January 31, 2019. The four baseline year-dependent components of the 2016 Ozone Plan are the (1) baseline year emissions inventory; (2) reasonable further progress demonstration; (3) contingency measures; and (4) motor vehicle emissions budgets.

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 22 The Court retains jurisdiction to make such orders as may be necessary or appropriate.

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 24 This document constitutes a judgment and a separate document for purposes of Federal Rule of Civil Procedure 58(a).

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 26 Dated: August 10, 2018

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 28 YVONNE GONZALEZ ROGERS
 UNITED STATES DISTRICT COURT JUDGE