

NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

To: County Clerks
Counties of Los Angeles, Orange,
Riverside, and San Bernardino

From: South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Project Title: Community Emissions Reduction Plan for the East Los Angeles, Boyle Heights, and West Commerce Community per Assembly Bill 617

Project Location: The project is located at the following community within the South Coast Air Quality Management District (South Coast AQMD) jurisdiction: the unincorporated area of East Los Angeles within the County of Los Angeles, the Boyle Heights neighborhood of the City of Los Angeles, and the neighborhood of West Commerce within the City of Commerce referred to herein as East Los Angeles, Boyle Heights, and West Commerce (ELABHWC) in Los Angeles County.

Description of Nature, Purpose, and Beneficiaries of Project: In accordance with Assembly Bill (AB) 617, which was signed into state law in 2017, and the California Air Resources Board's (CARB) Community Air Protection Program which implements AB 617, the South Coast AQMD is required to take specific actions to reduce air pollution and toxic air contaminants from commercial and industrial sources to address the disproportionate impacts of air pollution in environmental justice communities. Implementation of the specific actions is expected to occur over several years, and AB 617 specifies that the highest priority areas shall be disadvantaged communities with a high cumulative exposure burden for criteria pollutants and toxic air contaminants. After conducting extensive public outreach and data analysis, South Coast AQMD staff identified ELABHWC as one of three communities qualifying as a high priority area for implementation where the first efforts to implement community monitoring and emission reduction plans pursuant to AB 617 will occur. The purpose of this project is to implement a Community Emissions Reduction Plan (CERP) for the ELABHWC community per AB 617. The beneficiary of the project is the identified community and the nearby areas, but the entire region within South Coast AQMD's jurisdiction will also benefit. The CERP contains the following action items which have been tailored for the ELABHWC community's identified air quality concerns as they relate to:

Truck and Automobile Traffic (including trucks from railyards and warehouses): 1) conduct idling enforcement sweeps with CARB; 2) partner with the City of the Los Angeles, the County of Los Angeles, and the City of Commerce on land use planning issues and restrictive truck routes; 3) collaborate with the appropriate agency on restrictive truck routes and improvements to complaint and response systems; 4) expand truck traffic outreach efforts (e.g., fairs and workshops) to distribute incentive information to equipment owners; and 5) partner with CARB to identify older trucks in community as targets for incentives.

Rail: 1) continue the ongoing development of Facility-Based Mobile Source Measures (e.g., Indirect Source Rule) for rail; 2) support CARB's petition to the U.S. EPA for new national locomotive emission standards; and 3) incentivize the replacement of older diesel equipment (e.g., locomotives).

Metal Processing: 1) conduct outreach and educating workers and small businesses on best management practices and South Coast AQMD rules applicable to metal processing facilities; 2) collaborate with the City of Los Angeles on permit cross-checks for metal finishing facilities; 3) conduct No Fault inspections and outreach to businesses on best management practices at metal processing facilities; and 4) conduct mobile monitoring at metal processing facilities to determine where stationary monitoring or where enforcement follow-up may be needed.

Rendering Facilities: 1) conduct outreach on existing rules and the 1-800-CUT-SMOG program for rendering facilities; and 2) conduct enforcement follow-up, where needed at rendering facilities.

Auto Body Shops: 1) conduct No Fault inspections and outreach to businesses on best management practices and available low Volatile Organic Compound (VOC) or zero-VOC coatings or solvents for use by auto body shops; and 2) collaborate with the City of Los Angeles on permit cross-checks for auto body shops.

Schools/Hospitals/Parks/Community Centers: 1) install school air filtration systems and providing training on proper filter use; 2) install residential air filtration systems and providing training on proper use; and 3) collaborate with the Los Angeles County Department of Public Health and AltaMed on air quality advisories and/or asthma related programs.

Public Agency Approving Project:
South Coast Air Quality Management District

Agency Carrying Out Project:
South Coast Air Quality Management District

Exempt Status:

CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption
 CEQA Guidelines Section 15262 – Feasibility and Planning Studies
 CEQA Guidelines Section 15303 – New Construction or Conversion of Small Structures
 CEQA Guidelines Section 15306 – Information Collection
 CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment
 CEQA Guidelines Section 15309 – Inspections
 CEQA Guidelines Section 15321 – Enforcement Actions by Regulatory Agencies

Reasons why project is exempt: In accordance with the California Environmental Quality Act (CEQA), South Coast AQMD staff has reviewed the proposed project pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. Because the physical changes that may occur as a result of implementing portions of the proposed project would only require minimal construction activities and cause negligible physical impacts, South Coast AQMD staff has determined that it can be seen with certainty that there is no possibility that any physical actions that may be associated with the proposed project may have a significant adverse effect on the environment. Therefore, the project is considered to be exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. Further, because the overall purpose of this project is to improve the environment of the ELABHWC community and nearby areas, and all of the action items within the ELABHWC CERP support this goal, the action items are also categorically exempt from CEQA pursuant to CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment.

The ELABHWC CERP contains an element that qualifies as a feasibility and planning study, because the collection of information is needed in order to make an informed decision about whether to take further action (e.g., future rule development). However, the portion of the ELABHWC CERP that qualifies as a feasibility and planning study does not prescribe or commit to specific details about the future actions that may occur, nor have the future actions been approved or adopted in advance, because they require an open public process. Specifically, after the portion that qualifies as a feasibility or planning study is completed, and if it results in a decision to go forward with future rule development, the regulated community, stakeholders, interested parties, and the public will be invited to participate in the rule development process in a public forum. For these reasons, the following action item for the ELABHWC CERP is statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15262 – Feasibility and Planning Studies:

- Continuing the ongoing development of Facility-Based Mobile Source Measures (e.g., Indirect Source Rule) for rail.

The following action items within the ELABHWC CERP involve minor physical modifications to existing structures or buildings which are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15303 – New Construction or Conversion of Small Structures:

- Installing school air filtration systems; and
- Installing residential air filtration systems.

The following action items within the ELABHWC CERP involve information collection activities which are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15306 – Information Collection:

- Collaborating with appropriate agency to identify potential restrictive truck routes and improvements to complaint and response systems;
- Partnering with CARB to identify older trucks in community as targets for incentives;
- Collaborating with the City of Los Angeles to gather information for permit cross-checks at metal finishing facilities;
- Conducting mobile monitoring at metal processing facilities to determine where stationary monitoring or where enforcement follow-up may be needed;

- Conducting No Fault inspections and outreach to businesses on best management practices and available low VOC or zero-VOC coatings or solvents at auto body shops;
- Collaborating with the City of Los Angeles to gather information for permit cross-checks for auto body shops; and
- Collaborating with Los Angeles County Department of Public Health and AltaMed to obtain and distribute information on air quality advisories and/or asthma related programs.

The following action items within the ELABHWC CERP involve inspection activities that check for performance or compliance are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15309 – Inspections:

- Conducting idling enforcement sweeps with CARB;
- Conducting No Fault inspections and outreach to businesses on best management practices at metal processing facilities;
- Conducting mobile monitoring at metal processing facilities to determine where stationary monitoring or where enforcement follow-up may be needed;
- Conducting No Fault inspections and outreach to businesses on best management practices and available low VOC or zero-VOC coatings or solvents at auto body shops; and
- Collaborating with the City of Los Angeles on permit cross-checks for auto body shops.

The following action items within the ELABHWC CERP involve enforcement activities which are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15321 – Enforcement Actions by Regulatory Agencies:

- Conducting idling enforcement sweeps with CARB;
- Collaborating with the City of Los Angeles on permit cross-checks at metal finishing facilities;
- Conducting mobile monitoring at metal processing facilities to determine where stationary monitoring or where enforcement follow-up may be needed; and
- Collaborating with the City of Los Angeles on permit cross-checks for auto body shops all potentially involve enforcement of South Coast AQMD regulations or regulations by other agencies such as CARB.

Further, South Coast AQMD staff has determined that there is no substantial evidence indicating that any of the exceptions to the categorical exemptions apply to the proposed project pursuant to CEQA Guidelines Section 15300.2 – Exceptions. Therefore, the proposed project is exempt from CEQA.

Date of Project Approval:

South Coast AQMD Governing Board Hearing: September 6, 2019; South Coast AQMD Headquarters

CEQA Contact Person: Mr. Luke Eisenhardt	Phone Number: (909) 396-2324	Email: leisenhardt@aqmd.gov	Fax: (909) 396-3982
AB617 Contact Person: Ms. Diana Thai	Phone Number: (909) 396-3443	Email: dthai@aqmd.gov	Fax: (909) 396-3879

Date Received for Filing: _____

Signature:



Barbara Radlein
 Program Supervisor, CEQA
 Planning, Rule Development, and Area Sources