

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 Wilmington, Carson, and West Long Beach 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 neighborhood of Wilmington within the City of Los Angeles, the City of Carson, and the neighborhood of West Long Beach within the City of Long Beach referred to herein as Wilmington, Carson, and West Long Beach (WCWLB) 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 WCWLB as one of three communities qualifying as a high priority area for 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 WCWLB 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 WCWLB community's identified air quality concerns as they relate to:

Refineries (including flaring and the public notification process, refinery equipment, and storage tanks/refinery leaks): 1) implement a notification system for flaring events and providing real-time flaring information; 2) collaborate with Los Angeles County and City of Long Beach Departments of Public Health and schools to develop notification language and outreach materials for the public relative to refinery flaring; 3) continue the ongoing rule development and implementation of Best Available Retrofit Control Technology (BARCT) pursuant to South Coast AQMD Rule 1109.1 – Refinery Equipment; 4) continue the ongoing rule development and implementation of South Coast AQMD Rule 1178 – Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities; and 5) conduct mobile monitoring in and around refineries and follow-up with enforcement where needed.

Ports: 1) monitor oil tankers at-berth using forward-looking infrared (FLIR) camera and following up with enforcement where needed; 2) support rule development of CARB's proposed At-Berth Regulation; 3) collaborate on the enforcement of CARB's Drayage Truck Regulation; 4) continue the ongoing development of Facility-Based Mobile Source Measures (e.g., Indirect Source Rule) for ports; and 5) incentive the acceleration of cleaner ships and harbor craft.

Trucks: 1) implement targeted enforcement sweeps for idling trucks with priority given to sweeps near schools; and 2) incentivize the accelerated deployment of cleaner trucks.

Oil Drilling and Production Wells (including leaks and odors): 1) conduct monitoring efforts around oil drilling activities, including fence-line monitoring and other potential approaches such as optical remote sensing; 2) use monitoring data to prioritize inspections for leaks in active and abandoned oil wells; 3) amend notification requirements for the oil and gas industry through South Coast AQMD rule development, if needed (e.g., Rule 1148.1 – Oil and Gas Production Wells, and Rule 1148.2 – Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers); and 4) collaborate with the Los Angeles County Department of Public Health and schools on notifications and outreach materials about chemicals, toxicity, health effects and recommendations related to oil drilling activities.

Rail: 1) continue the ongoing development of Facility-Based Mobile Source Measures (e.g., Indirect Source Rule) for rail; and 2) support CARB's petition to the United States Environmental Protection Agency for new national locomotive emission standards.

Schools: 1) install school air filtration systems; 2) collaborate with the Los Angeles County Department of Public Health, the City of Long Beach Department of Public Health and other agencies on air quality advisories and/or asthma related programs; and 3) bring Environmental Justice Community Partnership, Clean Air Ranger Education, and Kids Making Sense programs to schools.

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 WCWL community and nearby areas, and all of the action items within the WCWL 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 WCWL CERP contains elements that qualify as feasibility and planning studies, 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 portions of the WCWL CERP that qualify as feasibility and planning studies do 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 portions that qualify as feasibility or planning studies are completed, and if they result 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 items for the WCWL CERP are statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15262 – Feasibility and Planning Studies:

- Continuing the ongoing rule development and implementation of BARCT per South Coast AQMD Rule 1109.1 – Refinery Equipment;
 - Continuing the ongoing rule development and implementation of South Coast AQMD Rule 1178 – Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities;
 - Continuing the ongoing development of Facility-Based Mobile Source Measures (e.g., Indirect Source Rule) for ports;
 - Continuing ongoing development of Facility-Based Mobile Source Measures (e.g., Indirect Source Rule) for rail; and
 - Amending notification requirements through rule development if needed (e.g., Rules 1148.1 and 1148.2).
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The following action items within the WCWLB 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;
- Conducting monitoring around oil drilling activities (including fenceline monitoring and other approaches).

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

- Conducting mobile monitoring in and around refineries;
- Conducting monitoring around oil drilling activities (including fenceline monitoring and other approaches);
- Using monitoring data to prioritize inspections for leaks in active and abandoned oil wells;
- Collaborating with the Los Angeles County Department of Public Health and schools to obtain and distribute information on notifications and outreach materials about chemicals, toxicity, health effects and recommendations related to oil drilling activities; and
- Collaborating with the Los Angeles County Department of Public Health, the City of Long Beach Department of Public Health and other agencies to obtain and distribute information on air quality advisories and/or asthma related programs.

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

- Based on the results of mobile monitoring in and around refineries, follow-up with inspections where needed;
- Monitoring oil tankers at-berth using FLIR camera and follow-up with enforcement where needed;
- Implementing targeted enforcement sweeps for idling with priority given to sweeps near schools; and
- Conducting monitoring efforts around oil drilling activities (including fenceline monitoring and other approaches).

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

- Based on the results of mobile monitoring and inspections at refineries, follow-up with enforcement where needed;
- Monitoring oil tankers at-berth using FLIR camera and follow-up with enforcement where needed; and
- Implementing targeted enforcement sweeps for truck idling with priority given to sweeps near schools all potentially involve enforcement of South Coast AQMD regulations or regulations by other regulatory 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

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Date Received for Filing: _____

Signature:



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