



# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182  
(909) 396-2000 • www.aqmd.gov

May 2, 2008

Office of the Secretary for Resources  
Attn: General Counsel's Office  
1416 9th Street, Suite 1311  
Sacramento, CA 95814

To Whom It May Concern:

Enclosed please find two copies of the Notice of Decision (NOD) for the Final Environmental Assessment (EA) prepared for proposed Rule (PR) 2449 – Control of Oxides of Nitrogen Emissions from Off-Road Diesel Vehicles. The Final EA for PR 2449 was prepared pursuant to CEQA and the South Coast Air Quality Management District's (SCAQMD) certified regulatory program. The CEQA document was certified by SCAQMD's Governing Board at its May 2, 2008, Public Hearing. Please record and post the Notice of Decision according to the provisions of CEQA.

SCAQMD Rule 110 requires that written responses to public comments on a SCAQMD CEQA document be filed with the Secretary of Resources along with the Notice of Decision. No comment letters were received on the Draft EA for PR 2449, therefore, no responses to public comments are enclosed.

Also enclosed is the original signed CEQA Filing Fee No Effect Determination Form from the Department of Fish and Game pursuant to §711.4 of the California Fish and Game Code.

Please confirm receipt of one copy of the NOD and return it to the undersigned. Two return envelopes have been provided for your convenience (one for the confirmed copies upon receipt, and one for the original NOD to be returned after the posting period). If you have any questions, please call me at (909) 396-3054 or Barbara Radlein at (909) 396-2716.

Sincerely,

Steve Smith, Ph.D.  
CEQA Program Supervisor  
Planning, Rule Development and Area Sources

Enclosures

**NOTICE OF DECISION**

**To:** Office of the Secretary for Resources  
Attn: General Counsel’s Office  
1416 9th Street, Suite 1211  
Sacramento, CA 95814

**From:** SCAQMD  
Office of Planning and Policy  
21865 Copley Drive  
Diamond Bar, CA 91765

**Subject:** FILING OF NOTICE OF DECISION IN COMPLIANCE WITH §21080.5 OF THE PUBLIC RESOURCES CODE

**Project Title:** Final Environmental Assessment: Proposed Rule 2449 – Control of Oxides of Nitrogen Emissions from Off-Road Diesel Vehicles

**SCAQMD Number:** 121907BAR

**Date Certified:** May 2, 2008

**Contact Person:** Barbara A. Radlein

**Telephone Number:** (909) 396-2716

**Project Location:** South Coast Air Quality Management District area of jurisdiction: South Coast Air Basin (all of Orange County and the nondesert portions of Los Angeles, Riverside, and San Bernardino counties), and the Riverside County portions of the Salton Sea Air Basin and Mojave Desert Air Basin

**Project Description:** The objective of PR 2449 is to use incentive funding to achieve surplus reductions of oxides of nitrogen (NOx) emissions from in-use off-road diesel vehicles by opting into the Surplus Off-Road Opt-In for NOx (SOON) provision of the California Air Resources Board’s (CARB) regulation for these vehicles as promulgated in Title 13 of the California Code of Regulations (CCR) §2449.3. Implementation of the SOON program via PR 2449 is expected to achieve surplus NOx emission reductions of approximately 12 tons per day by 2014. These reductions are considered surplus because they would be in addition to the NOx emission reductions that are already required by CARB’s base regulation (Title 13, CCR §§ 2449, 2449.1 and 2449.2) for these vehicles. PR 2449 will require the largest fleet owners (i.e. greater than 20,000 horsepower) with the dirtiest (i.e., where 40 percent consist of Tier 0 and Tier 1 vehicles) off-road fleets operating in the district to either: 1) purchase new equipment; 2) repower existing equipment with newer, cleaner engines; or 3) retrofit existing equipment with NOx controls. The environmental analysis in the Final EA concluded that PR 2449 would not generate any significant adverse environmental impacts.

This is to advise that the South Coast Air Quality Management District has approved the above described project and has made the following determinations regarding the above described project:

1. The project will not have a significant impact on the environment.
2. Mitigation measures were not made a condition of the approval of this project.
3. A mitigation monitoring program under PRC § 21081.6 was not adopted for this project
4. A Statement of Findings was not adopted for this project.
5. A Statement of Overriding Considerations was not adopted for this project.

The Final Environmental Assessment, supporting documentation, and record of project approval may be examined at: SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765.

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Date Received for Filing

Signature: \_\_\_\_\_  
Steve Smith, Ph.D.  
Program Supervisor  
CEQA Section  
Planning, Rules, and Area Sources