



South Coast Air Quality Management District

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

SUBJECT: **NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

PROJECT TITLE: **PROPOSED AMENDMENTS TO: RULE 301 – PERMITTING AND ASSOCIATED FEES; RULE 303 – HEARING BOARD FEES; RULE 304 – EQUIPMENT, MATERIALS, AND AMBIENT AIR ANALYSES; RULE 304.1 – ANALYSES FEES; RULE 306 – PLAN FEES; RULE 307.1 – ALTERNATIVE FEES FOR AIR TOXICS EMISSIONS INVENTORY; RULE 308 – ON-ROAD MOTOR VEHICLE MITIGATION OPTIONS FEES; RULE 309 – FEES FOR REGULATION XVI; RULE 311 – AIR QUALITY INVESTMENT PROGRAM (AQIP) FEES; AND RULE 313 – AUTHORITY TO ADJUST FEES AND DUE DATES.**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (SCAQMD) is the Lead Agency and will prepare a Notice of Exemption for the project identified above.

The AQMD has reviewed the proposed amendments to Rules 301, 303, 304, 304.1, 306, 307.1, 308, 309, 311 and 313 pursuant to CEQA Guidelines §15002 (k)(1) to determine which document to prepare for a project subject to CEQA. Because the proposed project involves the modification and structuring of charges by public agencies for the purpose of meeting operating expenses and financial reserve requirements, it is statutorily exempt from CEQA pursuant to CEQA Guidelines §15273 - Rates, Tolls, Fares and Charges. A Notice of Exemption has been prepared pursuant to CEQA Guidelines §15062 - Notice of Exemption. The Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside and San Bernardino counties immediately following the adoption of the proposed project.

Any questions regarding this Notice of Exemption should be sent to George Illes (c/o Planning, Rule Development & Area Sources) at the above address. Mr. Illes can also be reached at (909) 396-3177.

Date: 4/12/07

Signature: Steve Smith

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

NOTICE OF EXEMPTION

To: County Clerks
Riverside, Los Angeles,
Orange, San Bernardino

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

Project Title:

Proposed Amended Rule 301 – Permitting and Associated Fees; Rule 303 – Hearing Board Fees; Rule 304 – Equipment, Materials, and Ambient Air Analyses; Rule 304.1 – Analyses Fees; Rule 306 – Plan Fees; Rule 307.1 – Alternative Fees for Air Toxics Emissions Inventory; Rule 308 – On-Road Motor Vehicle Mitigation Options Fees; Rule 309 – Fees for Regulation XVI; Rule 311 – Air Quality Investment Program (AQIP) Fees; and Rule 313 – Authority to Adjust Fees and Due Dates.

Project Location:

South Coast Air Quality Management District (SCAQMD) area of jurisdiction consisting of the four-county South Coast Air Basin (Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino counties), and the Riverside County portions of the Salton Sea Air Basin and the Mojave Desert Air Basin.

Description of Nature, Purpose, and Beneficiaries of Project:

The proposed amendments include a provision to increase all fees based on the increase in the 2006 Consumer Price Index (CPI) of 3.3 percent. No fee increase is proposed for Permitting, Annual Renewal, and Emissions fees for which a 10 percent increase for FY 07-08 and a further 10 percent increase for FY 08-09 were adopted in June 2006. The proposed amendments also include addition of fees to implement a voluntary certification program for consumer cleaners used at institutional and commercial facilities. It is expected that such a program would positively influence consumer behavior in selecting ultra-low VOC products and foster the marketing of ultra-low polluting technologies. Finally, the proposed amendments include a provision to require permit applicants or permit holders to reimburse the District for legal costs incurred in defending the issuance of a permit. The intent is that the applicant or permit holder understands and agrees to the shared costs associated in defending the permit or application in question and to clarify that the District only seeks reimbursement for outside legal expenditures.

Public Agency Approving Project:

South Coast Air Quality Management District

Agency Carrying Out Project:

South Coast Air Quality Management District

Exempt Status:

General Concepts [CEQA Guidelines §15002(k)(1)]; and
Rates, Tolls, Fares and Charges [CEQA Guidelines §15273]

Reasons why project is exempt:

Having reviewed the proposed project pursuant to CEQA Guidelines §15002(k) - Three Step Process, the SCAQMD has determined that the proposal is statutorily exempt from CEQA pursuant to CEQA Guidelines §15273 - Rates, Tolls, Fares and Charges, because the proposed project involves the modification and structuring of charges by public agencies for the purpose of meeting operating expenses and financial reserve requirements.

Scheduled Public Meeting Date:

SCAQMD Governing Board Hearing: *(date subject to change)*
May 4, 2007, 9:00 a.m.; SCAQMD Headquarters

CEQA Contact Person:

Mr. Steve Smith

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Rule Contact Person:

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Date Received for Filing _____

Signature _____
Signed upon certification
Steve Smith, Ph.D.
Program Supervisor
Office of Planning, Rule Development
and Area Sources