



# 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 IMPLEMENTATION OF A TEMPORARY MORATORIUM ON THE USE OF NOX EMISSION REDUCTION CREDITS FOR COMPLIANCE WITH RULE 2202 – ON-ROAD MOTOR VEHICLE MITIGATION OPTIONS**

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 SCAQMD has reviewed the proposed project pursuant to the CEQA Guidelines §15002 (k)(1), the first step of a three-step process for deciding which document to prepare for a project subject to CEQA.

The purpose of the proposed project is to implement a temporary moratorium on the transfer of NOx Emission Reduction Credits (ERCs) into the Rule 2202 program from January 10, 2014 to July 1, 2014. The proposed project will only allow ERCs for VOCs and CO to be transferred into the Rule 2202 program during the moratorium. Short-term ERCs (i.e., STERCs) will continue to be allowed to be transferred into the Rule 2202 program. The restriction of the use of NOx ERCs in the program is to prevent their depletion, ensuring the availability for use by stationary sources. The proposed moratorium will allow staff to evaluate the use of long-term emission credit streams in the program and the effect on the New Source Review program.

The air quality objective of Rule 2202 and the Implementation Guidelines is to reduce VOC, NOx, and CO emissions from motor vehicle emissions resulting from employee commutes during the peak commute window of Monday through Friday, 6 a.m. to 10 a.m. This contributes towards the Clean Air Act goal of reducing work related trips and miles traveled by employees commuting to work or through emission equivalency for non-attainment regions. The program is designed to meet these goals and for the SCAQMD to attain state and federal air quality standards for the region.

Since it can be seen with certainty that the proposed project has no potential to adversely impact air quality or any other environmental area, it is exempt from CEQA pursuant to state CEQA Guidelines §15061 (b)(3) – General Rule 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 Jeff Inabinet (c/o Planning, Rule Development & Area Sources) at the above address. Mr. Inabinet can also be reached at 909.396.2453. Questions regarding the Proposed Amended Implementation Guidelines for Rule 2202 should be directed to Mr. Ernest Lopez at 909.396.3305.

**Date:** January 10, 2014

**Signature:** \_\_\_\_\_

Michael Krause  
Program Supervisor  
Planning, Rule Development &  
Area Sources

## NOTICE OF EXEMPTION

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

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

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**Project Title:**

Proposed Implementation of a Temporary Moratorium on the Use of NOx Emission Reduction Credits for Compliance With Rule 2202 – On-Road Motor Vehicle Mitigation Options

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**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.

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**Description of Nature, Purpose, and Beneficiaries of Project:**

The purpose of the proposed project is to implement a temporary moratorium on the transfer of NOx Emission Reduction Credits (ERCs) into the Rule 2202 program from January 10, 2014 to July 1, 2014. The proposed project will only allow ERCs for VOCs and CO to be transferred into the Rule 2202 program during the moratorium. Short-term ERCs (i.e., STERCs) will continue to be allowed to be transferred into the Rule 2202 program. The purpose of the restriction on the use of NOx ERCs in the program is to prevent their depletion, ensuring the availability for use by stationary sources. The proposed moratorium will allow staff to evaluate the use of long-term emission credit streams in the program and the effect on the New Source Review program.

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**Public Agency Approving Project:**

South Coast Air Quality Management District

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**Agency Carrying Out Project:**

South Coast Air Quality Management District

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**Exempt Status:**

General Concepts [CEQA Guidelines §15002 (k)(1)]; and  
General Rule Exemption [CEQA Guidelines §15061 (b)(3)]

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**Reasons why project is exempt:**

The main purpose of the proposed project is to implement a temporary moratorium on the transfer of NOx ERCs into the Rule 2202 program beginning January 10, 2014 to July 1, 2014. Restricting the use of NOx ERCs will shift resources towards other existing compliance options that reduce mobile source emissions pursuant to Rule 2202. These other compliance options, such as investing in an air quality improvement program (AQIP) or increasing average vehicle ridership, will not result in adverse impacts as compared to investment in NOx ERCs. Thus, it can be seen with certainty that the proposed project has no potential to adversely impact air quality or any other environmental area. As such, the proposed project is exempt from CEQA pursuant to state CEQA Guidelines §15061 (b)(3) – General Rule 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.

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**Certification Date:**

SCAQMD Governing Board Hearing: January 10, 2014, 9:00 a.m.; SCAQMD Headquarters

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**CEQA Contact Person:**

Mr. Jeff Inabinet

**Phone Number:**

(909) 396-2453

**Fax Number:**

(909) 396-3324

**Email:**

<jinabinet@aqmd.gov>

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**Rule Contact Person:**

Mr. Ernest Lopez

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(909) 396-3305

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(909) 396-3324

**Email:**

<elopez@aqmd.gov>

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Date Received for Filing \_\_\_\_\_

Signature \_\_\_\_\_

Michael Krause  
Program Supervisor - CEQA  
Planning, Rule Development and Area Sources