

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

To: County Clerks for the Counties of Los Angeles, Orange, Riverside and San Bernardino; and Governor's Office of Planning and Research – State Clearinghouse	From: South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765
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Project Title: Proposed Amended Regulation III – Fees, which includes Proposed Amended Rule (PAR) 301 – Permitting and Associated Fees, PAR 303 – Hearing Board Fees, PAR 304 – Equipment, Materials and Ambient Air Analyses, PAR 304.1 – Analyses Fees, PAR 306 – Plan Fees, PAR 307.1 – Alternative Fees for Air Toxics Emissions Inventory, PAR 308 – On-Road Motor Vehicle Mitigation Options Fees, PAR 309 – Fees for Regulation XVI and Regulation XXV, PAR 311 – Air Quality Investment Program (AQIP) Fees, PAR 313 – Authority to Adjust Fees and Due Dates, PAR 314 – Fees for Architectural Coatings, and PAR 315 – Fees for Training Classes and License Renewal, and PAR 1480 – Ambient Monitoring and Sampling of Metal Toxic Air Contaminants

Project Location: The proposed project is located within the South Coast Air Quality Management District's (South Coast AQMD) jurisdiction, which includes the four-county South Coast Air Basin (all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties), and the Riverside County portion of the Salton Sea Air Basin and the non-Palo Verde, Riverside County portion of the Mojave Desert Air Basin.

Description of Nature, Purpose, and Beneficiaries of Project: The proposed project is comprised of amendments to Regulation III, which includes amendments to Rule 301, Rule 303, Rule 304, Rule 304.1, Rule 306, Rule 307.1, Rule 308, Rule 309, Rule 311, Rule 313, Rule 314, and Rule 315; and Rule 1480. The proposed amendments to Regulation III primarily consist of increasing most fees by 6.5 percent to be consistent with the California Consumer Price Index as established in Rule 320. In addition, to recover costs for regulatory actions taken by the South Coast AQMD, Proposed Amended Regulation III also proposes the following: 1) an increase to the Rule 1180 community air monitoring annual operating and maintenance fees pursuant to Health and Safety Code Sections 42705.6(f)(1) and (f)(2); 2) a new equipment category and corresponding permit processing fee in Rule 301 for spray booths equipped with High Efficiency Particulate Arrestors or Ultra Low Particulate Arrestors used to control Rule 1401 toxics; 3) addition of Rule 1109.1 I-Plan, B-Plan, and B-Cap plans to the list of plans subject to existing Rule 306 Plan Annual Renewal Fees; 4) addition of Rule 463 Floating Roof Tank Seal Certifications to the list of plans subject to existing Rule 306 Plan Evaluation Fees; 5) addition of Operation, Maintenance, and Monitoring Plans that are required by the National Emissions Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units to the list of plans subject to existing Rule 306 Plan Annual Renewal Fees; 6) clarification of the applicable permit processing fees in Rule 301 for when a subsequent application is submitted following the expiration of a Permit to Construct pursuant to Rule 205; and 7) removal of an existing fee exemption for Rule 1466 notification updates in Rule 301(x)(2). The proposed amendments to Rule 1480 relocate the fees specific to conducting monitoring/sampling and evaluating plans to Rules 301 and 306, respectively. Other administrative amendments to both Regulation III and Rule 1480 are proposed that would clarify and/or correct existing rule language for continuity and consistency without increasing fees.

Public Agency Approving Project: South Coast Air Quality Management District	Agency Carrying Out Project: South Coast Air Quality Management District
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Exempt Status:

CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption

CEQA Guidelines Section 15273 – Rates, Tolls, Fares, and Charges

Reasons why project is exempt: South Coast AQMD, as lead agency, 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. The proposed amendments to Regulation III are statutorily exempt from CEQA requirements pursuant to CEQA Guidelines Section 15273 – Rates, Tolls, Fares, and Charges, because the proposed new and increased fees involve charges by public agencies for the purpose of meeting operating expenses and financial reserve needs and requirements. In addition, the proposed amendments to Regulation III and 1480 which have no fee impact and are strictly administrative in nature are exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption, because it can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment.

NOTICE OF EXEMPTION FROM CEQA (concluded)

Date of Project Approval: South Coast AQMD Governing Board Public Hearing: May 6, 2022

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Date Received for Filing: _____

Signature: _____

 May 6, 2022

Barbara Radlein
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Planning, Rule Development, and Implementation