

## NOTICE OF PUBLIC HEARING

### PROPOSED AMENDMENT TO THE RULES AND REGULATIONS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

#### **RE: Proposed Amended Rule 301 – Permitting and Associated Fees**

**NOTICE IS HEREBY GIVEN** that a public hearing on the matter of adoption of rules and regulations for the South Coast Air Quality Management District (South Coast AQMD), or the amendments thereto, will be held on Friday, June 7, 2019 in the Auditorium at South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, CA 91765, at 9:00 a.m., or later, at which time evidence will be taken and all interested persons will be heard by the South Coast AQMD Board.

**NOTICE IS FURTHER GIVEN** that the South Coast AQMD is considering the adoption of Proposed Amended Rule 301 – Permitting and Associated Fees. The proposed rule amendment is for the purpose of adding new toxics emissions fees. These proposed fees are necessary to meet the requirements of recent state mandates and to improve cost recovery for toxics-related work performed by the agency. This proposed rule amendment was initially heard on May 3, 2019, along with other proposed amendments to Regulation III – Fees. At that time, the South Coast AQMD Board continued the public hearing on the proposed toxics emissions fee until June 7, 2019.

**NOTICE IS FURTHER GIVEN** that Proposed Amended Rule 301 will not be submitted for inclusion into the State Implementation Plan.

**NOTICE IS FURTHER GIVEN** that Proposed Amended Rule 301 does not impose a new emission limit or standard, make an existing emission limit or standard more stringent, or impose new or more stringent monitoring, reporting, or recordkeeping requirements and therefore, a comparative analysis pursuant to Health and Safety Code Section 40727.2 is not required.

**NOTICE IS FURTHER GIVEN** that South Coast AQMD staff has reviewed the proposed project pursuant to CEQA Guidelines Section 15002 (k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA and CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA and has determined that Proposed Amended Rule 301 is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. Additionally, Proposed Amended Rule 301 is statutorily exempt from CEQA pursuant to Section 15273 – Rates, Tolls, Fares, and Charges. A Notice of Exemption will be prepared pursuant to CEQA Guidelines Section 15062 – Notice of Exemption, and if the project is approved, the Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties.

**NOTICE IS FURTHER GIVEN** that South Coast AQMD staff has previously prepared documents, for consideration by the South Coast AQMD Board at its May 3, 2019 public hearing on Proposed Amended Regulation III, including:

- Proposed Amended Rule 301- Permitting and Associated Fees
- Staff Report for Proposed Amended Regulation III - Fees
- Socioeconomic Impact Assessment for Proposed Amended Regulation III

The proposed new toxics emissions fees were described and analyzed in the documents listed above. A highlighted version of the portions of Rule 301 continued by the Board at the

May 3, 2019 hearing is available at:

<http://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/proposed-rules#REG%20III>

Because the upcoming June 7, 2019 public hearing is a continuance of this proposed action from the May 3, 2019 public hearing, no new staff report, rule language, or socioeconomic analysis has been prepared. Please note that the proposed toxics emissions fee is contained within paragraph (e)(7) and Table IV of Proposed Amended Rule 301. Other amendments in Rule 301, such as Consumer Price Index-based fee increases and other administrative updates were proposed and considered at the May 3, 2019 hearing.

**NOTICE IS FURTHER GIVEN** that the above documents may be obtained from the South Coast AQMD's Public Information Center located in the South Coast AQMD headquarters lobby, or the South Coast AQMD's publication request line at (909) 396-2039, or from: Ms. Fabian Wesson – Assistant Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, [PICrequests@aqmd.gov](mailto:PICrequests@aqmd.gov), or from the online Board agenda package at: <http://www.aqmd.gov/home/news-events/meeting-agendas-minutes>.

**NOTICE IS FURTHER GIVEN** that at the conclusion of the public hearing, the South Coast AQMD Board may make other modifications to Proposed Amended Rule 301, which are justified by the evidence presented, or may decline to adopt some or all of the proposed amendment.

Questions, comments or requests for clarification regarding Proposed Amended Rule 301 can be directed to Mr. Shah Dabirian, [sdabirian@aqmd.gov](mailto:sdabirian@aqmd.gov), (909) 396-3076. All CEQA inquiries can be directed to Mr. Ryan Bañuelos, [rbanuelos@aqmd.gov](mailto:rbanuelos@aqmd.gov), (909) 396-3479 and all inquiries regarding the Socioeconomic Impact Assessment can be directed to Mr. Ryan Finseth, [rfinseth@aqmd.gov](mailto:rfinseth@aqmd.gov), (909) 396-3575. Written correspondence may be submitted to any of these individuals at South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765.

Interested persons may attend and submit oral or written statements at the Board Hearing. Twenty-five (25) copies of all written materials must be submitted to the Clerk of the Board. Individuals who wish to submit written comments for review prior to the hearing must submit such comments to the Clerk of the Board, 21865 Copley Drive, Diamond Bar, CA, 91765-4178, (909) 396-2500, or to [cob@aqmd.gov](mailto:cob@aqmd.gov) on or before Tuesday, May 28, 2019. Electronic submittals will only be accepted if no more than 10 pages including attachments; and in MS Word, plain, or HTML format.

Documents to be distributed at this meeting/event will be made available upon request in appropriate alternative formats to assist persons with a disability. Disability-related accommodations will also be made available to allow participation in the meeting/event. Any accommodations must be requested as soon as practicable. Requests will be accommodated unless providing the accommodation would result in a fundamental alteration or undue burden to the organization. Please telephone the Public Advisors' Office at (909) 396-2432 from 7:00 a.m. to 5:30 p.m. Tuesday through Friday.

DATED: May 3, 2019

DENISE GARZARO

Clerk of the Boards