

RESOLUTION NO. 21-16

A Resolution of the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) determining that the 2021 PM10 Maintenance Plan for the South Coast Air Basin is exempt from the requirements of the California Environmental Quality Act (CEQA).

A Resolution of the South Coast AQMD Governing Board approving the 2021 PM10 Maintenance Plan for the South Coast Air Basin and directing staff to forward the Maintenance Plan to California Air Resources Board (CARB) for approval and submission to United States Environmental Protection Agency (U.S. EPA) for inclusion in the State Implementation Plan (SIP).

WHEREAS, the South Coast AQMD Governing Board finds and determines that the 2021 PM10 Maintenance Plan for the South Coast Air Basin is considered a “project” as defined by CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines after conducting a review of the proposed project in accordance with 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, that the 2021 PM10 Maintenance Plan for the South Coast Air Basin is exempt from CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that, because the proposed project relies on the continued implementation of existing regulations and programs by the South Coast AQMD and CARB to reduce emissions without proposing new requirements that would involve physical changes, it can be seen with certainty that there is no possibility that the proposed project may have any significant adverse effects on the environment, and is therefore exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that the proposed project is also categorically exempt from CEQA pursuant to CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for the Protection of the Environment, because the proposed project is designed to further protect or enhance the environment; and

WHEREAS, the South Coast AQMD Governing Board has determined that there is no substantial evidence indicating that any of the exceptions to the categorical exemption apply to the proposed project pursuant to CEQA Guidelines Section 15300.2 – Exceptions; and

WHEREAS, South Coast AQMD staff has prepared a Notice of Exemption for the proposed project that is completed in compliance with CEQA Guidelines Section 15062 – Notice of Exemption; and

WHEREAS, the 2021 PM10 Maintenance Plan for the South Coast Air Basin and other supporting documentation, including but not limited to the Notice of Exemption, were presented to the South Coast AQMD Governing Board and the South Coast AQMD Governing Board has reviewed and considered this information, and has taken and considered staff testimony and public comment prior to approving the project; and

WHEREAS, effective July 26, 2013, U.S. EPA approved an initial PM10 Maintenance Plan for the South Coast Air Basin that provides for maintenance of the 1987 24-hour PM10 National Ambient Air Quality Standard (NAAQS) for the 10-year period from July 2013 to July 2023; and

WHEREAS, the South Coast AQMD is required to submit a revision of the SIP to the U.S. EPA through CARB to provide for maintenance of the PM10 NAAQS for a further 10 years after the period covered by the first PM10 maintenance plan to address the federal Clean Air Act requirements; and

WHEREAS, the 2021 PM10 Maintenance Plan for the South Coast Air Basin has been developed to address planning requirements of the SIP revision. Key elements include an analysis of exceedances of the 24-hour PM10 standard in the South Coast Air Basin during the period covered by the initial PM10 Maintenance Plan approved by U.S. EPA in 2013, trends of 24-hour PM10 design values in the South Coast Air Basin during the period covered by the initial PM10 Maintenance Plan, emissions inventory, a maintenance demonstration, motor vehicle emissions budget, a commitment to maintain a future PM10 monitoring network, a commitment to verify continued attainment of the 24-hour PM10 standard, contingency plan measures, and a contingency plan trigger; and

WHEREAS, the 2021 PM10 Maintenance Plan for the South Coast Air Basin demonstrates that the South Coast Air Basin will continue to attain the PM10 NAAQS through 2035; and

WHEREAS, a draft 2021 PM10 Maintenance Plan for the South Coast Air Basin was released on April 8, 2021 with a comment period from April 8, 2021 to April 26, 2021; and

WHEREAS, a Public Consultation Meeting was held on April 15, 2021 to solicit information, comments, and suggestions from the public, affected businesses and stakeholders; and

WHEREAS, the Draft final 2021 PM10 Maintenance Plan for the South Coast Air Basin was released on May 4, 2021; and

WHEREAS, the South Coast AQMD Governing Board has determined that a Socioeconomic Impact Assessment is not required, pursuant to Health and Safety Code Section 40440.8 or 40728.5, because these sections apply only to rules; and

WHEREAS, the public hearing has been properly noticed in accordance with all provisions regarding notice of revisions to the SIP in the Code of Federal Regulations Title 40, Section 51.102; and

WHEREAS, the South Coast AQMD Governing Board has held a public hearing in accordance with all provisions of law; and

WHEREAS, the South Coast AQMD specifies that the Health Effects Officer of the South Coast AQMD is the custodian of the documents or other materials that constitute the record of proceedings upon which the adoption of the 2021 PM10 Maintenance Plan for the South Coast Air Basin is based, which are located at the South Coast AQMD, 21865 Copley Drive, Diamond Bar, California; and

NOW, THEREFORE BE IT RESOLVED, that the South Coast AQMD Governing Board does hereby determine, pursuant to the authority granted by law, that the 2021 PM10 Maintenance Plan for the South Coast Air Basin is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption and CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for the Protection of the Environment. No exceptions to the application of the categorical exemption set forth in CEQA Guidelines Section 15300.2 – Exceptions, including the “unusual circumstances” exception, apply to the proposed project. This information was presented to the South Coast AQMD Governing Board, whose members exercised their independent judgment and reviewed, considered and approved the information therein prior to acting on the 2021 PM10 Maintenance Plan for the South Coast Air Basin; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board does hereby approve, pursuant to the authority granted by law, the 2021 PM10 Maintenance Plan for the South Coast Air Basin as set forth in the attached, and incorporated herein by this reference; and

BE IT FURTHER RESOLVED, that the Executive Officer is hereby directed to forward a copy of this Resolution and the 2021 PM10 Maintenance Plan for the South Coast Air Basin to CARB for approval and subsequent submittal to the U.S. EPA for inclusion into the SIP.

AYES: Benoit, Cacciotti, Delgado, Kracov, Kuehl, McCallon, Padilla-Campos, Richardson, Rodriguez and Rutherford

NOES: None

ABSENT: Bartlett, Buscaino and Perez

DATE: June 4, 2021

Jay Thomas
Clerk of the Boards