

RESOLUTION NO. 25-11

A Resolution of the South Coast Air Quality Management District (South Coast AQMD) Governing Board determining that the South Coast Air Basin Contingency Measure State Implementation Plan (SIP) Revision for the 2015 8-Hour Ozone NAAQS (South Coast Ozone Contingency SIP Revision) is exempt from the requirements of the California Environmental Quality Act (CEQA).

A Resolution of the South Coast AQMD Governing Board adopting the South Coast Ozone Contingency SIP Revision and directing staff to forward the South Coast Ozone Contingency SIP Revision to the California Air Resources Board (CARB) for approval and subsequent submission to the United States Environmental Protection Agency (U.S. EPA) for inclusion in the SIP.

WHEREAS, the South Coast AQMD Governing Board finds and determines that the South Coast Ozone Contingency SIP Revision is considered a "project" pursuant to CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines after conducting a review of the proposed project (South Coast Ozone Contingency SIP Revision) 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 South Coast Ozone Contingency SIP Revision is exempt from CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that the South Coast Ozone Contingency SIP Revision relies on existing contingency measures from previously adopted rules, does not propose new requirements which will result in additional physical modifications, and will not result in adverse environmental impacts. Thus, 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 Protection of the Environment, because the South Coast Ozone Contingency SIP Revision is intended 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 as set forth in CEQA Guidelines Section 15300.2 – Exceptions, apply to the proposed project; and

WHEREAS, the 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 South Coast Ozone Contingency SIP Revision and supporting documentation, including but not limited to, the Notice of Exemption and Draft Final Staff Report, 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 comments prior to approving the project; and

WHEREAS, the South Coast Air Basin (Basin) was designated as an “extreme” nonattainment area for the 2015 8-hour ozone National Ambient Air Quality Standard (NAAQS) with attainment by 2037; and

WHEREAS, the 2022 Air Quality Management Plan (AQMP), adopted by the South Coast AQMD Governing Board on December 2, 2022, and submitted to the U.S. EPA via CARB on February 23, 2023, calls for an economy-wide transition to zero emissions technology wherever feasible to reduce emissions of ozone precursors, nitrogen oxides (NOx) and volatile organic compounds (VOC), to meet the 2015 ozone standard by 2037; and

WHEREAS, while the 2022 AQMP satisfied most Clean Air Act (CAA) requirements applicable to “extreme” nonattainment areas, it did not formally address contingency measure requirements in CAA Sections 172(c)(9) and 182(c)(9) due to the lack of U.S. EPA’s guidance at the time the 2022 AQMP was adopted. Therefore, the 2022 AQMP committed to address contingency measure requirements once U.S. EPA issued new guidance; and

WHEREAS, contingency measures are defined by CAA Section 172(c)(9) as specific measures to be undertaken if the area fails to make reasonable further progress, or to attain the standard by the attainment date. CAA Section 182(c)(9) further requires that ozone nonattainment areas classified as “serious” or above provide for contingency measures to be implemented if the area fails to meet any applicable milestone; and

WHEREAS, U.S. EPA finalized new contingency measure guidance in December 2024, introducing changes regarding the recommended amount of emission reductions, the process to demonstrate the scarcity of additional contingency measures, and the implementation timeline for contingency measures; and

WHEREAS, the South Coast Ozone Contingency SIP Revision includes ozone contingency measures in three South Coast AQMD rules: Rule 445 – Wood-Burning Devices (Amended October 27, 2020), Rule 463 – Organic Liquid Storage (Amended June 7, 2024), and Rule 1173 – Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants (Amended November 1, 2024); and

WHEREAS, the South Coast Ozone Contingency SIP Revision also includes the California Smog Check Contingency Measure, adopted by CARB in October 2023; and

WHEREAS, these contingency measures achieve additional reductions beyond those needed for attainment and include an automatic triggering mechanism; and

WHEREAS, despite reducing VOC and NOx emissions, these contingency measures do not achieve U.S. EPA's recommended amount of emission reductions. Therefore, the South Coast Ozone Contingency SIP Revision includes an infeasibility justification, demonstrating the scarcity of remaining measures; and

WHEREAS, the Draft South Coast Ozone Contingency SIP Revision was released for public review and comment on April 24, 2025, with a comment period from April 24, 2025 to May 30, 2025; and

WHEREAS, a public consultation meeting was held on May 20, 2025 to solicit comments and suggestions from the public, affected businesses, and stakeholders; and

WHEREAS, the South Coast AQMD Governing Board has determined that no Socioeconomic Impact Assessment is required under Health and Safety Code Sections 40440.8 and 40728.5, because the South Coast Ozone Contingency SIP Revision is not a rule or regulation in the meaning of those statutes, and further no socioeconomic impacts will result from the South Coast Ozone Contingency SIP Revision; 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, Part 51, 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 the Planning and Rules Manager of the South Coast Ozone Contingency SIP Revision as the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of the South Coast Ozone Contingency SIP Revision 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 South Coast Ozone Contingency SIP Revision 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, 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 South Coast Ozone Contingency SIP Revision; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board, whose members reviewed, considered, and approved the information contained in the documents listed herein, adopts the South Coast Ozone Contingency SIP Revision dated August 1, 2025 consisting of the document entitled South Coast Air Basin Contingency Measure SIP Revision for the 2015 8-Hour Ozone Standard as amended by the final changes, if applicable, set forth by the South Coast AQMD Governing Board; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board directs the Executive Officer to work with CARB and the U.S. EPA and take appropriate action to resolve any completeness or approvability issues that may arise regarding the SIP submission; and

BE IT FURTHER RESOLVED, that the Executive Officer is hereby directed to forward a copy of this Resolution and the South Coast Ozone Contingency SIP Revision to CARB for approval and subsequent submission to the U.S. EPA for inclusion in the SIP.

AYES: Cacciotti, Lock Dawson, Delgado, Hagman
McCallon, Mitchell, Nguyen, Olmos,
Padilla-Campos, Perez, Raman, and Rodriguez

NOES: None

ABSENT: None

DATE: August 1, 2025

Faye Thomas
Faye Thomas, Clerk of the Board

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Vacant: Governor's Appointee