



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 AMENDED RULE 208 – PERMIT AND BURN AUTHORIZATION FOR OPEN BURNING, AND PROPOSED AMENDED RULE 444 – OPEN BURNING

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. Proposed amended Rule 208 clarifies existing compliance requirements, which are administrative in nature. Proposed amended Rule 444 adds and modifies definitions, and utilizes the Air Quality Index (AQI) to determine permissive, marginal, and no burn days. As a result, the number of restricted burn days will increase, even though the allowed number of acres to be burned and, thus, the particulate matter emissions will not change. Additional requirements include prohibiting open burns within 1,000 feet of sensitive receptor locations for agricultural burns, using approved ignition fuels for pyrotechnics in creating special effects for filming, prohibiting the complete burning of existing structures for fire prevention/suppression training, requiring a Burn Management Plan for certain agricultural burn projects, and assessing fees for the filing and evaluation of plans and reports. Other amendments include modifying time limits for existing requirements or activities, such as plan submittals, authorization requests and field crop cutting. A number of the amendments are administrative in nature. Other amendments will either be a benefit to the environment or will not change the current effects from the open burning program, thus, 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) – Review for 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 Michael Krause (c/o Planning, Rule Development & Area Sources) at the above address. Mr. Krause can also be reached at (909) 396-2706.

Date: October 31, 2008

Signature: *Steve Smith*

Steve Smith, Ph.D.
Program Supervisor
Planning, Rule Development &
Area Sources

NOTICE OF EXEMPTION

To: County Clerks of Los Angeles, Orange, Riverside, San Bernardino	From: South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765
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Project Title:

Proposed Amended Rule 208 – Permit and Burn Authorization for Open Burning, and Proposed Amended Rule 444 – Open Burning

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.

Description of Nature, Purpose, and Beneficiaries of Project:

Proposed amended Rule 208 clarifies existing compliance requirements. Proposed amended Rule 444 adds and modifies definitions, and utilizes the Air Quality Index (AQI) to determine permissive, marginal, and no burn days. As a result, the number of restricted burn days will increase, even though the allowed number of acres to be burned and, thus, the particulate matter emissions will not change. Additional requirements include prohibiting open burns within 1,000 feet of sensitive receptor locations for agricultural burns, using approved ignition fuels for pyrotechnics in creating special effects for filming, prohibits the complete burning of existing structures for fire prevention/suppression training, requiring a Burn Management Plans for certain agricultural burn projects, and assessing fees for the filing and evaluation of plans and reports. Other amendments include modifying time limits for existing requirements or activities, such as plan submittals, authorization requests and field crop cutting.

Public Agency Approving Project:

South Coast Air Quality Management District

Agency Carrying Out Project:

South Coast Air Quality Management District

Exempt Status:

General Concepts [CEQA Guidelines §15002 (k)(1)];
Preliminary Review [CEQA Guidelines §15060 (c)(1)];
General Rule Exemption [CEQA Guidelines §15061(b)(3)]; and
Actions by Regulatory Agencies for Protection of the Environment [CEQA Guidelines §15308]

Reasons why project is exempt:

A number of the amendments are administrative in nature. Other amendments will either be a benefit to the environment or will not change the current effects from the open burning program, thus, 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) – Review for Exemption. Because the proposed project reduces the number of days a managed burn can occur and is an action by a regulatory agency to protect the environment, the proposed project is exempt from CEQA pursuant to state CEQA Guidelines §15308 - Actions by Regulatory Agencies for Protection of the Environment.

Certification Date:

SCAQMD Governing Board Hearing: November 7, 2008, 9:00 a.m.; SCAQMD Headquarters

CEQA Contact Person:

Mr. Michael Krause

Phone Number:

(909) 396-2706

Fax Number:

(909) 396-3324

Email:

<mkrause@aqmd.gov>

Rule Contact Person:

Ms. Heather Farr

Phone Number:

(909) 396-3672

Fax Number:

(909) 396-3306

Email:

<hfarr@aqmd.gov>

Date Received for Filing _____

Signature *Signed upon certification*

Steve Smith, Ph.D.
Program Supervisor
Planning, Rule Development
and Area Sources