



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 444 - OPEN BURNING, AS IT RELATES TO ONLY OPEN BURNING AT BEACH AREAS

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.

On May 3, 2013 the Governing Board approved amended Rule 445 and the portions of amended Rule 444 that would add a definition for product testing, establish an exemption from PAR 444 for product testing and establish a winter season burn restriction consistent with PAR 445. SCAQMD staff reviewed the proposed amendments and determined that they are exempt pursuant to the CEQA Guidelines §15308 – Actions Taken by Regulatory Agencies for Protection of the Environment. A separate Notice of Exemption was filed for that action.

The Governing Board postponed a decision on other proposed amendments of provisions of Rule 444, as it relates to only open burning at beach areas, until July 2013. These provisions include paragraphs (b)(11) and (c)(7), subparagraphs (d)(3)(G) and paragraphs (d)(4), (h)(5) h(6) and (h)(7).

SCAQMD staff has reviewed the beach burning provisions of amended Rule 444 and determined they are exempt pursuant to the CEQA Guidelines §15308 – Actions Taken by Regulatory Agencies for Protection of the Environment. Based on SCAQMD staff's review, the beach burning provisions in amended Rule 444 would have no potential for generating significant adverse environmental impacts. The amendments relating to beach burning would better protect the public from the health impacts due to exposure to wood smoke and would not generate significant adverse environmental impacts. Upon adoption, the Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside and San Bernardino counties.

Any questions regarding this Notice of Exemption should be sent to me (c/o Planning, Rule Development & Area Sources) at the above address. I can also be reached at (909) 396-2706.

Date: July 12, 2013

Signature: 

Michael Krause
CEQA Program Supervisor
Planning, Rule Development &
Area Sources

Reference: California Code of Regulations, Title 14

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

Project Title:

Proposed Amended Rule 444 - Open Burning, as it relates to open burning at beach areas

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:

On July 12, 2013, the SCAQMD Governing Board approved proposed amendments to Rule 444 addressing beach burning. These provisions include paragraphs (b)(11) and (c)(7), subparagraphs (d)(3)(G) and paragraphs (d)(4), (h)(5) h(6) and (h)(7), which

- Establish buffer zones to the nearest residence;
- Increase distance between fire rings;
- Establish no-burn days during unfavorable meteorology or air quality conditions;
- Empower local jurisdictions to invoke a provision of Rule 444 to prohibit beach burning that has been declared a nuisance due to wood smoke;
- Reduce the burning of inappropriate materials; and
- Provide exemption for devices made available to comply with the Americans with Disabilities Act.

Previously, the Governing Board took action on different amendments to Rule 445 and Rule 444 on May 3, 2013. The amendments adopted on May 3, 2013 did not address beach burning. A separate Notice of Exemption was filed for that action.

Public Agency Approving Project:

South Coast Air Quality Management District

Agency Carrying Out Project:

South Coast Air Quality Management District

Exempt Status:

Actions Taken by Regulatory Agencies for Protection of the Environment Exemption [CEQA Guidelines §15308]

Reasons why project is exempt:

The SCAQMD has reviewed amended Rule 444 and determined that it is exempt pursuant to CEQA Guidelines §15308 – Actions Taken by Regulatory Agencies for Protection of the Environment because the amended rule would better protect the public from the health impacts due to exposure to wood smoke and would not generate significant adverse environmental impacts. Amended Rule 444 has no potential for generating significant adverse environmental impacts because it would limit open burning in beach areas.

Project Approval Date:

SCAQMD Governing Board Hearing: July 12, 2013, 9:00 a.m.; SCAQMD Headquarters

CEQA Contact Person:	Phone Number:	Fax Number:	Email:
Mr. Michael Krause	(909) 396-2706	(909) 396-3324	mkrause@aqmd.gov

Rule Contact Person:	Phone Number:	Fax Number:	Email:
Mr. Michael Laybourn	(909) 396-3066	(909) 396-3324	mlaybourn@aqmd.gov

Date Received for Filing _____

Signature _____
Signed upon project approval
Michael Krause
CEQA Program Supervisor
Planning, Rule Development
and Area Sources