

ATTACHMENT K



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

PROJECT TITLE: PROPOSED AMENDED REGULATION III – FEES

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (SCAQMD) is the Lead Agency and has prepared a Notice of Exemption for the project identified above.

The proposed project is amending Regulation III – Fees (Rules 301, 303, 304, 304.1, 306, 307.1, 308, 309, 311, 313, 314, and 315). SCAQMD staff has reviewed the proposed project, pursuant to CEQA Guidelines § 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA and CEQA Guidelines § 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. With respect to the proposed amendments to Rules 301, 306, 308 and 314 which are identified as being strictly administrative in nature, it can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment. Thus, the project is considered to be exempt from CEQA pursuant to CEQA Guidelines § 15061(b)(3) – Activities Covered by General Rule. Additionally, the proposed amendments to Rules 301, 303, 304, 304.1, 306, 307.1, 308, 309, 311, 313, 314, and 315 reflect increases in fees, and the administrative amendments to Rules 301, 306, 308, and 314 also involve fees charged by the District, such that all of the amendments are statutorily exempt from CEQA requirements pursuant to CEQA Guidelines § 15273 – Rates, Tolls, Fares, and Charges, because the proposed amendments involve charges by a public agency for the purpose of meeting operating expenses, purchasing supplies, equipment and materials, and meeting financial reserve requirements. A Notice of Exemption has been prepared pursuant to CEQA Guidelines § 15062 – Notice of Exemption. 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.

Any questions regarding this Notice of Exemption should be sent to Barbara Radlein (c/o Planning, Rule Development and Area Sources) at the above address. Ms. Radlein can also be reached at (909) 396-2716. Ms. Donna Peterson is also available at (909) 396-2310 to answer any questions regarding the proposed amended regulation.

Date: May 3, 2017

Signature:

A handwritten signature in black ink, appearing to read "Barbara Radlein", written over a horizontal line.

Barbara Radlein
Program Supervisor, CEQA Section
Planning, Rules, and Area Sources

NOTICE OF EXEMPTION

To: County Clerks Counties of Los Angeles, Orange, Riverside and San Bernardino	From: South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765
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Project Title: Proposed Amended Regulation III – Fees

Project Location: The SCAQMD has jurisdiction over the four-county South Coast Air Basin (all of 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 (SSAB) and Mojave Desert Air Basin (MDAB). The SCAQMD’s jurisdiction includes the federal nonattainment area known as the Coachella Valley Planning Area, which is a sub-region of Riverside County and the SSAB.

Description of Nature, Purpose, and Beneficiaries of Project: Amendments to Regulation III rules consist of four proposed components. First, pursuant to Rule 320 – Automatic Adjustment Based on Consumer Price Index for Regulation III - Fees, staff is proposing to update most fees in Rules 301, 303, 304, 304.1, 306, 307.1, 308, 309, 311, 313, 314, and 315 on July 1, 2017 corresponding to the increase in the Calendar Year 2016 California Consumer Price Index (CPI) of 2.5 percent. Second, staff is proposing to amend Rules 301 and 306 to increase Title V Annual Operating Permit Renewal and Permit Processing Fees by an additional increment of 16 percent above the CPI for each of the next two fiscal years (FYs) in response to the U.S. EPA Title V Operating Permit Program Evaluation Report recommendation to more fully recover Title V program costs. Third, staff is proposing to amend Rules 301, 306, and 309 to increase Annual Operating Permit Renewal, Permit Processing and Plan Fees for non-Title V facilities by a further additional increment of four percent above the CPI for each of the next two FYs in order to better align program costs with revenues. Fourth, staff is proposing various administrative amendments with no fee impacts to Rules 301, 306, 308, and 314.

Public Agency Approving Project: South Coast Air Quality Management District	Agency Carrying Out Project: South Coast Air Quality Management District
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Exempt Status:
CEQA Guidelines § 15002(k) - General Concepts (Three Step Process)
CEQA Guidelines § 15061(b)(3) – Activities Covered by General Rule
CEQA Guidelines § 15273 – Rates, Tolls, Fares, and Charges

Reasons why project is exempt: SCAQMD staff has reviewed the proposed project, pursuant to CEQA Guidelines § 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA and CEQA Guidelines § 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. With respect to the proposed amendments to Rules 301, 306, 308 and 314 which are identified as being strictly administrative in nature, it can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment. Thus, the project is considered to be exempt from CEQA pursuant to CEQA Guidelines § 15061(b)(3) – Activities Covered by General Rule. Additionally, the proposed amendments to Rules 301, 303, 304, 304.1, 306, 307.1, 308, 309, 311, 313, 314, and 315 reflect increases in fees, and the administrative amendments to Rules 301, 306, 308, and 314 also involve fees charged by the District, such that all of the amendments are statutorily exempt from CEQA requirements pursuant to CEQA Guidelines § 15273 – Rates, Tolls, Fares, and Charges, because the proposed amendments involve charges by a public agency for the purpose of meeting operating expenses, purchasing supplies, equipment and materials, and meeting financial reserve requirements. A Notice of Exemption has been prepared pursuant to CEQA Guidelines § 15062 – Notice of Exemption. 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.

Date When Project Will Be Considered for Approval (subject to change):
SCAQMD Governing Board Hearing: June 2, 2017; SCAQMD Headquarters

CEQA Contact Person: Ms. Barbara Radlein	Phone Number: (909) 396-2716	Email: bradlein@aqmd.gov	Fax: (909) 396-3982
Regulation Contact Person: Ms. Donna Peterson	Phone Number: (909) 396-2310	Email: dpeterson@aqmd.gov	Fax: (909) 396-2765

Date Received for Filing: _____ **Signature:** _____ *(Signed Upon Board Approval)*
Barbara Radlein
Program Supervisor, CEQA Section
Planning, Rule Development & Area Sources