

NOTICE OF DETERMINATION

To: Mr. Scott Morgan
Governor's Office of
Planning & Research
State Clearing House
1400 Tenth St, Suite 222
Sacramento, CA 95814

From: South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Subject: Filing of Notice of Determination in Compliance with Public Resources Code Section 21152

Project Title: Contingency Measure Plan for the 1997 8-Hour Ozone Standard

SCH Number: 2016071006

Project Approval Date: December 6, 2019

Contact Person: Ryan Bañuelos

Telephone Number: (909) 396-3479

Project Location: The South Coast AQMD has jurisdiction over an area of approximately 10,743 square miles, consisting of the four-county South Coast Air Basin (Basin) (Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino counties) as defined in California Code of Regulations, Title 17, section 60104, and the Riverside County portions of the Salton Sea Air Basin (SSAB) and Mojave Desert Air Basin. The Basin, which is a subarea of South Coast AQMD's jurisdiction, is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto mountains to the north and east. It includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties. The Riverside County portion of the SSAB is bounded by the San Jacinto Mountains in the west and spans eastward up to the Palo Verde Valley. A federal non-attainment area, known as the Coachella Valley Planning Area, is a subregion of Riverside County and the SSAB that is bounded by the San Jacinto Mountains to the west and the eastern boundary of the Coachella Valley to the east.

Project Description: The South Coast Air Basin (Basin) is classified as an Extreme nonattainment area for the 1997 8-hour ozone national ambient air quality standard (NAAQS), with an attainment date of June 15, 2024. The attainment strategy in the 2016 Air Quality Management Plan (2016 AQMP) includes both defined measures as well as "further deployment of cleaner technologies" measures, as allowed under the federal Clean Air Act (CAA) section 182(e)(5). Under CAA requirements, development and adoption of CAA section 182(e)(5) contingency measures are required no later than three years before the attainment date. The Contingency Measure Plan represents a joint strategy by South Coast AQMD and California Air Resources Board (CARB) for addressing the contingency measure requirements of CAA section 182(e)(5) for the 1997 8-hour ozone NAAQS for the Basin. The Contingency Measure Plan includes: 1) newly identified emission reduction strategies and innovative new measures; 2) additional incentive funding to transition to the cleanest available technologies; and 3) significant federal action and/or funding to achieve the required reductions from sources under federal responsibility.

This is to advise that the South Coast AQMD as the Lead Agency for the above-described project has made the following determinations:

1. South Coast AQMD has reviewed the project pursuant to the California Environmental Quality Act (CEQA) and has determined, in light of substantial evidence in the whole record, that the Contingency Measure Plan for the 1997 8-Hour Ozone Standard is considered a later activity within the scope of the project evaluated in the March 2017 Final Program Environmental Impact Report (PEIR) for the 2016 Air Quality Management Plan (AQMP) and approved by the South Coast AQMD Governing Board on March 3, 2017. The March 2017 Final PEIR for the 2016 AQMP adequately describes and analyzes the environmental effects of the project for the purposes of CEQA pursuant to CEQA Guidelines section 15168(e)(2). Thus, no new environmental document is required pursuant to CEQA Guidelines section 15168(c).
2. None of the criteria requiring a subsequent CEQA document pursuant to CEQA Guidelines section 15162 are triggered as a result of this later activity. Thus, no subsequent CEQA document is required pursuant to CEQA Guidelines section 15162.
3. The mitigation measures that were made a condition of approval of the March 2017 Final PEIR for the 2016 AQMP and the corresponding Mitigation, Monitoring, and Reporting Plan that were adopted at that time shall remain in effect. No new or modified mitigation measures are made as a condition of approval of the later activity because no new significant adverse environmental impacts were identified and existing significant adverse environmental impacts will not be made substantially worse.
4. Findings and a Statement of Overriding Considerations that were made as a condition of approval of the project analyzed in the March 2017 Final PEIR for the 2016 AQMP pursuant to Public Resources Code section 21081.6 and that were adopted at that time shall remain in effect since the later activity will not result in new significant adverse environmental impacts and existing significant adverse environmental impacts will not be made substantially worse.

The March 2017 Final PEIR, supporting documentation, and record of project approval may be examined at: South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765.

Date Received for Filing

Signature: 

Barbara Radlein
Program Supervisor, CEQA
Planning, Rule Development, and Area Sources

Governor's Office of Planning & Research

DEC 09 2019

STATE CLEARINGHOUSE



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



CEQA Filing Fee No Effect Determination

Applicant Name and Address:

Barbara Radlein and Ryan Banuelos
21865 Copley Drive
Diamond Bar, CA 91765
bradlein@aqmd.gov
rbanuelos@aqmd.gov

CEQA Lead Agency: South Coast Air Quality Management District (South Coast AQMD)

Project Title: Contingency Measure Plan for the 1997 8-Hour Ozone Standard

CEQA Document Type: Environmental Impact Report

State Clearinghouse Number/local agency ID number: 2016071006

Project Location: The South Coast AQMD has jurisdiction over an area of approximately 10,743 square miles, consisting of the four-county South Coast Air Basin (Basin) (Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino counties) as defined in California Code of Regulations, Title 17, section 60104, and the Riverside County portions of the Salton Sea Air Basin (SSAB) and Mojave Desert Air Basin.

Brief Project Description: The South Coast Air Basin (Basin) is classified as an Extreme nonattainment area for the 1997 8-hour ozone national ambient air quality standard (NAAQS), with an attainment date of June 15, 2024. The attainment strategy in the 2016 Air Quality Management Plan (2016 AQMP) includes both defined measures as well as “further deployment of cleaner technologies” measures, as allowed under the federal Clean Air Act (CAA) section 182(e)(5).

The Contingency Measure Plan for the 1997 8-Hour Ozone Standard for the South Coast Air Basin is considered to be a later activity within the scope of the previously approved project covered by the March 2017 Final Program Environmental Impact Report (PEIR) for the 2016 Air Quality Management Plan (AQMP) because no substantial changes or revisions are necessary and no new significant environmental effects and no substantial increase in the severity of previously identified significant effects will occur as result of this later activity such that no new environmental document would be required pursuant to CEQA Guidelines Section 15168(c) and no subsequent CEQA document would be required pursuant to CEQA Guidelines Section 15162.

A No Effect Determination Request was previously approved by your office for the March 2017 Final PEIR for the 2016 AQMP (SCH No. 2016071006) due to a finding of no effect on wildlife or the habitat upon which the wildlife depends. As with the March 2017 Final PEIR for the 2016 AQMP, the later activity (Contingency Measure Plan for the 1997 8-Hour Ozone Standard) will also have no effect on biological resources.

Determination: Based on a review of the project as proposed, the Department of Fish and Wildlife has determined that for purposes of the assessment of CEQA filing fees (Fish & G. Code, § 711.4, subd. (c)) the project has no effect on fish, wildlife or their habitat and the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records. Local lead agencies are required to file two copies of this determination with the county clerk at the time of filing the Notice of Determination (NOD) after the project is approved. State lead agencies are required to file two copies of this determination with the Governor's Office of Planning and Research (i.e., State Clearinghouse) at the time of filing the NOD. If you do not file a copy of this determination as appropriate with the county clerk or State Clearinghouse at the time of filing the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid CEQA Filing Fee No Effect Determination form or proof of fee payment, the project will not be operative, vested, or final and any local permits issued for the project will be invalid, pursuant to Fish and Game Code section 711.4, subdivision (c)(3).

Approved by:

Date:



12/3/19

Signature

Victoria Tang, Senior Environmental Scientist
(Supervisor)

Name, Title

FOR COUNTY CLERK USE ONLY

Stamp or initial inside the box to indicate acceptance of this signed No Effect Determination in lieu of a CEQA Document Filing Fee.

County Clerk Stamp or Initial

Governor's Office of Planning & Research

DEC 09 2019

STATE CLEARINGHOUSE



South Coast Air Quality Management District

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

December 6, 2019

Mr. Scott Morgan
Governor's Office of Planning and Research
State Clearing House
1400 Tenth St, Suite 222
Sacramento, CA 95814

Dear Mr. Morgan,

Enclosed please find two copies of the Notice of Determination (NOD) prepared for the Contingency Measure Plan for the 1997 8-Hour Ozone Standard, which is considered a later activity to the 2016 Air Quality Management Plan (AQMP), the project that was analyzed in the March 2017 Final Program Environmental Impact Report (PEIR). The Contingency Measure Plan for the 1997 8-Hour Ozone Standard was approved by South Coast AQMD's Governing Board at its December 6, 2019 Hearing. Please record and post the notice according to the provisions of the California Environmental Quality Act (CEQA).

The 2016 AQMP was determined to be exempt from the Department of Fish and Wildlife filing fee pursuant to §753.5(d), Title 14, California Code of Regulations (CCR) due to a finding of no effect on wildlife or the habitat upon which the wildlife depends. For your reference, a copy of the signed Department of Fish and Wildlife CEQA Filing Fee No Effect Determination for the 2016 AQMP is included. Also included is a copy of the signed Department of Fish and Wildlife CEQA Filing Fee No Effect Determination for the Contingency Measure Plan for the 1997 8-Hour Ozone Standard. As with the conclusion of no effect on biological resources in the March 2017 Final PEIR for the 2016 AQMP, the later activity (Contingency Measure Plan for the 1997 8-Hour Ozone Standard) will also have no effect on biological resources.

Please confirm one copy of the notice and return to the undersigned in the enclosed envelope. If you have any questions, please call me at (909) 396-2716.

Sincerely,

Barbara Radlein
Program Supervisor, CEQA
Planning, Rule Development & Area Sources

Attachments

mailed CM
Governor's Office of Planning & Research

DEC 09 2019

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