

RESOLUTION NO. 20-19

A Resolution of the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) determining that the Community Emissions Reduction Plan for the Southeast Los Angeles community (SELA CERP) is exempt from the requirements of the California Environmental Quality Act (CEQA).

A Resolution of the South Coast AQMD Governing Board Adopting the Community Emissions Reduction Plan for the Southeast Los Angeles community.

WHEREAS, the South Coast AQMD Governing Board finds and determines that the SELA CERP is considered a “project” as defined by CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines after conducting a review of the proposed project 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 proposed project is exempt from CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that it can be seen with certainty that there is no possibility that the proposed project may have any significant 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 proposed project is designed to further protect or enhance the environment; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that the proposed project contains action items which qualify as feasibility or planning studies which are statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15262 – Feasibility and Planning Studies; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that the proposed project may result in some minor physical modifications to existing structures or buildings, such as installing air filters or monitoring equipment,

which are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301 – Existing Facilities; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that the proposed project may result in some minor construction of small structures, such as electric vehicle charging stations, which are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15303 –New Construction or Conversion of Small Structures; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that the proposed project involves the collection or exchange of information or data obtained from inspections and air monitoring, which are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15306 – Information Collection; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that the proposed project also involves inspections that require performance or compliance checks which are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15309 – Inspections; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that the proposed project relies on enforcement activities which are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15321 – Enforcement Actions by Regulatory Agencies; 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 exemptions apply to the proposed project pursuant to CEQA Guidelines Section 15300.2 – Exceptions; 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 SELA CERP and other supporting documentation, including but not limited to the Notice of Exemption, were presented to the South Coast AQMD Governing Board and the South Coast AQMD Governing Board has reviewed and considered this information, as well as has taken and considered staff testimony and public comment prior to approving the project; and

WHEREAS, Assembly Bill (AB) 617 directs the California Air Resources Board (CARB) to select locations around the state for preparation of community emissions reduction programs; and

WHEREAS, in 2019, the South Coast AQMD Governing Board recommended communities to CARB for the AB 617 program; and

WHEREAS, in 2019, CARB selected the community of Southeast Los Angeles as one of the communities for which a Community Emissions Reduction Plan shall be prepared; and

WHEREAS, the AB 617 statute specifies that the air district must adopt the Community Emissions Reduction Plan within one year of the state board's selection of the community; and

WHEREAS, the SELA CERP is a planning document designed to assist future regulatory programs and rule development efforts, and to reduce emissions of and exposure to air toxics and other pollutants; and

WHEREAS, the SELA CERP is required by AB 617 and it builds upon existing criteria pollutant and air toxic programs, with greater emphasis on cumulative and localized impacts, and

WHEREAS, although the results of MATES IV show regional reductions in health risk from exposure to toxic air contaminants, some communities such as Southeast Los Angeles are disproportionately impacted by air toxics, and other environmental pollution, as well as social and economic burdens; and

WHEREAS, the Southeast Los Angeles Community Steering Committee has worked with staff to develop the Community Emissions Reduction Plan to reflect the community's air quality priorities and strategies to address these priorities; and

WHEREAS, the Community Emissions Reduction Plan aims to reduce air toxics and other pollutants in the Southeast Los Angeles community.

NOW, THEREFORE BE IT RESOLVED, that the South Coast AQMD Governing Board does hereby determine, pursuant to the authority granted by law, that the SELA CERP is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. Further, the SELA CERP contains action items which are statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15262 – Feasibility and Planning Studies. The proposed project contains action items

that are also categorically exempt from CEQA pursuant to, CEQA Guidelines Section 15301 – Existing Facilities, CEQA Guidelines Section 15303 – New Construction or Conversion of Small Structures, CEQA Guidelines Section 15306 – Information Collection, CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, CEQA Guidelines Section 15309 – Inspections, and CEQA Guidelines Section 15321 – Enforcement Actions by Regulatory Agencies. No exceptions to the application of the categorical exemptions 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 proposed SELA CERP; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board finds that the SELA CERP meets the requirements of AB 617 and will advance the mission of reducing air pollution at a community scale in the Southeast Los Angeles community and will provide emission reduction benefits toward achieving state and national air quality standards; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board does hereby adopt the SELA CERP; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board hereby directs the Executive Officer to forward a copy of this Resolution and the SELA CERP to the California Air Resources Board for approval; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board directs staff to periodically report to the Stationary Source Committee on the implementation of the SELA CERP, including updates on the actions within the plan and the emissions reductions achieved.

AYES: Barger, Bartlett, Benoit, Buscaino, Cacciotti, Delgado, Kracov, McCallon, Mitchell, Perez, Rodriguez and Rutherford

NOES: None

ABSTAIN: None

ABSENT: Burke

DATE: December 4, 2020

Faye Thomas
Faye Thomas, Clerk of the Boards