

**NOTICE OF EXEMPTION FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

To: County Clerks for the Counties of Los Angeles,
Orange, Riverside and San Bernardino; and
Governor's Office of Planning and Research –
State Clearinghouse

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

Project Title: Coachella Valley Contingency Measure State Implementation Plan (SIP) Revision for the 2008 8-Hour Ozone Standard

Project Location: The location of the proposed project is the portion of the South Coast Air Quality Management District (South Coast AQMD) jurisdiction covering the federal nonattainment area known as the Coachella Valley, which consists of the Riverside County portion of the Salton Sea Air Basin, excluding tribal lands.

Description of Nature, Purpose, and Beneficiaries of Project: The most recent comprehensive SIP for the 2008 ozone National Ambient Air Quality Standard in the Coachella Valley was submitted as part of the 2016 Air Quality Management Plan. The SIP included Reasonable Further Progress (RFP) contingency measures which relied upon surplus emission reductions achieved from previously implemented control measures, consistent with U.S. EPA's previous guidance. However, court decisions held that RFP contingency measures cannot rely on surplus emission reductions from ongoing programs and instead, must rely on additional measures to achieve emission reductions with automatically implemented triggering mechanisms once an area has failed to achieve attainment or a major milestone in the RFP contingency measure has been missed. In absence of revised guidance from U.S. EPA about what would suffice as an approvable contingency measure, South Coast AQMD withdrew the RFP contingency measure on August 8, 2022. On March 17, 2023, U.S. EPA released Draft Guidance on the Preparation of SIP Provisions that Address the Nonattainment Area Contingency Measure Requirements for Ozone and Particulate Matter (Draft Guidance) which outlines the requirements to conduct a robust infeasibility justification to demonstrate the scarcity of available, alternative control measures capable of achieving surplus emission reductions. Consequently, South Coast AQMD has prepared the Coachella Valley Contingency Measure SIP Revision for the 2008 8-Hour Ozone Standard which contains the following contingency measures applicable to stationary and mobile sources and which address ozone precursors including nitrogen oxides (NOx) and volatile organic compounds (VOC).

Stationary Source Contingency Measure: South Coast AQMD commits to developing proposed amendments to Rule 463 – Organic Liquid Storage, to introduce a contingency measure that would require more frequent Optical Gas Imaging (OGI) inspections for certain storage tanks to facilitate leak detection and repair. VOC emission reductions would be achieved by identifying and repairing leaks sooner. Rule development is currently underway, and a public hearing is tentatively scheduled for summer 2024.

Mobile Source Contingency Measure: In October 2023, CARB adopted a SIP revision with the California Smog Check Contingency Measure for which the U.S. EPA issued a proposed approval in December 2023. Under the current California Smog Check Program, new vehicles are exempt from having to undergo an emissions test for the first eight years. However, if the contingency measure is triggered the first time, new vehicles will only be exempt from the emissions test requirement for the first seven years. Similarly, if the contingency measure is triggered a second time, new vehicles will only be exempt for the first six years. Implementation of the contingency measure, if triggered, will assist with detecting failures of emission control equipment on new vehicles one to two years sooner, so that the leaks can be quickly repaired and mitigated thereby preventing excess vehicle emissions. Implementation of the mobile source contingency measure is estimated to reduce 0.008 ton per day of NOx and 0.003 ton per day of VOC.

Public Agency Approving Project:
South Coast Air Quality Management District

Agency Carrying Out Project:
South Coast Air Quality Management District

Exempt Status:
CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption

NOTICE OF EXEMPTION FROM CEQA (concluded)

Reasons why project is exempt: South Coast AQMD, as Lead Agency, has reviewed the proposed project (Coachella Valley Contingency Measure SIP Revision for 2008 8-Hour Ozone Standard) pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. Because the proposed project makes administrative amendments without requiring any physical modifications to satisfy CAA and RFP requirements, comply with applicable case law, and conform with U.S. EPA’s Draft Guidance, it can be seen with certainty that implementing the proposed project would not cause a significant adverse effect on the environment. Therefore, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption.

Date of Project Approval: South Coast AQMD Governing Board Public Hearing: March 1, 2024

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Date Received for Filing: _____

Signature:



March 1, 2024

Kevin Ni
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Planning, Rule Development, and Implementation