



South Coast Air Quality Management District

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

October 27, 2020

Governor's Office of Planning and Research
State Clearinghouse
Attn: Scott Morgan
1400 Tenth Street, Suite 222
Sacramento, CA 95814-5502

Re: Electronic Filing and Posting of Notice of Exemption for Proposed Amended Rule 445 –
Wood-Burning Devices

Dear Mr. Morgan:

At a Special Meeting of the South Coast Air Quality Management District (South Coast AQMD) Governing Board held on October 27, 2020, the Governing Board determined that Proposed Amended Rule 445 – Wood-Burning Devices, is exempt from the California Environmental Quality Act (CEQA) and approved the project. The attached Notice of Exemption was prepared for the project pursuant to CEQA Guidelines Section 15062 – Notice of Exemption. I am electronically filing the Notice of Exemption with your office for posting on the CEQAnet Web Portal at <https://ceqanet.opr.ca.gov/search/recent>. In addition, this Notice of Exemption has also been electronically posted on the South Coast AQMD's webpage which can be accessed via the following weblink: <http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-of-exemption/noe---year-2020>. The electronic filing and posting of the Notice of Exemption is being implemented in accordance with Governor Newsom's Executive Orders N-54-20 and N-80-20 issued on April 22, 2020 and September 23, 2020, respectively, for the State of Emergency in California as a result of the threat of COVID-19.

If you have any questions regarding this electronic filing and request for posting, please call me at (909) 396-2716. Thank you for your kind attention regarding this matter.

Sincerely,

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

Attachment

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

To: Governor's Office of Planning and Research - State Clearinghouse 1400 Tenth St, Suite 222 Sacramento, CA 95814-5502	From: South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765
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Project Title: Proposed Amended Rule 445 – Wood-Burning Devices

Project Location: The project location is the portion within the South Coast Air Quality Management District (South Coast AQMD) jurisdiction which includes the four-county South Coast Air Basin (all of Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino counties) as defined in the California Code of Regulations, Title 17, Section 60104.

Description of Nature, Purpose, and Beneficiaries of Project: To satisfy the United States Environmental Protection Agency (U.S. EPA) requirement to submit a Reasonable Further Progress (RFP) contingency measure that provides for additional ozone National Ambient Air Quality Standards emission reductions in the event that the South Coast Air Basin (Basin) fails to comply with an applicable Clean Air Act milestone, amendments to Rule 445 are proposed that would establish contingency measures for the applicable ozone standards. Specifically, Proposed Amended Rule 445 would: 1) establish an automatic Basin-wide No-Burn day that is triggered when the daily maximum 8-hour ozone air quality is forecast to exceed 80 parts per billion (ppb) in any Source Receptor Area; 2) automatically reduce the ozone threshold to 75 ppb and 70 ppb if the U.S. EPA makes a secondary and tertiary finding, respectively, of a failure to comply with a milestone or attainment requirement by the applicable due date ; and 3) add contingent ozone No-Burn days to the definition of wood-burning season (currently November, December, January, and February) to include additional months (September, October, March, and April). Existing rule provisions regarding PM 2.5 remain unchanged. Other minor proposed amendments include additional definitions of terms used in the rule, and revisions to improve rule implementation and clarify existing requirements.

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 Section 15061(b)(3) – Common Sense Exemption
CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment

Reasons why project is exempt: Since the adoption of additional RFP contingency measures for ozone in accordance with U.S. EPA requirements is 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. Therefore, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. In addition, the proposed project is designed as a backstop measure to further prevent the creation of additional ozone from wood-burning devices on days when ozone levels are forecasted to exceed the applicable threshold and thus, is considered an action to protect or enhance the environment pursuant to CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment. Further, there is no substantial evidence indicating that any of the exceptions to the categorical exemption apply to the proposed project pursuant to CEQA Guidelines Section 15300.2 – Exceptions.

Date of Project Approval:
Special Meeting of the South Coast AQMD Governing Board Public Hearing: October 27, 2020

CEQA Contact Person: Mr. Ryan Bañuelos	Phone Number: (909) 396-3479	Email: rbanelos@aqmd.gov	Fax: (909) 396-3982
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Rule Contact Person: Mr. Henry Pourzand	Phone Number: (909) 396-2414	Email: hpourzand@aqmd.gov	Fax: (909) 396-3324
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Date Received for Filing: _____ **Signature:**  _____
Barbara Radlein
Program Supervisor, CEQA
Planning, Rule Development, and Area Sources