



State of California - Department of Fish and Wildlife
2022 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

Print **StartOver** **Save**

RECEIPT NUMBER:
 38 — 05/04/2022 — 25
 STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY BAY AREA AIR QUALITY MANAGEMENT DISTRICT	LEAD AGENCY EMAIL	DATE 05/04/2022
COUNTY/STATE AGENCY OF FILING San Francisco	DOCUMENT NUMBER 202200794809	

PROJECT TITLE

NEW REGULATION 13, CLIMATE POLLUTANTS, RULE 5: INDUSTRIAL HYDROGEN PLANTS (RULE 13-5) AND AMENDMENTS TO REGULATION 8: ORGANIC COMPOUNDS, RULE 2: MISCELLANEOUS OPERATIONS (RULE 8-2)

PROJECT APPLICANT NAME VICTOR DOUGLAS	PROJECT APPLICANT EMAIL	PHONE NUMBER (415) 749-4752
PROJECT APPLICANT ADDRESS 375 BEALE ST., SUITE 600	CITY SAN FRANCISCO	STATE CA
		ZIP CODE 94105

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

- | | | | |
|---|------------|----|-----------------|
| <input checked="" type="checkbox"/> Environmental Impact Report (EIR) | \$3,539.25 | \$ | <u>3,539.25</u> |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,548.00 | \$ | <u>0.00</u> |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,203.25 | \$ | <u>0.00</u> |

- Exempt from fee
 Notice of Exemption (attach)
 CDFW No Effect Determination (attach)
 Fee previously paid (attach previously issued cash receipt copy)

- | | | | |
|---|----------|----|-------------------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ | <u>0.00</u> |
| <input checked="" type="checkbox"/> County documentary handling fee | | \$ | <u>72.00</u> |
| <input type="checkbox"/> Other | | \$ | <u> </u> |

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ 3,611.25

SIGNATURE

X

AGENCY OF FILING PRINTED NAME AND TITLE

MELVIN GALVEZ, Deputy County Clerk



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2022 ENVIRONMENTAL DOCUMENT FILING FEE
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NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for **CRP** document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

Filing Notice of Exemption (NOE) *(Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))*

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

Mail to:

California Department of Fish and Wildlife
 Accounting Services Branch
 P.O. Box 944209
 Sacramento, California 94244-2090

San Francisco
County Clerk
1 Dr. Carlton B. Goodlett Place,
Room 168
San Francisco, CA 94102
(415) 554-4950

Receipt No.: 202200794809

Cashier: mgalvez

Register: CCG4AM009

Date/Time: 05/04/2022 02:03 PM

<u>Description</u>	<u>Fee</u>
Environmental Impact Report	
Transaction Time:	14:03 PM
Transaction Fee:	\$3,539.25
CEQA County Clerk Processing	
Transaction Time:	14:03 PM
Transaction Fee:	\$72.00
<hr/> Total Amount Due:	<hr/> \$3,611.25
Total Paid	
Check Tendered:	\$3,611.25
#166734/166735	
Amount Due:	\$0.00

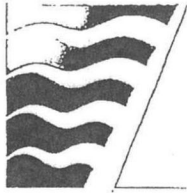
THANK YOU
PLEASE KEEP FOR REFERENCE



FILED

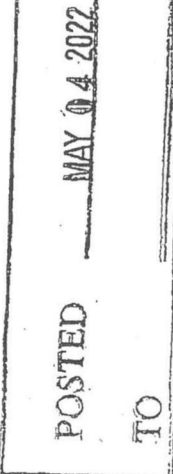
SAN FRANCISCO County Clerk

May 4, 2022



BAY AREA
AIR QUALITY

MANAGEMENT
DISTRICT



California Environmental Quality Act

NOTICE OF DETERMINATION

TO: San Francisco County Clerk's Office
1 Dr. Carlton B. Goodlett Place City Hall,
Room 168
San Francisco, CA 94102-4678

FROM: Bay Area Air Quality Management District
375 Beale St., Suite 600
San Francisco, CA 94105

Melvin Galvez
Deputy County Clerk

LEAD AGENCY: Bay Area Air Quality Management District

Project Applicant: Bay Area Air Quality Management District

Project Applicant Contact: Victor Douglas Phone: 415-749-4752

SUBJECT: FILING OF NOTICE OF DETERMINATION PURSUANT TO SECTION 21152 OF THE PUBLIC RESOURCES CODE AND CEQA GUIDELINES SECTION 15094

Project Title: New Regulation 13, Climate Pollutants, Rule 5: Industrial Hydrogen Plants (Rule 13-5) and Amendments to Regulation 8: Organic Compounds, Rule 2: Miscellaneous Operations (Rule 8-2)

SCH Number: 2021070007

Project Location: Rule 13-5 and amendments to Rule 8-2 apply within the Bay Area Air Quality Management District jurisdiction, which includes all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties, and the southern portions of Solano and Sonoma counties.

Project Description: Rule 13-5 limits vented emissions of total organic compounds (including both methane and other organic compounds) from hydrogen production, hydrogen carrying systems, and hydrogen end users such as process units at petroleum refineries. The Bay Area Air Quality Management District has a policy goal of reducing Bay Area greenhouse gas emissions to 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050. Methane is a potent and short-lived climate pollutant with a global warming potential 86 times greater than that of carbon dioxide, when compared on a 20-year time horizon. The intent of Rule 13-5 is to minimize both methane and other organic compound emissions, which can be vented from atmospheric vents at petroleum refinery hydrogen plants during normal operating conditions, startups, shutdowns, malfunctions, upsets, and emergencies.

The amendments to Rule 8-2 add to the list of other operations not meeting the definition of miscellaneous operations those limited by Section 301 of Regulation 13: Climate Pollutants, Rule 5: Industrial Hydrogen Plants (Rule 13-5). This amendment has the effect of excluding those operations from Rule 8-2. Rule 13-5, section 301 contains a total organic compound (organic compounds including methane by definition) standard equal to that found in Rule 8-2 (15 pounds per day and 300 ppm). The standard in Rule 13-5 is at least as stringent as that found in Rule 8-2, because it limits total organic compounds (methane and other organic compounds) to the same levels found in 8-2 for total carbon (organic compounds excluding methane). Additional amendments to Rule 8-2 add language to the Manual of Procedures section of the Rule to allow other approved test methods for operations processing non-petroleum-based feedstocks. This amendment is consistent with recent amendments made to Air District rules and regulations associated with or referencing refinery operations.

Project Approval: On Wednesday, May 4, 2022, the Board of Directors of the Bay Area Air Quality Management District approved the project described above.

Environmental Impact Report (EIR): An EIR was prepared and certified for this project pursuant to the provisions of CEQA.

Significant Impacts: The Board of Directors of the Bay Area Air Quality Management District determined, based on substantial evidence in the record, that Rule 13-5 has the potential to create a significant adverse impact on air quality due to potential emissions of NOx from control equipment that cannot be mitigated to a level that is less than significant. Rule 13-5 involves specific considerations related to the need to reduce Greenhouse Gas (GHG) emissions and protect the environment that make the alternatives identified in the Final EIR that would avoid or substantially lessen the significant air quality impacts infeasible. The Board of Directors determined that the

climate change benefits from reducing GHG emissions as a result of adoption of Rule 13-5 outweigh the potential significant unavoidable impacts as provided in Guidelines Section 15093. Potential mitigation measures were considered but no feasible mitigation measures have been identified that could avoid the significant impact or reduce the impact to less than significant.

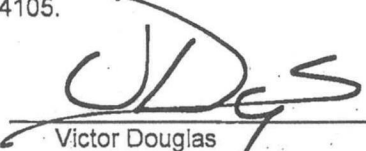
Mitigation Measures: Any new equipment needed to comply with Rule 13-5 would be required to comply with Best Available Control Technology requirements to minimize emissions from the source to the maximum degree feasible. Mitigation measures were not made a condition of this project. A mitigation reporting or monitoring plan was not adopted for this project.

Findings were made pursuant to CEQA Guidelines Section 15091.

A Statement of Overriding Considerations was adopted for this project.


A copy of the final EIR and record of project approval is available to be examined on the Air District's website at [www.baaqmd.gov/ruledev](http://www.baaqmd.gov/ruleddev) and at the Air District office at 375 Beale Street, Suite 600, San Francisco, CA 94105.

Date Received for Filing


Victor Douglas
Office of Rules and Strategic Policy

May 4, 2022
Date

Prepared by Laura Cackette

 5/4/22