

**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 |
|---|---|

Project Title: Proposed Amended Rule 1401.1 – Requirements for New and Relocated Facilities Near Schools

Project Location: The proposed project is located within the South Coast Air Quality Management District's (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), and the Riverside County portion of the Salton Sea Air Basin and the non-Palo Verde, Riverside County portion of the Mojave Desert Air Basin.

Description of Nature, Purpose, and Beneficiaries of Project: Rule 1401.1 contains a facility-wide Maximum Individual Cancer Risk (MICR) of one in one million, plus non-cancer acute hazard index (HI) and chronic HI requirements for new and relocated facilities emitting toxic air contaminants (TACs) near schools. Rule 1401.1 currently defines a school as a public or private center used for educating 12 or more children in kindergarten and grades 1 to 12, inclusive. Proposed Amended Rule 1401.1 (PAR 1401.1) will extend the health protection features of existing Rule 1401.1 to include early learning and development programs, including those centers that serve pre-kindergarten children, consistent with the findings on early-life exposure from the Office of Environmental Health Hazard Assessment. PAR 1401.1 will also improve clarity and consistency with other South Coast AQMD air toxic rules by: 1) removing the unimproved school property language in the current version of Rule 1401.1 because children may still be present in some unimproved areas and those currently unimproved areas could be developed or improved in the future; 2) clarifying that an evaluation of a permit application will be based on the version of Rule 1401.1 in effect at the time a permit application is deemed complete; and 3) making corrections to some table references. For any new or relocated facility sited near an early learning and/or developmental center that submits permit applications for new or modified equipment, implementation of PAR 1401.1 could benefit those who work at and attend early learning and development centers and other nearby receptors by ensuring that the risk of exposure to TACs is minimized through enforceable permit conditions.

| | |
|--|--|
| 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

Reasons why project is exempt: South Coast AQMD, as Lead Agency, has reviewed the proposed project 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. PAR 1401.1 expands the definition of a school and makes other administrative changes but does not contain any new provisions that would require physical modifications to new or relocated facilities subject to the rule. Thus, it can be seen with certainty that implementing the proposed project would not cause a significant adverse effect on the environment, and is therefore, 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 3, 2023

| | | | |
|---|--|---|-------------------------------|
| CEQA Contact Person: Sina Taghvaei, Ph.D. | Phone Number: (909) 396-2192 | Email: staghvaei@aqmd.gov | Fax: (909) 396-3982 |
|---|--|---|-------------------------------|

| | | | |
|---|--|---|-------------------------------|
| PAR 1401.1 Contact Person: Danielle Collado | Phone Number: (909) 396-2766 | Email: dcollado@aqmd.gov | Fax: (909) 396-3982 |
|---|--|---|-------------------------------|

| | | |
|--|--|---------------|
| Date Received for Filing: _____ | Signature:  | March 3, 2023 |
| | Barbara Radlein Program Supervisor, CEQA Planning, Rule Development, and Implementation | |