



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182
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ATTACHMENT C

**SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT**

PROJECT TITLE: 2010 CLEAN COMMUNITIES PLAN

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (SCAQMD) is the Lead Agency and will prepare a Notice of Exemption for the project identified above.

The SCAQMD has reviewed the proposed project pursuant to the CEQA Guidelines §15002(k)(1), the first step of a three-step process for deciding which document to prepare for a project subject to CEQA. This review indicates that the plan is not a project under CEQA. The basis for this conclusion is as follows. The SCAQMD Board has made a preliminary decision to accept the draft proposal. That preliminary decision does not commit the agency to a definite course of action and, therefore, does not constitute an approval under CEQA. As a result, the acceptance of this plan will not have a legally binding effect on later activities.

Even if the acceptance of the plan may be considered a project, review of the proposed project indicates it is also statutorily exempt from CEQA pursuant to state CEQA Guidelines §15262. The project involves a planning study for possible future actions, which the agency or Board has not approved, adopted or funded. The intent of the plan is to provide guidance for potential future actions anticipated to result in environmental benefits by reducing toxic emissions and improving human health. Possible future actions proposed in the plan, if determined to be feasible and within the authority of the SCAQMD, will be brought back to the Board for approval and will be assessed for potential environmental impacts at that time.

A Notice of Exemption has been prepared pursuant to CEQA Guidelines §15062 – Notice of Exemption. The Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside and San Bernardino counties immediately following adoption.

Any questions regarding this Notice of Exemption should be sent to Jeff Inabinet (c/o Planning, Rule Development & Area Sources) at the above address. Mr. Inabinet can also be reached at (909) 396-2453.

Date: November 5, 2010

Signature: _____

Steve Smith, Ph.D.
Program Supervisor
CEQA Unit
Planning, Rule Development &
Area Sources

NOTICE OF EXEMPTION

To:	County Clerks of Los Angeles, Orange, Riverside, San Bernardino	From:	South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765
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Project Title:

2010 Clean Communities Plan (CCP, formerly the Air Toxics Control Plan)

Project Location:

South Coast Air Quality Management District (SCAQMD) area of jurisdiction consisting of the four-county South Coast Air Basin (Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino counties), and the Riverside County portions of the Salton Sea Air Basin and the Mojave Desert Air Basin.

Description of Nature, Purpose, and Beneficiaries of Project:

The 2010 CCP is a planning document that outlines the overall control strategy for the SCAQMD's Air Toxics Control Program (ATCP). The CCP is the continuing effort to update the ATCP developed in 2000 and the subsequent addendum in 2004. The objective of the 2010 CCP is to reduce exposure to toxic air contaminants beyond that which would be accomplished through the implementation of current programs including local, state and federal efforts. The 2010 CCP utilizes a variety of implementation approaches and tools to address exposure to air toxics at the community level and develop solutions. The CCP is an action plan which identifies activities for the public, community representatives, agencies, elected officials and regulated industries to help identify air quality issues in their neighborhoods and work together to develop solutions.

Public Agency Approving Project:

South Coast Air Quality Management District

Agency Carrying Out Project:

South Coast Air Quality Management District

Exempt Status:

Three Step Process [CEQA Guidelines §15002(k)(1)]

Statutory Exemption – Feasibility and Planning Studies [CEQA Guidelines §15262]

Reasons why project is exempt:

The CCP contains air toxic control strategies that are not required by law or any other public agencies. The action taken by the Governing Board will be to accept the plan, which does not constitute adoption, approval or funding. Consequently, the plan will not have a legally binding effect on later activities. Therefore, the plan does not constitute a “project” and thus, no CEQA analysis is required. Further, the control strategies in the plan are, in effect, planning studies for possible future actions. As a result, the 2010 CCP is statutorily exempt from CEQA pursuant to CEQA Guidelines §15262. Individual CEQA analyses would be required for individual measures at the time of their development.

Certification Date:

SCAQMD Governing Board Hearing: November 5, 2010, 9:00 a.m.; SCAQMD Headquarters

CEQA Contact Person:	Phone Number:	Fax Number:	Email:
Mr. Jeff Inabinet	(909) 396-2453	(909) 396-3324	<jinabinet@aqmd.gov>
Rule Contact Person:	Phone Number:	Fax Number:	Email:
Ms. Cheryl Marshall	(909) 396-2567	(909) 396-3324	<cmarshall@aqmd.gov>

Date Received for Filing _____

Signature Signed upon certification
Steve Smith, Ph.D.
Program Supervisor - CEQA
Planning, Rule Development and Area Sources