
Appendix 7:

California Environmental Quality Act (CEQA) Analysis

Introduction

The California Environmental Quality Act (CEQA) is a state law that requires agencies to consider the environmental impacts of a proposed project. CEQA describes and imposes specific legal requirements that agencies must follow when evaluating and making decisions about whether a proposed project will cause a significant environmental impact. This appendix contains South Coast AQMD staff's analysis of the applicability of CEQA to this project – the Community Emissions Reduction Plan (CERP) for South Los Angeles (SLA). The analysis contains some terms from the language contained in the law and use of that language is part of the process of how South Coast AQMD demonstrates compliance with CEQA. As explained in more detail later in this discussion, South Coast AQMD staff has reviewed all aspects of the SLA CERP and identified several types of CEQA exemptions. As such, South Coast AQMD staff has prepared a Notice of Exemption.

If the South Coast AQMD Governing Board agrees with the analysis and determines that the SLA is exempt from CEQA, and adopts the SLA CERP, a Notice of Exemption will be filed for posting with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino Counties, and with the State Clearinghouse of the Governor's Office of Planning and Research.

Analysis

Pursuant to CEQA, the 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.

Because implementing the various components of the proposed project would either not cause any physical changes (e.g., community outreach about South Coast AQMD rules, programs, and tools), or the physical changes that may occur as a result would only require minimal construction activities and cause negligible physical impacts (e.g., installing “No Idling” signs or air filtration systems), 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. Further, the proposed project is also categorically exempt from CEQA pursuant to CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, because the overall purpose of the proposed project is to benefit the environment and health of residents of the SLA community and all of the action items within the SLA CERP support this goal.

The SLA CERP contains the following action items, which are statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15262 – Feasibility and Planning Studies, and CEQA Guidelines Section 15306 – Information Collection, because these action items involve feasibility

and planning studies which require information to be collected and examined to ascertain whether further follow-up actions are needed without prescribing or committing to any future action.

- Work with local school districts and the CSC to develop a prioritization list of schools that may benefit from installation of air filtration systems in order to reduce exposure to air pollution, especially mobile source emissions;
- Explore opportunities for incentive funds for cleaner mobile source technologies within the SLA community;
- Identify and prioritize auto body shops of concern, and conduct initial air measurement surveys near facilities of concern;
- Explore opportunities for incentives for low-VOC paint and coatings and water-based cleaners used at auto body shops within the SLA community;
- Initiate rule development process to amend Rules 1151 and 1171 to consider including U.S. EPA best management practices as requirements for auto body shops;
- Prioritize general industrial facilities of concern, identify applicable rules, provide three years of compliance history of facilities of concern, summarize air pollution emission data from the facilities and from areas monitored near the facilities, and identify potential emission reduction measures, if appropriate;
- Conduct initial air measurements surveys near general industrial facilities and metal processing facilities of concern to identify and characterize any potential emissions;
- Initiate rule development process to amend Rule 1102 to consider establishing a new emission standard reflecting zero-emission technologies for new dry cleaning systems and identify incentive opportunities to transition to community-identified alternatives for dry cleaning technologies (e.g., Rule 1102-compliant solvents or water-based systems);
- Identify and prioritize metal processing facilities of concern, identify applicable rules, provide three years of compliance history of facilities of concern, summarize air pollution emission data from the facilities and from areas monitored near the facilities, and identify potential emission reduction measures, if appropriate;
- Conduct an assessment of best management practices in South Coast AQMD metal processing rules and initiate rulemaking to incorporate provisions for best management practices if rules regulating metal toxic air contaminants lack best management practices;
- Initiate rule development process for Proposed Rule 1460 to address housekeeping and best management practices at metal recycling plants to reduce fugitive emissions;
- Prioritize oil and gas industry locations for siting air monitoring equipment, conduct air measurements surveys around oil drilling sites to characterize potential emissions, collaborate with appropriate agencies and CSC to determine if additional air monitoring is needed during specific well activities or under certain conditions, and identify

- opportunities for other agencies to provide information regarding their authority and projects involving the oil and gas industry;
- Initiate rule development process to amend Rules 1148.1 and 1148.2 to explore limiting or eliminating odorants and chemicals used on site and to consider including notification and other requirements pertaining to injection wells, active acid work, operation of workover rigs, use of odorants and chemicals onsite, improvement of leak detection and repair, and modifications to any previous notifications; and
- Identify opportunities to support community scientists to conduct community air monitoring and implement a community air monitoring plan (CAMP) via stationary and mobile monitoring supplemented by air quality sensors.

If the outcome of the information collection activities and feasibility studies identifies the need to adopt a new rule or modify specific requirements in an existing rule, a separate rule development process and CEQA review may be necessary and the regulated community, stakeholders, interested parties, and the public will be invited to participate. Any rulemaking that is initiated as a result of the CERP will have its own CEQA analysis that will be conducted where the South Coast AQMD will be the lead agency for the proposed rulemaking.

The following action items within the SLA CERP are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301 – Existing Facilities, because they involve minor physical modifications to existing structures or buildings:

- Install “No Idling” signs in CSC-identified locations;
- Install fixed or stationary monitors in response to initial air measurement surveys resulting in a recommendation to conduct fixed monitoring; and
- Work with local school districts and the CSC to develop a prioritization list of schools that may benefit from installation of air filtration systems in order to reduce exposure to exposure to air pollution, especially mobile source emissions.

The SLA CERP also contains the following action items which are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15309 – Inspections, and CEQA Guidelines Section 15321 – Enforcement Actions by Regulatory Agencies, because inspections are required to be conducted to check for performance or compliance, and the outcome of these inspections may involve follow-up enforcement activities:

- Conduct inspection sweeps of trucks, buses, auto body shops, and construction sites at locations of concern identified by the CSC, warehouses, dry cleaners, metal processing facilities, and oil and gas facilities;
- Provide periodic summaries of findings from inspection and enforcement activities (i.e., whether odors or emissions were confirmed and verified with complainants during inspections, and whether any enforcement actions were required and taken); and
- Collaborate with and make referrals to other appropriate agencies (e.g., Bureau of Automotive Repair, Cal-OSHA, CUPA, DTSC) when inspections conducted by South Coast

AQMD personnel identify potential compliance issues which are not within South Coast AQMD's jurisdiction.

Finally, for the action items identified as categorically exempt, there is no substantial evidence indicating that any of the exceptions to the categorical exemptions set forth in CEQA Guidelines Section 15300.2 – Exceptions, apply to the proposed project. Therefore, the proposed project is exempt from CEQA.