

California Environmental Quality Act**NOTICE OF EXEMPTION****TO: County Clerk Offices****FROM: Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105****Project Applicant: Bay Area Air Quality Management District****Lead Agency: Bay Area Air Quality Management District****Contact: Barry G. Young Phone: (415) 749-4721****SUBJECT: FILING OF NOTICE OF EXEMPTION PURSUANT TO SECTION 21152 OF THE PUBLIC RESOURCES CODE AND CEQA GUIDELINES SECTION 15061(b)(3)****Project Title:** Amendments to Regulation 3: Fees**Project Location:** The regulation applies within the Bay Area Air Quality Management District ("Air District"), 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:** The project consists of amendments to an existing Air District regulation that establishes fees for source operations and other activities. The amendments become effective on July 1, 2020. The amendments increase fee revenue in order to allow the Air District to meet budgetary needs for the upcoming fiscal year ending (FYE) 2021, and to continue to effectively implement and enforce regulatory programs for stationary sources of air pollution.

The following amendments are proposed: Revise Section 3-327, Permit to Operate, Renewal Fees as follows: (1) A new community health impact fee would be charged during permit renewal to each permitted Title V facility owner. This fee would help cover the District's costs associated with the California Air Resources Board's Assembly Bill 617 (AB 617 "Community Air Protection Program"). The District is tasked with implementing AB 617 in the Bay Area. Staff is proposing a fee equal to 5.7% of the annual total permit renewal fees for each Title V facility owner with a maximum cap of \$100,000 per year. (2) Add references to Schedule W (Petroleum Refining Emissions Tracking Fees) and Schedule X (Major Stationary Source Community Air Monitoring Fees) since fees assessed during permit renewal are typically listed in this section. Also, the following Fee Schedule changes are proposed: (1) Revise the language in Fee Schedule N (Toxic Inventory Fees) to clarify the methodology used by the District to calculate the facility's weighted toxic inventory. (2) Amend the language in Fee Schedule V (Open Burning) to reflect recent Regulation 5 amendments.

On June 3, 2020, the Board of Directors of the Bay Area Air Quality Management District conducted a public hearing in accordance with California Health and Safety Code Section 41512.5 and approved the project described above and determined that the project was exempt from CEQA.

Finding of Exemption: This project is found to be exempt pursuant to Public Resources Code Section 21080, subd. (b)(8) and CEQA Guidelines Section 15273.**Basis for Exemption:** The regulatory amendments which constitute this project modify charges by the BAAQMD for sources of air pollution. The fees and modifications are for the purpose of meeting Air District operating expenses associated with the regulation of these sources. The amendments are administrative in nature, do not affect air emissions from any sources, and have no possibility of causing significant environmental effects. As such, they fall within the statutory and Guidelines exemptions cited above._____
Date Received for Filing_____
Pamela Leong Date
Director of Engineering
Bay Area Air Quality Management District