

FILED

MAY 21 2024

SHELLY SCOTT
MARIN COUNTY CLERK
BY: L. Jantzen Deputy

California Environmental Quality Act (CEQA)

NOTICE OF EXEMPTION

21-2024-091

TO: Marin County Clerk
3501 Civic Center Drive, Room 234
San Rafael, CA 94903

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

SUBJECT: FILING OF NOTICE OF EXEMPTION PURSUANT TO CEQA § 21152(b) AND CEQA GUIDELINES § 15062.

PROJECT TITLE: Bay Area Air Quality Management District - Community Emissions Reduction Plan for the Richmond, North Richmond, and San Pablo Path to Clean Air (PTCA) Area (Project)

Public Agency Carrying Out Project (Lead Agency): Bay Area Air Quality Management District, 375 Beale Street, Suite 600, San Francisco, CA 94105, Attn: Alison Kirk, Manager, Planning & Climate Protection Division, Email: akirk@baaqmd.gov, Telephone: 415-749-5169

Entity Carrying Out Project: Bay Area Air Quality Management District

Mailing Address: 375 Beale Street, Suite 600, San Francisco, CA 94105

Project Contact Person: Alison Kirk, Manager, Planning & Climate Protection Division, Email: akirk@baaqmd.gov, Telephone: 415-749-5169

Project Location: The Path to Clean Air Plan applies within the Bay Area Air Quality Management 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 Bay Area Air Quality Management District (Air District) is the Lead Agency for the Project. The Path to Clean Air (PTCA) Plan was co-developed by the PTCA Community Steering Committee (CSC), Air District, California Air Resources Board (CARB), local governments, and key implementation partners to address the disproportionate pollution and health burdens in the PTCA area, which includes areas of the City of Richmond and City of San Pablo and unincorporated Contra Costa County, including North Richmond. The PTCA Plan was developed over a three-year period and centers community voice in the plan goals, major pollution sources and pollutants identified, and the strategies and actions to reduce local emissions and exposures.

The Four Plan Goals of the PTCA Plan include:

- Goal #1 Just Transition: In pursuit of the right to breathe clean air, promote environmental justice, and ensure the well-being of residents and workers, the community-driven emissions reduction plan is rooted in Just Transition principles. The plan seeks to address the consequences of historical racial disparities by developing more stringent air pollution policies that advance social healing and restoration.

- Goal #2 Health: In pursuit of reducing historically high rates of asthma, cancer, and other chronic health conditions, the plan seeks to lower the community's disproportionate exposure to air pollution by reducing toxic emissions from local sources by 30-50% by 2035.
- Goal #3 Community Engagement: Through education and engagement, the plan aims to empower the community by providing resources and tools to promote understanding of air pollution and its impact on the community's health and environment.
- Goal #4 Hold Government Accountable: The final goal is to hold government accountable for implementing the plan, including its strategies and actions, to protect the community's health and environment and effectively enforce regulations on high-polluting industries and other toxic sources of emissions in the community.

A comprehensive technical assessment was conducted for a wide range of sources in the PTCA area, including but not limited to fuel refining and other industrial activities; cargo ships, rail operations, construction equipment, truck and vehicle traffic, fireplaces and gas appliances. The technical assessment quantifies and identifies pollutants, such as fine particulate matter (PM_{2.5}) and air toxics, and attributes pollutants to each of the main sources; it also includes modeled exposure contributions.

Community-identified issues and challenges and the technical assessment informed the development of 140 actions that are grouped into 31 strategies across five community concerns: Commercial and Industrial, Fuel Refining, Marine and Rail, Public Health, and Mobile sources; as well as four cross-cutting issues: Compliance and Enforcement, Land Use, Properly Resourced PTCA Plan, and Urban Greening. Strategies and actions in the plan will be implemented by the Air District, CARB, local governments, and the CSC to improve air quality and reduce public health and environmental impacts in the PTCA area.

The PTCA Plan was developed as a requirement of Assembly Bill (AB) 617 (C. Garcia, Chapter 136, Statutes of 2017), a state law which recognizes that while California has seen tremendous improvement in air quality, not all communities have benefited equally. Responsive to AB 617 and acknowledging the challenge that communities located close to freeways, ports, industry or other large pollution sources need additional focus and resources to reduce exposure levels, the CARB established the Community Air Protection Program. In 2020, CARB selected the PTCA area to participate in the program to develop a Community Emission Reduction Plan, referred to herein as the PTCA Plan.

Finding of Exemption:

The Air District has determined this project is exempt from CEQA pursuant to CEQA Guidelines section 15308 because it is undertaken by the Air District for the protection of the environment and public health.

Basis for Exemption:

The PTCA Plan has been adopted by the Air District, a regulatory agency, to benefit the environment and the health of residents of the Richmond-North Richmond-San Pablo PTCA area, and all of the strategies and actions identified by the PTCA Plan support this goal. Therefore, adoption of the PTCA Plan is categorically exempt from CEQA review pursuant to CEQA Guidelines section 15308. The Air District has determined no exceptions, laid out in CEQA Guidelines section 15300.2, to the exemption apply. The project will not result in cumulative impacts but instead aims to reduce existing cumulative air quality impacts. Additionally, there are no unusual circumstances surrounding this project nor will it result in significant impacts. As noted in Appendix I to the PTCA Plan, future actions taken pursuant to the PTCA Plan (such as rulemaking) may result in impacts, but the plan merely calls for these proceedings to be initiated in the future. The PTCA Plan does not identify

nor commit to any specific rules or regulations. Accordingly, the result of such regulatory proceedings is uncertain, and any potential impacts are entirely speculative and not subject to CEQA.

Alison Kirk

5/16/24

Alison Kirk
Air Quality Planning Manager
Bay Area Air Quality Management District

Date