

44-09092024-222
208-24

Notice of Exemption

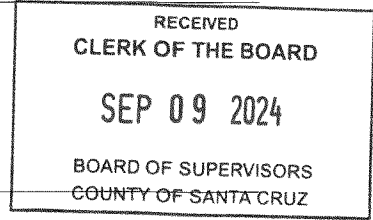
Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Santa Cruz
701 Ocean Street, Room 520
Santa Cruz, CA 95060

From: (Public Agency): Monterey Bay Air Resources District
24580 Silver Cloud Court
Monterey, CA 93940

(Address)



Project Title: Revisions to Rule 218 Title V: Federal Operating Permits

Project Applicant: Monterey Bay Air Resources District

Project Location - Specific:
Monterey, San Benito, and Santa Cruz Counties

Project Location - City: _____ Project Location - County: Monterey, San Benito, and Santa Cruz

Description of Nature, Purpose and Beneficiaries of Project:

The Rule 218 revisions are administrative in nature and comply with the US Environmental Protection Agency's final rule revisions to the Title V program under the Clean Air Act regarding the emergency affirmative defense provisions and the greenhouse gas emissions major source applicability threshold.

Name of Public Agency Approving Project: Monterey Bay Air Resources District

Name of Person or Agency Carrying Out Project: Monterey Bay Air Resources District

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: 15308, Class 8
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The proposed revisions to Rule 218 is an action taken by a regulatory agency, MBARD, as authorized by state law to assure the maintenance, restoration, enhancement, or protection of air quality within MBARD's jurisdiction where the regulatory process involves procedures for protection of air quality. The rule revisions will remove the emergency affirmative defense provisions, as promulgated by EPA on July 12, 2023, align with the Supreme Court's 2014 ruling that greenhouses gases (GHG) may not be treated as an air pollutant for purposes of determining whether a source is a major source required to obtain a Title V permit, and allow for the posting of a public notice on MBARD's public website as an option to meet public notifications requirements. No construction activities or relaxation of standards are included in the rule revisions.

Lead Agency
Contact Person: Amy Clymo Area Code/Telephone/Extension: (831)718-8013

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: [Signature] Date: 8/26/2024 Title: Engineering and Compliance Manager
 Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

THIS NOTICE HAS BEEN POSTED AT THE CLERK
OF THE BOARD OF SUPERVISORS OFFICE FOR A
PERIOD COMMENCING 09/09/2024
AND ENDING 10/14/2024