

NOTICE OF PUBLIC HEARING

PROPOSED ADOPTION OF, OR AMENDMENT TO, THE RULES AND REGULATIONS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

RE: Proposed Rule 403.2 – Fugitive Dust from Large Roadway Projects

NOTICE IS HEREBY GIVEN that a public hearing on the matter of adoption of rules and regulations for the South Coast Air Quality Management District (South Coast AQMD), or the amendments thereto, will be held on Friday, June 3, 2022 in the Dr. William A. Burke Auditorium at South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, at 9:00 a.m., or later, at which time evidence will be taken and all interested persons will be heard by the South Coast AQMD Governing Board. The meeting will be conducted through a hybrid format of in-person and/or virtual attendance via videoconferencing and by telephone with opportunities for public comment. Given the health and safety concerns regarding the coronavirus (COVID-19), auditorium seating availability may be limited, and meeting format may be changed to full remote via webcast. Please refer to South Coast AQMD's website for information regarding the format of the Public Hearing, updates if the meeting is changed to full remote via webcast format, and details on how to participate: <http://www.aqmd.gov/home/news-events/meeting-agendas-minutes>.

NOTICE IS FURTHER GIVEN that South Coast AQMD is considering the adoption of Proposed Rule (PR) 403.2 – Fugitive Dust from Large Roadway Projects to reduce air quality impacts to nearby receptors resulting from fugitive dust generated by construction and demolition activities of a large roadway, including any adjacent bridge, overpass, or onramp/offramp. A large roadway is defined as any portion of a roadway that is designated as functional classification "Interstate" or "Other Freeway or Expressway" by the Federal Highway Administration. PR 403.2 would prohibit certain large roadway project activities that generate dust and are in close proximity to sensitive receptors and areas of public exposure. PR 403.2 would also include additional requirements to control dust, notification to nearby receptors, project signage, and recordkeeping. The requirements of PR 403.2 would become effective for new projects 6 months after the date of adoption.

NOTICE IS FURTHER GIVEN that the proposed rule will not be submitted to the California Air Resources Board and the United States Environmental Protection Agency for inclusion into the State Implementation Plan.

NOTICE IS FURTHER GIVEN that a written analysis pursuant to Health and Safety Code Section 40727.2 has been prepared that identifies all existing federal air pollution control requirements, all South Coast AQMD existing and proposed rules and regulations, and all air pollution control requirements and guidelines that apply to the same equipment or source type as the rule proposed for adoption.

NOTICE IS FURTHER GIVEN that pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, PR 403.2 is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) and 15308. Further, there is no substantial evidence indicating that any of the exceptions in CEQA Guidelines Section 15300.2 apply to the proposed project. A Notice of Exemption will be prepared pursuant to CEQA Guidelines Section 15062, and if the project is approved, the Notice of Exemption will be filed for posting with the county

clerks of Los Angeles, Orange, Riverside and San Bernardino counties, and the State Clearinghouse of the Governor's Office of Planning and Research.

NOTICE IS FURTHER GIVEN that South Coast AQMD staff has prepared documents for consideration by the South Coast AQMD Governing Board, including:

- PR 403.2 – Fugitive Dust from Large Roadway Projects
- Staff Report for PR 403.2
- Socioeconomic Impact Assessment for PR 403.2, included in the Staff Report
- Comparative Analysis for PR 403.2, included in the Staff Report

NOTICE IS FURTHER GIVEN that the above documents may be obtained from the South Coast AQMD website at <http://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/proposed-rules/rule-403-2>, by calling the Public Information Center at (909) 396-2001, or from: Derrick Alatorre – Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, (909) 396-2432, PublicAdvisor@aqmd.gov.

NOTICE IS FURTHER GIVEN that at the conclusion of the public hearing, the South Coast AQMD Governing Board may make other modifications to PR 403.2, which are justified by the evidence presented, or may decline to adopt some or all of the proposed rule.

Questions, comments, or requests for clarification regarding PR 403.2 can be directed to Henry Pourzand, hpourzand@aqmd.gov, (909) 396-2414. CEQA inquiries can be directed to Kevin Ni, kni@aqmd.gov, (909) 396-2462. Socioeconomic Impact Assessment inquiries can be directed to Brian Vlasich, bvlasich@aqmd.gov, (909) 396-2167. Comments and inquiries can also be submitted to the attention of the above person(s) to Planning, Rule Development and Implementation, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765.

Interested persons may provide oral or written statements at the Public Hearing. Ten (10) copies of all written materials must be submitted to the Clerk of the Board. Individuals who wish to submit written or electronic comments must submit such comments to: Clerk of the Boards, 21865 Copley Drive, Diamond Bar, CA, 91765-4178, (909) 396-2500, or to cob@aqmd.gov on or before 5:00 p.m. on May 31, 2022.

Americans with Disabilities Act and Language Accessibility

Disability and language-related accommodations can be requested to allow participation in the Governing Board meeting. The agenda will be made available, upon request, in appropriate alternative formats to assist persons with a disability (Gov. Code Section 54954.2(a)). In addition, other documents may be requested in alternative formats and languages. Any disability or language-related accommodation must be requested as soon as practicable. Requests will be accommodated unless providing the accommodation would result in a fundamental alteration or undue burden to the South Coast AQMD. Requests can be sent to the Clerk of the Board, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA, 91765-4178, at (909) 396-2500 (for TTY, 909-396-3560) or send the request to cob@aqmd.gov.

DATED: April 27, 2022

FAYE THOMAS
Clerk of the Boards