

NOTICE OF PUBLIC HEARING

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

RE: Proposed Amended Regulation III – Fees

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, May 5, 2023** in the Dr. William A. Burke Auditorium at South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, at **9:00 a.m.**, 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. Please refer to the South Coast AQMD's website for information regarding the format of the Public Hearing, updates if the meeting is changed to a 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 the South Coast AQMD is considering the adoption of Proposed Amended Regulation III which includes: 1) an increase to most fees by 5.6 percent consistent with the Consumer Price Index and Rule 320; 2) an increase to permit processing and annual renewal fees of 2% in fiscal year 2023-24 and an additional 2% increase in fiscal year 2024-25 which is necessary to provide cost recovery for regulatory actions taken by agency; 3) clarification on the applicability of fees subject to an automatic CPI adjustment which is necessary to provide cost recovery for other regulatory actions taken by agency; and 4) administrative changes in Regulation III that include clarification, deletions, insertions, or corrections of existing rule language, which have no fee impact.

NOTICE IS FURTHER GIVEN that Proposed Amended Regulation III will not be submitted for inclusion into the State Implementation Plan.

NOTICE IS FURTHER GIVEN that Proposed Amended Regulation III does not impose a new emission limit or standard, make an existing emission limit or standard more stringent, or impose new or more stringent monitoring, reporting, or recordkeeping requirements and therefore, a comparative analysis pursuant to Health and Safety Code Section 40727.2 is not required.

NOTICE IS FURTHER GIVEN that pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed amendments to Regulation III which involve charges by public agencies for the purpose of meeting operating expenses and financial reserve needs and requirements are statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15273. In addition, the proposed amendments to Regulation III which have no fee impact and are strictly administrative in nature are exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). A Notice of Exemption will be prepared pursuant to CEQA Guidelines Section 15062, and if the proposed project is approved, the Notice of Exemption will be filed for posting with the State Clearinghouse of the Governor's Office of Planning and Research, and with the county clerks of Los Angeles, Orange, Riverside and San Bernardino counties.

NOTICE IS FURTHER GIVEN that the South Coast AQMD staff has prepared the following documents relevant to the proposed amended regulation, including:

- Proposed Amended Regulation III
- Draft Staff Report for Proposed Amended Regulation III
- Socioeconomic Impact Assessment for Proposed Amended Rule 320 – Automatic Adjustment Based on Consumer Price Index for Regulation III Fees
- Socioeconomic Impact Assessment for Proposed Amended Regulation III, included in the Draft 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/regulation-iii>, or by calling the South Coast AQMD's 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 Proposed Amended Regulation III, which are justified by the evidence presented, or may decline to adopt some or all of the proposed amendments.

Please direct questions, comments or requests for clarification regarding: Proposed Amended Regulation III to Britney Gallivan, bgallivan@aqmd.gov, (909) 396-2792; CEQA to Farzaneh Khalaj, fkhalaj@aqmd.gov, (909) 396-3022; and Socioeconomic Impact Assessment to Tony Tian, ttian@aqmd.gov, (909) 396-2323. Comments 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 Boards. Individuals who wish to submit written or electronic comments must submit such comments to the Clerk of the Boards, 21865 Copley Drive, Diamond Bar, CA, 91765-4178, (909) 396-2500, or to cob@aqmd.gov on or before Tuesday, May 2, 2023.

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. Please contact the Clerk of the Boards Office, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765-4178, at (909) 396-2500 (for TTY, 909-396-3560) from 7:00 a.m. to 5:30 p.m., Tuesday through Friday, or send the request to cob@aqmd.gov.

DATED: March 28, 2023

FAYE THOMAS
Clerk of the Boards