

SAN BENITO COUNTY CLERK - RECORDER
RECEIVED: 2-21-17
REMOVE: 4-21-17 SCAN: 2-22-17

#17-002

Notice of Determination

Appendix D

To:

Office of Planning and Research
U.S. Mail: Street Address:
P.O. Box 3044 1400 Tenth St., Rm 113
Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk
County of: San Benito
Address: 440 Fifth Street, Second Floor, Room 206
Hollister, CA 95023

From:

Public Agency: Monterey Bay Air Resources District
Address: 24580 Silver Cloud Ct.
Monterey, CA 93940
Contact: David Frisbey
Phone: (831) 647-9411 x234

Lead Agency (if different from above):
Address: _____
Contact: _____
Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): _____

FILED
IN SAN BENITO COUNTY

Project Title: Revisions to Air District Rules 201, 207, 1000, 1003; introduction of Rules 220, 221

Project Applicant: Monterey Bay Air Resources District

FEB 21 2017
SREYLA GONZALEZ

Project Location (include county): Monterey, San Benito and Santa Cruz Counties

JOE PAUL GONZALEZ, COUNTY CLERK
BY: [Signature] DEPUTY CLERK

Project Description:

Revisions to Monterey Bay Air Resources District rules: Rule 201 (Sources Not Requiring Permits), Rule 207 (Review of New or Modified Sources), Rule 1000 (Permit Guidelines and Requirements for Sources Emitting Toxic Air Contaminants), Rule 1003 (Air Toxics Emissions Inventory and Risk Assessments), and add Rule 220 (Federal Minor New Source Review), and Rule 221 (Prevention of Significant Deterioration).

This is to advise that the Monterey Bay Air Resources District has approved the above
(Lead Agency or Responsible Agency)

described project on February 15, 2017 and has made the following determinations regarding the above
(date)
described project.

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [was was not] adopted for this project.
5. A statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Monterey Bay Air Resources District, 24580 Silver Cloud Ct., Monterey, CA 93940

Signature (Public Agency): [Signature] Title: Planning and Air Monitoring Manager

Date: February 17, 2017 Date Received for filing at OPR: _____



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Habitat Conservation Planning Branch
1416 9th Street, 12th Floor
Sacramento, CA 95814
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



CEQA Filing Fee No Effect Determination

Applicant Name and Address: Monterey Bay Air Resources District, 24580 Silver Cloud Court, Monterey, CA 93940

CEQA Lead Agency: Monterey Bay Air Resources District

Project Title: Revisions to Air District Rules 201, 207, 1000, 1003; Introduction of Rules 220 and 221

CEQA Document Type: Initial Study and Negative Declaration

State Clearinghouse Number/local agency ID number: N/A

Project Location: Monterey, San Benito, and Santa Cruz counties

Brief Project Description: The Monterey Bay Air Resources District is proposing to revise the following rules: Rule 201 (Sources Not Requiring Permits), Rule 207 (Review of New or Modified Sources), Rule 1000 (Permit Guidelines and Requirements for Sources Emitting Toxic Air Contaminants), Rule 1003 (Air Toxics Emissions Inventory and Risk Assessments), and to add Rules 220 (Federal Minor New Source Review) and 221 (Prevention of Significant Deterioration).

The revisions would implement suggestions in the Environmental Protection Agency (EPA) March 2015 partial approval and partial disapproval of Rule 207, and EPA comments on Rule 201 related to 2011 State Implementation Plan submissions. Staff would separate the federal and state new source review (NSR) requirements into separate rules. Rule 207 will maintain the state NSR requirements. The proposed new Rules 220 and 221 would address federal requirements for a minor NSR program and Prevention of Significant Deterioration in attainment areas.

Revisions to Rules 1000 and 1003 would reflect current Office of Environmental Health Hazard Assessment guidance and recently updated risk assessment guidance from the California Air Pollution Control Officers Association.


Determination: Based on a review of the project as proposed, the Department of Fish and Wildlife has determined that for purposes of the assessment of CEQA filing fees (Fish & G. Code, § 711.4, subd. (c)) the project has no effect on fish, wildlife or their habitat and the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records. Local lead agencies are required to file two copies of this determination with the county clerk at the time of filing the Notice of Determination (NOD) after the project is approved. State lead agencies are required to file two copies of this determination with the Governor's Office of Planning and Research (i.e., State Clearinghouse) at the time of filing the NOD. If you do not file a copy of this determination as

Mr. David Frisbey, Planning and Air Monitoring Manager
Monterey Bay Air Resources District
December 8, 2016
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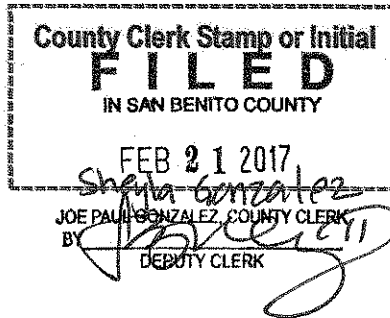
appropriate with the county clerk or State Clearinghouse at the time of filing the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid CEQA Filing Fee No Effect Determination form or proof of fee payment, the project will not be operative, vested, or final and any local permits issued for the project will be invalid, pursuant to Fish and Game Code section 711.4, subdivision (c)(3).

Approved by:  Date: 12/8/16
Signature
Ryan Mathis, Sr. Environmental Scientist (Supervisor)
Name, Title

FOR COUNTY CLERK USE ONLY

Stamp or initial inside the box to indicate acceptance of this signed No Effect Determination in lieu of a CEQA Document Filing Fee.





State of California - Department of Fish and Wildlife

2016 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (Rev. 12/15/15) Previously DFG 753.5a

RECEIPT NUMBER: 35-20170222-002
STATE CLEARING HOUSE # (If applicable)

LEAD AGENCY Monterey Bay Air Resources Dist	LEAD AGENCY EMAIL	DATE 2/22/2017
COUNTY/STATE AGENCY OF FILING San Benito		DOCUMENT NUMBER 17-002

PROJECT TITLE Revisions to Air Dist Rules 201,207,1000,1003 Intro of Rules 220,221		
PROJECT APPLICANT NAME David Frisbey	PROJECT APPLICANT EMAIL	PHONE NUMBER (831) 647-9411
PROJECT APPLICANT ADDRESS 24580 Silver Cloud Ct	CITY MONTEREY	STATE CA
		ZIP CODE 93940

PROJECT APPLICANT (Check appropriate box):

- Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

- | | | | |
|--|------------|----|--------|
| <input type="checkbox"/> Environmental Impact Report (EIR) | \$3,078.25 | \$ | \$0.00 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,216.25 | \$ | \$0.00 |
| <input type="checkbox"/> Certified Regulatory Program document (CRP) | | \$ | \$0.00 |

- Exempt from fee
 Notice of Exemption (attach)
 CDFW No Effect Determination (attach)
 Fee previously paid (attach previously issued cash receipt copy)

- | | | | |
|--|---------|----|---------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board) only) | | \$ | \$0.00 |
| <input checked="" type="checkbox"/> County documentary handling fee | \$50.00 | \$ | \$50.00 |
| <input type="checkbox"/> Other _____ | | \$ | \$0.00 |

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other #000059047
 Total Received \$ _____ \$50.00

SIGNATURE X	PRINTED NAME AND TITLE Sheyla Gonzalez-Funes - Deputy County Clerk/Recorder II
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