

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
NEGATIVE DECLARATION**

**Technical and Administrative Amendments to Bay Area Air Quality Management
District New Source Review and Title V Permitting Programs**

Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code §§ 21000 *et seq.*, and Sections 15071 and 15074 of the CEQA Guidelines, the Board of Directors of the Bay Area Air Quality Management District (Air District) hereby adopts this Negative Declaration finding that the adoption of technical and administrative amendments to the Air District's New Source Review and Title V permitting programs will not have a significant effect on the environment.

Project Name: Technical and Administrative Amendments to the Bay Area Air Quality Management District New Source Review and Title V Permitting Programs.

Project Description: This Project is a set of technical and administrative amendments to the Air District's New Source Review (NSR) and Title V permitting programs. The amendments involve four rules in Regulation 2, which is the Air District's permitting regulation. The four rules are Regulation 2, Rule 1 (Permits – General Requirements), Regulation 2, Rule 2 (Permits – New Source Review), Regulation 2, Rule 4 (Permits – Emissions Banking), and Regulation 2, Rule 6 (Permits – Title V Major Facility Review). The amendments make certain revisions to these four rules (i) to address certain “deficiencies” identified by the U.S. Environmental Protection Agency (EPA) in order to allow EPA to fully approve the District's NSR program under the federal Clean Air Act; (ii) to address certain other areas where further revisions and clarifications of the NSR regulations are needed; and (iii) to align the Air District's programs with the U.S. Supreme Court's ruling in *Utility Air Regulatory Group v. EPA*. The amendments are described in more detail in the Initial Study attached hereto and in the Staff Report that Air District staff prepared to explain the basis for these revisions.

Project Location: The nine-county jurisdiction of the Bay Area Air Quality Management District, which includes all of Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Clara, and Napa Counties, and portions of southwestern Solano County and southern Sonoma County. A map of the project location is provided in Figure 2.2-1. on page 2-2 of the Initial Study attached hereto.

Project Proponent and Lead Agency: The Bay Area Air Quality Management District.

Finding of No Significant Impact: The Board of Directors of the Bay Area Air Quality Management District hereby finds, using its own independent judgment and analysis, that based on the whole record (including the Initial Study and public comments received) there is no substantial evidence that the Technical and Administrative Amendments to the Bay Area Air Quality Management District New Source Review and Title V Permitting Programs will have a significant effect on the environment.

Initial Study: A copy of the Initial Study documenting the reasons supporting the finding of no significant impact is attached hereto.

Mitigation Measures: No mitigation measures need to be included in the project to avoid potentially significant effects, as the project will not have any potentially significant effects.