



South Coast Air Quality Management District

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July 11, 2008

Office of the Secretary for Resources
Attn: General Counsel's Office
1416 9th Street, Suite 1311
Sacramento, CA 95814

To Whom It May Concern:

Enclosed please find two copies of the Notice of Decision (NOD) for the CEQA document prepared for Proposed Amended Rule (PAR) 1158 – *Storage, Handling, and Transport of Coke, Coal and Sulfur*. The Final Environmental Assessment (EA) for PAR 1158 was prepared pursuant to CEQA and the South Coast Air Quality Management District's (SCAQMD) certified regulatory program. The CEQA document was certified by SCAQMD's Governing Board at its July 11, 2008, Public Hearing. Please record and post the NOD according to the provisions of CEQA.

SCAQMD Rule 110 requires that written responses to public comments on a SCAQMD CEQA document be filed with the Secretary of Resources along with the Notice of Decision. Two comment letters were received on the Draft EA for PAR 1158, therefore, a copy of the Final EA, which includes the comment letters and responses to the comment letters, is enclosed.

It was determined that the proposed project qualifies for the “no effect” fee exemption in accordance with recently revised Department of Fish and Game Code §711.4, Title 14, California Code of Regulations (CCR) and, therefore, a copy of the signed Fish and Game “no effect” fee exemption form is attached to prove compliance and ensure immediate posting of the NOD.

Please confirm receipt of one copy of the NOD and return them to the undersigned. Two return envelopes have been provided for your convenience (one for the confirmed copy upon receipt, and one for the original NOD to be returned after the posting period). If you have any questions, please call me at (909) 396-3054 or Michael Krause at (909) 396-2706.

Sincerely,

Steve Smith, Ph.D.
CEQA Program Supervisor
Planning, Rule Development and Area Sources

Enclosures

NOTICE OF DECISION

To: Office of the Secretary for Resources
General Counsel's Office
1416 9th Street, Suite 1311
Sacramento, CA 95814

From: SCAQMD
Planning, Rules and Area Sources
21865 Copley Drive
Diamond Bar, CA 91765

Subject: FILING OF NOTICE OF DECISION IN COMPLIANCE WITH §21080.5 OF THE PUBLIC RESOURCES CODE

Project Title: Final Environmental Assessment (EA): Proposed Amended Rule 1158– Storage, Handling, and Transport of Coke, Coal and Sulfur

Lead Agency: South Coast Air Quality Management District

SCH Number: 2008051060 **Date Certified:** July 11, 2008

Contact Person: Michael Krause **Telephone Number:** (909) 396-2706

Project Location: South Coast Air Quality Management District area of jurisdiction: South Coast Air Basin (all of Orange County and the nondesert portions of Los Angeles, Riverside, and San Bernardino counties), and the Riverside County portions of the Salton Sea Air Basin and Mojave Desert Air Basin

Project Description: The purpose of the proposed amendments to Rule (PAR) 1158 is to clarify rule definitions, add compliance flexibility and clarify rule applicability. To accomplish these objectives, definitions of terms used in the exemption section have been added; definitions have been modified to clarify rule intent; railcar operations not explicitly listed but currently subject to the rule have been added; additional exemptions are provided; and obsolete language has been deleted. No PM emission reductions are anticipated. The Draft EA concluded that the proposed project could potentially generate adverse air quality impacts during construction and water demand impacts during operation, but the impacts would not be significant. The Draft EA also concluded that no other environmental topic areas would be significantly adversely affected by the proposed project.

This is to advise that the South Coast Air Quality Management District has approved the above described project and has made the following determinations regarding the above described project:

1. A Final EA for PAR 1158 was approved pursuant to the provision of CEQA and SCAQMD Rule 110.
2. The Final EA concluded that the proposed project would not have a significant impact on the environment and, therefore, no mitigation measures were required.
3. No mitigation measures were required for this project and, therefore, a mitigation monitoring program under PRC § 21081.6 was not adopted for this project.
4. Findings and a Statement of Overriding Considerations were not required and, thus, not adopted for this project pursuant to CEQA Guidelines §§15091 and 15093, respectively.

The Final EA, supporting documentation, and record of project approval may be examined at: SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765.

Date Received for Filing

Signature: _____
Steve Smith, Ph.D.
Program Supervisor, CEQA
Planning, Rule Development, and Area Sources