

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

NOTICE OF DETERMINATION

To: Clerk of the Board, Bob Dutton
County of San Bernardino
385 N Arrowhead Ave, 2nd Floor
San Bernardino, CA 92415-0130

From: South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Subject: Filing of Notice of Determination in Compliance with Public Resources Code Section 21152 and CEQA Guidelines Section 15094

Project Title: Development and Implementation of the Charging and Fueling Infrastructure Plans in Accordance with the Cooperative Agreement between South Coast AQMD and the Ports of Long Beach and Los Angeles

State Clearinghouse Nos: 2022050287 and 2016071006

Lead Agency: South Coast Air Quality Management District
(South Coast AQMD)

Lead Agency Contact: Farzaneh Khalaj, Ph.D.
fkhalaj@aqmd.gov
(909) 396-3022

Date of Certification/ Project Approval: November 7, 2025

Project Location: The entities subject to development and implementation of the charging and fueling infrastructure plans of the Cooperative Agreement are the Ports of Long Beach and Los Angeles which are both located within Los Angeles County within the South Coast AQMD's jurisdiction, which includes the four-county South Coast Air Basin (all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties), and the Riverside County portion of the Salton Sea Air Basin and the non-Palo Verde, Riverside County portion of the Mojave Desert Air Basin.

Project Description: South Coast AQMD, together with the Port of Long Beach and the Port of Los Angeles, have jointly developed a Cooperative Agreement that would require the Ports to develop charging and fueling infrastructure plans and subsequently implement these plans. The Cooperative Agreement also includes enforcement provisions, annual reporting requirements, flexibility options to address factors outside of the Ports' control, provisions for South Coast AQMD to recover reasonable costs for staff expenses, and establishes a Clean Air Mitigation Fund if a Port fails to complete actions within their control.

The cost recovery provisions in the Cooperative Agreement, which were crafted to ensure that South Coast AQMD recovers the reasonable costs associated with the implementation and compliance activities, are statutorily exempt from CEQA

DATE FILED & POSTED

Posted On: 11.10.25

Removed On: 12.16.25

Receipt No: 36-11102025-829

and are not the focus of this Notice of Determination. A Notice of Exemption for the cost recovery provisions has been filed and posted separately.

Lastly, the establishment of the Clean Air Mitigation Fund is not a project as defined by CEQA and is not the focus of this Notice of Determination.

This is to advise that the South Coast AQMD Governing Board has made the following determinations and approved the requirements in the Cooperative Agreement for the Ports to develop charging and fueling infrastructure plans:

1. The development and implementation of the charging and fueling infrastructure plans in accordance with the Cooperative Agreement between South Coast AQMD and the Ports of Long Beach and Los Angeles is considered a "project" as defined by the California Environmental Quality Act (CEQA).
2. The requirement to develop and implement charging and fueling infrastructure plans in accordance with the Cooperative Agreement implements a portion of Control Measure MOB-01 – Emission Reductions at Commercial Marine Ports, which was previously adopted in the 2016 and 2022 Air Quality Management Plans (AQMPs), and Control Measure MOB-15 – Zero Emission Infrastructure for Mobile Sources, which was previously adopted in the 2022 AQMP.
3. The Final Program Environmental Impact Report (EIR) for the 2022 AQMP, which included Findings, a Statement of Overriding Considerations, and a Mitigation, Monitoring, and Reporting Plan, was certified on December 2, 2022 (State Clearinghouse No. 2022050287), and the Final Program EIR for the 2016 AQMP, which also included Findings, a Statement of Overriding Considerations, and a Mitigation, Monitoring, and Reporting Plan, was certified on March 3, 2017 (State Clearinghouse No. 201607100). Both Final Program EIRs evaluated the control measures which are being relied upon for the requirements in the Cooperative Agreement for the Ports to develop and implement charging and fueling infrastructure plans, and analyzed their potential environmental impacts.
4. No new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration pursuant to CEQA Guidelines Section 15168 (c)(1) because: i) there are no substantial changes proposed to the previously adopted Control Measures MOB-01 and MOB-15 in the 2022 AQMP and Control Measure MOB-01 in the 2016 AQMP which are being relied upon for the provisions in the Cooperative Agreement which require the Ports to develop and implement charging and fueling infrastructure plans; ii) there is no new information of substantial importance to Control Measures MOB-01 and MOB-15 previously adopted in the 2022 AQMP and Control Measure MOB-01 previously adopted in the 2016 AQMP, and any new information is not comprised of new significant effects or substantially worsened or more severe significant effects that were not previously analyzed in the Final Program EIRs for the 2016 AQMP and 2022 AQMP; iii) there are no new or modified physical changes that would result from the provisions in the Cooperative Agreement which require the Ports to develop and implement charging and fueling infrastructure plans which were not previously analyzed in the Final Program EIRs for the 2016 AQMP and 2022 AQMP; and iv) there is no change to the previously adopted mitigation measures or the previously considered alternatives in the

Final Program EIRs for the 2022 AQMP and 2016 AQMP. Thus, in accordance with CEQA Guidelines Section 15168(c)(2), a subsequent EIR pursuant to CEQA Guidelines Section 15162 is not required and the Final Program EIRs for the 2022 AQMP and 2016 AQMP can be relied on for CEQA compliance.

5. The mitigation measures developed in the Final Program EIRs for the 2022 AQMP and 2016 AQMP for the previously adopted Control Measures MOB-01 in the 2022 AQMP and 2016 AQMP may be applicable in the event that the Ports: 1) elect to rely on the environmental analyses conducted by South Coast AQMD in the Final Program EIRs for the 2022 AQMP and 2016 AQMP when proposing specific charging and fueling infrastructure projects with future defined actions (e.g., locations, equipment details, and timelines, etc.); and 2) find that the environmental analysis of the future defined actions identifies significant adverse air quality impacts. (CEQA Guidelines Section 15168(c)(3).)
6. Based on substantial evidence in the record and in accordance with the noticing requirements in CEQA per CEQA Guidelines Section 15168(e), the provisions in the Cooperative Agreement which require the Ports to develop and implement charging and fueling infrastructure plans are a later activity within the scope of the programs approved earlier for the 2022 AQMP and 2016 AQMP per CEQA Guidelines Section 15168(c), and the Final Program EIR for the 2022 AQMP and the Final Program EIR for the 2016 AQMP adequately describe and analyze the activities associated with the provisions in the Cooperative Agreement which require the Ports to develop and implement charging and fueling infrastructure plans for the purposes of CEQA compliance such that no new environmental document is required. The analysis supporting this conclusion can be found in Attachment G of the Board Package of the Proposed Cooperative Agreement Between South Coast AQMD and the Ports of Long Beach and Los Angeles.

The following documents and records of approval by the South Coast AQMD Governing Board may be examined at South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765:

- 1) Final Program EIR for the 2022 AQMP and the corresponding Findings, Statement of Overriding Considerations, and Mitigation, Monitoring, and Reporting Plan;
- 2) Final Program EIR for the 2016 AQMP and the corresponding Findings, Statement of Overriding Considerations, and Mitigation, Monitoring, and Reporting Plan;
- 3) Proposed Cooperative Agreement Between South Coast AQMD and the Ports of Long Beach and Los Angeles; and
- 4) The November 7, 2025 Board Package of the Proposed Cooperative Agreement Between South Coast AQMD and the Ports of Long Beach and Los Angeles, which includes the CEQA Analysis of the Proposed Cooperative Agreement as Attachment G.

Date Received for Filing

Signature: Kevin Ni November 7, 2025

Kevin Ni
Program Supervisor, CEQA
Planning, Rule Development, and Implementation
South Coast Air Quality Management District

Nicholas Dwyer

November 7, 2025

Approved as to form, Nicholas Dwyer, Senior Deputy District Counsel

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
www.wildlife.ca.gov

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



CEQA Filing Fee No Effect Determination

Applicant Name and Address: South Coast Air Quality Management District, 21865 Copley Drive
Diamond Bar, CA 91765

CEQA Lead Agency: South Coast Air Quality Management District

Project Name: 2016 Air Quality Management Plan

CEQA Document Type: Environmental Impact Report

State Clearing House Number and/or local agency ID number: N/A

Project Location: The SCAQMD has jurisdiction over the four-county South Coast Air Basin (all of Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino counties), and the Riverside County portions of the Salton Sea Air Basin (SSAB) and Mojave Desert Air Basin (MDAB). The SCAQMD's jurisdiction includes the federal nonattainment area known as the Coachella Valley Planning Area, which is a sub-region of Riverside County and the SSAB.

Brief Project Description: The 2016 AQMP identifies control measures and strategies to bring the region into attainment with the revoked 1997 8-hour National Ambient Air Quality Standard (NAAQS or standard) (80 ppb) for ozone by 2024; the 2008 8-hour ozone standard (75 ppb) by 2032; the 2012 annual PM2.5 standard (12ug/m3) by 2025; the 2006 24-hour PM2.5 standard (35 ug/m3) by 2019; and the revoked 1979 1-hour ozone standard (120 ppb) by 2023. The 2016 AQMP consists of three components: 1) the SCAQMD's Stationary, Area, and Mobile Source Control Measures; 2) State and Federal Control Measures provided by the California Air Resources Board; and 3) Regional Transportation Strategy and Control Measures provided by the Southern California Association of Governments. The 2016 AQMP includes emission inventories and control measures for stationary, area and mobile sources, the most current air quality setting, updated growth projections, new modeling techniques, demonstrations of compliance with state and federal Clean Air Act requirements, and an implementation schedule for adoption of the proposed control strategy.

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 and Game Code [FGC] Section 711.4(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 time of filing of the Notice of Determination (NOD) after the project is approved. State lead agencies are required to file two copies of this determination with the Office of Planning and Research (State Clearinghouse) at the time of filing the NOD. If you do not file a copy of this determination as appropriate with the county clerk or State Clearinghouse at the time of filing of 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 FGC Section 711.4(c)(3).

DFW Approved By Jennifer Turner Jennifer Turner Date: 07/06/2016

Title: Environmental Scientist

Conserving California's Wildlife Since 1870



State of California – Natural Resources Agency
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South Coast Region
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



CEQA Filing Fee No Effect Determination

Applicant Name and Address:

Barbara Radlein
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765
bradlein@aqmd.gov

CEQA Lead Agency: South Coast Air Quality Management District

Project Title: 2022 Air Quality Management Plan

CEQA Document Type: Environmental Impact Report

State Clearinghouse Number/local agency ID number: 2022050287

Project Location: The proposed project is located in the South Coast Air Quality Management District's (South Coast AQMD) jurisdiction, which includes the four-county South Coast Air Basin (all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties), and the Riverside County portion of the Salton Sea Air Basin and the non-Palo Verde, Riverside County portion of the Mojave Desert Air Basin. An aerial map of the entire South Coast AQMD jurisdiction can be found at:

<https://scaqmd-online.maps.arcgis.com/apps/webappviewer/index.html?id=3d51b5d2fc8d42d9af8c04f3c00f88d3>

Brief Project Description: In accordance with the United States Environmental Protection Agency strengthening the National Ambient Air Quality Standard (NAAQS) for ground-level 8-hour ozone in 2015, by lowering the primary and secondary 8-hour ozone standard to 70 parts per billion (ppb), the 2022 AQMP identifies control measures and strategies which have been developed to bring the region into attainment with this standard by 2037 for the South Coast Air Basin and the Coachella Valley. The 2022 AQMP control measures and strategies were developed to achieve this NAAQS by focusing on reducing emissions of nitrogen oxides (NOx), which are precursors to form ozone, and other air pollutants. The 2022 AQMP is comprised of the following control measures which address stationary point and area and mobile sources: 1) the South Coast AQMD's Stationary and Mobile Source Control Measures; 2) control measures identified in the 2022 State Strategy for the State Implementation Plan by the California Air Resources Board; and 3) approved Regional Transportation Plan/Sustainable Communities Strategy and Transportation Control Measures provided by the Southern California Association of Governments. The 2022 AQMP also includes emission inventories, the most current air quality setting, updated growth projections, new up-to-date modeling techniques, demonstrations of compliance with state and federal Clean Air Act requirements, and an adoption and implementation schedule for the proposed control strategies. The 2022 AQMP is designed to protect and improve public health for those living, working and visiting the region within South Coast AQMD's jurisdiction. However, the NOP/IS identified potentially significant

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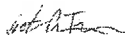
Barbara Radlein, Program Supervisor, CEQA
 South Coast Air Quality Management District
 May 27, 2022
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adverse impacts to the following environmental topic areas: air quality and greenhouse gas emissions, energy, hazards and hazardous materials, hydrology and water quality, noise, and solid and hazardous waste, which will be analyzed in the Draft Program EIR. Some facilities affected by the 2022 AQMP may be identified on lists compiled by the California Department of Toxic Substances Control per Government Code Section 65962.5. However, the implementation of the 2022 AQMP will not alter the status of the facilities on the lists.

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.

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DocuSigned by:

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 Approved by: _____ Date: 6/1/2022
 Signature
 Victoria Tang, Senior Environmental Scientist
 (Supervisory)
 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.

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