



# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182  
(909) 396-2000 • www.aqmd.gov

March 7, 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) 461 – Gasoline Transfer and Dispensing. The Final Environmental Assessment (EA) for PAR 461 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 March 7, 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. One comment letter was received on the Draft EA for PAR 461. The comment letter and the responses to comments are located in the enclosed Appendix D from the Final EA for PAR 461.

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 it 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 James Koizumi at (909) 396-3234.

Sincerely,

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

Enclosures

**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: Proposed Amended Rule (PAR) 461 – Gasoline  
Transfer and Dispensing

**Lead Agency:** South Coast Air Quality Management District

**SCAQMD Number:** 080122JK  
**SCH No.:** 2008011077

**Date Certified:** March 1, 2008

**Contact Person:** James Koizumi

**Telephone Number:** (909) 396-3234

**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 objective of PAR 461 is to assure the timely implementation of California Air  
Resources Board (CARB) Phase II Enhanced Vapor Recovery (EVR) regulation in all gasoline  
dispensing facilities (GDFs) in the district on or before CARB's deadline, April 1, 2009. PAR 461 also  
enhances rule clarity and enforceability in several areas including contractor certification, approved  
tester accountability, and compliance testing.

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. The project will not have a significant impact on the environment.
2. Mitigation measures not were made a condition of the approval of this project.
3. A mitigation monitoring program under PRC § 21081.6 was not adopted for this project.
4. Findings were not adopted for this project.
5. A Statement of Overriding Considerations was not adopted for this project.

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 Section  
Planning, Rules, and Area Sources