


NOV 07 2022

Notice of Exemption

Bill Emlen, Clerk of the
Board of Supervisors of
the County of Solano,
State of California

Deputy 

To: County Clerk
County of Yolo
625 Court Street Room 105
Woodland, CA 95695

County Clerk
Solano County
600 Texas Street
Fairfield, CA 94533

From: Yolo-Solano Air Quality Management District
1947 Galileo Court, Suite 103
Davis, CA 95618

Project Title: Revision of Rule 4.2 – PERMIT FEES – AGRICULTURAL BURNING

Project Location: Yolo-Solano Air Quality Management District

Project Description: The District is proposing to amend Rule 4.2, PERMIT FEES – AGRICULTURAL BURNING. The District is proposing to amend the rule to increase fees to recover the actual costs incurred by the District to administer the agricultural burning program.

Name of Public Agency Approving Project: Yolo-Solano Air Quality Management District

Name of Person or Agency Carrying Out Project: Yolo-Solano Air Quality Management District

Exempt Status:

- Ministerial
- Emergency Project
- Categorical Exemption (CEQA Guidelines Section 15273, Rates, Tolls, Fares, and Charges)
- Statutory Exemption

Reason why project is exempt: The revision of Rule 4.2 is the modification of rates charged by a public agency for the purpose of meeting operating expenses and is therefore exempt from CEQA because it constitutes a statutory exemption pursuant to CEQA Guidelines 15273.

Lead Agency Contact Person: Paul Hensleigh, Interim Air Pollution Control Officer
Telephone Number: (530) 757-3650

Signature:  Date: 10/12/22 Title: Interim APCO

Document Posted From
11-07-2022 to _____

Deputy Clerk of the Board

RESOLUTION NO. 22-12

RESOLUTION AMENDING YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT RULE 4.2

WHEREAS, California Health and Safety Code section 40702 provides that an air quality management district shall adopt rules and regulations as may be necessary or proper to execute the powers and duties granted to, and imposed upon, the district by Division 26 of the Health and Safety Code; and

WHEREAS, Health and Safety Code section 40727 provides that before adopting, amending, or repealing a rule or regulation, a district board shall make findings of necessity, authority, clarity, consistency, nonduplication, and reference, based upon information developed pursuant to section 40727.2, information in the rulemaking record maintained pursuant to section 40728, and relevant information presented at the public hearing required by section 40725; and

WHEREAS, section 15273 of the CEQA Guidelines provides that modification of rates charged by public agencies for the purpose of meeting operating expenses are statutorily exempt from CEQA review; and

WHEREAS, Yolo-Solano Air Quality Management District staff identified the need to increase fees within Rule 4.2 – PERMIT FEES – AGRICULTURAL BURNING to improve program cost recovery.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Yolo-Solano Air Quality Management District hereby finds, authorizes, directs and declares as follows:

1. The Board of Directors has considered and hereby adopts by reference the staff reports prepared in this matter.
2. The Board of Directors makes the following findings pursuant to Health and Safety Code section 40727:
 - a. Necessity: Information in the District's rulemaking record maintained pursuant to Health and Safety Code section 40728 demonstrates a need for amending District Rule 4.2;
 - b. Authority: Health and Safety Code section 40702 permits the District to amend District Rule 4.2;
 - c. Clarity: District Rule 4.2 as amended is written so that its meaning can be easily understood by the persons directly affected by it;
 - d. Consistency: District Rule 4.2 as amended is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations;
 - e. Nonduplication: District Rule 4.2 as amended does not impose the same

- requirements as an existing state or federal regulation;
- f. Reference: By adopting District Rule 4.2, the District meets the requirements of Health & Safety Code Sections 40702.
3. The Board of Directors finds that the District has complied with the procedural requirements set forth in Chapters 6 and 6.5 of Part 3 of Division 26 of the Health and Safety Code.
4. The Board of Directors finds that amending District Rule 4.2 is the modification of rates charged for the purpose of meeting operating expenses and is therefore statutorily exempt from CEQA review.
5. The Board of Directors hereby amends District Rule 4.2 as set forth in Exhibit 1 (Attachment A of the Staff Report), which is attached and incorporated by reference. The amendment is effective October 12, 2022.

PASSED AND ADOPTED by the Board of Directors of the Yolo-Solano Air Quality Management District this 12th day of October, 2022, by the following vote:

Ayes: Alcala, Barajas, Brown, Ernest, Fernandez, Kott, Mashburn, Sandy, Saylor, Vasquez, Wylie

Noes: None

Absent: Partida, Provenza

Abstain: Anderson

Ronald Kott

Ronald Kott (Oct 19, 2022 09:03 PDT)

Ronald Kott, Chair Board of Directors
Yolo-Solano Air Quality Management District

Attest:

Denise Almaguer
Denise Almaguer, Clerk
Board of Directors

Approved as to Form:

Hope P. Welton
Hope Welton, District Counsel