

California Air Resources Board

**Public Hearing to Consider Proposed 2021
Amendments to Area Designations for
State Ambient Air Quality Standards**

**Final Statement of Reasons for Rulemaking,
Including Summary of Comments and
Agency Response**

***Public Hearing Date: February 24, 2022
Agenda Item No.: 22-3-1.***

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I. General

The Staff Report: Initial Statement of Reasons for Rulemaking (staff report), entitled Proposed 2021 Amendments to Area Designations for State Ambient Air Quality Standards, released December 28, 2021, is incorporated by reference herein. The staff report contained a description of the rationale for the proposed amendments. On December 28, 2021, all references relied upon and identified in the staff report were made available to the public.

On February 24, 2022, the California Air Resources Board (CARB or Board) adopted amendments to the area designation regulations by Resolution 22-4. Utilizing air quality data collected from 2018 through 2020, the Board adopted amendments that changed the area designations for nitrogen dioxide (NO₂), Suspended Particulate Matter (PM₁₀), and Fine Particulate Matter (PM_{2.5}). The CA 60 Near-Road Portion of San Bernardino, Riverside, and Los Angeles Counties in South Coast Air Basin was redesignated as Attainment for NO₂. Mendocino County was redesignated as Attainment for PM₁₀. Santa Barbara County was redesignated as Attainment for PM_{2.5}. The amendments to the area designation regulations affect title 17, California Code of Regulations (CCR), sections 60203, 60205 and 60210. These changes are summarized in the below list:

- NO₂ Area Designations (section 60203);
 - Redesignate the CA 60 Near-Road Portion of San Bernardino, Riverside, and Los Angeles Counties in South Coast Air Basin as Attainment.
- PM₁₀ Area Designations (section 60205); and
 - Redesignate Mendocino County in the North Coast Air Basin as Attainment.
- PM_{2.5} Area Designations (section 60210).
 - Redesignate Santa Barbara County in the South Central Coast Air Basin as Attainment.

A. Mandates and Fiscal Impacts to Local Governments and School Districts

The Board has determined that this regulatory action will not result in a mandate to any local agency or school district the costs of which are reimbursable by the State pursuant to Part 7 (commencing with section 17500), Division 4, Title 2 of the Government Code.

A change in area designation status can result in a change in requirements for some local air districts, which are local government agencies. However, the change in the area designations from Nonattainment to Attainment for NO₂ will not have a fiscal impact on the South Coast Air Quality Management District because the air district will still be reporting based on ozone nonattainment. The changes from Nonattainment to Attainment for PM₁₀ in Mendocino County and from Unclassified to Attainment for PM_{2.5} in Santa Barbara County have no fiscal impact because these pollutants are not subject to any specific statutory planning requirements. Therefore, the total three-year lifetime costs of the proposed amendments amount to approximately \$0 to all affected air districts.

There are no fiscal impacts to any State agencies. There will be no change in reporting to CARB staff, yielding no impact on CARB staff time.

The Board has determined that this regulatory action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons.

In accordance with Government Code section 11346.3, the Board has determined that this regulatory action will not affect the creation or elimination of jobs within the State of California, the creation of new businesses or elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California.

In addition, the Board has determined that there will be no, or an insignificant, potential cost impact, as defined in Government Code section 11346.53(e), on private persons or businesses directly affected resulting from this regulatory action.

Finally, the Executive Officer has determined, pursuant to title 1, CCR, section 4, that this regulatory action will not affect small businesses because the proposed regulatory action does not contain any requirements for action.

B. Consideration of Alternatives

Health and Safety Code section 39608 requires an annual review of the area designations for State standards. The proposed area designations reflect the most current and complete ambient air quality data, collected from 2018 through 2020. The Board considered the potential alternatives to the proposed amendments, namely the no action alternative. However, based on the available data, the Board found that the proposed amendments are more appropriate than the no action alternative, which would not be consistent with State law. Furthermore, the no action alternative would not serve to inform the public about the healthfulness of air quality. The Board determined the proposed amendments give the public, businesses, and government an indication of whether the health-based standards are being met. This information allows the public to make more educated decisions regarding personal health and residency, as well as participation in outdoor activities. In addition, businesses and government are given the opportunity to make informed decisions regarding worker health and safety.

For the reasons set forth in the staff report, in staff's comments and responses at the hearing, and in this FSOR, the Board determined that no alternative considered by the agency would be more effective in carrying out the purpose for which the regulatory action was proposed, would be as effective and less burdensome to affected private persons, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law than the action taken by the Board.

II. Modifications Made to the Original Proposal

C. Modifications Approved at the Board Hearing and Provided for in the 15-Day Comment Period

There were no modifications to the original proposal. The amended regulations, which the Board adopted, are identical to those initially proposed by the staff and made available in the staff report released December 28, 2021.

D. Non-Substantial Modifications

There were no non-substantial modifications to the original proposal.

III. Documents Incorporated by Reference

No documents are incorporated by reference in this regulation.

IV. Summary of Comments and Agency Response

No comments were received.

V. Peer Review

Health and Safety Code section 57004 sets forth requirements for peer review of identified portions of rulemakings proposed by entities within the California Environmental Protection Agency, including CARB. Specifically, the scientific basis or scientific portion of a proposed rule may be subject to this peer review process. As this rulemaking only updates the labels identifying air quality in each area of the State, a peer review is not required.