

# FILED

## Notice of Exemption

DEC 27 2024

To:  Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

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

County Clerk  
Solano County  
600 Texas Street  
Fairfield, CA 94533

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

Deputy 

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

**Project Title:** Adoption of Rule 2.46 – ORGANIC WASTE COMPOSTING OPERATIONS

**Project Location:** Yolo-Solano Air Quality Management District

**Project description:** The District is proposing to adopt Rule 2.46, ORGANIC WASTE COMPOSTING OPERATIONS. The proposed rule will limit the emission of volatile organic compounds from stockpiling and active phase composting at commercial composting facilities..

**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 15308, Action by Regulatory Agency for Protection of the Environment)
- Statutory Exemption

**Reason why project is exempt:** The adoption of Rule 2.46 is an action taken to maintain and protect the environment and is therefore exempt from CEQA because it constitutes a Class 8 categorical exemption pursuant to CEQA Guidelines 15308.

**Lead Agency Contact Person:** Gretchen Bennett, Air Pollution Control Officer

**Telephone Number:** (530) 757-3650

**Signature:**  **Title:** Executive Director/APCO **Date:** 12/11/2024

Document Posted From  
12/27/24 to \_\_\_\_\_

Deputy Clerk of the Board

RESOLUTION NO. 24-11

RESOLUTION ADOPTING YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT RULE 2.46

**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 15308 of the CEQA Guidelines provides that actions taken by regulatory agencies as authorized by state law to assure the maintenance, restoration, or enhancement of the environment where the regulatory process involves procedures for the protection of the environment are categorically exempt from CEQA review (Class 8 Categorical Exemption); and

**WHEREAS**, District staff identified requirements within the Federal Clean Air Act, Section 172(c)(9) and 182(c)(9), which required the adoption of Rule 2.46, ORGANIC WASTE COMPOSTING OPERATIONS, to implement a contingency measure for the Sacramento Federal Nonattainment Area State Implementation Plan in compliance with federal law.

**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 report 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 adopting District Rule 2.46;
  - b. Authority: Health and Safety Code section 40702 permits the District to adopt District Rule 2.46;

- c. Clarity: District Rule 2.46 as proposed, is written so that its meaning can be easily understood by the persons directly affected by it;
  - d. Consistency: District Rule 2.46 as proposed, 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 2.46 as proposed, does not impose the same requirements as an existing state or federal regulation;
  - f. Reference: By adopting District Rule 2.46, 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 adopting District Rule 2.46 is an action taken by a regulatory agency as authorized by state law to assure the maintenance, restoration, or enhancement of the environment where the regulatory process involves procedures for the protection of the environment, and is therefore categorically exempt from CEQA review as a Class 8 Categorical Exemption.
5. The Board of Directors hereby adopts District Rule 2.46 as set forth in Exhibit 1 (Attachment A of the Staff Report), which is attached and incorporated by reference. The adoption is effective December 11, 2024.

**PASSED AND ADOPTED** by the Board of Directors of the Yolo-Solano Air Quality Management District this 11<sup>th</sup> day of December 2024, by the following vote:

**Ayes: Alcalá, Brown, Ernest, Kott, Mashburn, Partida, Scianna, Silva, Stallard, Vasquez, Vixie Sandy**

**Noes: None**


**Absent: Barajas, Frerichs, Provenza**

**Abstain:None**



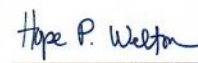
Mitch Mashburn, Chair - Board of Directors  
Yolo-Solano Air Quality Management District

Attest:



Denise Almaguer, Board Clerk

Approved as to Form:



Hope P, Welton, District Counsel