

California Environmental Quality Act (CEQA)

NOTICE OF EXEMPTION

21-2026-062

TO: Marin County Clerk
3501 Civic Center Drive, Suite 234
San Rafael, CA 94903

FROM: Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105

SUBJECT: FILING OF NOTICE OF EXEMPTION PURSUANT TO CEQA § 21152(b) AND CEQA GUIDELINES § 15062.

PROJECT TITLE: Bay Area Air Quality Management District – Right to Breathe: East Oakland Community Air Quality Justice Plan (Project)

Public Agency Approving Project (Lead Agency): Bay Area Air Quality Management District, 375 Beale Street, Suite 600, San Francisco, CA 94105, Attn: Manuel Oliva, Manager, Planning & Climate Protection Division, Email: moliva@baaqmd.gov, Telephone: 415-791-3908

Project Applicant and Entity Carrying Out Project: Bay Area Air Quality Management District

Project Applicant Mailing Address: 375 Beale Street, Suite 600, San Francisco, CA 94105

Project Contact Person: Manuel Oliva, Manager, Planning & Climate Protection Division, Email: moliva@baaqmd.gov, Telephone: 415-791-3908

FILED

APR 06 2026

SHELLY SCOTT
MARIN COUNTY CLERK
BY *[Signature]*, Deputy

Project Location: Multi-jurisdictional (Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties, and the southern portions of Solano and Sonoma counties)

Project Description:

The Bay Area Air Quality Management District (Air District) is the Lead Agency for the Project. The Right to Breathe (RTB) Plan was co-developed by the Air District, East Oakland Community Steering Committee (CSC), California Air Resources Board (CARB), local governments, and key implementation partners to address the disproportionate pollution and health burdens in East Oakland. The RTB Plan was developed over a three-year period and centers community voice in the plan goals, major pollution sources and pollutants identified, and the strategies and actions to reduce local emissions and exposures.

The Three RTB Plan Goals include:

- Goal #1 Reduce East Oaklanders’ exposure to air pollution by decreasing emissions from sources identified by the community as top concerns.
- Goal #2 Prioritize actions that have the opportunity to reduce disproportionately high health impacts associated with air pollution affecting East Oakland residents to achieve improvements in community health.
- Goal #3 Empower East Oakland residents to participate in holding polluters accountable by combining their local knowledge with an understanding of emission sources, health impacts, air pollution regulations and reporting mechanisms.

POSTED 4/6/2026 TO 5/6/2026

The RTB Plan is based on a comprehensive technical assessment. The Air District generated an emissions inventory for East Oakland that analyzed local stationary and mobile sources, included data for nearly 400 permitted facilities, and reported on Criteria Air Pollutants (CAPs) and Toxic Air Contaminants (TACs). These provide critical information about pollution and sources that supported the development of Plan strategies and actions.

At the core of the RTB Plan are strategies and actions designed to reduce air pollution and improve community health in East Oakland. Community concerns provided the foundation for strategy and action development. The RTB Plan's 32 strategies and 105 actions are organized into six focus areas: Built Environment and Land Use, Commercial and Industrial Sources, Illegal Dumping, Trash and Odors, Public Health and Community Wellness, Transportation and Mobile Sources, and Urban Greening and Workforce Development. Strategies and actions in the plan will be implemented by the Air District, CARB, local governments, and the CSC to improve air quality and reduce public health and environmental impacts in the East Oakland area.

The RTB Plan was developed as a requirement of Assembly Bill (AB) 617 (C. Garcia, Chapter 136, Statutes of 2017), a state law which recognizes that while California has seen tremendous improvement in air quality, not all communities have benefited equally. In response to AB 617 and acknowledging the challenge that communities located close to freeways, ports, industry or other large pollution sources need additional focus and resources to reduce exposure levels, the CARB established the Community Air Protection Program. In 2021, CARB selected the RTB area to participate in the program and develop a Community Emission Reduction Plan, referred to herein as the RTB Plan.

Finding of Exemption:

The Air District has determined that this project is exempt from CEQA pursuant to CEQA Guidelines section 15308 because it is undertaken by the Air District for the protection of the environment and public health.

Basis for Exemption:

The RTB Plan has been adopted by the Air District, a regulatory agency, to benefit and protect the environment and the health of residents of the East Oakland area, and all the strategies and actions identified by the RTB Plan support these goals. Therefore, adoption of the RTB Plan is categorically exempt from CEQA review pursuant to CEQA Guidelines section 15308. The Air District has determined no exceptions, laid out in CEQA Guidelines section 15300.2, to the exemption apply. The project will not result in cumulative impacts but instead aims to reduce existing cumulative air quality impacts. Additionally, there are no unusual circumstances surrounding this project nor will it result in significant impacts. As noted in Appendix G to the RTB Plan, future actions taken pursuant to the RTB Plan (such as rulemaking) may result in impacts, but the plan merely calls for these proceedings to be initiated in the future. The RTB Plan does not identify nor commit to any specific rules or regulations. Accordingly, the result of such regulatory proceedings is uncertain, and any potential impacts are entirely speculative and not subject to CEQA.



Manuel Oliva
Air Quality Planning Manager
Bay Area Air Quality Management District

4/1/2026
Date