

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From: (Public Agency): Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105

County Clerk
County of: _____

(Address)

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

Project Applicant: Bay Area Air Quality Management District

Project Location - Specific:

Multi-jurisdictional (Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, a

Project Location - City: Oakland Project Location - County: Alameda County

Description of Nature, Purpose and Beneficiaries of Project:

The Right to Breathe (RTB) Plan was co-developed by the Air District, East Oakland Community Steering Committee (CSC), Air District, 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.

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.

Name of Public Agency Approving Project: Bay Area Air Quality Management District

Name of Person or Agency Carrying Out Project: Bay Area Air Quality Management District

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: _____
- Statutory Exemptions. State code number: _____

CEQA Guidelines section 15308 - Actions by Regulatory Agencies for Protection of the Environment

Reasons why project is exempt:

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.

Lead Agency

Contact Person: Manuel Oliva Area Code/Telephone/Extension: 415-791-3908

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature:  Date: 3/30/2026 Title: Planning Manager

- Signed by Lead Agency
- Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____