

FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT
MEMORANDUM
06/01/2026

TO: FRAQMD BOARD OF DIRECTORS

FROM: Christopher D. Brown AICP, APCO

SUBJECT: Adopt Resolution #2026-04 amending Regulation I, Rule 1.1 – Definitions; and (2) find the amendments to the Rule categorically exempt in conformance with the California Environmental Quality Act (CEQA) Guidelines Section 15308 Class 8 – Actions by regulatory agencies for the protection of the environment; and authorize the Chairman to execute related documents.

RECOMMENDATION

Approve Resolution #2026-04 which adopts corrections to list of exempt compounds in Regulation I, Rule 1.1—Definitions.

ALTERNATIVES

Not adopt the proposed changes, leave the list as adopted in 2024, and provide direction to staff.

BACKGROUND

District Rule 1.1 provides the definitions used by the District's Regulations. One of the definitions is a list of exempt Volatile Organic Compounds (VOCs) that should match the list of VOC exemptions in the Code of Federal Regulations (CFR).

DISCUSSION

The District's proposed amendments to Rule 1.1 Definitions would cite the CFR instead of listing the exempt compounds.

FISCAL IMPACT

There is no fiscal impact to the District in adopting this amendment to the rule.

ATTACHMENTS

- Attachment A: Resolution #2026-04
- Attachment B: Staff Report for Rule 1.1
- Attachment C: Public Comments and Responses
- Attachment D: Proof of Publication

ATTACHMENT A
Resolution #2026-04

RESOLUTION #2026-04 OF THE BOARD OF DIRECTORS AUTHORIZING THE ADOPTION OF REGULATION I, RULE 1.1—Definitions

WHEREAS, California Health and Safety Code sections 40000, 40001, 40702, 40716 and 40910 authorize the Feather River Air Quality Management District to adopt this proposed rule and regulation; and

WHEREAS, these proceedings were held in a public hearing and were properly noticed pursuant to Health and Safety Code section 40725; with any evidence having been received concerning the proposed adoption of this Resolution and this Board having duly considered such evidence; and

WHEREAS, District staff has prepared a written analysis of the proposed rules, pursuant to Health and Safety Code section 40727.2, and has maintained a record of the rulemaking proceeding pursuant to Health and Safety Code section 40728 at the District office located at 541 Washington Avenue, Yuba City, CA; and

WHEREAS, there is no indication at this time that the proposed rules are written in such a manner that the persons affected by it could not easily understand it; and

WHEREAS, the proposed rules are in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations and any duplication with existing state or federal regulations is necessary or proper to execute the powers and duties of the Feather River Air Quality Management District; and

WHEREAS, the proposed rules are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Title 14, California Administrative Code, section 15308, as an action by a regulatory agency for the protection of the environment; and

WHEREAS, the District Board has made the required findings pursuant to Health and Safety Code section 40727, of authority, necessity, clarity, consistency, non-duplication, and reference in regard to the proposed rule;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT that effective June 1, 2026, the Board approves and adopts the amendments to Regulation I, Rule 1.1—Definitions to read in their entirety as set forth in Exhibits A of this resolution, attached hereto and made part hereof; and

BE IT FURTHER RESOLVED that the Air Pollution Control Officer is authorized to make non-substantial changes to the rules in consultation with District Counsel so long as the changes are consistent with the District's mission and goals; and

BE IT FURTHER RESOLVED the adoption of amendments to Regulation I, Rule 1.1 is exempt from CEQA; and

BE IT FURTHER RESOLVED by the Board of Directors of the FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT that effective June 1, 2026, the Board instructs the District staff to submit Regulation I, Rule 1.1–Definitions and all necessary supporting documents to the California Air Resources Board for its approval and subsequent submittal to the United States Environmental Protection Agency for final approval as a revision to the State Implementation Plan.

PASSED AND ADOPTED by the Feather River Air Quality Management District at a meeting on June 1, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairman

ATTEST:

APPROVED FOR LEGAL FORM:

Exhibit A

District Regulation I, Rule 1.1 – Definitions

Rule 1.1 DEFINITIONS (Adopted 06/1991, Amended 8/1/2011, Amended 6/3/2024, Amended 6/1/2026)**A. APPLICABILITY**

- A.1 The definitions listed in Section (B) of this rule shall be applicable to all Rules and Regulations of the Feather River Air Quality Management District, unless the same term is specifically defined in any other applicable Rule or Regulation.

B. DEFINITION OF TERMS

- B.1 **Agricultural Burning**: The use of open outdoor fires for the purpose of: Disposal of Agricultural Waste from agricultural operations; Forest Management Burning; Range Improvement Burning; Improvement of Land for Wildlife Habitat; Disease or Pest Prevention; Wildland Vegetative Management Burning and fires used for maintenance of a system for delivery of water for agricultural purposes.
- B.2 **Agricultural Operations**: The growing and harvesting of crops, including timber, or the raising of fowls, animals or bees, for the primary purpose of earning a living, or making a profit.
- B.3 **Agricultural Wastes**: The unwanted or unsalable material produced wholly from agricultural operations which are directly related to growing of crops, raising of fowls, animals or bees for the purpose of making a profit or a livelihood. This would also include grass and weeds in or adjacent to fields in cultivation or being prepared for cultivation, and materials not produced wholly from such operations, but which are intimately related to the growing or harvesting of crops, and which are used in the field. Example: empty fertilizer and pesticide sacks, bags or cartons.
- B.4 **Air Contaminant**: Includes smoke, dust, charred paper, soot, grime, carbon, acids, fumes, gases, odors, or particulate matter, or any combination thereof.
- B.5 **Air Pollution Control Officer (APCO)**: The air pollution control officer of the Feather River Air Quality Management District, and his duly authorized representatives.
- B.6 **Alteration or Modification**: Any addition to, enlargement of, or any major modification or change of the design, capacity, process, or arrangement, or any increase in the connected loading of equipment or control apparatus, which will

significantly increase or affect the kind or amount of air contaminants emitted.

- B.7 **Approved Ignition Devices**: Those instruments or materials that will ignite open fires for agricultural burning without the production of black smoke by the ignition device.
- B.8 **Atmosphere**: The air that envelopes or surrounds the earth. Where air pollutants are emitted into a building not designed specifically as a piece of air pollution control equipment, such emission into the building shall be considered to be an emission into the atmosphere.
- B.9 **Board**: The Board of Directors of the Feather River Air Quality Management District.
- B.10 **Brush Treated**: The material to be burned has been felled, crushed or uprooted with mechanical equipment, or has been desiccated with herbicide.
- B.11 **Burn Day**: A day designated by the California Air Resources Board as permissible to allow open burning within designated districts or areas.
- B.12 **Combustible or Flammable Waste**: Any garbage, rubbish, trash, rags, paper, boxes, crates, excelsior, ashes, offal, carcass or dead animals, or any other combustible or flammable refuse matter which is in solid or liquid state.
- B.13 **Combustion Contaminant**: Particulate matter discharged into the atmosphere from the burning of any kind of material containing carbon in a free or combined state.
- B.14 **Condensed Fumes**: Particulate matter generated by the condensation of vapors evolved after volatilization from the molten or liquid state.
- B.15 **Coordinated Agricultural Burning Program**: The Agricultural Burning Program approved by the Sacramento Valley Air Basin Control Council and the California Air Resources Board. It also includes policies and procedures developed by the District to Implement the Program.
- B.16 **Designated Agency**: The public fire protection or other agency designated by the California Air Resources Board to issue permits for agricultural burning.
- B.17 **District**: The Feather River Air Quality Management District.

- B.18 **Dust**: Minute solid particles released in the air by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, sweeping, etc.
- B.19 **Emission**: The passing into the atmosphere of an air contaminant or gas stream which contains an air contaminant.
- B.20 **Emission Point**: The place at which an emission enters the atmosphere.
- B.21 **Exempt Compounds**: Those compounds listed as excluded from the definition of Volatile Organic Compounds in 40 CFR 51.100(s).
- B.22 **Flue**: Any duct or passage for air, gases, or the like, such as a stack or chimney.
- B.23 **Forest Management Burning**: The use of open fires as part of a forest management practice to remove forest debris, and includes:
- a. Forest management practices, including hazard reduction;
 - b. Timber operations; and,
 - c. Silviculture and forest protection practices.
- B.24 **Health and Safety Code**: Health and Safety Code (H & S Code) means the Health and Safety Code of the State of California.
- B.25 **Hearing Board**: The appellate review board of the Feather River Air Quality Management District.
- B.26 **Hearing Board Clerk**: The Clerk of the Feather River Air Quality Management District is the ex-officio clerk of the hearing board.
- B.27 **Incineration**: An operation in which combustion is carried on for the principal purpose, or with the principal result of oxidizing a waste material to reduce its bulk or facilitate its disposal.
- B.28 **Installation**: The placement, assemblage or construction of equipment or control apparatus at the premises where the equipment or control apparatus will be used, and includes all preparatory work at such premises.
- B.29 **Inversion layer**: That point in the atmosphere at which there is no, or very little, vertical mixing or movement of air between the area above and below said point.

- B.30 **Multiple-Chamber Incinerator**: Any article, machine, equipment, contrivance, structure or part of a structure used to dispose of combustible refuse by burning, consisting of three or more refractory-lined combustion furnaces in series, physically separated by refractory walls, inter-connected by gas passage ports or ducts and employing adequate design parameters necessary for maximum combustion of the material to be burned.
- B.31 **"No-Burn" Day**: Any day on which the California Air Resources Board prohibits agricultural burning or the District prohibits open burning.
- B.32 **Open Fires, i.e., Open Burning**: Any combustion of solid waste outdoors, in the open, not in an enclosure, where the products of combustion are not directed through a flue.
- B.33 **Operation**: Any physical action resulting in a change in the location or physical properties of a material, or any chemical action resulting in a change in the chemical composition or the chemical or physical properties of a material.
- B.34 **Orchard or Citrus Heater**: Any article, machine, equipment, or other contrivance, burning any type of fuel or material capable of emitting air contaminants used or capable of being used for the purpose of giving protection from frost damage.
- B.35 **Owner**: Includes but is not limited to, any person who leases, supervises or operates equipment in addition to the normal meaning of ownership.
- B.36 **Particulate Matter**: Discrete atmospheric particles of solids or liquids, other than uncombined water, as distinguished from gases or vapors.
- B.37 **Person or Persons**: An individual, public or private corporation, political subdivision, agency, board, department or bureau of the state or any municipality, partnership, co-partnership, firm, association, trust or estate, or any other legal entity whatsoever which is recognized in law as the subject of rights and duties.
- B.38 **PPM**: Parts per million by volume on a dry gas basis.
- B.39 **Process Weight Per Hour**: The total weight excluding water added for processing or air used in processing introduced into any specific process which process may cause any discharge into the atmosphere. Solid fuels charged will be considered as part of the process weight, but liquid and gaseous fuels and combustion air will not. The "process weight per hour" will be derived by

dividing the total process weight by the number of hours in one complete operation from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle.

- B.40 **Range Improvement Burning**: The use of open fires to remove vegetation for wildlife, game or livestock habitat or for the initial establishment of an agricultural practice on previously uncultivated land.
- B.41 **Reactive Organic Gases (ROG)**: Any compound containing at least one (1) atom of carbon which participates in atmospheric photochemical reactions, excluding any exempt compound as identified in this rule.
- B.42 **Regulation**: One of the major subdivisions of the Rules and Regulations of the Feather River Air Quality Management District.
- B.43 **Representative Rice Straw Testing Sample**: A composite sample of rice straw from under the mat and from the center of the mat. The samples are to be taken from various parts of the field.
- B.44 **Rice Straw Dryness Test Procedure**: A representative rice straw sample is bent sharply at a minimum of a 90 degree angle. If the straw sample makes an audible cracking sound, it is considered dry enough for burning.
- B.45 **Rowed Rice Straw**: Rice straw passing directly through the harvester discharge without being spread.
- B.46 **Rule**: Means a rule of the Feather River Air Quality Management District.
- B.47 **Section**: Refers to a section of the Health and Safety Code of the State of California unless some other statute is specifically mentioned.
- B.48 **Solid Waste Dump**: Any accumulation for the purpose of disposal of any solid waste.
- B.49 **Source**: A point or source of emissions in a facility where an individual operation would not affect the rest of the operation.
- B.50 **Source Operation**: The last operation preceding the emission of an air contaminant which operation:
- a. Results in the separation of the air contaminant from the process material, or in the conversion of the process

material into air contaminants as in the case of combustion of fuel, and,

b. Is not an air pollution abatement operation.

- B.51 **Spray Coating**: The application of paint, lacquer, shellac, stains, or other protective or surface preparation coatings to any type of surface by means of air or airless spray equipment.
- B.52 **Spread Rice Straw**: Rice straw spread by means of a mechanical straw spreader attached to the discharge of the harvester that will ensure even distribution of straw.
- B.53 **Standard Conditions**: As used in these Regulations, refers to a gas temperature of sixty (60) degrees Fahrenheit and a gas pressure of fourteen and seven-tenths (14.7) pounds per square inch absolute.
- B.54 **Standard Dry Cubic Foot of Gas**: The amount of gas that would occupy a volume of one (1) cubic foot, if free of water vapor at standard conditions.
- B.55 **Volatile Organic Compound (VOC)**: Shall have the same meaning as Reactive Organic Gases (ROG).

ATTACHMENT B
Staff Report for Rule 1.1



Serving Sutter and Yuba Counties

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Christopher D. Brown, AICP
Air Pollution Control Officer

STAFF REPORT

Rule 1.1: Definitions

Proposed Amendments

Date of Proposed Adoption: June 1, 2026

Lead Staff: Sondra Spaethe, Planning and Engineering Supervisor
Approved by: Christopher D. Brown, AICP, Air Pollution Control Officer

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1.0 Executive Summary

The Feather River Air Quality Management District (District) is a bi-county agency that administers local, state, and federal air quality management programs for Yuba and Sutter counties. The District is responsible for adopting and implementing rules and regulations to meet health-based standards for ambient air quality.

The District adopted amendments to Rule 1.1 Definitions in June 2024 to add additional exempt compounds to make our local list consistent with the United States Environmental Protection Agency (US EPA) list as established in the Code of Federal Regulations. Exempt compounds are designated by US EPA as negligibly photochemically reactive compounds and are exempt from emission limitations in several District rules.

The District determined that in the 2024 amendments to Rule 1.1 several exempt compounds were mistakenly omitted in the final version. The District is proposing to amend the definition of “Exempt Compounds” in District Rule 1.1 which will instead reference the Code of Federal Regulations definition rather than include a list of compounds. This change should keep the District’s list of Exempt Compounds correct throughout all future additions or edits made by US EPA.

2.0 Background

2.1 District Regulation I Rule 1.1 and 2024 Amendments

The District Rule 1.1 Definitions includes the definition for the District’s Rules and Regulations. One of the definitions, “Exempt Compounds,” lists the exempt Volatile Organic Compounds as added by US EPA. This definition was updated in 2024 when the District amended the definition of “Exempt Compounds” in District Rule 1.1 to include exempt VOCs that have been added to US EPA’s list of VOC exemptions since the last revision of Rule 1.1 in 2011. In addition, language was adopted to allow the Air Pollution Control Officer to revise the list of “Exempt Compounds” in the rule by publishing a public notice of the revised list of “Exempt Compounds” for 30 days in a newspaper of general circulation in the District, currently the Appeal Democrat. After consideration of any comments received thereupon, and after consultation with CARB, the list would be updated. The intent of this was to allow the District to be more responsive to the adoption of newly listed exemption compounds or changes, keep District rules up-to-date, and cut down on administrative costs associated with a formal rule revision.

2.2 Exempt Volatile Organic Compounds

The US EPA has the authority to add duly noticed and new negligibly photochemically reactive compounds to the Federal Register codified in Part 51 of Title 40 of the Code of Federal Regulations (CFR). The policy of excluding negligibly reactive compounds from the regulatory definition of VOC was first laid out in the “Recommended Policy on

Control of Volatile Organic Compounds” (42 FR 35314, July 8, 1977) and was supplemented subsequently with the “Interim Guidance on Control of Volatile Organic Compounds in Ozone State Implementation Plans.” These VOCs do not significantly contribute to ozone formation.

3.0 Legal Mandates

The proposed amendment will correct an error in the list of Exempt Compounds. This list is used to determine compliance with District rules and regulations, permit requirements, and issuance of emission reduction credits. It is necessary to have a correct and complete list.

4.0 Summary of Proposed Changes

The proposed change would remove the table containing the list of compounds and cite the Code of Federal Regulations instead. The proposed change would also remove the procedure for adding newly listed Exempt Compounds as it would be unnecessary.

6.0 Estimated Cost Impact:

CH&SC Section 40703 requires the District, in the process of the adoption of any rule or regulation, to consider and make public its findings related to the cost-effectiveness of the rule. As this rule amendment is to correct an error in a list of compounds, there is no estimated cost to this rule adoption.

7.0 Socioeconomic Impact:

California Health and Safety Code (HSC) §40728.5(d) exempts air districts with a population of less than 500,000 from this requirement.

8.0 Air Quality Benefits of the Proposed Amendments:

There are no anticipated emission reductions from the proposed amendments. The rule amendment shall correct an error in the listing of exempt VOCs.

9.0 Environmental Review and Compliance:

California Public Resources Code Section 21159 requires an environmental analysis of the reasonably foreseeable methods of compliance be conducted. Staff finds that the proposed rule amendment is exempt from the California Environmental Quality Act (CEQA) because (1) it can be seen with certainty that there is no possibility that the activity in question may have a significant adverse effect on the environment (CEQA Guidelines §15061(b)(3)) and (2) it is as an action by a regulatory agency for protection of the environment (Class 8 Categorical Exemption, CEQA Guidelines §15308).

10.0 Required Findings:

The California Health and Safety Code, Division 26, Air Resources, requires local Districts to comply with a rule adoption protocol as set forth in Section 40727 of the Code. This section has been revised through legislative mandate to contain 6 findings that the District must make when developing, amending, or repealing a rule. These findings and their definitions are listed in the following table.

FINDING	DEFINITION	REFERENCE
Authority	A district shall adopt rules and regulations and do such acts as may be necessary or proper to execute the powers and duties granted to, and imposed upon, the district by this division and other statutory provisions.	California Health and Safety Code, Sections 40000, 40001, 40701, 40702, and 40716 are provisions of law that provide air districts with the authority to adopt these proposed rules.
Necessity	The District has demonstrated that a need for the rule, or for rule amendment or repeal.	There are several missing or incorrectly labeled compounds in the table adopted in 2024 and does not match the CFR.
Clarity	The rule is written or displayed so that its meaning can easily be understood by the persons directly affected by it.	There is no indication, at this time, that the proposed rule is written in such a manner that it cannot be easily understood by persons affected by the rule.
Consistency	This rule is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or State or federal regulations.	The rule is consistent with applicable statutory requirements and is consistent with other air districts in California.
Non-Duplication	The rule does not impose the same requirements as an existing State or federal regulation, unless	The proposed rule does not impose requirements that duplicate existing laws or regulations.

Proposed Rule: 1.1 Definitions

	the District finds that the requirements are necessary and proper to execute the powers and duties granted to, and imposed upon, the district.	
Reference	Any statute, court decision, or other provision of law that the district implements, interprets, or makes specific by adopting, amending, or repealing a regulation.	The proposed rule is consistent with the provisions of the CAA and the HSC.

11.0 Rule Analysis

Section 40727.2 requires a written analysis comparing the proposed rules with existing federal regulations, state regulations, and any other AQMD existing or proposed rules and regulations that apply to the same source type.

Comparison of Proposed Amendments to Rule 3.15 and Rule 1.1 to Feather River AQMD Rules and Regulations

District Rules and Regulations	Does proposed rule conflict or contradict any provisions?
Regulation 1 – General Provisions	No
Regulation 2 – Open Burning	No
Regulation 3 – Prohibition – Stationary Emission Sources	No
Regulation 4 – Stationary Emission Sources Permit System and Registration	No
Regulation 5 – Hearing Board Procedures	No
Regulation 6 – Variances	No
Regulation 7 – Fees	No
Regulation 8 – Penalties and Abatement	No
Regulation 9 – Enforcement Procedures	No
Regulation 10 – New Source Review	Yes, definitions for Exempt VOCs does not match definitions in 10.1

Proposed Rule: 1.1 Definitions

Regulation 11 – Air Toxic Control Measure	No
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Comparison of Proposed Rules and other Federal and State Regulations

Health and Safety Code Section 40727.2, requires the District to identify all existing federal, state, and local air pollution control requirements that apply to the same equipment or source category as the rule proposed for adoption or modification by the District. Proposed amendments to Rule 1.1 make the definition of an exempt VOC consistent with Federal Regulations. There are no existing federal or state regulations that would be in conflict with or are contradictory to the proposed rule.

ATTACHMENT C

Public Comments and Responses:

There were no written public comments received on the amendments to Rule 1.1.

ATTACHMENT D
Proof of Publication

PROOF OF PUBLICATION

RECEIVED

APPEAL-DEMOCRAT

MAY 07 2026

1530 Ellis Lake Drive, Marysville, CA 95901 * (530) 749-4700

FEATHER RIVER
AQMD

STATE OF CALIFORNIA * Counties of Yuba and Sutter

I am not a party to, nor interested in the above entitled matter. I am the principal clerk of the printer and publisher of THE APPEAL-DEMOCRAT, a newspaper of general circulation, printed and published in the City of Marysville, County of Yuba, to which Newspaper has been adjudged a newspaper of general circulation by The Superior Court of the County of Yuba, State of California under the date of November 9, 1951, No. 11481, and County of Sutter to which Newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Sutter, State of California under the date of May 17, 1999, Case No. CVPT99-0819. The Notice, of which the annexed is a copy, appeared in said newspaper on the following dates:

May 1, 2026

I declare under penalty of perjury that the foregoing is true and correct.

May 1, 2026

Jennifer Grace

Date

Signature

Feather River Air Quality Management District – Notice Of Public Hearing

COPY:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Feather River Air Quality Management District ("District") will conduct a public hearing on Monday, June 1, 2026, at 4:00 p.m. The purpose of the hearing is to consider adoption of the proposed amendments to District Rule 1.1—Definitions. The public hearing will be held at 541 Washington Avenue, Yuba City, CA.

The purpose of the proposed amendments to Rule 1.1 is to update the definition for "Exempt Compounds" to match the current United States Environmental Protection Agency's exempt Volatile Organic Compounds in the Code of Federal Regulations. The previous amendments that were adopted in 2024 mistakenly omitted some Exempt Compounds.

The action has been deemed to be exempt from the California Environmental Quality Act as it is an action taken by a regulatory agency for the protection of the environment.

The analysis for the proposed rule, as required by California Health & Safety Code section 40727.2, is included in the staff report, which along with the proposed rule, are available on the District website: www.fraqmd.org, or upon request.

NOTICE IS FURTHER GIVEN that should the amendments be adopted for Rule 1.1—Definitions they will be submitted to the California Air Resources Board and the United States Environmental Protection Agency for inclusion into the State Implementation Plan. This notice, the public hearing, and the proposed amendment to Rule 1.1 are intended to satisfy the requirements of the Clean Air Act Sections 110, 172, 182, and Title 40 of the Code of Federal Regulation Part 51.

By this notice, the public is invited to comment on the proposed amendments. Written comments can be mailed to: Christopher D. Brown AICP, APCO, 541 Washington Avenue, Yuba City, CA 95991, or emailed to: fraqmd@fraqmd.org Attn: Rule 1.1, and must be received no later than 5:00 p.m. on May 25, 2026. Comments may also be presented during the public hearing. For more information, please contact Sondra Spaethe at (530) 634-7659 ext. 210.

May 1, 2026

Ad#00314453