

Notice of Exemption

FILED

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

**From: City of Benicia
250 East L Street
Benicia, CA 94510**

APR 04 2025

Bill Emien, Clerk of the
Board of Supervisors of
the County of Solano,
State of California
Deputy *Emily Shepherd*

**County Clerk
County of:** Solano

Project Title: AMENDMENTS TO THE BENICIA MUNICIPAL CODE, ADDING CHAPTER 8.55 (INDUSTRIAL HEALTH AND SAFETY) TO TITLE 8 HEALTH AND SAFETY

Project Applicant: City of Benicia

Project Location

Citywide – updates to Benicia Municipal Code

Project Location - City: City of Benicia

Project Location - County: Solano County

Description of Nature, Purpose and Beneficiaries of Project:

The Benicia City Council Industrial Safety Ordinance Subcommittee, established in December 2023, has developed a draft Industrial Safety Ordinance (ISO or Ordinance). Following robust public outreach, engagement with key stakeholders, consultation with subject matter experts, extensive review of existing regulations, and an evaluation of current agreements, multiple drafts were reviewed and revisions incorporated. The ordinance aims to enhance industrial safety, air quality monitoring, public awareness, emergency response coordination, regulatory enforcement, and public engagement while ensuring timely communication, incident reporting, and collaboration among agencies. On March 4, 2025, Staff presented the draft ordinance to the Council for an introduction and first reading. With minor edits, Council unanimously approved the first reading and directed Staff to return the ISO for the second reading and final adoption.

Name of Public Agency Approving Project: City of Benicia

Name of Person or Agency Carrying Out Project: Josh Chadwick, Fire Chief

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:** # 15308
- Statutory Exemptions. **State code number:** # 15060(c)(2), 15060(c)(3)

Reasons why project is exempt:

This action is not subject to CEQA review pursuant to CEQA Guidelines Section 15060(c)(2) and (3) as adoption of the proposed Ordinance is not a "project" per CEQA Guidelines Section 15378. Adoption of the Ordinance will formalize existing reporting and notification requirements, and create new notification and reporting requirements, a new Industrial Safety Citizen Commission, and a new Air Quality Monitoring Program, none of which have the potential to result in a reasonably foreseeable direct or indirect physical change to the environment. Alternatively, adoption of the Ordinance is categorically exempt from CEQA review by CEQA Guidelines Section 15308, which applies to regulatory actions, as authorized by state law or local ordinance, to protect the environment, and which include procedures for protection of the environment. The Ordinance is a measure intended to combat environmental and public health harms, as it formalizes reporting and notification procedures for safety incidents at industrial facilities and creates new educational and transparency measures to better educate the public and stakeholders about incidents at industrial facilities and potential

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precautionary measures. Adoption of the Ordinance will not result in any adverse cumulative impacts and no unusual circumstances exist that would result in a significant effect on the environment.

Lead Agency

Contact Person: Josh Chadwick

Area Code/Telephone/Extension: (707) 746-4275

Signature:



Date: April 2, 2025

Title: Fire Chief

Signed by Lead Agency

Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR: -

Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.