

State of California
Environment Protection Agency
AIR RESOURCES BOARD

Notice of Decision

Project Title: Amendments to the Low Carbon Fuel Standard Regulation
(SCH# 2011112005)

Project Location: Statewide

Public Meeting Date: 12/16/2011; Agenda Item 11-10-2

Project Description: The proposal clarifies, streamlines, and improves certain provisions of the Low Carbon Fuel Standard (LCFS) regulation. Collectively, these changes are expected to help ensure the successful implementation of the program. The proposed amendments address several aspects of the regulation, including: reporting requirements, credit trading, regulated parties, opt-in and opt-out provisions, definitions, and other clarifying language.

Approved By: Air Resources Board
Executive Order R-12-012
Dated: October 10, 2012

This notice is to advise that ARB, as the lead agency, has adopted the above described regulatory action on October 10, 2012 and determined that the regulatory action will not have a significant adverse effect on the environment (see attached Executive Order R-12-012).

In accordance with CEQA and ARB's certified regulatory program, ARB prepared an environmental analysis as part of the Staff Report: Initial Statement of Reasons for Proposed Rulemaking (Staff Report), entitled "Amendments to the Low Carbon Fuel Standard Regulation".

ARB staff prepared written responses to public comments received during the comment periods. These responses are included in a Final Statement of Reasons for the Amendments to the Low Carbon Fuel Regulation. The ARB Executive Officer, as the final decision-maker for this project, approved the written responses to comments raising environmental issues.

No mitigation measures, findings, or statement of overriding considerations were adopted for this regulatory action because the regulation will not have a significant adverse impact on the environment.

The copy of the environmental analysis included in the Staff Report and the Final Statement of Reasons are available at the ARB rulemaking webpage at:
<http://www.arb.ca.gov/regact/2011/lcfs2011/lcfs2011.htm>.

These rulemaking documents may also be examined at:

California Air Resources Board
Attn: Board Administration and Regulatory Coordination Unit
1001 I Street
Sacramento, CA 95814

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Office of the Secretary

OCT 10 2012

RESOURCE AGENCY OF CALIFORNIA

Certified:

Rebecca Fink
ARB CEQA Unit

Date:

10 / 10 / 2012

Attachments:

- Executive Order R-12-012
- Final Statement of Reasons for Amendments to the Low Carbon Fuel Regulation



State of California - Natural Resources Agency
DEPARTMENT OF FISH AND GAME
1416 9th Street
Sacramento, CA 95814
<http://www.dfg.ca.gov>

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



CEQA Filing Fee No Effect Determination

Applicant Name and Address:

California Air Resources Board (ARB)
1001 I Street
Sacramento, CA 95814

CEQA Lead Agency: California Air Resources Board

Project Name: Amendments to the Low Carbon Fuel Standard Regulation

CEQA Document Type: Document for Certified Regulatory Program

State Clearing House Number and/or local agency ID number: 2011112005

Project Location: Statewide

Brief Project Description: The project clarifies, streamlines, and improves certain provisions of the LCFS regulation and does not directly authorize activities that could cause effects to fish and wildlife or physical changes to the environment.

Determination: Based on a review of the project as proposed, the Department of Fish and Game has determined that for purposes of the assessment of CEQA filing fees (Fish and Game Code [FGC] Section 711.4(c)) the project has no effect on fish, wildlife or their habitat and the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records. Local lead agencies are required to file two copies of this determination with the county clerk at time of filing of the Notice of Determination (NOD) after the project is approved. State lead agencies are required to file two copies of this determination with the Office of Planning and Research (State Clearinghouse) at the time of filing the NOD. If you do not file a copy of this determination as appropriate with the county clerk or State Clearinghouse at the time of filing of the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid CEQA Filing Fee No Effect Determination form or proof of fee payment, the project will not be operative, vested, or final and any local permits issued for the project will be invalid, pursuant to FGC Section 711.4(c)(3).

Katrina Valerio

DFG Approved By: Katrina Valerio Date: 3/14/12

Title: Environmental Scientist

Conserving California's Wildlife Since 1870

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: AMENDMENTS TO THE LOW CARBON FUEL STANDARD REGULATION

Lead Agency: Air Resources Board Contact Person: Aubrey Sideco
 Mailing Address: Air Resources Board, SSD, AFB, 1001 I Street Phone: (916) 324-3334
 City: Sacramento Zip: 95814 County: Sacramento

Project Location: County: Statewide City/Nearest Community: _____

Cross Streets: _____ Zip Code: _____

Longitude/Latitude (degrees, minutes and seconds): _____ ° _____ ' _____ " N / _____ ° _____ ' _____ " W Total Acres: _____

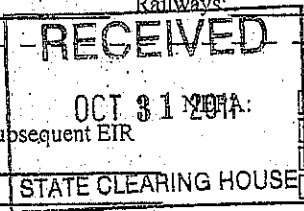
Assessor's Parcel No.: _____ Section: _____ Twp.: _____ Range: _____ Base: _____

Within 2 Miles: State Hwy #: _____ Waterways: _____

Airports: _____ Railways: _____ Schools: _____

Document Type:

CEQA: NOP Draft EIR NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) Draft EIS Other: _____
 Mit Neg Dec Other: _____



Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other: _____

Development Type:

Residential: Units _____ Acres _____ Transportation: Type _____
 Office: Sq.ft. _____ Acres _____ Employees _____ Mining: Mineral _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____ Power: Type _____ MW
 Industrial: Sq.ft. _____ Acres _____ Employees _____ Waste Treatment: Type _____ MGD
 Educational: _____ Hazardous Waste: Type _____
 Recreational: _____ Other: _____
 Water Facilities: Type _____ MGD

Project Issues Discussed in Document:

Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement
 Coastal Zone Noise Solid Waste Land Use
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects
 Economic/Jobs Public Services/Facilities Traffic/Circulation Other: _____

Present Land Use/Zoning/General Plan Designation:

Project Description: *(please use a separate page if necessary)*
 The proposal clarifies, streamlines, and improves certain provisions of the LCFS regulation; collectively, these changes are expected to help ensure the successful implementation of the program.
 The proposed amendments address several aspects of the regulation, including: reporting requirements, credit trading, regulated parties, opt-in and opt-out provisions, definitions, and other clarifying language.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

- | | |
|--|--|
| <input type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Emergency Services |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> Caltrans District # _____ | <input type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Regional WQCB # _____ |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Fish & Game Region # _____ | <input type="checkbox"/> SWRCB: Water Rights |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Housing & Community Development | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Integrated Waste Management Board | |
| <input type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date 10/31/2011 Ending Date 12/14/2011

Lead Agency (Complete if applicable):

Consulting Firm: _____	Applicant: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Contact: _____	Phone: _____
Phone: _____	

Signature of Lead Agency Representative: *Rebecca Fausel* Date: 10/31/2011

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.