

State of California
AIR RESOURCES BOARD

Executive Order R-14-007

Relating to State Implementation Plan Credit from Mobile Agricultural Equipment Regulation

WHEREAS, on October 25, 2014, the Air Resources Board (ARB or Board) conducted a public hearing to consider for approval the proposed new regulation to the State Implementation Plan Credit from Mobile Agricultural Equipment Regulation, as set forth in the Initial State of Reasons released to the public on September 4, 2013;

WHEREAS, the environmental analysis prepared under ARB's regulatory program certified under Public Resources Code section 21080.5 of the California Environmental Quality Act; California Code of Regulations (CCR), title 14, section 15251(d)) in the Initial State of Reasons concluded that the amendments will not result in any significant adverse impacts on the environment;

WHEREAS, following the public hearing, the Board adopted Resolution 13-42, in which the Board approved for adoption the proposed adoption of new section 2428, title 13, CCR, as set forth in Attachment A, with modifications set forth in Attachment B;

WHEREAS, Resolution 13-42, directed the Executive Officer to make the modified regulatory language set forth in Attachment B to the resolution available for public comment, along with any additional supporting documents and information, for a period of at least 15-days. The Executive Officer was further directed to consider written comments submitted during the public review period and make any additional appropriate conforming modifications available for public comment for at least 15-days, and to take final action to adopt the regulation after addressing all appropriate modifications or alternatively to present the regulation to the Board for further consideration if warranted;

WHEREAS, on May 14, 2014, the modified regulatory language and supporting documentation were circulated for 15-day public comment period, with the changes to the originally proposed text clearly indicated, according to provisions of California Code of Regulations, title 1, section 44 and Government Code section 11340.85. The comment period was from May 14, 2014 through May 29, 2014;

WHEREAS, three written comments were received during the initial 45-day comment period and those comments were considered by the Executive Officer;

WHEREAS, based on substantial evidence in the record there is no possibility the modifications to the regulation made available for 15-day public comment period after the Board hearing could affect the conclusion of the environmental analysis included in the Staff Report, so no additional environmental analysis was required and no additional comments raising significant environmental issues were received.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 13-42 are incorporated herein.

IT IS FURTHER ORDERED the written responses prepared for comments received are hereby approved.

IT IS FURTHER ORDERED that section 2428, title 13, California Code of Regulations, is adopted as set forth in Attachment 1 to this Executive Order.

IT IS FURTHER ORDERED that the adopted regulatory text may be further revised with non-substantial or grammatical changes, which will be added to the rulemaking record and indicated as such.

Executed this 25th day of August 2014 at Sacramento, California.



Richard W. Corey
Executive Officer

Attachment

FILED

AUG 28 2014

Resources Agency of California