State of California
Office of Administrative Law

In re:
Air Resources Board

Regulatory Action:

Title 17, California Code of Regulations

Adopt sections:
Amend sections: **95802, 95830, 95833, 95852, 95852.2, 95890, 95892, 95895, 95921, 95973, 95975, 95976, 95981, 95983, 95985, 95990**
Repeal sections:

NOTICE OF APPROVAL OF REGULATORY ACTION

Government Code Section 11349.3

OAL File No. 2014-1114-07 S

This rulemaking action by the California Air Resources Board (ARB) amends the California Cap-and-Trade Program in an effort to provide additional details to clarify implementation, address stakeholder concerns regarding registration of corporate associations, clarify offset transfer price reporting, modify allocation for two entities and modify existing offset protocols. Specific areas of amendment include: Clarify how producers quantify their product data; Alter allowance allocation for two covered entities based on new information; Include a compliance obligation for imported carbon dioxide; Update the Ozone Depleting Substances Protocol, the Livestock Protocol, and the U.S. Forest Protocol for quantification methods; and Modify requirements related to compliance, corporate association disclosures, and offset transfer price reporting.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 1/1/2015.

Date: 12/31/2014

Peggy J. Gibson
Senior Attorney

For: DEBRA M. CORNEZ
Director

Original: Richard W. Corey
Copy: Amy Whiting

STATE OF CALIFORNIA–OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

REGULAR

(See instructions on reverse)

STD. 400 (REV. 01-2013)

For use by Secretary of State only

ENDORSED FILED IN THE OFFICE OF

2014 DEC 31 PM 3:45

DEBRA BOWEN SECRETARY OF STATE

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-2014-0718-03	2014-1114-07S	

For use by Office of Administrative Law (OAL) only

2014 NOV 14 PM 4:37

OFFICE OF ADMINISTRATIVE LAW

NOTICE

REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY: Air Resources Board

AGENCY FILE NUMBER (If any):

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
Cap and Trade 2014	17	95802	August 1, 2014

3. NOTICE TYPE	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
[X] Notice re Proposed Regulatory Action [ ] Other	Amy Whiting	916.322.6533	916.322.3928

OAL USE ONLY	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER	PUBLICATION DATE
	[ ] Approved as Submitted [ ] Approved as Modified [ ] Disapproved/ Withdrawn	2014,312	8/1/2014

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S): Cap and Trade Regulation Amendments September 2014

1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S):

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)

ADOPT:

AMEND: See Attachment

REPEAL:

TITLE(S): 17

3. TYPE OF FILING

[X] Regular Rulemaking (Gov. Code §11346)

[ ] Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)

[ ] Emergency (Gov. Code, §11346.1(b))

[ ] Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.

[ ] Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)

[ ] Emergency Readopt (Gov. Code, §11346.1(h))

[ ] File & Print

[ ] Other (Specify) _____

[ ] Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)

[ ] Print Only

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

October 2, 2014 - October 17, 2014

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

[ ] Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))

[ ] Effective on filing with Secretary of State

[ ] §100 Changes Without Regulatory Effect

[X] Effective other (Specify) January 1, 2015

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

[X] Department of Finance (Form STD. 399) (SAM §6660)

[ ] Fair Political Practices Commission

[ ] State Fire Marshal

[ ] Other (Specify) _____

7. CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional)
Amy J. Whiting, Regulations Coordinator	916.322.6533	916.322.3928	awhiting@arb.ca.gov

8. **I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.**

SIGNATURE OF AGENCY HEAD OR DESIGNEE

DATE: November 14, 2014

TYPED NAME AND TITLE OF SIGNATORY: Richard W. Corey, Executive Officer

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

DEC 31 2014

Office of Administrative Law

ATTACHMENT

STD. 400 NOTICE PUBLICATION/REGULATIONS SUBMISSION

B. SUBMISSION OF REGULATIONS

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S)

TITLE(S) 17	
AMEND	95802, 95830, 95833, 95852, 95852.2, 95890, 95892, 95895, 95920, 95921, 95973, 95975, 95976, 95983, 95985, and 95990.