

PUBLIC WORKSHOP NOTICE

Second Workshop for Proposed Amendments to CARB's CEQA-Equivalent Procedures and Requirements (Certified Regulatory Program)

The California Air Resources Board (CARB) invites you to participate in a public workshop to discuss proposed updates to CARB's Certified Regulatory Program, which serve as CARB's general procedures and requirements for complying with the California Environmental Quality Act (CEQA) in connection with the plans and regulations it considers. Staff from CARB's CEQA Unit will be available to talk with participants and share information about the proposed regulation updates.

CARB staff is hosting a workshop, at the location and date shown below, to provide information about proposed updates and hear public comments.

Date: January 16, 2019

Time: 9:00 a.m. – 10:00 a.m.

Location: California Environmental Protection Agency
California Air Resources Board | Klamath Training Room
1001 I Street
Sacramento, California 95814

Background

CEQA requires public agencies to analyze and disclose the potentially significant environmental impacts that may result from their discretionary approval decisions. CEQA also requires such agencies to avoid or mitigate those impacts, if feasible. (Pub. Resources Code § 21100.) State agencies may develop their own CEQA-equivalent regulatory programs, and may seek certification of those programs by the Natural Resources Agency. (Pub. Resources Code § 21080.5) This certification exempts agencies from Chapters 3 and 4 of CEQA (Division 13 of the Public Resources Code), because the environmental analysis involved in the regulatory program is deemed to be the functional equivalent of traditional CEQA documentation. (14 California Code of Regulations (CCR) §§ 15250-53.)

In 1978, CARB received certification of its regulatory program by the Secretary of Natural Resources. The certification documents from the Secretary of Resources issued in August 1978 certified the portion of CARB's regulatory program involving the adoption or approval of standards, rules, regulations or plans to be used in the regulatory program for the protection and enhancement of the ambient air quality of

California as meeting the requirements for certification under Public Resources Code section 21080.5.

After receiving its certification, CARB amended its CEQA regulations twice. The first amendments, in 1980, were in response to legislative changes to the Administrative Procedures Act that imposed some requirements that needed to be incorporated into the regulations. The next amendments were approved in September 1981 in response to Assembly Bill 1111, which required all agencies to review all regulations on the basis of five statutory criteria (necessity, clarity, consistency, authority, and reference). In response, CARB shortened the then-existing regulations to “eliminate unnecessary repetition of statutory provisions and other excess verbiage, add references to appropriate statutes, and simplify or clarify language in those regulations proposed for retention.” The 1981 amendments significantly shortened the provisions in section 60000-60008. Since 1981, CARB has not amended the procedures for its certified regulatory program; however, the CEQA statute and guidelines have been amended numerous times, and CEQA case law has evolved considerably.

CARB is proposing to update its certified regulatory program to more fully set forth its CEQA review procedures, and to resolve certain ambiguities about CARB’s certified regulatory program. Such changes will bring greater efficiency and transparency to CARB’s planning and rulemaking processes by creating a more uniform and clear environmental review process.

CARB held a first workshop on December 7, 2018, to discuss the purpose of updating its certified regulatory program and general concepts expected to be included in the regulatory update. On January 4, 2018, CARB released proposed draft regulation text to be discussed with workshop participants at the second workshop on January 16, 2019. This Notice, the draft proposed regulation text, and the webcast link (which will be posted prior to the meeting) are available at: <https://ww2.arb.ca.gov/our-workprogramscarbs-certified-regulatory-program-implementing-california-environmental-quality>

The comment period for this item will **begin Monday, January 7, 2019**. Interested members of the public may present comments in writing at the workshop and may also provide comments by electronic submittal. Written comments on the workshop draft regulatory text must be received **no later than 5:00 p.m., Monday, February 4, 2019**. To be notified of any further activity for this item, please subscribe at: https://public.govdelivery.com/accounts/CARB/subscriber/new?topic_id=ceqa-rm

For further questions, please contact Rebecca Fancher at (916) 324-1550 or rebecca.fancher@arb.ca.gov.

Special Accommodations Request

Consistent with California Government Code Section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the meeting;
- Documents made available in an alternate format or another language;
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact Rebecca Fancher at (916) 324-1550 or rebecca.fancher@arb.ca.gov as soon as possible, but no later than five business days before the scheduled meeting. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.