

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 9<sup>th</sup> 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: \_\_\_\_\_

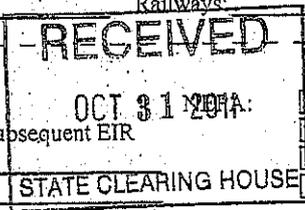
Assessor's Parcel No.: \_\_\_\_\_ Section: \_\_\_\_\_ Twp.: \_\_\_\_\_ Range: \_\_\_\_\_ Base: \_\_\_\_\_

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.

**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.