

RULE 110

Rule Adoption Procedures To Assure Protection And Enhancement Of The Environment

- (a) In addition to providing the notice of District Board meetings and hearings as required by Health and Safety Code Section 40725, the District shall consult with state and local governmental agencies having jurisdiction by law with respect to the subject matter of a proposed rule or regulation, and notice shall be mailed to all persons who have requested such notice in writing. For informational purposes, notice may be provided to newspapers of general circulation, to all persons believed to be interested in the proceeding, and to the State Clearinghouse for circulation to public agencies.
- (b) Prior to holding a public hearing to adopt, rescind, or amend a rule or regulation of the District, a staff report shall be prepared and published by the staff of the District. The staff report shall be published at least 30 days prior to the date of the public hearing. Staff reports shall be available for public review and comment, and shall be distributed to the California Air Resources Board, the Environmental Protection Agency, the State Clearinghouse, and to all other persons who have requested such report.
- (c) It is the policy of the District to utilize an interdisciplinary approach as set forth in the District's CEQA implementation guidelines adopted by the District Board pursuant to Public Resources Code Section 21082 to prepare staff reports in a manner consistent with the environmental protection purpose of the District's regulatory program and with the goals and policies of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.). All staff reports shall contain, among other things, a description of the proposed action, an assessment of the anticipated significant long- or short-term adverse and beneficial environmental impacts associated with the proposed action, and a succinct analysis of those impacts. The analysis shall address feasible mitigation measures and feasible alternatives to the proposed action which would substantially reduce any significant adverse impact(s) identified.
- (d) If comments are received during the evaluation process which raise significant environmental issues associated with the proposed action, the staff shall summarize and respond to the comments either orally at the public hearing, or in a supplemental written report. Prior to taking final action on any proposal for which significant environmental issues have been raised, the District Board shall approve a written response to each such issue.

- (e) Any action or proposal for which significant adverse environmental impacts have been identified during the review process shall not be approved or adopted as proposed if there are feasible mitigation measures or feasible alternatives available which would substantially reduce such adverse impact. For the purposes of this subparagraph, "feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors, and consistent with the District's statutory authority and with federal and state laws and regulations.
- (f) Notice of final action and the written response to significant environmental issues raised shall be filed with the Secretary of the Resources Agency for public inspection.

[SIP: Submitted as amended 10/7/88 on 2/7/89; Notice of Proposed Rule Making 11/16/90; Submitted as amended 9/11/87 on 3/23/88]