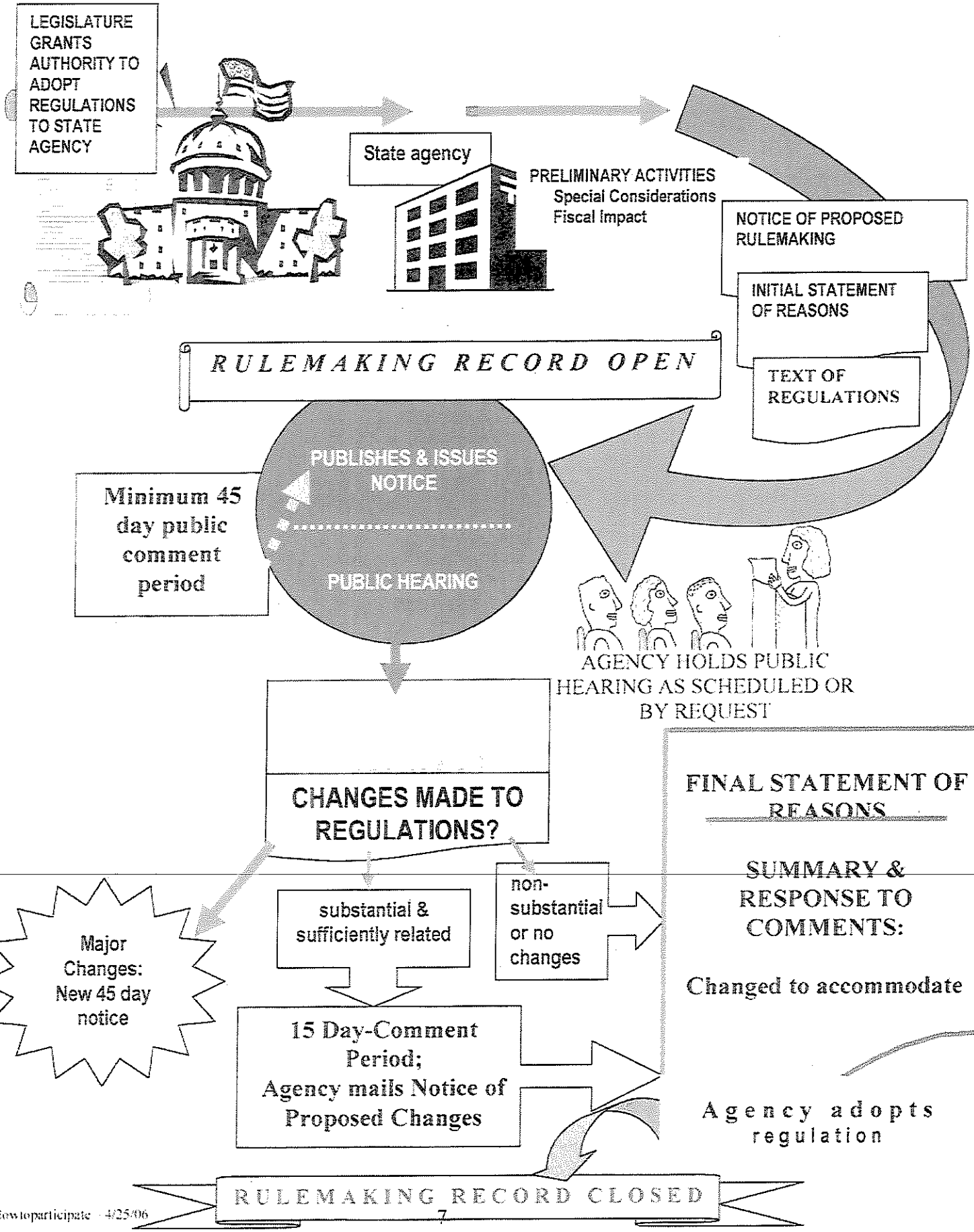
The Rulemaking Process



Evidentiary Hearings Regulations Projected Timeline
CVFPB Meeting 2/15/08

- Status Update – 2 months (meeting on April 18, 2008)

- Final draft of regulations for Board's consideration and comment – 5 months (meeting on July 18, 2008)

  - Text of Regulations
  - Initial Statement of Reasons
  - Notice of Proposed Rulemaking

- Publish Public Notice & Start of 45-day public comment period – after incorporating any changes to the regulations by the Board

  - Publication of public notice starts one-year time limit to transmit regulations and supporting materials to Office of Administrative Law

- Public Hearing – next Board Meeting after public notice is published (meeting on August 15, 2008 or September 19, 2008)

  - Public hearing must be within 45-day public comment period

- After 45-day public comment period expires, staff considers whether to make changes to regulations based upon public comments (if necessary, Board to approve changes at meeting on October 17, 2008 or November 21, 2008)

  - Major changes (unrelated to original notice) require new 45-day public comment period & notice
  - Substantial and sufficiently related changes require new 15-day public comment period & notice
  - Non-substantial or no changes do not require new public comment period or notice

- Staff to Prepare summary and responses to comments; prepare Final Statement of Reasons

- Return to Board for adoption of regulations – next Board Meeting following all public comment periods, drafting of summary and responses to comments, and Final Statement of Reasons (not later than one year from date original Notice is published)

- Transmit regulations and rulemaking record to Office of Administrative Law (not later than one year from date original Notice is published)

- Office of Administrative Law has 30 days to review and provide comments

- OAL may reject, approve, or make suggested changes to regulations

- Status update to Board – next Board Meeting following OAL action
- Regulations become effective 30 days after OAL approval and filing with Secretary of State

CENTRAL VALLEY FLOOD PROTECTION BOARD
2008 RULEMAKING CALENDAR

SCHEDULE A: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED DURING THE YEAR 2007

Subject:		CCR Title & Sections Affected:	Statute(s) Being Implemented:
Evidentiary Hearings		Title 23, Sections 6-13 and other sections as needed	Water Code Section 8610.5
Responsible Agency Unit:	Contact Person & Phone Number:	Projected Dates:	
Central Valley Flood Protection Board	Deborah Smith (916) 324-7879		

Notice Published:	Public Hearing:	Adoption by your agency:	To OAL for review:
7/08-8/08	8/08-9/08	12/08-7/09	1/09-7/09

CENTRAL VALLEY FLOOD PROTECTION BOARD
2008 RULEMAKING CALENDAR

SCHEDULE A: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED DURING THE YEAR 2007

Subject:	CCR Title & Sections Affected:	Statute(s) Being Implemented:
Ex Parte Communications	Title 23, New Section to be determined	Water Code Section 8578

Responsible Agency Unit:	Contact Person & Phone Number:	Projected Dates:			
		Notice Published: 7/08-8/08	Public Hearing: 8/08-9/08	Adoption by your agency: 12/08-7/09	To OAL for review: 1/09-7/09
Central Valley Flood Protection Board	Deborah Smith (916) 324-7879				

CENTRAL VALLEY FLOOD PROTECTION BOARD
2008 RULEMAKING CALENDAR

SCHEDULE A: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED DURING THE YEAR 2007

Subject:	CCR Title & Sections Affected:	Statute(s) Being Implemented:
Renaming of Reclamation Board to Central Valley Flood Protection Board	Title 23, all sections	Water Code Sections 8521, 8550

Responsible Agency Unit:	Contact Person & Phone Number:	Projected Dates:			
		Notice Published: 7/08-8/08	Public Hearing: 8/08-9/08	Adoption by your agency: 12/08-7/09	To OAL for review: 1/09-7/09
Central Valley Flood Protection Board	Deborah Smith (916) 324-7879				

CENTRAL VALLEY FLOOD PROTECTION BOARD
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject:	CCR Title & Sections Affected:	Statute(s) Being Implemented:
Levees - Easements	Title 23, Section 120(a)(5)	Water Code Section 8608-8610

Responsible Agency Unit:	Contact Person & Phone Number:	Projected Dates:			
		Notice Published:	Public Hearing:	Adoption by your agency:	To OAL for review:
Central Valley Flood Protection Board	Nancy Finch (916) 653-6840	7/08-8/08	8/08-9/08	12/08-7/09	1/09-7/09

Report on the status of all uncompleted rulemaking described on previous calendars:

CENTRAL VALLEY FLOOD PROTECTION BOARD
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject:	CCR Title & Sections Affected:	Statute(s) Being Implemented:
Determination of Limits of Flood Control Works	Title 23, New Section 138	Water Code Section 8608-8610

Responsible Agency Unit:	Contact Person & Phone Number:	Projected Dates:			
		Notice Published: 7/08-8/08	Public Hearing: 8/08-9/08	Adoption by your agency: 12/08-7/09	To OAL for review: 1/09-7/09
Central Valley Flood Protection Board	Nancy Finch (916) 653-6840				

Report on the status of all uncompleted rulemaking described on previous calendars:

CENTRAL VALLEY FLOOD PROTECTION BOARD
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject:	CCR Title & Sections Affected:	Statute(s) Being Implemented:
Miscellaneous Amendments to be determined	Title 23, all sections	Water Code Section 8571

Responsible Agency Unit:	Contact Person & Phone Number:	Projected Dates:			
		Notice Published:	Public Hearing:	Adoption by your agency:	To OAL for review:
Central Valley Flood Protection Board	Deborah Smith (916) 324-7879 Nancy Finch (916) 653-6840	7/08-8/08	8/08-9/08	12/08-7/09	1/09-7/09

Report on the status of all uncompleted rulemaking described on previous calendars: