

# TIMELINE FOR COMPLETING IMPLEMENTATION IN 2026

To have the regulation in effect September 1, 2026, CARB must submit the final rulemaking package to OAL by July 21, 2026 (at least 30 working days prior).

**!** September 1 is the deadline for EDUs to specify destination accounts, creating a hard upstream dependency that limits flexibility.

## DEFAULT TIMING (Most Likely – On Track)

Assumes no additional 15-day changes.



# PROCESS CONSTRAINTS & RULEMAKING PRACTICES

- ⚖️** “Substantive” revisions (per OAL, “alter the meaning of the regulatory provisions”) to a proposed regulation require a new 15-day comment period.
- 👥** Any changes proposed after the ISOR must be “sufficiently related” to the original proposal (per OAL, “reasonably foreseeable based on the notice of proposed action”).
- 🔒** CARB’s longstanding practice is to **not release market moving information during an auction blackout window.**
- 🕒** CARB typically takes two to three weeks to review 15-day comments and respond to CEQA-related comments before publishing the Board meeting agenda. (Note: our timeline uses a conservative three-week estimate.)
- 📅** CARB must publish Board meeting agendas at least ten days in advance.
- 📄** CARB typically takes four to six or more weeks (depending on the complexity of the rulemaking record) to prepare the FSOR after the Board hearing.
- 🏛️** CARB must submit the final rulemaking package to OAL at least **30 working days** before the desired effective date (in this case, July 21 for a September 1 effective date).

## PATHWAYS — IMPACT OF ADDITIONAL 15-DAY CHANGES

PATHWAY	DESCRIPTION	15-day comment period ends	CEQA responses & comment review (~2 weeks)	Board agenda published (≥10 days before meeting)	Board adopts resolution	CARB prepares FSOR (4–6+ weeks)	Submit to OAL (≥30 working days before effective date)	Effective date	BOARD HEARING	FSOR COMPLETE (EST.)	OAL SUBMISSION DEADLINE	FEASIBILITY
<b>DEFAULT PATH</b> No Additional 15-Day Changes <b>ON TRACK</b>	No additional 15-day changes.	May 4	May 18	May 18	May 28	Jun 25 – Jul 8	July 21	Sept 1	May 28	Jun 25 – Jul 8	July 21	✅ On track to meet July 2 OAL submission deadline and achieve Sept 1 effective date.
<b>OPTION 1</b> Release During Blackout <b>EXTREMELY UNLIKELY</b>	Releasing amendments by May 5 violates auction blackout and does not allow sufficient time to respond to CEQA comments and notice the board hearing.	May 4	May 5	May 20	NO TIME	NO TIME	NO TIME	NO TIME	NO TIME	4–6+ weeks	July 21	❌ Not feasible. Violates auction blackout period, does not allow sufficient time to respond to CEQA comments or to notify the board meeting agenda.
<b>OPTION 2</b> Release After Blackout <b>UNLIKELY</b>	15-day change release on May 21 extends comment period through June 5, pushing hearing beyond May 28. Even with an expedited process, unlikely to meet July 21 deadline.	May 4	May 21	June 5	June 6 – June 26	By June 26	Week of July 3	Week of July 3	Week of July 3	Aug 3 – 17	July 21	❌ Unlikely. FSOR likely not complete in time for July 21 OAL deadline.
<b>OPTION 3</b> Release After May 28 Hearing <b>VERY UNLIKELY</b>	Releasing changes after the May 28 hearing shifts the entire schedule back by 1–2 weeks. FSOR extends into mid-to late-August.	May 4	May 28	May 29	June 13	June 14 – July 4	By July 4	Week of July 13	Week of July 13	Aug 10 – 24	July 21	❌ Very unlikely. Board hearing moves to mid-July and FSOR extends into mid-to late-August.